The Board of Trustees of The City University of New York (CUNY) met on January 30, 2017 at Baruch College Vertical Campus, New York, New York, pursuant to a Notice sent by the Office of the Secretary of the Board, as revised on January 24, 2017.


**Trustees Absent:** Robert F. Mujica, Jr. and Brian D. Obergfell

**Others present:** Chancellor James B. Milliken, EVC and University Provost Vita Rabinowitz, SAC and Board Secretary Gayle M. Horwitz, Interim General Counsel and VC Jane Sovern, SVC&CFO Matthew Sapienza, Vice Chancellor Judy Bergratrau, Vice Chancellor Brian Cohen, Vice Chancellor Pamela Silverblatt, Vice Chancellor Gloriana Waters, Interim Vice Chancellor Christopher Rosa, and Associate VC Andrea Shapiro Davis; President Michelle Anderson, President Diane B. Call, Interim President Vincent Boudreau, President Rudolph Crew, President José L. Cruz, President Scott E. Evenbeck, President William J. Fritz, President Farley Herzek, President Russell K. Hotzler, President Thomas Isekenegbe, President Marcia V. Keizs, President Gail O. Mellow, President Antonio Pérez, President Jennifer Raab, President Chase Robinson, President Felix V. Matos Rodriguez, President Jeremy Travis, Dean Sarah Bartlett, Dean Mary Lu Bilek, Dean Ayman El-Mohandes, Dean Mary Pearl, University Dean John Mogulescu, Senior Advisor Marc V. Shaw, and Research Foundation President Richard Rothbard.

**CONVENING OF PUBLIC MEETING**

Chairperson Thompson called the Public Meeting to order at 4:35 p.m.

Chairperson Thompson announced that the Public Meeting is being transmitted live on cable Channel 75; it is also being webcast live at [www.cuny.edu/livestream](http://www.cuny.edu/livestream). The Public Meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

Chairperson Thompson read the following notice into the record of the meeting:

“The meetings of the Board of Trustees of The City University of New York are open to the public, and the Board welcomes the interest of those who attend. The public has ample opportunity to communicate with the Board. Public hearings on the Board’s policy calendar are scheduled one week prior to the Board’s regular meetings and members of the public who wish to communicate with the Board are invited to express their views at such public hearings.”
Furthermore, the Board holds additional public hearings each year in all of the five boroughs at which members of the public may also speak. In addition, written communications to the Board are distributed to all Trustees.

The Board must carry out the functions assigned to it by law and therefore will not tolerate conduct by members of the public that disrupts its meetings. In the event of disruptions, including noise which interferes with Board discussion, after appropriate warning, the Chairman will ask the security staff to remove persons engaging in disruptive conduct.

The University may seek disciplinary and/or criminal sanctions against persons who engage in conduct that violates the University’s rules or State laws which prohibit interference with the work of public bodies.”

CHAIRPERSON’S REPORT
Chairperson Thompson stated that the Search Committee for a new president of City College, which was formed in consultation with Chancellor James B. Milliken and charged in early December, is chaired by Vice Chairperson Barry Schwartz, with Trustees Una Clarke, Judah Gribetz, Mayra Linares-Garcia, and Ken Sunshine serving as members. Graduate Center President Chase Robinson represents the college presidents on this Search Committee. College constituency representatives, including faculty, students and an alumnus, have been appointed consistent with Board guidelines.

Chairperson Thompson stated that the Search Committee for a new president of John Jay College of Criminal Justice, which was formed in consultation with Chancellor Milliken and charged in early December, is chaired by Trustee Charles Shorter, with Trustees Wellington Chen, Jill O'Donnell-Tormey, and Sandra Wilkin serving as members. Brooklyn College President Michelle Anderson and Queensborough Community College President Diane Bova Call represents the college presidents on this Search Committee. College constituency representatives, including faculty, students and an alumnus, have been appointed consistent with Board guidelines.

Chairperson Thompson stated that the General Counsel and Vice Chancellor for Legal Affairs Search Committee, which was formed in consultation with Chancellor Milliken and charged in late December, is chaired by Trustee Lorraine Cortés-Vázquez. John Jay College President Jeremy Travis and CUNY School of Law Dean Mary Lu Bilek represent the college presidents on this Search Committee. College constituency representatives, including faculty and students, have been appointed consistent with University guidelines.
Chairperson Thompson stated that he would like to report that the Board held its Public Hearing on the Board Calendar on Monday, January 23, 2017. Trustee Cortés-Vázquez chaired the hearing that was also attended by University Faculty Senate (UFS) Chair and Trustee Kay Conway and University Student Senate (USS) Chair and Trustee Chika Onyejikwa, and members of the chancellery. A summary of the proceedings has been circulated to the Trustees and the Chancellor’s cabinet, and a transcript is available in the Office of the Secretary.

Chairperson Thompson stated that last week, he had the pleasure of joining SUNY Chairman H. Carl McCall to celebrate the 25th Anniversary of The Queens Educational Opportunity Center. The Center is an amazing place and the evening was truly inspirational. The Center enrolls more than 1,000 students, providing academic, college preparation, professional and technical programs, as well as high school equivalency programs. In fact, it is the largest high school equivalency test site in the nation, administering more than 6,000 exams annually.

Chairperson Thompson stated that he would like to congratulate Trustee Cortés-Vázquez, who received a Health Leadership Award from the National Hispanic Health Foundation at the 13th Annual Hispanic Health Professional Student Scholarship Gala event on December 15, 2016.

Chairperson Thompson stated that Trustee Wilkin is being honored this evening at the City & State 50 over 50 awards gala. She has distinguished herself by helping the city and state in civic affairs and the University salutes her accomplishments. She will be joined tonight by President Jennifer Raab, whose dedication to public higher education has led Hunter College to new heights. Congratulations to you both.

Statement of Chairperson Thompson:
Chancellor Milliken put out a statement back in November 2016 that talked about the University’s ideals, principles, and beliefs, as well as the fact that the University is an institution that is there for everyone, and that CUNY has been that vehicle for people from all countries and all backgrounds. It was reissued recently along with some other comments in light of what is happening in Washington with the new administration with regard to the attempt to squash the American dream. In fact, it is an attempt to prevent immigration to this country, and that is what has made this nation great. It is unfortunate right now that there are those that do not understand this.

In addition to Chancellor Milliken’s strong statement, he spoke about what CUNY is as an institution so I would urge everyone to take a look at the statement. The Board of Trustees have expressed their support of Chancellor Milliken’s statement, and will also provide a statement as fiduciaries, to reemphasize the beliefs and core principles of the Trustees of this institution, and let me thank my colleagues for making that very clear that they wanted to be out there also as a group.
Lastly, I would like to give Governor Andrew Cuomo two thumbs up for making his legal staff available to represent people because it is an all-hands-on-deck opportunity, and thank you again Chancellor Milliken for your initial comments, which were a great comfort to a number of CUNY students and faculty. Your continued comments mean a lot.

COLLEGE AND FACULTY HONORS
Chairperson Thompson called on Trustee Fernando Ferrer, who announced the following:

1. Nine City College faculty are recipients of Mellon Faculty Fellowships Designed to increase diversity and the retention rate of CUNY faculty. They are: Assistant Professors Nancy Cardwell, Angela Chitkara, Abby Kornfeld, Katherine Ritchie, Boukary Sawadodo, Linda Villarosa, Missy Watson, Terri Watson and Yoko Inagi Ferguson. They will participate in the new CUNY Mellon Faculty Diversity Career Enhancement Initiative, launched by Chancellor Milliken. The fellowships are funded by a $500,000 grant from the Andrew W. Mellon Foundation. Congratulations to all!

2. Lehman College Department of Physics and Astronomy Professor Luis Anchordoqui and Research Associate Tom Paul are members of the Pierre Auger Observatory’s Prestigious 500-Member Collaboration of World-Class Scientists, and recently contributed to what could be a potentially significant discovery in the world of particle physics and astronomy. The cosmic ray observatory is located in Pampa Amarilla, Argentina.

STUDENT AND ALUMNI HONORS
Chairperson Thompson called on Trustee Clarke, who announced the following:

1. Hunter College Senior Faiza Masood (Fay-Za Ma-Sood) was one of two students from New York to receive a prestigious Marshall Scholarship. Since the Program’s inception, she is the seventh CUNY student to be awarded this great honor. Congratulations!

2. Third-Year CUNY School of Law students Annemarie Caruso and Maggie Gribben were recently awarded Skadden Fellowships for 2017. Since the Program’s inception, twelve CUNY Law graduates have served as Skadden Fellows. Congratulations!

GRANTS
Chairperson Thompson presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the October 26, 2016 Board meeting.

BARUCH COLLEGE

1. $135,184 PUBFND/BENEFICENT TECHNOLOGY, INC. to Karen Luxton-Gourgey, for “Outreach Coordination Project.”
### BRONX COMMUNITY COLLEGE

1. **$1,200,000**  
   UNITED STATES DEPARTMENT OF EDUCATION to Michelle Danvers-Foust, for “Student Support.”

2. **$500,000**  
   ENVIRONMENTAL PROTECTION FUND to Angela Wambugu Cobb, for “Institutional Improvement.”

3. **$430,972**  
   UNITED STATES DEPARTMENT OF EDUCATION to Alex Ott, for “Student Support.”

4. **$145,975**  
   CAPITAL ONE to Alex Ott, for “Training.”

5. **$100,000**  
   NEW YORK STATE DEPARTMENT OF LABOR to Ruby Chua, for “Training.”

6. **$100,000**  
   NEW YORK CITY COUNCIL to Elizabeth Payamps, for “Student Support.”

### BROOKLYN COLLEGE

1. **$284,301**  
   UNITED STATES DEPARTMENT OF EDUCATION to Lorraine Mondesir, for “Childcare Access Means Parents in School.”

2. **$276,039**  
   DEPARTMENT OF HEALTH AND HUMAN SERVICES/NATIONAL INSTITUTES OF HEALTH to Louise Hainline, for “Biometrical Research Training for Minority Honor Students.”

3. **$157,000**  
   NATIONAL INSTITUTES OF HEALTH to Luis Quadri, for “Interrogation of Mycobacterium Kansasii with Forward Genetics.”

### CITY COLLEGE

1. **$970,000**  
   NEW YORK CITY COUNCIL to Ramona Hernandez, for “Libraries and Archives.”

2. **$737,956**  
   NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES to Michael Bobker, for “Building Operator Training.”

3. **$501,209**  
   VARIOUS PRIVATE SOURCES to Vincent Boudreau, for “Colin Powell Center for Policy Studies.”

4. **$428,849**  
   UNIVERSITY OF WISCONSIN to Felice Ghilardi, for “Do Single Neurons Need to Sleep and Why?”

5. **$201,435**  
   SHARED SERVICES CENTER to Maria Tzortziou, for “Research Opportunities in Space and Earth Sciences 2013.”

6. **$197,240**  
   SHARED SERVICES CENTER to Kyle McDonald, for “Research Opportunities in Space and Earth Sciences 2013 (ROSES-2015).”

7. **$190,001**  
   COLUMBIA UNIVERSITY to Lia Krusin-Elbaum, for “Columbia University Materials Research Science and Engineering Center.”

8. **$187,811**  
   NATIONAL CANCER INSTITUTE to Philip Smith, for “The TREND Partnership: Translational Research Education and Training to Eliminate Tobacco Disparities.”

9. **$150,905**  
   COLUMBIA UNIVERSITY to James Booth, for “Characterization of Oceanic Post-Cold Frontal Clouds and Their Model Representation.”
10. $150,678 NEW YORK STATE DEPARTMENT OF TRANSPORTATION to Camille Kamga, for “University Transportation Research Consortium - NYMTC.”

11. $121,000 UNIVERSITY OF MARYLAND to Peter Romanov, for “Science and Management Support for NPP VIIRS Snow EDRs.”

12. $115,068 SHARED SERVICES CENTER to Kyle McDonald, for “Earth and Atmospheric Sciences ROSES-2015/Science Utilization of the Soil Moisture Active-Passive Mission.”

13. $102,040 UNIVERSITY OF MARYLAND to Alex Gilerson, for “CREST Ocean Color LISCO (AERONET Site) Cruise Data & Matchup.”

14. $100,000 UNIVERSITY OF MARYLAND to Samir Ahmed, for “A New Technique for VIIRS Detection and Delineation of Karenia Bevis HABS in the West Florida Shelf without the Need for a Flourescence Channel.”

15. $100,000 UNIVERSITY OF MARYLAND to Naira Chaouch, for “CICS: River and Lake Ice Mapping Using NPP/JPSS VIIRS Sensor to Support NOAA NWS.”

**GRADUATE SCHOOL AND UNIVERSITY CENTER**

1. $126,921 NEW YORK STATE EDUCATION DEPARTMENT to Gita Martohardjono, for “Multilingual Literacy SIFE Screener.”

**HUNTER COLLEGE**

1. $939,448 FHI 360/UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT to Martha Bragin, for “Kabul & Heart University Counseling Partnership with Hunter College of CUNY.”

2. $362,338 NEW VISIONS FOR PUBLIC SCHOOLS to Matthew Caballero, for “Urban Teacher Residency Grant.”

3. $349,575 UNITED STATES DEPARTMENT OF EDUCATION to Jennifer Hayashida, John Chin, and Paul McPherron, for “Hunter College AANAPISI Project: Improving Learning Environment & Academic Outcomes for API Students.”

4. $199,167 UNITED STATES DEPARTMENT OF EDUCATION to Elizabeth Cardoso, for “Long-Term Training: Rehabilitation Counseling.”

5. $143,446 NORTHWESTERN UNIVERSITY/NATIONAL INSTITUTE ON DRUG ABUSE to Jeffrey Parsons, for “Efficacy of Internet-Based HIV Prevention.”

6. $139,692 UNITED STATES DEPARTMENT OF DEFENSE OFFICE/OFFICE OF NAVAL RESEARCH to Mary Cavanaugh and Manny Gonzalez, for “Fatherhood Initiative.”

7. $112,320 NATIONAL SCIENCE FOUNDATION to Jessica Rothman, for “Exploring the Links Between Biodiverse Foods, Nutritional Quality, and Food Security.”

**JOHN JAY COLLEGE OF CRIMINAL JUSTICE**

1. $2,000,000 UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT to Javier Osorio, for “Promoting Quantitative Analysis Capabilities and Applied Research on Citizen Security in Central America.”

2. $619,010 UNITED STATES DEPARTMENT OF EDUCATION to Anthony Carpi and Kate Szur, for “A Success Pipeline for Hispanic Students: Expanding a Model...”
Transfer Articulation Program by Supporting Cohort Identity, Academic Progress, and Learner-Centered Curriculum.”

3. $587,292 ROBIN HOOD FOUNDATION to Dara Byrne, for “Acceleration, Completion, Engagement (ACE) Program.”

4. $316,753 CITY OF KALAMAZOO, MI to David Kennedy, for “Reducing Serious Violence in Kalamazoo.”

5. $300,000 THE CITY OF YORK, PENNSYLVANIA to David Kennedy, for “Reducing Serious Violence in York, PA.”

6. $271,975 SAVANNAH RIVER NUCLEAR SOLUTIONS to Anthony Carpi, for “Determination of Mercury Reduction and Volatilization Mechanisms for Soil at the Oak Ridge Y-12 National Security Complex.”

7. $265,000 MAYOR’S OFFICE OF CRIMINAL JUSTICE to Jeffrey Butts, for “Sustaining the Assessment of New York City’s Anti-Violence Initiative.”

8. $254,871 NEW YORK CITY HUMAN RESOURCES ADMINISTRATION to Will Simpkins and Chantelle Wright, for “NYC/HRA/CUNY/COPE/John Jay.”

9. $242,197 GOVERNMENT OF THE VIRGIN ISLANDS (DEPARTMENT OF PROPERTY AND PROCUREMENT) to David Kennedy, for “Technical Assistance and Strategies for the Territory of the Virgin Islands.”

10. $135,688 UNITED STATES DEPARTMENT OF EDUCATION VIA BOROUGH OF MANHATTAN COMMUNITY COLLEGE to Kate Szur, for “Title III: HSI STEM Articulation Digital Pathways Initiative.”

11. $105,242 NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES to Ann Jacobs, for “ATI Program, College Initiative.”

12. $100,000 NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES to Ann Jacobs, for “Prison to College Pipeline (P2CP).”

KINGSBOROUGH COMMUNITY COLLEGE

1. $149,941 CAPITAL ONE FOUNDATION to Babette Audant, for “Data Tracking Strategy to Inform Institutional Growth & Improve Student Outcomes.”

LEHMAN COLLEGE

1. $1,811,315 UNITED STATES DEPARTMENT OF EDUCATION to Herminio Martinez, for “Lehman College Title III – National Development Program (ALPHA Two).”

2. $180,259 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION to Luis Anchordoqui, for “U.S. Participation in the Extreme Universe.”

3. $121,035 NEW YORK CITY COUNCIL to Traci Palmieri, for “Middle Schools Visit.”

NEW YORK CITY COLLEGE OF TECHNOLOGY

1. $944,176 NEW YORK STATE DEPARTMENT OF EDUCATION to Bonne August, for “Perkins.”

2. $400,000 NEW YORK STATE DEPARTMENT OF EDUCATION to Bonne August, for “CSTEP.”
3. $297,232  DEPARTMENT OF HEALTH AND HUMAN SERVICES/SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION to Carmel Dato, for “Educating Nursing and Human Services Students.”

4. $200,000  NEW YORK STATE DEPARTMENT OF EDUCATION to Bonne August, for “Teacher Leader Quality Partnership Program.”

5. $151,795  UNITED STATES DEPARTMENT OF DEFENSE to Delaram Kahrobaei, for “Homomorphic Encryption & Applications.”

6. $142,312  UNITED STATES DEPARTMENT OF EDUCATION to Hong Li, for “Digital Pathways Project.”

QUEENS COLLEGE

1. $1,198,536  NATIONAL SCIENCE FOUNDATION to Stephen Farenga, for “Preparation of STEM Majors and Recruitment of STEM Graduates to Increase the Number of Highly Qualified STEM Teachers.”

2. $986,562  UNITED STATES DEPARTMENT OF EDUCATION to Eva Fernandez, for “STEM Bridges Across Eastern Queens.”

3. $685,934  NATIONAL INSTITUTES OF HEALTH to Yoko Nomura, for “The Infants of Superstorm Sandy: The Epigenetic and Developmental Impact of a Natural Disaster.”

4. $575,000  UNITED STATES DEPARTMENT OF EDUCATION to Patricia Rachal and Susanne Morrow, for “The New York Deaf-Blind Collaborative.”

5. $462,000  NATIONAL INSTITUTES OF HEALTH to Alicia Melendez, for “Role of Autophagy and Retromer Genes in GLP-1/Notch Signaling.”

6. $450,000  NEW YORK CITY COUNCIL to Theodore Brown, for “Tech Incubator.”

7. $433,206  NATIONAL SCIENCE FOUNDATION to Eleanor Armour-Thomas, Leslee Grey, Stephen Farenga, Yung-Chi Chen, and Line Saint-Hilaire, for “Facilitating Teachers’ and Young Children's Science Learning through Iterative Cycles of Teacher Professional Development.”

8. $404,227  THE KUPFERBERG FOUNDATION to Vivian Charlop, for “Kupferberg Annual Gift.”

9. $351,667  NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE to Steven Markowitz, for “New York City Community Air Survey Program.”

10. $311,876  NATIONAL INSTITUTES OF HEALTH to Zahra Zakeri, for “MARC Undergraduate Student Training in Academic Research at Queens College.”


12. $250,000  UNITED STATES DEPARTMENT OF EDUCATION to Sara Woolf, for “Integrated Master's Program in Early Childhood Special and Bilingual Education.”

13. $249,673  UNITED STATES DEPARTMENT OF EDUCATION to Emilia Lopez, for “Culturally Responsive Intervention Project: Training School Psychologists”
from Multi-Cultural and Bilingual Backgrounds to Engage in Culturally Responsive Intervention Practices.”

14. $226,600 UNITED STATES DEPARTMENT OF EDUCATION to Mirian Detres-Hickey, for “DSSS: Disable Student Services.”

15. $208,333 AIR FORCE OFFICE OF SCIENTIFIC RESEARCH to Andrew Rosenberg, for “SPARKLER: Scalable Prosodic, Anomaly and Relational Knowledge Exploration of Language with Enhanced Robustness.”

16. $168,092 NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE to Steven Markowitz, for “New York City Community Air Survey Program.”

17. $167,378 NEW YORK STATE DEPARTMENT OF EDUCATION to Jennifer Eddy, for “World Language Pathways Curriculum and Assessment Initiative.”

18. $160,000 VERIZON FOUNDATION to Diane Gahagan, for “Industry Specialized Training.”

19. $142,721 NATIONAL SCIENCE FOUNDATION/BINATIONAL SCIENCE FOUNDATION to Azriel Genack, for “NSF/DMR/-BSF: Universality and Control of Wave Propagation Inside Random Media.”

20. $125,000 AIR FORCE OFFICE OF SCIENTIFIC RESEARCH to Andrew Rosenberg, for “SPARKLER Scalable Prosodic Anomaly and Relational Knowledge Exploration of Language with Enhanced Robustness.”

21. $109,203 NEW YORK CITY DEPARTMENT OF EDUCATION to Robin Hizme, for “Townsend Harris High School Collaboration Program.”

22. $106,553 CENTERS FOR DISEASE CONTROL/MOUNT SINAI RESEARCH HOSPITAL to Steven Markowitz, for “Prognosis and Determinants of Asthma Morbidity in World Trade Center Rescue and Recovery Workers.”

COLLEGE OF STATEN ISLAND

1. $414,579 NEW YORK STATE DEPARTMENT OF EDUCATION to Lisa Ebert and Shawn Landry, for “Liberty Partnerships Program.”

2. $128,342 DEPARTMENT OF HEALTH AND MENTAL HYGIENE to Christopher Cruz Cullari, for “Creative Exchange Program.”

3. $121,035 NEW YORK CITY COUNCIL to Ralf Peetz, for “Middle Schools Visits – CSI.”

4. $120,000 CRAIG H. NEILSEN FOUNDATION to Maria Knikou, for “Transspinal Simulation to Increase Neuroplasticity.”

CHANCELLOR’S REPORT

Chancellor Milliken opened up his report by stating that this is an especially meaningful time for this meeting because of a number of recent developments, some very positive for CUNY’s future and some a source of deep concern for the institution and the students. In that latter case, I refer to the new administration’s recent orders restricting travel, including those with student visas who have been studying at CUNY. One of the proudest strengths of CUNY, going back to its founding, is the contributions that immigrants make, as students, staff, and faculty. They have long brought remarkable creativity, talent and drive, not just to the University, but as graduates to the city and country. Today, about forty percent of CUNY’s undergraduates were born in another country and...
they are some of the most outstanding students that the University has. Not only does CUNY not discriminate in any way, but I am particularly proud of the fact that CUNY offers more support and guidance to immigrant students and that is unmatched by any other university, and I am proud that the Board of Trustees are such strong supporters of the policies and practices of CUNY that have provided support to the students over the years.

As Chairperson Thompson mentioned, I wrote again to the CUNY community, reaffirming the University’s unwavering support for the immigrants and foreign students in the community, especially at this critical moment. My colleagues at the campuses who talk to students and others every day join me in appreciating the Board's continued strong support of CUNY. It lets the students know that they can rely on the University's leaders and sends a message to the elected leaders about the values of CUNY and why they matter.

As I said, there is also some very positive news, and I am pleased that the University has in the last few days released its strategic framework, which articulates a vision for reinvigorating CUNY’s special admission into the 21st Century. I am also pleased that the path forward for that vision has been brightened by Governor Cuomo’s Executive Budget. Despite all the challenges for higher education across the country, New York has continued to support its public universities, and for that reason I am optimistic about the future of the nation's largest public university. Governor Cuomo's budget proposals offer critical support for the students and CUNY. The chancellery is, of course, especially pleased with Governor Cuomo's Excelsior free tuition proposal. It is a welcome initiative that will put high-quality education within reach of even more lower- and middle-income students. In addition to addressing cost, it promotes timely completion, which is one of CUNY’s highest priorities. It underscores the importance of higher education in creating opportunities for New Yorkers and advancing the prosperity of the state.

The chancellery also very much appreciated Governor Cuomo's support for passage of the Dream Act, which will extend financial aid and other benefits to CUNY’s many outstanding undocumented students. This has consistently been a high priority of this Board. The administration is also grateful for Governor Cuomo’s commitment to the Predictable Tuition Plan, which will help ensure financial stability for the University, allowing families to plan ahead and provide important funding for academic programs and student services. The University has a significant financial obligation to fund the support for the talented faculty and staff, and in my view there is no better use of state funding, of city funding, and of tuition funding, than attracting and retaining high-quality faculty. Even with the tuition increases contemplated in the Request and in the Executive Budget, CUNY’s in-state tuition will continue to be well below the average for public universities in this country, and when combined with Pell Grants and New York’s TAP program, it will keep college affordable for CUNY’s residents. Most of the undergraduate students pay no tuition, and the vast majority of the graduates leave CUNY with no federal debt.
The University is also gratified by the significant investment in the Executive Budget for critical maintenance at the senior and community colleges, and Senior Vice Chancellor and Chief Financial Officer (SVC&CFO) Matthew Sapienzenz will provide more detail on the operating and capital provisions of the budget when he is called on later in the meeting.

CUNY recently received a remarkable affirmation of the effectiveness of its mission. The University's role in advancing low-income students to the middle class and beyond is well-known, and an important new study, by a group of respected economists, offers stunning confirmation of this accomplishment. They analyzed an extraordinarily large body of income data and created a mobility index for colleges across the country. A number of CUNY's colleges, not surprisingly, ranked near the top. But what the research emphasized was the scale of the University's success. As an article in the New York Times put it:, "The new data shows, for example, that The City University of New York system propelled almost six times as many low-income students into the middle class and beyond as all eight Ivy League campuses, plus Duke, M.I.T., Stanford and Chicago, combined." I hope this finding gives you as much pride in CUNY's accomplishments as it does me.

The way that the University will accelerate its performance and update its mission for the 21st Century are articulated in the new strategic framework. The administration will have many opportunities over the next few months to discuss specific strategies and implementation, and I look forward to the Board’s involvement. The framework was under development at the same time as the University's four-year Master Plan, which this Board adopted in the fall, and many of the goals are reflected in that document as well. In addition, when the Budget Request was adopted by the Board, the chancellery also presented, for the first time, a four-year financing plan, which reflected a funding plan for the strategies set forth in the framework. Furthermore, there has been considerable consultation and lots of work on individual elements of the plan, led by a steering committee of faculty, students, and presidents. CUNY has had specific working groups on the student experience and global engagement. The University benefitted by having presidential task forces on experiential learning and online education, as well as outside expert advice on fundraising, business process design, and a task force on remediation led by Executive Vice Chancellor and University Provost Vita Rabinowitz. This focus and more has led to the development of a thoughtful, comprehensive plan. As former President Eisenhower once said, it is the planning, not the plan that is important, and this plan will no doubt be improved upon as work is continued. But I am pleased about where CUNY is today and the response from others has been heartening.

In a new economy that increasingly requires education beyond high school for economic success, the University commits to raising graduation rates significantly so that more students will benefit from the much higher career achievements that diplomas allow. CUNY will partner with the Department of Education (DOE) to ensure that more students graduated from city high schools will be prepared to succeed in college. The University will reform CUNY’s remediation program—a major effort that relies on evidence-based strategies and national best practices that the University believes will be more effective in getting students into degree-granting courses sooner.
CUNY needs to increase its full-time faculty and its academic advising. This will give students greater workplace experience and networks to improve prospects for careers. The plan is referred to as Connected CUNY, because much of its success depends on how the University collaborates to leverage its strengths—internally, partnering with the state and city, with public schools, with other universities, with philanthropies, and with the private sector.

One critical part of the plan, and one that will receive some special attention today, is the development of a new administrative model to ensure a more efficient and effective administration, delivering better services to colleges, students, faculty, and staff, saving tens of millions of dollars a year, which can be devoted to the classroom and student success. This new model will promote financial transparency and accountability, and give New Yorkers confidence that their taxpayer dollars will produce exceptional returns. In that regard, I have joined in the recommendation of a Standing Committee on Audit, and I am pleased that the Board will consider that. Also, I am pleased to report that as part of CUNY’s administrative reorganization, the University is establishing a new senior position, reporting to the Chancellor and working closely with the Board, with responsibility for enterprise risk management.

As mentioned, CUNY’s four-year financial plan calls for the reallocation of $75 million on a recurring basis after four years. This will be possible only through a new focus on the delivery of administrative services in the most cost-effective way. Over the past four months the University has worked with McKinsey & Company on what CUNY is referring to as the Administrative Excellence Initiative, and it is a key part of strategic planning. The work with McKinsey was extensive, and involved hundreds of participants from across the CUNY system and at the Central Office. Among the most important outcomes of this work was an agreement on a system administrative architecture.

Systems are commonly referred to as centralized or decentralized, and at CUNY you can find specific instances that might be characterized as one or the other, and unfortunately sometimes both with the duplication that it brings. The University developed an approach working with McKinsey and its colleagues at the colleges—a new federated model. Those things that should be centralized, like spending policies, will be. Those things that should be decentralized, like routine maintenance, will be. Those expert functions, that are not part of central management and are not required in 24 locations, like a 24/7 computer help desk, would be managed as a shared service with campus customers involved in governance. With this conceptual framework in mind, I am excited about the work that the University will embark on.

SVC&CFO Sapienza has been leading CUNY’s work with McKinsey and he will be the primary presenter on this initiative today, but I want to say just a few words to get started—which of course cannot be done without a power point.
PRESENTATION ON ADMINISTRATIVE EXCELLENCE INITIATIVE

Topics For Discussion

- Summary of Process
- Current State of Administrative Operations
- Recommendations for New Operating Model

Administrative Excellence Initiative

Project Objectives:

- Identify opportunities to improve administrative service levels to the end user, reduce costs and reinvest in CUNY’s strategic priorities
- Prioritize these opportunities by feasibility and size of impact
- Outline a roadmap for implementation
- Engage stakeholders across CUNY in the development and prioritization and execution of these opportunities

Summary Observations

- While CUNY has generated significant administrative savings over the past two years, our operating model is in need of a fresh, comprehensive rethinking - like most institutions, the current state reflects decades of evolution, leaving CUNY without a consistent, optimal approach to its business functions
- CUNY’s current administrative operating model suffers from gaps in service delivery and some duplication, leading to savings opportunities
- A new administrative operating model could provide CUNY with both administrative savings and improved service levels
- Our $75M operating savings target is achievable, along with potential for a significant improvement in service levels
- Capturing this opportunity will require a significant level of planning and execution rigor that few university systems have been able to achieve
Exploring CUNY's administrative operating model:

Through this effort, we sought to identify several types of opportunities:

- Efficiencies in administrative operations that can be reinvested in our mission
- Improved effectiveness in administrative functions
  - More consistent service levels
  - Better user satisfaction
  - Lower potential for risk
- New sources of revenue related to our existing assets

- Scope of services: What administrative services we provide?
- Service delivery model: How are these services delivered?
- Service placement: Where are these services performed?
- Economic model: How are these services funded?
- Governance and performance management: How are these services managed by whom?

The in-scope elements of the administrative operating model

<table>
<thead>
<tr>
<th>Operating model element</th>
<th>Service Scope (&quot;What&quot;)</th>
<th>Finance</th>
<th>HR</th>
<th>IT</th>
<th>Facilities</th>
<th>Enrollment</th>
<th>Procurement</th>
<th>Enterprise Risk Management</th>
<th>Public service functions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service delivery model (&quot;How&quot;)</td>
<td>Process standardization</td>
<td>Automation</td>
<td>Self service</td>
<td>Competence and risk management</td>
<td>Training and skills</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service placement (&quot;Where&quot;)</td>
<td>Shared centrally</td>
<td>Duplicated centralized campus</td>
<td>Managed locally on campus</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic model</td>
<td>Funding mechanism</td>
<td>Transparency</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governance and performance management</td>
<td>KPIs</td>
<td>Visible performance</td>
<td>Active performance management</td>
<td>Voice of customer</td>
<td>Priority and budget</td>
<td>Format and governance</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Service Scope of administrative services

<table>
<thead>
<tr>
<th>Function</th>
<th>Sub-function</th>
</tr>
</thead>
<tbody>
<tr>
<td>System Services</td>
<td>- System level planning and budgeting - Design, development, and performance management</td>
</tr>
<tr>
<td>Enterprise Risk Management</td>
<td>- Strategy - Health and safety - Operational - Financial operations - Compliance - Information</td>
</tr>
<tr>
<td>Enrollment</td>
<td>- System level branding policy - Campus branding &amp; advertising - Application processing - Financial aid - Student services - Reporting</td>
</tr>
<tr>
<td>Capital &amp; Facilities</td>
<td>- Campus planning - Project management - Real estate management - Facility maintenance - Space management &amp; outreach - Space and real administration</td>
</tr>
<tr>
<td>Finance</td>
<td>- Campus strategic planning and budgeting - Audit - Treasury - Contingency - Accounts payable</td>
</tr>
<tr>
<td>HR</td>
<td>- Human resources - Compensation &amp; evaluation policy - Hiring and compensation decisions - Leadership &amp; development - Time, attendance &amp; payroll - Employee relations - Benefits - Employee and community services</td>
</tr>
<tr>
<td>IT</td>
<td>- Business application development - Infrastructure development &amp; maintenance - Cybersecurity - Technology infrastructure - Data center</td>
</tr>
<tr>
<td>Procurement</td>
<td>- Sourcing - Strategic sourcing - Procurement services - Auxiliary services (e.g., catering, cleaning) - Public sector programs</td>
</tr>
</tbody>
</table>

*The data on this slide is not necessarily congruent with the organizational structure at the central office of colleges.
Annual operating spend in scope for this diagnostic was ~$1.3B:

- Facilities: $205M
- IT: $300M
- Procurement: $250M
- Professional Services: $142M
- Finance: $80M
- Human Resources: $53M
- Central Public Services: $35M
- Other: $84M
- Total in scope: $1.28B
- Total outside scope: $0M

Process timeline: this effort included extensive engagement with CUNY leadership and staff

- September: Interviewed/process owners and collected data
- October: Worked with deep dive campuses to collect campus level insights
- November: Prioritized and sized opportunities in efficient, high-priority functions
- December: Developed high-level plans to implement potential changes and align stakeholders

Findings: Summary of current state

<table>
<thead>
<tr>
<th>Operating model element</th>
<th>Current state</th>
</tr>
</thead>
<tbody>
<tr>
<td>House of services</td>
<td>* Administrative functions total ~$1.3B in operating spend (excluding presured spend)</td>
</tr>
<tr>
<td>Service delivery model</td>
<td>* Limited standardization of administrative processes</td>
</tr>
<tr>
<td></td>
<td>* Mix of automated and manual processes (e.g., payroll, application processing)</td>
</tr>
<tr>
<td></td>
<td>* Self-service through CUNYFirst for select functions (e.g., procurement) but lacking in others (e.g., benefits)</td>
</tr>
<tr>
<td></td>
<td>* Limited compliance built into processes and alignment of resources toward greater risk</td>
</tr>
<tr>
<td>Service placement</td>
<td>* A mix of services shared centrally, services managed locally on campuses, and services duplicated between center and campuses</td>
</tr>
<tr>
<td>Economies model</td>
<td>* Shared or centralized services funded through mature of central budget allocations</td>
</tr>
<tr>
<td></td>
<td>* No clear system for reporting shared service costs back to campuses</td>
</tr>
<tr>
<td>Governance and performance management</td>
<td>* Minimal measurement and active management of administrative performance (e.g., cycle times, transactional TTR)</td>
</tr>
<tr>
<td></td>
<td>* Ad hoc measurement of user satisfaction (e.g., budget &amp; finance survey)</td>
</tr>
<tr>
<td></td>
<td>* Some oversight committees of certain shared functions (e.g., IT steering committee), but major functions have minimal user governance with real authority</td>
</tr>
</tbody>
</table>
Objectives of new model: CUNY’s new operating model needs to achieve five clear objectives

1. Must be a highly-efficient operating model that avoids unnecessary duplication

2. Deliver improved levels of service to end users

3. Must guard against financial, operational and reputational risk

4. Must be a solution that maximizes the chance of a successful implementation

5. Should enable CUNY to direct resources towards highest-value activities in support of CUNY’s students, teaching, research and community engagement

Impact: What would success look like under the new operating model?

- $75M in annualized savings
  - Inclusive of all cost savings for redeployment
  - Inclusive of recurring revenue and amortized income stream from capital assets
  - Not inclusive of financial benefits from improved service levels (e.g., faster applications processing)

- Improved service levels on services most important to end-users, e.g.,
  - Application processing
  - Payroll and benefits management
  - Procurement

- Financial and operating sustainability of administrative operating model
  - Recurring financial benefits
  - Dramatically improved capabilities among administrative staff
  - New continuous improvement culture

- Comprehensive risk management system characterized by:
  - Clear policies
  - Transparency on risk
  - Risk-based allocation of compliance resources
  - Materially reduced exposure to risk

There are three common operating models for university systems

<table>
<thead>
<tr>
<th>Operating Model</th>
<th>Defining characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decentralized</td>
<td>Small central administration focused on strategy, policy, and risk management</td>
</tr>
<tr>
<td></td>
<td>Campuses given a budget and target metrics focused on outcomes and efficiency, and full accountability for delivery</td>
</tr>
<tr>
<td>Federated</td>
<td>Specific criteria for how and where different types of functions are delivered based on best practice</td>
</tr>
<tr>
<td></td>
<td>User governance with accountability on shared activities</td>
</tr>
<tr>
<td></td>
<td>Minimal duplication between central and campus</td>
</tr>
<tr>
<td></td>
<td>Robust performance management, with transparency on performance and service levels</td>
</tr>
<tr>
<td>Centralized</td>
<td>Most administrative functions controlled centrally (with some maintained campus presence)</td>
</tr>
<tr>
<td></td>
<td>User governance with consequences for central administrative leaders</td>
</tr>
<tr>
<td></td>
<td>Robust performance management with transparency to users</td>
</tr>
</tbody>
</table>
Recommendations

**Move to a NEW federated operating model**
- Transition administrative functions, based on clear criteria, into appropriate central, shared services or campus-based environment
- Standardize major transactional processes with clear owners and document standard operating procedures
- Automate rules-based processes using existing and expanded CUNYFirst capability
- Provide self-service tools where possible for functions such as payroll and benefits
- Embed risk management into standard processes
- Enhance training for administrative staff, particularly in CUNYFirst capabilities
- Eliminate duplication
- Adopt chargeback mechanisms for shared services that incentivize improvement
- Adopt a performance management program for administrative functions
- Develop an Administrative Services Governance Committee and End User Advisory Council for shared services that will, respectively, have oversight over and provide feedback to the shared services functions

Summary of proposed model: A new Federated operating model will look very different from CUNY’s model today

Service placement: Administrative services can be grouped into four categories, which help determine the ideal service placement:

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Systems</td>
<td>System-level planning, evaluation, budgeting and policy functions</td>
<td>Centralized approach</td>
</tr>
<tr>
<td>Expert</td>
<td>High-skills (e.g., enterprise application development)</td>
<td>Management: Central</td>
</tr>
<tr>
<td></td>
<td>Requires subject-matter knowledge (e.g., strategy sourcing)</td>
<td>Delivery: Central</td>
</tr>
<tr>
<td></td>
<td>Routinely (e.g., payroll)</td>
<td>Governance: Central</td>
</tr>
<tr>
<td>Enduser Differentiator</td>
<td>Subject to economy of scale (e.g., Basic IT service desk)</td>
<td>Management: Campus</td>
</tr>
<tr>
<td></td>
<td>End user responsiveness is strategically important (e.g., campus strategic planning)</td>
<td>Delivery: Campus</td>
</tr>
<tr>
<td></td>
<td>High-touch (e.g., routine maintenance)</td>
<td>Governance: Campus, with central involvement on exception basis</td>
</tr>
</tbody>
</table>
Top Opportunities

Top opportunities

Facilities
- Consolidate central administrative office space
- Expansion of presentable maintenance and energy reduction efficiencies
- Establish a project controls team and implement project management processes
- Develop additional strategic sourcing to achieve volume discounts and control
- Optimize variable rents based on end-user needs

Procurement
- Improve performance on out-of-pocket student collections
- Consolidate highly transactional activities in a shared services environment
- Standardize accounting and ledger systems across affiliated entities
- Automate payroll processes beginning with new employee onboarding
- Enhance HR and compensation cover letter training, accountability for diverse applicants
- Provide self-service access to benefits management for all employees
- Relocate IT service desk, consolidating remote services in a shared services center
- Consolidate campus data centers and explore increased virtualization

Finance
- Streamline and automate undergraduate application processing
- Centralize and improve enterprise applications to support financial aid
- Optimize short-term facility rentals
- Maximize opportunity for solar installation

Public Benefit
- Explore alternative funding sources for centrally managed public benefit functions

Risk Management
- Create a central function for assessing and coordinating risk sub-functions across systems

Risk Management: Observations and Recommendations

Observations
- Responsibility for risk is distributed throughout the organization and while many risks have owners, there is no individual with comprehensive responsibility for risk management
- Risk control processes can be more integrated into business processes
- Risk management resources are not always directed to areas with greatest levels of risk

Recommendations
- Implement a new Enterprise Risk Management (ERM) function that owns the full set of risks
- Institutionalize lines of defense to manage enterprise risk effectively (e.g. managed, monitored, and audited)
- Change governance model as a part of the establishment of CUNY’s ERM function
  - Establish an independent Audit Committee of the Board of Trustees that has responsibility for overseeing all types of risk
  - Hire a Chief Risk Officer who reports to the Chancellor

Critical success factors to realize full benefits of the new operating model

1. Senior leadership commitment to advocating the change initiatives.
2. Faculty and staff openness to benefits from the change initiatives, and partnership in the process.
3. Robust and continuous training and investment in staff
4. Clear definition of savings measurements that are built into financial plan
5. Commitment to making investments in technology and other areas, and demonstration of ROI
Chairperson Thompson stated that the Board should be provided with a copy of the Administrative Excellence Initiative report to track the time tables.

In response to questions from Trustee Shorter on a) will the Administrative Excellence Initiative include monitoring processes and metrics for each administrative area, b) whether it will be part of the McKinsey document in terms of the overall process, and c) how would the satisfaction service delivery be monitored beyond the risk management:

SVC&CFO Sapienza stated that developing metrics for each of these administrative areas, especially the ones that are going to go in the shared services centers, is critically important, and the Office of Budget and Finance (OBF) will develop the metrics internally in consultation with the campuses. As mentioned earlier, OBF had done some ad hoc user satisfaction surveys throughout the years for a lot of the administrative functions, but it has not been consistent. The satisfaction service delivery is very critical to the success of this plan, especially, hearing from the end users in terms of a) do they think that the changes CUNY is making are beneficial, and b) getting their recommendations because they are the ones that are using these applications every day.

In response to a question from Trustee Cortés-Vázquez on whether the six categories for service users across the enterprise would be impacted by the McKinsey study:

SVC&CFO Sapienza stated that the six categories are CUNY’s main administrative functions, which are essential to the University’s day-to-day functions, so OBF will be drilling down on them as part of this initiative, and many of the functions that are within the six categories would be the ones that will transition into shared services environments.

In response to questions from USS Chair and Trustee Onyejiukwa on a) defining who are the end users, and b) how do you measure whether there are approved levels of service:
SVC&CFO Sapienza stated that the University has a lot of end users—students, faculty, and staff, as well as CUNY’s oversight agencies and vendor community—so there are different ways to measure approved levels of service, for example, from a student perspective, a procurement perspective, or even a faculty perspective. The University has to serve a lot of different customers.

In response to questions from UFS Chair and Trustee Conway on a) the dollar amount of the investment in technology, and b) the investment in people or software/hardware applications:

SVC&CFO Sapienza stated that OBF does not have an investment number as of yet but most of the investment is a one-time investment. It could be software applications; it could be hardware, more so than people. But it is evident that CUNY needs to make enhancements to certain administrative functions, and this needs to be done through technology, whether that is procurement, payroll, or any of the other administrative functions. OBF will continue to give the Committee on Fiscal Affairs updates on this process.

In response to a question from Trustee Wilkin on how would strategic sourcing impact Minority Women Business Enterprise (MWBE) businesses:

SVC&CFO Sapienza stated that the MWBE function has become one of CUNY’s top priorities over the last several years. Governor Cuomo has put forth a goal of thirty percent of discretionary spending to be spent on MWBE businesses, and in the last fiscal year, the University has met that goal. For the first three quarters of the State’s fiscal year, for this year, CUNY is also above thirty percent. OBF is going to make sure that MWBE participation continues, even in those bulk-purchasing arrangements.

In response to a follow-up question from Chairperson Thompson on whether it is thirty percent on a central basis or the entire institution:

SVC&CFO Sapienza stated that the thirty percent is on the entire institution.

In response to another follow-up question from Trustee Ferrer on how many dollars does the thirty percent represent:

SVC&CFO Sapienza stated that he is not certain of the dollar amount but will provide him with the information. It is discretionary OTPS spending, so things like fringe benefits are excluded. OBF is working closely with the Empire State Development Corporation who manages this program.

SVC&CFO Sapienza added that OBF goes through every contract, and the contracts that are not included, setting MWBE goals.

In response to a question from Trustee Ferrer on providing the Board of Trustees with the exact count of the dollars, and the exclusions, if and how they apply:
SVC&CFO Sapienza stated that OBF will provide the Trustees with the requested data as it is all part of what is reported to the Empire State Development Corporation.

In response to a question from UFS Chair and Trustee Conway on whether the University has Albany’s buy-in, to the extent CUNY shifts more things centrally in terms of spending:

SVC&CFO Sapienza stated that a critical success factor is making sure that everyone at the state and city levels—the funders—are aware of what is being done at CUNY.

Chancellor Milliken added that he has problems with the assumption that CUNY is not going to shift more to these centers. At the end of the day, it will not be an increased central spend, it will be a significantly increased shared service spend where there will be meaningful college governance. It will be very different than moving things to a central location; things are going to move the other way.

In response to a question from Trustee Clarke on whether this process will slow down the campuses progress and growth, as well as their uniqueness:

Chancellor Milliken stated that this federated model is moving things away from being a fairly centralized system to being one that is more rational, where the functions are performed where it makes the most sense, and CUNY can most effectively perform them. After some experience with this, the University will see progress in that regard, and both the presidents and the Board will be pleased with a more rational model as it eliminates duplication. It is critically important that the Board embraces this, and the Central Office takes leadership with this especially if functions are being shifted in a new and more meaningful way. He added that he would like to thank the presidents, some of whom have been very involved in this process so far, all of whom have expressed a genuine openness, interest, and some enthusiasm about this work. At the end of the day, its success will depend as much on them as anyone.

Vice Chairperson Schwartz stated that the role of the Committee on Fiscal Affairs (CFA), at the urging of Chairperson Thompson, was to be kept up to speed as to how OBF was doing with McKinsey. CFA had progress sessions attended by myself and Committee Vice Chair Ferrer, Trustees Cortés-Vázquez and Mujica, Jr., as well as Chairperson Thompson, Jr. He added that he would like to urge Chancellor Milliken and SVC&CFO Sapienza to keep CFA abreast of the progress, which can in turn report to the full board, and then ultimately the end result will be in the services that are provided and that the customer is satisfied, and that the University, in fact, realizes this recurring $75 million to be restored and returned to the mission of CUNY.

Chancellor Milliken noted that the previously mentioned progression plan by Vice Chairperson Schwartz to CFA is a great idea.

Chairperson Thompson added that he would like to thank CFA for continuing to go above and beyond to assist the chancellery.
1. **CHANCELLOR’S UNIVERSITY REPORT:** Chairperson Thompson called for a motion to accept the Chancellor’s University Report for January 30, 2017, which was seconded by Trustee Cortés-Vázquez. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

   RESOLVED, That the Chancellor’s University Report for January 30, 2017 (including Addendum and Errata Items) be approved.

2. **APPROVAL OF MINUTES:** Chairperson Thompson called for a motion to accept the minutes of the regular Board meeting of October 26, 2016, which was seconded by Trustee Shorter. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

   RESOLVED, That the minutes of the regular Board meeting of October 26, 2016 be approved.

3. **COMMITTEE ON FISCAL AFFAIRS:**

   Committee Chair Barry Schwartz reported that the Committee on Fiscal Affairs met on January 9, 2017. After approval of the minutes of the October 24, 2016 meeting, the committee addressed the policy items on the agenda, and approved the following resolutions.

   Moved by Committee Chair Schwartz and seconded by Trustee Wellington Chen, the following resolution was adopted:

   A. **Borough of Manhattan Community College - Purchase Of Furniture:**

      RESOLVED, That the Board of Trustees of The City University of New York authorize Borough of Manhattan Community College to issue purchase orders to Haworth Inc., Herman Miller Inc., and Steelcase Inc. against existing New York State and New York City contracts, pursuant to law and University Regulations. Such purchases shall not exceed $1,900,000 for the fiscal year ending June 30, 2017.

      **EXPLANATION:** Borough of Manhattan Community College will use these contracts to purchase furniture to replace old and worn existing stock throughout the campus including the Library, ASAP spaces, Student One-Stop Center, Math Tutoring Lab, Faculty Research Science Lab and Allied Health Science Lab. In addition, as a result of space demands, the Reprographics Center will be relocated into a more efficient and better-ventilated space. All of these changes will improve both the learning and working environment within an aging property and will better serve the 23,000 students and workforce of 1,260 full-time and 1,600 part-time employees.

      BMCC has the University’s largest student enrollment in degree-granting programs in CUNY but its square foot to student ratio is the smallest. As a result, the utilization and demand on its infrastructure is significant. At the same time, the wear and tear on its furniture is even greater. Coupled with the rapid expansion of CUNY’s ASAP and related
programs, the college must constantly reprogram spaces to create even more efficient use of space to accommodate the student and increased faculty/advisor support staffing.

To accomplish this and keep up with service demands, the college is involved in an aggressive effort to reconfigure learning, office and student service support spaces in the following areas: ASAP, a new One Stop Student Center and creation of a new Math Tutorial Center. These programmatic efforts to provide the best learning and service environment for our students are aimed to improve student success and retention.

The year around student demands on BMCC’s few labs require that refurbishment of some Science and Health Science Labs and ensure that they are always up to date and within safety codes. The college needs to better organize the space, flow and volume of photocopying in the Reprographics Center to better service the pedagogical needs of the nearly 450 full-time and 1,100 adjunct faculty in a limited space. The instructional faculty are totally dependent on Reprographic Services for their coursework, class handouts, exams, etc.

Moved by Committee Chair Schwartz and seconded by Trustee Clarke, the following resolution was adopted:

B. **Borough of Manhattan Community College - Purchase of Construction Services:**

RESOLVED, That the Board of Trustees of The City University of New York authorize Borough of Manhattan Community College to issue purchase orders to Construction Force Services, Inc. for the purchase of various building construction services against existing State of New York Contract pursuant to law and University Regulations. Such purchases shall not exceed $950,000 for the fiscal year ending June 30, 2017.

EXPLANATION: Borough of Manhattan Community College will use this contract for building construction services to periodically supplement existing staff for various relocation and renovation projects throughout the campus. In order to augment current staffing on a seasonal basis while providing the fastest turnaround on remodeling and furniture installation projects, BMCC must use temporary contract labor. The tight scheduling of academic classes and the college’s maximum utilization of the facilities provide very narrow windows for project completion. The occasional use of temporary labor support enables the college to meet expected delivery of completed renovation and furniture installation work in time for each semester’s start.

All proposed facility-related improvements must be reviewed and approved by the Office of Facilities Planning, Construction and Management (FPCM). If appropriate, this review may include seeking approval from the Board of Trustees’ Committee on Facilities Planning and Management.
Committee Chair Schwartz stated that the next Calendar item pertains to the Subcommittee on Audit. Since Subcommittee Chair Mujica, Jr., could not be with us this evening, he would like to ask Chairperson Thompson, who also serves on the Subcommittee, to present Cal. No. 3.C.

Moved by Committee Chair Schwartz and seconded by Trustee Shorter, the following resolution was adopted:

C. The City University of New York – Fiscal Year 2016 Audited Financial Statements:

RESOLVED, That the Board of Trustees of The City University of New York approves the University’s Fiscal Year 2016 audited Financial Statements.

EXPLANATION: The University is required to provide annual, audited and consolidated financial statements. These financial statements are considered consolidated because they include the University’s discretely presented component units, such as auxiliary enterprises, college associations and foundations, the Research Foundation, and the City University Construction Fund. The financial statements are independently audited by the University’s external auditor, KPMG LLP. For Fiscal Year 2016, KPMG issued an unmodified, or “clean”, opinion of the University’s financial statements.

On November 7, 2016, KPMG and University Management presented the Fiscal Year 2016 financial statements to the Board’s Subcommittee on Audit. At this meeting, the Subcommittee met independently with KPMG and subsequently with Management to discuss the financial statements. At the conclusion of the presentation and subsequent discussions, the Subcommittee unanimously approved the Fiscal Year 2016 financial statements.

REPORT ON THE STATE EXECUTIVE BUDGET ANALYSIS

SVC&CFO Sapienza reported that the State Executive Budget was issued about two weeks ago, and he would like to reiterate what Chancellor Milliken said earlier. It was a very positive proposal that was put forth by Governor Cuomo for CUNY. The Predictable Tuition Policy that was approved by the Board in October 2016 included an increase of up to $250 a year for four years. Governor Cuomo extended that for five years. It is critical, as explained in the October meeting, that the Predictable Tuition Policy continue to be extended. CUNY’s fringe benefits, the University’s cost increases that were included in the Budget Request—$36.2 million dollars—were also fully funded in the Governor’s Executive proposal. The retroactive collective bargaining costs, almost $254 million dollars for the senior colleges and Central Office with its faculty and staff unions that were announced over the summer were recognized in the Executive Budget as well. As Chancellor Milliken mentioned, Governor Cuomo included the DREAM Act as part of his Executive proposal. The Excelsior Scholarship Program to provide free tuition, to cover that last mile of tuition costs at CUNY and SUNY campuses, was included as well, and that is something to be excited about, that higher education and the students were a top priority in the Governor’s proposals. There are some legislative adds, for example, the
University’s ASAP program, SEEK, College Discovery, and childcare centers, which OBF will work with the Assembly and Senate to get restored. Overall, a very positive condition in terms of the State Executive Budget, both the senior and community colleges at this point are looking at overall funding increases for next year so the chancellery is very pleased.

Vice Chancellor Judy Bergtraum stated that there is $256 million in new funding. CUNY received $284 million for critical maintenance. Last year, the University received $142 million, the year before that it was $103 million. For critical maintenance projects at the community colleges, CUNY received $80 million. Last year, CUNY received $60 million, and the two prior years $20 million. The University is in the fifth year of CUNY 2020, and has over $200 million to spend. CUNY is at the second level, and if the critical maintenance money is added, the University will have received a significant amount of allocation this year. It is a really good story for CUNY.

In response to a question from UFS Chair and Trustee Conway on what proportion of the current CUNY undergraduates are ineligible for the Excelsior Scholarship Program:

SVC&CFO Sapienza stated that OBF is currently working on the data for which students are ineligible for the Excelsior Scholarship Program. Chancellor Milliken testified in front of the Assembly and Senate Higher Education committees last week, and the Excelsior Scholarship program was of great interest at the hearing. The Offices of Enrollment Management, and Institutional Research and Assessment are doing the research to determine how many students would be eligible under the current criteria, and it should be available shortly.

In response to another question from UFS Chair and Trustee Conway on elaborating on the new not-for-profit organizations line:

SVC&CFO Sapienza stated that the Executive proposal also included an add of $35 million to the senior college operating budget. The source of those funds would be revenues from CUNY’s not-for-profit organizations, so what the language calls for is that ten percent of those revenues would be dedicated to tuition assistance for needy students.

In response to more questions from UFS Chair and Trustee Conway on a) who mandates the foundation’s spending, and b) whether the spending is directed towards students:

SVC&CFO Sapienza stated that the largest component of funding that the campus foundations spend is on student support and scholarships. In terms of this proposal, it is something that, again, would be an overall add to the senior colleges, and something that will be discussed as part of the negotiations with the assembly in the Senate.

In response to questions from Trustee Cortés-Vázquez on a) whether the campus foundations are supporting scholarships and student services at a higher rate than ten percent, and b) whether this is the new language in the Executive State Budget:
SVC&CFO Sapienza stated that the campus foundations support scholarships and student services at a higher rate than ten percent, and new language was included in the Executive proposal for only CUNY this year.

In response to another question from Trustee Cortes-Vazquez on whether the University’s capital funds are subject to MWBE:

Vice Chancellor Bergtraum stated that every contract has a thirty percent spend for MWBE.

Chairperson Thompson added that most of our capital projects are executed in a different place, which does have the same thirty percent spend. For example, the Dormitory Authority of the State of New York (DASNY), also has a thirty percent threshold, so it fits in the same area.

5. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH:
Committee Chair Wellington Chen reported that at the January 9, 2017 meeting of the Committee on Academic Policy, Program, and Research, the committee approved the following resolutions.

Moved by Committee Chair Chen and seconded by Trustee Rita DiMartino, the following resolutions were adopted:

A. **College of Staten Island – Ed.D. in Community-Based Leadership:**

RESOLVED, That the program in Community-Based Leadership offered at the College of Staten Island and leading to the Doctor of Education, be approved, effective January 30, 2017, subject to financial ability.

**EXPLANATION:** The proposed Ed.D. in Community-Based Leadership will prepare individuals interested in the well-being of children and adolescents for leadership roles in education. The focus of this program is more holistic and integrative than traditional school leadership programs and it encompasses matters beyond curriculum and instruction including areas such as social work, nutrition, and parental literacy and wellness. Graduates of the program will be prepared to conduct evidence based research to apply to their professional settings. Because this is the College’s first doctoral program in education, a Master Plan Amendment will be sought.

B. **Borough of Manhattan Community College - A.S. in Public Health:**

RESOLVED, That the program in Public Health offered at Borough of Manhattan Community College and leading to the Associate of Science, be approved, effective January 30, 2017, subject to financial ability.

**EXPLANATION:** The proposed program in Public Health responds to an increasing demand for professionals educated in the field, particularly from underrepresented groups. The College has signed an articulation agreement with York College to facilitate
the transfer of students who wish to continue their studies in Public Health beyond the associate’s degree.

C. **Borough of Manhattan Community College - A.A. in Gender and Women’s Studies:**

RESOLVED, That the program in Gender and Women’s Studies offered at Borough of Manhattan Community College and leading to the Associate of Arts, be approved, effective January 30, 2017, subject to financial ability.

**EXPLANATION:** This proposed interdisciplinary program is one more effort on BMCC’s part to strategically take existing offerings and package them as free standing degree programs. This will allow academic departments and programs more easily to identify and advise interested students and improve graduation rates. An articulation agreement with John Jay has been established which will facilitate the transfer of students continuing on for further education.

D. **School of Professional Studies - B.A. in Liberal Studies:**

RESOLVED, That the program in Liberal Studies offered by The School of Professional Studies of the Graduate School and University Center and leading to the Bachelor of Arts be approved, effective January 30, 2017, subject to financial ability.

**EXPLANATION:** This proposed degree completion program which will be offered 100% on-line will provide adult degree seeking students a flexible curriculum that will respond to their specific interests, maximize the transfer of credits and equip students with competencies very much in demand by employers such as project management, advanced writing skills and evidence-based analysis.

5. **COMMITTEE ON FACULTY, STAFF AND ADMINISTRATION:**
Committee Chair Fernando Ferrer reported that the Committee on Faculty, Staff and Administration (CFSA) considered the following items at its meeting on January 18, 2017.

Moved by Committee Chair Ferrer and seconded by Trustee Mayra Linares-Garcia, the following resolution was adopted:

A. **The City University of New York - Continuation of Military Leave and Employer-Paid Health and Welfare Benefits Coverage for University Employees Recalled from the Reserves to Active Military Service:**

RESOLVED, That the Board of Trustees of The City University of New York, in response to the continuing need for employees in the National Guard and Reserves to be activated for Military Service in response to the events of September 11, 2001, and in light of the continuing evolution of the response to September 11, 2001 into a wider campaign against terror, including military action in Afghanistan, hereby authorizes the continuation of Military Leave and Health & Welfare benefits for University employees in
accordance with the following policies. These policies apply to employees of The City University of New York who are members of the National Guard, Reserve forces, or Reserve components of the Armed Forces of the United States.

1. Supplemental Military Leave

(a) The City University of New York will provide a temporary leave category called Supplemental Military Leave at full pay. Employees of The City University of New York who have been federally activated or activated by the Governor of New York State for military service between September 11, 2001 and December 31, 2017 will be granted Supplemental Military Leave with full pay after the exhaustion of military leave with full pay pursuant to Section 242 of the New York State Military Law. While on such Supplemental Military Leave, the eligible employee will be in full pay status for a period not exceeding 30 work days, in addition to the leave that had been granted pursuant to Section 242 of the New York State Military Law. The Statutory Entitlement period is 30 work days for all Public Servant Soldiers of the City of New York in compliance with Chapter 238 of the laws of 2008.

(b) Employees shall be eligible to receive Supplemental Military Leave through December 31, 2017. Supplemental Military Leave shall not be granted for military service performed after December 31, 2017. In no event shall more than one such grant of Supplemental Military Leave be credited to any employee for activation related to the war on terror regardless of the number of times the employee is activated between September 11, 2001 and December 31, 2017.

2. Military Leave at Reduced Pay

(a) Employees shall be eligible to receive Military Leave at Reduced Pay through December 31, 2017. Military Leave at Reduced Pay status commences after the employee has exhausted Military Leave pursuant to Section 242 of the New York State Military Law, Supplemental Military Leave as set forth in paragraph 1 above, and any leave credits other than temporary disability leave or sick leave which the employee elects to use.

(b) Employees in Military Leave at Reduced Pay status will be paid their regular City University of New York salary (base pay) reduced by military pay (base pay plus housing and food allowances). The determination of rate of payment for the Military Leave at Reduced Pay will be based upon the employee's regular City University of New York salary as of his/her last day in full pay status and the employee's military pay on the first day of his/her activation, and shall not be subject to adjustment during the period of leave at reduced pay.
(c) Employees eligible for Military Leave at Reduced Pay will not be eligible to earn annual and temporary disability leave/sick leave accruals or to receive credit for holidays.

(d) In no event shall Military Leave at Reduced Pay be granted for military service performed after December 31, 2017.

3. Continued Health Insurance Coverage

Covered dependents of eligible employees of The City University of New York, who are currently enrolled in a health plan with family coverage through The City University of New York and who have been federally activated or activated by the Governor of New York State for military service related to the war on terror shall continue to receive health insurance coverage with no employee contribution for a period not to exceed 12 months from the date of activation as long as the employee remains in full-pay status. If the employee is on unpaid leave, health insurance coverage will terminate at the end of 4 months. Contribution-free health insurance coverage will end at such time as the employee's active duty is terminated or the employee returns to City University of New York employment or December 31, 2017, whichever occurs first.

4. Other Provisions

The provisions of this resolution shall not apply to those employees who have voluntarily separated from City University of New York service or who are terminated for cause. Furthermore, the provisions of this resolution shall apply only for the period of time that the employee has an appointment with The City University of New York.


This resolution, consistent with the policies being followed by the State of New York for its employees, authorizes, under certain conditions, the continuation of Supplemental Military Leave at full pay for 30 work days, in addition to the Military Leave provided pursuant to Section 242 of the New York State Military Law. Further, after exhaustion of the Supplemental Military Leave, this resolution authorizes a Military Leave at Reduced Pay for military service performed through December 31, 2017, whereby the employee
will receive salary from The City University of New York equal to the difference between the employee's regular CUNY salary and the military pay he/she is receiving. Finally, this resolution authorizes the continuation (through December 31, 2017) of dependent health care coverage, under certain conditions, for employees recalled to active service related to the war on terrorism (less any period in which the employee remains in full-pay status).

Moved by Committee Chair Ferrer and seconded by Trustee Charles Shorter, the following resolutions were adopted:

B. Medgar Evers College - Amendment to the Governance Plan:

RESOLVED, That the proposed amendment to the Governance Plan of Medgar Evers College be adopted, effective January 31, 2017.

EXPLANATION: The proposed amendment to Article 13 of the Governance Plan of Medgar Evers College adds the Department of Student Affairs and Services to the list of departments recognized as academic units in the Governance Plan. This department was inadvertently excluded from the Governance Plan when it was amended in 2013. The College Council approved this proposed amendment on October 24, 2016, and it is recommended by the College President.

GOVERNANCE PLAN OF MEDGAR EVERS COLLEGE OF THE CITY UNIVERSITY OF NEW YORK

ARTICLE 1 - POWERS AND FUNCTIONS OF THE COLLEGE COUNCIL

Section 1. Powers of the College Council. The College Council shall be established and recognized as the sole governance body of Medgar Evers College and shall be responsible for the formulation of policy subject to and in accordance with the New York State Education Law and the Bylaws and policies of the Board of Trustees of The City University of New York, including the formulation of policy regarding:

a. Curriculum, academic programs, academic requirements and standing, grading practices and standards, the awarding of credits, and recommendations concerning the awarding of degrees.

b. Professional development of faculty and instructional staff.

c. Long-range planning to achieve the overall goals of the College and to promote the best interests of its students and faculty consistent with the College’s educational mission.

d. Campus life and activities that support the educational program of the College.

e. Practices and procedures for safeguarding academic freedom and other rights critical to the academic excellence of the College.

f. Implementation of recommendations from the Standing Committees and temporary committees of the College Council.

g. Other policy matters which may come to the attention of, or be assigned to the College Council.

Section 2. Additional Powers of the College Council. The College Council shall also have responsibility:

a. To propose amendments to and revisions of this Governance Plan and to make
recommendations to other bodies with jurisdiction over The City University of New York.

b. To advise the President in the determination of budgetary priorities.
c. To advise the President and the Provost concerning policies and procedures pertaining to faculty personnel matters.

ARTICLE 2 - MEMBERSHIP OF THE COLLEGE COUNCIL

Section 1. Members. The members of the College Council shall consist of:

a. The President, the Provost and the Deans of each of the three Schools. The President shall be entitled to vote only to break a tie.
b. Fifty faculty members elected as follows:
   (i) The Chairperson of each Department. If a Chairperson declines to serve as a member, the Department shall elect another member in his/her place.
   (ii) The remaining faculty members shall be elected at large by the faculty of each School in proportion to the average number of faculty in each School for the two years prior to the election.
c. One adjunct faculty member elected by the adjunct faculty.
d. One employee in a higher education officer title elected by the employees in that title.
e. One employee in a college laboratory technician title elected by the employees in that title.
f. One employee in a classified civil service title elected by the employees in that title.
g. The President of the Student Government Association, the Presidents of each of the classes and six other students of whom two shall be elected at large by the students in each of the three Schools. No more than one student elected from a School shall be from the same Department.
h. The President of the Community Council.
i. The President of the Alumni Association.

Section 2. Term of Service. The elected members of the College Council shall serve for two years. No elected member of the College Council shall serve for more than two consecutive terms.¹

Section 3. Alternates. The faculty, voting by School, shall elect ten alternates at large in proportion to the number of faculty at each School. The students, voting by School, shall elect six alternates, two from each School. The faculty and student alternates shall be those persons receiving the most votes after the regular members, and they shall be ranked by School in the order of the number of votes they receive. To the extent there are absences among the faculty or student members of the College Council, the highest ranked alternates in attendance of that group and from that School may speak and vote in the place of the absent members; if the absent member is a Department Chairperson, the alternate should be from the same Department if one is present. If a faculty member of the College Council resigns or receives a letter of non-reappointment during his/her term, that member shall be replaced immediately by the highest ranked alternate from that School, who shall become a member of the College Council. If a student member of the College Council resigns, that member shall be replaced immediately by the highest ranked alternate from that School, who shall become a regular member of the College Council.

ARTICLE 3 – ELECTIONS

Section 1. Call for Elections to the College Council. The Chairperson of the College Council or his/her designee shall call, in writing, for all elections to the College Council and to its standing committees (other

¹ Service under the prior governance plan shall count in applying this term limit provision.
than student Members) by April 15th of each year. Additionally, the Chairperson or designee shall inform all constituencies of their election responsibilities and shall certify the results of elections.

Section 2. Time for Elections. Elections of members of the College Council and its standing committees (other than student members) shall be held by the end of the first full week in May. Election of student members shall be held by September 30th of each year.

Section 3. Method of Voting. Each constituency eligible to elect Members of the College Council shall do so by signed, secret ballot at a meeting called for that purpose. The Chairperson of the College Council may also make provisions for voting by absentee ballot or electronically.

Section 4. Election Results. Election results shall be certified by the Chairperson of the College Council no later than five work days following the date of the election.

Section 5. Student Representatives. The Student Government Association shall be responsible for conducting the election of student Members of the College Council and its standing committees, with the assistance of the Vice President for Student Affairs and Services or a designee.

ARTICLE 4 - OFFICERS OF THE COLLEGE COUNCIL

Section 1. Chairperson. The President of the College shall be the Chairperson of the College Council and shall preside at its meetings.

Section 2. Vice Chairperson. The Vice Chairperson of the College Council shall be a faculty Member elected by the faculty Members of the College Council. The Vice Chairperson shall preside at meetings of the College Council in the absence of the Chairperson.

Section 3. Secretary. The Secretary of the College Council shall be elected by its Members. The Secretary shall send notices of meetings and shall keep and disseminate accurate minutes of the meetings of the College Council.

Section 4. Parliamentarian. The Parliamentarian shall be appointed by the Chairperson with the approval of the Executive Board. The Parliamentarian shall be versed in parliamentary the rules and procedures as set forth in Robert’s Rules of Order Newly Revised and shall advise the Chairperson on questions of procedure at meetings of the College Council. The Parliamentarian may vote only if he/she is a Member of the College Council.

Section 5. Election of Officers and Term of Office. The election of officers shall be held at the first meeting of the College Council in the fall semester. The term of office for the elected officers of the College Council shall be two years except that officers shall remain in office until their respective successors are duly elected.

ARTICLE 5 – MEETINGS OF THE COLLEGE COUNCIL

Section 1. Rules of Order. Meetings of the College Council shall be conducted in accordance with the Open Meetings Law of New York State and, to the extent consistent with said law, with the current edition of Robert’s Rules of Order Newly Revised.

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2 Except that in the 2013-14 academic year, the call for elections shall occur by September 6, 2013.

3 Except that in the 2013-14 academic year, such elections shall be held by September 20, 2013.
Section 2. Number of Meetings and Methods of Calling Meetings. The College Council shall convene for at least two (2) regular meetings each semester. Special or emergency meetings of the College Council may be convened by any of the following methods:

a. By call of the Chairperson of the College Council.
b. By a vote of the Executive Board.
c. By a written petition of at least one-third of the Members of the College Council.

Section 3. Participation in Meetings. The meetings of the College Council are open to the public. However, only Members (or alternates acting for absent Members) may speak on issues before the College Council.

Section 4. Agenda Items: The agenda shall be prepared by the Executive Board. Any Member of the College Council may propose agenda items to the Executive Board. No item may be added to the agenda approved by the Executive Board except by or with the permission of the Chairperson of the College Council.

ARTICLE 6 - THE EXECUTIVE BOARD OF THE COLLEGE COUNCIL

Section 1. Members. The Executive Board of the College Council shall have the following Members:

a. The President, who shall serve as Chairperson of the Executive Board. The President shall preside at all meetings of the Executive Board.
b. The duly elected Vice Chairperson of the College Council.
c. The duly elected Secretary of the College Council, who shall serve as the Secretary of the Executive Board.
d. The Provost and two Deans designated by the President.
e. Four faculty Members elected by and from the faculty Members of the College Council at its first meeting of the academic year.
f. The President of the Student Government Association.

Section 2. Duties and Responsibilities. The Executive Board shall have the following duties and responsibilities:

a. To schedule and prepare the agenda of all College Council meetings. All notices of such meetings shall contain the agenda as adopted by the Executive Board.
b. To conduct business between regular meetings of the College Council, including all actions that the College Council is authorized to take. The College Council reserves the right to review all actions taken by the Executive Board to determine whether or not they should become permanent policy, except time-sensitive actions taken because they were required by law or by the University's policies or because of the need to deal with exigent circumstances requiring immediate action.
c. To publish and distribute meeting notices and agenda at least one calendar week preceding the scheduled meeting of the College Council. Such notices shall be posted in visible locations throughout the College and distributed to the entire College community, with individual notice given to all Members of the College Council.
d. To maintain all records of the College Council, one copy of which shall be housed on reserve in the Library and available for examination.
e. To fulfill other responsibilities as assigned by the College Council.

Section 3. Notice of Meeting. The Members of the Executive Board shall be given written notice and an agenda at least three business days in advance of the date of an Executive Board meeting.
Section 4. Term of Office. The term of office of elected Members of the Executive Board shall be two years.

ARTICLE 7 – COMMITTEES OF THE COLLEGE COUNCIL

Section 1. Election of Faculty Members of Standing Committees.

a. The faculty Members of the College Council shall elect four faculty Members to each Standing Committee. Such Members shall serve for two years and may not serve for more than two consecutive terms. No more than one of these Members may be from the same Department, and no more than two may be from the same School. No Member of the College Council may serve on more than one Standing Committee. At the first meeting of the College Council in the fall semester, the Council shall accept nominations for and shall elect faculty Members to each Standing Committee where there are vacancies due to the resignation or expiration of the term of any existing Member.

b. The faculty at each School shall elect one Member to each standing committee (except the Committee on Governance). Such Members shall serve for two years and may not serve more for than two consecutive terms. No person may stand for election to both a Standing Committee and the College Council or serve on more than one Standing Committee. At the same time it elects members to the College Council, the faculty at each School shall elect faculty members to each Standing Committee where there are vacancies due to the resignation or expiration of the term of any existing Member.

c. If a faculty Member of a standing committee resigns or is non-reappointed, the College Council shall elect a replacement from the same School.

Section 2. Election of Committee Chairpersons. At the first meeting of each Standing Committee, the members shall elect the Chairperson.

Section 3. Standing Committees. The Standing Committees of the College Council shall be:

a. Curriculum Committee
   (1) Functions. The Curriculum Committee shall recommend college-wide policy in matters pertaining to academic programs, including new or amended programs, courses and curricula. It shall also review the implementation of policies, programs, courses and curricula.
   (2) Membership. The Curriculum Committee shall consist of the Provost, the Chief Student Affairs Officer, seven faculty members elected as provided in Section 1 above and one student elected by and from the student members of the College Council.

b. Committee on Student Life
   (1) Functions. The Committee on Student Life shall recommend policies and practices regarding the improvement and expansion of student services. It shall survey the faculty and students, on at least an annual basis, to determine views on these aspects of student affairs.
   (2) Membership. The Committee on Student Life shall consist of the Chief Student Affairs Officer, seven faculty members elected as provided in Section 1 above, three students elected by and from the student members of the College Council, the Athletic Director and the Director of Student Life.

c. Administrative Advisory Committee
   (1) Functions. The Administrative Advisory Committee shall recommend policy and practices on issues related to administrative support activities of the College (e.g., office services and equipment, security, and space allocation).
   (2) Membership. The Administrative Advisory Committee shall consist of the Vice President for Administration and Finance, the College Director of Facilities, seven faculty members
elected as provided in Section 1 above, one person elected by and from the Members of the College Council who are in higher education officer, college laboratory technician and classified civil service titles, the Director of Security and two students elected by and from the student members of the College Council.

d. Committee on Governance
(1) Functions. The Committee on Governance shall review, on a continuing basis, the structure and process of governance at the College and shall recommend amendments to the Governance Plan.
(2) Membership. The Committee on Governance shall consist of the President or his/her designee, four faculty members selected by the President, four faculty members elected by and from the faculty Members of the College Council, the President of the Student Government Association and one student elected by and from the student members of the College Council, the Members of the College Council who are in higher education officer, college laboratory technician and classified civil service titles, and the Presidents of the Community Council and the Alumni Association.

Section 4. Special Committees. The College Council may establish special committees and provide for their functions, memberships and method of election. No special committee shall continue for more than two years unless renewed by the College Council.

ARTICLE 8 - DEPARTMENTS

Section 1. Establishment and Authority of Departments. The currently recognized Departments of the College are hereby continued. The establishment, abolition or recombining of Departments may occur upon the recommendation of the College Council or President subject to approval by the Board of Trustees. Departments shall have authority over their academic affairs and personnel consistent with New York State Education Law, the Bylaws and policies of the Board of Trustees and this Governance Plan.

Section 2. Rules of Order. The business of the Departments shall be conducted according to the current edition of Robert's Rules of Order Newly Revised. Voting shall be conducted by secret ballot if requested by any member.

Section 3. Election of Chairpersons. The faculty in each Department, except the Library and SEEK/Special Programs, shall elect a Chairperson by secret ballot from among the tenured faculty; provided, however, that where there are fewer than three tenured faculty in a Department, and where the Department has been in existence for less than seven years, the President may, after consultation with the Department faculty, recommend the appointment of a Chairperson to the Board of Trustees from among the untenured faculty members of the Department.

Section 4. Ex Officio Chairpersons. The Chief Librarian and the Director of SEEK/Special Programs shall serve, by Presidential appointment, as Chairpersons of their respective Departments.

Section 5. Supervision of Election of Chairpersons. The elections of Chairpersons shall be supervised by the Provost and shall be subject to the approval of the President and the Board of Trustees. Elections shall be held during the first full week of May in the year in which the chairperson's term expires. The new Chairperson shall take office as of July 1 of the year in which the election is held.

Section 6. Deputy Chairpersons. A Deputy Chairperson may be appointed annually by the chairperson. The Deputy Chairperson shall assist the chairperson in administering the Department. A Deputy Chairperson shall, in the absence of the Chairperson, serve as acting chairperson for a period not to exceed one month. If the Chairperson of a Department is absent for more than a month, or is absent beyond the end of a semester, the members of the Department shall hold an election for a new Chairperson to serve out the term of the absent Chairperson.
Section 7. Personnel and Budget Committee. In accordance with the Bylaws of the Board of Trustees, the faculty in each Department shall establish and elect members to a Personnel and Budget Committee to advise the Chairperson on all questions related to the Department's personnel matters and budget including appointments, reappointments, promotions, and tenure; provided, however, that in a Department with fewer than four tenured faculty members, the President, after consultation with the Department faculty, shall appoint an ad hoc committee to make recommendations on appointments or reappointments with tenure or on promotions to associate or full professor in lieu of the Personnel and Budget Committee.

Section 7.1 Members: The Personnel and Budget Committee of each Department shall consist of the following Members:

a. The Chairperson of the Department, who shall serve as the chairperson of the Personnel and Budget Committee. The Chairperson's membership on this committee shall terminate when he/she is longer Chairperson of the Department.

b. Members constituting 20% of the number of faculty in the Department but not less than four Members and not more than eight Members. The Members shall be elected by the faculty in the Department and shall serve staggered three year terms. In Departments of fewer than five faculty members, all of the members of the Department shall be Members of the Personnel and Budget Committee. At least four Members of a Personnel and Budget committee shall be tenured, except that in a Department with more than four faculty members but fewer than four tenured faculty members, all tenured faculty shall be Members of the Personnel and Budget Committee; any remaining positions shall be filled by election from the ranks of untenured faculty. Faculty Members of the Personnel and Budget Committee shall serve for staggered three-year terms.

c. One student elected annually by each department from among the students majoring in the department.

Section 7.2. Time of Elections. Elections shall be held annually during the first week in May.

Section 7.3. Replacements. If a Member of the Personnel and Budget Committee resigns or is not reappointed, the Department Chairperson shall call a special meeting of all eligible voting members to elect a replacement to serve out that Member’s term.

ARTICLE 9 – SCHOOLS

Section 1. Establishment of Schools. The currently recognized Schools and Departments assigned to each school are hereby continued. The creation or abolition of Schools and the assignment of new or different Departments to each School may be recommended by the College Council or the President subject to approval by the Board of Trustees.

Section 2. Deans. The administration of each School shall be the responsibility of a Dean with faculty title in a Department of that school, appointed by the President. Each Dean shall have the responsibilities assigned to him/her by the President, which shall include supervisory responsibility over the Department Chairpersons within his/her School, and shall be under the supervision of the Provost

ARTICLE 10 - COLLEGE-WIDE PERSONNEL AND BUDGET COMMITTEE

Section 1. Function. The College-Wide Personnel and Budget Committee shall advise the President on all matters related to the academic personnel and budget and shall review all recommendations of each
Department’s Personnel and Budget Committees regarding appointments, reappointments, promotions, and appointment with tenure or certificate of continuous employment and make appropriate recommendations to the President.

Section 2. Chairperson. The President of the College, or in his absence, the Provost, shall be the Chairperson of the College-Wide Personnel and Budget Committee and shall preside at its meetings.

Section 3. Membership. The other Members of the College-wide Personnel and Budget Committee shall be the Provost, the Deans of the Schools, the Chairperson of each Department and one student elected by the Student Government Association.

ARTICLE 11 – FACULTY-STUDENT DISCIPLINARY COMMITTEE

Section 1. Establishment. There shall be a Faculty-Student Disciplinary Committee to conduct hearings in student disciplinary cases. Disciplinary action against students shall be initiated and processed in accordance with Article 15 of the By-laws of the Board of Trustees.

Section 2. Membership. The President, in consultation with the Executive Board of the College Council, shall select three members of the instructional staff to receive training and to serve in rotation as Chairpersons of the Faculty-Student Disciplinary Committee. In addition, six faculty and six students shall be elected annually to serve on the Faculty-Student Disciplinary Committee. The faculty Members of the Faculty-Student Disciplinary Committee shall be elected by the faculty Members of the College Council at its first meeting of the academic year. The student Members shall be elected by the Student Senate at its first meeting of the academic year. In any given proceeding, two faculty and two student shall be selected by lot from among the six elected Members.

Section 3. Quorum. A quorum in a disciplinary proceeding shall consist of the Chairperson and at least one faculty Member and one student Member.

Section 4. Term of Office. Members of the Faculty-Student Disciplinary Committee shall serve for one year. Chairpersons shall serve for three years.

ARTICLE 12 – AMENDMENTS

Section 1. Proposed Amendments to the Governance Plan. Amendments to the Governance Plan may be proposed by a two-thirds vote of the College Council membership.

Section 2. Notice to Membership. The College Council shall be notified at least five working days in advance of the date of the meeting at which changes in the Governance Plan are to be considered. Before action may be taken, the Secretary shall read the proposed changes at no fewer than two successive meetings of the College Council.

Section 3. Ratification. Amendments to the Governance Plan proposed by the College Council shall be ratified by a referendum in which all instructional staff (including faculty and persons in a college laboratory technician or higher education officer title) and students may vote. Amendments shall be deemed ratified, and shall be forwarded to the Board of Trustees for approval, if approved by a majority of the voting faculty and a majority of either (i) the voting non-faculty instructional staff or (ii) the voting students. Notice of the proposed amendments shall be widely disseminated within the College Community at least two weeks before the ratification vote. Such vote shall be by secret ballot over a time period of not less than one week.
ARTICLE 13 – DEFINITIONS

“Community Council” refers to the body comprised of representatives selected by the President from the Central Brooklyn area who serve in an advisory capacity to the president on matters pertaining to the College’s engagement with the community.

“Department” refers to the academic units recommended by the College Council or President and approved by the Board of Trustees. The current departments are Accounting; Biology; Business Administration; Computer Information Systems; Education; Economics and Finance; English; Foreign Languages; Mathematics; Mass Communications, Creative and Performing Arts and Speech; Nursing; Philosophy and Religion; Physical, Environmental and Computer Sciences; Psychology; Public Administration; Social and Behavioral Sciences; Library, and SEEK/Special Programs; and Student Affairs and Services.

“Faculty” refers to persons employed in the titles of Professor, Associate Professor, Assistant Professor, Instructor, Lecturer and Distinguished Lecturer.

“Members” of all bodies and committees shall be voting members unless otherwise stated.

“School” refers to the units recommended by the College Council or President and approved by the Board of Trustees that aggregate a number of departments. The current Schools are the School of Business (comprised of the Departments of Accounting; Business Administration; Computer Information Systems; Economics and Finance; and Public Administration), the School of Liberal Arts and Education (comprised of the Departments of English; Foreign Languages; Mass Communications, Creative and Performing Arts and Speech; Philosophy and Religion; Psychology; and Social and Behavioral Sciences) and the School of Science, Health and Technology (comprised of the Departments of Biology; Mathematics; Nursing; and Physical, Environmental and Computer Sciences).

“Student Government Association” refers to the recognized student governance body.

ARTICLE 14 - TABLE OF DATES

By April 15 Election to College Council is called by the President in writing.

May 1 to 7 Election of faculty and staff members of the College Council for the following year.

Election of Department Chairpersons.

Election of members of Department Personnel and Budget Committees.

May 7 to 15 Election results submitted in writing to the President.

July 1 to Term of office for all members of the College Council, Department Chairpersons

June 30 and members of Department Personnel and Budget Committees.

September Election of representatives to the College Council by the adjunct faculty.

Election of representatives to the College Council by the Student Government Association.

Election of officers and members of Standing Committees by the College Council and where so provided by the Student Government Association.
Election of faculty members of the Executive Board by the faculty members of the
College Council.

Election of faculty members of the Faculty-Student Disciplinary Committee by the
Executive Board.

Election of student member of the College-Wide Personnel and Budget Committee and
the student members of the Faculty-Student Disciplinary Committee by the Student
Government Association.

December Election, called by the Department Chairperson, of replacements of members of the
College Council and members of the Department Personnel and Budget Committees who
were not reappointed.

C. The City University of New York School of Law - Amendment to the Governance
Plan:

RESOLVED, That the proposed amendment to the Governance Plan of The City
University of New York School of Law be adopted, effective January 31, 2017.

EXPLANATION: The proposed amendment to the Governance Plan of The City University
School of Law (“CUNY Law School”) is a technical amendment designed to extend the
existing power of the faculty Curriculum Committee to consider changes to the curriculum
affecting part-time students, whose program encompasses four years of study. Currently,
the Plan assumes that the course of study is three years, and it gives the Curriculum
Committee the authority to consider proposals to review, modify or develop the course of
study for “each of the three years” of the educational program. The amendment would
give the Committee the authority to consider proposals for “each of the years of the
program,” eliminating the reference to three years.

The faculty of the CUNY Law School approved this amendment on September 9, 2016,
and it is recommended by the Dean.

GOVERNANCE PLAN
THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW AT QUEENS COLLEGE

INTRODUCTION

A. PURPOSES

1. The central purpose of The City University School of Law at Queens College (the “Law School”) is
to create an educational program that will train students for the practice of law in the service of human
needs and honor students’ aspirations toward building a legal career that reflects their commitment
toward justice, fairness, and equality. The organization of work and life at the Law School is designed
to encourage students to think actively about their life choices, their evolving concept of
professionalism, and the content and processes of the law itself, in ways that foster their capacity to
practice law in a socially useful manner.
2. This Governance Plan is intended to provide a governance system for the Law School that facilitates the realization of this commitment. This Governance Plan should be read consistent with the Bylaws of the Board of Trustees of The City University of New York, and nothing in this Plan should be read as inconsistent with the Bylaws of the Board of Trustees unless specifically so stated in this Governance Plan. The procedures that follow seek to encourage a spirit of relationship, trust, and community that operates within a framework of rules. The rules are designed to provide a framework within which people motivated by a sense of shared mission can operate in a manner that encourages responsibility and participation by all members of the Law School community.

3. In order to serve these ends, a governance system needs to respect both democratic modes of participation and an institutional authority that enables the Law School to maintain a coherent and coordinated expression of its purpose.

B. STATUS WITHIN THE CITY UNIVERSITY

1. The City University School of Law at Queens College is a unit of The City University of New York (“The City University”). The Law School is a constituent element, similar to a college of The City University and shall have ties to all institutions within The City University.

C. TITLES AND DEFINITIONS

1. The Board or Board of Trustees means the Board of Trustees of The City University of New York.

2. The authorization and definition of titles for faculty, permanent Instructional staff, other instructional staff, and classified (non-instructional) staff at the Law School shall include only those titles authorized and defined in the Bylaws of the Board of Trustees.

3. Notices of reappointment at the Law School shall be handled in accordance with the Bylaws of the Board.

4. The term “administrative staff” or “administrators” shall mean full-time members of the instructional staff within the meaning of Section 6.1 of the Board of Trustees’ Bylaws who are not members of the faculty.

5. The term “support staff” refers to persons, other than students enrolled at the Law School, who are working full-time at the School, or who have worked part-time, at least 10 hours per week, at the School for at least six months, and are not members of the instructional staff.

II. THE DEAN

A. AUTHORITY OF THE DEAN

1. The Dean of The City University School of Law at Queens College shall be the chief educational and administrative officer of the Law School. The Dean of the Law School shall be a member of the CUNY Council of Presidents and shall have, subject to the provisions and exceptions contained in this Governance Plan, the duties and responsibilities of a college president as stated in Section 11.4 of the Board of Trustees Bylaws and other policies and resolutions of the Board. The Dean of the Law School shall have, subject to the provisions and exceptions contained in this Governance Plan, all of the rights and responsibilities of a president relative to all collective bargaining agreements, rules and regulations of CUNY Classified Service and all other policies and procedures issued by the City University of New York.
2. The Dean may be removed by the Board upon the recommendation of the Chancellor after consultation with the faculty of the Law School. The Dean of the Law School shall be a tenured member of the Law faculty.

3. The Dean of the Law School shall exercise all the responsibilities customarily exercised by law school deans. He/she shall consult with and report to the Chancellor. He/she shall have the affirmative responsibility for developing the academic program, enhancing the educational standards and assuring the academic excellence of the Law School. Such responsibility shall include but not be limited to the following duties:

   a. to recommend, as stated in this Governance Plan, the appointment, promotion, and tenure of persons who will contribute to the improvement of the Law School program. These recommendations shall be consistent with the immediate and long-range objectives of the Law School;
   b. to advise the Chancellor and the Board of Trustees on matters concerning the program of the Law School;
   c. to provide advice concerning other law-related programs within The City University and to make recommendations on the development and operation of such programs;
   d. to supervise and manage the work of the Law School faculty and employees, and to carry into effect the Bylaws, resolutions and policies of the Board of Trustees;
   e. to prepare and implement a long-range plan for the Law School;
   f. to act as chairperson of the faculty of the Law School and the Law School Committee on Personnel and Budget;
   g. to review and recommend to the Chancellor and other appropriate officials the actions of the Law School faculty on matters of curriculum and other matters falling under faculty jurisdiction;
   h. to consult with appropriate faculty committees on matters of appointments, reappointments, and promotions, taking systemic student evaluations into account;
   i. to develop Law School activities that enhance the Law School’s involvement and reputation in the legal community;
   j. to develop integrated courses of study with law-related disciplines;
   k. to prepare and present an annual Law School budget to the Chancellor;
   l. to appoint such ad hoc and/or special committees as appropriate.

B. APPOINTMENT AND REAPPOINTMENT OF THE DEAN

1. When a vacancy occurs or is expected in the office of the Dean of the Law School, a Search Committee shall be established under the Board guidelines for Presidential searches.

2. A committee which will be constituted in the same fashion as a Presidential Review Committee will be appointed at the beginning of every fifth year of a Dean’s term to serve as a Review Committee to review the Dean’s performance. This committee will make a report to the Chancellor.

III. THE FACULTY

A. ORGANIZATION AND DUTIES

1. The faculty of the Law School will meet monthly, during the academic year, on the dates set forth in a calendar distributed at the start of each semester by the Dean. The faculty shall also meet on call of the Dean or upon the petition of 1/3 of the faculty, and the Dean will preside at its meetings. Within general policies established by the Board of Trustees, through its Bylaws, resolutions, policies, rules, regulations, and this Governance Plan, the Dean and Faculty of the Law School shall have the responsibility for formulating and administering the program of the School including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction; admission policies; and academic standards of retention, advancement and graduation of students.
2. The presence of a majority of the voting faculty shall constitute a quorum. A quorum shall be necessary for the transaction of any business. Business shall be conducted in accordance with Robert’s Rules of Order, latest edition. Minutes shall be kept of all meetings. The faculty may adopt such additional procedures for the discharge of its responsibilities under this Governance Plan, as it may deem necessary, subject to the approval of the Dean.

3. The agenda for the regular monthly faculty meeting shall be proposed by the Dean and distributed to the faculty within a reasonable time prior to the meeting. Any member of the faculty may add items to New Business. The proposed agenda shall be adopted by the faculty, by a vote of a majority of those present if a quorum is present, at the beginning of each faculty meeting and may be amended by the faculty by the same vote prior to its adoption. Once adopted the agenda may be amended in any manner by a 2/3 vote.

4. A faculty member who misses three regular faculty meetings during an academic year shall not be entitled to vote nor be counted towards a quorum at all faculty meetings for the remainder of the academic year in which the third absence occurs. Faculty members facing the loss of voting rights may appeal to the remaining voting faculty for a waiver of this rule by providing good and sufficient reasons. The waiver shall be granted if 2/3 of faculty present at a faculty meeting vote to approve the waiver.

5. The student government is authorized to elect three students, one from each class, who must be in good standing, to serve as ex-officio members of the faculty for the purpose of faculty meetings. The student government is also authorized to elect students in good standing to be the student members of faculty committees, except where otherwise specified by this Governance Plan or the Bylaws or resolutions of the Board of Trustees. All elected students must remain in good standing to retain their seats on committees or in student government; all serve for a one-year term and may be reelected. No student may serve in more than two elected positions under this Governance Plan, including student government, at a time. When a vacancy occurs, the student government may fill the vacant seat for the remainder of the term.

B. FACULTY COMMITTEES

The Faculty committees shall be those specified below and shall also include any additional committees created from time to time by action of the Faculty or the Dean.

1. The Personnel and Budget Committee

a. The Law School shall establish a Personnel and Budget Committee which shall be composed of five persons. Members of the Personnel and Budget Committee shall be Law School faculty members elected in accordance with the Bylaws and written policies of the Board of Trustees and one second or third year student elected by the students as a non-voting member. The manner of constituting the committee, and the procedure to be followed by it, shall be subject to the approval of the Dean of the Law School. This committee shall review all recommendations for appointment and reappointment, with or without tenure, to the faculty, and promotion in rank, special salary increases and increments, and applications for fellowship and other leaves. Additionally, the Committee on Committees may appoint other committees, when needed, to review faculty candidates and to develop reports, make factual findings, and make recommendations to the P & B on reappointment, tenure, and/or promotion. Upon receiving these reports and the factual record underlying them, the P & B shall make an independent assessment and recommendation to the Dean. These other committees shall review candidates’ qualifications under the policies and standards of the City University of New York as set forth in the Bylaws, personnel policies, and resolutions of the Board of Trustees of the City University of New York. It shall recommend action thereon to the Dean. The Dean of the Law School will be one of the five members of the Law School Personnel and Budget Committee and shall serve as Chair.
2. Faculty Search Committees and Faculty Appointments

The Dean, in consultation with the Personnel and Budget Committee, shall establish such Faculty Search Committees as are appropriate. All Faculty Search Committees shall adopt and follow appropriate procedures in order to assure compliance with The City University Affirmative Action policies and procedures. The Dean shall appoint a student member to each Search Committee.

b. A Faculty Search Committee shall report its recommendations to the faculty for discussion and then to the Dean. The Dean shall review the recommendations and make his or her own recommendation regarding each faculty appointment to the Personnel and Budget Committee.

c. The Personnel and Budget Committee shall review the recommendations of the Dean, consult with the full-time tenured and tenure-track faculty, and shall make its own recommendation regarding each faculty appointment to the Dean.

d. The Dean shall review the recommendations of the Personnel and Budget Committee and shall recommend to the Chancellor for appointment, only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence of the Law School.

e. The Chancellor will review the Dean’s recommendations in accordance with Section C of this Article.

3. Faculty Reappointment, Promotion, and Tenure Review Procedures

a. The Personnel and Budget Committee and all other committees charged with the review of faculty shall review all candidates’ qualifications under the policies and standards of The City University as set forth in the Bylaws, personnel policies, and resolutions of the Board of Trustees of The City University of New York.

b. The Dean shall review the affirmative recommendation(s) of the Personnel and Budget Committee and shall recommend to the Chancellor for reappointment, promotion, and tenure only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence at the Law School.

c. The Chancellor shall review the Dean’s affirmative recommendations in accordance with Section C of this Article.

4. The Admissions & Admissions Policy Committee

The Admissions & Admissions Policy Committee shall include the Assistant Dean for Enrollment Management and Director of Admissions, not fewer than three faculty, and two students who are members of the second or third year classes. Faculty appointments shall be for a term of two years.

a. The Admissions & Admissions Policy Committee shall review individual candidates for admission and recommend admissions policy, subject to the approval of the faculty, the Dean and the Chancellor.

b. No applicant may be admitted by the Law School except on the affirmative vote of the Admissions & Admissions Policy Committee. The Committee shall follow procedures that have been approved by the faculty and the Dean.

5. Scholastic Standards and Academic Standing Committee

a. The membership of the Scholastic Standards and Academic Standing Committee shall include an Associate Dean, who shall chair the Committee, not fewer than four faculty members and two third-year students.

b. The Committee shall review policies and procedures concerning scholastic standards and assist in the development of academic support systems for students.
c. The Committee shall apply the academic standards of the Law School to individual students from the time of admission until the granting of the Juris Doctor. The Committee will receive and act upon student appeals relating to academic matters.

6. The Curriculum Committee

a. The Curriculum Committee shall be composed of not fewer than four faculty and three student members. The term of all faculty members shall be two years.
b. The Curriculum Committee shall have authority to consider all proposals to review, modify, or develop the course of study for each of the three years of the program, and all proposals relating to the educational program; including, but not limited to, evaluation of student work and scheduling.

7. Committee on Committees

a. A Committee on Committees shall be constituted each year, consisting of the Dean, two faculty members elected by the faculty, one student elected by the student government and one staff member elected by the administrative and support staff.
b. The Committee shall recommend, except with respect to committees that consider personnel matters or where specified in this Governance Plan or the Bylaws of the Board of Trustees, how many, if any, members of the faculty, administrative staff, and support staff shall be nominated to each committee. The Committee shall also propose nominations for membership and chair for each committee that shall be submitted to the faculty for election, substitution or addition. Except where the Board of Trustee Bylaws or resolutions are to the contrary, the normal term of office for faculty members on committees shall be two years and for students, one year. Committee members may be reelected unless the charge of the committee or rules of the Board of Trustees limits a member’s term.

C. APPOINTMENTS AND REAPPOINTMENTS TO, AND PROMOTIONS WITHIN, THE INSTRUCTIONAL STAFF PROCEDURE

1. All appointments and reappointments, including reappointments with tenure, to, and promotions within the instructional staff, except where otherwise provided, shall be recommended to the Dean who shall review the recommendations and recommend to the Chancellor only those persons who he/she is reasonably certain will contribute to the academic excellence of the Law School.

2. The Chancellor shall review the Dean’s affirmative recommendations and shall recommend to the Board of Trustees for appointment, reappointment, promotion and/or tenure only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence at the Law School.

D. APPEALS

1. A Faculty member may appeal a negative decision of the Personnel and Budget Committee regarding his or her candidacy to the Dean, who shall consider, decide and notify the candidate regarding the appeal.

IV. APPOINTMENT AND REAPPOINTMENT OF EXECUTIVES AND ADMINISTRATORS

A. INITIAL PROCESS FOR APPOINTMENT AND REAPPOINTMENT OF ADMINISTRATORS OTHER THAN THOSE IN EXECUTIVE PAY PLAN TITLES

1. Proposed appointments, other than acting or substitute appointments, to positions on the administrative staff shall be reviewed initially, after a search, by the Dean.
There shall be an Administrative Screening and Review Committee. The Dean shall make his/her recommendations to the Administrative Screening and Review Committee. The members of the Administrative Screening and Review Committee shall be appointed by the Dean and shall consist of no fewer than five members, one of whom must be a classified staff member, and at least one of whom must hold a professorial appointment, and a majority of whom must be administrators. Service on this committee will be for two years. An Associate Dean shall chair the Administrative Screening and Review Committee.

2. The Committee will review proposed appointments and reappointments, and proposed title and salary recommendations, for administrative positions to assure that the applicable University standards have been met and that rates of pay for members of the Law School administrative staff take into account comparable rates at metropolitan area law schools and other institutions in The City University and, to the extent practicable, are commensurate for those with comparable tasks and comparable experiences within The City University. The Committee shall make its recommendation to the Dean. The Dean shall review those recommendations in making his/her own recommendation to the Chancellor for appointment or reappointment.

B. EVALUATION OF ADMINISTRATORS OTHER THAN THOSE IN EXECUTIVE PAY PLAN TITLES

Evaluation of the work of persons on the administrative staff is ultimately the responsibility of the Dean. The Dean, in consultation with the Administrative Screening and Review Committee as outlined in Section A above, may recommend for appointment or reappointment persons holding such titles in accordance with established University procedures.

C. APPOINTMENT OF PERSONS HOLDING PROFESSORIAL TITLES TO ADMINISTRATIVE DUTIES OTHER THAN THOSE IN EXECUTIVE PAY PLAN TITLES

1. The Administrative Screening and Review Committee of the Law School may recommend to the Dean that an administrative position be filled by an individual whose title is law school instructor, law school assistant professor, law school associate professor, law school professor, or law school lecturer. Such recommendation may, but need not, include a recommendation that the person receive a change in remuneration for work in that title.

2. If the Dean concurs with their recommendation he/she may make such a recommendation to the Chancellor in accordance with the procedures for appointments to the instructional staff.

D. APPEALS

1. An administrator may appeal a negative decision of the Administrative Screening and Review Committee regarding his or her candidacy to the Dean, who shall consider, decide, and notify the candidate regarding the appeal.

V. BOARD OF VISITORS

A. There shall be a Board of Visitors for The City University School of Law at Queens College appointed by the Chancellor. The Board of Visitors shall be made up of distinguished jurists, lawyers, scholars, and other interested persons. Its role will be to advise the Law School about its academic program, its role in the community, placement of graduates and the like. It shall assist the Dean, the Chancellor and the Board of Trustees in all aspects of the Law School's development efforts. It shall serve as a liaison between the Law School, the legal profession, and the public and private groups, which are served by the legal profession and participate in the legal process.
B. Members of the Board of Visitors will be appointed for three-year terms upon the recommendation of the Dean of the Law School, with the concurrence of the Chancellor.

C. The membership of the Board of Visitors should reflect the Law School’s role in the Borough of Queens, in the City, the State, and the Nation. The Board of Visitors shall be governed by Bylaws promulgated by the Board of Visitors.

VI. AMENDMENTS

A. AMENDMENT PROCEDURE

1. Amendments to this Governance Plan may be recommended by the Faculty, the Dean, or the Chancellor. Any recommendations which originate in the Law School Faculty must be first submitted to the Dean for consideration. The Dean shall review the Faculty recommendation(s). Any recommendation in whole or in part approved by the Dean or any modification thereof that the Dean determines to be in the best interests of the Law School shall be recommended to the Chancellor for further consideration.

2. The Chancellor shall review the Dean’s recommendations. Any recommendation in whole or in part approved by the Chancellor or any modification thereof that the Chancellor determines to be in the best interests of the Law School shall be recommended to the Board for approval.

3. No change in this Governance Plan shall be implemented until it has been adopted by the Board.

Amended May 6, 2016, approved by CUNY Board of Trustees June 27, 2016.

D. CUNY School of Medicine - Amendments to the Governance Plan:

RESOLVED, That the proposed amendments to the Governance Plan of the CUNY School of Medicine be adopted, effective January 31, 2017.

EXPLANATION: The proposed amendments would revise the composition of the Admissions Committee and ensure that allegations of medical student misconduct would be addressed by the full Student Academic Progress Committee (“SAPC”). The amendments were approved by the School of Medicine Faculty Council at its meeting on December 13, 2016 and are recommended by the Dean.

With respect to the Admissions Committee, its composition would be revised to provide congruency between the Governance Plan and approved accreditation documents. The revision would also provide greater flexibility in the number of basic science and clinical faculty members to allow for the potential expansion of the committee in the future, if deemed necessary or appropriate.

In addition, the amendments would shift the responsibility for examining allegations of student misconduct from a sub-committee of the SAPC (the Committee on Ethics and Professionalism) to the full SAPC.

** (Proposed changes in language are redlined and italicized; deletions are struck-through)
MISSION STATEMENT

The mission of The CUNY School of Medicine (the “SOM”) is to produce broadly-educated, highly-skilled medical practitioners to provide quality health services to communities historically underserved by primary care practitioners. The School will recruit and educate a diverse, talented pool of students to the MD and Physician Assistant programs, expanding access to medical education to individuals from underserved communities, of limited financial resources, and of racial/ethnic backgrounds historically underrepresented in the medical profession.

ORGANIZATION AND GOVERNANCE

ARTICLE I: Dean

The Dean will be the chief academic and administrative officer of the SOM. The Dean will have general responsibility to develop, implement and administer the SOM degree programs and will report to the President of the City College of New York (the “President”). The Dean may appoint Associate Deans and Assistant Deans to assist with carrying out his/her responsibilities.

ARTICLE II: Faculty Council

Section 2.1 Responsibilities of the Faculty Council

The Faculty Council will work with the Dean to formulate educational policy for the SOM and to develop standards for admission, academic performance and degree requirements for students. It will also establish standards for the appointment, reappointment (with and without tenure) and promotion of faculty and criteria for each faculty position consistent with the Bylaws and policies of the CUNY Board of Trustees.

Section 2.2 Meetings of the Faculty Council

a. All faculty members, including affiliated faculty members of the Department of Clinical Medicine and adjunct faculty, will be members of the Faculty Council. Voting membership will include all full-time faculty employed by the SOM. Members of the Department of Clinical Medicine and adjunct faculty members will be eligible to participate in meetings and all deliberations of the faculty, with voice but without vote on any business, and will be eligible to serve on special committees of the faculty. A majority of voting members will constitute a quorum for the purposes of conducting business. The Faculty Council will elect a Secretary from among its members, who will be responsible for preparing minutes and posting the agenda electronically.

b. The Dean will convene the Faculty Council to meet at least twice per semester (four times per academic year). The Dean will preside at meetings of the faculty, or in his/her absence, an Associate Dean designated by the Dean will preside. Special meetings of the Faculty Council may be convened by the Dean, the Executive Committee or by petition of at least 20% of the voting members of the Faculty Council.

c. Notice of time, place and agenda of both regular and special meetings will be posted at least one week before the date of the meeting. Minutes of the Faculty Council meeting will be appended to the agenda of the succeeding meeting for approval. At special meetings, the
business conducted will be confined to the purpose for which the meeting was called.

d. The order of business set forth for a regular meeting of the Faculty Council may be altered or suspended on motion and approval by a vote of two-thirds (2/3) of the members of the Faculty Council present and voting at any meeting where a quorum is present.

e. All meetings will be governed by the most recent edition of Robert's Rules of Order, except that no action may be taken by the Faculty Council or any of its Standing Committees unless there is an affirmative vote of a majority of all of its members.

f. Agendas and minutes of all Faculty Council meetings will be archived via electronic posting to the School's intranet and shared drive, or other appropriate means.

ARTICLE III: Standing Committees

Section 3.1 General Guidelines for Committees Other than the Executive Committee

a. Each standing committee shall report to the Executive Committee at least twice annually on matters of policy and matters requiring administrative action and/or implementation. Committee reports shall be presented to the Executive Committee in the form of a concise summary emphasizing actions recommended.

b. The Executive Committee will appoint the Chair and members of all standing committees, with the advice and consent of the Dean. Except for the Admissions Committee, whose membership is described below, the Executive Committee will determine the size of the other standing committees. Faculty will constitute the majority of the voting membership of standing committees. Those committees will be comprised of at least one representative of each department and at least one student where authorized below, and such ex-officio, non-voting administrators whom the Dean designates.

c. In addition to the standing committees, the Executive Committee, with the advice and consent of the Dean, may establish special ad hoc committees as necessary.

d. The terms of service of members of standing committees will be three (3) years. The initial appointments to standing committees shall be staggered (1, 2 or 3-year terms) in order to maintain continuity of membership and ensure that committees will have a turnover of no more than one-third of their members annually.

e. Any member who misses three (3) consecutive meetings of a committee without valid excuse will be subject to replacement by the Executive Committee upon receipt of such report from the committee chair.

f. Individuals designated as committee chairs must be full-time members of the faculty of the SOM, except that they may not be members of the Department of Clinical Medicine. Neither the chair nor other members of standing or ad hoc committees need be members of the Executive Committee. No faculty member may serve on more than two standing committees.

g. The faculty membership of all standing committees should include representation from all SOM departments when possible.

h. Where mandated below, standing committees of the SOM will have representation from the SOM student body. The Executive Committee, with the advice and consent of the Dean, will appoint student representatives to standing committees from the student representatives
elected in a slate by the student body in the numbers indicated below and may appoint student representatives to ad hoc committee in numbers it determines are appropriate based upon the nature and purpose of the respective committee. Each student representative to each committee will have both voice and vote, and be counted in quorum calls.

i. The Physician Assistant program will have its own standing committees separate from those of the MD program, in accordance with guidelines of the program’s accrediting body. The Executive Committee will appoint the Chair and members of those standing committees, with the advice and consent of the Dean.

j. The standing committees may adopt operating procedures as they deem appropriate.

Section 3.2 Executive Committee

a. Responsibilities: The Executive Committee will transact the business of the SOM in between meetings of the Faculty Council and will meet at least monthly. The Dean will consult with the Executive Committee on the allocation of institutional resources, research and training grants, exchange programs, and awards and honors for students and faculty. The Executive Committee may establish and charge special ad hoc committees as it may deem necessary, including a committee to review this Governance Plan for possible amendments periodically.

b. Membership: The Dean will serve as chair and will be ex-officio with voice but without vote except to break a tie. In addition, the Executive Committee will include:

1) All SOM Department Chairs.

2) One faculty member from each department to be elected by the Faculty Council from a slate of selected or self-nominated faculty presented by each Department.

3) The Associate and Assistant Deans of the SOM as ex-officio members with voice but without vote.

The Dean may invite other administrative officers of the SOM to attend meetings of the Executive Committee; these individuals will not be members of and will not have a vote on the Executive Committee.

c. Term/ Elections: The term of office of elected members will be three (3) years. Elections to the Executive Committee will be held at a meeting of the Faculty Council during the month of May. Members of the Faculty Council will be appointed by the Executive Committee to fill vacancies arising mid-year, until an election to fill the vacancy is conducted at the next meeting of the Faculty Council.

d. Meetings:

1) The Dean will schedule meetings of the Executive Committee and prepare agendas for meetings. Notice of time, place, and agenda of both regular and special meetings will be posted electronically at least one (1) week before the date of the meeting. At special meetings, the business conducted will be confined to the purpose for which the meeting was called.

2) A quorum for the purpose of transaction of the business of the Executive Committee will be a simple majority of the eligible voting members. No proxies will be permitted either for quorum call or for voting.
Section 3.3  Curriculum Committee

a. The Curriculum Committee will provide oversight of curriculum development, implementation and review, based on the medical education mission of the School. Functions will include the regular and systematic review of each medical school course, including educational objectives, curriculum design, course organization and assessment; the review and approval of new courses and changes to the curriculum; development of academic policies and acting on recommendations from subcommittees.

b. The Committee will meet monthly. It will recommend changes in course and curricular content, policies and procedures. It also will collaborate with the Student Academic Progress Committee to assure uniformity of policies and assessment methods.

Section 3.4  Student Academic Progress Committee (“SAPC”)

The SAPC will monitor and assess students’ records for compliance with the program’s academic requirements, and assess student preparedness to advance at each level of the curriculum and to graduate. The Committee will report annually to the Dean and the Deputy Dean for Medical Education on all students with regard to promotion, non-promotion, requirement to repeat a year, reassessment, disciplinary action, leaves of absence or dismissal for academic or other reasons, and will recommend to the Dean candidates for the awarding of degrees. The SAPC will also convene the Committee on Ethics and Professionalism, a Sub-Committee of the SAPC, to examine and address allegations of student misconduct and/or unprofessional behavior, including Honor Code violations, and will advise the SAPC and provide leadership on exercises and initiatives to promote professionalism among students.

Section 3.5  Committee on Student Appeals

The Appeals Committee is charged to review all student appeals referred to it and to determine whether such appeals have merit and should be granted.

ARTICLE IV:  Admissions Committee

Section 4.1  Responsibilities:  The Admissions Committee is charged to select and admit students to the SOM, and to establish and revise admissions policies and procedures, as appropriate. The Director of Admissions will present proposed policy changes to the Admissions Committee for discussion and approval.

Section 4.2  Voting:  All final decisions about admission of applicants will be made by the voting membership of the Admissions Committee. Faculty will constitute the majority of the voting membership of the Committee; no vote may be taken in any convened meeting where faculty does not constitute a voting majority.

Section 4.3  Membership:  Membership of the Admissions Committee will include basic sciences faculty (4), clinical faculty (4), faculty members from the Department of Clinical Medicine (2), at-large members appointed by the Dean, to include faculty or staff from student support units selected based upon their academic, experiential and personal qualities (2), and medical students elected annually for one-year terms by the student body (4). Ex-officio, non-voting members will include: Associate Dean for Student Affairs, the Assistant Deans for Basic Science Curriculum and for Clinical Curriculum, the Assistant Dean for Medical Education and Faculty Development and representation of the administrative leadership of the Office of Admissions.
Section 4.4 Chair: The initial chair of the Admissions Committee will be a faculty member appointed by the Executive Committee, with the advice and consent of the Dean. Subsequent chairs will be elected by vote of the Committee members.

ARTICLE V: Personnel and Budget Committee (“P & B Committee”)

5.1 Membership: The P & B Committee will operate in accordance with the Bylaws of the Board of Trustees of the City University of New York. The Dean will serve as chair and will be ex-officio with voice but without vote. In addition, the P & B Committee will include:

a. All SOM Department Chairs.

b. One faculty member from each department to be elected by the Faculty Council from a slate of selected or self-nominated faculty presented by each Department.

c. The Associate and Assistant Deans of the SOM as ex-officio members with voice but without vote.

5.2 Duties: The duties of the P & B Committee will include reviewing and making recommendations to the Dean on faculty appointment, reappointment, promotion, and tenure, the appointment of Distinguished Professors and Named Chairs, reviewing and making recommendations on applications for fellowship and other leaves, and recommending to the Dean the creation or abolition of SOM Departments. The recommendations of the P & B Committee regarding appointments, reappointments, promotion and tenure will be subject to review by the College-wide P & B Committee, and the final decision will rest with the President.

ARTICLE VI: Departments

Section 6.1 Establishment of Departments

a. Departments of the SOM will include the Departments of Community Health and Social Medicine, Pathobiology, Medical Education, Physiology, Pharmacology and Neuroscience; and Clinical Medicine.

b. The Department of Clinical Medicine will serve as the academic home for faculty in clinical disciplines who provide oversight of students’ clinical instruction. Clinicians in Affiliated faculty titles, including but not limited to the Affiliated Medical Professor series titles, will be appointed to the Department of Clinical Medicine. Affiliated faculty members will include licensed health care professionals who are employees of affiliated hospitals and health centers and who do not receive compensation from nor have employment status at CUNY.

c. Additional departments may be established and organized based upon some or all of the following criteria:

1) recognition as a discipline by special examination and/or certification;
2) traditional recognition as an educational unit;
3) major educational/research interests in an organ system or scientific discipline; and
4) convergence of responsibilities traditionally incumbent upon a department, including but not limited to teaching responsibilities, research activities; and/or recognition as a means
of facilitating the goals of the School, including emphasis on primary care, population health, and socio-medical sciences, and improved health care in medically underserved areas.

d. Departments of the SOM may be created or deleted upon the recommendation of the Dean and with the approval by affirmative vote of two-thirds (2/3) of the members of the Executive Committee at a meeting for which the subject will have been noted on an agenda distributed at least one week in advance. Establishment of new departments will be made in accordance with the bylaws and policies of the CUNY Board of Trustees.

Section 6.2 Department Chairs

The Dean will appoint Department Chairs in consultation with the applicable department and may appoint Deputy Chairs in consultation with the applicable department. Chairs will have the authority and responsibilities described in Article 9.3 of the Bylaws of the CUNY Board of Trustees.

Section 6.3 Clinical Professors, Lecturers and Distinguished Lecturers

The Dean is authorized to appoint faculty members in the titles of clinical professor, lecturer, or distinguished lecturer either to specific departments or generally to the SOM.

ARTICLE VII: Amendment of the Governance Plan

Section 7.1 Amendments to this Governance Plan of the SOM may be proposed by a petition or affirmative vote of 20% of the voting members of the Faculty Council. Amendments may be adopted by an affirmative vote of two-thirds (2/3) of the members of the Faculty Council provided that the text of the proposed amendment has been sent in writing to every member of the Faculty at least one week before the meeting at which the proposed amendment is to be considered.

Section 7.2 Adopted amendments are subject to the approval of the CUNY Board of Trustees before they become effective.

Section 7.3 The Executive Committee will appoint an ad hoc committee to review the Governance Plan periodically for possible revisions.

Moved by Trustee Fernando Ferrer and seconded by Trustee DiMartino, the following resolution was adopted:

E. Bronx Community College - Amendments to the Governance Plan:

RESOLVED, That the proposed amendments to the Governance Plan of Bronx Community College be adopted, effective January 31, 2017.

EXPLANATION: The proposed amendments to the Governance Plan of Bronx Community College (“BCC”) were approved by the University Faculty Senate on May 23, 2016 (after being approved by a referendum of full-time instructional staff conducted between May 5-May 20, 2016), except for two amendments that were approved on November 19, 2015. The BCC Senate is comprised of the Faculty Council and the Student Government Association. All of the proposals are recommended by the College President.

Many of the amendments codify existing practices at the College. They would effectuate
changes to the composition and function of the Faculty Council, principally by removing
members of the College administration from the Council; this amendment reflects decades
of past practice in which administrators have not participated in Faculty Council
deliberations. The amendments further specify the functions of the Faculty Council to
reflect past practices and clarify language that currently could be interpreted to restrict the
number of Council meetings held each semester.

The amendments eliminate divisional coordinators from membership in the Senate,
effectively eliminating divisions within the College. Currently, division coordinators hold
*ex officio* seats in the Senate; eliminating these seats would allow for three additional at-
large seats to be added to the Senate. Eliminating divisions would end the practice of
divisional voting in the Personnel and Budget process, which has never been codified in
the Governance Plan.

The proposals increase the voting membership of both Higher Education Officers
(“HEOs”) and College Laboratory Technicians (“CLTs”). HEO membership would be
increased from one to three, reflecting the greater numbers of HEOs at the College and
their increasingly vital roles. CLTs would be granted full voting rights, rather than fractional
voting rights.

The amendments also make several changes relating to the Council’s standing
committees. They add a new Committee on Academic Freedom, in recognition of the
importance of academic freedom at BCC. They specify that the President’s designee to
the Academic Review Committee, who is a non-voting member of that Committee, should
serve as an impartial intermediary between the Committee and the College’s Personnel
and Budget Committee. They also change the function of the membership of the
Committee on Governance and Elections and the name, function and membership of the
Committee on Community Relations and Special Events.

Other amendments alter the procedure for the filling of vacancies, allowing for special
elections by the Senate for at-large seat vacancies and special departmental elections for
departmental seat vacancies.

The procedure for the naming of buildings and physical spaces would be revised to include
the namings of chairs, deanships, departments, parts of buildings, or other college
subdivisions. As the Plan acknowledges, these procedures are subject to the Bylaws of
the Board of Trustees, pursuant to which the Board has final authority to authorize such
namings.

The proposed amendments also introduce timelines for Governance Plan amendments to
ensure that such amendments may not be held indefinitely in committee and must instead
be brought back to the Senate with a recommendation in a timely manner.
Finally, the amendments assign the responsibility for adopting Rules of Order to the Faculty Council, clarify language, and correct typographical errors.

NOTE: A red-lined version of the changes may be obtained from the Office of the Secretary of the Board of Trustees upon request.

BRONX COMMUNITY COLLEGE
GOVERNANCE PLAN
(Includes all proposed and pending amendments as of March 24, 2016)


I. THE BRONX COMMUNITY COLLEGE SENATE

The Bronx Community College Senate shall, subject to the authority of the Bylaws of the Board of the Trustees and the provisions of this document, be responsible for the establishment of academic policy and for legislative and advisory functions related to the programs, operations, and goals of the College.

A. Organization

1. The Senate shall be comprised of two Councils: The Faculty Council and the Student Government Association.

a. Faculty Council

i. Membership of the Faculty Council: Those Senators who are members of the Instructional Staff and who do not hold the title of President, Vice President or Dean, shall comprise the Faculty Council.

ii. Functions of the Faculty Council: The Faculty Council shall have the following functions:

(1) The authority to pass recommendations or resolutions which shall express the views of the Bronx Community College faculty and Instructional Staff.

(2) To elect faculty and staff to college and university bodies on which elected faculty, or elected faculty and Instructional Staff, serve. Such elections shall be conducted by the entire Council.

iii. Officers of the Faculty Council

(1) The Council shall elect a Chairperson, a vice-Chairperson, and a secretary from its membership.

(2) The term of office for officers of the Faculty Council shall be two years.

b. The Student Government Association

i. The Student Government Association shall consist of students who are elected by the student body to be the Student Government Association pursuant to Section 15.2.b. of the Bylaws of the Board of Trustees. It shall be empowered to:
(1) Elect a President, Vice President for Inter-Organization Council (I.O.C.) clubs, Executive Officer for Legal and Legislative Affairs, Treasurer and Secretary.

(2) Develop a constitution for ratification by the student body.

(3) Regulate student co-curricular activities in conformity with policies adopted by the Senate.

(4) Represent the student body on committees of the Senate and their sub-committees as provided in this document.

(5) A term of office shall be for one year commencing June 1 and terminating May 31 of the consecutive year. No senator may serve more than two consecutive terms of office.

2. Procedures - Rules of Conduct

a. First Elections: Procedures for the first election of Senate shall be established by the previously existing Committee on Nominations and Elections.

b. Meetings, Attendance at Meetings and Quorum: The Senate shall meet at least once a month during the Fall and Spring Semesters. Meetings of the Senate shall be open to all members of the College and the public at large. A quorum shall mean a majority of the body as calculated as a percentage of the total number of seats eligible to be filled.

c. Voting: Any action taken by the Senate requires a vote of the member present at the meeting. Any matter, for which a vote is required by the College Governance Plan, must receive the requisite number of votes based upon the number of members of the body as a whole.

d. Rules of Order:

   i. The Senate shall adopt Rules of Order for itself, its committees, and its sub-committees consistent with its obligations under law.

   ii. The SGA may adopt Rules of Order according to its own Constitution.

   iii. The Faculty Council may adopt Rules of Order for Departments and other bodies provided for in the Governance Plan.

   iv. The Senate, Faculty Council and the Student Government Association shall elect a parliamentarian.

   e. Speaking Privileges: The privilege of addressing the Senate is reserved for members of the Senate. Non-members may address the Senate only upon the approval of the Senate.

3. Alternates

a. Provision for Alternates: When called for by this plan, Alternates are individuals elected to fill a temporary absence or vacancy by a Senator or committee member. Alternates are entitled to and expected to attend all meetings of the Senate or committee, although they shall only vote when seated for the meeting. A seated Alternate shall be counted for the purpose of quorum and may vote on any manner with no distinction between Alternate and regular seats.

b. Seating of Alternates: In the case where an absence or vacancy occurs at a meeting of the Senate or one of its committees, the Chairperson shall seat Alternates to fill the vacant seats. Alternates may only be seated from within a delegation. In the case of multiple Alternates in a delegation, such seats shall be filled by ranking as
determined at the time of election in the manner specified below. After seating, such
i shall be seated for the entirety of the meeting, without regard to the late arrival of
any member.

c. Number of Alternates

i. Alternates shall be elected in a number according to the manner in which the
seat they are covering is designated.

ii. Departments shall elect an Alternate for the departmental seats to the Senate. They may elect Alternates for the seats on Senate committees.

iii. There shall be at large Alternate seats to the Senate elected by and from the
various Senate constituencies in the following number:
   (1) Full-time Faculty: Five (5) Alternate seats
   (2) Adjunct Faculty: One (1) Alternate seat
   (3) Higher Education Officers: One (1) Alternate seat
   (4) College Laboratory Technicians: One (1) Alternate seat

iv. Alternates for student seats shall be defined in a number set forth in the SGA
Constitution.

v. There shall be no provision for Alternates for ex officio seats of the Senate or any
of its committees.

d. Election of Alternates

i. Departmental Alternate Senators and committee members shall be elected at the
same time and manner as that of the Departmental Senator or committee
member. The name of the Alternate Senator shall be communicated to the
Senate or committee at the time of the election.

ii. At-large Alternate Senators shall be elected by and from each delegation in a
number provided for above in an election held at the same time and manner as
the election for the regular Senate seats. In the case that more than one
Alternate seat is being elected, the seats shall be ranked by the number of votes
received as First Alternate, Second Alternate, etc.

iii. Student Alternate Senators shall be defined in a manner set forth in the SGA
Constitution.

iv. Senate and Faculty Council Representatives to Senate Committees: The Senate
or the Faculty Council may elect up to one Alternate for any committee to which it
elects members to serve in the event of an absence or vacancy. Such an
election shall take place at the same time and in the same manner as the
election for the regular seat. The name of such Alternate shall be communicated
to the committee at the same time as the result of the regular election.

B. Functions of the Senate:

1. The Senate shall have legislative power with regard to:

   a. Academic affairs, including curricula, degree requirements, admissions and grading
      structure.

   b. The protection of the academic freedom of students and Instructional Staff.

   c. The adoption of Rules of Procedure for itself, its committees and its sub committees.

2. The Senate shall have the following advisory responsibilities:
a. Participate in the search for and appointment of the President of the College, as requested by the Board of Trustees.

b. Advise on the appointment of all individuals holding Vice President and Dean titles. These recommendations are to be submitted to the President of the College for his/her consideration.

c. Advise on long range planning to achieve the goals of the College.

d. Advise on campus life and activities, including ancillary services within the College (including, but not limited to, Auxiliary Enterprises, BCC, Inc. and the Student Election Review Committee), student organizations and community relations.

e. Advise the College’s administrative officers on the formulation and allocation of the College budget, of policies relating to grants, of allocation of space and facilities, and in the making of decisions pertaining to the allocation of resources for educational programs, and for research and scholarly activities.

3. In carrying out its responsibilities, the Senate shall be fully advised of, shall routinely receive, and shall be free to seek information from the College’s administrative officers on all matters germane to the programs and operations of the College and its facilities.

4. The College administration shall provide to the Senate in a timely fashion all pertinent information, including information on college resources and policies.

5. Upon the invitation of the Senate Chairperson, the President shall meet with it to discuss his/her response to its recommendations.

C. Membership of the Senate: The membership of the Senate shall consist of the following:

1. The President of the College.

2. The Vice Presidents of Academic Affairs, Administration and Student Development.

3. One representative elected by and from each department.

4. Eighteen faculty members holding full-time lines elected by and from the faculty at-large holding full-time titles as lecturer, instructor, assistant professor, associate professor or professor.

5. Two faculty members in adjunct titles elected by and from the adjunct faculty.

6. Fifteen students elected by the student body at-large.

7. Three people elected by and from the holders of titles in the Higher Education Officer series.

8. One person elected by and from holders of titles in the College Laboratory Technician Series.

9. One person elected by and from the holders of titles in the Registrar’s series and Higher Education Officers’ series in the Registrar’s Department.
D. **Officers of the Senate**

1. The Chairperson of the Senate shall be elected by and from the body. The Chairperson of the Senate shall be responsible for:
   a. Convening and presiding at Senate Meetings.
   b. Convening and presiding at Senate Executive Committee meetings.
   c. Representing the College community along with administrative officers and student officers at College and community functions.

2. If the Chairperson is a member of the Faculty Council, the Vice-Chairperson shall be a member of the Student Government Association. If the Chairperson is a member of the Student Government Association, the Vice-Chairperson shall be a member of the Faculty Council.

3. The Secretary of the Senate shall be elected by and from the Senate.

E. **Qualifications For and Length of Service in the Senate and on Senate Committees**

1. Student Senators and student members of committees shall serve for a one-year term and shall serve no more than two consecutive terms.

2. Student members of the Senate or Senate bodies must have and maintain a minimum cumulative average of 2.00. Students may serve in their first semester, but must achieve and maintain the required 2.00 index to continue to hold office.

3. All full-time Instructional Staff representatives shall serve two-year terms.

4. All adjunct Instructional Staff representatives shall serve two-year terms.

5. Membership on Senate Committees shall be for a term of two years, except that student membership shall be for a term of one year.

6. No person shall hold more than one standing committee membership except by approval of the Executive Committee.

7. **Vacancies**
   a. A vacancy in a Senate seat held by a member of the faculty or Instructional Staff shall only occur when the elected holder of the seat resigns or is no longer employed by Bronx Community College. A vacancy in a Senate seat held by a student shall be defined in accordance with the SGA constitution.
   b. An at-large seat which will be vacant for more than one year shall be filled by special election of the constituency represented by the vacant seat. An at-large seat which will be vacant for less than one year shall be filled by an election by the Senate. A vacant departmental seat shall be filled by special election of the department. In each case, an adequate nomination period shall be granted prior to the election. The term of such an elected seat shall be the remainder of the term of the seat vacated.
F. **Committees of the Senate - General Policy**

1. The membership of committees of the Senate shall consist of elected members of the Senate, except as provided in the Governance Plan. Committees shall, unless otherwise specified, elect their own officers. Recommendations and actions by all committees are subject to ratification by the Senate. Such committee recommendations or actions must be presented to the Senate one meeting prior to the one at which action may be taken.

2. Each standing committee of the Senate shall submit a written report of committee activities at the last scheduled Senate meeting of the academic year.

3. The same rules of quorum and privilege of the floor apply to the committees of the Senate as apply to Senate.

4. When a person is designated in the Governance Plan as a representative of an Office or officer, that person shall serve as a representative for a full academic year.

G. **Standing Committee of the Senate**

1. **Executive Committee**
   a. Functions of the Executive Committee:
      i. Prepare a schedule of regular meetings of the Senate by the beginning of each academic year.
      ii. Prepare and transmit agendas and notices for all meetings of the Senate.
      iii. Act on behalf of the Senate when the full body cannot be called into session and the matters in question must be decided without delay.
      iv. Call the Senate into special session by a vote of two-thirds of the total membership, as provided in Section I(A)(3)(c).
      v. Appoint members of Standing Committees of the Senate as required by this document.
      vi. Appoint members of other committees when requested by the President, the Senate, or any other administrative officer of the College.
      vii. Review the College budget with the President at the beginning of each academic year.
      viii. Prepare an annual evaluation of the performance and accomplishments of each standing committee of the Senate.
   b. Membership of the Executive Committee:
      i. The President of the College.
      ii. The Vice President of Academic Affairs.
      iii. The Chairperson of the Senate.
      iv. The Vice Chairperson of the Senate.
      v. The Secretary of the Senate.
      vi. Six members of the Faculty Council, elected by the Faculty Council.
      vii. The Student Government Association Vice President for Inter-Organization Council (I.O.C.) clubs and Executive Officer for Legal and Legislative Affairs.
      viii. The Chairperson of the Faculty Council when the holder of that office is not the same person as the Chairperson of the College Senate.
      ix. The Vice President of Administration and Finance and the Vice President of Student Development as non-voting members.
c. Officers of the Executive Committee:
   i. The Chairperson of the Senate shall serve as the Chairperson of the Executive Committee.
   ii. The Secretary of the Senate shall serve as the Secretary of the Executive Committee.

d. A majority of the members of the Executive Committee shall constitute a quorum.

2. **Committee on Governance and Elections**

   a. Functions of the Committee on Governance and Elections:
      
      i. Review the process of governance of the College on a continuing basis.
      ii. Prepare and present to the Senate a biennial evaluation of the governance of the College.
      iii. Recommend changes in administrative and governance structure and practices, and amendments to this document.
      iv. Consider recommendations from the administration, faculty, staff, and students for changes to this document.
      v. Interpret the Governance Plan subject to Senate review and approval.
      vi. Conduct nominations and elections for the offices designated in the Governance Plan as well as for outside organizations with which the College may have an official connection, including:
         (1) Determining eligibility to vote and hold office.
         (2) Establishing procedures for disseminating information about candidates to their electorates.
         (3) Presenting nominations and reporting results to the College at-large.
         (4) Establishing procedures for nominations and elections not otherwise specified in the Governance Plan.
      vii. Hear complaints regarding the breach of the Governance Plan or Bylaws and make recommendations to resolve such complaints.

   b. Membership of the Committee on Governance and Elections:
      
      i. The Chairperson of the Faculty Council.
      ii. Five faculty members: two elected by and from the Faculty Council, three elected by the Faculty Council from the Instructional Staff at-large.
      iii. Four students: the Student Government Association President, Vice President for Inter-Organization Council (I.O.C.) Clubs, the Executive Officer for Legal and Legislative Affairs, and the Executive Secretary of the SGA, or their respective designees from the SGA.
      iv. One member designated by the President from among the Vice Presidents, Deans and Directors or their assistants.

3. **Committee on Academic Standing**

   a. Functions of the Committee on Academic Standing:
      
      i. Formulate policy regarding maintenance of matriculation, grading structure, satisfaction of requirements for degrees, diplomas and certificates, attendance, and advanced standing.
      ii. Adjudicate and take final action on student appeals.

   b. Membership of the Committee on Academic Standing:
i. The Vice President or a representative from the Office of the Vice President of Academic Affairs.
ii. One faculty member elected by and from each department.
iii. The Registrar who shall act as Executive Secretary of the Committee.
iv. Five students: two elected by and from the Student Government Association; three who are not members of the Student Government Association to be elected by the Student Government Association from the student body.

4. **Committee on Curriculum**

a. Functions of the Committee on Curriculum:

i. Establish and evaluate curricular requirements for the degrees and certificates awarded by the Faculty.
ii. Evaluate and approve new courses and curricula and revisions of courses and curricula currently offered by the College.
iii. Approve and evaluate all new programs to be offered by the College.
iv. Assemble information on all courses, both non-credit (remediation) and credit, and develop procedures for the evaluation of effectiveness of these courses.

b. Membership of the Committee on Curriculum:

i. The Vice President of Academic Affairs, or a representative from that Office.
ii. One representative to be elected by each department.
iii. The Registrar, or a representative of that Office.
iv. Four students: two elected by and from the Student Government Association; two who are not members of the Student Government Association elected by the Student Government Association from the student body.

5. **Committee on Student Activities**

a. Functions of the Committee on Student Activities:

i. Review and make recommendation to the Senate on policies and procedures for co-curricular activities, including approval of the charters of student organizations.
ii. Serve as the agency through which the College establishes and reviews rules of conduct and regulations in conformity with general requirements of Article XV of the Board of Trustees Bylaws.
iii. Authorize the use of the name of the College by student groups.

b. Membership of the Committee on Student Activities:

i. The Vice President of Student Development, or a representative from that office.
ii. The Director of Student Activities.
iii. The Director of Athletics.
iv. The Chairperson of the Student Government Association, the Vice President for Inter-Organization Council (I.O.C.) clubs, and the Executive Officer for Legal and Legislative Affairs, or their respective designees from the SGA.
v. Two faculty members elected by and from the Faculty Council.
vi. Two students elected by the Student Government Association from the student body.
6. **Committee on Space, Facilities, and Physical Plant**

   a. Functions of the Committee on Space, Facilities, and Physical Plant:

   i. Serve as a resource regarding the preparation and implementation of the master plan.
   ii. Consult and advise regarding the allocation of space and facilities within the College.
   iii. Report to the Senate, at least once a semester, on matters pertaining to space and facilities.

   b. Membership of the Committee on Space, Facilities, and Physical Plant:

   i. The Campus Facilities Officer as a non-voting member.
   ii. The Vice President of Administration and Finance, or designee.
   iii. Three (3) At-Large Faculty Members.
   iv. Two (2) students elected by the Student Government Association.

H. **Standing Committees With Advisory Functions**

1. **Committee on Instruction and Professional Development**

   a. Functions of the Committee on Instruction and Professional Development:

   i. Examine developments in the instructional process related to the improvements of instruction, and publicize such developments.
   ii. Conduct an annual survey of the faculty at the end of the Spring semester to determine areas of concern and problems that may be addressed by the committee.
   iii. Canvass students to determine problem areas in the instructional process which may be explored by the committee.
   iv. Distribute to the faculty information on issues relevant to college teaching, including bibliographies of materials available in the College library.
   v. Organize workshops dealing with various aspects of instruction, including new developments in teaching technology.
   vi. Consult and advise the Vice President of Academic Affairs on student evaluation of instruction in accordance with the policies of the Senate and the Board of Trustees of The City University of New York.
   vii. Advise the Vice President of Academic Affairs on methods and procedures related to the improvement of instruction and the professional development of Instructional Staff.

   b. Membership of the Committee on Instruction and Professional Development:

   i. One faculty member elected by and from each department.
   ii. Three students elected by the Student Government Association from the student body.
   iii. The Vice President of Academic Affairs, or representative.
   iv. The Vice President of Student Development or representative.

2. **Committee on Community Events**

   a. Functions of the Committee on Community Events:
i. To serve as an advisory body for college events and activities.
ii. To liaison between the various college entities responsible for community relations and events.
iii. To help guide community outreach efforts and can advise faculty and staff on the creation of events.

b. Membership of the Committee on Community Events:

i. One representative from the Office of the President.
ii. Four members from the Instructional Staff: two elected by the Faculty Council; two appointed by the Executive Committee.
iii. Two student members to be elected by the Student Government Association from the student body.
iv. The Director of Administrative Services and Events Management, or designee, who shall serve without vote.

3. **Committee on Vice Presidents and Deans**

a. Functions of the Committee on Vice Presidents and Deans:

i. Consult with and advise the President on the appointment of persons holding Vice President’s and Dean’s titles.
ii. Consult with the President concerning the criteria and the procedures to be used by the President in reviewing the performance of Vice Presidents and Deans and their offices.

b. Membership of the Committee on Vice Presidents and Deans:

i. The Chairperson of the Senate who shall serve as Chairperson of the Committee.
ii. Two members of the Faculty Council elected by the Faculty Council.
iii. Two members of the Instructional Staff appointed by the Executive Committee.
iv. Two members of the Student Government Association elected by the Student Government Association.
v. No person holding a Vice President’s or Dean’s title shall serve on this Committee.

4. **Committee on Academic Freedom**

a. Functions of the Committee on Academic Freedom:

i. The Committee on Academic Freedom studies, reports and makes recommendations to the Senate concerning any condition within or without the College which, in its judgment, may affect the academic freedom of the college community. Academic freedom is the freedom from duress or sanction aimed at suppressing the intellectual independence, free investigation, and unfettered communication by the academic community – including but not limited to members of the Instructional Staff, students, and guests.

b. Membership of the Committee on Academic Freedom:

i. The Chairperson of the Faculty Council.
ii. The President of the Student Government Association, or his/her designee.
iii. Five members of the Instructional Staff elected by the Faculty Council.
iv. Three members of the Student Government Association, elected by the Student Government Association.
v. One member designated by the President from among the Vice Presidents, Deans and Directors or their assistants.

II. THE STUDENT OMBUDSPERSON

A. Election of the Student Ombudsperson: The Senate shall nominate and elect a Student Ombudsperson (further referred to in this section as "the Ombudsperson") from among the full-time tenured teaching faculty for a term of two years. In this election each student vote shall be weighted as three, each non-student vote as one.

B. Responsibilities of the Student Ombudsperson:

1. Serve the College as an exceptional channel of redress for students when the normal administrative channels do not adequately respond.

2. Receive, investigate, and attempt to resolve those student complaints that have not been resolved by the appropriate College agencies; in particular, complaints alleging unfairness, discourtesy, undue delay, or other malfunctioning in the process of the College.

3. Have access to all pertinent records; have the right to make inquiries of any member of the College community, and to receive full and complete answers; and maintain confidentiality.

4. Make a report at the end of each semester on the number and nature of cases handled to the President of the College and the Chairperson of the Senate without breaching confidentiality.

III. DEPARTMENTAL ORGANIZATION AND AFFAIRS

A. All full-time members of the Instructional Staff appointed in a department, including College Laboratory Technicians, shall have the right to vote on department matters, including the election of members of elected department committees, college committee representatives, and for Department Chairperson.

B. All adjunct Instructional Staff members appointed in a department shall have the privilege of the floor, and the right to participate without vote, in all discussions at department meetings.

C. There shall be five members of the Personnel and Budget Committee of each department, including the Department Chairperson. Departments shall elect one additional committee member for each fifteen full-time members above 40. The maximum membership of such committee shall be nine. An elected Alternate shall serve with vote in the absence of a regular member.

D. At the discretion of each department, and to the extent determined by the department, there may be student participation in department committees, except the Personnel and Budget Committee. Also at the discretion of the department, and the extent determined by the department, students may participate in the department meeting without vote.

E. All practices associated to divisions, including the election of division coordinators and divisional Personnel and Budget Committee votes recommending faculty for reappointment and promotion, shall be discontinued.
IV. THE COLLEGE PERSONNEL AND BUDGET COMMITTEE AND THE ACADEMIC REVIEW COMMITTEE

A. The College Personnel and Budget Committee

1. Functions of the College Personnel and Budget Committee:
   
a. Make recommendations to the President with regard to the Instructional Staff serving in the instructional departments of the College concerning appointments, reappointments, reappointments with tenure, leaves of absence, fellowship leaves, promotions, salary adjustments, and appeals of actions on these matters, consistent with the College's appeals procedure.
   
b. Make recommendations to the President with regard to the annual tentative budget prepared by the President.
   
c. Adopt and make known to the College community its procedures and calendar.

2. Membership of the College Personnel and Budget Committee:
   
a. The President of the College, who shall preside.
   
b. The Vice President of Academic Affairs, who shall preside in the absence of the President.
   
c. The Chairpersons of all instructional departments.
   
d. All other Vice Presidents of the College, who shall be members without vote.
   
e. The Secretary of the Committee, who shall be designated by the President and shall serve without vote.

B. The Academic Review Committee

1. Functions of the Academic Review Committee:
   
a. Review all recommendations made by the College Personnel and Budget Committee for reappointments, promotions, and tenure, and make recommendations to the President.

2. Membership of the Academic Review Committee:
   
a. Three tenured Full Professors who are not members of the College Personnel and Budget Committee, elected by the Senate from the faculty at-large, and who do not hold excluded titles (i.e. Vice Presidents, Deans, Directors).
   
b. Two tenured Full Professors who are not members of the College Personnel and Budget Committee, elected by the College Personnel and Budget Committee, and who do not hold excluded titles.
   
c. One non-voting member of the College Personnel and Budget Committee, designated by the President, who shall serve without vote. It shall be the responsibility of the President's designee to impartially relate the deliberations and outcome of the College Personnel and Budget Committee for the committee's review.
V. PLENARY MEETINGS OF THE INSTRUCTIONAL STAFF, AND PLENARY MEETINGS OF THE STUDENT BODY

A. Plenary meetings of the Instructional Staff may be convened by:

1. The President of the College.
2. The Chairperson of the Senate.
3. The Chairperson of the Faculty Council.
4. The Senate Executive Committee, by majority vote.
5. The Senate, by majority vote.
6. Petition of ten percent (10%) of the Instructional Staff, one-half of whom shall be the holders of full-time lines, to one of the persons or bodies named above in this section, which persons or bodies shall be obliged to act on receipt of the petition.

B. Plenary meetings of the student body may be convened by:

1. The President of the College.
2. The Chairperson of the Senate.
3. The President of the Student Government Association.
4. The Executive Committee, by majority vote.
5. The Senate, by majority vote.

C. Plenary meetings shall be held as soon as possible after the call for the meeting or the receipt of a petition. The notice and agenda for the meeting shall be communicated to each member of the Instructional Staff, or each student, as the case may be.

D. A quorum for the Instructional Staff meetings shall consist of one-third of the Instructional Staff, provided at least two-thirds of those present shall be holders of full-time lines.

E. A quorum for student meetings shall consist of ten percent (10%) of the student body.

F. Plenary meetings of the Instructional Staff shall be chaired by the Chairperson of the Senate.

G. Plenary meetings of the students shall be chaired by the President of the Student Government Association.

H. Plenary meetings provided for herein shall be empowered to make recommendations to the Senate on any matter within the Senate's jurisdiction. Such recommendations shall be considered by the Senate as matters of high priority on the agenda of the meeting which follows immediately upon the receipt of the recommendations by the Chairperson of the Senate.

VI. AMENDMENT OF THE GOVERNANCE PLAN

A. Initiation of Amendments: Amendment of the Governance Plan may be initiated by the Committee on Governance and Elections or by a majority vote of the Senate:
1. When proposed by the Committee on Governance and Elections, the proposed amendment must be approved by majority vote of the Senate in order to be submitted to referendum.

2. When the proposed amendment is initiated by the Senate, it shall be submitted to the Committee on Governance and Elections for its recommendations.

   a. Within two months of submission to the Governance and Elections Committee, that committee shall provide its recommendations to the Senate in the form of a written report.

   b. Within one month of receiving the recommendations of the Governance and Elections Committee, but no later than three months from the original submission to the Governance and Elections Committee, the proposed amendment shall be resubmitted to the Senate, where it must be approved by a majority of the Senate in order to be submitted to referendum.

   c. Summer leave shall not count toward any time lines in this paragraph.

   d. The Committee review shall constitute the fulfillment of the one-meeting advance notice prior to voting by the Senate.

B. Ratification

   1. In order for an amendment to be ratified, at least 30% of the full-time Instructional Staff and 10% of the student body must participate in the vote. Ratification requires a majority vote of the participating faculty, and a majority vote of the participating students. Should the referendum fail to obtain the required participation, it will be ratified when the following conditions have been satisfied: a positive vote with the required participation of either the full-time Instructional Staff or the student body; and two-thirds vote of the Senate. All amendments must be approved by the Board of Trustees in order to be valid.

VII. NAMING AND RENAMING OF BUILDINGS OR FACILITIES

A. To name or rename any of the College’s buildings, parts of buildings, facilities, chairs, deanships, departments, or other college subdivisions, a motion must be made by an elected representative of any of the following legislative bodies:

   1. Senate
   2. Faculty Council
   3. Student Government Association

B. A reasonable effort shall be made to obtain the consent of the Nominee, the Nominee’s Family, or the Executors of the Nominee’s Estate. The naming motion shall not be opposed by the Nominee, or the Family, or the Executors of the Nominee’s Estate.

C. A naming is generally designed to enhance teaching and research and is usually based upon the desire to:

   1. Honor the exemplary character, scholarly distinction or distinguished service of an individual, or
   2. Recognize a significant financial contribution to the college.

Such a motion must be approved by a 2/3 vote of the Senate.
VIII. COUNCIL OF CHAIRS

A. Function of the Council of Chairs:
   
   1. Review issues and responsibilities relevant to the administration of the academic instructional departments.
   2. Make recommendations to the President, College Senate, and Faculty Council regarding issues of procedure, policy or practice relevant to the administration of the academic instructional departments.

B. Membership of the Council of Chairs:

The Chairpersons of all Academic Instructional Departments and the Chief Librarian.

Moved by Committee Fernando Ferrer and seconded by Trustee Shorter, the following resolutions were adopted:

F. Hunter College - Naming of The Patty and Jay Baker Theatre Chair:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of “The Patty and Jay Baker Theatre Chair” at Hunter College.

EXPLANATION: The Patty and Jay Baker Foundation has given $2,000,000 to The Hunter College Foundation, Inc. to establish a fund for “The Patty and Jay Baker Theatre Chair” at Hunter College.

The Bakers are generous supporters of Hunter College, and its Theatre Department in particular, having earlier made a transformational gift to acquire, upgrade, and allow for future renovations to 151 East 67th Street, adjacent to the College, in order to house the Theatre Department. The Bakers have also supported Hunter’s Mother’s Day Scholarship Fund.

Patty Baker graduated from Hunter College in 1982 as a Thomas Hunter Honors student and theatre major. She is an active Broadway producer with credits including Fiddler on the Roof, Glengarry Glen Ross, Beautiful: The Carole King Musical and the current revival of Les Liaisons Dangereuses. She has served as a Trustee of the Hunter College Foundation since 2008 and is chair of the Hunter College Theatre Advisory Board. Mrs. Baker is a Trustee of The Public Theater and a former member of the Board of Directors of the Los Angeles Philharmonic.

Jay H. Baker is the retired CEO and Chair of Kohl's department stores and had an active career in the retail business. He is on the Board of Trustees of the Cal Ripkin Foundation, the Fashion Institute of Technology and The Baker Museum in Naples, Florida. A graduate of the University of Pennsylvania, Mr. Baker was formerly on the Board of Overseers of The Wharton School and now serves on the Advisory Board of the Jay H. Baker Retailing Center at Wharton.
In recognition of the Bakers’ generosity, the College requests that the Board approve the naming of “The Patty and Jay Baker Theatre Chair” at Hunter College.

G. Hunter College - Naming of The Frankfort Education Library:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of “The Frankfort Education Library” to be located on the 6th floor of the Hunter College Library.

EXPLANATION: Bobbie and Lewis Frankfort have pledged $3,000,000 to The Hunter College Foundation, Inc. to establish and name “The Frankfort Education Library.” The first $2,431,816 of this gift has already been paid. The Frankfort Education Library will provide new spaces for students from the Hunter School of Education to access educational materials, work individually and in groups on assignments and research projects, utilize audiovisual technology to improve their teaching skills, and hold informal meetings.

Lewis Frankfort is the former Chairman and Chief Executive Officer of Coach, Inc. He holds a B.A. in political science from Hunter College (Class of 1967) and an M.B.A. from Columbia Business School, where he serves on the Board of Overseers. He has also held various positions in New York City government, among them Commissioner of the Agency for Child Development. Mr. Frankfort recently founded the Benvolio Group LLC, a private investment firm.

Bobbie Frankfort earned her Ph.D. in history and the history and philosophy of education from New York University. She served as President of the Tenafly Board of Education and is a board member of New York City Center.

The Frankforts are longtime friends of and donors to Hunter College, having previously supported the “Lew and Bobbie Frankfort Video Analysis of Student Teaching Project” and the Hunter College Mother’s Day Scholarship Campaign. In recognition of this generous gift, the College requests the Board’s approval to name “The Frankfort Education Library.”

H. Queens College - Naming of The Dave Fields Lecture Room:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of “The Dave Fields Lecture Hall” in Room 170 of Kiely Hall at Queens College.

EXPLANATION: Dave Fields received his undergraduate and master’s degrees at Queens College. He has served as Special Counsel to the Chancellor of the City University of New York and is a non-teaching member of the Law School faculty. His involvement with the Law School predates its creation, as he served as Staff Director of the President’s Advisory Commission for the establishment of The City University School of Law at Queens College.
The seeds of CUNY Law date to the early 1970s, when Mr. Fields was a student activist at Queens College. Mr. Fields helped get the proposal to establish the Law School into the report of the Commission on the future of Queens College, and eventually made a motion in the Academic Senate in 1972 to start a law school at Queens College. The Academic Senate adopted that motion unanimously, and Mr. Fields spent years helping to turn the idea into a real public law school that would train its students to reach people historically underserved by the law and to take a clinical approach. Mr. Fields currently serves as Parliamentarian of the Academic Senate and he has been a member since its inception.

Mr. Fields has also served as co-chair of the College Undergraduate Curriculum Committee and helped develop the Queens College individualized B.A., which became the model adopted by the University when it created the CUNY B.A. He also served as deputy chair to its Academic Senate and helped form the New York Public Interest Research Group (NYPIRG).

Prior to his service as Special Counsel to four successive CUNY Chancellors, Mr. Fields was Special Assistant to three Queens College Presidents and Executive Director and General Counsel of the Queens College Student Union.

Dave Fields has made a bequest in his will in the amount of $1,000,000 to Queens College to be used expressly for student scholarships, including scholarships for undocumented students, and for faculty and staff. In recognition of his service and generosity, the College requests approval to name “The Dave Fields Lecture Hall” in Room 170 of Kiely Hall, which has been the longstanding meeting place of the College’s Academic Senate dating back to early 1970’s.

I. Bronx Community College - Naming of the World War II Dominican Veterans Monument:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of a monument on the campus of Bronx Community College in honor of World War II veterans of Dominican descent.

EXPLANATION: Bronx Community College is an Hispanic-serving institution located on a forty-five acre historic campus. The College is home to the Hall of Fame of Great Americans and Monument Hill, the historic site of an American Revolution-era fort with four cannons representing Revolutionary War, Civil War, and World War I artillery.

The College was awarded $200,000 by New York City Councilman Fernando Cabrera under Project 042 BX032-015 entitled “Monument Hill Restoration.” The College will erect a monument consisting of three stone piers on the main walk of the campus across from Nichols Hall to promote appreciation of the more than three hundred dedicated veterans of Dominican descent in World War II, paying homage to each by
name. The names of the servicemen and servicewomen to be inscribed on the monument have been researched and validated by the CUNY Dominican Studies Project “Dominicans in New York.”

The College respectfully requests the Board’s approval to name the “World War II Dominican Veterans Monument.”

Statement of Faculty, Staff and Administration Committee Chair Ferrer:
I have asked to delay the following item so CFSA can have a discussion about the University’s process for nominating and presenting Distinguished Professors to the Board. Like many of my fellow members, I am relatively new to the Board and have been asking many questions about how things are done. I was late to the last committee meeting in particular, and was not able to raise the issue at that time. I since raised the question with staff and discovered that this process has not been formally reviewed by the Board since 1972. While I understand there has been an internal process that was amended as recently as 2014, this process was not formally brought to the Board for consideration. It is prudent for the Trustees to pause and review this process to be sure that the Board is operating in accordance with its obligations as Trustees of the University. The next Board meeting is on February 21st, and it is my intention to schedule a committee meeting to review this process so the Board can move forward with these proposed nominations.

Moved by Committee Chair Ferrer and seconded by Vice Chairperson Schwartz, the following resolution was tabled:

J. Distinguished Professors:

RESOLVED, That the following be designated Distinguished Professor in the department, and the college, and for the period indicated, with compensation of $28,594 per annum in addition to their regular academic salary, subject to financial ability:

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<td>Beth Baron</td>
<td>History</td>
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<td>College of Staten Island</td>
<td>Sos Agaian</td>
<td>Computer Science</td>
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<td>Hunter College</td>
<td>David Himmelstein</td>
<td>Urban Public Health</td>
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<td>Stephanie Woolhandler</td>
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Report of Faculty, Staff and Administration Committee Chair Ferrer:
I would now like to share with the Board a brief summary of the second quarterly report to the Committee on Diversity and Inclusion at CUNY, prepared by Vice Chancellor Gloriana Waters’ office. This report focused on faculty, and here are some pertinent metrics:
• From 2010 to 2015, the number of full time faculty grew by 1,214, of which 411 were members of a federally protected group (120 African American/Black, 96 Hispanic, 194 Asian American, and 1 Native American).

• As of late fall in 2016, the full-time faculty numbered 7,506. Under-represented groups comprised 34.55 percent of that number, with 48.1 percent female and 51.6 percent male.

• In 2016, the overall number of full-time faculty decreased by 74. This was offset by an increase of 312 part-time faculty, of whom 46.1 percent were from under-represented groups.

• White and Italian-American faculty are separating from CUNY at a lower rate of 35.8 percent, as compared to 50 percent among federally protected groups.

Vice Chancellor Waters’ office found that although certain campuses are doing well in diversifying their faculty, there are specific programs in business, communications, the arts and humanities, and the liberal arts and sciences where there is significant under-representation. In fact, there are some 30 departments across the University which have no diversity whatsoever. Clearly, more needs to be done. Based on the data, it is apparent that a targeted approach needs to be taken which addresses the areas of recruitment, retention and accountability—holding all who are involved in the recruitment and search process accountable for promoting diversity and equity. Vice Chancellor Waters’ office is preparing a plan which will specifically address these changes.

Finally, I would like to extend to the Board an invitation from Vice Chancellor Waters’ office to attend the third biennial faculty diversity conference on March 31st. This University-wide event will showcase the innovative approaches that CUNY faculty and administrators are taking to advance diversity and inclusion. The next quarterly report will be in April, and I look forward to reporting the findings to the Board at that time.

6. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:
Trustee Shorter reported that the Committee on Facilities Planning and Management considered one item at its meeting of January 9, 2017. Following discussion and consideration of the item, Vice Chancellor Bergtraum gave a presentation on the management of University Projects by DASNY. Lastly, an Executive Session was called to discuss real estate matters under current negotiation by the University.

Moved by Trustee Shorter and seconded by Trustee Clarke, the following resolution was adopted:

A. Queens College - Purchase of Construction by Bid (City-Funded) to Build Perimeter Fencing:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a construction contract on behalf of Queens College to build perimeter fencing. The contract shall be awarded to the lowest responsive and
responsible bidder after public advertisement and sealed bidding pursuant to law and University Regulations. The contract cost shall be chargeable to the City Capital Budget, Project No. QC051-014, for an amount not to exceed $861,695. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Queens College will build a wrought iron fence around the perimeter of two parking lots between the Horace Harding Expressway and Reeves Avenue. The work will include: (a) removing all existing chain link fence around the perimeter of the parking lots and protecting surrounding areas (approximately $201,206); (b) excavating and backfilling areas for foundation/footings for fence posts, providing and installing 6’ high wrought iron fence, 4 pedestrian gates and 2 sliding gates (approximately $462,213); (c) and providing and installing concrete footings for fence posts and concrete curbs (approximately $198,276).

Moved by Trustee Ferrer and seconded by Trustee Judah Gribetz, the following resolution was adopted:

6. The City University of New York - Appointment of Gayle M. Horwitz as Senior Advisor to the Chancellor and Secretary of the Board of Trustees:

RESOLVED, That the Board of Trustees of The City University of New York appoint Gayle M. Horwitz as Senior Advisor to the Chancellor and Secretary of the Board of Trustees, effective November 28, 2016.

EXPLANATION: Gayle M. Horwitz brings to The City University of New York a lifelong commitment to public service and thirty years of experience managing strategy, operations and finance at major organizations. She has held leadership positions at the Hugh L. Carey Battery Park City Authority, the New York City Comptroller’s Office, the New York City Board of Education and, in the private sector, Nardello & Co. She has a successful track record of improving the performance of organizations by focusing on sound fiscal practice and internal controls, policy development, and communications.

Ms. Horwitz has also served as a director and advisory board member at a number of organizations dedicated to enriching the lives of New Yorkers, including the Museum of Jewish Heritage, the Alliance for Downtown New York, the New York Building Congress, and the American Museum of Natural History.

Ms. Horwitz holds an A.B. in Politics from Mount Holyoke College, and an M.P.A. from New York University’s Robert F. Wagner Graduate School of Public Service, where she received the Major Raymond J. Lepesqueur Award for Highest Scholastic Standing.

Chancellor Milliken stated that he is pleased that the chancellery has been able to recruit someone with Ms. Gayle Horwitz’s strong experience and knowledge of the public sector as both the Senior Advisor to the Chancellor and Secretary of the Board. She brings thirty years of
experience devoted to managing strategy, operations, and finance at a number of major organizations, has held leadership positions in the public and private sector, and has a successful track record of proven performance. The chancellery, and my colleagues, who have had the opportunity to work with her over the last couple of months, share the view that CUNY will greatly benefit from her contributions to this organization.

Moved by Chairperson Thompson and seconded by Trustee Cortés-Vázquez, the following resolution was adopted:

7. The City University of New York - Appointment of Jane Sovern as Interim General Counsel and Vice Chancellor for Legal Affairs:

RESOLVED, That the Board of Trustees of The City University of New York appoint Jane Sovern as Interim General Counsel and Vice Chancellor for Legal Affairs, effective January 2, 2017.

EXPLANATION: Jane Sovern has served as University Deputy General Counsel since 2009. In that role, she assisted the General Counsel in providing legal advice to the Board of Trustees, the Chancellor, the University's Central Office and the campuses, as well as in supervising CUNY's legal department. Most recently, she co-led the University's Title IX Working Group to coordinate CUNY's efforts to prevent and respond to sexual misconduct. She also served as staff to the New York State Governor's Commission of Higher Education in 2007-2008.

Ms. Sovern has practiced law for nearly thirty years, and has worked at CUNY for twenty-five years. She joined the General Counsel’s Office in 1991 after practicing at the law firms of Paul, Weiss, Rifkind, Wharton & Garrison, and Meister Leventhal & Slade. Prior to attending law school, she served as Assistant Director of Career Counseling at Bates College. She earned an A.B. in Classics (Honors) and History from Brown University, and a J.D. from Columbia Law School.

Chancellor Milliken stated that CUNY is fortunate that Ms. Jane Sovern has been with the University for twenty-five years. CUNY is also very fortunate to maintain continuity and leadership by having Ms. Sovern, previously Deputy General Counsel, serve as Interim General Counsel and Vice Chancellor for Legal affairs. As Deputy General Counsel, Ms. Sovern co-led the University's Title IX working group on coordinating prevention and response to sexual misconduct. He added that she served as staff to the New York State Governor's Commission on Higher Education, and has done an all-around terrific job at CUNY for over two decades, and he could not recommend her more highly for this appointment by the Board.

Chairperson Thompson stated that it is a pleasure, and he looks forward to continuing to work with Ms. Horwitz, whom he has had the opportunity to work with for a number of years, and also Ms. Sovern, who, in a very brief period of time has been very effective and efficient. He added that they are a good team, and he is proud to work along with both of them.
Moved by Chairperson Thompson and seconded by Vice Chairperson Schwartz, the following resolution was adopted:

8. **The City University of New York - Amendments to Article III of the Bylaws of the Board of Trustees:**

WHEREAS, The CUNY Board of Trustees and CUNY management are committed to sound financial management, robust internal controls, effective internal and external audit, comprehensive risk management and compliance, with the policies, practices and oversight that requires; now therefore be it

RESOLVED, That the CUNY Board of Trustees amend Article III of the Board of Trustees Bylaws to create a standing Audit Committee of the Board of Trustees, as proposed in the attached document, effective immediately; and be it further

RESOLVED, That the CUNY Board of Trustees adopt the attached Audit Committee Charter, effective immediately; and be it further

RESOLVED, That the CUNY Board of Trustees dissolve the Subcommittee on Audit of the Fiscal Affairs Committee, effective immediately; and be it further

RESOLVED, That the CUNY Board of Trustees, pursuant to Section 5.1 of the Board of Trustees Bylaws, by unanimous consent of the trustees of the board present, hereby waives the requirement that amendments to the bylaws be proposed at a meeting preceding the meeting at which a vote is taken.

**EXPLANATION:** As the University moves to review, update and strengthen its financial management policies and practices, among the steps to be taken is the elevation of the current Board Subcommittee on Audit to a full standing committee of the Board, with a broader mission, expanded authority and a new Charter. This structure will include the University’s Office of Internal Audit reporting functionally to the Committee and operationally to the Chancellor. In addition to the current subcommittee responsibilities with regard to the independent external audit function, the new standing Audit Committee would: (1) review and approve the organization and responsibilities of the University’s Office of Internal Audit and the University’s program of internal audit, including the internal audit charter and annual Internal Audit Plan; (2) review all outside agency audits and management responses and follow-up; and (3) review the effectiveness of the University’s system of internal controls and compliance program. The attached Audit Committee Charter describes the purpose, authority and responsibilities of the Committee in more detail. The Committee will review the Charter annually and recommend any changes to the Board.

This amendment adds the Audit Committee to the standing committees, dissolves the Subcommittee on Audit of the Fiscal Affairs Committee, adds the Audit Committee’s
Chairperson to the Board’s Executive Committee, and adjusts the quorum requirement for the Executive Committee accordingly. Given that an individual trustee may serve in more than one of the required roles on the Executive Committee, the quorum requirement of a majority of the individual members would be four for a committee consisting of seven individuals, and five for a committee of eight individuals.

The City University of New York Board of Trustees
Audit Committee Charter

Article I. Purposes

The purposes of the Audit Committee of the Board of Trustees of The City University of New York are to assist the Board of Trustees in fulfilling its oversight of (1) the integrity of the University’s financial statements, including its independent auditors’ qualifications and independence, (2) internal and external audit, (3) the University’s system of internal controls, (4) the University’s risk management, and (5) the University’s compliance with laws, regulations and policies.

Article II. Composition

The Committee will consist of at least four and no more than six members with a minimum of four trustee members and one faculty and one student representative who shall be appointed by the Chairperson of the Board of Trustees, one of whom shall be designated by the Chairperson of the Board of Trustees to serve as the chairperson of the Committee. The members should have an understanding of financial matters and experience reviewing financial reports.

Article III. Meetings and Quorum

The Committee will meet on a regularly-scheduled basis at least four times per year, with authority to convene additional meetings, as circumstances require. The Committee may invite members of management, auditors, or others to attend meetings and provide pertinent information, as necessary. It will hold private meetings with auditors and executive sessions. The presence of the majority of the appointed members shall constitute a quorum for the transaction of business, and the act of a majority of the members present shall be the act of the Committee.

Article IV. Responsibilities

The Committee’s primary responsibilities are to:

- Oversee the selection of a firm or firms of independent certified public accountants to perform the annual external audit of the University’s accounts, review the financial statements and the external auditor’s management letters for the University, and provide the Board of Trustees with appropriate reports.
- Review comments applicable to the University set forth in any audits of the State of New York, the City of New York, or the United States government, and provide the Board of Trustees with appropriate reports.
- Review and approve the organization and responsibilities of the University’s Office of Internal Audit and the University’s program of internal audit and provide the Board of Trustees with appropriate reports on the Office’s activities.
- Render advice and assistance to the Board of Trustees in fulfilling its fiduciary and oversight responsibilities for University accounting, reporting practices, and internal controls, and undertake such other activities and responsibilities as may be requested from time to time by the Board of Trustees.
• Communication directly with independent certified public accountants and other external auditors as well as the University Office of Internal Audit.
• Publish an annual report no later than March 1st of each year, detailing the activities and decisions of the Audit Committee for the prior twelve months.

Section 4.01 External Auditors and Financial Statements

• Oversee the external auditors, including their proposed Audit Plan. Approve non-audit services provided by the external auditors.
• Review the performance of the external auditors. On a regular basis, meet separately with the external auditors to discuss any matters that the Committee or external auditors believe should be discussed privately.
• Review with management and external auditors the results of the annual independent financial statement audit and management letter comments, and consider whether they are complete, consistent with information known to committee members, and reflect appropriate accounting principles.
• Accept annually the University’s independently audited basic financial statements.
• Appoint and oversee the work of any independent certified public accounting firm employed by the University as its external auditor.
• Resolve any disagreements between management and the external auditor regarding financial reporting.

Section 4.02 Office of Internal Audit

• Review annually with management and the chief internal auditor the charter, activities, staffing, and the organizational structure of the internal audit function.
• Ensure that the Office of Internal Audit is organizationally independent from University operations. The Office of Internal Audit shall report functionally to the committee and administratively to the Chancellor.
• Approve the internal audit charter, and the annual audit plan and all major changes to the plan. Review the internal audit activity’s performance relative to its plan.
• Approve all decisions regarding the appointment, removal, and compensation of the chief internal auditor.
• Review at least annually the performance of the chief internal auditor and the effectiveness of the internal audit function.

Section 4.03 Internal Controls, Risk Management and Compliance

• Review at least annually the effectiveness of the University’s system of internal controls and risk management and compliance programs.
• Review the external auditor’s report on internal controls and compliance.
• Obtain regular updates from the Director of University-wide Enterprise Risk Management regarding risk management matters.
• Obtain regular updates from management and the General Counsel regarding compliance matters.
• Ensure that the University has an appropriate confidential mechanism for individuals to report, and appropriate procedures for the receipt, retention, investigation, and referral of complaints concerning suspected fraudulent activities, allegations of corruption, fraud, criminal activity, conflicts of interest, or abuse.
• Ensure that there are appropriate procedures for the receipt, retention, investigation, and referral of complaints concerning accounting, internal controls, and auditing.
Section 4.04 Reporting

- Provide an annual written report to the Board of Trustees reflecting how the Committee has discharged its responsibilities over the previous year and making recommendations.
- At the request of the Board of Trustees, provide periodic updates to the Board about Committee activities, issues, the work of the Office of Internal Audit, and related recommendations.

Section 4.05 Other Responsibilities

- Perform other activities related to this Charter as requested by the Board of Trustees.
- Obtain any information and training reasonably necessary to enhance the Committee members’ understanding of the roles of external and internal auditors, financial statements, internal controls, compliance, and other areas as appropriate.
- Review the Audit Committee’s charter annually, reassess its adequacy, and recommend any proposed changes to the Board of Trustees.

ARTICLE III COMMITTEES OF THE BOARD

SECTION 3.1. STANDING AND SPECIAL COMMITTEES.

a. The board shall have standing committees on academic policy, programs and research, faculty staff and administration, fiscal affairs, audit, facilities planning and management, and student affairs and special programs, as well as any other special committees and subcommittees that the board may establish by resolution. The membership of standing and special committees of the board shall be determined by the chairperson.

b. The procedures for providing notice of the meetings of all standing and special committees and subcommittees, and for making the agenda, summary of resolutions and minutes for such meetings available on the city university of New York website, shall be the same as they are for regular board meetings.

SECTION 3.2. EXECUTIVE COMMITTEE.

a. The board shall also have an executive committee, which shall consist of the chair of the board, the vice chair of the board, the chair of the committee on academic policy, program, and research, the chair of the committee on faculty, staff and administration, the chair of the committee on fiscal affairs, the chair of the committee on audit, the chair of the committee on facilities planning, and management and the chair of the committee on student affairs and special programs. Four A majority of the individual members shall constitute a quorum for the transaction of business.

b. The executive committee may meet in intervals between meetings of the board and at such times that the chairperson of the board may convene it, upon the request of the chancellor or his/her designee. The agenda for any executive committee meeting must be made available electronically on the city university of New York website twenty-four hours in advance. The executive committee may take any actions that could have been taken by the board of trustees, except to grant degrees, to make removals from office or to amend these bylaws, upon the determination that it would be detrimental to the University to delay the advancement of the matter until the next regularly scheduled meeting of the Board of Trustees.

c. Certification of such determination and all actions of the executive committee shall be reported to all members of the board no later than the next scheduled meeting. Notice of such actions shall also be placed on the agenda of the next scheduled meeting of the board.
d. A summary of the resolutions for any executive committee meeting shall be electronically available on the city university of New York website no later than seven days after the meeting. The approved minutes, attendance, voting record, and video record for each executive meeting shall be posted on the website no later than seven days following their approval by the board.

e. Notice of executive committee meetings shall be given in the same manner as it is given for special meetings of the board.

Chairperson Thompson stated that the Board of Trustees understands the reason for making the Subcommittee on Audit a full committee. It improves oversight on the part of CUNY, and is in keeping with best practices. Chancellor Milliken helped put this forward, but also this is out of discussions with the Executive Committee, along with the Inspector General, and in the end this is what, as a Board and Trustees we should be doing in providing oversight. He added that he will be reaching out, at least to the Board members, in the near future, if this item is approved, to let them know the composition of the committee. This is a step forward for the University to have additional transparency and accountability.

9. EXECUTIVE COMMITTEE

Chairperson Thompson noted that Calendar Item No. 10, is being read for informational purposes only. It serves as notice of an action taken by the Board of Trustees’ Executive Committee on November 2, 2016 on this item recommended by Chancellor Milliken, regarding the Appointment of Interim President of The City College of New York.

RESOLVED, That the Executive Committee of the Board of Trustees approves the appointment of Vincent Boudreau to be Interim President of The City College of New York as of November 2, 2016, at a compensation to be recommended by the chancellor to the Board, subject to financial ability.

EXPLANATION: The Chancellor is recommending Dr. Vincent Boudreau to be the Interim President of The City College of New York. Dr. Boudreau is currently the Dean of the Colin Powell School for Civic and Global Leadership, a position he has held since 2014. Over his 25 year career at CCNY, Dr. Boudreau previously served as the Director of the Colin Powell Center, Deputy Dean of Social Science, and Chair of the Political Science Department, all at CCNY. A professor of political science at CCNY and a member of the CUNY graduate faculty, Dr. Boudreau, a leading authority on the politics of social movements, particularly in Southeast Asia, is the author of two books on protest movements and the co-author of a volume on cyber infrastructure protection. Dean Boudreau was recognized as CCNY’s “Teacher of the Year” in 2009. He earned his Ph.D. in Comparative Politics and International Studies from Cornell University.

Chairperson Thompson asked for a motion to adjourn. Upon motion duly made, seconded and carried, the meeting was adjourned at 6:17 p.m.
The Board of Trustees of The City University of New York (CUNY) met on February 21, 2017 at Baruch College Vertical Campus, New York, New York, pursuant to a Notice sent by the Office of the Secretary of the Board on February 7, 2017.

**Trustees Present:** Chairperson William C. Thompson, Jr., Vice Chairperson Barry F. Schwartz, Una S. T-Clarke, Lorraine A. Cortés-Vázquez, Rita DiMartino, Fernando Ferrer, Judah Gribetz, Brian D. Oberfell, Jill O'Donnell-Tormey, Charles A. Shorter, Ken Sunshine, Sandra Wilkin, Chika Onyejiukwa, ex officio, and Katherine Conway, ex officio (non-voting).

**Trustees Absent:** Wellington Z. Chen, Mayra Linares-Garcia, and Robert F. Mujica, Jr.

**Others present:** Chancellor James B. Milliken, EVC and University Provost Vita Rabinowitz, SAC and Board Secretary Gayle M. Horwitz, Interim General Counsel and VC Jane Sovern, Senior Advisor Marc V. Shaw, SVC&CFO Matthew Sapienza, Vice Chancellor Judy Bergtraum, Vice Chancellor Brian Cohen, Vice Chancellor Pamela Silverblatt, Vice Chancellor Gloriana Waters, Interim Vice Chancellor Christopher Rosa, and Associate VC Andrea Shapiro Davis; President Michelle Anderson, Interim President Vincent Boudreau, President José L. Cruz, President Scott E. Evenbeck, President William J. Fritz, President David Gomez, President Russell K. Hotzler, President Thomas Isekenegbe, President Marcia V. Keizs, President Gail O. Mellow, President Antonio Pérez, President Jennifer Raab, President Chase Robinson, President Felix V. Matos Rodriguez, President Jeremy Travis, President Mitchel Wallerstein, Dean Sarah Bartlett, Dean Mary Lu Bilek, Dean Ayman El-Mohandes, Dean Mary Pearl, University Dean John Mogulescu, and Research Foundation President Richard Rothbard.

**CONVENEING OF PUBLIC MEETING**

Chairperson Thompson called the Public Meeting to order at 4:31 p.m. He stated that the Board will go into Executive Session, pursuant to Section 105, Article 7, of the Public Officers Law, after the conclusion of the Public meeting. The Board will reconvene in public session following Executive Session.

Chairperson Thompson announced that the Public Meeting is being transmitted live on cable Channel 75; it is also being webcast live at www.cuny.edu/livestream. The Public Meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

**CHAIRPERSON'S REPORT**

Chairperson Thompson stated that the Board held its joint Brooklyn Borough Hearing and Public Hearing on the Board Calendar on Tuesday February 14, 2017. Trustee Una Clarke chaired the hearings. In attendance were Trustee Sandra Wilkin, University Faculty Senate (UFS) Chair and Trustee Kay Conway, members of the chancellor, and the Brooklyn College Presidents. Deputy Policy Director Jeff Lowell represented Brooklyn Borough President Eric Adams at the
hearings. A summary of the proceedings, including all testimony, was circulated to the Trustees and the Chancellor's Cabinet, and the transcript is available in the Office of the Secretary.

Chairperson Thompson stated that he would like to thank the Trustees, Presidents, members of the chancellory, students and faculty who attended the New York State Black, Puerto Rican, Hispanic and Asian Legislative Caucus held in Albany this past weekend. Trustees Clark, Rita DiMartino, Wilkin, and University Student Senate (USS) Chair and Trustee Chika Onyejiukwa represented the Board.

Chairperson Thompson stated that together with Chancellor James Milliken, he co-hosted the annual CUNY/Caucus Luncheon held on Saturday. Chancellor Milliken presented a CUNY Educational Award to One Hundred Black Men, Inc., which was accepted by Board of Directors member Michael Garner. Chairperson Thompson noted that he presented a CUNY Educational Award to the Campaign for Black Male Achievement, which was accepted by Paul Forbes, Director of the Expanded Success Initiative at the New York City Department of Education. USS Chair and Trustee Onyejiukwa presented the Fourth Annual Terrence D. Tolbert Public Service Internship Award to School of Professional Studies graduate student Candice Ramoutar who will intern in Senator Leroy Comrie's office. Congratulations to all of the awardees.

Chairperson Thompson stated he would also like to congratulate Chancellor Milliken who will be honored by One Hundred Black Men of New York at their 37th Annual Benefit Gala on Thursday, February 23rd.

COLLEGE AND FACULTY HONORS
Chairperson Thompson called on Trustee Fernando Ferrer, who announced the following:

1. John Jay College and Graduate Center Professor Amy Adamczyk received a 2017 Global Religion Research Initiative Award from the Center for the Study of Religion and Society at the University of Notre Dame.

2. Hunter College Associate Professor of English, Jeremy Matthew Glick, won the Caribbean Philosophical Association's 2017 Nicolas Guillen Outstanding Book Award for his work, “The Black Radical Tragic: Performance, Aesthetics, and the Unfinished Haitian Revolution”.

STUDENT AND ALUMNI HONORS
Chairperson Thompson called on Trustee Clarke, who announced the following:

1. Hunter College Rita & Burton Goldberg M.F.A. alumna Lindsay Ferrentino will have her acclaimed play, “Ugly Lies the Bone,” staged at the National Theatre, in the United Kingdom.

2. Based on personal data provided by its students who are veterans, City College was recognized by Victory Media as the nation's most military-friendly campus—among public institutions with more than 10,000 students.
Chairperson Thompson presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the January 30, 2017 Board meeting.

**BROOKLYN COLLEGE**

1. $149,773 **MEMORIAL SLOAN-KETTERING CANCER CENTER** to Luis Quadri, for “Small-Molecule Antibiotics Targeting Siderophore Biosynthesis”

**CITY COLLEGE**

1. $1,145,526 **NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION** to John Fillos, for “Wastewater and Centrate Treatment Projects”
2. $400,000 **NEW YORK STATE EDUCATION DEPARTMENT** to Millicent Roth, for “City College Academy for Professional Preparation”
3. $390,094 **UNIVERSITY OF TEXAS AT AUSTIN** to Alexander Khanikaev, for “New Frontiers for Topologically-Protected Propagation of Light, Sound, Elastic and Mechanical Waves”
4. $353,250 **NATIONAL EYE INSTITUTE** to Mark Emerson, for “Transcriptional Regulation of Cone Photoreceptor Genesis”
5. $271,272 **NATIONAL INSTITUTE OF HEALTH** to Themis Lazaridis, for “Mechanism of Membrane Pore Formation by Antimicrobial Peptides”
6. $199,613 **NATIONAL SCIENCE FOUNDATION** to Themis Lazaridis, for “Modeling Protein-Membrane Interactions”
7. $132,000 **SANDIA NATIONAL LABORATORIES** to Sanjoy Banerjee, for “Stable Zinc Anodes for High-Energy-Density Rechargeable Aqueous Batteries”
8. $125,000 **NATIONAL ADVANCED MOBILITY CONSORTIUM, INC** to Feridun Delale, for “Characterization of Adhesive Materials Under Very-High Strain-Rate Loading”

**GRADUATE SCHOOL AND UNIVERSITY CENTER**

1. $145,000 **MANPOWER DEMONSTRATION RESEARCH CORPORATION (MDRC)** to Lesley Hirsch, for “My Goals Demonstration Project”
1. $8,331,585 **NYC ADMINISTRATION FOR CHILDREN'S SERVICES** to John Mogulescu, for "ACS Workforce Institute: Learning opportunities for frontline children and family services staff to ensure that they have the learning, coaching, and support needed to provide high-quality services to the children and families they serve"

2. $3,197,339 **NYC HUMAN RESOURCES ADMINISTRATION** to John Mogulescu, for “Office of Child Support Enforcement – CUNY Training Program: Highly customized courses and documentation that support the agency’s 800+ employees, equipping them with knowledge and skills needed to carry out complex processes effectively

3. $2,481,479 **NYC DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES** to John Mogulescu, for “Energy Management Program: A program to support the city’s efforts to reduce energy consumption - includes the delivery of online and classroom courses for building operators, trades-specific training courses, and the management of the City’s Energy Management Institute”

4. $1,638,512 **NYS OFFICE OF CHILDREN AND FAMILY SERVICES** to John Mogulescu, for Children and Families Distance Education and Training Management Systems: Administration of a learning management system, media production, and training systems that serve thousands of state and local district employees in the children and families service field”

5. $1,632,990 **NYC ADMINISTRATION FOR CHILDREN'S SERVICES** to John Mogulescu, for “Partnership with the agency for the design, development and hosting of a broad range of professional development courses for front line, supervisory and managerial-level employees working in the city’s Child Welfare and Juvenile Justice sector”

6. $673,598.50 **NYC HOUSING RECOVERY OPERATIONS** to John Mogulescu, for “A project to assist New York City’s Build It Back program in resolving issues and developing its staff expertise to better serve homeowners affected by Hurricane Sandy”

7. $574,840 **NYS OFFICE OF CHILDREN AND FAMILY SERVICES** to John Mogulescu, for Information Technology Auxiliary Staff: Informal training and support for information technology user communities—staff who provide financial assistance and support to low-income residents of New York State”

8. $249,911 **NYC OFFICE OF EMERGENCY MANAGEMENT** to John Mogulescu, for “Coastal Storm Plan Training Program: A suite of online and classroom
courses designed to prepare thousands of New York City staff to operate emergency shelters when the region is affected by major storms

9. $180,000 NYC CENTER FOR ECONOMIC OPPORTUNITY/HRA to John Mogulescu, for “Program Management Forum: An intensive leadership development course designed for program managers in nonprofit organizations piloting innovative, anti-poverty strategies for low-income New Yorkers”

HUNTER COLLEGE

1. $970,000 NEW YORK CITY COUNCIL to Edwin Melendez, for Puerto Rican Studies Institute

2. $850,341 PHS/NIH/NATIONAL INSTITUTE OF MENTAL HEALTH to Sarit Golub, for “Preparing for Implementation of Sustained Release Antivirals for HIV Prevention”

3. $500,000 NEW YORK CITY DEPARTMENT OF PROBATION to Harriet Goodman, for “Models of Probation Project”

4. $325,000 INSTITUTE FOR INTERNATIONAL EDUCATION to Der-lin Chao, for “A Domestic Chinese Language Program under the Language Flagship, An Initiative of the National Security Education Program”

5. $250,000 BREAST CANCER RESEARCH FOUNDATION to Jill Bargonetti, for “Estrogen Driven Mdm2 Signaling and Mutant p53 Signaling in Breast Cancer”

6. $249,945 ROBERT WOOD JOHNSON FOUNDATION to Theresa Montini and Lorie Goshin, for “Considering a United Kingdom Innovative Models of Social Support for Older Adults Returning to Communities”

7. $231,437 INSTITUTE FOR INTERNATIONAL EDUCATION to Der-lin Chao, for “The Language Flagship: Student Scholarships”

8. $179,877 INSTITUTE FOR INTERNATIONAL EDUCATION to Der-lin Chao, for “K-12 Blended Learning Pilot Program”

9. $125,900 NEW YORK CITY DEPARTMENT OF HOMELESS SERVICES to Mary Cavanaugh, and Julia Lathrop, for “Plant-Capture Method for Hope (Homeless Outreach Population Estimate) for 2017”

10. $106,095 NEW YORK STATE EDUCATION DEPARTMENT to Sherryl Graves, for “Teacher Opportunity Corps”
11. **$100,000**  
   **LOAN PROGRAM/ROBIN HOOD FOUNDATION** to Roger Sherwood, for “Project for Return & Opportunities in Veterans Education (P.R.O.V.E.)”

**JOHN JAY COLLEGE OF CRIMINAL JUSTICE**

1. **$709,000**  
   **THE PINKERTON FOUNDATION** to Ann Jacobs, for “Pinkerton Fellowship Initiative”

2. **$699,629**  
   **NATIONAL INSTITUTE OF JUSTICE** to Joshua Freilich, for “Understanding the Causes of School Violence Using Open Source Data”

3. **$445,387**  
   **NATIONAL INSTITUTES OF HEALTH** to Artem Domashevskiy, for “Development of a Novel Inhibitor of Ricin: A Potential Therapeutic Lead against Deadly Shiga and Related Toxins”

4. **$149,700**  
   **FOUNDATION TO PROMOTE OPEN SOCIETY** to Phillip Atiba Goff and Franklin A. Thomas, for “Baltimore Justice Survey: Popular legitimacy and 21st century policing”

5. **$100,000**  
   **THE PINKERTON FOUNDATION** to Ann Jacobs, for “College Initiative Mentoring Program”

**KINGSBOROUGH COMMUNITY COLLEGE**

1. **$540,920**  
   **HECKSCHER FOUNDATION FOR CHILDREN** to Joanne Russell, for “Strategic Partnerships for Achievement and Retention at Kingsborough”

**LAGUARDIA COMMUNITY COLLEGE**

1. **$4,049,931**  
   **USED/OFFICE OF POST-SECONDARY EDUCATION** to Bret Eynon, for “Stem Connect: Building a Guided Pathway to STEM Success”

2. **$300,000**  
   **DOD/OFFICE OF THE SECRETARY OF DEFENSE** to Edgard Hernandez, for “Procurement Technical Assistance”

3. **$250,000**  
   **PFOUND/METLIFE FOUNDATION** to Amy Dalsimer, for “Pre-College Student Financial Health Early Alert Initiative”

4. **$167,584**  
   **USED/OFFICE OF POST-SECONDARY EDUCATION** to Howard Wach for “Learning for a Connected World: Strengthening International Studies at LaGuardia Community College”

5. **$100,000**  
   **NEH/THE DIVISION OF EDUCATION** to Naomi Stubbs, for “Meanings of War: It’s Technologies & Aftermaths”
QUEENS COLLEGE

1. $529,583 UNITED STATES DEPARTMENT OF ENERGY to Steven Markowitz, for “Former Worker Surveillance Program from February 1, 2016 through January 31, 2017”

2. $220,000 NEW YORK COMMUNITY BANK to Bonne August, for “Kupferberg Presents Performance Series for the 2016-2017 Season”

3. $128,777 UNITED STATES DEPARTMENT OF ENERGY to Seogjoo Jang, for “Molecular Level Characterization of Quantum Design Principles for Efficient and Robust Exciton and Charge Migration”

COLLEGE OF STATEN ISLAND


2. $242,500 NEW YORK STATE DEPARTMENT OF HEALTH to Maria Knikou and Zaghloul Ahmed, for “Institutional Support for Spinal Cord Injury (Round 6)”

CHANCELLOR’S REPORT

Chancellor Milliken opened up his report by stating that Chairperson Thompson and he were also joined, in addition to a number of Trustees, by a number of Presidents who traveled to Albany to be part of the CUNY/Caucus weekend, and many of the students who were there provided much of the energy in the room.

Everybody who participated went away with a sense that there was an incredible amount of energy and goodwill in that room among the several hundred people. The reason for it is that despite the challenges that the University may be facing, whether it is in this country, state, or city, CUNY matters, and the elected officials care about the mission of this University and what it delivers for New York. All who attended went away encouraged by the messages that came from Speaker Heastie, the state and city comptrollers, the Mayor, the Public Advocate, and others who wanted to be a part of that event.

The reason that they feel so good about CUNY, as so many others do across the state, is because of what CUNY delivers. It provides what New Yorkers and everybody want, which is the opportunity to learn, grow, and contribute to their communities. CUNY, in a way, unlike any other institution in the country, opens those doors of opportunity for more low income students, immigrants and underrepresented students.

The evidence for CUNY’s effectiveness in delivering for the people of New York was writ large by this impressive new study about the movement of students from the lowest rung of the
economic ladder to the middle class and beyond. Of the top ten universities in the country that moved students from the lowest quintile of wealth to the middle class and above, CUNY institutions were six of the top ten. As mentioned before, the University propelled six times the number of students to the middle class and beyond as the Ivy League schools plus Massachusetts Institute of Technology (MIT), University of Chicago, Duke University, and Stanford University combined. This is a great testament to the work that CUNY does.

As CUNY moves forward to build on that success I am heartened by the proposed budget announced by Governor Andrew Cuomo that focused in a way that most state budgets do not today on higher education. The cornerstone of that budget being the Excelsior Free Tuition Plan, which will encourage more students to attend college.

Also, the Predictable Tuition Plan in Governor Cuomo's budget, which is an important step for helping CUNY meet its obligations and be able to continue to serve its students in New York; and the University will get a significant boost to maintaining its aging buildings under the proposed capital plan in the Executive budget. So a successful budget which we all hope we will receive in April is critical to CUNY's goal of offering students access, quality, and opportunity.

Lastly, thank you Chairperson Thompson for co-hosting the CUNY/Caucus luncheon for the first time this past weekend.

Chairperson Thompson stated that the luncheon is a huge staple of the CUNY/Caucus weekend. It is something that the elected officials, whether they are members of the Caucus or just across the board, attend, which is really impressive.

CHANCELLOR'S UNIVERSITY REPORT: Chairperson Thompson called for a motion to accept the Chancellor's University Report for February 21, 2017, which was seconded by Trustee Charles Shorter. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

1. Chancellor's University Report:

   RESOLVED, That the Chancellor's University Report for February 21, 2017 (including Addendum and Errata Items) be approved.

Statement of UFS Chair and Trustee Kay Conway
It struck me while reading through the Chancellor's University Report that one, the painters at CUNY receive a salary of $76,000 a year, so I want the Board to keep that in mind the next time faculty salaries are discussed. The second thing I noticed was that the retirement incentive had very low numbers which may not be typical of the whole year but at least in this particular report; and, I am wondering if the Board should at some point also have discussions about other plans because it does not look like large numbers of faculty are taking that up.
Chairperson Thompson stated that the Board can definitely talk about these matters in the future.

**APPROVAL OF MINUTES:** Chairperson Thompson called for a motion to accept the minutes of the regular Board meeting of January 30, 2017, which was seconded by Trustee Lorraine Cortés-Vázquez. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

2. **Approval of Minutes:**

   RESOLVED, That the minutes of the regular Board meeting of January 30, 2017 be approved.

3. **COMMITTEE ON FISCAL AFFAIRS:**

   Vice Chairperson Barry Schwartz reported that the Committee on Fiscal Affairs (CFA) met on February 6, 2017. After approval of the minutes of the January 9, 2017 meeting, the Committee addressed the policy items on the agenda, and approved the following resolutions.

   Moved by Committee Chair Schwartz and seconded by Trustee Clarke, the following resolution was unanimously adopted:

   A. **John Jay College - Procurement for NYC Justice Corps Program:**

   RESOLVED, That the Board of Trustees authorizes the General Counsel to renew four existing contracts on behalf of John Jay College of Criminal Justice to provide services for the NYC Justice Corps. These contracts were initially authorized by the Board in Calendar Number 3.A on April 30, 2012, and renewal contracts for additional terms ending on June 30, 2016 were subsequently authorized by the Board in Calendar Number 3.C on September 29, 2014. An additional renewal term for one year was authorized by the Board in Calendar Number 3.E on March 21, 2016. The additional renewal term authorized hereby shall be one year (to June 30, 2018), with the option to renew for another one-year term (to June 30, 2019) or portion thereof, based on the availability of funding. Such purchase shall not exceed a total estimated cost of $2,600,000 during the fiscal year ending June 30, 2018, using funds allocated by the City of New York for this purpose. The contract shall be subject to approval by the University Office of General Counsel.

   **EXPLANATION:** John Jay College of Criminal Justice will use these funds for the continued operation of the NYC Justice Corps in targeted New York City communities with high rates of poverty and young adult involvement in the criminal justice system. The NYC Justice Corps is a collaborative initiative that The City University of
New York is engaging in with the New York City Center for Economic Opportunity (NYC CEO) as a demonstration project to reduce poverty and reduce recidivism among youth ages 18 to 24 by setting them on the path toward higher levels of education, dignified work, and meaningful participation in civic life. The initiative also seeks to enhance the capacity of New York City neighborhoods most affected by justice system involvement to support the successful reentry and reintegration of their own young people into the life of the community and the labor market of New York City.

NYC CEO requests that John Jay College renew the NYC Justice Corps contracts in order to have time to conduct a program evaluation to aid the City in determining whether to provide future funding for the program. If the City elects to continue funding the program, then the option to renew contracts for Fiscal Year 2019 (July 1, 2018 through June 30, 2019) will make it possible to continue program operations and serve existing participants appropriately while a new RFP and competitive bidding process takes place.

Moved by Committee Chair Schwartz and seconded by Trustee Clarke, the following resolution was presented and opened for discussion:

B. The City University of New York - Revised Procurement Policy and Procedures:

RESOLVED, That the Board of Trustees of The City University of New York adopt the attached Procurement Policy for the University, effective February 22, 2017.

EXPLANATION: This Policy sets forth guidelines applicable to the procurement of commodities and services by the University and updates and replaces the University’s existing Purchasing Policy Manual that was last approved by the Board on October 23, 1995. This Policy reflects changes in law and practice since that time. Although this Policy replaces the University’s Purchasing Policy Manual, other administrative procedures and guidance issued by University management that are consistent with this Policy will remain in place. It is anticipated that the General Counsel and the Senior Vice Chancellor and Chief Financial Officer will issue procedures and guidance as may be necessary or useful to implement this Policy.

This Policy applies to procurements of University commodities and services, including all senior and community colleges and the Central Office. Funds covered by this Policy include: those appropriated by the State of New York or the City of New York; student tuition and fees; and funds held by the State Treasury in income fund reimbursable accounts, such as technology fees. This Policy does not apply to procurements by The Research Foundation of the City University of New York, The City University Construction Fund, college associations, auxiliary enterprise corporations, college foundations or other separately incorporated affiliated entities except as described in any policies, guidelines, or procedures issued by the University, including any financial management guidelines; however, this Policy does apply to contracts funded by any of these organizations but
entered into by the University. Separate financial management guidelines, which will include procurement, are being updated for college associations, auxiliary enterprises, and college foundations.

This Policy may be updated by the General Counsel and the Senior Vice Chancellor and Chief Financial Officer, subject to the Board of Trustees’ ratification, in order to implement changes in law, regulations, and administrative requirements, and to ensure consistency with other University policies.

**Procurement Policy and Procedures of The City University of New York**

I. **Purpose and Application**

A. This Policy sets forth guidelines applicable to the procurement of commodities and services by The City University of New York (the “University”). This Policy shall constitute guidelines of the Board of Trustees of the University under Section 6218 of the New York State Education Law.

B. This Policy applies to procurements of commodities and services using funds by the University, including all senior and community colleges and the Central Office. Funds covered by this Policy include: those appropriated by the State of New York (the “State”) or the City of New York (the “City”); student tuition and fees; and funds held by the State Treasury in income fund reimbursable accounts, such as technology fees. This Policy does not apply to procurements by The Research Foundation of the City University of New York, The City University Construction Fund, college associations, auxiliary enterprise corporations, college foundations, or other separately incorporated affiliated entities except as described in any policies, guidelines, or procedures issued by the University, including any Office of University Controller Financial Management Guidelines; however, this Policy does apply to contracts funded by any of these organizations but entered into by the University.

C. References herein to the “University” shall include each of the University’s constituent colleges, including the Central Office.

II. **Policy Statement**

A. It is the policy of the University to procure commodities and services in a manner that promotes: (i) the wise, prudent, and transparent use of the resources of the University and the taxpayers of the City and State; (ii) compliance with all provisions of law governing procurements by the University; (iii) the acquisition of quality commodities and services at reasonable prices in a timely and efficient manner; (iv) the maximum feasible participation of New York State-certified minority- and women-owned business enterprises (“MWBE”) and service-disabled veteran-owned business enterprises (“SDVOB”) in University procurements, as required by law and University policy; and (v) the prevention of favoritism, extravagance, fraud, and corruption, or the appearance thereof.

B. In furtherance of the above policy, the University shall conduct procurements in accordance with the procedures and other requirements set forth below.
III. General Purchasing Requirements

A. All University procurements, regardless of size, must adhere to the following general requirements:

1. complying with all applicable ethics rules, including purchasing commodities and services in the best interest of the University and adhering to the University’s Conflict of Interest Policy and Sections 73 and 74 of the New York State Public Officers Law;
2. complying with all laws, rules, and regulations that apply to the University, whether or not specifically described in this Policy, including the applicable provisions of the New York State Education Law and State Finance Law;
3. conducting all University-wide and Central Office purchases through the Office of Budget and Finance and all college-specific purchases through the respective campus Purchasing Departments (collectively, “Purchasing Departments”); no other office or department may conduct procurements or otherwise bind the University to any purchase of commodities or services;
4. estimating the applicable dollar value of a potential purchase to ascertain what procurement methods may be required (and prohibiting the artificial division of purchases in order to use the less formal procurement methods available to smaller purchases), and monitoring actual purchases made of the same commodity or service to determine whether additional procurement requirements may apply in the future to the same purchase;
5. ensuring that the commodity or service sought satisfies the University’s required form, function, and utility, and determining whether an Existing Contract (as defined in Section V(G)) offers commodities or services that can satisfy these requirements;
6. using competitive solicitation methods (such as quotes, sealed bids, and sealed proposals) to the maximum extent practicable when conducting individual University procurements;
7. only using form solicitation documents issued by the University’s Office of the General Counsel;
8. promoting the maximum feasible participation of MWBEs and SDVOBs in University procurements including, where applicable, setting participation goals on procurements to encourage MWBEs and SDVOBs to participate as subcontractors or suppliers and ensuring prime contractor compliance with such participation goals, as required by law and University policy;
9. obtaining all necessary internal and external approvals required by applicable law and University policy, including those of the New York State Office of the State Comptroller (the “State Comptroller”), the Board of Trustees, the Office of the General Counsel, and the Office of Budget and Finance;
10. advertising procurements as required by applicable law and University policy;
11. maintaining a record of the procurement that demonstrates that all requirements of this Policy and of applicable law have been met;
12. awarding contracts to “responsive” and “responsible” vendors, as defined in applicable law;
13. complying with the University’s contract signing authority policies, as set forth by the Board of Trustees and as further delegated by the Chancellor and the General Counsel of the University;
14. only executing contracts and other agreements that have been approved as to form by the Office of the General Counsel; and
15. following such other procedures, manuals, memoranda, directives, and the like issued by either or both of the Office of the General Counsel and the Office of Budget and Finance that relate to this Policy.
IV. Overview of Procurement Methods

A. The University may conduct procurements of needed commodities and services through a variety of methods. Among the most common methods are: (1) using preferred source offerings, existing centralized contracts of the State, the City, and the Federal government, University-wide contracts, “piggyback” contracts, and consortia contracts; (2) competitive solicitations of sealed bids and sealed proposals; and (3) entering into contracts using informal procurement methods, or on a sole source, single source, or emergency basis.

B. The University may use Existing Contracts, which are established on behalf of the University by the Office of Budget and Finance or made available to the University by the State, the City, or the Federal government. Among other reasons, because the use of these Existing Contracts reduces costs by leveraging collective buying power and saves administrative time, this Policy requires that the University use these contracts under the circumstances set forth below. In addition, in instances where the Office of Budget and Finance has established University-Wide Contracts (as defined in Section V(E)) with vendors on an exclusive basis, the University must use those contracts in all instances unless an exception is granted by the Office of Budget and Finance. However, if no exclusive University-Wide Contract exists, then the University, through the applicable Purchasing Department, may elect to forgo using any Existing Contracts where the available contracts do not meet the University’s requirements, or where justified by price, as set forth in greater detail below. In those cases the University may instead conduct an individual procurement, including through bids, proposals, quotes, and other methods, or make purchases on a sole source, single source, emergency or other basis, as permitted by this Policy.

V. Order of Purchasing Priority and Procurement Methods

A. The University shall conduct all procurements of commodities and services, including University-wide procurements, using the methods and procedures described in this Section V. However, in selecting a procurement method, the University shall adhere to the order or priority assigned to these methods in Section V(B) (such methods and priority, collectively, the “Purchasing Hierarchy”). Sections V(C) through V(G) provide a description of, and procedures for using, each procurement method in the Purchasing Hierarchy. Sections V(E)(3) and V(H) provide a description of exceptions to the Purchasing Hierarchy. The determination of the appropriate procurement method shall be made by the applicable Purchasing Department.

B. Purchasing Hierarchy. The University shall adhere to the following order of priority when conducting procurements:

1. *New York State Preferred Sources;*
2. *OGS Commodities Contracts;*
3. *University-Wide Contracts;*
4. *Other Centralized Contracts* of the State, City, and Federal government;
5. any of the following options, which shall be afforded equal priority:
   - Campus Procurements (with or without a formal competitive process depending on the total value of the procurement);
   - “Piggybacking” off of an established governmental contract (other than an OGS Commodities Contract or Other Centralized Contract); or
   - Consortia Contracts approved by the Office of the General Counsel and the Office of Budget and Finance.
6. *Sole Source, Single Source, and Emergency Procurements*, where appropriate, are exceptions to the above order of priority.

C. **New York State Preferred Sources.** In order to advance special social and economic goals of the State, the University is required to purchase select commodities and services from State-designated organizations that support employment of certain individuals, including those with disabilities, in correctional facilities, and who are blind. Currently, these organizations include the NYS Department of Correctional Services ("Corcraft"), the NYS Preferred Source Program for People Who Are Blind ("NYSPSP"), and the NYS Industries for the Disabled ("NYSID") (collectively, and as updated pursuant to applicable law, "Preferred Sources"). The University is required to purchase from Preferred Sources commodities or services that meet the University’s form, function, and utility requirements and are offered at a price, as determined by the New York State Office of General Services ("OGS"), that is no more than 15% greater than the prevailing market rate (or in the case of Corcraft, commodities that are offered at a price that do not exceed a reasonable, fair market rate as determined by the Department of Correctional Services ("DOCS")). Purchases of commodities and services from Preferred Sources are given the highest priority and are exempt from competitive bidding requirements. The University shall make purchases from Preferred Sources in the following manner, and in accordance with any guidelines issued by OGS relating to Preferred Sources (except to the extent such guidelines in their application to CUNY would conflict with applicable law):

1. When making any purchase the University must first consider using Preferred Sources generally. When purchasing commodities, the University must consider Preferred Sources in the following priority order: (1) Corcraft; (2) NYSPSP; (3) NYSID, or as otherwise required by the State. When purchasing services the University may afford each available Preferred Source equal priority, and if more than one Preferred Source can provide the required services, then price shall be the determining factor.

2. When a commodity or service is available from a Preferred Source in the form, function, and utility required by the University, and at prices that are approved by OGS or DOCS as contemplated in Section V(C) above, then the University is required to purchase from the Preferred Source.

3. If the University wishes to purchase a particular commodity or service through a competitive solicitation even when the commodity or service is available from a Preferred Source, then the University must compile defensible documentation and evidence justifying why the Preferred Source was not used. If a Preferred Source is not selected, then that Preferred Source also must be given prior written notice with an explanation and an opportunity to respond.

D. **OGS Commodities Contracts.** OGS has established centralized contracts for a wide range of commodities ("OGS Commodities Contracts"). The University shall make purchases from OGS Commodities Contracts in the following manner:

1. Where no Preferred Source can meet the University’s form, function, and utility requirements for a commodities purchase, or where justified by price, the applicable Purchasing Department must determine whether the required commodity can be obtained through an existing OGS Commodities Contract. If a vendor on an OGS Commodities Contract can provide the needed commodities and meet the University’s form, function, and utility requirements, then the University shall make the purchase from such vendor, unless the applicable Purchasing Department makes the determination that it can obtain lower pricing from an alternate source.

2. When soliciting alternate pricing, the University may seek pricing from the open market but, at a minimum, must seek pricing from vendors available through University-Wide
Contracts and Other Centralized Contracts that are available. OGS Commodities Contract vendors must be allowed a minimum of two business days to match any lower price offered to the University. If the OGS Commodities Contract vendor provides written confirmation that it will match a lower price received by the University on the open market, then the University shall purchase from such OGS Commodities Contract vendor. If the OGS Commodities Contract vendor is unable or unwilling to match the lower price, the University must document this in the procurement record and may proceed with the open market purchase.

E. University-Wide Contracts. The Office of Budget and Finance has established a number of University-wide Contracts, some on an exclusive basis, with vendors for certain commodities or services ("University-Wide Contracts"). The University shall make purchases from University-Wide Contracts in the following manner:

1. If no applicable Preferred Source or OGS Commodities Contract can meet the University's form, function, and utility requirements, or where justified by price, the applicable Purchasing Department must determine whether the required commodity or service can be obtained through an existing University-Wide Contract.

2. If the University’s requirements can be met through an existing University-Wide Contract, then the University must purchase such commodities or services through the available University-Wide Contract, unless the applicable Purchasing Department makes the determination that it can obtain lower pricing from an alternate source. Any questions relating to University-Wide Contracts must be directed to the Office of Budget and Finance.

3. In some instances the Office of Budget and Finance has established University-Wide Contracts with vendors on an exclusive basis. These exclusive University-Wide Contracts are an exception to the Purchasing Hierarchy and must be used in all instances on a first-priority basis by the University unless an exception is granted by the Office of Budget and Finance.

F. Other Centralized Contracts. If no Preferred Source, OGS Commodities Contract, or University-Wide Contract can meet the University’s form, function, and utility requirements, or where justified by price, the University may make purchases of commodities and services through centralized contracts let by certain agencies and entities of the State, the City, and the Federal government. Specifically, the University may make purchases through (1) services contracts let by OGS and (2) contracts identified by the Office of Budget and Finance as having been procured by the following agencies and made available to the University: the City’s Department of Citywide Administrative Services; the City’s Department of Information Technology & Telecommunications; the Board of Education of the City of New York; the U.S. General Services Administration; and such other governmental agencies and entities as may be identified by the Office of the General Counsel and the Office of Budget and Finance (collectively, "Other Centralized Contracts"). The University shall make purchases from Other Centralized Contracts in the following manner:

1. Where no Preferred Source, OGS Commodities Contract, or University-Wide Contract can meet the University’s form, function, and utility requirements for a purchase, the applicable Purchasing Department must determine whether the required purchase can be made through any Other Centralized Contract.

2. The University must use any available Other Centralized Contracts that have been identified in writing by the Office of Budget and Finance and that can meet the University’s form, function and utility requirements.

3. When considering Other Centralized Contracts the University shall afford each available contract equal priority, and shall award to the vendor that can meet the
University’s form, function, and utility requirements at the lowest price.

4. In addition, the University may make purchases using a Campus Procurement, Piggyback, or a Consortia Contract, instead of using an Other Centralized Contract, when justified by price.

G. Purchases By Campuses. If no Preferred Source, OGS Commodities Contract, University-Wide Contract, or Other Centralized Contract (collectively, “Existing Contracts”) can meet the University’s form, function, and utility requirements, or where justified by price, the University may make arrangements to purchase the needed commodities or services on its own, including, conducting its own procurement, making “piggyback” purchases through other governmental contracts, or purchasing through contracts established by purchasing consortia, as more fully described below. The options described in this Section V(G) shall be afforded equal priority.

1. Campus Procurements. If no Existing Contract is available that can meet the University’s form, function, and utility requirements, or where justified by price, the University may purchase the needed commodity or service through an individual procurement conducted by the University (a “Campus Procurement”). In conducting Campus Procurements the University may, depending on the size of the resulting purchase, use informal purchasing methods (e.g., internal research, quotes) or formal purchasing methods (e.g. competitive sealed bids or proposals).

a. Informal Purchasing Methods. When conducting a Campus Procurement, the University is generally required to use formal competitive purchasing methods such as sealed bids and sealed proposals (as further described below in Section V(G)(1)(b) below, “Formal Purchasing Methods”). However, when making purchases under certain dollar thresholds the University may use the informal purchasing methods described in this Section V(G)(1)(a) (“Informal Purchasing Methods”) in lieu of Formal Purchasing Methods. Specifically, Purchasing Departments may use Informal Purchasing Methods for general purchases that are less than $100,000, or such higher amount authorized by the State Comptroller. In addition, when award is made to a New York State small business or a New York State-certified MWBE or SDVOB, or when the University is purchasing recycled or remanufactured commodities or technology or certain food products that are grown, produced or harvested in New York State, Purchasing Departments may use Informal Purchasing Methods for purchases up to $200,000, as authorized by the State Finance Law (collectively, “Enhanced Informal Purchases”). When using Informal Purchasing Methods Purchasing Departments may make purchases from any responsive and responsible vendor whose goods or services meet the University’s form, function, and utility requirements and are offered at a reasonable price, as determined by the Purchasing Department. The University must follow generally-applicable procurement rules (including those listed in Section III) when using Informal Purchasing Methods. Informal Purchasing Methods include Purchasing Departments conducting research into products or services that meet the University’s needs, determining the reasonableness of pricing and vendor responsibility, and justifying the selection of a particular vendor in the procurement record. Purchasing Departments will determine the reasonableness of pricing as set forth below.

i. For purchases that are less than $20,000, Purchasing Departments must obtain multiple oral or written quotes, or conduct and document internal or external pricing research, or use a combination thereof. While no formal competitive processes are required, Purchasing Departments are encouraged to use competition where possible.

ii. For purchases of $20,000 or more but less than $50,000, Purchasing
Departments must obtain a minimum of three written quotes from vendors.

iii. For purchases of $50,000 or more but less than $100,000 (or less than $200,000 in the case of Enhanced Informal Purchases), or up to such higher amount authorized by the State Comptroller, Purchasing Departments must obtain written quotes from vendors after publicly advertising the procurement in accordance with applicable law and University policy.

iv. The University has determined a price to be fair and reasonable if it is within 15% of the lowest current price offered from other responsive vendors or within 15% of the other current pricing indicator used by the University. In the event an award is made to a responsive and responsible vendor whose price is greater than (but within 15% of) the lowest current offered price or other current pricing indicator available, the Purchasing Department must maintain documentation in the procurement record of the rationale for the selection of the vendor.

b. Formally Purchasing Methods. The University shall use Formal Purchasing Methods for all purchases of $100,000 or more, or in excess of such higher amount authorized by the State Comptroller. Formal Purchasing Methods shall include: (i) sealed competitive bids; (ii) requests for proposals; and (iii) such other methods as may be approved by the Office of the General Counsel and the Office of Budget and Finance. In the case of sealed competitive bids, awards shall be made to the responsive and responsible vendor offering the lowest price, as determined by the applicable Purchasing Department. In the case of requests for proposals, awards shall be made on the basis of “best value” to the responsive and responsible vendor whose proposal optimizes quality, cost and efficiency, as determined by the applicable Purchasing Department and an evaluation committee. The University may reject all bids or proposals received, or make multiple awards, where the University determines that doing so shall be in its best interest.

2. “Piggyback” Contracts. If no Existing Contract is available that can meet the University’s form, function, and utility requirements, or where justified by price, the University may make purchases through contracts let by other governmental entities (a “Piggyback”) after obtaining the approval of the Office of the General Counsel and the Office of Budget and Finance and after obtaining all required external approvals.

3. Consortia Contracts. In some instances, multiple entities have agreed to purchase commodities collectively as a consortium and at lower prices than would be otherwise achievable through purchases by such entities individually. If no Existing Contract is available that can meet the University’s form, function, and utility requirements, or where justified by price, the University may make purchases of commodities from contracts let by such purchasing consortia (“Consortia Contracts”), after obtaining the approval of the Office of the General Counsel and the Office of Budget and Finance and after obtaining all required external approvals.

H. Exceptions to the Purchasing Hierarchy. In addition, the University may forgo the Purchasing Hierarchy in instances of documented sole source, single source, and emergency purchases. The University is not required to use Existing Contracts, Piggybacks, or Consortia Contracts, or follow Formal Purchasing Methods or Informal Purchasing Methods for Campus Procurements, in the following instances:

1. Emergency Contracts. In the rare case of an emergency arising out of an unforeseen occurrence or condition or situation where a threat to health, safety, life, or limb exists, or where a necessary service is threatened with material damage or suspension, or where University buildings or property are threatened, the University may authorize the award of a contract on other-than-a competitive basis. For each such
procurement, there shall be a declaration of emergency and a written record setting forth the basis for concluding that there was an emergency and the abbreviated procurement methods used to identify the selected contractor. The University shall submit such declaration and record to the Senior Vice Chancellor and Chief Financial Officer and to the General Counsel, and shall promptly submit any resulting contract to the City or State, as appropriate, for payment. In all instances the applicable Vice President for Finance and Administration, or equivalent, shall make the final determination of whether an emergency procurement is appropriate.

2. **Single Source.** The University may authorize the award of a contract on other-than-a competitive basis, even though two or more firms can supply the required commodity or service, if the University determines that either: (a) one particular firm has unique knowledge or expertise with respect to the required commodity or service rendering the use of competitive procedures impractical; or (b) other material or substantial reasons exist for awarding the contract on other-than-a competitive basis. The University shall advertise each such procurement as required by law, and shall create and maintain a written record setting forth the basis for justifying the single source procurement, including the methods and rationale for selecting the contractor, alternatives considered and why the alternatives do not meet the University’s needs, and a determination that the vendor’s price is fair and reasonable. In all instances the Purchasing Department shall make the final determination of whether a single source procurement is appropriate.

3. **Sole Source.** When there is only one source for a required commodity or service, the University may authorize the award of a contract for that commodity or service on other-than-a competitive basis. The University shall advertise each such procurement as required by law, and shall create and maintain a written record setting forth the basis for justifying the sole source procurement, including the methods and rationale for selecting the contractor, a determination of exclusive capability of the vendor or product, alternatives considered, and a determination that the vendor’s price is fair and reasonable. In all instances, the Purchasing Department shall make the final determination of whether a sole source procurement is appropriate.

VI. **Policy Implementation and Amendments; Effect on Awarded Contracts**

A. The University shall comply with this Policy, except in instances where an exception to this Policy has been approved in writing by the General Counsel and the Senior Vice Chancellor and Chief Financial Officer, or their successors or designees.

B. The University shall comply with any procedures, manuals, memoranda, directives, and the like issued prior to or following the effective date of this Policy by either or both of the Office of the General Counsel and the Office of Budget and Finance that relate to this Policy (“Administrative Guidance”). Subject to the other provisions of this Section VI, in the event of any conflict between this Policy and any Administrative Guidance, this Policy shall govern to the extent of the conflict. This Policy supersedes and renders void the University’s Purchasing Policy Manual approved by the Board of Trustees on October 23, 1995 and as may have been revised from time to time.

C. The General Counsel and the Senior Vice Chancellor and Chief Financial Officer or their successors may modify, supplement, or update this Policy, subject to the Board of Trustees’ ratification, as they may deem necessary to implement changes in law, regulations, and administrative requirements, and to ensure consistency with other University policies.

D. Nothing contained in this Policy shall be deemed to (1) alter, affect the validity of, modify the
Statement of USS Chair and Trustee Chika Onyejiukwa
I have some concerns that I voiced to Senior Vice Chancellor and Chief Financial Officer (SVC&CFO) Matthew Sapienza and Interim General Counsel and Vice Chancellor (IGC&VC) Jane Sovern that make it extremely difficult for me to support Cal. No. 3.B., which proposes to change the procurement guidelines and procedures for the University. As you may know, students testified at the Public Hearing last week regarding their concerns about how this procurement policy will impact student activities and events, and there are several concerns with the proposal. I found out at the last CFA meeting that the intention of this proposal is not only to update the procurement guidelines for the University but there is also a clause that would mandate that student activity fees follow the same procurement procedures as the University. Currently, student activity fees are managed differently than University funds. The USS has a Fiscal Accountability Handbook and Article XVI of the CUNY Bylaws helps govern student activity fees.

The newly proposed procurement process will essentially undermine those two documents, creating a new and unilateral procurement process that is not designed to cater to the operations of student governments, student clubs, and student affairs professionals that support CUNY students. For decades, the Board has recognized the importance of having separate procurement guidelines for student activity fees.

This proposal has not been vetted by all parties who will have to follow this new set of procedures. Though the new procurement guidelines will fundamentally alter the way student leaders and organizations conduct their business, no students or student affairs professionals were consulted in the drafting of this policy. Personally, I received the document the Friday before the last CFA meeting. Neither I nor the student representative on the committee were given reasonable time to review the policy. This is cause for serious concern, which I have brought up before, with the way the University is going about changing the procurement procedures for student activities.

I would also like to mention that this is not my first time bringing up the point that there are concerns with student activities and I was informed that the USS would rather have a conversation before implementing the policy.

At the last CFA meeting, I was informed that the Office of General Counsel would be revising the procurement guidelines for CUNY’s associations and foundations. Since many associations govern student activity fees, the University is going to create a process with two separate sets of guidelines for student activities: if a college’s association is separately incorporated, they would follow the old guidelines, if not, then the college association is to follow the new guidelines. There is no clear explanation as to why CUNY would want students to follow different rules to govern student activity fees. It is also noteworthy that the fees of the USS, which I am in charge
of managing, will also be governed by this new set of procedures. And yet, I am not sure what the changes mean for the functioning of the USS Office as CUNY moves forward because I do not have a complete grasp of the proposed University procurement process.

I am all for updating the procurement procedures. Accountability and transparency are important. But the University is moving hastily when it comes to the student activity fees and I am asking that the path be reconsidered. I have not had the time or the energy to convene a committee of students and provide feedback since finding out about this two weeks ago. I do not have all of the questions, or foresee all of the challenges, that will come as a result of this policy. But I am asking that the USS be given the opportunity to consider these questions before it is adopted.

I am not saying that students need less oversight or should not update their procurement process. I am simply saying, can the USS have a say because at the end of the day, student activity fees are fees that students choose to impose on themselves for purposes and functions that they would like to see come to fruition, and the USS cannot operate in the interests of the students if they are left out of the conversation.

My recommendation to the Board is to simply amend this document so that it does not govern student activities. Further, I am respectfully requesting that the matter be referred to the Committee on Student Affairs and Special Programs (CSASP), to get the input of those who have intimate familiarity with student activity related matters.

SVC&CFO Sapienza stated that this procurement policy is the first in what will be several updates that the University is going to be making to policies, procedures, and fiscal management guidelines. It is something that Chancellor Milliken had committed to several months ago. As Vice Chairperson Schwartz mentioned earlier, this procurement policy was vetted and approved by the Office of the New York State Inspector General, and one thing that I want to make sure is clear is that the policies and procedures that are in this policy are not new guidelines, rather what CUNY is doing is codifying the guidelines that are set forth by state and city procurement law. These are for tax levy funds and the state and city set those guidelines for procurements. As was stated earlier, this policy does not apply to procurements for the Research Foundation, the City University Construction Fund, college associations, auxiliary enterprises, and college foundations amongst others. In regards to the student activity fees, the overwhelming majority of fees are paid through seventeen campus student associations, and they are separately incorporated and so what will govern the use of student activity fees—separately incorporated student associations—will be the updated financial management guidelines for college associations which the University is currently working on. In addition, the Fiscal Accountability Handbook—another policy manual—which was also mentioned earlier, is being updated. Both the Fiscal Accountability Handbook and the Campus Association Financial Management Guidelines will be fully vetted with the USS and other interested groups before they are brought to the Board for a vote.
Vice Chairperson Schwartz stated that there was extensive discussion about this item at the Committee meeting, in fact the Committee urged, after it voted unanimously to support this resolution that SVC&CFO Sapienza and IGC&VC Sovern get together with USS Chair and Trustee Onyejiukwa as soon as possible. They met with her four days afterwards with some other representatives of the USS, and have met with other representatives of the students, yet again, on February 17th to address these concerns. And, in Section 1(b) of this Policy, there is the carve out of various things—policies yet to be done—included in the carve out are college associations where most of all of the student associations are. So there will be those new policies that are in the process of being prepared. They will be vetted entirely with the students. And as SVC&CFO Sapienza just mentioned, the University is simply codifying what the existing laws and regulations are today, not changing anything. In the course of utilizing this new procurement policy, if the University finds that there are issues that have not been addressed properly, these can be amended again and not have to wait another twenty-two years. So I would urge that the Board consider this resolution tonight and not entertain a tabling of it yet again.

Trustee Onyejiukwa thanked Vice Chairperson Schwartz for that clarification; she stated that however, she has two points to address: The meetings that the USS did have were not because of this policy so if you recall a few weeks ago I had been bringing up the idea of student activity fees being an issue and it was because of this that I initiated a meeting. It was not due to this policy. So, if I can remember correctly, the Friday that this policy was sent out around 4:00-4:30 p.m., I had a phone conference around 3:00 p.m. with IGC&VC Sovern and members of her staff because the USS had questions regarding this entire process and never once was it brought to my attention that this policy would be coming for a vote at the CFA meeting the following Monday. That is what I have been stressing. I get it, of course, that these policies are great, but if the USS is given the chance to look at the proposed policy, it can be assessed by the USS. For example, it is not until I read it to see that it says student tuition and fees that I understood that some of these student activity fees are not incorporated under associations, and everyone is making the point that most of the student activity fees are under incorporations, but that is not to pacify me and to say that those other entities do not matter.

Chairperson Thompson noted that as SVC&CFO Sapienza indicated, this policy is just codifying existing state and city procurement policy, law, and regulation. This policy is not reinventing the wheel, it is updating things or at least coming into this century. In addition, the University is sensitive, and concerned, about the USS, and concerns on the part of students, so it will continue to work in a timely fashion to make sure that the USS receives information at the same point as others. The USS Chair and Trustee role is part of a body, and I do not think some Trustees are getting information before others. So, as I said, the Board always wants to hear from the USS and the voices of the students, so the Board will endeavor to make sure that all student voices are heard, and if a problem occurs, the Board will be able to make adjustments to make life easier, at the same point realizing that CUNY is governed by certain laws and regulations. So I would suggest that the Board move forward on this resolution today.
Trustee Una S. T-Clarke stated that on moving forward, she would like to make a public request that when the Board adopts this policy this evening, a meeting be conducted also with the members of CSASP, and along with the General Counsel, to make sure that everyone is on the same wavelength and moving in the same direction once this policy is codified.

Chairperson Thompson stated that he agrees with Trustee Clarke’s request, and would also suggest that SVC&CFO Sapienza join that meeting.

In response to a question from Trustee Sandra Wilkin on whether there is oversight or tracking of the participation of MWBEs and SDVOBs:

SVC&CFO Sapienza stated that there is significant oversight of MWBEs, and now SDVOBs as well are part of the policy. But on the MWBEs, the Office of Budget and Finance (OBF) does significant oversight of all campus and Central Office spending and contracts to make sure that they are inclusive of MWBE vendors. At the last meeting three weeks ago there were several questions that were raised about putting together the information regarding the University-wide MWBE spending, which on the operating side has been over thirty percent. Last Fiscal Year, and so far through this Fiscal Year, the University is over thirty percent as well for the senior colleges and Central Office. So OBF is very pleased and thankful to the campuses for their dedication to making sure MWBEs are served properly. Furthermore, OBF will be providing the Board with a whole lot of data on MWBEs—not only data but the processes and how this program is monitored.

Chairperson Thompson asked for a vote. Cal. No. 3.B. was adopted. USS Chair and Trustee Onyejiukwa voted no.

Moved by Committee Chair Schwartz and seconded by Trustee Ferrer, the following resolution was presented and opened for discussion:

C. The City University of New York – Executive Search and Recruitment Services:

RESOLVED, That the Board of Trustees authorizes the General Counsel to execute three (3) contracts with firms to provide executive search and recruitment services. The contracts are being awarded on the basis of best value to responsive and responsible offerors after public advertisement and timely submission of sealed proposals pursuant to law and University Regulations. The Request for Proposal solicitation and evaluation process was conducted by the University. The initial term shall be two (2) years and the contracts shall include up to three (3) one-year options for the University to renew in its best interest. Such purchase shall not exceed an estimated $3,350,000 in aggregate under the three contracts for five years. The contracts shall be subject to approval by the University Office of General Counsel.

EXPLANATION: These executive search and recruitment services will be utilized by the University on an as needed basis when there are vacancies for the positions of
presidents, deans, vice chancellors and executive higher education executives at the Colleges and Central Office. The University issued a request for proposals (RFP) on October 27, 2016. The RFP allowed respondents to this solicitation to submit proposals for either or both groups of the following categories:

Group One – search and recruitment services for Presidents and Deans of Colleges
Group Two – search and recruitment services for higher education executives including Vice Chancellors.

Eight firms responded to the RFP, and all eight submitted proposals for both of the above groups.

All three firms that will be contracted for these services will be required to provide University search committees with a diverse pool of candidates for each search engagement. If a diverse pool of candidates is not supplied, the University reserves the right to terminate the agreements.

In response to a question from Trustee Shorter on whether all the services of the University’s executive searches will be provided only from three firms nationally:

SVC&CFO Sapienza stated that this resolution applies to searches at the senior colleges and Central Office. The community colleges will be doing a separate RFP process since their searches are paid with city funds. Once that goes through there could be different firms that are selected as part of the process. But at the senior level there will only be three firms for all of the searches.

In response to other questions from Trustee Shorter on a) how do the three selected firms stack up in their diversity with regard to minorities and women, and b) what will those teams look like:

SVC&CFO Sapienza stated that the firms that have been selected are in the middle of negotiation as the procurement process is still ongoing so OBF cannot name the firms at this time. But all three firms are large and very active firms in executive search, especially in the area of higher education. They are firms that the University utilized previously so OBF is comfortable that they meet its needs, including the diversity requirement.

Trustee Shorter stated that he would like to request that the Trustees understand as a Board, what the diversity composition of these three firms are, who now essentially have exclusive rights on searches. The Board should know what their senior constituents will look like. He added that he would like to see that before the Board votes on this item, or at least votes positively on it.

SVC&CFO Sapienza stated that OBF will request that information from those three firms and provide it to the Board.
In response to a question from Vice Chairperson Schwartz on whether that request was already a part of the RFP:

Chairperson Thompson stated that it was probably not part of the RFP. There are a number of RFPs and requests these days that ask that as an example. With the City Comptroller, in certain RFPs, he makes requests of not just what does the executive employee group look like but also what does its payroll look like so it is not just number, it is reflected in responsibility. That is something that this Board should start to look towards so that people realize that it is not just the composition of the pool, the University is also concerned about who is hired and who is working within the number of larger firms that are working for CUNY.

Vice Chairperson Schwartz stated that Trustee Shorter has made a very good comment, and with regard to the RFP not yet on the street for the community colleges, he would urge that OBF consider including this requirement in that RFP.

Chairperson Thompson stated that he would like to thank the committee for their work—including additional work after the committee meeting—because as they say, this was not an easy one, this was something that came to CFA at the end of a process. The days of presenting things to a committee at the end and expecting them to say yes are gone. Particularly, something this important, for example, the selection of senior personnel at Central Office as well as presidents and deans for the colleges, the Board does not want to see things at the end. He added that again he would like to thank Vice Chairperson Schwartz and the members of CFA for the work that they did on this and USS Chair and Trustee Onyejiukwa for her catching of the lack of mention of diversity within that resolution.

Chairperson Thompson asked for a vote. Cal. No. 3.C. was adopted. Trustees Charles Shorter and Lorraine Cortés-Vázquez abstained.

Vice Chairperson Schwartz reported that at the February 6th meeting, a motion was made and passed to table this item, as there were concerns about the process and timeline, as well as how these prospective search firms would help to ensure diverse candidates. This was done pursuant to an RFP that was not known to the members of CFA until that evening. The committee agreed that the University needed to provide additional information on this item before it can be brought to this full Board for consideration. Subsequent to the February 6th meeting, SVC&CFO Sapienza provided the committee with additional information, principally the RFP, and after further discussion with the Committee members, it was agreed that we would bring this resolution for vote of the full Board with unanimous endorsement. I would like to note that the following language has been added to the Explanation section of the resolution: “The three firms that will be contracted for these services will be required to provide University search committees with a diverse pool of candidates for each search for which they are engaged. If a firm does not supply a diverse pool of candidates, the University reserves the right to terminate the agreement with that firm”. Following informational items, SVC&CFO Sapienza provided the committee with a status report on all resolutions approved by CFA during Fiscal Year 2016, as
well as a report on the State Executive Budget and City’s Preliminary Budget for Fiscal Year 2018.

4. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH:
Trustee Jill O’Donnell-Tormey reported that at the February 6, 2017 meeting of the Committee on Academic Policy, Program, and Research, the committee approved the following resolutions and she recommended their approval by the Board.

Moved by Trustee O’Donnell-Tormey and seconded by Trustee Ferrer, the following resolutions were presented and adopted:

A. John Jay College – B.S. in Applied Mathematics: Data Science and Cryptography:
RESOLVED, That the program in Applied Mathematics: Data Science and Cryptography offered at John Jay College and leading to the Bachelor of Science, be approved, effective February 21, 2017, subject to financial ability.

EXPLANATION: John Jay continues to expand its offerings in the liberal arts by designing an undergraduate degree that focuses on mathematical applications to both big data as well as data security. The curriculum will consist of high level coursework in both mathematics and computer science. Graduates of either concentration will have career opportunities that are both professionally and financially rewarding.

B. New York City College of Technology – B.S. in Applied Computational Physics:
RESOLVED, That the program in Applied Computational Physics offered at New York City College of Technology and leading to the Bachelor of Science, be approved, effective February 21, 2017, subject to financial ability.

EXPLANATION: Graduates of this program will be well equipped with a solid background in physics, computing, and mathematics, as well as learn valuable skills in complex problem-solving and teamwork which will strengthen their preparation for pursuing careers in engineering areas such as aerospace, applied mathematics and computer science, physical chemistry, finance, bio-medicine, environmental science, as well as for conducting research in academic, industrial, or national laboratories.

C. York College - MSW in Social Work:
RESOLVED, That the program in Social Work offered at York College and leading to the Master of Social Work, be approved, effective February 21, 2017, subject to financial ability.
EXPLANATION: York College is strategically expanding its suite of professionally oriented master’s degrees. The College currently offers an undergraduate degree in social work so this is a natural addition to their offerings. The program will focus on health care, a growing specialization in the field. Currently CUNY offers no MSW program in Brooklyn or Queens.

D. Honorary Degrees:

RESOLVED, That the following honorary degrees, approved by the appropriate faculty body, the college president and recommended by the Chancellor, be presented at the commencement exercise as specified:

<table>
<thead>
<tr>
<th>COLLEGE</th>
<th>DEGREE</th>
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<tbody>
<tr>
<td>LEHMAN COLLEGE</td>
<td></td>
</tr>
<tr>
<td>Eddie Palmieri</td>
<td>Doctor of Music</td>
</tr>
<tr>
<td>Betty A. Rosa</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Jeffrey Gilbert</td>
<td>Doctor of Science</td>
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<tr>
<td>(To be conferred at the commencement ceremony on June 1, 2017)</td>
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<tr>
<td>QUEENS COLLEGE</td>
<td></td>
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<tr>
<td>Donald Brownstein</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Saul Kupferberg</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on May 26, 2017)</td>
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<tr>
<td>BARUCH COLLEGE</td>
<td></td>
</tr>
<tr>
<td>Neil deGrasse Tyson</td>
<td>Doctor of Pedagogy</td>
</tr>
<tr>
<td>Allen E. Goodman</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on June 5, 2017)</td>
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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:

RESOLVED, That the Department of Molecular, Cellular & Biomedical Sciences be established at the CUNY School of Medicine through the merger and closure of the Department of Pathobiology and the Department of Physiology, Pharmacology and Neuroscience, effective March 1, 2017.
EXPLANATION: The CUNY School of Medicine recently completed major restructuring of its curriculum and academic program as it transformed its biomedical science program into a MD degree-granting program. Prior to this restructuring, an external reviewer panel and two strategic planning workgroups recommended the re-organization of the School’s departmental structure and the merger of academic departments for improving the School’s effectiveness and efficiency. The basic science components of the curriculum have historically been taught as discreet disciplines, administered through two or more academic departments. The new curricular structure that is currently being implemented for enhancing students’ learning and application of content is an integrated, interdisciplinary curricula. This integration aligns with trends in medical education and in the scientific community toward increased interdisciplinary collaboration in areas of instruction and research.

The proposed new department of Molecular, Cellular & Biomedical Sciences will be established through the merger, and resultant closure, of the Department of Pathobiology and the Department of Physiology, Pharmacology and Neuroscience, and is intended to enhance efficiencies, and to support and promote interdisciplinary curricular and research development, and the collaborative teaching required to support the new BS-MD curriculum. The costs associated with the establishment of the new department will be minimal, utilizing the School’s existing resources.

The creation of the Department of Molecular, Cellular & Biomedical Sciences was approved by the Faculty Council of the CUNY School of Medicine at its meeting on September 13, 2016. Contingent upon the approval of the Board of Trustees, 13 faculty members from the Department of Pathobiology, and 14 faculty from the Department of Physiology, Pharmacology and Neuroscience will be transferred to the new Department, and advised of their seniority therein. A separate resolution regarding the transfer and appointment of instructional personnel to the new department (copy attached) has been submitted concurrently to the Board of Trustees via the Chancellor’s University Report. In accordance with the Governance Plan of the CUNY School of Medicine, an acting chair of the new department will be appointed by the dean effective March 1, 2017 while a search for a permanent appointee is conducted.

5. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:
Trustee Brian Obergfell reported that the Committee on Facilities Planning and Management considered four items at its meeting of February 6, 2017. Following discussion and consideration of the items, Vice Chancellor Judy Bergtraum reported on community college construction projects. An Executive Session was called to discuss real estate matters under current negotiation by the University, during which Vice Chancellor Bergtraum reported on new projects and updates.
Moved by Trustee Obergfell and seconded by Trustee Ferrer, the following resolutions were presented and opened for discussion:

A. The City University of New York - Allocation of $20 Million in Capital Funds to Projects:

RESOLVED, That the Board of Trustees of The City University of New York authorize the allocation of $12 million to Lehman College for the construction of the Nursing Education, Research and Practice Center, and $8 million to Brooklyn College for completion of the construction of the Leonard and Claire Tow Performing Arts Center.

EXPLANATION:
In June 2016 the State Budget was amended providing an additional $20 million dollars in capital funds to the City University per the following:

“For additional services and expenses related to alterations and improvements to various facilities for capital projects, including but not limited to capital design, construction, acquisition, reconstruction, rehabilitation, and equipment; for health and safety, preservation of facilities, program improvement or program change, environmental protection, energy conservation, accreditation, facilities for the physically disabled, preventative maintenance and related projects, including costs incurred prior to April 1, 2016 and subject to a plan developed and submitted by the City University of New York Board of Trustees and approved by the Director of the Budget.”

Below are the summaries of the projects being funded by the $20 million available in the amendment of the state budget:

1. Lehman College Nursing and Education Research and Practice Center. This project will construct a 40,000-square-foot building on the parking lot adjacent to Davis Hall to house the new Nursing Education, Research and Practice Center. The facility will include classrooms, instructional and research labs and administrative and support space. These funds are necessary to complete the project.

2. Brooklyn College, The Leonard and Claire Tow Performing Arts Center. This project reconstructs Gershwin Hall and builds a new performing arts instructional facility with connections to existing Whitman Hall. It also creates a new gateway into the College from the Campus Road entrance. This facility includes classrooms and practice rooms dedicated to music, teaching studios, music and theatre rehearsal rooms, a new scene workshop, and a new 250-seat performance space. These funds are necessary to complete the project.
B. **Brooklyn College – Amendment to the Architectural Services Contract for the Performing Arts Center:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to amend the previously approved Architectural Design Services Contract with Pfeiffer Partners, adopted at the regular meeting of the Trustees of the City University of New York held on April 26, 2010, Calendar No. 6B, from the not-to-exceed amount of $7.5M executed for professional design and construction administration services as required for the Performing Arts Center at Brooklyn College, to a not-to-exceed amount of $9.5M. The contract cost shall be chargeable to the CUNY Construction Fund, Project No. BY600-006. The contract amendment shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The new building is nearing completion, and the project is now ready to be outfitted with the required Furniture and Equipment in order to complete the construction. These additional design services are required for preparation of bid documents, and full construction administration services, for all of the Furniture and Equipment fit-out packages required. Due to a lack of funding at the time of construction and document preparation during design, all of the furniture and equipment fit-out packages were not included in the base building bid package.

The various Furniture and Equipment packages include: complete fit-out of the Main Performance Hall, which includes theatrical lighting, stage equipment, rigging, catwalks, acoustic treatment, theater seating and assisted hearing/listening equipment. In addition, furniture and equipment is required for the rehearsal spaces, small theater, music practice rooms, lobby, student lounges, and instrument locker areas; shop machinery for the set design spaces; and audio/visual equipment for the entire facility.

These additional design services will also address unanticipated field conditions and additional construction administration services as a result of the extended construction schedule.

C. **Brooklyn College – Amendment to the C/M Build Contract for the Performing Arts Center:**

RESOLVED, That the Board of Trustees of The City University of New York requests that the City University Construction Fund amend the previously approved Construction Management Contract with Hill International, Inc., adopted at the regular meeting of the Trustees of the City University of New York held on April 27, 2009, Calendar No. 6H, for the original amount of $70M, executed for construction and management services as required for the Performing Arts Center at Brooklyn College, to a not to exceed amount of $87M. The contract cost shall be chargeable to the CUNY Construction Fund, Project No. BY600-006. The contract amendment shall be subject to approval as to form by the Fund’s General Counsel.
EXPLANATION: The new building is nearing completion, and the project is now ready to be outfitted with the required Furniture and Equipment in order to complete the construction. These additional construction management services will allow the bidding, construction, and construction management of various fit-out packages for the Performing Arts Center. Due to a lack of funding at the time of construction and document preparation during design, all of the furniture and equipment fit-out packages were not included in the original contract.

The various Furniture and Equipment packages include: complete fit-out of the Main Performance Hall, which includes theatrical lighting, stage equipment, rigging, catwalks, acoustic treatment, theater seating and assisted hearing/listening equipment. In addition, furniture and equipment is required for the rehearsal spaces, small theater, music practice rooms, lobby, student lounges, and instrument locker areas; shop machinery for the set design spaces; and audio/visual equipment for the entire facility.

These additional construction management services will also address unanticipated field conditions and additional construction services as a result of the extended construction schedule.

D. New York City College of Technology – Amendment to the Architectural Services Contract for the New Academic Building:

RESOLVED, That the Board of Trustees of The City University of New York amend the prior resolution, adopted June 23, 2008 (Cal. No. 6D), and amended on November 22, 2010 (Cal. No. 6F) for execution of an Architectural Services Contract with Perkins Eastman on behalf of New York City College of Technology for the College’s New Academic Building. The amendment is to authorize an increase in the approved amount from $17M to $20M; and be it further

RESOLVED, That the City University Construction Fund be requested to execute an amendment to an existing consultant contract to reflect the Fund’s purchase of additional design and construction-related services to complete the construction for the New Academic Building. The total cost of the amendment shall be chargeable to the State Capital Construction Fund, Project No. 2582909999, for an amount not to exceed $3M. The contract amendment shall be subject to approval as to form by the Fund’s General Counsel.

EXPLANATION: The additional design services will address unanticipated field conditions, programmatic changes and additional construction-administration services as a result of the extended construction schedule. These services were not anticipated as part of the agreement with Perkins Eastman.

During the construction phase unanticipated field conditions and programmatic changes requested by the College needed to be addressed by the design team so as to not delay
the construction schedule. During the construction phase the construction manager issued a revised 46 month construction schedule. The revised schedule added an additional 17 months of construction beyond the original 29 month schedule requiring additional construction-administration services.

In response to a question from Trustee Cortés-Vázquez on why are these resolutions being approved as a group rather than approving each resolution separately:

Chairperson Thompson stated that certain committee resolutions can be combined together so that the Board can do one vote.

Chairperson Thompson asked for a vote on Cal. No. 5.A. through 5.D. Trustee Lorraine A. Cortés-Vázquez abstained from a vote on these items.

Chairperson Thompson moved to go into Executive Session at 5:20 p.m. The motion was seconded by Vice Chairperson Schwartz.

CONVENING OF EXECUTIVE SESSION
Chairperson Thompson 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 Thompson and seconded by Trustee Obergfell the public session was reconvened at 6:16 P.M.

Moved by Chairperson Thompson and seconded by Trustee Clarke, the following resolution was unanimously approved:

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.

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.

IGC&VC Sovern stated that this resolution refers to the deans, such as the Dean of the CUNY School of Law, the Dean of the Graduate School of Journalism, or the Dean of the CUNY School of Public Health & Health Policy. To be clear it is a chief executive of each college whether he or she is a president or a dean.

Moved by Chairperson Thompson and seconded by Trustee Ferrer the reconvened public session was adjourned at 6:22 P.M.
The Board of Trustees of The City University of New York (CUNY) met on May 1, 2017 at Baruch College Vertical Campus, New York, New York, pursuant to a Notice sent by the Office of the Secretary of the Board on April 12, 2017.


**Trustee Absent:** Charles A. Shorter

**Others present:** Chancellor James B. Milliken, EVC and University Provost Vita Rabinowitz, SAC and Board Secretary Gayle M. Horwitz, Interim General Counsel and VC Jane Sovern, Senior Advisor Marc V. Shaw, SVC&CFO Matthew Sapienza, Vice Chancellor Judy Bergrtraum, Vice Chancellor Brian Cohen, Vice Chancellor Pamela Silverblatt, Vice Chancellor Gloriana Waters, Interim Vice Chancellor Christopher Rosa, Deputy Vice Chancellor Burton Sacks, and Associate VC Andrea Shapiro Davis; and President Michelle Anderson, Interim President Vincent Boudreau, President Diane B. Call, President Rudolph Crew, President José L. Cruz, President William J. Fritz, President David Gomez, President Farley Herzek, President Russell K. Hotzler, President Thomas Isekenegbe, President Antonio Pérez, President Jennifer Raab, President Chase Robinson, President Felix V. Matos Rodriguez, President Jeremy Travis, President Mitchel Wallerstein, Dean Sarah Bartlett, Dean Mary Lu Bilek, Dean Ayman El-Mohandes, Dean Mary Pearl, University Dean John Mogulescu, and Research Foundation President Richard Rothbard.

**CONVENING OF PUBLIC MEETING**
Chairperson Thompson called the Public meeting to order at 4:35 p.m. He stated that the Board will go into Executive Session, pursuant to Section 105, Article 7, of the Public Officers Law, after the conclusion of the Public meeting. The Board will reconvene in public session following Executive Session.

Chairperson Thompson announced that the Public Meeting is being transmitted live on cable Channel 75; it is also being webcast live at www.cuny.edu/livestream. The Public meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

**CHAIRPERSON’S REPORT**
Chairperson Thompson reported that the Board held its Staten Island Borough Hearing on Monday, March 13, 2017. Trustee Rita DiMartino chaired the hearing and was joined by University Faculty Senate (UFS) Chair and Trustee Kay Conway, University Student Senate
Chairperson Thompson stated that the Board also held its Queens Borough Hearing on Wednesday, April 19, 2017. He had the pleasure of chairing this hearing and was joined by UFS Chair and Trustee Conway, USS Chair and Trustee Onyejiukwa, Queens Borough President Melinda Katz, members of the chancellery, the Presidents of York College and Queens College, the Dean of the CUNY School of Law, and representatives from LaGuardia Community College and Queensborough Community College. Summaries of both of these hearings, including testimony, were circulated to the Trustees and the Chancellor's staff, and transcripts are available in the Office of the Secretary.

Chairperson Thompson stated that on March 10th, he had the pleasure of attending the final judging of Governor Andrew Cuomo's “Making College Possible Coding Challenge” competition at Facebook. Students from CUNY and SUNY were invited to build a mobile app or website to share information about Governor Cuomo's Excelsior Scholarship. As part of the final judging, five teams from a group of 70 teams pitched their products to a panel of New York's business and technology leaders, who selected the final winning submission. Two of the five finalist teams were from Queens College and not only did Team Knight from Queens College win the overall competition but Team Fast Pass came in second! Each team was presented with a $2,000 check. Team Knight's app—“A Better Tomorrow” connects students with available scholarships and grants and will be used to promote the Excelsior Scholarship. Chairperson Thompson asked each of these teams to please stand so the Board can publicly celebrate their tremendous accomplishment.

Chairperson Thompson stated that during the weekend of March 24th through March 26th, Trustees Una Clarke, Rita DiMartino, Lorraine Cortés-Vázquez, and Mayra Linares-Garcia represented the Board at the spring 2017 Somos El Futuro Conference. Chancellor Milliken and he hosted a luncheon at the conference celebrating the CUNY/SUNY Model New York State Senate Session program. The program brings students into the Senate Chamber to debate a piece of legislation—this year it was the Dream Act. As part of the luncheon activities, Chancellor Milliken presented Assemblyman Marcus Crespo with the CUNY Distinguished Alumnus Award. Thank you to all who participated in this important event.

Chairperson Thompson stated that on April 13th, he was joined by fellow Trustees Una Clarke, Lorraine Cortés-Vázquez, Rita DiMartino, Fernando Ferrer, Mayra Linares-Garcia, Ken Sunshine, Sandra Wilkin, and Chika Onyejiukwa at LaGuardia Community College as Governor Cuomo was joined by Secretary Hillary Clinton to sign into law his groundbreaking Excelsior Scholarship providing free tuition to qualified students, making New York a national leader in widening access to quality higher education. This investment in CUNY students and the state will pay dividends for years to come.
Chairperson Thompson stated that last week, Governor Cuomo made another investment in CUNY, announcing more than $520 million in energy efficient upgrades at 19 CUNY campuses. Coinciding with Earth Week, the energy-savings measures will reduce environmental impacts and operating costs while helping the University reach the Governor's statewide energy goals to build a clean energy future.

Chairperson Thompson stated that he would be remiss if he did not acknowledge one of his colleagues who also happens to be the Budget Director of the State of New York, Trustee Robert Mujica. Thank you for your help during the budget process for CUNY.

**COLLEGE AND FACULTY HONORS**
Chairperson Thompson called on Trustee Fernando Ferrer, who announced the following:

1. *The Chronicle of Higher Education* named Baruch College as one of the top twenty four-year public colleges with the greatest racial and ethnic diversity among its student population.

2. The Zicklin School of Business at Baruch College has jumped 28 spots on the 2018 *US News and World Report*’s Graduate Schools List for the full-time MBA programs and now ranks #57 among the 377 schools on the national list.

3. The U.S. State Department recently announced a listing of the U.S. colleges and universities producing the most 2016-2017 Fulbright Scholars in the United States. The College of Staten Island (CSI) ranked second on the top-producing list.

4. For the past eight years, CSI has been nationally ranked as a military friendly school and this year has been named to the top ten for being an elite military friendly institution among public universities with more than 10,000 students.

5. CSI Associate Professor of English, Tyehimba Jess, was named the 2017 Pulitzer Prize winner in Poetry for his collection, "Olio". This is the second time in the past three years that a CUNY scholar has won this extraordinary honor. Sarah DeLappe, a Brooklyn College MFA student, was a finalist this year in the Drama Category of the Pulitzers for her play about a girl's high school soccer team, "The Wolves."

6. Researchers at The City College of New York-based CUNY Energy Institute announced the development of a novel, low cost, rechargeable, high energy density battery that makes widespread use of solar and wind power possible in the future.

7. Hostos Community College adjunct English Professor, Robert Waddell, will be awarded an Arieto Award for writing as Writer of the Year 2017 at the 2017 Taino Awards.
8. Brooklyn College Professor of English and Director of the Journalism Program, Anthony Mancini, received the Society of Silurians 2017 Peter Kihss Award.

9. City College Professor Sally Hoskins is the recipient of the Elizabeth W. Jones Award for Excellence in Education from the Genetic Society of America.

Trustee Ferrer stated that this is just a sampling of CUNY’s renowned faculty members who continually win professional achievement awards from prestigious organizations as well as research grants from government agencies, foundations, and corporations.

**STUDENT AND ALUMNI HONORS**

Chairperson Thompson called on Trustee Ken Sunshine, who announced the following:

1. Fourteen students from Baruch College, Brooklyn College, City College, CSI, the CUNY BA/BS program, Hunter College, and Macaulay Honors College have been selected to receive a Fulbright Grant to study, conduct research, or teach English abroad.

2. Queensborough Community College student, Tao Hong, was awarded the prestigious Barry Goldwater Scholarship, which provides up to $7,500 per year for educational expenses.

3. Fifty-three CUNY students have won $5,000 Benjamin A. Gilman Scholarships sponsored by the U.S. Department of State. The students are from Baruch College, Borough of Manhattan Community College (BMCC), Brooklyn College, City College, CSI, the CUNY BA/BS program, Hunter College, Lehman College, John Jay College, LaGuardia Community College, Macaulay Honors College, New York City College of Technology, Queens College, and Queensborough Community College.

4. Five students from Hunter College, Macaulay Honors College, and Queens College were awarded David L. Boren Awards for International Study.

5. Claire Lynch, a Macaulay Honors College student at City College has won a Harry S. Truman Scholarship, which provides up to $30,000 for graduate study in public service fields.

6. Six students from BMCC, Kingsborough Community College, LaGuardia Community College, and Queensborough Community College have been awarded the Jack Kent Cook Undergraduate Transfer Scholarship, which provides up to $40,000 per year.

7. Twelve students have won the Jeannette K. Watson Fellowship – a three-year program that provides summer internships and mentoring. The students attend Baruch College, Brooklyn College, City College, CSI, Hunter College, John Jay College, Lehman College, Macaulay Honors College, and Queens College.
8. Twelve students have received National Science Foundation Graduate Research Scholarships. The students attend City College, The Graduate Center, Hunter College, Macaulay Honors College, Queens College, and York College.

9. Jibreel Jalloh of Baruch College and Giselle Cordero of Queens College have been selected as New York Urban Fellows and will receive a $30,000 stipend and health insurance.

10. City College student Stephana Eghan has won a New York Women in Communications Foundation sponsored scholarship.

11. City College of New York Grove School of Engineering students Isamar Garrido Rodriguez and Patrick Tuttle are 2017 Society of Chemical Industry Scholars. The program provides each chemical engineering major with industry experience through a 10-week summer internship and a work stipend.

12. Macaulay Honors College at CSI alumna, Lucinda Zawadzki ’15, has received a full scholarship to the University of Oxford to pursue a Ph.D. in Zoology. Through the Oxford-Christ Church Natural Motion Graduate Scholarship, she will study full-time for three years with all tuition, college fees, and living expenses covered.

13. Three Queens College alumni have been awarded 2017 National Science Foundation Graduate Research Fellowships, one of the nation's most prestigious academic awards.

14. David Ourlicht ’17, of the CUNY School of Law is one of 25 future lawyers honored by the National Jurist’s 2017 Law Students of the Year.

Trustee Sunshine stated that as Trustee Ferrer noted, this is just a sampling of the many exciting achievements of CUNY students, and urged all to please follow their progress at CUNY.edu or at their individual school.

GRANTS
Chairperson Thompson presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the February 21, 2017 Board meeting.

BRONX COMMUNITY COLLEGE

1. $450,000 NEW YORK STATE DEPARTMENT OF EDUCATION to Blanche Kellawon, for “Training”

2. $300,000 THE CARROLL AND MILTON PETRIE FOUNDATION to Eddy Bayardelle, for “Petrie Student Emergency Fund”
3. $200,000 **THOMPSON FAMILY FOUNDATION** to Eddy Bayardelle, for “Existing Conditions Report of GML”
4. $100,000 **NATIONAL ENDOWMENT FOR HUMANITIES** to Peter Kolozi, for “Institutional Improvement”

**BROOKLYN COLLEGE**

1. $366,850 **NATIONAL SCIENCE FOUNDATION** to Amy Ikui, for “Cell Cycle Regulation in Response to Plasma Membranes Stress in S. Cerevisiae”
2. $174,164 **NATIONAL INSTITUTES OF HEALTH** to Mariana P. Torrente, for “Epigenetics In Neurodegenerative Disease: Targeting Histone Modifications in ALS”
3. $158,334 **NATIONAL HISTORICAL PUBLICATIONS AND RECORDS GRANT** to Coleen Bradley-Sanders, for “Eliminating Racism, Empowering Women: The Records of the YWCA of Brooklyn”
4. $113,825 **NATIONAL SCIENCE FOUNDATION** to Tony Wison, for “REU Site: Brooklyn Urban Ecology and Environment Program (BUEE)”

**CITY COLLEGE**

1. $700,000 **NATIONAL SCIENCE FOUNDATION** to Charles Watkins, for “NYC Louis Stokes Alliance”
2. $561,128 **NATIONAL INSTITUTES OF HEALTH** to Mark Steinberg, for “Research Support for Biomedical Careers at City College of New York”
3. $353,250 **NATIONAL INSTITUTES OF HEALTH** to Reza Khayat, for “Mechanism of Cellular Recognition and Entry by a Circovirus”
4. $343,438 **NATIONAL INSTITUTES OF HEALTH** to Marom Bikson, for “The Coupled Vascular Hypothesis for Transcranial Direct Current Stimulation (tDCS)”
5. $341,204 **NATIONAL INSTITUTES OF HEALTH** to Lesia Ruglass, for “Translational Research Training on Addictions for Racial/Ethnic Minorities”
6. $310,860 **NATIONAL INSTITUTES OF HEALTH** to Mitchell Schaffler, for “Osteocyte Integrity and Bone Remodeling”
7. $202,239  **JHK ENGINEERING** to Camille Kamga, for “Support for the New York City Department of Transportation Connected Vehicle Pilot Deployment Project – City College of New York”

8. $192,642  **MASSACHUSETTS GENERAL HOSPITAL** to John Tarbell, for “Targeting Glycocalyx-Mediated Mechanisms of Tumor Metastasis”

9. $191,917  **NEW YORK STATE OFFICE OF SCIENCE TECHNOLOGY AND ACADEMIC RESEARCH** to Vinod Menon, for “Center for Advanced Technology”

10. $176,000  **FOUNDATION FOR CHILD DEVELOPMENT** to Beverly Falk, for “High Quality Culturally-Relevant UPK Practices Across Communities”

11. $173,600  **NEW YORK STATE DEPARTMENT OF HEALTH** to David Jeruzalmi, for “Peter T. Rowley Breast Cancer Research Project”

12. $142,500  **NEW YORK STATE DEPARTMENT OF HEALTH** to Ashiwel Undieh, for “Institutional Support for Spinal Cord Injury Research (Round 6)”

13. $129,575  **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION** to James Booth, for “Metrics for General Circulation Model Biases in Extratropical Cyclone Clouds and Precipitation: Evaluating Their Skill and Identifying Processes to be Improved”

14. $115,445  **NATIONAL AERONAUTICS SPACE ADMINISTRATION** to Shubha Govind, for “Spaceflight Research Opportunities in Space Biology”

15. $105,513  **JOHNS HOPKINS UNIVERSITY** to Ruth Stark, for “Biology of Fungal Melanin”

16. $104,626  **NEW YORK CITY DEPARTMENT OF EDUCATION** to Mary Driscoll, for “New York City Teaching Fellows Program”

**GRADUATE SCHOOL AND UNIVERSITY CENTER**

1. $500,000  **FORD FOUNDATION** to Michelle Fine, for “JUST METHODS FOR PARTICIPATORY YOUTH POLICY: Three Strands of Critical Participatory Action Research (PAR) for and by Young People”

2. $296,282  **BILL AND MELINDA GATES FOUNDATION** to Paul Attewell, for “Early Leading Indicators of Student Success”
3. $122,245 ATLANTIC PHILANTROPIES to Kathleen McCarthy, for “Atlantic Philanthropies Fellowship Grant”

HOSTOS COMMUNITY COLLEGE

1. $2,145,553 UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES to Carlos Molina, for “Hostos Allied Health Career Pipeline Program”

2. $736,763 NEW YORK STATE DEPARTMENT OF EDUCATION to Carlos Molina, for “Vocational Education Program, PERKINS”

3. $621,211 NEW YORK CITY HUMAN RESOURCE ADMINISTRATION/CUNY to Carlos Molina and Debra Mack-Glasgow for “JOBS PLUS”

4. $597,160 NEW YORK CITY HUMAN RESOURCE ADMINISTRATION/CUNY to Nathaniel Cruz and Maria Cano for “COPE”

5. $519,360 UNITED STATES DEPARTMENT OF EDUCATION to Christine Mangino, for “Hostos Community College ADELANTE: Reinvigorating, Enhancing and Accelerating Developmental Education, Enhancing College Credit Courses and Expanding Faculty Development and Research Immersion, Year 2”

6. $431,768 NEW YORK CITY COUNCIL to Carlos Molina, for “CUNY Fatherhood Academy”

7. $399,000 NEW YORK STATE DEPARTMENT OF EDUCATION to Christine Mangino and Moise Koffi, for “STEP/Proyecto Access”

8. $375,654 NEW YORK STATE DEPARTMENT OF CORRECTIONS to Peter Mertens, for “Next Steps Project”

9. $355,355 NEW YORK STATE DEPARTMENT OF EDUCATION to Peter Mertens, for “Liberty Partnerships Program”

10. $299,402 UNITED STATES SOCIAL SECURITY ADMINISTRATION to Peter Mertens and Ninoska Uribe, for “Work Incentives Planning and Assistance Program”

11. $211,860 NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES to Peter Mertens, for “Front Desk Training”

12. $199,500 NEW YORK STATE DEPARTMENT OF EDUCATION to Christine Mangino and Moise Koffi, for “CSTEP”
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<th>No.</th>
<th>Amount</th>
<th>Organization</th>
<th>Recipient(s)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>$165,451</td>
<td>NEW YORK STATE DEPARTMENT OF EDUCATION</td>
<td>Peter Mertens</td>
<td>for “Workforce Investment Act Program”</td>
</tr>
<tr>
<td>15</td>
<td>$150,000</td>
<td>NPORG/HEALTH RESEARCH, INC.</td>
<td>Lillian Morales and Fabian Wander</td>
<td>for “Support for Expectant and Parenting Teens”</td>
</tr>
<tr>
<td>16</td>
<td>$146,500</td>
<td>PFOUND/CAPITAL ONE FOUNDATION</td>
<td>Evelyn Fernandez-Ketcham</td>
<td>for “Hostos College and Career Pathways”</td>
</tr>
<tr>
<td>17</td>
<td>$121,791</td>
<td>PINKERTON FOUNDATION</td>
<td>Evelyn Fernandez-Ketcham</td>
<td>for “Community Partnership for College”</td>
</tr>
<tr>
<td>18</td>
<td>$100,000</td>
<td>NEW YORK COMMUNITY TRUST</td>
<td>Eileen Newman</td>
<td>for “Center for Bronx Non Profits”</td>
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</table>

**Hunter College**

<table>
<thead>
<tr>
<th>No.</th>
<th>Amount</th>
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<th>Recipient(s)</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>$1,243,146</td>
<td>WAYNE STATE UNIVERSITY/NATIONAL INSTITUTE OF CHILD HEALTH &amp; HUMAN DEVELOPMENT</td>
<td>Jeffrey Parsons</td>
<td>for “Scale It Up: Effectiveness-Implementation Research to Enhance HIV-Related Self-Management among Youth”</td>
</tr>
<tr>
<td>2</td>
<td>$775,000</td>
<td>NEW YORK COMMUNITY TRUST/BROOKE ASTOR FUND</td>
<td>Jennifer Tuten and Sherryl Graves</td>
<td>for “Assistance to Teachers to Provide High Quality Reading Instruction in East Harlem Schools with ELL”</td>
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<tr>
<td>3</td>
<td>$569,442</td>
<td>NEW YORK STATE OFFICE OF TEMPORARY &amp; DISABILITY ASSISTANCE</td>
<td>Daniel Herman</td>
<td>for “Homeless Services Training Resource System”</td>
</tr>
<tr>
<td>4</td>
<td>$267,000</td>
<td>FOUNDATION FOR CHILD DEVELOPMENT</td>
<td>Lacey Peters</td>
<td>for “Examination of How Teaching Staff Involved in Early Childhood Curricula Planning use Child Assessment Tools”</td>
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<tr>
<td>5</td>
<td>$210,000</td>
<td>NEW YORK COMMUNITY TRUST</td>
<td>Joan Hansen Grabe and Gail McCain</td>
<td>for “Hunter-Bellevue Nursing Fund”</td>
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<td>6</td>
<td>$200,000</td>
<td>NEW YORK CITY COUNCIL</td>
<td>Charles Platkin</td>
<td>for “NYC Food Initiative”</td>
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</tbody>
</table>
7. $146,266 WAYNE STATE UNIVERSITY/NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM to Jeffrey Parsons, for “Comparing the Effectiveness of Two Alcohol-Adherence Interventions for HIV+ Youth”

8. $126,741 CORNELL UNIVERSITY/UNITED STATES DEFENSE APPLIED RESEARCH to Paul Feinstein, for “Generation of Rat with a Genetically Enhanced Ability to Detect TNT”

9. $109,999 NEW YORK STATE DEPARTMENT OF EDUCATION to Matthew Caballero, for “Clinically-Rich Intensive Teacher Institute in Bilingual Education & English as a Second Language (CR-ITI-BE)”

JOHN JAY COLLEGE

1. $501,813 MAYOR’S OFFICE OF CRIMINAL JUSTICE (MOCJ) - DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS (DOITT) to Preeti Chauhan, for “Technical Assistance for Data Integration for Mayor’s Office of Criminal Justice”

2. $212,470 NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE to Jeffrey Coots, for “From Punishment to Public Health (P2PH)”

3. $161,040 SILICON VALLEY COMMUNITY FOUNDATION to David Kennedy, for “An Approach to Reducing Larceny in Los Angeles”

4. $110,000 SINGLE STOP USA, INC. to Lynette Cook-Francis and Dana Trimboli, for “Single-Stop Services”

KINGSBOROUGH COMMUNITY COLLEGE

1. $1,270,739 UNITED STATES DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION to Babette Audant, for “Center for Economic and Workforce Development”

LEHMAN COLLEGE

1. $405,000 NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES to Herminio Martinez, for “Student Services-SUPER STORM SANDY”

2. $196,978 NATIONAL SCIENCE FOUNDATION to Esther Wilder, for “Collaborative Research: Numeracy Infusion for College Educators”

3. $120,481 NEW YORK CITY HUMAN RESOURCE ADMINISTRATION to Jose Magdaleno, for “NYC/HRA - CUNY COPE”
**NEW YORK CITY COLLEGE OF TECHNOLOGY**

1. $381,073 **RESEARCH FOUNDATION/SUNY** to Robert Piechota, for “NYS Small Business Development Center”

2. $145,648 **NEW YORK CITY SMALL BUSINESS SERVICES** to Faith Corbett, for “Brooklyn Tech Triangle”

3. $132,688 **NEW YORK CITY DEPARTMENT OF EDUCATION** to Godfrey Nwoke, for “Success via Apprenticeship CTE”

**QUEENS COLLEGE**

1. $393,139 **NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE** to Steven Markowitz, for “New York Community Air Survey Program”

2. $323,889 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Craig Michaels, for “Teacher Opportunity Corp (TOC): My Brother’s Keeper Initiative”

3. $120,000 **CAPACITOR SCIENCES** to Lev Murokh, for “Energy Storage in Layered Capacitors Based on Organic Molecules”

4. $105,000 **NEW YORK STATE DEPARTMENT OF LABOR** to Sherry Baron, for “Training Consortium to Empower New York City Exploited Workers”

**COLLEGE OF STATEN ISLAND**

1. $640,000 **AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES** to Ralf Peetz, for “Frontier Set Initiative”

2. $484,348 **NATIONAL SCIENCE FOUNDATION** to Sarang Gopalakrishnan, for “CAREER: Quantum Many Body Physics Beyond the Boltzmann Paradigm: Prethermalization, Many-Body Localization, and their Applications”

3. $344,390 **RESEARCH FOUNDATION/SUNY** to Dean Balsamini, for “Staten Island Small Business Development Center”

4. $274,773 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Gary Reichard, for “Perkins Funding for Career and Technical Education”

5. $259,773 **NEW YORK STATE DEPARTMENT OF EDUCATION** to Christopher Cruz Cullari, for “One Stop Collaboration/Vocational Training”
6. $223,500 NEW YORK STATE DEPARTMENT OF EDUCATION to Ralf Peetz, for “CSTEP”

7. $214,500 NEW YORK STATE DEPARTMENT OF EDUCATION to Ralf Peetz, for “STEP”

CHANCELLOR’S REPORT

Chancellor Milliken opened up his report by stating that he has conveyed in past meetings the thinking behind the new vision for CUNY’s future, the strategic framework, and today he is delighted to say that the University is entering the implementation phase on numerous fronts.

There is growing momentum, and a growing sense of optimism for how CUNY’s efforts will impact the people it cares so much about—the 275,000 degree-seeking students and over 250,000 adult and continuing ed students, as well as the city and the state, both of which invest in this University and receive such rich returns. True to the mission of CUNY—which turns 170 years old this month—the initiatives and especially the support from the state and the city are helping to expand access, increase the quality and focus of the education that is provided, and improve affordability. Most of all, CUNY is adding significantly to the single most important asset the University can provide—opportunity—to the most diverse and most talented student bodies in the country.

One clear reason for optimism is the increase in CUNY applications this spring. The University will not have final enrollment numbers for some time but the jump in applications overall and large increases in some college’s applications demonstrate the importance of the educational opportunities CUNY offers. It is a good sign and the University expects continued progress.

The central administration was delighted with the strong commitment to higher education in this year’s State budget. Governor Cuomo offered a strong budget with significant support for CUNY, with tuition support, funding for an array of important programs, the staff, and critical maintenance for facilities. Of course, there could hardly have been a stronger statement of his belief in the importance of higher education to the State’s prosperity and future than his Excelsior Free Tuition Program. It is now being implemented across the University and a significant number of mostly middle class students are expected to benefit from this farsighted investment by the state.

The chancellery has moved swiftly ahead in identifying superb candidates for a number of leadership positions and expects to be presenting them to the Board soon. They bring a wealth of experience and talent and everyone will be just as excited about how much CUNY expects them to contribute.

The University is making a significant advance in access by implementing this spring an important series of reforms in its remediation programs. Typically about eighty percent of the incoming community college students tested into remedial education.
With careful evidence-based assessments, the University is redesigning its efforts, and as they are phased in CUNY, expects major increases in the number of students who will move into college credit bearing courses. Of course, the academic standards have not changed, and the students will still satisfy the same degree requirements guaranteeing unwavering quality, but it is clear that more students will be able to move more swiftly toward completion, particularly students from underrepresented groups.

In another important initiative that will expand access and accelerate degree progress for the students, CUNY has moved forward on parts of its significant expansion for offering online degree programs. The University has issued an RFP and has received very strong interest in a technology partner for the programs. This will bring in a partner who will provide expertise, a technology platform, and branding expertise so that CUNY faculty who are interested will be able to create online courses and programs of consistent quality and design for success for the students. The central administration is confident that there will be great interest in the offerings.

In addition, CUNY has moved forward on a complex administrative excellence program. This is a comprehensive redesign of the administrative operations that will, as it is phased in, improve the services that are provided to the CUNY colleges, remove unnecessary administrative steps and, not least, save tens of millions of dollars a year, freeing up funds that can be invested in the classroom and on the University’s highest priorities.

There will be much more to report on these advances in the coming months but let me conclude by pointing out that CUNY is moving into the commencement season that will put on display just what these investments support. The students and the faculty have won an extraordinary number of distinctions this year in fields ranging from poetry to biology. These distinctions are a tribute to the guidance this Board and its colleagues provide in establishing effective policies and strategies, and most of all, it is a tribute to the drive, creativity, and talent of the students at The City University of New York.

Chairperson Thompson stated that he would like to report on the first meeting of the Audit Committee. The creation of an Audit Committee was approved at the last Board meeting on February 21st, and the first meeting was held on March 29th. The Audit Committee reviewed the Uniform Guidance Report presented by KPMG, the University’s external auditors. The report is an annual report on compliance for major federal programs which this year primarily related to federal financial aid and residual FEMA disaster relief expenditures for Superstorm Sandy. KPMG issued an unmodified or clean opinion with no findings. Senior Vice Chancellor and Chief Financial Officer (SVC&CFO) Matthew Sapienza filed the report with the federal government by the March 31st deadline.
CHANCELLOR’S UNIVERSITY REPORT: Chairperson Thompson called for a motion to accept the Chancellor’s University Report for May 1, 2017, which was seconded by Trustee Una Clarke. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

1. Chancellor’s University Report:

   RESOLVED, That the Chancellor’s University Report for May 1, 2017 (including Addendum and Errata Items) be approved.

APPROVAL OF MINUTES: Chairperson Thompson called for a motion to accept the minutes of the regular Board meeting of February 21, 2017, which was seconded by Trustee Rita DiMartino. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

2. Approval of Minutes:

   RESOLVED, That the minutes of the regular Board meeting of February 21, 2017 be approved.

3. COMMITTEE ON FISCAL AFFAIRS:

   Vice Chairperson Barry Schwartz reported that the Committee on Fiscal Affairs (CFA) met on April 3, 2017. After approval of the CFA minutes of the February 6, 2017 meeting, the Committee addressed the policy items on the agenda. With no more items on CFA’s agenda, the meeting was adjourned, and the Subcommittee on Investment (SCI) was then convened. The Subcommittee proceeded to approve the minutes of the November 29, 2016 meeting, and after further discussion, SCI approved the Fiscal Year 2018 Investment Portfolio Expenditure Appropriation resolution. The Subcommittee then went into Executive Session to discuss the status of Outsourced Chief Investment Officer procurement. With no more items on SCI’s agenda, the meeting was adjourned.

   Moved by Vice Chairperson Schwartz and seconded by Trustee Ferrer, the following resolution was adopted:

A. Baruch College and The City College of New York - Revised Tuition Schedule for the Master of International Affairs Degree Program:

   RESOLVED, That The City University of New York adopt a revised schedule of tuition charges for students in the Master of International Affairs Program at 115 percent of the CUNY masters base tuition effective with the Fall 2017 semester. The dollar figures for fall 2017 are detailed below:
EXPLANATION: The proposed tuition increase of $580 per semester for full-time, $50 per credit for part-time resident students, and $90 per credit for full- and part-time non-resident students – or 115% of the CUNY masters base tuition – is necessary to strengthen the services to students and improve the general quality of the Master of International Affairs Programs at Baruch College and City College, the only two campuses in the system offering the degree. At present, tuition for Master of International Affairs Program at The City University of New York is among the lowest charged by any MIA program in the United States. The increased tuition revenue will be used solely for the support of the Master of International Affairs to provide scholarships, graduate assistantships, and academic program support and to create new positions in such areas as career services and academic advisement. New York State Education Law Sec. 6206 allows The City University of New York to charge differential tuition rates as long as there is no differential among like degree programs.

USS Chair and Trustee Chika Onyejiukwa voted no.
Moved by Vice Chairperson Schwartz and seconded by Trustee Clarke, the following resolution was adopted:

B. **Hunter College - School of Arts and Sciences - Academic Excellence Fee for Master of Science in Geoinformatics:**

RESOLVED, That The City University of New York adopt a schedule of academic excellence fees for students in the Master of Science in Geoinformatics (GIS) in the School of Arts and Sciences at Hunter College, effective with the Fall 2017 semester and as detailed below:

**Master of Science in Geoinformatics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident Full-time students</td>
<td>$160 per credit</td>
</tr>
<tr>
<td>Resident Part-time students</td>
<td>$160 per credit</td>
</tr>
<tr>
<td>Non Resident Full-time students</td>
<td>$160 per credit</td>
</tr>
<tr>
<td>Non Resident Part-time students</td>
<td>$160 per credit</td>
</tr>
</tbody>
</table>

And be it further

RESOLVED, That the Academic Excellence Fee shall be collected for each student’s first 33 credits in the program; and be it further

RESOLVED, That students who transfer into the program shall be charged the Academic Excellence Fee only on credits earned while they are matriculated in the program; and be it further

RESOLVED, That students who have matriculated in the program before Fall 2017 shall be exempt from the Academic Excellence Fee.

**EXPLANATION:** Hunter College’s Master of Science in Geoinformatics is a heavily sought after science and technology-based degree program that provides a world-class education by training the next generation of analysts, thinkers, and leaders in the field of geospatial and informational technologies. Graduates of the program are equipped with a skillset that enables them to work both in upper management and in high level technical positions. The program meets a growing demand for scientists trained in the collection, organization, analysis, and dissemination of geospatial data and, therefore, provides a major competitive advantage to the graduates of the program.

The Academic Excellence Fee will enable Hunter College to enhance the market position of the program, and to improve and sustain the advanced high speed computer labs and quality of the course offerings in this highly technical and competitive field. The Academic Excellence Fee will provide additional resources including licenses for students’ use of a cloud-based platform for computing, state-of-the-art GIS software, an accelerated computer replacement cycle for GIS teaching labs, competitive salaries for
the hiring of adjunct instructors with significant professional experience, and support
guest speakers and panels of GIS professionals to further students' professional
networks. Even with the Academic Excellence Fee, the program will still be well-
positioned to compete nationally with other Master-level GIS programs. This unique
blend of quality education at a relatively low cost positions Hunter College to attract a
diverse and exceptional student body. The College will continue to administer financial
aid to assist students with the completion of their studies, and to bear the basic
operating cost of GIS computer facilities.

*USS Chair and Trustee Chika Onyejiukwa voted no.*

Moved by Vice Chairperson Schwartz and seconded by Trustee DiMartino, the following
resolution was adopted:

**C. Hunter College and the College of Staten Island - Revised Tuition Schedule for**
**Doctor of Physical Therapy Programs:**

RESOLVED, That The City University of New York adopt a revised schedule of
tuition charges for students admitted in the Doctor of Physical Therapy (DPT) Program
at Hunter College and College of Staten Island, beginning with the cohort starting in
academic year 2017-2018 and as set forth below:

**Revised Tuition Schedule for Doctor of Physical Therapy Program**

<table>
<thead>
<tr>
<th>Base Doctorate Rates:</th>
<th>Differential DPT Doctorate Rates:</th>
<th>Effective Fall 2017 Semester:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>To Remain in Effect For Current Enrolled Cohorts</em></td>
<td></td>
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<table>
<thead>
<tr>
<th>Resident:</th>
<th>Resident:</th>
<th>Resident:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level One:</td>
<td>Level One:</td>
<td>Level One:</td>
</tr>
<tr>
<td>o Full-Time: $4,530 per semester</td>
<td>o Full-Time: $5,460 per semester</td>
<td>o Full-Time: $6,215 per semester</td>
</tr>
<tr>
<td>o Part-Time: $515 per credit</td>
<td>o Part-Time: $625 per credit</td>
<td>o Part-Time: $625 per credit</td>
</tr>
<tr>
<td>Level Two: $2,840 per semester</td>
<td>Level Two: $3,770 per semester (not used at Hunter)</td>
<td>Level Two: not used for this program</td>
</tr>
<tr>
<td>Level Three: not used for this program</td>
<td>Level Three: not used for this program</td>
<td>Level Three: not used for this program</td>
</tr>
<tr>
<td>Non-Resident:</td>
<td>Non-Resident:</td>
<td>Non-Resident:</td>
</tr>
<tr>
<td>---------------------</td>
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<td>---------------------</td>
</tr>
<tr>
<td>Level One: $875 per credit</td>
<td>Level One: $985 per credit</td>
<td>Level One: $985 per credit</td>
</tr>
<tr>
<td>Level Two: $6,310 per semester</td>
<td>Level Two: $7,240 per semester</td>
<td>Level Two: not used for this program</td>
</tr>
<tr>
<td>Level Three: not used for this program</td>
<td>Level Three: not used for this program</td>
<td>Level Three: not used for this program</td>
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</table>

**EXPLANATION:** The proposed tuition increase will enable the DPT Program at Hunter College and College of Staten Island to improve the general quality of the DPT Program and strengthen the academic curriculum and services offered to the students. Current tuition is significantly less than all other doctor of physical therapy programs in New York State. Even with the proposed tuition increase, the DPT Program will offer the most affordable DPT Program tuition rates in New York State. The increased tuition revenue will be used solely for the support of the DPT Program and will be returned to the participating campuses of the DPT Program (Hunter College and the College of Staten Island) to enable them to provide direct support to the DPT Program including paying for laboratory expenses, increasing faculty to student ratios, development of and support for additional clinical sites, development of clinical scholars program, and enhancing specialized support for student research and learning experiences. The current admitted cohorts will progress though the DPT Program at the current differential rates. The proposed tuition increase streamlines the tuition schedule for this clinical program by eliminating level two tuition charges.

**USS Chair and Trustee Chika Onyejiukwa voted no.**

Moved by Vice Chairperson Schwartz and seconded by Trustee Wellington Chen, the following resolution was unanimously adopted:

**D. The Central Office - CUNYfirst Interim Hosting Services:**

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a three-year contract on behalf of the Office of the University Controller for CUNYfirst application hosting services for $29,263,100. The contract shall be subject to approval as to form by the University Office of General Counsel.

**EXPLANATION:** The current CUNYfirst application hosting services contract will end on May 15, 2017, and in order to avoid interruption of CUNYfirst application hosting
services, the University is entering into an interim contract with Sierra-Cedar, Inc., the subcontractor that is currently providing the hosting services through our contract with Oracle. The University will enter into a three-year contract directly with Sierra-Cedar, Inc. for a cost not to exceed $29,263,100. During the term of the contract, Sierra-Cedar will provide hosting services for CUNYfirst, equipment upgrades, application management and related services including services to support the implementation of a critical system upgrade, and services necessary for the migration of the CUNYfirst systems to a new vendor. A solicitation for CUNYfirst application hosting services was issued in July 2014, but a contract was not able to be awarded. The Office of the State Comptroller approved the plan to enter into an interim contract with Sierra-Cedar, Inc. subject to final review of the contract. A three-year contract term is necessary so that, prior to the expiration of the interim contract, system technical infrastructure updates and the critical system upgrade can be completed, followed by the issuance of a competitive solicitation and selection of a vendor for hosting services, followed by migration of hosting services to a new vendor.

Moved by Vice Chairperson Schwartz and seconded by Trustee Ferrer, the following resolution was presented and opened for discussion:

E. **The City University of New York - Investment Portfolio Expenditure Appropriation:**

RESOLVED, That the Board of Trustees has determined, in accordance with CUNY's Spending Policy (which is Exhibit B to the Investment Policy), that it is prudent and appropriate to maintain an appropriation of 4.5% for the funds in the Portfolio for the fiscal year ended June 30, 2018. The Board Subcommittee on Investment reserves the right to reconvene at any point during the fiscal year to review the expenditure appropriation and make any appropriate revisions.

**EXPLANATION:** The CUNY Portfolio is a pooled investment vehicle for multiple individual accounts that include both endowed and non-endowed funds received by CUNY for its general purposes, funds received by CUNY for the benefit of a specific CUNY College and funds belonging to one or more of the College Foundations that have chosen to invest in the Portfolio. CUNY’s policies and procedures with respect to spending from the Portfolio shall comply with the New York Prudent Management of Institutional Funds Act [NYPMIFA]. Decisions with respect to spending from CUNY Funds in the Portfolio shall be made by CUNY’s Board of Trustees on recommendation from the CUNY Subcommittee on Investment (the “Subcommittee”). Decisions with respect to spending from College Foundations invested in the Portfolio must be made by the respective foundation boards, though each is asked to consider, to the extent possible and prudent, the spending rate of the Portfolio in order to preserve the long-term value of the funds in the Portfolio.

In making any recommendation or decision to appropriate funds, the Subcommittee and Board must act in good faith with the care that an ordinarily prudent person in a like
position would exercise under similar circumstances. Also, to ensure compliance with NYPMIFA, CUNY Funds in the Portfolio are categorized into groups of similarly situated funds according to purpose. The Subcommittee reviews the categories and the composition of each group to ensure the Funds are properly classified. It then deliberates on the prudence of the spending rate for each of the categories based upon the eight prudence factors mandated by NYPMIFA, and listed in Exhibit B Subsection 1A of this Policy, prior to making its recommendation to the Board for the next fiscal year.

Statement of USS Chair and Trustee Onyejiukwa
I was not able to attend the last SCI meeting but would like to thank Shaina Yasin, the student representative, as she reported back to me that the Committee allowed her to present a resolution from the USS for CUNY’s divestment from fossil fuels, and Senior Advisor to the Chancellor and Secretary of the Board Gayle Horwitz for distributing it.

As the Board votes on the CUNY Investment Portfolio, the USS continues to have the conversation as to the serious effects that the University’s fossil fuel investments may have. Today, thousands are marching across the world for May Day for issues such as these. I think that the Board can agree that there is overwhelming evidence that speaks to the fact that fossil fuel has a harmful effect on the environment. On April 9th, following the Board's Committee meeting, the CUNY USS plenary unanimously adopted the CUNY Divestment resolution. This is the fourth time the USS adopted this resolution. This resolution calls on CUNY to withdraw its investments from carbon polluting companies, which impact citizens’ ability to live a healthy life. This matter has been brought to the administration’s attention a few times over the past couple of years, and I would like to read the following resolution for inclusion in the minutes.

WHEREAS, In the Spring semester of 2013 at the City University of New York (CUNY) a group of students (hereinafter CUNY Divest) organized a campaign calling on CUNY to divest its endowment from fossil fuel, at the request of CUNY Divest, on October 20, 2013, the CUNY University Student Senate (USS) adopted the USS Green Initiative CUNY Divestment from Fossil Fuel (Resolution) USS adopted a resolution in 2014 and 2015 reaffirming its position, calling on CUNY to divest from fossil fuel; and

WHEREAS, USS recognizes that need for immediate action regarding the climate crisis, and

WHEREAS, On September 8, 2014, the Board of Trustees Committee on Fiscal Affairs discussed the idea of fossil fuel divestment; and

WHEREAS, The September 8th committee meeting, a representative from Cambridge Associates, the investment consulting firm for CUNY’s long-term investment pool, stated that Environmental Social Governance (ESG) mandates “are always set by the clients themselves.”; and

WHEREAS, Cambridge Associates also stated that they “have a strong internal mission related investment practice…that works with clients on all ESG issues including climate change…with
the help of this group we can implement almost any mandate including fossil fuel free mandates; and

WHEREAS, CUNY, as the client, can set fossil fuel free mandates; and

WHEREAS, The CUNY Board of Trustees have approved divestment before on two occasions, once in 1984, divesting from companies doing business in Apartheid South Africa, and again in 1991 when they divested from Tobacco Companies; and

WHEREAS, On September 21, 2014, People’s Climate March events were held in over 166 countries, including the United States; and

WHEREAS, CUNY students participated in New York City’s “People’s Climate March” to demand the immediate action on climate change; and therefore be it

RESOLVED, That CUNY USS calls on the CUNY Board of Trustees to divest the long term investment pool from the top 200 dirtiest carbon polluters; companies which hold the vast majority of the World’s proven coal, oil, and natural gas reserves, and reinvest these divested funds into renewable and sustainability-minded companies promoting solutions to climate change.

In conclusion, the USS understands that the funding gained from CUNY’s investment portfolio is used to offer student scholarships, but the students believe that life on Earth should be the University’s foremost priority. The University of California (UC) is one of many public higher education institutions that has already committed to divestment. In March of this year, UC divested over $100 million. As the largest urban university in the country, CUNY has an obligation to make a commitment that will protect the lives of the students and their families, and that the Board adopt a plan to divest CUNY’s portfolio from carbon polluters to create a sustainable living environment.

Chairperson Thompson asked for a vote. Cal. 3.E. was adopted. USS Chair and Trustee Onyejiukwa voted no.

4. COMMITTEE ON ACADEMIC POLICY, PROGRAMS, AND RESEARCH:
Trustee Wellington Chen reported that at the April 6, 2017 meeting of the Committee on Academic Policy, Programs, and Research, the Committee approved the following resolutions, and he recommended their approval by the Board.

Moved by Chairperson Thompson and seconded by Trustee DiMartino, the following resolutions were presented and adopted:
A. Brooklyn College – M.M. in Global and Contemporary Jazz:

RESOLVED, That the program in Global and Contemporary Jazz offered at Brooklyn College and leading to the Master of Music, be approved effective May 1, 2017, subject to financial ability.

EXPLANATION: The M.M. in Global and Contemporary Jazz Studies program will address the growing field of jazz and world music with a degree program that addresses our graduate students’ needs for productive professional lives in this growing field. The goal of the program will be to offer advanced training in jazz performance, history, arranging/theory, pedagogy, technology, and music industry practice. The program’s unique focus will be on the intersection of various forms of jazz originating in the United States with the music of Africa, Latin America, the Caribbean, the Mid-East, and southern Asia. In addition to offering traditional approaches to jazz performance practice, theory, and history, our global scope will emphasize rhythm configurations, tonal systems, and improvisation practices not associated with European-based music.

B. Medgar Evers College - Establishment of the Department of Social Work:

RESOLVED, That the Department of Social Work be established at Medgar Evers College, subject to financial ability, effective August 25, 2017.

EXPLANATION: The Social Work faculty are currently housed in the Department of Social and Behavioral Sciences. The professional program in which these faculty teach, the BS in Social Work, is decidedly different from the liberal arts offerings of the department and its curriculum is very much driven by licensing and accreditation requirements. The College has already approved two searches commencing in late Summer 2017 for full-time social work faculty. One position is to replace an unexpected early retirement and the other is to support the 50% increase in enrollment in the degree program, bringing the total number of full-time faculty to five. The program director is expected to become the chair of the new department and the faculty already have their own support staff member, so there will be no additional cost to the college to establish this new department.

C. Honorary Degrees:

RESOLVED, That the following honorary degrees, approved by the appropriate faculty body, the college president and recommended by the Chancellor, be presented at the commencement exercise as specified:
<table>
<thead>
<tr>
<th>COLLEGE</th>
<th>DEGREE</th>
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<tbody>
<tr>
<td><strong>BROOKLYN COLLEGE</strong></td>
<td></td>
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<tr>
<td>Bernard Sanders</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on May 30, 2017)</td>
<td></td>
</tr>
<tr>
<td><strong>HUNTER COLLEGE</strong></td>
<td></td>
</tr>
<tr>
<td>Arthur Elgort ’64</td>
<td>Doctor of Fine Arts</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on May 30, 2017)</td>
<td></td>
</tr>
<tr>
<td>Elena Kagan</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>(To be conferred at a commencement ceremony in the next academic year)</td>
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<tr>
<td><strong>CUNY SCHOOL OF LAW</strong></td>
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<tr>
<td>Sherrilyn Ifill</td>
<td>Doctor of Laws</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on May 12, 2017)</td>
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</tr>
<tr>
<td><strong>COLLEGE OF STATEN ISLAND</strong></td>
<td></td>
</tr>
<tr>
<td>Margaret Ricciardi ’86</td>
<td>Doctor of Fine Arts</td>
</tr>
<tr>
<td>Andy Shih</td>
<td>Doctor of Science</td>
</tr>
<tr>
<td>Deirdre DeAngelis</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Peter and Robin Jovanovich</td>
<td>Doctor of Humane Letters</td>
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<tr>
<td>(To be conferred at the commencement ceremony on May 30, 2017)</td>
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</tr>
<tr>
<td><strong>CUNY GRADUATE SCHOOL OF PUBLIC HEALTH AND HEALTH POLICY</strong></td>
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</tr>
<tr>
<td>Chirlane McCray</td>
<td>Doctor of Science</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on June 1, 2017)</td>
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</tr>
<tr>
<td><strong>GRADUATE SCHOOL AND UNIVERSITY CENTER</strong></td>
<td></td>
</tr>
<tr>
<td>Vanita Gupta</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Wael Shawky</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>Lord Nicholas Stern</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>(To be conferred at the commencement ceremony on June 2, 2017)</td>
<td></td>
</tr>
<tr>
<td>Kareem Abdul Jabbar</td>
<td>Doctor of Humane Letters</td>
</tr>
<tr>
<td>(To be conferred at a commencement ceremony in a future academic year)</td>
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</tbody>
</table>
JOHN JAY COLLEGE

Jose Antonio Vargas          Doctor of Humane Letters
Mary Bonauto                  Doctor of Laws
(To be conferred at the commencement ceremony on May 31, 2017)

MACAULAY HONORS COLLEGE

Garry Trudeau                Doctor of Humane Letters
(To be conferred at the commencement ceremony on June 12, 2017)

CITY COLLEGE

David Diaz ’65             Doctor of Letters
(To be conferred at the commencement ceremony on June 2, 2017)

MEDGAR EVERS COLLEGE

Hillary Rodham Clinton      Doctor of Humane Letters
(To be conferred at the commencement ceremony on June 8, 2017)

D. The City University of New York - Approval of Start-Up NY Participating Businesses through Medgar Evers & York Colleges:

RESOLVED, That the Board of Trustees of The City University of New York approves the selection of BlocPower L.L.C. (“BlocPower”) to participate in the Start-Up NY program or any successor program (collectively, the “Program”) through Medgar Evers College. The President of Medgar Evers College and the General Counsel are each authorized to execute and submit all documents that are necessary or useful to effectuate BlocPower’s participation in the Program. BlocPower’s participation in the Program shall be subject to all University and New York State requirements. All Program documents to be executed for the University shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the Board of Trustees of The City University of New York approves the selection of Derbywire, Inc. (“Derbywire”) to participate in the Start-Up NY program or any successor program (collectively, the “Program”) through Medgar Evers College. The President of Medgar Evers College and the General Counsel are each authorized to execute and submit all documents that are necessary or useful to effectuate Derbywire’s participation in the Program. Derbywire’s participation in the Program shall be subject to all University and New York State requirements. All Program documents to be executed for the University shall be subject to approval as to form by the University Office of General Counsel; and be it further
RESOLVED, That the Board of Trustees of The City University of New York approves the selection of Selfiepay, Inc. (“Selfiepay”) to participate in the Start-Up NY program or any successor program (collectively, the “Program”) through Medgar Evers College. The President of Medgar Evers College and the General Counsel are each authorized to execute and submit all documents that are necessary or useful to effectuate Selfiepay’s participation in the Program. Selfiepay’s participation in the Program shall be subject to all University and New York State requirements. All Program documents to be executed for the University shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the Board of Trustees of The City University of New York approves the selection of Tuki, Inc. (“Tuki”) to participate in the Start-Up NY program or any successor program (collectively, the “Program”) through Medgar Evers College. The President of Medgar Evers College and the General Counsel are each authorized to execute and submit all documents that are necessary or useful to effectuate Tuki’s participation in the Program. Tuki’s participation in the Program shall be subject to all University and New York State requirements. All Program documents to be executed for the University shall be subject to approval as to form by the University Office of General Counsel; and be it further

RESOLVED, That the Board of Trustees of The City University of New York approves the selection of Pro Drones USA, LLC (“Pro Drones”) to participate in the Start-Up NY program or any successor program (collectively, the “Program”) through York College. The President of York College and the General Counsel are each authorized to execute and submit all documents that are necessary or useful to effectuate Pro Drones’ participation in the Program. Pro Drones’ participation in the Program shall be subject to all University and New York State requirements. All Program documents to be executed for the University shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The Program authorizes the creation of tax-free zones on eligible university campuses in New York State for new and expanding businesses. Under New York State law five CUNY campuses, including Medgar Evers and York Colleges, have been designated by the Board to participate in the Program. CUNY campuses other than the five designated by the Board may apply to host tax-free zones in competition with other universities.

Tax-free zones may be located within eligible College campuses, affiliated business incubators, and certain off-campus space affiliated with participating Colleges. Businesses locating within these tax-free zones will be generally exempt from State taxes, and the income paid to new employees of such businesses will be fully or partially exempt from State income taxes, for a period of ten years. In order to participate in the Program, businesses must be either a start-up or a high-tech business, must create new
jobs, must not compete with any existing business within the immediate community but outside the tax-free zone, must be aligned with or further the academic mission of the host campus, and must provide positive community and economic benefits. Businesses applying to participate in the Program are subject to approval by CUNY and the NYS Commissioner of Economic Development.

The five campuses designated by the Board are permitted to include an unlimited amount of campus and affiliated space in the Program. CUNY has worked with New York State Empire State Development, which administers the Program, to solicit potential businesses on an ongoing basis, and the colleges identified these companies as offering particularly strong fits for their academic programs. Pursuant to University policy, these companies were evaluated and recommended for selection into the Program by committees of colleges and Central Office staff, and by the respective College President and the Executive Vice Chancellor and University Provost (or their designees).

5. **COMMITTEE ON FACULTY, STAFF AND ADMINISTRATION:**

Trustee Fernando Ferrer reported that at the April 3, 2017 meeting of the Committee on Faculty, Staff and Administration, the Committee approved the following resolutions, and he recommended their approval by the Board.

Moved by Trustee Ferrer and seconded by USS Chair and Trustee Onyejiukwa, the following resolution was unanimously adopted:

A. **The City University of New York - Approval of the 2011-2018 Agreement with The International Alliance of Theatrical Stage Employees Union (IATSE), Local One, Covering Employees at The Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn Center for the Performing Arts at Brooklyn College, The Hostos Center for the Arts and Culture at Hostos Community College, and The Gerald W. Lynch Theatre at John Jay College of Criminal Justice:**

RESOLVED, That the collective bargaining agreement between The City University of New York and The International Alliance of Theatrical Stage Employees Union ("IATSE"), Local One, for the period November 14, 2011, through November 13, 2018, is hereby approved; and be it further

RESOLVED, That the Chancellor is hereby authorized to execute the collective bargaining agreement covering employees at The Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn Center for the Performing Arts at Brooklyn College, The Hostos Center for the Arts and Culture at Hostos Community College, and The Gerald W. Lynch Theatre at John Jay College of Criminal Justice.
EXPLANATION: This resolution approves the successor 2011-2018 collective bargaining agreement negotiated between CUNY and IATSE Local One, covering full-time and hourly employees in the CUNY theatre titles, namely, Theatre Technician, Theatre Specialist, and Lead Theatre Technician. The CUNY/IATSE Local One Agreement was ratified by Local One’s rank and file membership on February 26, 2017. The CUNY/IATSE Local One Agreement is consistent with the economic terms of the collective bargaining agreement reached with CUNY’s Blue and White Collar Units.

Moved by Trustee Ferrer and seconded by Trustee Brian Obergfell, the following resolution was unanimously adopted:

B. Brooklyn College - Amendments to the Governance Plan:

RESOLVED, That the proposed amendments to the Governance Plan of Brooklyn College be adopted, effective May 2, 2017.

EXPLANATION: The proposed amendments to the Governance Plan of Brooklyn College (“the College”) were approved by the College’s Council on Administrative Policy on May 5, 2016 and by the College’s Policy Council on December 9, 2016, and are recommended by the College President.

The amendments revise language to make it clear that the schools’ academic deans hold a “discussion” with potential candidates as part of the faculty promotion and tenure process, but the deans do not “interview” the candidates. They also add an administrative title—associate vice-president—to the CAP and Faculty Council to reflect the creation of this title and appointment of an administrative official to that position.

Finally, the proposed amendments incorporate minor editorial changes to clarify the Plan’s provisions.

NOTE: A red-lined version of the changes may be obtained from the Office of the Secretary of the Board of Trustees upon request.

Brooklyn College Governance Plan

Article I. The Policy Council

A. The membership of the Policy Council shall consist of an equal number of administrators, faculty and students:

1. Members of the Administration to be designated as follows:

   a. The president of Brooklyn College who shall chair the Policy Council;
   b. Additional members of the administration selected by the president from among the vice presidents, assistant and associate vice presidents, and deans.
   c. Any additional members needed to bring the total members of the administration to 10, which shall be the minimum. These members are to be selected in a manner
determined by the members of the administration designated in 1(b) above with the approval of Policy Council.

2. Members of the faculty are to be chosen as follows:
   a. One representative of the Steering Committee of Faculty Council;
   b. One representative of the Liaison Committee of the Council on Administrative Policy;
   c. Faculty members at-large (except those on leave to serve in administrative titles) to bring the total number of faculty representatives to the same number as members of the Administration, to be elected biennially in May, to serve in the following two academic years, in a manner to be determined by Faculty Council with the approval of Policy Council. Faculty members at-large may be reelected.

3. Students are to be chosen as follows:
   a. The three presidents of the three student government bodies;
   b. Additional students to bring the total number of student representatives to the same number as administrators, to be selected annually in a manner determined by the Student Governments with the approval of Policy Council.

4. Should the number of members of the Administration, as determined in section 1, change during the biennial period commencing with the faculty election, the following procedures shall be followed:
   a. If the number increases, an equal increase in the membership of faculty and students shall be effected, by the selection process indicated in 2(c) and 3(b);
   b. If the number decreases, the additional members to bring the Administration membership to the same level as that of the faculty and students shall be selected in a manner determined by the Administrators designated in 1(a)-(b) above with the approval of Policy Council.
   c. If one of the members designated in paragraph 1(a) or (b) above shall be unable to serve for an entire semester or for the balance of a semester, a replacement shall be selected in the manner used in paragraph 4(b).
   d. If one of the student government presidents shall be unable to serve for an entire semester or for the balance of a semester, a replacement shall be selected by the student government presidents.

5. Each constituency (administrators, faculty, and students) shall choose three alternates to serve with voice and vote at any meeting in the absence of their respective members.

B. The Policy Council shall meet at least three times per semester and more frequently if necessary. Special meetings may be called by the president or by the Executive Committee and shall be called at the request of any eight members of the Policy Council.

C. The functions of Policy Council shall be as follows:

1. Recognizing the legislative authority of Faculty Council in matters of curriculum and degree requirements, of the Student Governments in matters of student affairs, of the Council on Administrative Policy and the Promotions and Tenure Committee on matters of personnel, the Policy Council may make recommendations in all areas of the operation of the college to the president.

2. The Policy Council shall serve as a forum for discussing issues and problems of general
college concern; shall advise the president both in response to his/her requests for counsel and upon its own initiative; shall provide through its existence a formal body for each constituent group to express its viewpoint and to communicate with other elements of the college community; and shall submit recommendations for action as appropriate to the Faculty Council, to the Council on Administrative Policy, and to the student governments.

3. The Policy Council shall be responsible for approving any and all new governance proposals and assuring that they meet standards of the Trustees of The City University of New York and standards of Brooklyn College. The Policy Council shall determine that the proposals provide a role for students, faculty, and administrators. The Policy Council shall also monitor the functions of individual legislative and administrative bodies to assure that no constituent body exceeds its jurisdiction.

4. The Policy Council shall establish standing committees which shall be responsible for continuing study of and reporting on college policy. The Policy Council shall also have the authority to appoint and charge ad hoc committees as it sees fit.
   a. In the case of both standing and ad hoc committees, the Policy Council may draw from the college community at large, including students, faculty, administrators or members of the support staff. In addition to the college’s constituencies represented on the Policy Council, there are other groups which should be consulted as appropriate, such as members of the community and alumni.
   b. The president shall work closely with the appropriate Policy Council committees with regard to goals, priorities, policy guidelines, budget and the overall direction of the college.
   c. The Policy Council shall prepare its own bylaws consistent with this governance plan and the Bylaws of the Board of Trustees of The City University of New York.

Article II. The Faculty

A. The faculty shall consist of all persons having faculty rank or faculty status. It shall conduct the educational affairs customarily cared for by a college faculty. It shall make its own bylaws consistent with this governance plan and Bylaws of the Board of Trustees of The City University of New York. It shall meet at least once each semester, or more often, at the call of the president or by petition of ten percent of its members, and shall be responsible for the formulation of policy relating to the admission and retention of students, including health and scholarship standards; student attendance, including leaves of absence; curriculum; awarding of college credit; granting of degrees. Meetings of the faculty shall be chaired by the president.

B. The Faculty Council shall be the legislative body of the faculty and shall have all the responsibilities of a faculty, as exercised heretofore under the Bylaws and Policy Statements of the Board of Trustees of The City University of New York subject only to the review of the faculty.

1. The Faculty Council shall consist of all of the following, (a) through (d):
   a. All department chairpersons.
   b. An additional delegate of faculty rank or faculty status from each department elected, or reelected, for a term of three years by department members of faculty rank or faculty status. Departments shall elect an alternate delegate to serve with voice and vote at any meeting in the absence of the department delegate.
   c. Delegates-at-large of faculty rank or faculty status, equal to the number of instructional departments, elected in a manner determined by Faculty Council. Delegates-at-large shall be elected for a term of three years and may be reelected.
d. A maximum of five directors of programs in academic areas which meet criteria established by Faculty Council for this purpose and/or are individually designated by Faculty Council.

2. The president, the vice presidents, the assistant and associate vice presidents, and full deans may attend Faculty Council meetings with voice, but without vote. At each meeting, the president may present a report to Faculty Council.

3. Fifty percent of the voting members of Faculty Council shall constitute a quorum unless the faculty adopts a bylaw requiring a larger number.

C. The Faculty Council shall function through a system of standing and ad hoc committees consisting of faculty and student members as designated in each committee charge. There shall be a Steering Committee whose composition and charge are determined by the Faculty Council Bylaws. The Steering Committee shall meet regularly with the president to apprise him or her of the agenda of each Faculty Council meeting and to discuss any matters of interest to the Faculty. The president shall work closely with the appropriate Faculty Council committees with regard to goals, priorities, policy guidelines, budget, and the overall direction of the college.

D. The Faculty Council shall prepare its own bylaws consistent with this governance plan and the Bylaws of the Board of Trustees of The City University of New York.

Article III. Departments

A. The chairperson of each department shall be elected in accordance with the Bylaws of the Board of Trustees of The City University of New York, Section 9.1(b), from among professors, associate professors and assistant professors by all members of the department with faculty rank or faculty status for a term of three years. He or she shall be the executive officer of the department, shall carry out the department’s policies, and shall perform the duties of the chairperson in accordance with Section 9.3 of the Bylaws. Each department, subject to the approval of Faculty Council, shall have control of the educational policies of the department through the vote of all members of faculty rank or faculty status.

B. In all departmental elections, an affirmative vote shall be determined by satisfaction of the following:

1. There must be an affirmative vote of a majority of those present and eligible to vote at a duly constituted election meeting of the department, a quorum being present.
2. A quorum shall be defined as a majority of the adjusted membership of the department.
3. The adjusted membership of the department shall be defined as the whole membership of the department eligible to vote, less those on leaves of absence, those in full-time administrative positions outside the Department, and those without assignment within the Department for a continuous period of two years prior to the election.

C. The department appointments committee, in accordance with Bylaw Sec. 9.1(e), shall consist of the chairperson and four members of faculty rank elected by the department members of faculty rank or faculty status for a term of three years. The chairperson of the department shall be the chairperson of the committee. The committee shall be responsible for all recommendations of appointments, reappointments, leaves and tenure. It shall take into consideration student evaluations of professional performance in all matters of reappointment and tenure.

D. The curriculum committee shall consist of faculty members and of students who are majors in the department. It shall consider and make recommendations concerning curricular proposals for department action. Department action will be transmitted to the appropriate graduate or
undergraduate committees on curriculum and degree requirements of Faculty Council.

E. Promotion recommendations shall be made in accordance with Section 9.6 of the Bylaws of the Board of Trustees of The City University of New York. Student evaluations of professional performance shall be taken into consideration.

F. Such other committees (standing and ad hoc) shall be created as the department shall decide. All committees shall keep minutes of their proceedings in conformity with Robert's Rules of Order, latest revised edition.

Article IV. The Council on Administrative Policy

A. The Council on Administrative Policy (CAP) shall consist of the vice presidents, the assistant and associate vice presidents, the full deans, the chairpersons of departments, and such non-voting guests as the president may designate. The number of administrators eligible to vote shall not exceed the number of chairpersons of departments. The Council on Administrative Policy shall be chaired by the president and shall meet at least once a month during the academic year or more often, at the call of the president or an individual member.

It shall discuss issues of importance to the college and its educational mission and make recommendations to the president. The president shall present to CAP, in timely fashion, any significant plans of the administration in the areas of general educational policy, planning, priorities, personnel and budget for discussion and advice. It shall establish, in conformity with the Bylaws of the Board of Trustees and this governance plan, standards and policies concerning personnel. It furthermore shall serve as a principal means of communication between the president and the academic departments of the college.

B. There shall be a Liaison Committee of CAP consisting of five department chairpersons, one from each of the five schools (Business; Education; Humanities and Social Sciences; Natural and Behavioral Sciences; Visual, Media and Performing Arts), to be elected annually. The Liaison Committee of CAP shall have a chairperson. Only department chairpersons shall vote in this election. The Liaison Committee shall serve as the chairpersons’ advisory group to the president. Acting as a conduit of information between the president and the chairpersons, it shall meet regularly with the president and/or the provost to discuss and consult on issues of importance to the college including but not limited to policy, planning, priorities and budget, as these issues are being formulated and developed by the administration. In concert with the president and/or provost, the Liaison Committee shall help develop the agenda for CAP meetings.

C. There shall be a secretary of CAP to be elected by the body as a whole from among the chairpersons.

Article V. College-wide Committee on Personnel and Budget

A. The College-wide Committee on Personnel and Budget shall consist of all department chairpersons, who shall be voting members, as well as the president, the provost, the assistant and associate provosts and the five full academic school deans, who shall be non-voting members. The College-wide Committee on Personnel and Budget shall be chaired by the president or his or her designee and shall meet each month during the academic year, or as necessary, at the call of the president.
B. All appointments and reappointments without tenure shall be recommended to the College-wide Committee on Personnel and Budget by the chairperson of the department in accordance with the vote of a majority of the department appointments committee. The provost, assistant and associate provosts, and the five school deans shall participate in discussion of the candidates. The president will make his or her final recommendation to the Board of Trustees following consultation with the provost and the appropriate school deans.

C. Members of any Brooklyn College personnel committee shall not be eligible to vote on their own candidacies and, for purposes of such a candidacy, the whole number of voting members of the committee shall exclude the candidate.

Article VI. Committee on Promotion and Tenure

A. A College-wide Promotion and Tenure Committee will be composed of all department chairpersons. The chairperson of the Liaison Committee of the Council on Administrative Policy will serve as chairperson of the College-wide Promotion and Tenure Committee.

B. Subsidiary School Promotion and Tenure Review Committees will be established as described below. The promotion and tenure decisions will take place on four levels:

1. **Level One: Departmental Review**
   a. The appointments committee votes on tenure, including college laboratory assistants (CLTs) in academic departments. The appointments committee votes on reappointment of lecturers with the certificate of continuous employment (CCE).
   b. Full professors, associate professors and the department chairperson vote on promotion to associate professor. Full professors and the department chairperson vote on promotion to full professor. Tenured faculty will vote on promotion of CLTs to the ranks of senior college laboratory technician and chief college laboratory technician.
   c. Where there are fewer than five eligible voters in a department, additional committee members (bringing the total to five) are to be drawn from the appointments committee in order of rank, then seniority in rank, then time at the college.
   d. As a supplement to the standard curriculum vitae, a candidate is to provide a personal statement that encompasses her or his major accomplishments and contributions in research, teaching, and service.
   e. Department recommendations on promotion and tenure shall be submitted to the appropriate School Promotion and Tenure Review Committee at level two.

2. **Level Two: School Review**
   a. There will be five School Promotion and Tenure Review Committees (Business; Education; Humanities and Social Sciences; Natural and Behavioral Sciences; Visual, Media and Performing Arts).
   b. Each School Promotion and Tenure Review Committee will consist of one tenured associate or full professor (excluding department chairs) per department in that school. Selection of committee members to three-year terms are to be voted on in each department in conjunction with triennial elections, according to the election procedures in III.B above.
   c. Where there are fewer than five departments in the school additional committee members will be elected to bring the committee total to five. These additional members will be nominated by and elected from the faculty of the school. No more than two members of the same department may serve.
d. Each School Promotion and Tenure Review Committee will consider all promotion and tenure/CCE candidates within its school.

e. Each School Promotion and Tenure Review Committee will meet and discuss the candidates with the dean of the respective school prior to voting. The content of this discussion is to be limited to clarification and explanation of the written record. The dean will neither have a vote nor be present for the voting procedure. A member of each school review committee, not the dean, will report that committee’s recommendations to the third level.

3. **Level Three: College-wide Promotion and Tenure Committee.**

   a. The College-wide Promotion and Tenure committee, described above, reviews the recommendations of the School Promotion and Tenure Review Committees.

   b. The recommendations of the College-wide Promotion and Tenure Committee, together with the recommendations of the School Promotion and Tenure Review Committees, will then be forwarded to the president.

4. The president considers the recommendations of all committees and renders her or his decision on whether or not a candidate will be recommended positively to the University’s Board of Trustees.

5. Subcommittees of the full College-wide Promotion and Tenure Committee will be established in lieu of Level Two when there are college laboratory technicians in non-academic departments who are candidates for tenure or promotion.

   a. The subcommittee to review tenure of these CLTs in non-academic departments shall consist of two administrators appointed by the president and three tenured faculty members elected by, but not from, the College-wide Promotion and Tenure Committee.

   b. This subcommittee will consider promotions to the ranks of senior college laboratory technician and chief college laboratory technician in non-academic departments.

6. The subcommittees named in paragraph 5 above will report their recommendations to the College-wide Promotion and Tenure Committee. The recommendations of the College-wide Promotion and Tenure Committee, together with the recommendations of the subcommittees, will then be forwarded to the president.

   C. The president will meet with the appropriate college personnel committee or committees to discuss any case for which he/she requires additional information before making his or her final recommendation to the Board of Trustees.

   D. Members of any Brooklyn College Personnel Committee shall not be eligible to vote on their own candidacies, and for purposes of such a candidacy the whole number of voting members of the committee shall exclude the candidate.

**Article VII. Student Government**

A. There shall be three student government associations at the college: the CLAS student government organization representing students in the day session; the SGS student government organization representing undergraduate students in the evening session, and the graduate student organization representing graduate students. Each body shall be governed by its own constitution, subject to the provisions of this governance plan and the Bylaws and policies of the Board of Trustees.

B. These organizations shall have authority in areas relevant to student extra-curricular activities at the college. Their powers shall include:
1. The power to charter or otherwise authorize teams (excluding intercollegiate athletics), publications, organizations, associations, clubs or chapters, and, when appropriate in the exercise of such regulatory power, the power to refuse, suspend or revoke any charter or other authorization for cause after hearing on notice.

2. The power to delegate responsibility for the effective implementation of its regulatory functions to any officer or committee which it may appoint. Any aggrieved student or group whose charter or other authorization has been refused, suspended or revoked may appeal such adverse action by such officer or committee or student government to the duly elected student government. On appeal an aggrieved student or group shall be entitled to a hearing following the due process procedures as set forth in Section 15.3 of the Bylaws of the Board of Trustees. Following such hearing the duly elected student government shall have the authority to set aside, decrease or confirm the adverse action.

C. The Student Governments shall, in a manner that they determine, appoint all student members to Faculty Council committees.

D. The Student Governments shall have the power to allocate the Student Government fee in accordance with the Board Bylaws. Each student and government organization shall be responsible for the full disclosure to its constituents of all financial information with respect to student government fees.

E. Each of the Student Governments shall have the right and power to make recommendations to the president, Faculty Council, Policy Council, and to any other agent, department, committee, or organization of the college and/or City University of New York.

F. There shall be a Council of Student Governments.
   1. The Council shall consist of the presidents of the three student governments.
   2. They shall meet on a monthly basis to discuss and formulate policy on student matters, set goals and priorities.
   3. They shall meet with the college president to discuss college-wide matters affecting the college community.
   4. The chairpersonship of the Council shall rotate on a monthly basis.
   5. The Council may appoint resource members as it sees fit.

Article VIII. Amendment

Amendments to this governance plan may be initiated (a) by any constituent body or (b) by the Policy Council itself, provided such amendment does not alter the powers held by another constituent body without the consent of that body. All amendments must be approved by the Policy Council and by the president for submission to the Board of Trustees.

Amended by the CUNY Board of Trustees on January 26, 2015, effective February 1, 2015.
Moved by Trustee Ferrer and seconded by Trustee Judah Gribetz, the following resolution was unanimously adopted:

C. Queens College – Naming of the Molly Weinstein ’77 Seminar Room:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the “Molly Weinstein ’77 Seminar Room” to be located in Room 304 of Powdemaker Hall at Queens College.

EXPLANATION: Molly Weinstein earned her M.A. in Philosophy in 1977 as a student in the Adult Collegiate Education (“ACE”) program. Mrs. Weinstein returned to Queens College as an adjunct instructor in philosophy and religious studies, instructing and inspiring students from 1978 until her death in 1990.

In 2000, Molly Weinstein’s son, David C. Weinstein, and his family established the Molly Weinstein Memorial Prize, which is awarded to meritorious graduating seniors who intend to pursue a career in college teaching.

Since the creation of the Molly Weinstein Memorial Prize, David C. Weinstein has contributed $136,900 in gifts to the Queens College Foundation, with a stated intention to continue to make annual gifts toward the Memorial Prize.

In recognition of Molly Weinstein’s contribution to the College and the generosity of her son, David C. Weinstein, the College requests the approval to name the “Molly Weinstein ’77 Seminar Room.”

Report of Faculty, Staff and Administration Committee Chair Ferrer

I would like to share with the Board a brief summary of the third quarterly report to the Committee on Diversity and Inclusion at CUNY, prepared by Vice Chancellor Gloriana Waters’ office. The report focused on staff in the major job groupings other than faculty, a total of 11,810 employees representing sixty-one percent of the total University workforce. From July 30, 2016 through February 1, 2017, there was a six percent decline in the executive managerial group and an eleven percent drop among the professional non-faculty ranks. With the exception of secretarial clerical ranks, other job groups declined as well. These numbers may reflect vacancies that occurred during the fall term and are being filled in the spring. Vice Chancellor Waters’ office is conducting a comprehensive analysis to identify the reasons for the decline in staff members. Her office also advised the Committee that longitudinal data is now available regarding individuals with disabilities and veterans employed by the University. This information will set the stage for future targeted recruitment strategies in these categories. Once again, however, the Committee found that although many colleges are doing well in their efforts to diversify their workforces, more can and must be done, including holding all who are involved in search processes accountable for promoting diversity and equity at CUNY. Finally, I would like to commend Vice Chancellor Waters and University Dean Arlene Torres of the Office of Recruitment and Diversity, for their sponsorship of the very successful CUNY Faculty Diversity
Conference on March 31st. In that vein, I heartily commend Chancellor Milliken on his appointment of a Presidential Taskforce, whose purpose is to identify impediments to greater faculty diversity and to recommend policy changes to promote it. The next Quarterly Diversity Report will be in June.

6. **COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:**

Trustee Brian Obergfell reported that the Committee on Facilities Planning and Management met on April 6, 2017. After approval of the minutes of the February 6, 2017 meeting, the Committee addressed the policy items on the agenda. The Committee then went into Executive Session to discuss real estate matters under current negotiation by the University, during which Mr. Gustavo Ordóñez, Chief of Staff to Vice Chancellor Judith Bergtraum, reported on new projects and updates.

Moved by Trustee Obergfell and seconded by Trustee Ferrer, the following resolution was unanimously adopted:

**A. Bronx Community College - Construction Services for Fire Alarm Systems for Multiple Buildings:**

RESOLVED, That the Board of Trustees of The City University of New York request the City University Construction Fund to enter into a contract with the firm of Siemens Industry, Inc. to purchase construction services for Fire Alarm Systems at four buildings at Bronx Community College, under the existing New York State Office of General Service Contract. The total cost of all such purchases shall be chargeable to the State Capital Construction Fund, Project No. 3225709999 in an amount not to exceed $4,995,014. The contract shall be subject to approval as to form by the Fund’s General Counsel.

**EXPLANATION:** The Bronx Community College Fire Alarm Project will consist of the rehabilitation of the fire alarm systems at four (4) campus buildings and a new campus command center. Accordingly, the Fund on behalf of the City University of New York, intends to upgrade the existing fire alarm systems for Meister Hall, Gould Memorial Library, New Hall, and Polowczyck Halls. The proposed vendor will undertake the work under a New York State Office of General Services Contract.
Moved by Trustee Obergfell and seconded by Trustee Chen, the following resolution was unanimously adopted:

B. The City University of New York - Execution of Lease Amendment for 70 Murray Street, 2nd Floor, New York, New York on behalf of Borough of Manhattan Community College:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a new lease amendment, along with any associated agreements, for approximately 25,935 rentable square feet of space, at 70 Murray Street, New York, New York, on behalf of Borough of Manhattan Community College. The lease amendment shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Borough of Manhattan Community College has occupied 156,179 rentable square feet of office and classroom space at this location on the Ground Floor, part of the 2nd Floor and the entire 10th, 11th, 12th and 14th Floors since June 2004, pursuant to a lease (the “Master Lease”) that will expire on May 31, 2035. Under the Master Lease, the current annual base rent is $6,648,160 ($42.56/SF).

To accommodate the college’s need for expansion space to house its academic programs, the University will amend the Master Lease to add an additional 25,935/SF of space, bringing the total amount of space under the Master Lease up to 182,114/SF. The additional space is comprised of the balance of the 2nd Floor of the building and will house the college’s ASAP program.

The term for the additional space will be co-terminous with the Master Lease and will start upon substantial completion by landlord of the interior renovations specified by the University. The University will reimburse the landlord for the cost of the renovations. The base annual rent will start at $50.80/SF ($1,317,498) and will increase by $5.00/SF every five years.

Pursuant to the Master Lease, the landlord will continue to be responsible for exterior, structural and roof repairs. In addition, the landlord, at landlord’s cost, will provide cleaning services and be responsible for HVAC maintenance.
Moved by Trustee Obergfell and seconded by USS Chair and Trustee Onyejiukwa, the following resolution was unanimously adopted:

**C. The City University of New York - Execution of Lease Amendment for 5030 Broadway, New York, New York, on behalf of Borough of Manhattan Community College and Hostos Community College:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a lease amendment, along with any associated agreements, to effect the leasing of an additional 15,000 rentable square feet of space, at 5030 Broadway, New York, New York, on behalf of Borough of Manhattan Community College and Hostos Community College. The lease amendment shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Borough of Manhattan Community College and Hostos Community College have occupied 15,000 rentable square feet of classroom and office space on the ground floor at 5030 Broadway in the Inwood/Washington Heights section of Manhattan since June 2012 pursuant to a lease that will expire on May 31, 2027. Both Borough of Manhattan Community College and Hostos Community College operate educational programs at this location also known as “CUNY in the Heights.” Under the existing lease the current base rent is $35.72/SF and escalates at 2% per annum. Pursuant to the lease amendment, an additional 15,000/SF of adjacent ground floor and second floor space will be added to the lease – for a combined total of 30,000/SF. The additional space provided under this lease amendment will provide the CUNY in the Heights center with needed additional classrooms and support spaces as well as provide office space for the CUNY Xpress center.

The term for the additional space will be co-terminous with the current lease and will start upon substantial completion by landlord of the interior renovations specified by the University. The University will reimburse the landlord for the cost of the renovations. The annual base rent for the additional space will start at $668,550.00 ($44.57/SF) in the first year and escalate 2% every year thereafter.

The Landlord will be responsible for exterior, structural and roof repairs. The University will be responsible for the cleaning and increases in real estate taxes over a base year.

The University has requested the funding necessary for the lease amendment from the City of New York. Execution of the amendment and expansion to the additional space is dependent upon this new funding.
Moved by Trustee Obergfell and seconded by Trustee Clarke, the following resolution was unanimously adopted:

D. **The City University of New York - Execution of Lease for Office Space at 558 Grand Concourse, Bronx, New York, on behalf of Hostos Community College:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a fifteen-year lease, along with any associated agreements, for approximately 25,000 rentable square feet of office space, at 558 Grand Concourse, Bronx, New York, for use by Hostos Community College. The lease shall be subject to approval as to form by the University Office of General Counsel.

**EXPLANATION:** 558 Grand Concourse in The Bronx is a former post office facility now owned by a private developer. The developer is converting the site into a commercial and retailing center. The proposed lease for 25,000/SF of space will allow the college to free up space elsewhere on campus for the purpose of housing classrooms and related functions of its new Accelerated Study in Associate Programs (ASAP) initiative.

The proposed new lease will be for a fifteen-year term and will start upon substantial completion by landlord of the interior renovations specified by the University. The University will reimburse the landlord for the cost of the renovations. The base annual rent will start at $1,125,000 ($45.00/SF) and will incrementally increase every year pursuant to a fixed rent schedule attached to the lease. The base annual rent in the fifteenth and final year of the lease will be $1,406,750.00 ($56.27/SF).

The Landlord will be responsible for exterior, structural and HVAC repairs. The University will be responsible for cleaning and increases in real estate taxes over a base year.

Moved by Trustee Obergfell and seconded by Trustee DiMartino, the following resolution was unanimously adopted:

E. **The City University of New York – Execution of Lease Renewal for Space at 111 Livingston Street, Brooklyn, New York, on behalf of Brooklyn Educational Opportunity Center of New York City College of Technology:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the Vice Chancellor of Legal Affairs to execute a lease renewal agreement for ten years, along with any associated agreements, for approximately 45,000 rentable square feet of space, at 111 Livingston Street, Brooklyn, New York on behalf of the Brooklyn Educational Opportunity Center administered by New York City College of Technology.
The lease renewal agreement shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The Brooklyn Educational Opportunity Center (the “EOC”) has occupied 45,000 rentable square feet of classroom and office space on the 2nd, 3rd and portion of 4th floors at 111 Livingston Street in Downtown Brooklyn since September 1997 pursuant to a lease that will expire on August 31, 2017. Under the existing lease the current base rent is $40.63/SF and escalates at 2.5% per annum.

The term of the new lease renewal will begin on September 1, 2017 and expire on August 31, 2027. The annual base rent will be $2,092,500 ($46.50/SF) in the first year and escalate 2% every year thereafter. Under the renewal agreement, the landlord will continue to be responsible for exterior, structural and roof repairs. The EOC will continue to be responsible for interior maintenance, electric costs and cleaning. All tenant costs under this lease renewal will be funded by the State University of New York.

Moved by Chairperson Thompson and seconded by Trustee Jill O’Donnell-Tormey, the following resolution was unanimously adopted:

7. **SALK SCHOLARSHIPS:**

WHEREAS, Created by the Board of Estimate of the City of New York in 1955 to honor the City College graduate who developed the first anti-polio vaccine, the Jonas Salk scholarships are awarded annually to eight graduates of the CUNY senior colleges; and

WHEREAS, The scholarships are awarded to students who have been accepted to a U.S. medical school and have performed scientific research as an undergraduate; and

WHEREAS, The student's research papers are reviewed and recipients are selected for their potential to make significant contributions to medical research; therefore be it

RESOLVED, That the Board of Trustees approve the award of the Jonas E. Salk Scholarships to the following graduates who have been recommended by the Chancellor:

**WITH STIPEND**

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<th>Name</th>
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<td>Ma Su Su Aung</td>
<td>Macaulay Honors College at Baruch College</td>
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<td>Violeta Contreras Ramirez</td>
<td>City College of New York</td>
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<tr>
<td>Marisol Cortés</td>
<td>City College of New York</td>
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<td>Keegan R. Fernandes</td>
<td>College of Staten Island</td>
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<tr>
<td>Anika Nabila</td>
<td>Macaulay Honors College at City College of New York</td>
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<tr>
<td>Olayinka Oladipupo</td>
<td>York College</td>
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<td>Christopher Reid</td>
<td>City College of New York</td>
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Chairperson Thompson moved to go into Executive Session at 5:23 p.m. The motion was seconded by Trustee Lorraine Cortés-Vázquez.

**CONVENING OF EXECUTIVE SESSION**
Chairperson Thompson 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 5:25 p.m. to 5:47 p.m.

Moved by Chairperson Thompson and seconded by Trustee Cortés-Vázquez the public session was reconvened at 5:48 P.M.

Moved by Trustee Chen and seconded by Trustee O’Donnell-Tormey, the following resolution was presented and opened for discussion:

**8. John Jay College of Criminal Justice - Appointment of President:**

Chancellor Milliken stated that it is his distinct honor and personal privilege to recommend to the Board of Trustees the appoint of Karol V. Mason as the fifth President of John Jay College of Criminal Justice. Ms. Mason has had a distinguished career in private legal practice and government service, where she has demonstrated a commitment to values that are at the heart of John Jay College and the University, equal justice and fairness under the law, and support for those who have been marginalized in particular. She has also been deeply involved in higher education as a university trustee. I recommend her as a proven leader who will certainly be an inspiration to CUNY students and take this superb college to great new achievements.

Chairperson Thompson stated that he would like to thank the chairman of the Search Committee, Charles Shorter, and the entire Search Committee for their hard work and dedication in finding such a thoughtful and innovative leader to lead a new era at one of the country’s premier criminal justice and liberal arts institutions. Thank you all!

Trustee Chen read the following resolution:

RESOLVED, That the Board of Trustees of The City University of New York approve the appointment of Karol V. Mason as the President of John Jay College of Criminal Justice, effective August 1, 2017 at a compensation to be recommended by the Chancellor to the Board, subject to financial ability.

EXPLANATION: The Search Committee, Chaired by Trustee Charles A. Shorter, at the conclusion of an extensive national search, recommended three finalists for the presidency of John Jay College of Criminal Justice. The Chancellor is recommending Karol V. Mason as President. Ms. Mason was most recently the Assistant Attorney General.
General for the Office of Justice Programs at the Department of Justice from June 2013 to January 2017. Previously she served as Deputy Associate Attorney General from April 2009 to February 2012. Ms. Mason also spent almost three decades at Alston & Bird, LLP, a major national law firm, where she chaired the Public Finance Group and was elected to the position of Chair of the Management Committee, the first African American woman to hold such a position in any major national law firm. In addition, Ms. Mason was a Member of the Board of Trustees of the University of North Carolina at Chapel Hill from 2001 to 2009 and Vice Chair of that Board from 2007 to 2009.

Chairperson Thompson asked for a vote. Cal. 8 was adopted.

Chairperson Thompson stated that he would like to congratulate Ms. Karol Mason, the new President of John Jay College, and that he looks forward to working with her.

Statement of Karol Mason, Esq.
Thank you for the opportunity to serve as the next president of John Jay College of Criminal Justice, following in the shoes of current President Jeremy Travis. I was drawn to this opportunity to be part of the John Jay College family because of the high quality of work that I have seen emanate from the College over the past eight years. John Jay College's goals and mission mirror my own philosophy and passions.

For the past three and a half years, I had the privilege of serving as the Assistant Attorney General for the Office of Justice Programs at the U.S. Department of Justice. From this experience, I learned that in order to see long-term positive changes that result in opportunities for all people to lead successful and productive lives, especially those often marginalized and most in need, partnerships and leveraging resources across systems are critical, which is why it is such a joy to become part of the CUNY system. John Jay College has been a leading partner on the national level in addressing so many of the inequities in the criminal justice system. More importantly, the College has been training the next generation of the country's leaders in the criminal justice arena and well beyond.

I am a strong believer in the importance of a liberal arts foundation. The ultimate goal of any institution of higher education is to prepare its graduates to be nimble and adaptable in order to succeed in a rapidly changing world. Because of John Jay College's criminal justice focus, it has the added advantage of exposing thousands of students to the principles of justice, equity, and fairness which will inform their lives whether they ultimately work in the criminal justice system or pursue other careers. The College is educating students, many of whom are the first in their families to attend college, to be critical players in society, with an understanding that access to education, healthcare, and jobs are critical to the success of communities. From the students, who I have had the pleasure of meeting, John Jay College is excelling in its goal of developing fierce advocates for justice on all levels.
John Jay College has the opportunity to raise its already high profile to another level nationally and internationally by serving as a leading voice and convener in bringing others together to focus on years of research to address the inequities in the criminal justice system and to be the leaders in improving the state of forensic science and cyber security. Through strategic partnerships with the students and faculty, other researchers, think tanks, and other advocacy groups, the College has the opportunity to continue the progress that this country has already made in so many areas: (i) creating opportunities for those leaving the prisons and jails to succeed, (ii) ensuring that all young people receive the support that they need in advance to be successful, and (iii) linking across systems, using a public health approach, to ensure that communities are safe, healthy, and happy.

For the past eight years, the Presidential Administration was focused on building the capacity of neighborhoods and communities to partner more effectively with the federal, state and local governments, philanthropic partners and their business communities. This country no longer has a government focused on these goals, but the roadmap to success is not dependent on federal government leadership. Continued progress toward justice involves an investment of time, and a long-term commitment from research works. It involves a will to realign systems in ways that support the success of those in need, and it involves a commitment to continue to test new approaches and carefully evaluate and learn from the results, whether positive or negative.

John Jay College is positioned to be the leader CUNY needs to make sure that it remains focused on advancing justice for those most in need. I am excited to be part of the John Jay College family, as well as the CUNY family, as it creates pathways for success for young people across this country, the city, and the state. Thank you for this wonderful opportunity.

Moved by Chairperson Thompson and seconded by Trustee Clarke the reconvened public session was adjourned at 5:56 P.M.
The Board of Trustees of The City University of New York (CUNY) met on June 26, 2017 at Baruch College Vertical Campus, New York, New York, pursuant to a Notice sent by the Office of the Secretary on June 14, 2017.


**Others present:** Chancellor James B. Milliken, EVC and University Provost Vita Rabinowitz, SAC and Board Secretary Gayle M. Horwitz, Interim General Counsel and VC Jane Sovern, Senior Advisor Marc V. Shaw, SVC&CFO Matthew Sapienza, Vice Chancellor Judy Bergtraum, Vice Chancellor Brian Cohen, Vice Chancellor Pamela Silverblatt, Vice Chancellor Gloriana Waters, Deputy Vice Chancellor Burton Sacks, and Associate VC Andrea Shapiro Davis; and President Michelle Anderson, Interim President Vincent Boudreau, President Diane B. Call, President Rudolph Crew, President José L. Cruz, President Scott E. Evenbeck, President William J. Fritz, President David Gomez, President Farley Herzek, President Russell K. Hotzler, President Thomas Isekenegbe, President Marcia V. Keizs, President Gail O. Mellow, President Antonio Pérez, President Jennifer Raab, President Chase Robinson, President Felix V. Matos Rodriguez, President Jeremy Travis, President Mitchel Wallerstein, Dean Mary Lu Bilek, Dean Ayman El-Mohandes, Dean Mary Pearl, University Dean John Mogulescu, and Research Foundation President Richard Rothbard.

**CONVENING OF PUBLIC MEETING**
Chairperson Thompson called the Public meeting to order at 4:03 p.m., and announced that the Public Meeting is being transmitted live on cable Channel 75; it is also being webcast live at www.cuny.edu/livestream. The Public meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

Chairperson Thompson moved to go into Executive Session at 4:03 p.m. The motion was seconded by Vice Chairperson Barry Schwartz.

**CONVENING OF EXECUTIVE SESSION**
Chairperson Thompson called for an Executive Session pursuant to Section 105, Article 7, of the Public Officers Law, to discuss information pertaining to investigations and matters pertaining to personnel. The Board met in Executive Session from 4:05 p.m. to 4:21 p.m.
Moved by Chairperson Thompson the Public Session was reconvened at 4:24 P.M.

CHAIRPERSON’S REPORT
Chairperson Thompson extended a warm welcome to a new Trustee – Henry Berger. Trustee Berger fills the seat previously held by Judah Gribetz who served on this Board with distinction since 2010. It was Mr. Gribetz’ second tour with The City University of New York, having previously served from 1980 to 1989. Michael Arvanites and Kevin Kim were also recently confirmed by the New York State Senate and will officially begin their terms on July 1st. Chairperson Thompson noted that this is the last meeting for two outgoing colleagues, Trustees Rita DiMartino and Wellington Chen.

The Board held its Bronx Borough Hearing and Public Hearing on the calendar. Trustee Fernando Ferrer chaired the hearing and was joined by Vice Chairperson Schwartz, Trustees Una Clarke and Mayra Linares-Garcia, and University Student Senate (USS) Chair and Trustee Chika Onyejiukwa, members of the chancellery, and Presidents of Hostos Community College, Bronx Community College, and Lehman College.

Chairperson Thompson announced Public Hearing scheduled for June 21st was cancelled due to a lack of speakers. A summary of the June 19th hearings, including testimony, was circulated to the Trustees and the Chancellor’s staff, and transcripts are available in the Office of the Secretary. As testimony is submitted for the June 21st hearing, it will be circulated accordingly.

Chairperson Thompson gave a special thank you to his fellow Trustees who delivered greetings from the Board at the 26th CUNY commencement ceremonies that took place over the past several weeks. These ceremonies were incredible celebration of the students and their accomplishments as well as the dedicated faculty and staff and highlight all that is great about CUNY.

Chairperson Thompson stated that on May 16th, he had the distinct pleasure to present Vice Chancellor Judy Bergtraum with the 2017 Champion Award at the 13th Annual Women Builders Council Annual Awards Dinner. Congratulations Vice Chancellor Bergtraum on this special achievement.

Chairperson Thompson stated that on June 19th, he had the pleasure of participating in the 15th CUNY/Daily News Citizenship Now! Call-in Hotline—a free, confidential citizenship and immigration information service helping thousands of callers. The hotline had 80 phone lines and was staffed by more than 400 volunteers at John Jay College.
COLLEGE AND FACULTY HONORS
Trustee Fernando Ferrer announced the following:

1. Hunter College was recently recognized among the nation's top 10 best undergraduate secondary teacher prep programs by the National Council on Teacher Equality. The complete list of top-ranked schools consisted of sixteen schools out of a possible 717 undergraduate programs that prepare secondary teachers.

2. Baruch College Professor David Gruber was awarded the Radcliffe Institute Fellowship, as one of only fifty leading scholars and artists selected nationally for “Exceptional Promise and Demonstrated Accomplishments.”

3. Hunter College Professor of Creative Writing and acclaimed novelist Colum McCann was inducted into the American Academy of Arts and Letters.

4. LaGuardia Community College faculty member Patricia Spears Jones won the Poets & Writers 2017 Jackson Poetry Prize awarded annually to an American poet of exceptional talent deserving wider recognition.

5. Lehman College Biological Sciences Professor Eleanore Wurtzel—also a doctoral faculty member at the Graduate School and University Center—was named a 2017 Inaugural Fellow of the International Carotenoid Society for Consistent Contributions to the Scientific Community and a commitment to excellence, leadership and sound ethics.

Trustee Ferrer stated that this is just a sampling of CUNY’s renowned faculty members who continually win professional achievement awards from prestigious organizations as well as research grants from government agencies, foundations, corporations, and urged all to refer to CUNY’s website for additional accomplishments.

STUDENT AND ALUMNI HONORS
Trustee Una Clarke announced the following:

1. Charisse Holder, Sean Fol-Baugh and Erica Lopez—all from City College’s Masters in Branding and Integrated Communications Program—have received 2017 scholarships from the Los Angeles-Based Lagrant Foundation. These scholarships support students from ethnically diverse backgrounds pursuing careers in advertising.

2. CUNY Graduate School of Journalism 2012 alumna Melissa Noel was selected as a 2017 Bringing Home the World International Reporting Fellow by the International Center for Journalists. In 2016, she won the International Labor Organization’s Global Media competition.
3. LaGuardia Community College students Tsee Lee and Yinan Zhou finished first among community colleges, and 13th overall against 28 other schools at the Mathematical Association of America's Garden State Undergraduate Mathematics Conference. Mr. Lee also finished 9th place in the individual competition.

As Trustee Ferrer noted, this is just a sampling of the many exciting achievements of the students, and urged all to please follow their progress at CUNY.edu or at their individual school.

GRANTS
Chairperson Thompson presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the May 1, 2017 Board meeting.

BARUCH COLLEGE
1. $465,000 NEW YORK COMMUNITY TRUST to Michael Seltzer, for “2017 Community Trust Leadership Fellows”
2. $153,000 DEPARTMENT OF EDUCATION/OFFICE OF SCIENCE to Stefan Bathe, for “Understanding Energy Loss of Hard Partons in the Quark-Cluon Plasma”
3. $123,902 NATIONAL SCIENCE FOUNDATION/MATHEMATICAL & PHYSICAL SCIENCES to Jean Gaffney, for “Discovery of Tunable Fluorescent Proteins from Marine Organisms: Integrating Education and Research in the Identification and Development of Novel Fluorescent Tools”
4. $110,586 STATE UNIVERSITY OF NEW YORK to Ulas Neftci, for “NYS Small Business Development Center @ Baruch College”
5. $110,000 SARAH K. DECOIZART PERPETUAL CHARITABLE TRUST to Karen Luxton-Gourgey, for “Accessible Software Design for Sector Specific Job Training Programs”

BRONX COMMUNITY COLLEGE
1. $2,500,000 DEPARTMENT OF EDUCATION to Michelle Danvers, for “Upward Bound: 5-Year Grant”
2. $300,000 DORMITORY AUTHORITY OF THE STATE OF NEW YORK to Jitinder Walia, for “Child Development Center”
3. $100,000 BNY MELLON FOUNDATION INC. to Francisco Legasa, for “Pre-ASAP STEM Program”
BROOKLYN COLLEGE

1. $373,338 **NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT** to Erika Niwa, for “COMPASS - MSE PUBLIC SCHOOL R1”

2. $366,850 **NATIONAL SCIENCE FOUNDATION** to Amy Ikui, for “Cell Cycle Regulation in Response to Plasma Membrane Stress in S. Cerevisiae”

3. $350,000 **MOME/NEW YORK CITY MAYOR’S OFFICE OF MEDIA AND ENTERTAINMENT** to Jonathan Wacks, for “The "Made in NY" Women in TV Pilot Program, Feinstein School of Cinema”

4. $229,500 **NEW YORK CITY DEPARTMENT OF EDUCATION** to Alberto Bursztyn, for “The Provision of Courses in Administration and Supervision for Principals and Prospective Principals of Nonpublic Schools”

5. $174,164 **NATIONAL INSTITUTES OF HEALTH** to Mariana P. Torrente, for “Epigenetics in Neurodegenerative Disease: Targeting Histone Modifications in ALS”

6. $157,000 **NATIONAL INSTITUTES OF HEALTH** to Mara Schwarzstein, for “Regulation of Chromosome and Centrosome Inheritance by HORMA Proteins in Meiosis”

7. $141,300 **DEPARTMENT OF HEALTH AND HUMAN SERVICES/ NATIONAL INSTITUTES OF HEALTH** to Xinyin Jiang, for “Effect of Choline Fetal Growth and Lipid”

8. $120,631 **NATIONAL HISTORICAL PUBLICATIONS AND RECORDS GRANT** to Coleen Bradley-Sanders, for “Eliminating Racism, Empowering Women: The Records of the YWCA of Brooklyn”

9. $113,825 **NATIONAL SCIENCE FOUNDATION** to Tony Wilson, for “REU Site: Brooklyn Urban Ecology and Environment Program (BUEE)”

CITY COLLEGE

1. $478,410 **NEW YORK STATE DEPARTMENT OF TRANSPORTATION** to Camille Kamga, for “University Transportation Research Consortium”

2. $378,250 **NATIONAL INSTITUTES OF HEALTH** to Shireen Saleque, for “Molecular Regulation of Mammalian Erythro-Megakaryocytic Development”

3. $374,270 **NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION** to Reza Khanbilbardi, for “CSC-Earth System Sciences and Remote Sensing Technologies – ESSRST”
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<th>Amount</th>
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<th>Principal Investigator</th>
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<tr>
<td>4</td>
<td>$336,600</td>
<td><strong>NATIONAL INSTITUTES OF HEALTH</strong> to Luis Cardoso</td>
<td>for “Mechanical Function of Trabecular Bone: Bone Loss Assessment Beyond BMD”</td>
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<td>5</td>
<td>$330,000</td>
<td><strong>NEW YORK STATE DEPARTMENT OF HEALTH</strong> to John Martin</td>
<td>for “Collaborations to Accelerate Research Translation (CART) and Innovative, Developmental or Exploratory Activities (IDEA) in Spinal Cord Injury Research”</td>
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<td>$309,825</td>
<td><strong>NATIONAL INSTITUTES OF HEALTH</strong> to Mark Biscoe</td>
<td>for “The Use of Optically-Active Nucleophiles in Metal-Catalyzed Coupling Reactions”</td>
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<td>$305,053</td>
<td><strong>NATIONAL INSTITUTES OF HEALTH</strong> to Lucas Parras</td>
<td>for “Effects of Direct-Current Stimulation on Synaptic Plasticity”</td>
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<td>8</td>
<td>$301,219</td>
<td><strong>NATIONAL INSTITUTES OF HEALTH</strong> to John Martin</td>
<td>for “Repairing Maladaptive Corticospinal Tract Development”</td>
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<tr>
<td>9</td>
<td>$298,687</td>
<td><strong>NEW YORK STATE DEPARTMENT OF TRANSPORTATION</strong> to Camille Kamga</td>
<td>for “University Transportation Research Consortium – NYMTC”</td>
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<td>10</td>
<td>$269,375</td>
<td><strong>NEW YORK STATE DEPARTMENT OF TRANSPORTATION</strong> to Camille Kamga</td>
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<td>$210,800</td>
<td><strong>NATIONAL INSTITUTES OF HEALTH</strong> to Victoria Frye</td>
<td>for “Intervention to Increase Access to PEP to Prevent HIV Infection Among Black MSM”</td>
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<td>12</td>
<td>$150,000</td>
<td><strong>NEW YORK CITY DEPARTMENT OF SANITATION</strong> to Marco Castaldi</td>
<td>for “New York City Center for Materials Reuse”</td>
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<td>$150,000</td>
<td><strong>DCS CORPORATION</strong> to Jacek Dmoshowski</td>
<td>for “Technical ARL Collaborative Research Program: Cognition and Neuroergonomics Collaborative Technology Alliance (CaN CTA)”</td>
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<td>$149,763</td>
<td><strong>CORNING INC.</strong> to Robert Alfano</td>
<td>for “Biomediphotonics Processes, Microscopes and Compact Devices”</td>
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<td>$141,300</td>
<td><strong>NATIONAL INSTITUTES OF HEALTH</strong> to Timothy Ellmore</td>
<td>for “A Neurobehavioral Study of the Interactions Between Working and Long-term Memory”</td>
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<td>$135,000</td>
<td><strong>NATIONAL SCIENCE FOUNDATION</strong> to Hysell Oviedo</td>
<td>for “CAREER: Mechanisms of Lateralized Auditory Processing”</td>
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<td>17</td>
<td>$122,057</td>
<td><strong>NATIONAL SCIENCE FOUNDATION</strong> to Ranajeet Ghose</td>
<td>for “Conformational Dynamics and Regulatory Interactions in a Bacteriophage RNA Polymerase Complex”</td>
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18. **$107,875**  
   **RESEARCH FOUNDATION FOR MENTAL HYGENE INC.** to Lucas Parras, for “Defining Neuronal Circuits and Cellular Processes Underlying Resting FMRI Signals”

19. **$104,000**  
   **NEW YORK STATE DEPARTMENT OF HEALTH** to Doris Cintron-Nabi, for “To Promote Minority Participation in Medical Education”

**HUNTER COLLEGE**

1. **$800,000**  
   **NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES** to Daniel Gardner, for “Protective Service for Adults Training Resource System”

2. **$623,508**  
   **NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES** to Daniel Gardner, for “Statewide Local District Workforce Development Training”

3. **$546,707**  
   **PHS/NIH/NATIONAL INSTITUTE ON DRUG ABUSE** to Jeffrey Parsons, for “Examining Community-Based Effectiveness: A Substance Use & HIV Risk Reduction Intervention for Young Men of Color”

4. **$390,000**  
   **PHS/NIH/NATIONAL INSTITUTE OF MENTAL HEALTH** to Regina Miranda, for “Persistent Versus Brief Suicidal Ideation Subtypes in Risk for Adolescent Suicide Attempts”

5. **$338,400**  
   **PHS/NIH/NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES** to Hyungsik Lim, for “Method for Large-Scale Quantitative Analysis of Myelin in Living Animals”

6. **$222,300**  
   **PHS/NIH/NATIONAL INSTITUTE ON DRUG ABUSE** to Tyrel Starks, for “Couples-Based Intervention to Reduce Use and HIV Transmission”

7. **$221,655**  
   **NORTHWESTERN UNIVERSITY/NATIONAL INSTITUTES OF HEALTH** to Jeffrey Parsons, for “A Pragmatic Trial of an Adaptive e-Health HIV Prevention Program for Diverse Adolescent MSM”

8. **$201,013**  
   **DEPARTMENT OF DEFENSE/AIR FORCE OFFICE OF SCIENTIFIC RESEARCH** to Steven Greenbaum and Yuhang Ren, for “Linear & Nonlinear Spectroscopic Studies of Linear & Nonlinear Dielectrics & Interfaces”

9. **$187,630**  
   **PHS/NIH/NATIONAL INSTITUTE ON DRUG ABUSE** to Jonathan Rendina, for “Developing a Mobile Emotion Regulation Intervention for HIV-Positive Men”

10. **$179,790**  
    **PHS/NIH/NATIONAL INSTITUTE OF MENTAL HEALTH** to Peter Serrano, for “Differences Between Juvenile & Adult Fear Memory Capability”
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<td>Jeffrey Parsons, for “Club Drug Use and Prep Adherence in Vulnerable”</td>
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<td>PHS/NIH/NATIONAL CANCER INSTITUTE</td>
<td>Frida Kleiman, for “Role of mRNA 3’ Processing Factor CstF-50 in Regulating the BRCA1/BARD1 E3 Ubiquitin Ligase Activity”</td>
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<td>Daniel Gardner, for “Brookdale Center Training: Supervisory Training and Management Development Institute”</td>
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<td>HHS/AGENCY FOR HEALTHCARE RESEARCH &amp; QUALITY</td>
<td>May May Leung, for “Intervention Inc.: Interactive Nutrition Comics for Urban Minority Youth”</td>
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<td>NEW YORK UNIVERSITY POLYTECHNIC SCHOOL OF ENGINEERING</td>
<td>Yuhang Ren, for “High Efficiency Solar Power Pack for Outdoors &amp; Off-Grid Renewable Energy Applications”</td>
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<td>$146,294</td>
<td>JOHN TEMPLETON FOUNDATION</td>
<td>Janos Bergou and Mark Hillery, for “Decision Problem in Quantum Information”</td>
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<td>$127,097</td>
<td>IONIC MATERIALS, INC.</td>
<td>Steven Greenbaum, for “Solid State NMR Characterization of Solid Polymer Electrolytes”</td>
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<td>COLUMBIA UNIVERSITY/NATIONAL OCEANIC &amp; ATMOSPHERIC ADMINISTRATION</td>
<td>William Solecki, for “Supporting Regional Implementation of Integrated Climate Resilience”</td>
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**JOHN JAY COLLEGE**

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<td>$499,974</td>
<td>UNITED STATES DEPARTMENT OF STATE - INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS</td>
<td>Mayra Nieves and Jeff Mellow, for “Reducing Overcrowding in Salvadoran Prisons”</td>
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<td>$369,853</td>
<td>GOVERNMENT OF BERMUDA</td>
<td>David Kennedy, for “Reducing Violence in Bermuda”</td>
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<td>3</td>
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<td>NATIONAL SCIENCE FOUNDATION</td>
<td>Margaret Kovera, for “The Role of Phenotypic Bias in Eyewitness Identification Accuracy”</td>
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<td>4</td>
<td>$175,000</td>
<td>MAYOR AND CITY COUNCIL OF BALTIMORE - BALTIMORE POLICE DEPARTMENT</td>
<td>David Kennedy, for “Reducing Serious Violence in Baltimore, Maryland”</td>
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5. $150,000 **THE ANNIE E. CASEY FOUNDATION** to Jeffrey Butts, for “Support for Surveys to Evaluate Preferences regarding Secure Juvenile Programs”

6. $148,523 **MAYOR AND ALDERMAN OF THE CITY OF SAVANNAH** to David Kennedy, for “Reducing Serious Violence in Savannah, Georgia”

7. $133,865 **BUREAU OF JUSTICE ASSISTANCE (BJA) VIA INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP)** to Meredith Dank, for “Enhancing Law Enforcement Anti-Human Trafficking Task Force Operations”

8. $125,978 **THE PRICE FAMILY FOUNDATION** to Nicole Simon, for “Cyber Crime Investigators Program”

**KINGSBOROUGH COMMUNITY COLLEGE**

1. $193,601.34 **NEW YORK CITY DEPARTMENT OF EDUCATION** to Heather Brown, for “UPK Full-Day Program”

**LAGUARDIA COMMUNITY COLLEGE**

1. $149,924 **NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT** to Adjoa E. Gzifa, for “Summer Youth Employment Program (SYEP) Older Youth”

**LEHMAN COLLEGE**

1. $1,476,550 **NATIONAL INSTITUTES OF HEALTH** to Prabodhika Mallikaratchy, for “Ligand Guided Selection of DNA Aptamers Against Human Leukemia and Lymphoma”

2. $495,000 **NATIONAL INSTITUTES OF HEALTH** to Thomas Kurtzman, for “Exploiting Solvation Structure and Thermodynamics for Prospective Drug Discovery and Rational Design”

3. $482,910 **NATIONAL INSTITUTES OF HEALTH** to Benjamin Burton-Pye, for “Persistently Luminescent Lanthanide Constructs: A New Approach for Medical Imaging”

4. $405,232 **KING ABDULLAH UNIVERSITY OF SCIENCE AND TECHNOLOGY** to Eugene Chudnovsky, for “Dynamics of the Magnetic Flux in Superconductors”

5. $105,000 **UNITED STATES DEPARTMENT OF ENERGY** to Eugene Chudnovsky, for “Dynamics of the Magnetic Flux in Superconductors”
NEW YORK CITY COLLEGE OF TECHNOLOGY

1. $155,382 RESEARCH FOUNDATION CUNY to Robert Piechota, for “Small Business Development Center”

QUEENS COLLEGE

1. $1,604,931 STEELWORKERS CHARITABLE AND EDUCATIONAL ORGANIZATION/UNITED STATES DEPARTMENT OF ENERGY to Steven Markowitz, for “Medical Surveillance of Former Department of Energy Workers”

2. $950,000 UNITED STATES DEPARTMENT OF ENERGY to Steven Markowitz, for ‘Former Worker Surveillance Program”

3. $600,000 WILLIAM T. GRANT FOUNDATION to Amy Hsin and Holly Reed, for “Immigration Status and Higher Education: Evidence from a Large Urban University”

4. $208,000 NEW YORK CITY DEPARTMENT OF CULTURAL AFFAIRS to Vivian Charlop, for “Cultural Affairs After School (CASA)”

5. $133,564 MOUNT SINAI SCHOOL OF MEDICINE/CENTERS FOR DISEASE CONTROL to Steven Markowitz, for “Assessing Inflammatory and Behavioral Pathways Linking PTSD to Increased Asthma Morbidity in WTC Workers”

6. $111,720 NATIONAL INSTITUTES OF HEALTH to Joshua Brumberg, for “Influence of Perineuronal Nets on Cortical Neurons”

QUEENSBOROUGH COMMUNITY COLLEGE

1. $1,465,985 UNITED STATES DEPARTMENT OF LABOR to Jeffrey Chen, for “America’s Promise CUNY Techworks Program”

2. $905,382 NEW YORK STATE EDUCATION DEPARTMENT PERKINS IV to Sandra Palmer, for “QCC Perkins IV – 2017”

3. $226,000 SAP FOUNDATION/SAP CORPORATE SOCIAL RESPONSIBILITY to Denise Ward, for “Career Services Liaison – BTECH”

4. $201,579 NEW YORK CITY SBS/NEW YORK ACH to Jeffrey Chen, for “Certified Recovery Peer Advocate Training Program (CRPA)”

5. $134,098 NATIONAL SCIENCE FOUNDATION to Dugwon Seo, for “AGEP-T The Hispanic Alliance for the Graduate Education and the Professoriate on Environmental Sciences and Engineering”
6. $125,509 **CAPITAL ONE** to Jeffrey Chen, for “Phase 2”

**COLLEGE OF STATEN ISLAND**

1. $1,306,253 **NATIONAL SCIENCE FOUNDATION** to Irina Lyublinskaya, Bethany Rogers, Kenneth Gold, and Abdeslem El Idrissi, for “Developing Science Leaders in High-Need Elementary Schools: Noyce Master Teaching Fellows Academy”

2. $500,000 **NEW YORK CITY COUNCIL** to Christopher Cruz Cullari, for “Tech Incubator”

3. $415,000 **NATIONAL INSTITUTES OF HEALTH** to Lana Karasik, for “Learning About Hidden Affordances”

4. $307,156 **NATIONAL SCIENCE FOUNDATION** to Mark Feuer and Xin Jiang, for “Stokes Vector Modulation for Terabit Class Data Center Networks”

5. $173,410 **STATE UNIVERSITY OF NEW YORK** to Dean Balsamini, for “Support NYS/SBDC”

**CHANCELLOR’S REPORT**

Chancellor James Milliken opened up his report by stating that this is an important meeting in many respects and he appreciates all the work that has gone into the preparations by the staff and the extremely helpful guidance and support of the members of the Board of Trustees.

As Chairperson Thompson indicated, this meeting follows what was an exceptional commencement season at the colleges and schools. CUNY had a record number of graduates this year, with over 52,000 graduates, fulfilling, in a very significant way, the core mission of this University. In the 21st century workplace, it is important not only to give students access to college but help them achieve the goal of getting a valuable degree. It is a credit to the faculty and staff that CUNY is providing those students with the programs and the degrees that they need.

Senator Bernie Sanders and Secretary Hillary Clinton chose to come to CUNY colleges to speak to the graduates. The University is proud of the remarkable number of students and faculty who won prestigious awards this year, some of which were referenced by Trustees Ferrer and Clarke.

I met with the valedictorians from every one of the colleges and it is one of the most exciting and humbling experiences. They are an exceptionally creative, driven and talented group, and it is satisfying to know that, year after year, the University is able to attract and nurture such high quality New Yorkers whose journeys have brought them and their families often from around the
world, many overcoming formidable obstacles and achieving success. Later in the meeting, a brief video will introduce the valedictorians across CUNY.

The University is pleased that enrollment is increasing across CUNY. The Governor’s Excelsior Scholarship Program is making college affordable for more New Yorkers. For the Fall semester, the University has had a record number of freshmen applications this year. They rose by nine percent across CUNY and while the application increases were experienced throughout the City and across the campuses, the most dramatic were in the Bronx, which was up thirteen percent. This has resulted in an increase in the percentage of students who are transfer students coming to CUNY as well as students transferring from one CUNY college to another. In every one of these categories this year transfer student admissions have been very strong. These numbers may change by the time classes begin, but this is a great indication of CUNY’s success.

The University must realize the vision of building a university that is transparent and accountable but there is much progress that is a tribute to the hard work of the Board and administrative leadership to create new momentum at CUNY. The programs the University is implementing to serve and support the students are receiving welcome attention. As mentioned in a recent article in the New York Times, CUNY Start is providing very successful progress in preparing more high school students for college work, one of a number of steps to expand access at CUNY.

Other national articles, the Wall Street Journal, the Times and other publications have noted the revolutionary success of the Accelerated Study in Associate Programs (ASAP) in improving the community college graduation rates. It is so successful that other states have sought CUNY’s advice and input as they build similar programs—a bill has been offered in Congress by NY Representative Grace Meng, of the 6th District, that would expand ASAP reforms to colleges across the country. The University had its first graduate from a similar pilot program at John Jay College, called the Accelerate Complete Engage (ACE) Program, a harbinger of CUNY’s scaling up of efforts to add new programs that will help students at both the community and senior colleges to graduate in a more timely fashion.

CUNY is implementing a thorough reform of the remediation programs to get more students into credit-bearing classes more quickly and more effectively. More students are learning about and getting experiences at some of the most promising sectors of the economy due to an expansion of experiential learning and internship programs across CUNY. The University has built a foundation for a major expansion of its online programs, which will be particularly helpful to adult learners who want to advance or change careers. All of these steps require substantial planning and preparation, but there are some early signs of progress that depend on the improvements in CUNY’s administrative structures, so today the Board will consider a reform package that will put CUNY on the path to being a national leader in terms of accountability and transparency. In keeping with that theme at this afternoon’s meeting, the Board, for the first time, will be requested to adopt the Operating and Capital Budgets for the next fiscal year. While the Board
did approve a Budget Request for Fiscal Year 2018 in the fall, today's presentation and Board action puts the University in line with organizational and governance best practices. The Operating and Capital Budgets have been presented and approved by the Board's Committee on Fiscal Affairs and Committee on Facilities Planning and Management, and the chancellery is grateful for their leadership in these efforts.

***ADDITIONAL INFORMATION***

***ADDITIONAL INFORMATION***

CHANCELLOR’S UNIVERSITY REPORT: Chairperson Thompson called for a motion to accept the Chancellor’s University Report for June 26, 2017, which was seconded by Trustee Lorraine Cortés-Vázquez. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

1. **Chancellor’s University Report:**

   RESOLVED, That the Chancellor’s University Report for June 26, 2017 (including Addendum and Errata Items) be approved.

APPROVAL OF MINUTES: Chairperson Thompson called for a motion to accept the minutes of the regular Board meetings and Executive Session of May 1, 2017, which was seconded by Trustee Ferrer. He asked if there were any amendments. Upon hearing none, the following resolution was unanimously adopted by the Board:

2. **Approval of Minutes:**

   RESOLVED, That the minutes of the regular Board meetings and Executive Session of May 1, 2017 be approved.
Moved by Chairperson Thompson and seconded by Trustee Ferrer, the following resolution was presented and opened for discussion:

3. The City University of New York – Reform of Governance and Administrative Policies and Practices to Enhance Transparency and Accountability of The City University of New York:

WHEREAS, The CUNY Board of Trustees and management of the University are committed to ensuring best practices in financial oversight, internal controls, transparency and accountability; and

WHEREAS, The Board of Trustees established a standing Audit Committee of the Board of Trustees at its January 30, 2017 Board Meeting; and

WHEREAS, The Board of Trustees adopted revised Procurement Guidelines on February 21, 2017; now therefore be it

RESOLVED, That the Board of Trustees approve the recommended policy changes outlined below, effective June 26, 2017; and be it further

RESOLVED, That the Board of Trustees authorizes the General Counsel and Secretary of the Board of Trustees to revise the Board of Trustees Bylaws and Manual of General Policy to reflect the necessary changes to implement these actions and bring these amended documents to the Board of Trustees for approval.

EXPLANATION: The reforms are divided into sections as follows:

A. ADOPTION OF REVISED COLLEGE FOUNDATION GUIDELINES AND MODEL MEMORANDUM OF AGREEMENT

B. AUTHORIZATION TO RENEGOTIATE THE AGREEMENT BETWEEN THE CITY UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY RESEARCH FOUNDATION

C. APPROVAL OF BOARD OF TRUSTEES POLICY ON THE USE AND OPERATION OF UNIVERSITY VEHICLES

D. AMENDMENT OF BOARD OF TRUSTEES POLICY 3.04 – GUIDELINES ON THE USE AND REPORTING OF NON-TAX LEVY FUNDS

E. ADOPTION OF EXECUTIVE COMPENSATION PLAN REFORMS
A. ADOPTION OF REVISED COLLEGE FOUNDATION GUIDELINES AND MODEL MEMORANDUM OF AGREEMENT

RESOLVED, That the Board of Trustees of the City University of New York adopt the attached College Foundation Guidelines and Model Memorandum of Agreement, effective June 26, 2017.

EXPLANATION: The CUNY Foundation Guidelines, which were last revised in 2007, set forth policies regarding the operation of the independent entities that benefit the University, typically through support of a particular college or school and its student body. The foundations support the campuses in many ways including funding and fundraising for scholarships, fellowships, endowed chairs, campus improvements and program support and by recognizing alumni, faculty and student achievement. As a condition of a foundation’s use of the University’s or a college or school’s name, facilities, and/or other resources, the foundations must accept and follow the Guidelines. The Guidelines have been updated to reflect changes in the law and to strengthen requirements for governance, accountability, transparency and financial controls. A requirement of the Guidelines is that each foundation enter into a Memorandum of Understanding with its supported college or school in the form set forth in an appendix to the Guidelines.

THE CITY UNIVERSITY OF NEW YORK FOUNDATION GUIDELINES

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I. PREAMBLE

The City University of New York ("CUNY" or the "University") recognizes the vital role that the CUNY-related foundations (each a "Foundation") play in enabling the University and the colleges to achieve their mission. Although independent, each Foundation is organized for the sole purpose of supporting CUNY and in most cases, a particular CUNY college or school (each a "college"). Through fundraising and other activities in cooperation with the college, a Foundation can assist its supported college in meeting its goals.

As a condition of a Foundation’s use of the University’s or a college’s name, facilities and/or other resources, a Foundation must accept and follow these Guidelines, which are intended to protect the University’s interests, as well as to help ensure that the Foundation operates in a prudent, lawful manner. As further described in this document, each Foundation shall be:

• organized solely for the benefit of a particular supported college and its students, a particular CUNY or college operation, or CUNY generally;
• operated in a fiscally prudent manner and consistent with its governance documents and applicable federal, state or local law and regulation; and
• guided by best practices in good governance and ethical judgment.

II. PURPOSE

The Foundations are entities created and operated exclusively to benefit a particular CUNY college (including its students) or operation (e.g., CUNY TV, John D. Calandra Italian American Institute), or CUNY generally (e.g., a Foundation organized to benefit the University as a whole, not a particular college or operation), by conducting fundraising, investment and fund management including endowment fund management, and otherwise aiding and promoting the educational and charitable purposes and lawful activities of that college, operation, or CUNY.  

1 Throughout these Guidelines references to the “college” and the “college president” or “president” shall mean CUNY and the Chancellor in the case of Foundations and their Affiliates organized to support a particular CUNY operation or CUNY generally, unless otherwise indicated.
Foundations and their Affiliates (as defined below) shall not engage in activities on behalf of a college that are (1) prohibited by applicable federal, state or local law or regulation, or (2) would cause a college to be out of compliance with CUNY policies, procedures or contractual obligations, to the extent that such policies, procedures and obligations are made known to the Foundations and Affiliates. For example, a Foundation:

- shall not offer or manage an educational program unless the Foundation meets any and all governmental requirements for such activity, such as licensure by the State Education Department or organization as an education corporation through the Board of Regents, as the case may be; and

- shall not receive and/or manage funds for research that the CUNY Board of Trustees has determined shall be administered by The Research Foundation of The City University of New York.

III. AUTHORITY

A Foundation may be created under a college’s name only with the approval of the CUNY Board of Trustees after review of the purpose of the Foundation, its proposed organizational format and scope of its activities. Each college shall have only one Foundation unless otherwise authorized by the CUNY Board of Trustees.

Established Foundations must submit to the CUNY Board of Trustees for approval any proposed change in nature, purpose, or scope of the Foundation activities that is substantial in nature, and outside the normal function of the Foundation.

IV. STRUCTURE AND GOVERNANCE

A. Structure

1. Foundations. Each Foundation shall be organized and operated as a New York not-for-profit corporation that is legally separate from the college and the University. It shall obtain and maintain status as a tax-exempt, charitable organization under § 501(c)(3) of the Internal Revenue Code and applicable state laws so contributions and bequests to it will be deductible charitable contributions as provided by Federal income tax laws. The charter or certificate of incorporation of the Foundation should make reference to the CUNY college or operation it will benefit in terms of purposes, objectives, and programs.

2. Affiliates. An “Affiliate” for purposes of these Guidelines is an entity formed by a Foundation to assist it in meeting the specific needs of, or providing a direct benefit to a college or an associated Foundation. An Affiliate may be created under a college’s name only with the approval of the CUNY Board of Trustees.

3. Dissolution. Each Foundation and Affiliate certificate of incorporation and/or other organizing documents (e.g., bylaws or operating agreement) shall include a clause requiring that in the event of its dissolution, the Foundation’s or Affiliate’s net assets shall be distributed to another appropriate not-for-profit corporation, or to the University, for the benefit of the CUNY college or operation that the Foundation or Affiliate was created to support.
4. **Documentation.** Copies of all organizing documents, including all amendments thereto must be on file with the college and the CUNY Office of the General Counsel.

**B. Governance**

1. **Composition of Board.** The composition of a Foundation’s or Affiliate’s governing body (each a “board”), including its membership, committee structure, and adherence to term limits if any, shall be in full compliance with its governance documents and these Guidelines. The majority of its members and officers shall be external, non-CUNY employees. The college president or dean (each a “president”) (including any acting or interim president approved by the Board of Trustees) or designee shall be an ex officio, voting member of the Foundation board and shall have the right to serve at the college president’s option, on the governance body of any Affiliate, but may not serve as the chair of the board of the Foundation or any Affiliate, or as the chief executive officer or president of the Foundation or any Affiliate. To the extent that any Affiliate is formed as a single member limited liability company and the Foundation is the sole member thereof, the governance documents for such limited liability company need not provide for the college president or designee to serve on the governance body for such single member limited liability company.

2. **Audit Committee.** Even if not so required by New York Not-For-Profit Corporation Law (N-PCL) § 712-a, Foundations must have an audit committee whose voting members consist solely of independent directors. The audit committee shall oversee the accounting and financial reporting processes of the Foundation and its Affiliates and the audit of their financial statements, and shall review the Internal Revenue Service (IRS) Forms 990 for the Foundation and its Affiliates before they are signed and filed.

3. **Conflict of Interest.** Each Foundation and Affiliate must have a conflict of interest policy in compliance with the N-PCL to ensure that its directors, officers, and key persons act in the entity’s best interest and comply with applicable legal requirements.

**V. ACCOUNTABILITY AND COMPLIANCE**

**A. Corporate and Fiduciary Responsibilities**

Each Foundation and Affiliate shall meet all requirements of the N-PCL and/or other applicable laws covering its organizational structure. It shall maintain its organizational status on a current basis through filings as required by the New York State Secretary of State.

Each Foundation and Affiliate shall be familiar with, and fulfill, its fiduciary responsibilities under the New York Prudent Management of Institutional Funds Act (NYPMIFA) N-PCL Article 5-A, and any other statutes that define its fiduciary responsibilities. Each Foundation and Affiliate shall comply with all other local, state and federal laws applicable to its organization and activities.

**B. Solicitation in New York and Other States**

Each Foundation and Affiliate shall meet all registration and reporting requirements of New York charities pursuant to the New York Estates, Powers and Trust Law and the New York Executive Law, and all applicable New York State statutes and regulations affecting fundraising and management of gift assets, as well as the requirements of such other jurisdictions in which the Foundation or Affiliate concentrates its fundraising activities.
C. Tax Requirements

Each Foundation and Affiliate shall make all required filings with the IRS and the New York State Department of Taxation and Finance, and follow all other applicable tax laws enforced and/or promulgated by the IRS or New York State.

Each Foundation and Affiliate shall make available for public inspection its Form 1023 request to the IRS for tax-exempt status, its IRS “determination” letters as a 501 (c)(3) organization, and its Form 990s for the past three years. It shall provide copies of these documents to those who request them, as required by law.

D. Contracts

No Foundation or Affiliate shall enter into any contract that would obligate its supported college or the University without the prior written approval of the college president or designee, or the Chancellor or designee in the case of a Foundation or Affiliate that supports a University operation or the University generally. All such contracts shall be for the benefit of the college and/or the University.

Consistent with N-PCL § 716, a Foundation or its Affiliate shall not provide a loan to any of its directors or officers, including without limitation the college president, or to any entity in which a director or officer has a financial interest or is a director or officer. Any loan from a Foundation or an Affiliate to its supported college is subject to the approval of the CUNY Board of Trustees prior to its acceptance by the college.

E. Use of College Name and Marks

A Foundation and its Affiliates may, solely in connection with their lawful activities to benefit the supported college or the University, use the name, logos, seals, and other symbols and marks of the college or University, pursuant to the terms and conditions of the Memorandum of Understanding between the Foundation and the college.

F. Legal Counsel

Each Foundation may retain independent legal counsel, as appropriate.

G. Compliance with Investigations

Each Foundation shall cooperate, and shall ensure that its Affiliates cooperate, with the University and government authorities regarding any investigation of the Foundation and/or an Affiliate regarding the conduct of the Foundation’s and/or Affiliate’s activities in support of a college or CUNY generally, as the case may be.

VI. INSURANCE AND INDEMNIFICATION

Each Foundation shall obtain directors and officers’ liability insurance (for a minimum of $1 million) and comprehensive general liability insurance in such amounts determined by the Foundation board to be reasonable and appropriate. Each Foundation board should routinely review total amounts for all forms of insurance to ensure sufficient and appropriate coverage, including coverage for new gift assets.

Each Foundation’s by-laws shall include provisions indemnifying its directors and officers in a manner consistent with the provisions of Article 7 of the N-PCL.
VII. PERSONNEL

Each Foundation and Affiliate should have adequate and qualified staff, or should retain fiscal agents, to fulfill its responsibilities to donors as trustee under any retained-income arrangements (gift annuities, pooled income funds, charitable trusts, etc.) and under any other fiduciary relationship between a Foundation or Affiliate and its donors, and to carry out its other responsibilities.

No college employee who is also a voting member of a Foundation’s or Affiliate’s governing body, including the college president, shall serve as an officer of the Foundation or an Affiliate. In particular, but without limitation, a Foundation’s Treasurer shall not be a college employee.

Pursuant to University policy, a college president’s salary shall be paid from tax-levy funds; no Foundation shall underwrite any compensation for the college president. No Foundation shall underwrite any compensation for other college faculty and staff without the prior approval of the college president, the Foundation’s board, and the Chancellor of the University. Pursuant to University policy a college president shall annually report all college faculty and staff compensation, including any approved compensation paid by a Foundation, to the CUNY Board of Trustee’s Committee on Faculty, Staff and Administration. No Foundation shall underwrite any compensation for the Chancellor of the University without the prior approval of the Foundation’s board and the University’s board of trustees.

No Foundation or Affiliate shall discriminate in employment or in its programs and activities on the basis of race, color, creed, national origin, ethnicity, ancestry, religion, age, sex (including pregnancy, childbirth and related conditions), sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, status as a victim of domestic violence/stalking/sex offenses, unemployment status or any other legally prohibited basis in accordance with federal, state or local laws.

VIII. FUNDRAISING AND RELATED ACTIVITIES

A. Cooperation with College and University

Each Foundation and Affiliate supporting a particular college shall plan and conduct all fundraising and related advancement activities in close cooperation with the president of its supported college and the college office of development and institutional advancement, and in concert with college and University policies. Each Foundation and Affiliate supporting a CUNY operation or CUNY generally shall plan and conduct all fundraising and related advancement activities in close cooperation with the Chancellor or designee and the CUNY Office of Budget and Finance, and in concert with University policies. No funded program shall be created by a Foundation or Affiliate without the approval of the college president, or the Chancellor or designee in the case of Foundation or Affiliate supporting a CUNY operation or CUNY generally.

B. Gifts Payable to Other than Foundation

Each Foundation and Affiliate shall adopt guidelines to ensure that funds or gifts payable to its supported college, the University, or any other University entity are deposited with or transferred to the appropriate entity, or are otherwise dealt with according to policy or agreement with the college or the University. (See also Cash and Treasury Management – Transfer of Funds, below.)
C. Approval of Restricted Gifts

Each Foundation and Affiliate shall advise donors that any restrictive terms and conditions attached to gifts for the benefit of its supported college, a CUNY operation or CUNY generally are subject to college approval in the case of gifts for the benefit of the college and CUNY central office approval in the case of gifts for the benefit of a CUNY operation or CUNY generally. Any restrictions on previous gifts that are illegal or discriminatory must be addressed.

D. Stewardship

Each Foundation and Affiliate shall insure that all donors are appropriately acknowledged, and that use of gifts is in compliance with the donors’ intent. A system and written policy to ensure this practice must be implemented.

E. Policies and Procedures

Each Foundation and Affiliate shall adopt appropriate policies and procedures to ensure that the proceeds of its fundraising are appropriately recorded, credited, acknowledged, and administered based on legal requirements and donor stewardship parameters. Each Foundation and Affiliate shall adhere to standards of best practice such as those set out in the Council for the Advancement and Support of Education (CASE) “Donor Bill of Rights” and Association of Fundraising Professionals “Code of Ethical Standards.” Policies adopted must include:

- Gift Acceptance Policy, which addresses, among other things:
  
  a. accountability of cash at the point of receipt;
  
  b. provision of gift documentation to donors in compliance with applicable law. Each donor who creates a restricted fund should enter into a written, signed agreement with the Foundation or Affiliate, which describes any fees to be charged, and which authorizes the Foundation’s or Affiliate’s board to re-direct disbursements from the fund should the purposes for which it was created no longer be feasible;
  
  c. acceptance, management and disposition of non-cash gifts, including securities and real estate gifts;
  
  d. prior to acceptance, legal review and estimate of gift management costs of donor restrictive gifts, gifts of real property, and gifts of personal property that are not readily marketable;
  
  e. creation of a system for tracking all restricted funds separately; and
  
  f. maintenance of a separate record for each donor and for each gift.

  Each gift shall be counted, valued or discounted in accordance with CASE standards and Generally Accepted Accounting Principles (GAAP).

- Policy for regularly reporting to donors on the use of funds and on their financial status.

- Policies regarding investment, spending rates, and endowment audits (see Cash and Treasury Management, below).
• A spending policy governing expenses of the Foundation on behalf of its supported college, which shall be established in accordance with policies of the CUNY Board of Trustees regarding the use of non-tax levy funds.

IX. MEMORANDUM OF UNDERSTANDING

Each Foundation shall enter into a written memorandum of understanding (“Memorandum of Understanding” or “MOU”) with its supported college in the form set forth in Appendix B (unless otherwise approved by the CUNY Board of Trustees), which clearly defines their respective roles, relationships, and expectations. In addition to those items mentioned below, the MOU shall address, among other things, the Foundation’s right to use a college or CUNY name and/or trademarks, management and use of funds held by the Foundation, and coordination of fundraising activities.

A. Use of Facilities

A Foundation may occupy, operate, and use college facilities and property separately or jointly with its supported college as identified by the MOU between the college and the Foundation. The Foundation shall use the facilities and property only for those services and functions that are consistent with the MOU and applicable current or future policies, rules, and regulations of the CUNY Board of Trustees and the college.

B. Provision of Space and Services

The college may provide certain services, at no cost, to the Foundation, which may include office space, utilities, telephones, custodial and facilities maintenance services, equipment and information systems service and advice, personnel and related assistance and other similar services.

A Foundation may reimburse its supported college for expenditures incurred by the college as a result of activities of the Foundation. In these situations, the college shall invoice the Foundation for such expenditures, indicating items charged and the method of determining costs. Any such reimbursement by a Foundation should be consistent with the approved annual budget and terms and conditions of the MOU with the college.

C. Alumni Information/Database

In principle and practice, the creation, maintenance, support, and ownership of alumni information and the alumni database itself should always be consistent with the best interests of the college. This is particularly true when these functions and responsibilities are shared among a college and either or both its Foundation and a separately incorporated alumni association. In general and wherever possible, the college should own and manage the alumni database and provide access to the college’s Foundation and/or alumni association. Laws such as the Family Educational Rights and Privacy Act (FERPA) and national best practices and precedents should guide the Foundation and its supported college in addressing the issues of ownership and usage of alumni information. A Foundation, its supported college and any other parties which share use and/or responsibility for alumni information must enter into a written agreement (which may be the MOU) that sets forth: (i) who owns the alumni information and the database, (ii) permitted and prohibited uses of alumni data by third parties (i.e., credit card services, insurance, and alumni directories), and (iii) college policy regarding the privacy of alumni data. In all events, the college must have the right of full access and use of the alumni data without cost and as and when requested, even when held in a database owned and/or maintained by a Foundation or Affiliate.
X. FINANCIAL MANAGEMENT

Each Foundation and Affiliate is responsible for developing, managing and monitoring its fiscal and operational plans. They are also responsible for complying with applicable federal, state and local laws, and University and college financial procedures regarding participation in the CUNY Investment Pool (for those Foundations and Affiliates that participate) and other procedures made known to the Foundations and Affiliates by the University and necessitated by the inclusion of the Foundations and Affiliates as discretely presented component units in the University’s financial statements.

A. Budget

Each Foundation and Affiliate shall develop an annual operating budget in consultation with the college president.

The college president should plan for current and future college operations and programs with the assumption that continued and growing financial support by the Foundation will be in place. Annual budgets and plans shall be reviewed by and approved by a Foundation’s board in partnership with the college president. Financial commitments and expenditures by Foundations and Affiliates shall be in accordance with the approved budgets and plans.

B. Cash and Treasury Management

1. Investments. Any cash held by a Foundation that is scheduled to be used in the current year can be invested in short-term investments such as U.S. Treasury bills, money market accounts, certificates of deposits etc., or the University’s Short-term Investment Pool (STIP). Funds that can be invested for a longer period should be invested in accordance with the Foundation’s investment policy, or may be invested in the University’s Investment Pool. All funds shall be managed and invested as required by NYPMIFA and, to the extent that a Foundation or Affiliate invests funds outside of the University’s Investment Pool, it shall develop written investment and spending rate policies for those funds in accordance with NYPMIFA.

2. Endowments. Endowments shall be invested with respect to prevailing principles of sound financial management and legal obligations. Earnings are credited according to the amount of principal endowed and any previously unspent earnings on the individual endowment. A portion of the earnings of these accounts becomes available to support the respective endowments in accordance with the directions specified by the donor of the endowment. The Foundation’s or Affiliate’s spending rate policy shall set forth guidelines for determining how much of the earnings of the endowments may be spent.

3. Transfer of Funds. Any transfer of endowments or other assets by the supported college or the University to a Foundation or Affiliate, or by a Foundation or Affiliate to its supported college or the University, for management or investment (assuming such transfer is permissible under the donor documents), shall be formalized in a memorandum of agreement so the fiduciary requirements of the respective governing boards are complied with and to assure, among other things, that any restrictions governing the future dispositions of the funds are observed.

C. Purchasing

Each Foundation and Affiliate shall follow sound purchasing practices and procedures that provide for open and free competition to the maximum extent practicable while meeting the needs of management for flexibility and minimum administrative burden. Each Foundation and Affiliate shall take steps to ensure fairness in all contracts, including abiding by Section 715 of the N-PCL regarding related party transactions.
D. Accounting

Each Foundation and Affiliate shall maintain a financial system that provides for accrual based accounting and is used to process all financial transactions. Foundations and Affiliates shall follow the Financial Accounting Standards Board (FASB) Statements and Interpretations, Accounting Principles Board Opinions, and Accounting Review Boards of the Committee of Accounting Procedures and Generally Accepted Accounting Principles (GAAP). Each Foundation should implement all new FASB accounting rules and regulations.

XI. FINANCIAL REPORTING AND AUDIT

A. Reporting to the Board/Financial Statements

The chief executive officer and/or chief financial officer of each Foundation and Affiliate shall provide its board with periodic financial and managerial reports. Each Foundation and Affiliate shall prepare annual financial statements in conformity with GAAP and have them audited by a licensed, independent certified public accounting firm (CPA) in accordance with generally accepted auditing standards. To enable the University to include pertinent information in its annual financial statements, the audit committee and board, if applicable, must accept the audited financial statements within 90 days after the close of a Foundation’s fiscal year.

B. Independent Auditor

The independent CPA retained by a Foundation and/or Affiliate must have experience auditing tax exempt organizations and must be approved by a designee of the Chancellor. No independent CPA firm shall serve as the audit firm for the Foundation or Affiliate for more than seven years and a three-year period must elapse before such CPA firm may serve again as auditor.

On an annual basis the Foundation’s auditor must confirm its independence to the University’s external auditors via a signed “independence letter.”

C. CUNY Audit Rights

1. CUNY Audit. The books and records, financial condition, operating results, and program activities of a Foundation and its Affiliates are subject to periodic audit by the college president and/or designee, the University or outside firms hired by the University, and to the extent allowed by law, outside regulatory bodies.

2. Reporting to CUNY. A Foundation shall promptly provide copies of each of its audit reports from whatever source, including the certified (consolidated) financial statements, any report indicating a significant deficiency or material weakness in the internal controls over financial reporting and any management letter or other report, together with the associated corrective action plan of the Foundation and each of its Affiliates, to the college president and the University’s Office of Budget and Finance.

Additionally, each Foundation must:

- Semi-annually upload their financial statement information to the University’s financial accounting system, CUNYfirst, using a template established by the Office of Budget and Finance.

- Annually provide the college and the University’s Office of Budget and Finance with a complete list of all bank and investment accounts;
• Require each member of the Foundation’s and any Affiliate’s board to provide written acknowledgement to the Foundation of the following, upon implementation of these Guidelines for directors currently serving at such time or upon their election or appointment to the board for new directors, and thereafter upon any modification to the Guidelines or the MOU: (i) that they have received a copy of these Guidelines and the MOU and reviewed them and (ii) that they understand that these Guidelines and the MOU are binding on the Foundation or Affiliate, as the case may be; and require all officers of the Foundation and any Affiliates to provide the same written acknowledgement on an annual basis and upon any modification to the Guidelines or the MOU. Directors and officers may provide such acknowledgements as part of their annual conflict of interest disclosure statements. The Foundation shall provide on a timely basis copies of such acknowledgements to the college president or the University upon their request.

• Concurrent with its filing with the IRS, provide a copy of the Foundation’s and any Affiliate’s IRS Form 990 to the University’s Office of Budget and Finance, and provide on a timely basis such other information on the Foundation’s financial status and operations as requested by the college president.

XII. POLICY MANUAL

Each Foundation and Affiliate shall develop a comprehensive manual documenting the policies, procedures, standards, and other administrative and operating criteria applicable to it. The manual shall be maintained on a current basis and the Foundation and/or Affiliate shall provide copies of the current version, as well as any updates or revisions as they are adopted, to the supported college’s business office and the University’s Office of Budget and Finance, and to internal and external auditors on request.

XIII. INTERNAL CONTROLS

Each Foundation and Affiliate is responsible for establishing and maintaining adequate internal controls. Some of these controls include maintaining segregation of duties between the cash receipts and disbursements functions, preparing timely bank reconciliations, requiring dual signatories on payments over set amounts, maintaining segregation duties between the accounts payable and purchasing and payroll and human resource functions and restricting access to the vendor listing.

XIV. RECORDS RETENTION

Each Foundation and Affiliate should establish a document retention policy that provides for the orderly management of Foundation and Affiliate records consistent with local, state and federal laws.

XV. EXCEPTIONS AND AMENDMENTS

Any proposed exceptions to these Guidelines must be approved in writing by the Chancellor or designee. Any proposed amendments to these Guidelines must be approved by the Board of Trustees. The CUNY Offices of the General Counsel and Budget and Finance are responsible for the periodic review of these Guidelines, as well as ensuring that all appropriate parties are informed of
them. All Guideline amendments shall become effective upon a duly adopted amendment to the MOU between the college and the Foundation.

XVI. RELATED INFORMATION
The following links and/or references provide additional information related to this guidance:

- New York Not-for-Profit Corporation Law: http://public.leginfo.state.ny.us
- Internal Revenue Service: www.irs.gov
- New York State Charities Bureau
  - www.oag.state.ny.us/charities/charities.html
- New York State Office of the Inspector General: https://ig.ny.gov/
- Payment Card Industry Data Security Standards: https://www.pcisecuritystandards.org
- National Association of State Charity Officials: www.nasconet.org
- American Institute of Certified Public Accountants: www.aicpa.org
- Financial Accounting Standards Board: www.fasb.org
- National Association of College and University Business Officers: www.nacubo.org
- Council for Advancement and Support of Education: www.case.org
- Association of Fundraising Professionals: http://www.afpnet.org/

MODEL MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made by and between The City University of New York, by and on behalf of [name of College, School, or other appropriate CUNY unit or program] located at [address] (“College”), and [name of Foundation], a New York not-for-profit corporation that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“Foundation”).

RECITALS

A. The College is a constituent unit of The City University of New York, a public institution of higher education established pursuant to Article 125 of the New York Education Law (the "University").

B. The Foundation is organized for the sole purpose of aiding and promoting the educational and charitable purposes and lawful activities of the College.

C. The College and the Foundation acknowledge the importance of establishing a mutually cooperative working relationship in order to enable the Foundation to carry out its mission consistent with the needs of the College.

D. The College and the Foundation desire to formalize their working relationship in the form of a Memorandum of Understanding (“MOU”).

TERMS

In consideration of the mutual covenants, promises and conditions herein contained, and for good

2 In the case of a CUNY School or other unit or program, changes should be made throughout the document to refer to School and Dean, etc., as appropriate.
and valuable consideration the adequacy of which is hereby acknowledged, College and Foundation
agree as follows:

1. **Foundation Activities.** The Foundation’s sole purpose is to provide support to the College and its
students. The College and the Foundation agree that the Foundation shall conduct those services and
activities listed in Exhibit B (the “Activities”), as it may be amended from time to time, exclusively for the
benefit of the College.

2. **College Support of Foundation.** Subject to the availability of funding and the budget process, the
College, in accordance with the terms and conditions of this MOU, shall make available to the Foundation
the facilities, personnel, equipment and other support, goods and services (collectively “College Support”) listed in Exhibit C. Any changes to the College Support shall be made by written amendment to this MOU and Exhibit C, a copy of which shall be filed with the University Office of the General Counsel. Any reimbursement to the College by the Foundation for the College Support shall be consistent with the Foundation’s annual budget and the terms indicated on Exhibit C.

3. **Care of Premises.** The Foundation shall take good care of the Premises set forth in Exhibit C and shall maintain them in a clean and orderly condition. The College shall keep such Premises in good repair and make all necessary capital improvements in order to comply with all applicable federal, state and municipal health and safety codes. The Foundation shall not make alterations to the Premises without the prior written consent of the College. Any alteration or improvement to the premises, fixtures, or replacement equipment that may be paid for by the Foundation shall become the property of the University.

4. **Affiliates.** The parties acknowledge that the Foundation is the primary foundation within the
meaning of the University’s Foundation Guidelines attached as Exhibit A. The Foundation has
established the Affiliate(s) (as defined in the Guidelines) listed in Exhibit D.

5. **Use of the College Name and Trademarks.**

5.1. The Foundation may, solely in connection with the Activities, use and license its subcontractors to
use, the name of the College as well as College logos, seals, and other symbols and marks of the
College (collectively, the “College Marks”). Except to the extent included as part of a College Mark, the
Foundation shall not use the names “The City University of New York” or “CUNY,” or any logo, seal,
symbol or mark of the University without the prior approval of University’s Office of Communications and
Marketing.

5.2. Notwithstanding the foregoing, the College President may, in his/her discretion, forbid any
particular use of a College Mark or, if such use has already commenced, require that such use cease.
The Foundation shall not delegate the authority to use a College Mark to any person or entity without the
prior written approval of the College President.

5.3. The Foundation agrees to stop using the College Marks in the event (i) the Foundation dissolves,
(ii) the University withdraws recognition of the Foundation, (iii) the Foundation ceases to be a not-for-profit
corporation or is no longer recognized by the Internal Revenue Service as an entity described in section
501(c)(3) of the Internal Revenue Code, or (iv) the Foundation is directed to stop such use by the College
President.

5.4. For purposes of this Section 5, “College President” means the President of the College or his or
her designee.

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3 This section to be excluded if a Foundation has no Affiliates.
6. **College Representation on Foundation Board.**

6.1. The President of the College shall be an ex-officio, voting member of the Foundation’s Board of Directors [and Executive Committee].

6.2. The following University employees shall also be ex officio [voting][non-voting] members of Foundation’s Board: Describe any other ex-officio seats held by College or other CUNY employees. *In order to maintain the Foundation’s independence, CUNY employees should not hold a majority of Board seats.*

7. **Data and Confidentiality.**

7.1. The College may make available to the Foundation records and information concerning students and alumni in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 and regulations promulgated thereunder (“FERPA”) for use by the Foundation in a manner consistent with the Foundation’s rights and obligations under this MOU and with College and University policies. The Foundation shall treat such records and information as confidential in accordance with FERPA and shall not disclose any or all of them to any third party without the express prior written consent of the College and subject to a written agreement with such third party that shall: (i) be subject to the terms and conditions of this MOU, including without limitation those regarding confidentiality of information; (ii) be non-transferable; and (iii) provide for its termination or assignment to the College, at the College’s sole option, upon termination of this MOU. The Foundation shall provide the College with a copy of each such agreement.

7.2. At the College President’s request, the Foundation shall make available to the College for fundraising purposes the Foundation’s records and information concerning College alumni and other donors or prospective donors. To the extent that such information is non-public, the College agrees to keep it confidential.

7.3. If the Foundation’s Activities as listed on Exhibit B include providing loans or other financial products (not including scholarships, awards and grants) or assisting the College with the administration of such services, the Foundation will comply with the Gramm-Leach-Bliley Act (P.L. 106-102), as amended, and the Federal Trade Commission’s Safeguards Rule (16 CFR Part 314) (collectively, “GLB Regulations”), regarding any nonpublic personal information that the Foundation receives, maintains, processes or otherwise has access to from students or others in connection with providing such services.

7.4. The Foundation shall comply with the provisions of the New York State General Business Law Section 899-aa regarding security breaches of personal information. The Foundation shall be liable for the costs associated with any breach of these provisions if caused by the negligent or willful acts or omissions of the Foundation or its agents, officers, employees, or subcontractors.

7.5. Each party agrees to maintain network security that conforms to generally recognized “Industry Standards” and best practices that the party applies to its own network. Generally recognized industry standards include but are not limited to the current standards and benchmarks set forth and maintained by the Center for Internet Security (see http://www.cisecurity.org) or Payment Card Industry/Data Security Standards (PCI/DSS) (see http://www.pcisecuritystandards.org).

7.6. Foundation employees and agents shall abide by all confidentiality requirements imposed by law or by College or University policy to protect the privacy of past and present College employees and students, donors and potential donors. If the Foundation sub-contracts with a third party for any of the Activities, the Foundation shall ensure that such third parties comply with all of confidentiality provisions of this MOU.
8. **Coordination with the College’s Office of Finance.** The Foundation shall provide the College’s Office of Finance with any and all financial reports otherwise provided to the Foundation’s Board of Directors [and the Board’s Investment Committee]. A Foundation representative shall meet at least quarterly with the College’s Chief Financial Officer to discuss matters relating to interactive financial arrangements.

9. **Indemnification and Liability.**

9.1. In the event any damage or injury is caused to the equipment or facilities provided by the College hereunder, by the negligence or improper conduct of the Foundation, its agents, subcontractors or employees, the Foundation shall cause the said damage or injury to be repaired as speedily as possible at its own cost and expense.

9.2. In no event shall anything contained in this MOU be deemed to impose liability of any nature upon the Foundation for loss or damage to persons or property, to the extent caused by the College, its officers or employees or by any third party over which the Foundation exercises no control.

10. **Occupancy of Premises.**

10.1. The Foundation’s occupancy of the Premises is that of a licensee only. The Foundation will not maintain ownership or other similar interest in the Premises, nor is there a landlord-tenant relationship between the University or the College and the Foundation.

10.2. The College and the University and any of their agents may enter the Premises or any part of them at any time for the purpose of examination, supervision or audit.

10.3. The Foundation has the right, subject to the College’s rules regarding building access and security, to 24-hour access to the Premises for the purposes of conducting the Activities.

11. **Compliance.** The Foundation shall comply, and shall ensure that its Affiliates comply, with all federal, state and local laws, whether now or hereinafter in force, applicable to the proper and lawful conduct of its Activities on the Premises, as well as the University’s Foundation Guidelines, attached as **Exhibit A**, as they may be amended from time to time. The Foundation shall cooperate, and shall ensure that its Affiliates cooperate, with the University and governmental authorities regarding any investigation of the Foundation and/or an Affiliate regarding the conduct of the Foundation’s and/or Affiliate’s Activities.

12. **Effect of MOU; Amendment.** This MOU (and any attachments) contains all the terms between the parties and may be amended only in writing signed by an authorized representative of both parties. Any amendment to this MOU (or any attachment) will not become effective until it has been approved by the University’s Office of the General Counsel.

13. **Confidentiality.** Neither the Foundation nor the College shall disclose or use any private, confidential, proprietary, or trade secret information provided from one to the other except as required in and by the terms of this MOU.

14. **Term and Termination.**

14.1. This MOU shall have an initial term of one year beginning [date] and ending [date], and shall be automatically renewed for additional one-year terms unless written notice is given no later than 90 calendar days of the end of the term or renewal term by either the Foundation or the College of its desire to terminate or modify the provisions of this MOU. Any notice requesting modification shall describe the
modification(s) requested. If a notice requesting modification is given, the parties shall meet within 30 calendar days to try to reach an agreement on any changes.

14.2. This MOU may be terminated in whole or in part by the College upon the breach by the Foundation of one or more of its terms, including without limitation failure to comply with the Foundation Guidelines attached as Exhibit A. Prior to any such termination, the College shall provide a written notice of breach to the Foundation describing the nature of the breach(es). Upon receipt of the notice of breach, the Foundation shall have 30 calendar days to cure the breach(es). If the Foundation fails to do so to the satisfaction of the College, the College shall provide a written notice of termination to the Foundation, to be effective immediately. The Foundation may contest the notice of breach and/or the notice of termination by submitting a letter to the University Chancellor. The Chancellor shall review the contested notice and provide a recommendation to the CUNY Board of Trustees within 30 calendar days of submission of the Foundation’s letter. The decision of the CUNY Board of Trustees shall be final.

14.3. This MOU may be terminated in whole or in part by the University Chancellor or the CUNY Board of Trustees upon 30 calendar days prior written notice in accordance with the notice provisions of this MOU.

15. Notice. Any notice to either party hereunder must be in writing, signed by the party giving it, and shall be delivered either personally, by overnight delivery service, or by electronic mail or fax machine, or deposited in the United States mail, postage prepaid, registered or certified mail, addressed as set forth below. Such notices will be deemed to have been given or made when so delivered or deposited.

TO UNIVERSITY AND COLLEGE:

President
[Name of College]
[Address]
With a copy to
Office of the General Counsel
The City University of New York
205 E. 42nd Street, 11th Floor
New York, NY 10017

TO THE FOUNDATION:

[Insert]
or to such persons as may be hereafter designated by notice.

16. This MOU includes the following documents:

16.1. Exhibit A – CUNY Foundation Guidelines
16.2. Exhibit B - Foundation Services and Activities
16.3. Exhibit C - Facilities, Personnel, Equipment and Other Support, Goods and Services Provided to Foundation by the College
16.4. Exhibit D - Description of Affiliates and College-provided Resources

17. In the event of any controversy of terms, the priority of the interpretation of documents comprising this MOU shall be in the following order:

17.1. Exhibit A - CUNY Foundation Guidelines
17.2. This MOU
17.3. Exhibit B - Foundation Services and Activities
17.4. Exhibit C - Facilities, Personnel, Equipment and Other Support, Goods and Services Provided to Foundation by the College
17.5. Exhibit D - Description of Affiliates and College-provided Resources

18. This MOU constitutes the entire agreement of the parties hereto and all previous communications between the parties, whether written or oral, with reference to the subject matter of this MOU are hereby superseded.

This Memorandum of Understanding has been executed by and on behalf of the University (on behalf of the College) and the Foundation on this ____ day of ____________, 20__. 

THE CITY UNIVERSITY OF NEW YORK
By and on behalf of
[COLLEGE] [FOUNDATION]

By: __________________________  By: __________________________
President

Approved as to Form:

__________________________________
The City University of New York
Office of the General Counsel
Date: ____________________________

Exhibit A
CUNY Foundation Guidelines

Exhibit B
Foundation Services and Activities

(This language is to be modified as necessary to accurately reflect a particular Foundation’s Activities and relationship with its supported college.)

List of services and activities to be provided by the Foundation:

Fundraising

1. Acting as an independent contractor, not as an agent, of the College, the Foundation shall conduct private fundraising efforts on behalf of the College.

2. The Foundation shall cooperate with the College in the development of the Foundation’s fundraising programs. Among other things, the Foundation shall:

   a. coordinate its annual giving program with the College’s offices of institutional advancement and/or alumni affairs;

   b. coordinate all special fund-raising projects with the College; and
c. maintain a well-coordinated donor relations program in an effort to minimize overlap and over-solicitation of current and prospective donors.

**Fund Management - General**

3. The Foundation shall be responsible for the management of funds that originate with its fundraising activities in accordance with the following procedures:

a. While the Foundation is authorized to commingle for investment purposes undesignated assets with other funds for designated uses, the Foundation shall maintain a separate accounting of undesignated funds received and gains, profits, and losses resulting from said investments.

b. Distributions from the designated endowment funds, at the payout rate, established by the Foundation Board of Directors, will be transferred to the appropriate College accounts (*describe schedule*, e.g., on a periodic basis, at the beginning of each quarter, semi-annually, etc.). The Foundation, at its discretion, may create a schedule of payments for a program or project.

c. Distributions of restricted current-use funds will be made subsequent to approval by the Foundation’s Board of Directors or committee thereof, following written request by the respective College department or program for the available funds.

d. The Foundation shall be a repository for current and future endowment gifts to the benefit of the College (unless the donor specifies otherwise). Alternatively, the Foundation may deposit such gifts in the CUNY Investment Pool. The management of funds deposited with the Foundation, including investment strategies and payout rates, is the prerogative of the Foundation Board of Directors. If the Foundation is the intended recipient of funds made payable to the College, the funds shall be transferred to the Foundation.

e. The Foundation is authorized to accept restricted gifts on behalf of the College. However, the Foundation agrees, before accepting gifts with any restrictive terms and conditions or gifts of real estate, to obtain written College permission, and the College and the Foundation both agree to advise donors that a restricted gift for the benefit of the College may not be accepted without College and Foundation approval.

f. The College agrees through the Office of the President to provide the Foundation annually with a list of private gift funding priorities. The Foundation will then pursue funding for the priorities on the basis of funding realities. The Foundation agrees not to solicit or accept gifts for any use specified by a donor that is inconsistent with the College’s mission, goals, or objectives. When a question exists as to the acceptability of an offered gift, the Foundation will confer with the College President or his or her designee before directing a response to the donor.

g. Notwithstanding anything to the contrary in this Section 3, in the event of financial exigency or other special need, the College may request an increase in the payout rate, which request shall not be unreasonably denied by the Foundation.

h. The College President shall submit a plan to the Foundation by [*month*] of each year for utilization of unrestricted gifts received by the Foundation in the following fiscal year, including discretionary support of the office of the College President. The Foundation will take into account the College’s priorities when pursuing private gifts.

i. Any plan for utilization of unrestricted gifts that includes allocation of funds to the College President’s discretionary fund shall include the categories of such discretionary expenditures (faculty
recognition, travel, entertainment, etc.) as well as the relative percentage of the plan for each category. The Foundation’s Board of Directors will review the submitted request and act on it accordingly. Upon approval, the Foundation will either transfer to the College the entire authorized sum for the year or reimburse approved expenses as they are submitted by the College President. If the Foundation provides the payment as a lump sum, on a periodic basis the College President will provide the Foundation with an accounting of expenditures made from the discretionary fund. All discretionary fund expenditures must comply with State law and institutional policies and guidelines of the University, as well as applicable provisions of the Internal Revenue Code pertaining to the Foundation’s status as a §501(c)(3) supporting organization, and be consistent with the Foundation’s mission. Such funds will be audited as part of Foundation audits.

List and describe any other services, which might include: acquisition of real and personal property to supplement State of New York resources; real property management, including student or faculty housing; investment management, including endowment fund management with asset allocation, investment manager selection and spending formula; providing student loans; administering scholarship programs; borrowing or guaranteeing debt on behalf of the College; etc.

B. If any of the services and activities listed in A are to be provided by subcontractors of the Foundation, indicate below.

Exhibit C
Facilities, Personnel, Equipment and Other Support, Goods and Services Provided to Foundation by the College

A. Description of space utilized for each service provided (collectively, the “Premises”):

<table>
<thead>
<tr>
<th>Service</th>
<th>Building Name</th>
<th>Square Ft</th>
<th>Space Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Administrative Office</td>
<td>Old Main</td>
<td>500 sq ft</td>
<td>office</td>
</tr>
</tbody>
</table>

B. College personnel assigned:

C. Description of equipment and other support, goods and services provided:

☐ office furniture, including: [list]

☐ office equipment, including: [list]

☐ ordinary and necessary utilities for the Premises

☐ support services of the type provided to College departments including, but not limited to: access to the College’s telephone system and internet; janitorial services; maintenance of the Premises from the College’s physical plant; duplicating, printing and mail services.

☐ payroll services for Foundation employees, including the allocation of related benefits, accounting services, and other administrative services
technology support services, as well as online access to such College files as the Foundation deems, and the College agrees, to be relevant and necessary to the activities and purpose of the Foundation.

access to College’s fundraising software system and donor/prospect database

D. Description of reimbursement for the items listed in A - C:

Exhibit D
Description of Affiliates and College-provided Resources

A. Name and address of each Affiliate

B. Description of services and activities

C. Description of space utilized for each service provided:

<table>
<thead>
<tr>
<th>Service</th>
<th>Building Name</th>
<th>Square Footage</th>
<th>Space Description</th>
</tr>
</thead>
</table>

D. College personnel assigned:

E. Description of equipment and other support, goods and services provided:

F. Description of reimbursement for the items listed in C - E:

B. AUTHORIZATION TO RENEGOTIATE THE AGREEMENT BETWEEN THE CITY UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY RESEARCH FOUNDATION (RF)

RESOLVED, That the Chancellor shall renegotiate and update the existing 1983 agreement between the University and the City University Research Foundation (RF CUNY) to: (1) re-define the role of the RF as fiscal and legal agent for external awards and contracts at CUNY; (2) clearly specify the nature and scope of RF responsibilities for oversight, compliance and reporting and distinguish them from those of the Central Office of Research; (3) ensure that RF policies and practices comply with all relevant federal, state and local regulations and that there is transparency in all RF communications and reports to university constituents; and, (4) within the RF’s re-defined role, improve the quality of, accountability for, and satisfaction with its services to the University community; and be it further

RESOLVED, That such renegotiated agreement will be presented to the Board of Trustees for its consideration and approval in the Fall.

EXPLANATION: The RF CUNY was formed in 1963 to serve the university as its fiscal and legal agent for the administration of sponsored programs, grants and contracts. In 1983, the RF and CUNY entered into a formal agreement outlining the administration of sponsored programs and grant activities. Since
1983, the University’s research mission, expertise, infrastructure and activities have changed substantially. At the same time, federal, state and local regulations and the roles of compliance, ethics, transparency and risk management in the conduct of sponsored research and program management have changed and expanded considerably. In light of these changes, in [January 2017], Chancellor Milliken created and charged a CUNY-wide Task Force, co-chaired by Executive Vice Chancellor and University Provost Vita Rabinowitz and Interim Chief Operating Officer Marc Shaw, to re-examine the 1983 agreement and relationship between CUNY and RF CUNY and make recommendations.

The RF Task Force observed that (1) many of CUNY’s colleges and CUNY’s Office of Research have assumed many of the support functions allocated to RF CUNY in the 1983 agreement, (2) the mission of RF CUNY has expanded over the decades in ways that duplicate efforts at the colleges and the Central Office of Research, and the level of campus satisfaction with the RF CUNY’s core services requires University attention.

The RF Task Force concluded that the RF best serves the interests of the University by focusing more narrowly and intensively on its unique functions as fiscal and legal agent of CUNY. This resolution accordingly calls for a renegotiated agreement between CUNY and RF CUNY with a new mandate. Within that new mandate, the RF will ensure oversight and compliance in fiscal and legal matters; increase transparency in operations and reporting; and improve the quality of communications regarding policies and procedures and the effectiveness of its services.

C. APPROVAL OF BOARD OF TRUSTEES POLICY ON THE USE AND OPERATION OF UNIVERSITY VEHICLES

RESOLVED, That the Board of Trustees adopt a new University-wide policy governing the use and operation of all University motor vehicles. This Policy applies to all potential drivers of University vehicles and supersedes all inconsistent policies, memoranda, guidelines and protocols and similar documentation previously issued, including without limitation the 2010 CUNY Fleet Management Policy.

EXPLANATION: The City University of New York and its constituent colleges own and lease motor vehicles for a variety of purposes. The new policy governing the use and operation of motor vehicles is aligned with State of New York policies. This new policy will limit the use of fleet vehicles to an as-needed basis, and thus reduce the total number of University vehicles, resulting in savings and efficiencies that will be redirected to core mission activities. Any violation of this policy may result in disciplinary action.

THE CITY UNIVERSITY OF NEW YORK
VEHICLE USE POLICY

A. Purpose and Applicability

This Policy addresses the use and operation of University vehicles. This Policy applies to all potential drivers of University vehicles and supersedes all inconsistent policies, memoranda, guidelines and protocols and similar documentation previously issued, including without limitation the 2010 CUNY Fleet Management Policy. Any deviation from this Policy requires the approval of the Chancellor or his or her designee. Any violation of this Policy may result in disciplinary action.
B. Definitions

As used in this Policy:

1. “College” means each college, school and other constituent unit of the University, including the central office.

2. “Fleet Manager” means that individual at a College who is responsible for the fleet of University vehicles at that College, including vehicle maintenance and safety and driver management.

3. “LENS Program” means the License Event Notification Service (LENS) operated by the State Department of Motor Vehicles, an automated reporting system that reviews driver’s license records of a registered organization’s drivers included in the LENS database and notifies the organization of license events, such as accidents, convictions, expirations, suspensions and revocations.

4. “Policy” means this University vehicle use policy and any amendments that may be made in the future.

5. “Presidents” means the college presidents and the deans of the Macaulay Honors College, CUNY School of Professional Studies, the CUNY School of Law, the CUNY Graduate School of Journalism, and the CUNY Graduate School of Public Health and Health Policy, each of whom is a “President.”

6. “University vehicle” means a vehicle owned, leased or rented by the University, including without limitation automobiles, buses, vans, trucks and other mobile equipment.

C. Eligibility for Use of University Vehicles

1. Any person driving a University vehicle must be a University employee or an employee of one of the following entities or types of entities related to the University, conducting University business: the Research Foundation of The City University of New York, auxiliary enterprise corporations, college associations, student services corporations, or child care centers.

2. Any person driving a University vehicle must have a valid U.S. driver’s license of the class required for the vehicle being operated and must provide a copy of the license to the Fleet Manager at their College. Any person driving a University vehicle who does not possess a New York State driver’s license must each semester provide the Fleet Manager with a copy of his or her driving record from the agency that issued the driver’s license. The University prefers, but does not require, that drivers of University vehicles have been licensed for four or more years.

3. Every person who may use a University vehicle is required to immediately inform his or her supervisor of any license revocation, suspension, or restriction. The University participates in the LENS Program. No person shall be allowed to operate a University vehicle if there has been a change in licensure that restricts driving privileges unless the operation of the University vehicle complies with such restrictions. The University retains the right to deem any person ineligible to drive a University vehicle based on driving history.

4. The University retains the right to require any person using a University vehicle to participate in a safe driving program. The program will be provided by the University at no cost to the driver and can be taken during the driver’s regular work schedule. Persons who are required to participate in a safe driving program will be allowed to continue to drive until successful completion of the program, unless the person has driving violations involving a conviction for intoxication and/or use or
possession of any controlled substance, reckless driving, license suspension or failure to report an accident.

5. In the event of a suspension or revocation of the driver’s license of a University employee who is required to drive as part of his or her official duties, a College may file disciplinary charges subject to the employee’s due process rights to representation and a hearing in accordance with the disciplinary procedures of the University’s collective bargaining agreements. This Policy does not diminish a University employee’s collective bargaining rights or rights under Section 75 of the New York State Civil Service Law, as may be applicable.

D. Assignment of Vehicles

1. All University vehicles controlled by the University (i.e., not rented for a specific purpose) will be deemed part of the University's vehicle pool. Pool vehicles will be assigned to drivers on an as-needed basis to carry out University business.

2. University vehicles may be assigned to particular individuals for their exclusive use as described in this section. Note that assignment of a University vehicle does not by itself confer the right to commute in the vehicle.

   (a) University vehicles may be assigned to the Chancellor, each of the Presidents, the University Director of Public Safety, and the chief public safety official at each College, for their exclusive use. Assignments of vehicles under sections (a) and (b) do not automatically include authorization to use the vehicle for commuting purposes.

   (b) University vehicles may be assigned to other University personnel only when approved by the Chancellor or his or her designee in the case of central office personnel, or the President, in the case of campus personnel. Such assignments shall be in the best interests of the University taking into consideration the efficient use and assignment of University resources, including fiscal and personnel, for the health, safety and business demands of the University.

   (c) Only University personnel who are first responders, who are on call 24 hours per day, or who are responsible for ensuring public safety are allowed to routinely take University vehicles home or use vehicles for commuting purposes. The Chancellor, each of the Presidents, the University Director of Public Safety, and the chief public safety official at each College are specifically permitted to use University vehicles for commuting purposes pursuant to this paragraph.

   (d) Within 30 days of the implementation of this Policy and thereafter no later than July 15 each year, each President shall provide to the central office Fleet Manager a report of the names and titles of individuals at their campus who have been assigned a University vehicle for their exclusive use for that fiscal year. The report shall indicate: (i) whether the vehicle (including any vehicle assigned to the President) may be taken home at night or used for commuting purposes or whether the vehicle will be parked at a University facility or parking space when not in use and (ii) for each job title, an explanation in support of the assignment. The Chancellor, or his or her designee, has the right to reject any assignment of a University vehicle and/or use of a University vehicle for commuting purposes that does not meet the requirements of this Section D.2.
(e) Each College shall review individual assignments of University vehicles on no less than an annual basis. If at any time the job duties change and the individual vehicle assignment is no longer warranted, such assignment shall be terminated. Any new individual assignments must be approved by the Chancellor or his or her designee in the case of central office personnel, or the President, in the case of campus personnel.

3. In circumstances where a pool vehicle is not available and a location is not easily accessible by mass transit, a College may allow persons to use a taxi, rental car or their personal vehicle, whichever is less expensive. Drivers who may be entitled to reimbursement of travel expenses should review the NYS Office of the State Comptroller Travel Manual for senior Colleges and City of New York Comptroller’s Directive #6 for community Colleges.

Notwithstanding anything to the contrary in the foregoing paragraph, participants in “CUNY Trips,” as that term is defined in the CUNY Student Domestic Trip and Travel Guidelines may use their personal vehicles for such trips except that “Trip Sponsors” and “Trip Chaperones” shall not drive students in personal vehicles on CUNY Trips unless no commercial transportation can be arranged, no pool vehicle is available, or in case of emergency. CUNY personnel who use their personal vehicles for CUNY Trips must comply with this Policy, including paragraph 4 below.

4. Drivers with physical disabilities who own specially-equipped personal vehicles are authorized to use their personal vehicles when automobile transportation is required to perform official University functions.

5. Persons who are permitted to use their personal vehicles for University business must maintain the minimum statutory automobile liability limits as required by the state in which the vehicle is registered, and must provide evidence of such insurance to the University upon request.

E. Use of University Vehicles

1. Whatever the transportation need, authorized drivers must make every effort to use mass transit in lieu of University vehicles whenever it is practicable.

2. University vehicles shall be used only for official University business except under very limited circumstances where (a) personal use such as commuting is expressly authorized pursuant to this Policy or (b) the personal use is incidental to official business. Even in cases where personal use is authorized or is incidental to official business, each person operating a University vehicle is expected to exercise good judgment to avoid the appearance of impropriety.

3. All personal use of University vehicles must be reported on the vehicle use log (see Section G of this Policy) unless the personal use is incidental to official business. For any personal use that is not incidental, the user of the University vehicle must reimburse the University the value of such use (including fuel and E-ZPass or other bridge and toll charges) or the value must be treated as imputed personal income for tax purposes. The University disseminates reporting procedures to authorized drivers annually with respect to these benefits.

4. University vehicles should not be used to transport passengers unless they are: (i) University personnel engaged in official business or (ii) non-University personnel engaged in official business with University personnel. Picking up or dropping off friends or family members at their place of employment or school in a University vehicle—regardless of their status as University personnel—is strictly forbidden.
Due to the public nature of the work being performed when operating a University vehicle, persons using a University vehicle have a limited expectation of privacy in connection with such use. The University expressly reserves the right to monitor and record the use of any equipment it issues or assigns for a legitimate work-related purpose, and University vehicles are no exception. Accordingly, the use of a University vehicle may be monitored and recorded at any time by visual, documentary, or electronic means.

F. Use of Drivers

A University employee may have another University employee drive the employee in a University vehicle for official business, but driving another University employee cannot be the sole or primary duty of any University employee.

G. Vehicle Use Logs

1. The Fleet Manager at each College shall maintain a vehicle use log form attached as Appendix A for all University vehicles. Such logs shall require any person using a University vehicle to record at least the following information: driver name, vehicle license plate, dates and times of use, driver and occupants of the vehicle, starting location and destination, purpose of the trip, starting and ending odometer readings, and fuel and oil purchases. Except for personal use that is incidental to official University business (see examples in Section E of this Policy), all personal use must be clearly identified as such in the vehicle use log. Drivers must sign the vehicle use log prior to removing any vehicle from its space and after returning it. Upon returning the vehicle, drivers must also note in the vehicle use log any condition(s) affecting the safety of the vehicle.

2. Each leg of a trip should be separately recorded in the vehicle use log. For example, if an employee who has an all-day meeting outside of New York City takes a University vehicle home the evening prior to the meeting, drives to the meeting the next morning, drives home that evening, and returns the vehicle the following morning, she should separately record: (a) the trip from campus to home, (b) the trip from home to the meeting, (c) the trip from the meeting back to home, and (d) the trip from home to campus to return the vehicle.

3. Vehicle use logs shall be collected, reviewed, and approved as to completeness and accuracy on a regular basis by the College Fleet Manager or designated supervisor. The frequency of such review and approval (e.g., weekly, monthly) shall be reasonable in light of the overall vehicle use by the College. The vehicle use logs shall be subject to periodic audit by the University to ensure that all vehicle use is consistent with this Policy. Vehicle use logs shall be maintained in accordance with the University’s record retention policy.

H. General Vehicle Use Requirements and Restrictions

1. University vehicles must at all times be operated in full compliance with all applicable federal, New York State, and local laws and regulations, as well as University policies and procedures.

2. Use of seat belts in University vehicles by drivers and all passengers, regardless of seating location, is mandatory.

3. No person driving a University vehicle may send or view e-mails or text messages while driving.

4. No person driving a University vehicle may use a mobile telephone or other electronic device while driving unless the mobile telephone or other electronic device is used in hands-free mode.
Even hands-free use should be conducted only if it does not interfere with the safe operation of the vehicle. Because of the inherent dangers of distracted driving, all drivers are strongly encouraged to use mobile telephones and other electronic devices only while the vehicle is safely off the road and not in motion.

5. No person driving a University vehicle may use alcohol or drugs that would impair driving.

6. Possession or use of alcohol, illegal drugs, or other intoxicating substances by any person in a University vehicle is strictly prohibited.

7. Smoking in University vehicles is strictly prohibited.

8. All persons are prohibited from carrying, possessing, or transporting firearms, other weapons, or explosive devices in a University vehicle unless expressly authorized to do so in connection with carrying out their official University duties.

9. The use of radar detectors in University vehicles is strictly prohibited.

10. Except as otherwise required by traffic, weather, or road conditions, travel should be by the most direct route possible taking into consideration cost-effectiveness, actual distance traveled, and the time to travel such distance.

11. Parking permits, or placards that grant special parking privileges for University vehicles may be used only for official University business.

12. The driver of a University vehicle shall be personally responsible for all parking, moving, and E-ZPass violations.

13. Unless expressly authorized by the College, no banners, advertising, placards, decals, or stickers may be placed on a University vehicle.

14. Colleges must keep keys to University vehicles in a secure location.

I. Dissemination and Acknowledgement

Each College shall ensure that this Policy is provided on at least an annual basis to all individuals at the College who use University vehicles or may use University vehicles and that such individuals acknowledge in writing that they have received and read this Policy. Written acknowledgement by e-mail or other electronic means is acceptable. Individual acknowledgements shall be maintained on file with the College.

APPENDIX A: Assigned Car Log Template

APPENDIX B: Pool Car Log Template
D. AMENDMENT OF BOARD OF TRUSTEES POLICY 3.04 – GUIDELINES ON THE USE AND REPORTING OF NON-TAX LEVY FUNDS

RESOLVED, That the Board of Trustees amend Board policy 3.04 which was adopted on March 23, 1981, titled “Presidential Discretionary Funds”, and rename the policy “Guidelines on the Use and Reporting of Non-Tax Levy Funds” and replace the existing policy with the Amended Board of Trustees Policy 3.04; and be it further

RESOLVED, That the Chancellor, through the Office of the Chief Financial Officer, mandates that each college president shall submit a standardized report describing the sources and uses of unrestricted non-tax levy funds no later than 60 days after the completion of each fiscal year.

EXPLANATION: The City University of New York receives funds from a variety of sources. Many of the funds received are for specific, limited purposes or are subject to restrictions; however, some of the funds received are of a discretionary nature and considered unrestricted non-tax levy funds. The University and its colleges shall use all funds, regardless of type, in a manner consistent with applicable laws and regulations, policies, and other restrictions or designations governing their use. The 1981 Board Policy entitled “Presidential Discretionary Funds,” has been updated to reflect current types of funds and required practices for use and reporting.

On November 16, 2016, the Chancellor issued a memorandum to all college presidents and deans, informing them that a standardized reporting template would be developed by the Office of the Chief Financial Officer, and that the presidents and deans would be required to use that template to report the sources and uses of unrestricted non-tax levy funds at the completion of each fiscal year.

AMENDED BOARD OF TRUSTEES POLICY 3.04
Guidelines on the Use and Reporting of Non-Tax Levy Funds

Introduction

The City University of New York (CUNY) receives funds from a variety of sources. Many of the funds received are for specific, limited purposes or are subject to restrictions; however, some of the funds received are of a discretionary nature and considered unrestricted non-tax levy funds. The University and its colleges shall use all funds, regardless of type, in a manner consistent with applicable laws and regulations, policies, and other restrictions or designations governing their use.

Purpose

The purpose of this document is to provide guidance on the use of unrestricted non-tax levy funds and the annual reporting of such use.

Non-Tax Levy Funds Defined

The following are examples of non-tax levy funds:

- Gifts to the college, its affiliated foundation(s) or its related entities;
- Commissions and royalties from service contracts such as pouring rights, food service, vending, and bookstore operations (including virtual);
- Revenue from the licensing of CUNY facilities, such as classrooms, gyms, theatres, conference centers and other spaces;
• Royalties from the licensing or other commercialization of CUNY intellectual property, including trademarks, copyright, patents and technology;
• Admission fees and revenues from ticket sales, such as for athletic and entertainment events;
• Membership fees, such as for alumni and community memberships to athletic and wellness facilities;
• Revenues from parking lots and garages, including sale of parking permits;
• Revenues from sales of publications and subscriptions;
• Child care center tuition and fees;
• Indirect cost recoveries on grants and contracts administered through The Research Foundation of the City University of New York (RFCUNY) or elsewhere; and
• Other miscellaneous revenues such as interest income, forfeited bond deposits, and insurance proceeds, regardless of where the funds are held or who administers them.

The following are examples of what are considered tax-levy funds:

• Funds appropriated by the State and City of New York, including funds appropriated for tuition and fee revenue;
• Federal, State and City financial aid;
• Funds held by New York State Treasury in income fund reimbursable accounts or deposited with New York City as non-miscellaneous income (such as technology fees); and
• Reimbursements of tax-levy expenditures such as vendor refunds or summary salary reimbursements from RFCUNY.

For purposes of these Procedures, “Non-Tax Levy Funds” also include student activity fees; however, the use of student activities fees shall follow the CUNY Fiscal Handbook for the Control and Accountability of Student Activity Fees and the Financial Management Guidelines related to the College Associations, both of which are currently being updated and which have been and will continued to be closely aligned with New York State’s Procurement policies.

Unrestricted and Restricted Non-Tax Levy Funds

Non-Tax Levy Funds can be either unrestricted or restricted. Restricted non-tax levy funds must be administered and spent in accordance with the associated grant document, contract or gift agreement.

Unrestricted Non-Tax Levy Funds are funds that are not government appropriated and do not carry restrictions as to usage or purpose. These funds can generally be used for any legal purpose that will advance the mission of the University; however, there are several overarching principles governing the use of these funds.

Expenditures:
1. Must be for a valid and necessary business purpose;
2. Should not be for a personal benefit;
3. Should not be lavish or excessive;
4. Must advance the University’s mission; and
5. May not support a political party or the campaign of any particular candidate for public office
6. May not support any organization that restricts membership by race, creed, sex, religion or sexual orientation.
For purpose of these Procedures, Restricted Non-Tax Levy Funds refers to funds that are restricted because of the terms of a grant document, gift agreement or other contract, and must be administered and spent in accordance with terms of such document.

Other Non-Tax Levy Funds are “restricted” in the sense that the entity generating the revenue is organized with a specific, limited purpose (i.e., operating a childcare center, performing arts center, etc. rather than more generally benefitting the University) and any revenues must be used in support of that specific purpose. Or, in the case of student activity fees, the funds are restricted in that they may be spent only for the purposes set forth in the eleven expenditure categories described in Section 16.2 of the CUNY Board of Trustees Bylaws (“CUNY Bylaws”). For purposes of these Procedures, these types of funds are deemed to be Unrestricted Non-Tax Levy Funds.

Types of Non-Tax Levy Funds

There are two types of Non-Tax Levy Funds: College Non-Tax Levy Funds and Related Entity Non-Tax Levy Funds, each of which is described below.

College Non-Tax Levy Funds

College Non-Tax Levy Funds are held in local college bank accounts. The source of these funds are not tax levy in nature and include things such as interest income; commissions, royalties, fees and other payments that are not otherwise generated or held by a separately-incorporated related entity. They may also include revenues from unincorporated college associations.

Related Entity Non-Tax Levy Funds

Related Entity Non-Tax Levy Funds are controlled by separately incorporated entities that are related to CUNY or the colleges, and are held in the entities’ own bank accounts. Related Entity Non-Tax Levy Funds can become College Non-Tax Levy Funds when, for example, a college foundation transfers funds to the college for college expenditure.

Examples of sources of Related Entity Non-Tax Levy Funds include:

Auxiliary Enterprise Corporations (“Auxiliaries”). These are separately incorporated tax-exempt entities that support the colleges by providing non-instructional auxiliary services. Examples of auxiliary services include: food service, catering and vending operations; “pouring rights” contracts; bookstores; printing shops; student housing; sports, health and recreation facilities; parking operations; shuttle buses; and performing arts centers. Auxiliaries provide auxiliary services through: (i) direct operation (e.g., child care centers), (ii) subcontracts with other vendors (e.g., transportation services), and (iii) by acting as a college’s fiscal agent in connection with a college or University contract or facility (e.g., pouring rights, theater operations) or asset licensing program (e.g., short-term facility use, trademarks).

Auxiliary funds include royalties, commissions, and other payments received through their contracts with vendors, licensees, and others. The Auxiliaries use these funds pursuant to their board-approved budgets to support their operations, directly support college activities, and provide discretionary support for the college or the college president.

College Associations (“Associations”). These are separately incorporated4 tax-exempt entities that support the colleges by administering student activity fee-supported budgets and otherwise supporting

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4 Some college associations are not separately incorporated but are instead operated as fund groups of a particular college. Monies held by these unincorporated college associations are College Non-Tax Levy Funds.
the student body. Association funds consist of student activity fees held by the Associations, revenues generated from student activity fee-supported activities (e.g., ticket revenues from concerts, advertising revenue from student publications, fundraising by student clubs, etc.), and such other revenues that an Association may from time-to-time generate or receive. The Associations adopt budgets and use these funds pursuant to the CUNY Fiscal Handbook for the Control and Accountability of Student Activity Fees and other University policies and procedures. Student activity fee funds (including revenues generated from student activity fee-supported activities) must be expended in accordance with the categories set forth in Section 16.2 of the CUNY Bylaws. Student activity fees may not be used to provide discretionary support for the college or the college president except as permitted by Section 16.9 of the CUNY Bylaws regarding a college purposes fund.

**Student Services Corporations ("SSCs").** These are separately incorporated tax exempt entities that support the colleges by operating the student union/center on campus or otherwise providing student support services). SSC funds consist of a portion of the college student activity fee earmarked for use by the SSC, revenues from licensing their facilities, and such other revenues that an SSC may from time-to-time generate or receive. SSCs are restricted in the same manner as Associations regarding their use of student activity fees and their operations generally.

**College Foundations ("Foundations").** These separately incorporated tax-exempt entities support the colleges by soliciting donors and gifts, and related activities. Foundation funds consist primarily of restricted and unrestricted donations to the Foundations. The Foundations use these funds pursuant to their board-approved budgets to, among other things, support their operations, directly support college activities, provide scholarships, and provide discretionary support for the college president. Discretionary support may take the form of the transfer of funds to the college president (in which case the funds become College Non-Tax Levy Funds) or direct payment of expenses at the college president’s request. Any discretionary support for the college president must be in accordance with the memorandum of understanding between the Foundation and its supported college, as well as any University policies and procedures regarding such support. A Foundation’s use of donor-restricted funds must be consistent with the purpose and other restrictions set forth in any written agreement with the donor.

**The Research Foundation of the City University of New York ("RFCUNY").** The RFCUNY is a private, not-for-profit educational corporation that manages private and government sponsored programs and grants on behalf of CUNY. The RFCUNY supports CUNY faculty and staff in identifying and obtaining external support (pre-award) from government and private sponsors and is CUNY’s fiscal agent, responsible for the administration of all such funded programs (post-award). The Non-Tax Levy Funds held and administered by the RFCUNY include federal, state, city, and private grants, as well other non-grant funds such as Overhead Receipts and other Non-Grant or Institutional Funds. "Overhead Receipts" are generated by charging a predetermined percentage, often known as the Facilities and Administrative Rate, to externally sponsored projects. Each college is responsible for determining who has authority over the use of those funds. “Non-Grant/Institutional Funds” are other non-tax levy funds that are deposited at the RFCUNY and spent from the RFCUNY. Examples include Adult and Continuing Education funds per the University’s Standard Operating Procedures for use of such funds and other institutional funds.

**Child Care Centers, Performing Arts Centers and Other Separately Incorporated Related Entities:** These separately incorporated tax-exempt entities benefit the colleges typically by providing specific support services. Non-Tax Levy Funds generated or held by these entities include childcare fees, federal, state and local grant funds, ticket revenues, gifts from donors and other fundraising revenues. These entities use these funds pursuant to their board-approved budgets to support their operations.
Procurement and Approvals

Purchasing using College Non-Tax Levy Funds is governed by CUNY’s Procurement Policy and Procedures, adopted by the CUNY Board of Trustees on February 21, 2017. Purchasing using Related Entity Non-Tax Levy Funds is governed by the New York Not-for-Profit Corporation Law; the related entity’s own policies and procedures; and any policies, guidelines, and procedures issued by the University with respect to any or all related entities, including Financial Management Guidelines and the CUNY Fiscal Handbook for the Control and Accountability of Student Activity Fees.

Reporting the Use of Unrestricted Non-Tax Levy Funds

Beginning for FY 2017 (July 1, 2016 to June 30, 2017), each college is required to report the College Non-Tax Levy Funds it has expended, as well as the Related Entity Non-Tax Levy Funds expended by the related entities that support the college.

Reports shall be prepared by each college’s Business Office and certified by the college’s Chief Fiscal Officer prior to their submission to the University’s Office of Internal Audit (OIA). OIA may request additional information and support from the colleges.

Reports are due within 60 days of the year-end.

E. ADOPTION OF EXECUTIVE COMPENSATION PLAN REFORMS

WHEREAS, Executive Compensation Plan resolutions in 1987, 1994, and 2000 state “that periodically…but no less frequently than every five years, the Board of Trustees shall review national peer data to compare and reassess its Executive Compensation (Salary) Plan” (Board Minutes 10/26/87, 6/27/94, and 2/22/2000); and

WHEREAS, On June 26, 2006, the Board of Trustees approved a Revised Salary Plan which was based on a review of market data and best practices in higher education conducted by the firm of William M. Mercer; and

WHEREAS, The Salary Plan Report adopted by the Board of Trustees on June 26, 2006, similarly requires a periodic assessment of the Salary Plan, “no less frequently than every five years”; and

WHEREAS, In accordance with this mandate, the University engaged the services of William M. Mercer in 2003, 2006, 2010 and 2012 to update the market analysis previously performed; and

WHEREAS, The Board of Trustees adopted a Revised Salary Plan on June 25, 2012 based on this market analysis; and

WHEREAS, The June 2012 Salary Plan was filed with the chairs of the NYS Senate Finance committee and NYS Assembly Ways and Means Committee and the budget director of the State of New York, in accordance with Chapter 263 of the Executive Laws of 1987; and

WHEREAS, The Salary Plan was amended in 1994 to link salary adjustments to general salary increases for New York State Management Confidential employees, and under the 2012 Revised Salary Plan, increases to salary ranges continued to be tied to increases given to the New York State Management/Confidential employees; and

WHEREAS, On June 26, 2016, the Board of Trustees approved salary increases for all members of the Professional Staff Congress; and
WHEREAS, Chapter 263 of the Laws of 1987 authorizes the Board of Trustees to establish and implement a Salary Plan for executive staff following consultation with the NYS Governor’s Office of Employee Relations and the Division of the Budget, and further requires the Board of Trustees to file a proposed Salary Plan Report with the Chairs of the NYS Senate Finance Committee and the NYS Assembly Ways and Means Committee and the Director of the Budget at least 60 days prior to the effective date of the Plan; now therefore be it

RESOLVED, That the attached Proposed Salary Plan Report for the Executive Compensation Plan dated June 26, 2017 is approved effective September 1, 2017; and be it further

RESOLVED, That the Chancellor is authorized to take all necessary actions to implement the Salary Plan pursuant to Chapter 263 of the Laws of 1987 with the further understanding that the Chancellor is granted the authority to make adjustments to the plan which may result from consultation with the New York State Division of the Budget, and or the New York State Office of Employee Relations; and be it further

RESOLVED, That upon the effective date of this Plan – September 1, 2017, the Chancellor may grant salary increases to members of the Executive Compensation Plan in accordance with the schedule of increases awarded to the collectively bargained units of the City University of New York retroactive to the start of the 2018 Fiscal Year or July 1, 2017 as follows: (a) 10.41% increase for employees with salaries less than $100,000.00; (b) 9.41% increase for employees with salaries between $100,000.00 and $200,000.00; and (c) 8.41% increase for employees with salaries greater than $200,000.00; and be it further

RESOLVED, That the Chancellor may grant salary increases consistent with those received by members of the ECP to Classified Managerial Service employees who hold high-level managerial positions in titles excluded from representation by any collective bargaining unit, pursuant to the following schedule:

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RESOLVED, That the Board of Trustee’s Manual of General Policy 5.16 - President Emeritus - be amended to include the non-compensated title of Chancellor Emeritus; and be it further

RESOLVED, That the Board of Trustee’s Manual of General Policy 5.23 – University Professor – be amended and that the last paragraph of the policy be replaced with “Notwithstanding the provisions of the Bylaws, the term of appointment shall be up to five years. Recommendation for the appointment to such title is at the discretion of the Chancellor and subject to Board approval.”; and be it further

RESOLVED, That the Chancellor is authorized to revise the “Terms and Conditions of employment for Staff Serving in the Executive Compensation Plan” to reflect the changes in the Proposed Salary Plan and to prepare this document for Board of Trustees approval; and be it further

EXPLANATION: The Board of Trustees recognizes the importance of recruiting and retaining innovative, highly competent, accountable, ethical and visionary leadership. The Board further recognizes that competitive, market driven compensation for this leadership is necessary and critical to the long term future success of the City University of New York and central to the Board’s mandate to improve standards and promote accountability.

CITY UNIVERSITY OF NEW YORK
EXECUTIVE SALARY AND COMPENSATION PLAN

I. INTRODUCTION

In accordance with Executive Law §169(3), the Board of Trustees of The City of New York has established CUNY’s Executive Compensation Plan (ECP).

Staff covered by the ECP serve in positions charged with leading the University and its constituent Colleges, under the policy direction of the Board of Trustees. Acting in accordance with the Bylaws, they shape, guide, interpret, and embody the mission of the institution, performing a public trust that extends beyond the particulars of their assignments. Through their knowledge, experience, and leadership, they transform that trust and that mission into academic programs, student services, and administrative systems. They are held accountable that these programs, services, and systems: (i) respond to the educational needs of the diverse student population served by CUNY, (ii) support the responsibilities of the faculty, (iii) are effectively implemented, (iv) operate fairly and efficiently, (v) conform to the highest principles of public service, (vi) demonstrate a commitment to accountability and transparency, (vii), conduct themselves in an ethical manner.
The positions covered by the Plan involve very significant independent management and executive responsibilities, including representation of the University and the Colleges to internal constituents and to external public and private entities. By the nature of their duties, these executives are at the highest ranks of managerial and confidential employees, not subject to representation through collective negotiation. The Plan ensures competitiveness in attracting talent from outside the University, in retaining talent within the University's own ranks, and in compensating the increased responsibilities and risks of executive service. The Plan (i) enables the University to offer competitive salaries to its managerial staff, (ii) enables executives to align their individual goals with the CUNY system's and Colleges' goals, (iii) creates a framework for goal setting and performance evaluation, (iv) focuses on results and behaviors, and (v) creates connections between performance and rewards.

The following titles are included in the ECP: Chancellor, Executive Vice Chancellor, President, Dean and President of the CUNY School of Law, Dean and President of the Graduate School of Journalism, Dean and President of the Macaulay Honors College, Dean and President of the School of Public Health and Health Policy, Dean and President of the School of Professional Studies, Senior Vice Chancellor, Vice Chancellor, Associate Vice Chancellor, Assistant Vice Chancellor, Secretary of the Board, Senior Vice President, Senior University Dean, University Dean, University Administrator, Vice President, Dean, Administrator, Associate Vice President, University Associate Dean, University Associate Administrator, Associate Dean, Associate Administrator, University Assistant Dean, University Assistant Administrator, Assistant Dean Assistant Administrator, CUNY-wide and Professional School Senior Associate Dean, CUNY-wide and Professional School Senior Associate Administrator, CUNY-wide and Professional School Associate Dean, CUNY-wide and Professional School Associate Administrator, CUNY-wide and Professional School Assistant Dean, and CUNY-wide and Professional School Assistant Administrator. The terms and conditions outlined herein provide information that guides the employment of persons serving in these titles.

CUNY recognizes the importance of recruiting and retaining innovative, highly competent, accountable, ethical and visionary leadership. As such, the changing landscape of higher education demands that CUNY periodically assess its competitiveness in the marketplace. To that end, the ECP is periodically evaluated to ensure that it supports the recruitment of superior talent and encourages excellence in performance by its most senior officials. The plan must also reflect the University’s on-going commitment to transparency and accountability and is being updated at this time to achieve this critical goal.

II. BACKGROUND

The origins of the ECP can be traced to the early 1980’s when the Board of Trustees adjusted the salaries of the Chancellor, Deputy Chancellor, Presidents, and Vice Chancellors

At its meeting on October 20, 1987, The City University Board of Trustees adopted a Salary Plan Report that was developed in accordance with Chapter 263 of the Laws of 1987, which authorized both The City University of New York and The State University of New York to establish and implement salary plans. These plans are to be developed in consultation with the New York State Division of the Budget, and the Governor's Office of Employee Relations with a 60-day notification to the Ways and Means Committee of the State Assembly, the Finance Committee of the New York State Senate, and the Director of the Budget.

CUNY’s Board of Trustees Executive Compensation Plan resolutions (1987, 1994, 2000, 2006, 2012 and 2017) state that “periodically thereafter, but no less frequently than every five years, the Board of Trustees shall review national peer data to compare and reassess its Executive Compensation (Salary) Plan.” Additionally, all salary ranges have been subject to periodic adjustment in accordance with the general increases provided for New York State Management Confidential M/C employees as well as any CUNY collective bargaining agreements.
In 2000, the Board of Trustees approved a Revised Salary Plan that was based on a review of market data and best practices in higher education, performed by the firm of William. M. Mercer, Inc. (Mercer). The plan set out, for the first time at CUNY, a tiering of Presidential salaries based on the complexity of the institution the President headed.

In February of 2010, in keeping with the requirement of reviewing salaries every five years, the University engaged the services of the Mercer Corporation (“Mercer”) to examine current market comparability data and make recommendations on the salary ranges. At CUNY’s direction, Mercer focused on the following “benchmarked” titles: Chancellor, Executive Vice Chancellor, Senior Vice Chancellor, Vice Chancellor, System Dean, President (Research Institution), President (Master’s Institution), President (Baccalaureate Institution), and President (Two-Year Institution). After establishing salary ranges for these titles, Mercer derived a salary schedule for the entire Executive Compensation Plan. Mercer gathered data at the 25th, 50th, 75th, and 90th percentiles for the benchmarked positions from recently published surveys, when available, in terms of base salary, total compensation, and actual short-term incentives.

Although Mercer completed its work in 2010, the Board of Trustees deferred consideration of the report. Mercer was later asked to age the survey market data and salary structures to March 1, 2012. The updated Mercer Report, which is attached, was used to establish new maximums for salary ranges. In June 2012, the Board of Trustees adopted these new ranges but CUNY Management deferred implementation of the revised ranges until June 2016 when they asked the New York State Office of the Comptroller to adopt the schedule for new hires only.

Any modification of salaries within the ECP is at the discretion of Board of Trustees and must be presented to them for approval.

III. ETHICS

It is the expectation of the University that all members of the ECP will hold themselves to the highest ethical standards at all times. Members of the ECP are subject to the Provisions of the New York State Public Officers Law Sections 73 and 74. Among the requirements of the Public Officers Law is the filing of an Annual Financial Disclosure form with the New York State Joint Commission on Public Ethics. Additionally, all members must abide by the rules governing outside activities as described in Public Officers Law 19 NYCRR Section 932.3.

IV. SALARY STRUCTURE

A. Establishment of Tiers

Under this Salary Plan, each CUNY college is placed in one of five tiers or groupings (in addition to the System Office) based upon the following criteria:

- Ratio of doctoral faculty to full-time faculty
- Percentage of enrollment in graduate programs
- Percentage of degrees awarded in graduate programs
- Five-year average headcount enrollment
- Complexity of regular as well as professional programs at undergraduate and graduate levels

Campuses placed in Research, the first CUNY grouping, are Baruch, Brooklyn, The City College, Hunter, Queens, and the Graduate School and University Center. The second grouping, CUNY-wide and Professional Schools, is comprised of the CUNY Law School, the Graduate School of Journalism, the School of Public Health, the School of Professional Studies, and the Macaulay Honors College. Campuses in the third grouping, Master’s, include John Jay, Lehman, and the College of Staten Island. The fourth grouping, Baccalaureate, includes Medgar Evers, York, and New York City College of
Technology. The fifth grouping, Community Colleges, is comprised of the Borough of Manhattan Community College, Bronx Community College, Kingsborough Community College, Queensborough Community College, LaGuardia Community College, Hostos Community College, and the Stella and Charles Guttman Community College.

B. Salary Ranges

For each tier, the Salary Plan establishes salary ranges for ECP titles. As in earlier salary plans, there is overlap in the ranges between tiers that allows individual salaries to be based upon several factors, including differing levels of experience among executives, varying performance review results, and significant differences in market requirements. Within each tier, the salary of a newly-recruited executive will be determined by his/her background, skills and experience, degrees held, academic accomplishments, special qualities germane to the position, the position held at the time he/she was hired by CUNY, and market conditions. Another factor to be considered will be the size of the CUNY College compared to the institution from which the candidate moved. In exceptional circumstances, the Chancellor may make offers beyond the maximum of the salary range, subject to the approval of the Board of Trustees.

V. PROPOSED SALARY RANGES

The following tiers and ranges are proposed:

RESEARCH INSTITUTIONS

Baruch College, Brooklyn College, The City College, Hunter College, Queens College, and the Graduate School and University Center

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<th>SALARY RANGES effective July 1, 2017</th>
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<td>MINIMUM - MAXIMUM</td>
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<tr>
<td>President</td>
<td>$165,528 - $371,460</td>
<td>$181,104 - $402,700</td>
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<tr>
<td>Senior Vice President</td>
<td>$132,422 - $306,000</td>
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<td>Vice President</td>
<td>$115,149 - $266,400</td>
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<td>Dean/Administrator/ Assistant Vice President</td>
<td>$100,132 - $231,600</td>
<td>$109,554 - $251,078</td>
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<tr>
<td>Associate Dean/Associate Administrator</td>
<td>$87,069 - $200,380</td>
<td>$96,133 - $217,232</td>
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<tr>
<td>Assistant Dean/Assistant Administrator</td>
<td>$75,710 - $178,245</td>
<td>$83,591 - $195,017</td>
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The CUNY Law School, The Graduate School of Journalism, the School of Public Health, the School of Professional Studies, and the Macaulay Honors College

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<th>SALARY RANGES</th>
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<tr>
<td></td>
<td>MINIMUM - MAXIMUM</td>
<td>MINIMUM - MAXIMUM</td>
</tr>
<tr>
<td>Dean and President of the Law School/Dean and President of the Graduate School of Journalism/Dean and President of the School of Public Health/Dean and President of the School of Professional Studies/Dean and President of the Macaulay Honors College</td>
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<td>$181,104 - $402,700</td>
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<td>Vice President CUNY-wide and Professional School Senior Associate Dean/CUNY-wide and Professional School Senior Associate Administrator</td>
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MASTER'S INSTITUTIONS
John Jay College of Criminal Justice, Lehman College, and The College of Staten Island

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BACCALAUREATE INSTITUTIONS
Medgar Evers College, New York City College of Technology, and York College

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COMMUNITY COLLEGES
Borough of Manhattan Community College, Bronx Community College, Hostos Community College, Kingsborough Community College, LaGuardia Community College, Queensborough Community College and the Stella and Charles Guttman Community College.

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<tr>
<td>Associate Dean/Associate Administrator</td>
<td>$77,121 - $171,255</td>
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<tr>
<td>Assistant Dean/Assistant Administrator</td>
<td>$67,089 - $152,615</td>
<td>$74,073 - $166,976</td>
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SYSTEM OFFICERS

<table>
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<tr>
<th>TITLE</th>
<th>SALARY RANGES effective June 26, 2012</th>
<th>PROPOSED SALARY RANGES effective July 1, 2017</th>
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<tr>
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<td>MINIMUM - MAXIMUM</td>
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<tr>
<td>Chancellor</td>
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<td>$453,530 - $724,470</td>
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<td>Assistant Vice Chancellor</td>
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<td>$118,426 - $278,397</td>
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<tr>
<td>Senior University Dean</td>
<td>$127,281 - $280,440</td>
<td>$139,258 - $304,025</td>
</tr>
<tr>
<td>Secretary of the Board</td>
<td>$112,503 - $263,220</td>
<td>$123,090 - $285,357</td>
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<tr>
<td>University Dean/University Administrator</td>
<td>$108,241 - $256,800</td>
<td>$118,426 - $278,397</td>
</tr>
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</table>
### VI. SOURCE OF FUNDS

All salaries for the Chancellor, the Chancellery, and the Presidents/CUNY-wide Deans shall be paid from tax levy funds.

Annually, the Senior Vice Chancellor/Chief Fiscal Officer must report earnings for the Chancellor, the Chancellery and the President/CUNY-wide Deans to the Board of Trustees. Also on an annual basis, the Presidents must report to the Chancellor earnings, including any salary supplements, for all members of the ECP.

### VII. Performance Based Salary Increases

The Chancellor establishes University goals that drive a set of targets and performance indicators at each campus. The campus goals and indicators are used to set individual executive goals and targets. At the end of each academic year, the Chancellor meets with each President to evaluate the President’s achievement of these goals. In the same way that the Chancellor meets with each President to assess goal achievement, each President meets with members of his/her executive team and evaluates their achievement of individual goals. The individual’s overall performance while in the position is reviewed, relying in part on indicators that measure not only the progress made by the institution he/she serves, but also the particular executive’s contribution and role in that success. The executive’s performance as it pertains to fiscal and academic management, and his/her relationship with students, faculty, and staff is also reviewed.

Each year, the Chancellor, upon approval by the Board of Trustees, will determine whether performance-based increases will be awarded and the amounts available to fund such increases. Increases are not automatic and are subject to the availability of tax-levy funds.

In rare and exceptional circumstances, the Chancellor may approve the awarding of a salary increase outside of the performance cycle subject to Board of Trustees’ approval. Requests for such special increases require justification detailing how the increase meets a critical college or University need.

### VIII. ADDITIONAL COMPENSATION

**A. Housing**

The College Presidents and Deans (e.g. Deans of the Law School, School of Journalism, School of Professional Studies, Macaulay Honors College, and Graduate School of Public Health and Health Policy) may be provided with housing benefits. Where CUNY-provided housing (owned or leased) is not available, the benefit may be in the form of a Housing Allowance. Senior College Presidents are provided with a campus owned or leased residence or with a housing allowance of $5,000 per month. Community College Presidents are provided a housing allowance of $5,000 per month. Any President serving in an Interim/Acting capacity receives a housing allowance of $3,000 per month. The Chancellor, in the absence of University-provided housing, receives a housing allowance of $7,500 per month.
The University may periodically modify the housing allowance after a review of cost of living and housing indices, in consultation with the New York State Division of Budget and upon approval of the Board of Trustees.

Presidents are required to report any non-tax levy spending related to their housing whether owned or leased. The permissible costs included in this category include the cost of the housing allowance, security deposits, maintenance and renovation costs, rent, utilities, essential furniture and equipment, standard appliances and fixtures (such as lighting), paid for using unrestricted non-tax levy funds. All items purchased with and all deposits made from University funds are the property of the University.

B. Usage of CUNY Vehicles

The Chancellor and Presidents will have access to a University provided vehicle which may be assigned for their exclusive use in accordance with the CUNY Vehicle Policy adopted on June 26, 2017. Assignment of vehicles does not automatically include authorization to use the vehicle for commuting purposes. A University employee may have another University employee drive the employee in a University vehicle for official business, but driving another University employee cannot be the sole or primary duty of any University employee.

C. Business Expenses

The Chancellor and Presidents may use Non-tax-levy funds for business expenses in accordance with the Board of Trustees Policy 3.04 as amended and approved on June 26, 2017.

D. Memberships in Professional Associations

The Chancellor may authorize University-paid memberships in professional associations for Presidents/Deans in their official capacities. The Chair of the Board of Trustees may approve membership in such organizations for the Chancellor.

VIII. Pension and Health Insurance

Members of the ECP enjoy pension, health and welfare benefit options as detailed in the Terms and Conditions of Employment for Staff in the Executive Compensation Plan.

IX. Involuntary Separation and Severance Pay

Upon involuntary separation from positions in the ECP, for reasons other than cause, employees who are not appointed to another position within the University, or employees who resign from all positions within the University may be compensated in a non-pensionable lump sum paid pursuant to the schedule promulgated in the Terms and Conditions of Employment for Staff in the Executive Compensation Plan. Any such compensation must be approved by the Board of Trustees. This payment is in addition to any accrued annual leave due the employee.

X. Voluntary Separation

Upon voluntary resignation from the ECP, employees receive the balance (if any) of accrued annual leave in a lump sum as set forth in the Terms and Conditions of Employment for Staff in the Executive Compensation Plan.
Statement of Chairperson William Thompson
Let me thank Chancellor Milliken and his staff for the excellent work they all have done on this document, especially Senior Advisor Mark Shaw and Senior Advisor to the Chancellor and Secretary of the Board Gayle Horwitz for a job well done. I would also like to thank my colleagues on this Board, each and every one have helped to contribute to this document, particularly Vice Chairperson Schwartz for his commitment, along with the members of the Executive Committee who have spent dozens of hours of their time being involved in this process. Let me also thank the collaboration of the heads of many of CUNY foundations who weighed in to make sure that this was not just a transparent document, making sure that the administration held the foundations to the highest standards.

Today's article in the New York Times focused on the past, not the present or the future. This document brings the University into the present, making sure that CUNY is a leader in this nation. What is lost in the article, is that each and every day, the educators of The City University of New York provide a high quality education to the hundreds of thousands of students, who are giving them the opportunity to excel, thrive, and attain a better quality of life for themselves and for their families. In doing so, helping to make the city and state a better and stronger place. The focus of this Board, the Chancellor and his staff, and the college presidents is that this document attains a higher level of educational excellence, providing the best for CUNY students.

**Chairperson Thompson asked for a vote. Cal. No. 3. was unanimously adopted.**

Chairperson Thompson acknowledged the presence of Councilmember Inez Barron in opposition to CUNY’s tuition increase. She has been the leader for free tuition across CUNY.

Vice Chairperson Schwartz thanked Chairperson Thompson and Chancellor Milliken for spearheading the approved governance changes. He added that he would like to thank Trustees Chen and DiMartino, as well as Trustee Gribetz for the honor and privilege of having served with for the years that he sat on this Board. They are extraordinarily dedicated public servants.

4. **COMMITTEE ON FISCAL AFFAIRS:**
Vice Chairperson Barry Schwartz reported that the Committee on Fiscal Affairs (CFA) met on June 5, 2017. After approval of the CFA minutes of the April 3, 2017 meeting, the Committee addressed the policy items on the agenda.
Moved by Vice Chairperson Schwartz and seconded by Trustee Ferrer, the following resolution was presented and opened for discussion:

A. The City University of New York - Adoption of Fiscal Year 2017-2018 Operating Budget:

RESOLVED, That the Board of Trustees adopt the appropriated operating budget allocations by campus and program set forth in the attached documents for the 2017-2018 University fiscal year beginning July 1, 2017, in a total amount of $3.473 billion.

Appropriation levels included herein for the senior colleges and for the community colleges and allocation to the various units of the university thereof reflect the priorities of the University, and per the authority vested in the Chancellery by the Board of Trustees, all budget adjustments reflected in the FY2017-2018 state and city enacted appropriations for the university; and be it further

RESOLVED, That the Chancellor, or designee, is hereby authorized to modify up to five percent of the allocations provided for herein, within the parameters of the state and city budget legislation. Any modifications above five percent will require Board approval. The University will provide quarterly reports to the Board of Trustees’ Committee on Fiscal Affairs as to all budget modifications. These quarterly reports will also include expenditure and revenue actuals and projections.

EXPLANATION: In accordance with New York State Education Law §6206(14)(a), the Board of Trustees has authority to allocate and transfer annual appropriations among the State-Operated and statutory colleges and programs of the City University of New York. The allocations to the senior colleges, community colleges, and various units within the University, are appropriated by the State of New York and City of New York, and include amounts appropriated for Tuition Revenue.

Chairperson Thompson thanked Trustee Ferrer for his perseverance for the adoption of an actual budget for the University.

Vice Chairperson Schwartz asked for a vote. Cal. No. 4.A. was unanimously adopted.

Moved by Vice Chairperson Schwartz and seconded by Trustee DiMartino, the following resolution was presented and opened for discussion:

B. The City University of New York - Revised Tuition Schedule Effective Fall 2017:

RESOLVED, That effective for the Fall 2017 semester, the Board of Trustees of The City University of New York adopts a revised schedule of student tuition that includes a $200
annual increase over current rates for all full-time undergraduate resident students, and a proportional increase in graduate, doctoral, nonresident and per credit rates at senior colleges as reflected in the attached schedule. The Board of Trustees authorizes the Chancellor or his designee to make revisions to the City University Tuition and Fee Manual to implement this resolution; and be it further

RESOLVED, That the Board of Trustees authorizes that all community college tuition rates will be maintained at current levels for the academic year 2017-2018.

EXPLANATION: In April 2017, the State of New York enacted legislation authorizing CUNY to extend the predictable tuition policy by increasing its tuition up to $200 annually for each of the next four years. The tuition rate for senior college resident undergraduate students will increase to $6,530 per year, effective with the Fall 2017 semester. The revenue generated from this increase will be used to cover costs from the University’s recent collective bargaining agreement with its faculty union, the Professional Staff Congress (PSC). This new labor agreement will directly benefit students by enabling the University to continue to recruit and retain outstanding faculty. For the community colleges, the University is recommending a tuition freeze for the 2017-2018 academic year, which will represent the second consecutive year of no tuition increases at the community colleges.

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<thead>
<tr>
<th>Level</th>
<th>Current Tuition Rate Fall 2016</th>
<th>Proposed Tuition Rate Fall 2017</th>
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<tbody>
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<td>Undergraduate Resident P/T per credit</td>
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<td>Program</td>
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</table>

Note: proposed tuition increase for Fall 2017 is $100 per semester for all full-time undergraduate resident students at the senior colleges, and a proportional increase in graduate, doctoral, nonresident and per credit rates at the senior colleges. (**): Rate for Full-time resident students in cohort entering Fall 2017 is $6,215 per semester. Level 2 is eliminated for cohorts entering Fall 2017 and thereafter.

**Statement of USS Chair and Trustee Chika Onyejukwa**

I would like to start off by thanking the Chair of the New York City Council on Higher Education, the Honorable Barron for her presence today as well as all the amazing students who have joined today for an important conversation.

Last fall, when the Board approved the Budget Request for Fiscal Year 2018 and the 4-year Master Plan, I delivered a statement asking the Board to reconsider the proposal to
raise tuition. The gist of my statement was that the students of this University are paying more than their fair share while the state legislators continue to divest crucial funding from the University. Tuition hikes have become a new norm at CUNY, with tuition increasing annually. If the CUNY Master Plan goes as intended, the University will partake in tuition increases for the next 4 years. That would mean tuition hikes for 9 out of 10 years. There is nothing normal about that. Especially not at CUNY, a University that was founded with the mission of providing a quality and accessible education for people in poverty, immigrants, working class people, the young, and the old, the truest essence of your everyday New Yorkers.

Earlier this year, I was pleasantly surprised to see that higher education was one of the leading conversations during budget negotiations. I vividly remember going to Facebook and seeing that many of my friends were excited because they just read some headlines from the Office of the New York State Governor stating the CUNY and SUNY will now be tuition free. Some of the student leaders declared that the USS mission was accomplished—students finally do not have to worry about tuition. Indeed, if you go to the CUNY website right now, there is a link to an article, "tuition-free CUNY in Fall 2017." As imagined, some of the students were confused when I told them that the Board would be voting on tuition hikes today. They said “well, I thought tuition was free at CUNY. Why would they increase something that is free?” There lies the problem. How can the University juxtapose CUNY tuition increases with the tuition-free CUNY? There is a glaring contradiction in the rhetoric that are being used. CUNY should aim to be as direct and clear as possible because this equation does not add up.

So whose tuition is free? Perhaps more importantly, whose tuition is going up? The fact is that the majority of CUNY students already attend CUNY for free. TAP, Pell, and other grants and scholarships already cover tuition cost for most of the students. So when tuition is increased by $200, does that mean the majority of CUNY students who receive full TAP and Pell grants will have $200 less dollars to take home for books, transportation, and perhaps other essential expenses. For international and undocumented students who receive no financial aid, their tuition will be going up; for part-time students who receive limited to no financial aid and often work to pay their way through school as they raise their kids and take care of their parents, their tuition is going up $200. That leaves a small group of in-state students who do not receive enough financial aid to cover their tuition and go to school full-time and fulfill all of the requirements to be eligible for the Excelsior Scholarship—a figure could be as low as two to five percent of the CUNY population. For those students, there will be a net increase in funding next year. For the vast number of students, there will be tuition hikes. And yet, the University is declaring a “tuition-free CUNY in fall of 2017.”

This conversation on tuition has become increasingly involved. There is a fair amount of uncertainty about which specific sets of students stand to benefit most from the different
sets of proposals that have been adopted this year. As a student Board member, and after consulting with students from around the University, I can firmly say that these tuition hikes will be harmful to a vast majority of CUNY students. This will deter students from enrolling in bachelor degree programs after they finish their studies at community college. Unintentionally, this policy will prejudicially marginalize the neediest students from attending senior colleges. The USS is well aware of the statistics of students that attend the senior colleges in comparison to community colleges. This tuition hike threatens to widen the achievement gap at CUNY.

I would also like to call to your attention to the explanation given in this resolution stating that “the revenue generated from this increase will be used to cover costs from the University's recent collective bargaining agreement with its faculty union, the Professional Staff Congress (PSC). This new labor agreement will directly benefit students by enabling the University to continue to recruit and retain outstanding faculty.” It also states that the reason for the FY2018 tuition increases is the PSC negotiated higher salaries for the professors. This explanation is insufficient for many reasons. It really serves to highlight the issue that the USS is having with CUNY’s funding.

To begin with, consider that from 2011-2016, tuition went up by $300 every year, five years of consecutive tuition increases. During all of those years, there was also a stagnant wave of faculty that went without a contract for seven years. So, if tuition hikes correlated with faculty salaries, I suspect that negotiating a salary in the middle of a five consecutive years of tuition increases would have been more feasible. Furthermore, consider that the University is a fairly large enterprise. I would imagine that the cost of many other things—outside of faculty salaries—have also gone up. I am not sure why faculty contracts are being singled out as the impetus for these tuition hikes. It would make more sense to point to the fact that the Maintenance of Effort Bill that was vetoed by Governor Cuomo in 2015 would have covered the cost of the inflammatory expenses associated with faculty contracts and other University expenses. In short, it would make more sense if the lack of investment that the State continues to make is highlighted in CUNY instead of singling out CUNY faculty for negotiating a living wage.

Trustee Clarke stated that she would like to receive more details on the tuition increase.

*Vice Chairperson Schwartz asked for a vote. Cal. No. 4.B. was adopted. USS Chair and Trustee Chika Onyejiukwa voted no; Trustee Una Clarke abstained.*
Moved by Vice Chairperson Schwartz and seconded by Trustee Berger, the following resolution was adopted:

C. The City College of New York - Grove School of Engineering and CUNY School of Medicine - Academic Excellence Fee for The Master of Science in Translational Medicine:

RESOLVED, That the City University of New York adopt an academic excellence fee of $3,000 for the fall semester, $3,000 for the spring semester, and $1,000 for the summer semester for its graduate students in the Master of Science program in Translational Medicine (MTM) that is jointly run by the Grove School of Engineering and CUNY School of Medicine, effective with the Fall 2017 semester.

EXPLANATION: There is a national demand for individuals with the skills to take discoveries made in the laboratory and effectively translate those findings into a practical use for patient benefit, whether it be through technological or pharmacological approaches. The MTM is the only translational medicine program in the greater New York City area at this time. To help lead the way in providing graduates with the skills to capitalize on fundamental research and translate the research into meaningful and timely advances for patients, CCNY is making translational medicine a priority for the engineering, science, and biomedical disciplines. The coursework, structure and scope of the MTM program is uniquely designed to focus on product translation rather than procedural or behavioral translation, thus carving out an enviable niche within which MTM may compete and thrive.

Translational medicine training requires a highly collaborative and integrated team of instructors and partners in the fields of engineering, medicine, entrepreneurship, business, law, finance, and pharmaceuticals. The MTM program has a strong team of faculty at The Grove School of Engineering and Sophie Davis School for Biomedical Education, comprised of experts from the life science, medical technology, and biotech industries. These faculty, who come from some of the top schools in the country, provide students with unparalleled training in product design and development, clinical need identification, cost analysis, intellectual property, and regulatory affairs.

The addition of the proposed Academic Excellence Fee would bring the total resident cost (tuition and fees) of the MTM program to approximately $19,000. This total is considerably less than that charged by institutions in other areas of the United States that offer programs similar in nature.
Total Resident Cost of the MTM Program and Comparable Programs at Other Institutions.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Program Name</th>
<th>Total Resident Cost (Tuition + Fees)</th>
</tr>
</thead>
<tbody>
<tr>
<td>City College of New York</td>
<td>Master of Science in Translational Medicine</td>
<td>$19,000</td>
</tr>
<tr>
<td>Georgia Institute of Technology</td>
<td>Master of Biomedical Innovation and Development</td>
<td>$45,000</td>
</tr>
<tr>
<td>Johns Hopkins University</td>
<td>Center for Bioengineering Innovation &amp; Design</td>
<td>$50,000</td>
</tr>
<tr>
<td>UC Berkeley / UC San Francisco</td>
<td>Master of Translational Medicine</td>
<td>$51,000</td>
</tr>
<tr>
<td>University of Rochester</td>
<td>Center for Medical Technology &amp; Innovation</td>
<td>$47,000</td>
</tr>
</tbody>
</table>

The academic excellence fee will enable the Grove School of Engineering and CUNY School of Medicine to prepare its MTM graduates for the jobs in the rapidly moving biotech and medical technology industries and cover the high cost of delivering this unique interdisciplinary graduate training. The academic excellence fee will be used to continue to develop quality program content, support a cohort of specialized external faculty (guest lecturers, adjuncts from industry) to complement the full-time faculty who provide the core teaching for this program, support the basic operating cost of the training facilities, and create networking and job placement opportunities for our students. The unique combination of specialized interdisciplinary coursework and advanced BioDesign project-based instruction focused on clinical translational outcomes at a relatively low cost will enable CCNY to attract a diverse and exceptional student body, and will equip graduates for highly desirable jobs in the rapidly moving biotech and medical technology industries. CCNY will continue to administer financial aid to assist students in the program. The MTM program is open only to full-time students.

City College has done consultations with the students enrolled in this program regarding the proposed academic excellence fee.

Moved by Vice Chairperson Schwartz and seconded by Trustee Ferrer, the following resolution was presented and opened for discussion:

**D. The City University of New York - Service Student Loan Programs:**

RESOLVED, That the Board of Trustees authorizes a contract with Heartland ECSI, on behalf of the University Office of Budget and Finance, to service student loan programs and provide a support system for the Federal Perkins Loan Program and any similar future programs. The contract is being awarded on the basis of best value to responsive and responsible offerors after public advertisement and timely submission of sealed proposals pursuant to law and University Regulations. The Request for Proposal
solicitation and evaluation process was conducted by the University. The initial term shall be five years and the contract shall include up to two (2) five-year options for the University to renew in its best interest. The University will seek approval from the Board of Trustees prior to enacting any future contractual options. Such purchase shall not exceed $3,950,000 for the fifteen-year term of the contract. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: CUNY is seeking a contractor to provide comprehensive loan services to the Colleges currently participating in the Federal Perkins Loan program and to provide such services to future Colleges who may join. Services include, but are not limited to, banking, accounting, reporting, billing and due diligence, communication with past due borrowers, issuing past due notices, and issuing acceleration notices as required by the U.S. Department of Education for the Federal Perkins Loans reporting to credit bureaus, reporting to the U.S. Department of Education National Student Loan Data System (NSLDS) system, participating in the U.S. Department of Education Default Assistance Project (DRAP) and interfacing with the National Student Clearinghouse (NSC) and various related services. The Federal Perkins Loan Program is expected to be sunsetting soon, and CUNY will need the contractor's services to be extended beyond the initial term of this contract as the needs of the participating Colleges wind down.

Statement of USS Chair and Trustee Chika Onyejiukwa
I was not present at the CFA meeting; however, student member Cecilia Salvi was there. Nonetheless, when I was reviewing this item, there were some complaints against Heartland ECSI from private school students about their customer service. Therefore, to make sure that customer service is provided adequately to a large population of CUNY students, the University needs to ensure that Heartland ECSI understand the needs of its students as some of the students are working and have individual circumstances.

Vice Chairperson Schwartz asked for a vote. Cal. No. 4.D. was unanimously adopted.

Moved by Vice Chairperson Schwartz and seconded by Trustee Clarke, the following resolution was unanimously adopted:

E. College of Staten Island - Bus Transportation Services:

RESOLVED, That the Board of Trustees authorize a contract on behalf of the College of Staten Island to purchase bus services to transport its students, staff, and faculty between the ferry terminal and the campus, along the 2.5 mile loop road on campus, and to and from sporting events. The contract shall have a five-year term with the right for the University to terminate the contract at any time without cause with thirty days’ written notice to contractor. After public advertisement, a public invitation for bids solicitation
and evaluation of bid submissions by the College, the contract shall be awarded to First Transit, Inc. as the responsive and responsible bidder offering the lowest bid price. The contract price is approximately $1.93 million per year, for a total of $9,652,170 for the five-year term. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The College of Staten Island, located on a 204-acre campus, will use this contract to provide transportation services to its students, faculty, and staff year-round on a regularly scheduled basis. Transportation is provided primarily for three distinct types of service: the express Ferry Shuttle Bus service operates between the Staten Island Ferry Terminal and the Center for the Arts; the Loop Shuttle operates from the College’s main entrance on Victory Boulevard onto the campus and around the 2.5 mile Loop Road stopping at six strategically placed bus stops; and the Disability Service Bus provides on-call transportation. The contract also provides transportation services to and from athletic events for CSI’s sports teams. The cost of the contract is partially offset through a student transportation fee of $40 per semester and $10 per summer session. The student transportation fee was approved by the Board of Trustees on June 29, 2015. Faculty and Staff who wish to use this transportation option pay the same rates.

Moved by Vice Chairperson Schwartz and seconded by Trustee Clarke, the following resolution was unanimously adopted:

F. Macaulay Honors College - International Program Affiliation Agreement:

RESOLVED, That the Board of Trustees authorize the Dean of Macaulay Honors College to execute an international program affiliation agreement for study abroad on behalf of Macaulay Honors College with Tel Aviv University (TAU), located in Tel Aviv, Israel. Other than transmission of student tuition and fees by the College to Tel Aviv University, neither party to this agreement is obliged to pay any monetary consideration to the other. The agreement is for a three-year period and shall include up to two two-year options for the College to renew in its best interest. The agreement shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The agreement will enable students enrolled in the College’s Macaulay Honors College/TAU program to study at Tel Aviv University in Israel each year during the summer term. Up to ten (10) students are expected to participate each academic year. The sponsoring college will charge an administrative fee of $3,860 per participating student.
Moved by Vice Chairperson Schwartz and seconded by Trustee Jill O’Donnell-Tormey, the following resolution was presented and opened for discussion:

**G. The City University of New York - Outsourced Chief Investment Officer:**

RESOLVED, That the Board of Trustees authorize a five-year contract to provide, through an Outsourced Chief Investment Officer (“OCIO”), investment management services for the University’s Long-Term Investment Pool. The contract is being awarded on the basis of best value to a responsible and responsive offeror after public advertisement and timely submission of sealed proposals pursuant to law and University policy. The annual fees payable to the OCIO shall be based on a percentage of the value of the University’s assets under management. The cost for these services will be chargeable to the University’s Long-Term Investment Pool. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The OCIO will advise the University on investment policy, asset allocation strategy, manager selection with discretion from an open architecture, monitor the performance of the managers, prepare regular reports on the performance of the portfolio and perform other ad hoc services. Responses to the Request for Proposals (RFP) were reviewed and scored by an evaluation committee comprised of central office and college personnel. The firms that were recommended as finalists by the evaluation committee then provided oral presentations to the Board of Trustees’ Subcommittee on Investment at its meeting on May 16, 2017.

**Statement of Chairperson William Thompson**

Thank you Vice Chairperson Schwartz, this was an idea that started largely because of your pushing. Let me also thank Senior Vice Chancellor and Chief Financial Officer (SVC&CFO) Matthew Sapienza and his staff, and those who were involved for a job well done. Last but not least, let me thank my colleagues on CFA for standing up for principle, making sure that Minority and Women-Owned Business Enterprise (MWBE) are given the opportunity, not give money, to compete.

Vice Chairperson Schwartz asked for a vote. Cal. No. 4.G. was unanimously adopted.

5. **COMMITTEE ON AUDIT:**

Chairperson Thompson reported that the Committee on Audit (CA) met on June 5, 2017. After approval of the CA minutes of the March 29, 2017 meeting, the Committee addressed the policy items on the agenda.
Moved by Chairperson Thompson and seconded by Trustee Berger, the following resolution was adopted:

A. **The City University of New York - Fiscal Year 2017 External Audit Plan:**

RESOLVED, That the Board of Trustees of The City University of New York adopt the FY 2017 audit plan, as was presented by KPMG and approved by the Audit Committee for the University. The Senior Vice Chancellor and Chief Financial Officer is authorized to sign the engagement letter presented by KPMG.

**EXPLANATION:** The University is required to have its financial statements audited on an annual basis and is required to have its federal financial aid programs externally audited. The Audit Committee, as part of its responsibilities, is required to approve the annual audit plan, as presented by the University’s external auditors, and authorize the Senior Vice Chancellor and Chief Financial Officer to sign the engagement letter. The financial terms are in accordance with the multi-year contract with KPMG.

Moved by Chairperson Thompson and seconded by Trustee Cortés-Vázquez, the following resolution was adopted:

B. **The City University of New York - Fiscal Year 2018 Internal Audit Plan:**

RESOLVED, That the Board of Trustees adopts the Fiscal Year 2018 internal audit plan for the University.

**EXPLANATION:** Pursuant to Article IV Section 4.02 of The City University of New York Board of Trustees Audit Committee Charter, the Audit Committee is responsible for approving the annual internal audit plan and all major changes to the plan. The University’s Chief Audit Executive presented a proposed Fiscal Year 2018 internal audit plan to the Audit Committee, and after due deliberation thereon, the Committee approved the plan. The Chief Audit Executive may make minor changes to the plan, as may be warranted by supervening University or Board priorities.

6. **COMMITTEE ON ACADEMIC POLICY, PROGRAMS, AND RESEARCH:**
Trustee Wellington Chen reported that at the June 5, 2017 meeting of the Committee on Academic Policy, Programs, and Research, the Committee approved the following resolutions, and he recommended their approval by the Board.
Moved by Trustee Chen and seconded by Trustee DiMartino, resolutions 6.A. through 6.P. were unanimously adopted:

A. The Graduate School and University Center - MA in Digital Humanities and MS in Data Analysis and Visualization:

RESOLVED, That the program in Digital Humanities and the program in Data Analysis and Visualization offered at the Graduate School and University Center and leading to the Master of Arts and the Master of Science respectively, be approved effective, June 26, 2017, subject to financial ability.

EXPLANATION: These two separate but related programs are part of a new initiative by the Graduate School and University Center to offer professional oriented and intellectually stimulating master’s degrees that leverage the impressive scholarly expertise of the GC faculty by creating new programs generally not offered on the senior campuses. Digital Humanities is a developing field of study that lies at the intersection of emerging technologies, traditional humanities disciplines and the research methods used by scholars and other research professionals. The program in Data Analysis and Visualization is more technically oriented and teaches formal methods of data analysis and the skills needed to communicate findings in new and interesting ways. Graduates of both of these programs will be sought after by corporations in the information industries, university libraries, cultural organizations and other non-profit sector employers.

B. The Graduate School and University Center – MA in International Migration:

RESOLVED, That the program in International Migration Studies offered at the Graduate School and University Center and leading to the Master of Arts be approved effective June 26, 2017, subject to financial ability.

EXPLANATION: Capitalizing on the Graduate School’s research strength in immigration research, this program will provide graduates with an in depth knowledge of the political, economic, social and cultural impacts of immigration. Organizations working in the areas of advocacy, human rights, and public agencies dealing with increasingly diverse immigrant populations will be interested in offering employment opportunities to graduates of the program.

C. The Graduate School and University Center – MS in Data Science:

RESOLVED, That the program in Data Science offered at the Graduate School and University Center and leading to the Master of Science, be approved effective June 26, 2017, subject to financial ability.
EXPLANATION: Designed predominantly for graduates of undergraduate Computer Science programs, this degree in Data Science will provide graduates with a mastery of technical topics such as data management, complex algorithms, and parallel programming. Because the program focuses on the computational and technical aspects of data science, it deliberately does not focus on specific applications and graduates will be of interest to employers in the widest variety of industries.

D. John Jay College – BS in Human Services and Community Justice:

RESOLVED, That the program in Human Services and Community Justice offered at John Jay College and leading to the Master of Science, be approved effective June 26, 2017, subject to financial ability.

EXPLANATION: This interdisciplinary proposal is grounded in the social sciences and enhanced by professionally oriented courses in counseling, program development and assessment and research methods. Graduates of the program will be sought after by government, non-profit and for profit social service organizations.

E. City College – MS in Data Science and Engineering:

RESOLVED, That the program in Data Science and Engineering offered at City College and leading to the Master of Science, be approved, effective June 26, 2017, subject to financial ability.

EXPLANATION: City College seeks to build upon its long standing reputation by adding to its professional graduate programs in the STEM disciplines. There is rapidly growing demand for professionals to fill positions titled “Data Scientist” and “Data Engineer.” Government agencies are increasingly listing the STEM data science and data engineering skills as national priorities. Data Science can be roughly summarized as a statistical data-driven approach to problem solving. Data Engineering is concerned with the building, configuring and maintaining digital infrastructure for data science particularly in light of the unprecedented growth of data, commonly called “Big Data.” The need to address this challenge is nationwide but is particularly acute in the New York metropolitan area, with so much of the local economy information-based.

F. City College - Transfer of Degree Granting Authority for the Ph.D. in Clinical Psychology:

RESOLVED, That transferring the degree granting authority for the existing Ph.D. in Clinical Psychology currently held by the Graduate School and University Center to City College, be approved, effective June 26, 2017, subject to financial ability.
EXPLANATION: Established in 1980, the Ph.D. in Clinical Psychology has always been offered at, and primarily been operated by, City College. The program’s focus is to prepare its students to become practicing clinical psychologists. At the time of the program’s inception, degree granting authority for all doctoral programs in CUNY lied in the Graduate School and University Center. Over the past decade, the University has made the strategic decision to transfer the professional doctoral programs to the senior campuses that provide most of the teaching and administrative resources for the program. This is one more application of that decision.

G. Brooklyn College – Establishment of the Barry R. Feirstein Graduate School of Cinema as an Academic Department:

RESOLVED, That the Barry R. Feirstein Graduate School of Cinema be established as an academic department effective August 25, 2017, subject to financial ability.

EXPLANATION: Brooklyn College has a well-established Department of Film that for many years offered only undergraduate degrees. In response to the ever increasing local employment opportunities, then Mayor Bloomberg encouraged CUNY to establish graduate programs in cinema to provide an affordable alternative to the private graduate programs in the region. With the assistance of monies from the city as well as the successful private fundraising done by then President Karen Gould, including a very generous $5.5 million gift from Barry R. Feirstein, Brooklyn College established several graduate programs in cinema, which as per the CUNY Board Resolution of June 24, 2013, came to be collectively known as The Barry R. Feirstein Graduate School of Cinema, within the Department of Film.

Pursuant to academic and institutional planning, and following consultation of the President and the Provost with the dean and the faculty involved as well as with the College's governance bodies, Brooklyn College proposes to divide the Department of Film into two departments, a reconstituted Department of Film and the new department, the Feirstein Graduate School of Cinema, to be effective August 25, 2017.

The new department will better reflect the diverse academic disciplines in which the current film faculty are credentialed. It is anticipated that the proposed reorganization will enhance scholarship, research, and faculty development and collaboration, as well as improving curricular development and increasing educational opportunities for students and that the Feirstein Graduate School of Cinema will house one of the highest enrolled major programs in Brooklyn College which can be managed more effectively as a separate department with a particularly defined mission.
H. York College – MS in Clinical Trial Management:

RESOLVED, That the program in Clinical Trial Management offered at York College and leading to the Master of Science, be approved effective June 26, 2017, subject to financial ability.

EXPLANATION: Most individuals who oversee scientific and medical clinical trials learn the protocols, methods, regulations and best practices while working in support positions. Hence, it is very difficult to find a sufficient number of qualified professionals to fill the growing number of leadership positions in this field. York College will leverage its expertise in allied health, pharmaceuticals, and its long established relationship with the Food and Drug Administration to launch this innovative program successfully.

I. School of Professional Studies – BS in Health Services Administration:

RESOLVED, That the program in Health Services Administration offered at the School of Professional Studies of the Graduate School and University Center and leading to the Bachelor of Science, be approved effective June 26, 2017, subject to financial ability.

EXPLANATION: This fully on-line undergraduate program will provide students with the appropriate coursework in both health care management and general practices in business. Students will be sought after by organizations such as hospitals, nursing homes, urgent care clinics and managed care organizations. The fully on-line delivery will be particularly attractive to individuals already working in the professional and looking to advance their career.

J. School of Professional Studies – MS in Research Administration and Compliance:

RESOLVED, That the program in Research Administration and Compliance leading to the Master of Science, the Advanced Certificate in Research Administration and the Advanced Certificate in Research Compliance all offered at the School of Professional Studies of the Graduate School and University Center, be approved effective June 26, 2017, subject to financial ability.

EXPLANATION: There is a severe shortage of qualified individuals to manage large grants and oversee such issues as ethical concerns, compliance, intellectual property transfer, and policy development of large research projects. These programs will prepare graduates for successful careers in pre- and post-award research grant and project management employed by universities and other organizations conducting large scale research.
K. LaGuardia Community College – AS in Public and Community Health:

RESOLVED, That the program in Public and Community Health offered at La Guardia Community College and leading to the Associate’s in Science, be approved effective June 26, 2017, subject to financial ability.

EXPLANATION: The proposed program aims to equip students with the necessary skills and competencies required to transfer into 4 year programs in Public Health or Community Health Education.

LaGuardia Community College is uniquely poised to offer this degree as it presently offers. The Health Sciences department at LaGuardia Community College presently offers nine majors in allied health with over two thousand incoming students annually as well as EMT an a several programs such as EMT, Community Health Worker that often function the first steps on the public health educational ladder. The proposed program will create additional educational pathways for health science students in majors with enrollment limits. An articulation agreement with York College has been signed, and other agreements are being developed.

L. Medgar Evers College – Establishment of the School Of Education, the Establishment and Closing of Academic Departments:

RESOLVED, That the School of Education be established at Medgar Evers College encompassing the newly established Department of Developmental and Special Education as well as the newly established Department of Multicultural Early Childhood and Elementary Education and that the Department of Education within the School of Liberal Arts and Education be abolished and the name of the School of Liberal Arts and Education be renamed the School of Liberal Arts effective August 1, 2017 subject to financial viability.

EXPLANATION: Pursuant to academic and institutional planning, and following consultation by the President and Provost with faculty and students affected by the reorganization, and the administrative leadership, Medgar Evers College proposes to create a new School of Education that will: (1) reassign its existing Education Department into two academic departments: the Department of Multicultural Early Childhood and Elementary Education which is beginning a search for a fifth faculty member, and the Department of Developmental and Special Education. The Education Department currently operates under the School of Liberal Arts and Education and offers one pre-professional and three professional degree programs. The Department is accredited by the National Council for Teacher Education (2003, 2013). Creation of a School will enhance the ability of faculty members to more effectively practice within the developmental levels of their disciplines, to conduct innovative research, and to refine
and expand professional development of practicing educators. It will allow for a more focused approach to programmatic and curricular development, thereby enabling the departments to keep pace with the dynamic changes in educator preparation as mandated by New York State Certification requirements.

M. The City University of New York – Revised Advanced Placement Policy:

RESOLVED, That the Board of Trustees hereby adopts a policy that all undergraduate colleges at the University may grant course credit for advanced placement courses offered in secondary schools provided the student scores 3 or above on the advanced placement test effective June 26, 2017.

This resolution supersedes the February 25, 2013 resolution on AP placement, is applicable to all students entering CUNY in Fall 2017, and may be applied on a case-by-case basis to any currently enrolled student.

EXPLANATION: The proposed policy allows colleges a greater discretion in evaluating AP credit for transfer. Colleges may choose to grant AP credit to students with scores of 3 or higher, in line with the commonly accepted nationwide practice as well as the existing SUNY policy. Previously CUNY colleges were prevented from granting credit for courses passed with a score of 3, which created a perceivable disadvantage for students.

N. The City University of New York – International Baccalaureate Transfer Credit Award Policy:

RESOLVED, That the Board of Trustees hereby adopts a policy that all undergraduate colleges at the University will award 30 credits to students who have completed an International Baccalaureate (IB) diploma with a score of 30 or higher. Each college may develop specific guidelines articulating IB courses with courses in the major and general education requirements.

Students who have completed an IB diploma with a score of 29 or less and students who did not complete a diploma will be guaranteed credit for higher-level IB exams with scores of “5” or better. The credit awarded will apply toward the overall number of credits required for graduation and in some cases toward major and general education requirements, as determined by each college. This resolution will become effective June 26, 2017.

EXPLANATION: The IB diploma, in existence since in 1968, is a rigorous two-year academic program for students aged 16 to 19 offered at schools around the world. It aims to support schools by providing outstanding research-based education, developing
both disciplinary and interdisciplinary knowledge and understanding in a global context. The courses are generally considered to have a higher level of rigor than Advance Placement courses and are linked to a high rate of college success and degree completion.

More than 1.5 million students around the world have participated in the IB since its inception. As of 2015, the United States was the country with the most IB diploma students.

Universities in over 90 countries recognize the IB, including many selective institutions across the US, as well as all SUNY schools. The proposed policy brings CUNY policy in line with a widespread national and international practice, ensuring that high-achieving students with an IB diploma have no disincentive to attend CUNY.

O. Graduate School and University Center – Establishment of the CUNY School Of Labor And Urban Studies:

WHEREAS, New York City has a long and proud history of organized labor in both the public sectors and private sector industries such as construction, entertainment, healthcare and fashion; and

WHEREAS, New York City continues to be a city whose success heavily relies on the work done by members of labor unions; and

WHEREAS, organized labor needs leadership educated and trained in the knowledge and skills to negotiate effectively on behalf of its members; and

WHEREAS, The Joseph S. Murphy Institute for Worker Education and Labor Studies has supported that education at both the graduate and undergraduate levels, as well as in non-credit bearing programs; and

WHEREAS, The Joseph S. Murphy Institute for Worker Education and Labor Studies has provided a home to scholars interested in research in the areas of labor and urban studies; therefore be it

RESOLVED, That the Chancellor develop and implement a plan to transition The Joseph S. Murphy Institute for Worker Education and Labor Studies to The CUNY School of Labor and Urban Studies as a division of The Graduate School and University Center, subject to financial ability, and that the University General Counsel work with relevant parties to revise the governance plan of the Graduate School and University Center. This planning process will commence June 26, 2017.
EXPLANATION: The Joseph S. Murphy Institute for Worker Education and Labor Studies is currently housed within the School of Professional Studies (SPS) of the Graduate School and University Center. The Institute works with SPS to offer graduate and undergraduate degree and certificate programs to adult students and has special relationships with local unions to provide advisement and other student services to their members. The Institute also manages both the Community Semester and the New York Union semester, programs offering internships in labor organizing to college students. The Institute also provides non-credit training programs for unions. Faculty affiliated with the Institute produce impressive scholarship in labor and urban studies. The establishment of the School will provide the fields of labor studies and urban studies with greater visibility in both the academic and labor communities.

P. The City University of New York – Revised Research Misconduct Policy:

RESOLVED, That the CUNY Research Misconduct Policy be revised to accommodate both a change in title of the university-wide research administrator as well as to include this individual as a consultant in the inquiry stage of the matter effective June 26, 2017.

EXPLANATION: The Office of Academic Affairs has reorganized its Research Administration division. The title of Vice Chancellor for Research is no longer used. The individual responsible for research compliance in the central administration is the Vice Provost for Research. In addition, since research misconduct has university-wide implications, it has been deemed necessary that the Vice Provost for Research should actively participate in discussions with the college President and the campus Research Integrity Officer during the inquiry stage of the process. This resolution updates the current Research Misconduct Policy approved on March 2, 2015.

Modifications to the CUNY Policy Regarding the Disposition of Allegations of Research Misconduct Item 6.6

The RIO will provide the Respondent an opportunity to review and comment on the preliminary Inquiry report. Upon receipt of the comments from the Respondent, the RIO will attach the Respondent's comments to the preliminary Inquiry report and submit this final Inquiry report to the President. Upon receipt of the final Inquiry report, the President, in consultation with the University Vice Provost for Research and the RIO, will make the decision as to whether to refer the case to the Vice Chancellor for Research for an Investigation.

7. COMMITTEE ON FACULTY, STAFF AND ADMINISTRATION:
Trustee Fernando Ferrer reported that at the June 7, 2017 meeting of the Committee on Faculty, Staff and Administration (CFSA), the Committee approved the following resolutions, and he recommended their approval by the Board.
Moved by Trustee Ferrer and seconded by Trustee Mayra Linares-Garcia, the following resolution was unanimously adopted:

A. The City University of New York - Amendments to the Guidelines for Presidential Searches:

RESOLVED, That the Board of Trustees of The City University of New York approve the amended Guidelines for Presidential Searches.

EXPLANATION: The proposed amendments to the Guidelines for Presidential Searches are designed to make the search process more flexible by allowing the participation of representatives of external constituencies. The amended guidelines permit the appointment to the Search Committee of up to two senior administrators and/or members of external constituent groups so long as there are not more than a total of five appointed Trustees and senior level administrators and/or members of external constituent groups. The amendments ensure a minimum of three appointed Trustees. They also make clear that external constituent representatives must have a record of significant commitment to the campus, and may include alumni or donors, but may not be elected officials or their staff members.

NO. 9 [ADDED ITEM] THE CITY UNIVERSITY OF NEW YORK – AMENDMENTS TO GUIDELINES FOR PRESIDENTIAL SEARCHES:

RESOLVED, that the Board of Trustees of the City University of New York approved the amended Guidelines for Presidential Searches as set forth below. (A red-lined version of the changes may be obtained from the Office of the Secretary of the Board of Trustees upon request.)

THE CITY UNIVERSITY OF NEW YORK GUIDELINES FOR PRESIDENTIAL SEARCHES

INTRODUCTION

Section 11.4 of the Bylaws of the Board of Trustees of CUNY set forth the duties and qualifications of Presidents of the colleges. These guidelines address the process and procedures to be followed in searching for a President (including the Dean of CUNY School of Professional Studies, the CUNY School of Law, the CUNY Graduate School of Journalism, the CUNY Graduate School of Public Health and Health Policy, and the Macaulay Honors College).
THE PROCESS

When a vacancy occurs, or is certain to occur, the Chairperson of the Board of Trustees shall, after consultation with the Chancellor, establish a Search Committee to seek a new President.

In the case of an anticipated vacancy in the position of President, should circumstances warrant, the Chancellor shall recommend an individual to the Board for appointment as Interim President until such time as a President is appointed. The appointment of an interim President will typically be for a period of no more than one academic year. If an appointment exceeds this period, the Chancellor shall notify the Board Committee on Faculty, Staff and Administration of the reasons requiring an extension.

The primary responsibilities of the Search Committee are to recruit and screen highly qualified candidates. The Search Committee will accept nominations from individuals within and outside of the University community.

The Diversity and inclusion are core values of The City University of New York and as such we encourage applications from individuals with disabilities, veterans, women and those from traditionally underrepresented groups, including Italian Americans. We prohibit discrimination on the basis of any legally protected category, including sexual orientation and gender identity. City University of New York is an Affirmative Action-Equal Opportunity Employer and shall seek to identify qualified women and minorities for consideration by the Search Committee.

Composition of the Committee:

In order to provide for broad participation of the college and the University community, the Chairperson of the Board, after consultation with the Chancellor, shall establish a Presidential Search Committee and designate the Chairperson of the Search Committee. The Search Committee shall be composed of the following members:

Trustees: up to five Trustees, appointed by the Chairperson of the Board. The Chairperson, or the Vice Chairperson of the Board in the absence of the Chairperson, shall be an ex officio member of the Search Committee and accordingly shall be entitled to vote. Whenever possible, one Trustee appointed to a Search Committee should reside in the same borough as the College.

Faculty: three tenured faculty from the College (but not including the President, Vice Presidents, Provosts or Deans), elected as determined by the appropriate faculty governance body, or if there is no official faculty governance body established by the College’s approved governance plan, by the faculty members of the College governance body.

Senior level administrators and/or representatives of external constituencies: up to two senior level administrators, one who is affiliated with the college and one who is from a different college, and/or representatives of external constituencies recommended by the Chancellor and appointed by the Chairperson of the Board. There will be a minimum of three and a maximum of five Trustees. The total number of appointed Trustees and senior level administrators shall not exceed five and external constituent representatives shall have a record of significant
commitment to the campus, and may include alumni or donors, but may not be elected officials or staff members of elected officials.

**Students:** two students from the College, recommended by the President and appointed by the Chairperson of the Board, generally, but not necessarily, the presidents of the student governments, or if there is only one student government, another elected student leader, provided, however, that the President shall consult the appropriate student government bodies on the selection.

**Alumni:** one alumnus/alumna from the College, generally, but not necessarily, the President of the alumni organization of the College, recommended by the Chancellor and appointed by the Chairperson of the Board.

**President:** the President of one of the Colleges of the University, recommended by the Chancellor and appointed by the Chairperson of the Board.

In addition, the Search Committee for the Dean of the Law School, the Graduate School of Journalism, and the Graduate School of Public Health and Health Policy shall include a member of the school’s Board of Visitors or Advisory Council and up to two other outstanding figures in the relevant professional community in New York City appointed by the Chairperson of the Board.

Notwithstanding any contrary provision of this section, the Dean of the CUNY School of Public Health shall be selected in accordance with the procedures set forth in the governance plan for that school.

**Staffing and Outside Consultants:**

Staff support, including outside consultants, shall be provided to the Search Committee by the Office of the Chancellor.

**PROCEDURES**

**Analysis of College Needs and Priorities:**

The Chancellor shall designate an individual(s) and/or consultant(s) to visit the College, confer with appropriate constituencies, including the elected faculty and other elected governance leaders, as well as department chairpersons, and prepare a report for the Search Committee and the Chancellor, indicating needs and priorities that will help to prepare a position description and an effective advertising and recruitment plan for the position.

**Announcing the Vacancy and Processing the Applications:**

Announcements of a presidential vacancy shall be placed in the appropriate media, and shall be communicated to educational and related institutions through correspondence and through targeted recruitment.

All applications, with supporting materials as requested in the job description, are to be sent to:
Screening of Applicants:

The Search Committee shall review the applicant pool and reduce it to a manageable number of candidates to be interviewed by the Search Committee. The Chancellor may place before the Search Committee, for additional review, the curricula vitae of a small number of individuals eliminated by the Committee or additional individuals.

At the conclusion of the preliminary interviews, the Search Committee shall select three or four finalists to visit the College.

The work and communications of the Search Committee shall be conducted confidentially, with the understanding that members of the Search Committee are not to reveal any information concerning the identity of candidates, the contents of its deliberations or any other aspect of its work to persons outside of the Search Committee.

College Consultation:

Subject to the exception set forth below, each finalist shall visit the College campus and meet with a group of representatives of College constituencies, including but not limited to elected faculty and student governance leaders and alumni, selected by the Chancellor. Following such meetings, those representatives shall meet and provide the Chancellor with a report on their views of each candidate.

After consultation with the Search Committee, if the Chancellor determines that campus visits would inhibit the generation of a suitable pool of excellent candidates, the Chancellor may, with the approval of the Chairperson of the Board, modify the college consultation process as follows: each finalist shall meet with a group of representatives of College constituencies, including but not limited to elected faculty and student governance leaders and alumni, selected by the Chancellor. Following such meetings, those representatives shall meet and provide the Chancellor with a report on their views of each candidate.

The work and communications of those groups shall be conducted confidentially, with the understanding that the members of each group are not to reveal any information concerning the identity of candidates, the contents of its deliberations or any other aspect of its work to persons outside of the group.

Chancellor's Recommendations:

The Chancellor, after considering the assessments of the Search Committee, the views of the representatives of the College constituencies, and such other information as may be necessary, shall prepare a recommendation for the Board.
Appointment:

As soon as possible after the Board has acted upon the recommendation of the Chancellor, the Chancellor shall notify the candidate of the Board’s decision. A formal letter of appointment, together with the Board resolution, which delineates the terms and conditions of employment, will be sent to the candidate as soon as he/she accepts the position.

Exceptions to these Guidelines:

In special situations, the Board Chairperson and the Chancellor, after full consultation with the Chair of the Board Committee on Faculty, Staff and Administration and leadership of College constituencies, including but not limited to elected faculty and student governance leaders, may decide to suspend these guidelines for a specific presidential search and substitute a shortened process. Such special situations may include, but are not limited to, the existence of a candidate of proven distinction from within the University, a former University executive, a candidate of national prominence from outside the University, or an exceptional candidate from a recent CUNY presidential search.

EXPLANATION: The proposed amendments to the Guidelines for Presidential Searches are designed to make the search process more effective. The principal substantive changes relate to the composition of the Search Committee and to process of campus consultation. Under the current guidelines, the Search Committee was required to have at least five Trustees; the amended guidelines permit up to five Trustees. That change is intended to reduce the burden on Trustees; especially when there are several simultaneous searches. In addition, the amended guidelines permit the appointment to the Search Committee of up to two senior administrators so long as there are not more than a total of five appointed Trustees and senior level administrators. They also make clear the President must consult with the student government bodies before recommending the student members of the Search Committee.

The amended guidelines also add flexibility to the college consultation process. Under the current guidelines campus visits by finalists were required, and the details of the meetings on the campus were set forth in some detail. The amended guidelines provide the Chancellor with more discretion in structuring meetings during campus visits by candidates with representatives of various constituencies, including but not limited to elected faculty and student governance leaders and alumni. Furthermore, the amended guidelines permit the Chancellor, after consultation with the Search Committee, to dispense with public campus visits and instead to obtain feedback from college representatives by means of confidential off-campus meetings between the finalists and college representatives. The latter option would be used only when the Chancellor, after consultation with the Search Committee, determines that campus visits would inhibit the generation of a suitable pool of excellent candidates.
Moved by Trustee Ferrer and seconded by Trustee Brian Obergfell, resolutions 7.B. and 7.C. were unanimously adopted:

**B. Hunter College - Amendments to the Charter for Governance:**

RESOLVED, That the proposed amendments to the Charter for the Governance of Hunter College be adopted, effective June 27, 2017.

EXPLANATION: The proposed amendments to the Charter for the Governance of Hunter College (“Governance Plan”) were adopted by the Hunter College Senate on May 18, 2016 and are recommended by the College President.

The amendments would update Senate membership for both faculty and students. For faculty, Lecturers with full-time appointments would receive greater representation, and Clinical Professors and Distinguished Lecturers would achieve representation. Student representation would be modified in order to involve student government organizations, rather than only academic departments, in the student nomination process.

In addition, the amendments would memorialize the current practices and membership of various Senate committees. Notably, representatives from the School of Social Work are added to the membership of committees, along with alternates for each committee. Several new committees are described in the Governance Plan, including the Committee on Academic Freedom, Standing Committee on Academic Assessment and Evaluation, Committee on General Education, and Committee on Food Services and Facilities.

Finally, the proposed amendments correct grammatical errors and delete outdated language.

NOTE: A red-lined version of the changes may be obtained from the Office of the Secretary of the Board of Trustees upon request.

**CHARTER FOR THE GOVERNANCE OF HUNTER COLLEGE**

September 1970


**ARTICLE I**

Section 1

The Hunter College Senate was established as the legislative body of the College with authority to determine College policy on all matters not reserved now or hereafter by Education Law or Board of Trustees Bylaws to the President of Hunter College, to other officers or duly constituted bodies of the College or The City University, or the Board of Trustees.
Section 2 (Initial Meeting)

Effective as of the first meeting of the Senate, the present Hunter College Faculty Council was considered dissolved and its powers assumed by the College Senate under terms of this Charter.

ARTICLE II

Section 1

As the College legislative agency, the Senate shall have policy-making powers in the following areas:

A. Curriculum and related education matters.
B. Academic requirements and standards of academic standing.
C. College development, review and forward planning of facilities, staff, and fiscal requirements.
D. Instruction and the evaluation of teaching.
E. Safeguarding the academic freedom of ALL members of the Hunter community.
F. Other matters which may be subsequently assigned to the legislative prerogatives of Hunter College.

Section 2

In addition to its legislative powers, the Senate shall have the right to express itself formally as an advisory body in any area it considers important, and to transmit its recommendations to the appropriate authorities.

ARTICLE III

Section 1

The Hunter College Senate shall have 100 Senators and Alternates sufficient in number to provide two faculty alternates for each department, being composed of 57% faculty members, 38% students and 5% representatives of the administration, with seats reserved in the following proportions:

44% Professors, Associate Professors, Assistant Professors, Instructors on full-time appointments, and Lecturers on full-time appointments.
13% Lecturers (part-time), Adjunct faculty, and all other part-time members of the teaching faculty who are not also serving in full-time appointments, Clinical Professors, Distinguished Lecturers, and non-faculty department members in the title series College Laboratory Technician and Higher Education Officer.
14% Full-time Undergraduate students, other than students in the SEEK Program.
11% Part-time Undergraduate students.
2% Undergraduate students – SEEK Program.
11% Graduate students.
5% Administration.
Section 2

Senators shall have full voting rights in the Senate. Alternates may vote and be counted as part of the quorum only when properly seated according to Senate procedures.

Section 3

Ex officio nonvoting membership shall be extended to:

a. the Presidents of the Hunter College Undergraduate Student Government and the Graduate Student Association;
b. the President of the Hunter College Alumni Association;
c. the Presidents of the Hunter College HEO Forum and the College Laboratory Technician Council;

or designee of any of the preceding.

These members shall have full floor rights but no voting rights; they shall not be eligible to become officers of the Senate (Article V).

Section 4

The College Senate shall schedule regular nominations and elections once a year during the last four weeks of classes in the spring semester; and it shall convene following such elections no later than June 1. The faculty and the student bodies shall be responsible, through duly constituted organizations, for conducting the elections of their respective representatives in accordance with the terms of this Charter.

ARTICLE IV

Section 1

A. Hunter College is an institution organized into schools, divisions, and departments, the structure and titles of which may change as the needs of its students change. It also has an administrative structure and administrative officers which change in title and function as the college develops. Therefore, wherever the Charter refers to a specific administrative officer (e.g. Dean, Registrar, etc.), or academic unit (e.g. department, school, divisions, etc.), or academic position (e.g. instructor, lecturer, etc.), such language should be construed to include any equivalent officer, academic unit, or academic position regardless of the particular language that is currently in use. In all such instances not fixed by the Charter, the equivalencies shall be determined by the Administrative Committee of the Senate and approved by the Senate.

B. For the purposes of the Charter, the following equivalencies shall apply:

(i) The word "department" shall mean any unit of the college that elects members to its Personnel & Budget Committee, and shall include as well the School of Nursing, School of Urban Public Health, School of Social Work and the Library. In addition, for the purposes of Article IV, Student Services shall be included as a department.
(ii) The word "division" shall mean any unit of the college that has a P & B Committee consisting of representatives of more than one department but fewer than all the departments. They include Humanities and the Arts, Sciences and Mathematics, and Social Sciences (which form the School of Arts and Sciences), School of Education. Together, the Schools of Nursing, Health Professions, and Urban Public Health comprise a division.

Section 2

A. The 44 Senate seats reserved for representatives in the ranks of Professor, Associate Professor, Assistant Professor, Instructors on full-time appointments, and Lecturers on full-time appointments shall be filled as follows:

(i) All departments shall be rank-ordered by the number of such faculty in the department. Each department shall be allocated 1 seat, and the remaining seats shall be allocated by assigning one additional seat to each department from the top of the list down, until the available number is exhausted.

(ii) Each department will fill its allocated seats by nominations from and elections by its faculty members in the ranks of Professor, Associate Professor, Assistant Professor, Instructor on full-time appointment, and Lecturer on full-time appointment.

B. The 13 Senate seats reserved for representatives in the ranks of Lecturer (part-time), Adjunct faculty, any other part-time members of the teaching faculty who are not also serving in full-time appointments, Clinical Professor, Distinguished Lecturer, and department members in the title series College Laboratory Technician and Higher Education Officer shall be filled as follows:

(i) One seat shall be reserved for Student Services, and shall be filled by nomination and election among the department members in these ranks.

(ii) Each of the departments that include members in these ranks may elect from among their number one nominee for one of the 12 remaining Senate seats.

(iii) The remaining 12 seats shall then be filled by an at-large election from among the nominees selected according to paragraph B (ii) above. In this election, votes shall be cast only by the members of the departments to which B (ii) applies who are in the ranks of Lecturer (part-time), Adjunct faculty, any other part-time members of the teaching faculty who are not also serving in full-time appointments, or department members in the title series College Laboratory Technician and Higher Education Officer.

C. The 14 Senate seats reserved for Full-time undergraduate students, other than students in the SEEK Program, shall be filled as follows:

(i) Of these seats, 9 shall be reserved for Full-time department majors. Toward their election, each department will elect, from nominations made within its own ranks, 1 nominee for these seats. All Full-time Seniors, Juniors, and Sophomores who have declared their major will elect the required number of representatives by an at-large vote among these nominees.
(ii) The remaining 5 Senate seats shall be reserved for Full-time Freshmen and Sophomores who have not as yet declared their major. Candidacy at-large shall be declared by filing a petition meeting the requirements established by the Senate. From the pool of such candidates, the Full-time Freshmen and non-major Sophomores will elect the required number of representatives by an at-large election.

D. The 11 Senate seats reserved for Part-time undergraduate students shall be filled as follows:
Candidacy at-large shall be declared by filing a petition meeting the requirements established by the Senate. From the pool of such candidates, the Part-time undergraduate students will elect the required number of representatives by an at-large election.

E. All graduate student positions shall be filled by the Graduate Student Association of Hunter College (GSA) according to the representational requirements outlined below and in Article III.1 and Article IV.4.B.

In the event that the GSA decides not to put forth a sufficient number of students to fulfill the representational requirements outlined in Article III.1 and Article IV, Section 2.E of the College Charter, or fails to do so by the first regularly scheduled meeting of a new Senate (at the end of the spring semester), nominations can be made by the Senate Administrative Committee or any seated Senator during a regular Senate meeting. In addition, candidacy at-large can be declared by filing a petition meeting the requirements established by the Senate. From the pool of such candidates, graduate student representatives shall be elected by a vote of the full Senate during a regular meeting.

The 11 Senate seats reserved for graduate students shall be filled as follows:

(i) 6 seats shall be filled by graduate students matriculated in programs offered in the various divisions (as defined in Article IV.1.B.ii) and the School of Social Work; one seat to each division and the School of Social Work.

(ii) There shall be 4 representatives who are matriculated graduate students and are elected by the matriculated graduate students in an at-large election.

(iii) There shall also be 1 non-matriculated graduate student representative.

F. Two Senate seats shall be filled by nominations and elections from among and by the students in the SEEK Program.

G. 5 representatives of the administration, one of whom shall be in the title series HEO or CLT, shall be appointed by the President of Hunter College.

H. (i) A Senate seat reserved for faculty members with specific rank, or other qualifications (as outlined in Article IV, Sections 2A and B), that remains vacant after the elections scheduled for such seats, shall be filled for the remainder of the regular term by a faculty election conducted by a process approved by the Senate.
(ii) A Senate seat reserved for students with specific major-non-major, graduate-undergraduate or other qualifications (as outlined in Article IV, Sections C, D, E, and F) that remains vacant after the elections scheduled for such seats, shall be filled for the remainder of the regular term by a student election conducted by a process approved by the Senate.

Section 3

Each department shall be allocated one seat for a faculty alternate. The faculty alternates shall be elected in accordance with the specified nomination and election procedures of Article IV. The student alternates shall be elected by a process approved by the Senate. The administration alternates shall be appointed by the President.

Section 4

For each of the constituencies, defined by the election procedures of Article IV, Section 2, the eligibility to serve and the right to vote shall be based on the same qualifications:

A. For every such category, eligibility to be nominated or elected to the Senate, or to vote in Senate elections, shall require one full semester of service in the specified rank, position, and/or status preceding the semester in which such nominations are made or the elections take place.

B. Students shall be in good standing. Graduate students shall have completed at least 3 hours of credit. Part-time Undergraduate students shall have completed at least 6 hours of credit.

C. Those holding appointment to the instructional staff while enrolled in a graduate program at Hunter College under conditions that make them eligible to stand for election to the Senate and to vote in Senate elections as graduate students shall not be eligible for nominations or election to the senate or to vote in Senate elections as faculty members. If ineligible as graduate students, enrollment in graduate courses shall not affect eligibility as faculty members.

Section 5

In College-wide referenda and other votes conducted among all members of the instructional staff combined, a ballot cast by a faculty member in the rank of Professor, Associate Professor, Assistant Professor, Instructor, or Lecturer (full-time) on full-time annual appointment, or cast by department members in the title series College Laboratory Technician and Higher Education Officer, shall be tallied as a full vote. A ballot cast by a faculty member in the ranks of Lecturer (part-time), Adjunct Lecturer, or any other part-time member of the teaching faculty not also serving on a full-time appointment shall be tallied as a half vote.

Section 6

Certification as to class, status, and standing of students shall be made by the Registrar. Certification as to rank, position, and status of faculty shall be made by the Chief Academic
Officer. Appointed representatives of the administration shall be certified to the Senate by name and administrative title.

ARTICLE V

Section 1

At each of its first annual meetings following the new elections, the Senate shall elect from among its voting members a Chair, a Vice-Chair, a Secretary, and such other officers as it deems necessary. Their term of office shall be one year, and the Chair and Vice-Chair shall not serve in their respective offices for more than four consecutive terms.

Section 2

The Chair may, if he or she so desires, appoint a recording secretary with the responsibility for preparing the minutes and keeping the papers of the Senate in order.

Section 3

The Chair, Vice Chair, and Secretary of the Senate, together with the Chair of the Evening Council (Article VIII. Section 16) shall constitute the Administrative Committee of the Senate. The Chair of the Senate shall be the Chair of this Committee which will:

A. Prepare the agenda for regular and special meetings, causing it to be published in the College no less than 10 days before the meeting.

B. Be responsible for having prepared an Administrative Report, presenting the recommendations of the various Senate Committees that are considered routine, this report to be distributed to the representatives 10 days in advance of the meeting. Unless exceptions are taken, this Report will be handled as a single item on the Agenda.

C. Assure continuity of the Senate's business between meetings.

ARTICLE VI

Section 1

The regular term of office for representatives shall be 2 years, extending from May of the first year to just prior to the first meeting of the new Senate the following year, in keeping with the calendar approved by the Senate. From the members, elected in the initial election, however, one-half shall be selected by lot in each category to serve a single year only. Hence, in the future, one-half of the Senate seats will be filled by the annual elections. Unexpired terms shall be filled at the next scheduled elections.

Section 2

A vote for recall of a representative may be petitioned either by one-half or by 20 members of the representative's constituency, whichever is smaller. For this purpose, the constituency shall be defined as consisting of no less than the number of votes cast in the election of the representative. Seats vacated by recall shall be filled at the time of the next election for whatever portion may remain of the unexpired term.
ARTICLE VII

Section 1

The Senate shall be empowered to regulate the conduct of its business, including the establishment of a schedule for regular meetings and procedures for calling special meetings. The calendar of regular meetings shall be established sufficiently far in advance to permit its publication in the Registrar's annual College Calendar. The Senate shall develop practical election provisions with a view towards keeping itself as nearly as possible at full strength. It shall have the right to extend the mandated committee structure (Article VIII) by establishing additional standing, special or ad-hoc Committees; and it shall set its own rules of procedure and operation, being governed until it does so by Robert's Rules of Order, latest edition.

Section 2

The regular meetings of the Senate shall be open to all members of the Hunter College community, and all of such members shall have the right to be recognized under procedures to be established by the Senate.

Section 3

A quorum of the Senate and its Committees shall consist of no less than one-half of their voting membership plus one, unless otherwise prescribed in this Charter or specified under procedures established by the Senate.

ARTICLE VIII

Section 1

A. All committees of the Senate shall preserve the spirit of equity regarding sessional, divisional, and other representation of students and faculty, and in the scheduling of meetings. Committee membership shall be open to all members of the faculty and to all students who are eligible for membership on the Senate. They shall be elected by the Senate from among nominations made by a Nominating Committee (Article IX) and/or nominations from the floor.

B. When a committee vacancy cannot be filled with a faculty member or student with specified qualifications that vacancy shall be first reported to the Senate and then may be filled by a faculty member or student, respectively, without regard to the qualification specified.

C. Senate committees report to the Senate

D. Alternate members on committees may only vote and be counted in the quorum when regular members are absent.

E. Each committee has two faculty alternates.

Section 2

In reorganizations of the Hunter College administration, Academic Administrators designated to serve ex-officio on standing committees of the Senate shall have responsibility, as nearly
as possible, for the same functions as those who are currently designated to serve in such capacity.

Section 3

In the exercise of its responsibility for the design and modification of Hunter College curricula the Senate shall establish two Committees on Course of Study, one graduate and one undergraduate. These committees shall be constituted as follows:

A. The Graduate Course of Study and Academic Requirements Committee

Six faculty members who teach in the graduate program, at least one faculty member from each of the divisions (as defined in Article IV.1.B.ii); a faculty member from the School of Social Work; 2 graduate students and 2 graduate student alternates; and serving without vote the Registrar, the Deans of the divisions and/or schools or designees, the Chief Academic Officer or designee, and the Chief Librarian or designee.

B. The Undergraduate Course of Study Committee

One faculty representative from each of the divisions (as defined in Article IV.1.B.ii), a faculty member from the School of Social Work, and two from the divisions serving at-large; 3 students and 3 student alternates; and, serving without vote, the Chief Academic Officer or designee, the Deans of the divisions and/or schools or designees, the Director of Student Services, and the Chief Librarian or designee.

C. Both of these Committees shall be chaired by faculty members elected by the voting members of the Committee.

D. Both of these Committees shall have Deputy Chairs elected by the voting members of the Committee.

E. There shall also be Committees on Curriculum in the School of Arts and Sciences, the Division of the School of Health Professions, the School of Education, and the School of Social Work. These committees shall be composed of the dean (with vote) and one faculty member from each department in the school or division, elected by the department as it may decree in its By-laws (see Article XI), and 3 students and 3 student alternates. The School of Arts and Sciences Curriculum Committee shall also include one faculty and one student representative from two of the inter-disciplinary programs. These Committees shall review proposals initiated by departments or programs or may initiate their own proposals for programs or curriculum changes, submitting such proposals for consideration to the appropriate Senate Committee on Course of Study.

The Curriculum Committees shall have the right to act on curriculum proposals, in accordance with the Procedures for Preparing and Submitting Curriculum Proposals for College Approval approved by the Hunter College Senate. Decisions by these Committees may be appealed by the departments or programs to the relevant Senate Committee on Course of Study. Matters on which appeals are pending shall not be forwarded to the Senate, and a two-thirds majority of the Senate Committee members present and voting shall be required to override such divisional decisions.
Section 4

A. The Undergraduate Course of Study Committee shall have oversight authority on all undergraduate curricular matters. It shall also concern itself through study and research with policies relating to the undergraduate curricular organizations. All proposals pertaining to:

(i) General Education Requirements.
(ii) New Majors.
(iii) New Minors.
(iv) Credit and Major or Minor concentrations.
(v) Degree Requirements.
(vi) Interdisciplinary Program.
(vii) Experimental courses

shall be submitted to the Undergraduate Course of Study Committee for action.

Final decision on all curricular matters is to be made by the College Senate, except in cases where final authority is vested in the Undergraduate Course of Study Committee by the Senate.

B. The Graduate Course of Study and Academic Requirements Committee shall review all Master's and Doctoral Programs and graduate courses to be listed in the Hunter College Bulletin on graduate studies, whether on the Master's or the Doctoral level. Its functions shall also include the review and coordination of graduate academic requirements, the formulation of policy, for adoption by the Senate, regarding the methods of grading, admissions, attendance, withdrawal, maintenance of academic standards, accreditation of work done at other institutions. The Director of Admissions, Vice President for Student Affairs (or designee), and other resource persons as deemed necessary, are requested to attend all meetings of the committee concerning graduate academic requirements as non-voting members.

Section 5

There shall be a Committee on Undergraduate Academic Requirements consisting of one faculty member from each of the divisions (as defined in IV.1.B.ii), a faculty member from the School of Social Work, and two faculty members from the divisions serving at-large; 3 students and 3 student alternates. The Dean of Students, the Chief Academic Officer or designee, a Director of Advising, a representative of Student Services, and the Registrar shall serve without vote. The Chair shall be a faculty member elected by the voting membership of the Committee. Its functions shall include the formulation of policy regarding methods of grading, requirements of student attendance, regulations relating to withdrawal from courses, and admissions not specified by Board of Trustees By-laws.

Section 6

There shall be a Committee on Student Standing, consisting of 5 faculty members including a representative from the SEEK Program. The Dean of Students or designee, the Director of Advising and a representative of Student Services shall serve without vote. The Chair of the Committee shall be elected by its voting membership. The Committee shall be
responsible for the evaluation of student records, for recommending to the Senate the award of degrees to qualified students, and for formulating policy, for adoption by the Senate, on the retention of students and the maintenance of academic standards.

Section 7

In order to insure effectiveness, compatible procedures and comparable standards in the evaluation of teaching and teachers by the students throughout the departments (Article XI), and to assure the formal consideration of the results of such appraisals in the professional evaluation of members of the teaching faculty, the Senate shall establish a Committee on Evaluation of Teaching. This Committee will, among other things, be responsible for: the preparation of standard guides for an evaluation questionnaire to provide opportunities, under its supervision, for some departmental variation in the details of the evaluation procedure; continuing review of the scope, validity, content, and efficacy of the questionnaires actually utilized; and the compilation, analysis, and publication of the data produced by such questionnaires in order to facilitate widespread understanding of the purposes and results of the evaluation procedure.

The Senate Committee on Evaluation of Teaching will consist of 12 members, all with vote: 7 students and 5 faculty members. If a student has been elected to the Administrative Committee of the Senate, that student will serve as a committee member, and chair the committee.

Section 8

There shall be established a Master Plan Committee of the Senate, consisting of one faculty member from each division (as defined in IV.1.B.ii), and the School of Social Work; 3 students and 3 student alternates, and a Chair, elected by the Senate without constraint as to category. In addition, the Chief Academic Officer and the Vice President for Administration or their designees shall serve as non-voting members. This Committee will be the general College development planning group, concerning itself with the priorities that affect long term projections as regards programs and facilities. It will make policy recommendations on these matters for adoption by the Senate, and it will be responsible for drafting the annual revision of the Hunter College portion in the CUNY Master Plan, submitting such draft for approval to the Senate.

Section 9

There shall be a Committee on the Budget, consisting of one faculty member from each division (as defined in IV.1.B.ii) and the School of Social Work; the Director of SEEK; 2 students and 2 student alternates; and a Chair elected by the Senate without constraint as to category. The Chief Academic Officer, the Vice President for Administration and designee will serve ex-officio without vote.

The Committee on the Budget shall annually develop the guidelines which, on review by the Senate and approved by the President of Hunter College, will be followed by the departments in the preparation of their projected budgets. It will review the resulting consolidated annual budget of the College and report on it to the Senate.
In addition, it will advise the President, at the latter's discretion, on the apportionment of instructional resources, budget, and space allocated to the College.

Section 10

The Senate shall establish a Committee on Grade Appeals, consisting of 4 faculty members, and 3 students and 3 student alternates. The Committee on Grade Appeals will consider grade appeals in which the student or faculty member involved takes exception to the decision of the Departmental Grade Appeals Committee. The Committee on Grade Appeals shall establish guidelines for procedures to be followed in its review of grade appeals and will report its decisions in each case to the parties concerned, the Department Chair, and to the Registrar. The decision of the Grade Appeals Committee is final.

The Committee shall also make an annual statistical report to the Senate.

Section 11

There shall be a Committee on the Calendar, consisting of one faculty member from each of the divisions (as defined in IV. 1.B.ii), a faculty member from School of Social Work, and 2 students and 2 student alternates. The Dean of Students or designee, the Director of Advising, the Registrar, and the Director of Financial Aid shall serve without vote. The Committee on the Calendar will make recommendations on the College Calendar, and, in consultation with the Faculty Personnel & Budget Committee, on the Bell Schedule. The Committee will also evaluate existing registration procedures and make recommendations regarding changes in registration procedures.

Section 12

There shall be a Committee on Departmental Governance, consisting of one faculty member from each division (as defined in IV. 1.B.ii), a faculty member from the School of Social Work, 2 students and 2 student alternates, and one member of the administration (all with vote). The Committee on Departmental Governance shall: (a) make recommendations to the Senate on standards for Departmental By-laws; (b) review Departmental By-laws and Amendments approved by departments and make recommendations for Senate action; (c) make recommendations to the Senate on alleged infractions of Departmental By-laws.

Section 13

Administrative Search Committees shall be constituted for all administrators (full deans and above) who, because of the nature of their policy making, have a significant impact on academic affairs and on the rights and welfare of the students and the faculty. The proceedings of search committees shall be confidential.

Different search committee staffing procedures may be appropriate for administrators who have college-wide impact and those who affect primarily only their divisions (as defined in IV. 1.B.ii). In any procedure adopted, the Senate shall be responsible for nominating the panel of search committee candidates and search committee Chairs from whom the College President or the CUNY Board of Trustees, as appropriate, will select the search committee and the search committee Chair. This section shall be read consistent with applicable CUNY Board of Trustees policy on presidential search committees.
The search committee shall have the responsibility of nominating candidates for administrative positions to the College President who shall have the final authority to make recommendations to the CUNY Board of Trustees.

**Section 14**

There shall be a **Committee on Charter Review**, consisting of one faculty member from each division (as defined in IV.1.B.ii); a faculty member from the School of Social Work; 3 students and 3 student alternates; one member of the Administration to be designated by the President who shall serve ex-officio; and a Chair elected by the Senate.

The Committee shall be empowered to review the composition, structure and functions of the Hunter College Senate and to propose to the Senate amendments to the Governance Plan in accordance with the provisions of Article XIII, Section 2.

**Section 15**

The Senate shall establish a **Committee on Computing and Technology**, consisting of one faculty member from each of the divisions (as defined in IV.1.B.ii), the School of Social Work, the Library, and one faculty member at-large who conducts research that depends on computers and who complements and diversifies the knowledge base of the committee; and 2 students and 2 student alternates. Two members of the staff, the Director of ICIT, and the Provost (or designee) shall serve without vote.

The committee shall both propose and review computing technology plans and strategies as they impact on the instructional, research, and administrative functions at the College. The committee will consult with all affected communities before issuing proposals or review documents. Goals of this committee would include using technology to improve all aspects of the College functioning in a manner which enhances productivity for all members of the College community and spreads both the benefits and costs of these technologies equitably among the members of the community.

Specifically, this committee shall be asked to address strategies to assure appropriate hardware and software access for students, faculty, and staff including part-time faculty and staff both on campus and remote locations; the use of computing to enhance the instructional mission of the College; the means to provide computer-based student services and administrative functions; allocations and expenditures of college resources intended for computing and technology; college efforts to obtain external resources for enhancing the college's capabilities in the area.

**Section 16**

The Senate shall establish an **Evening Council**, consisting of one faculty member from each of the divisions (as defined in Article IV. 1. B. ii) and two faculty members from the divisions serving at-large who teach a course(s) in the evening; one faculty member from the Library; 2 students and 2 student alternates who take course(s) in the evening; and a Chair elected by the Senate. In addition the Director of Evening Student Services, the Registrar, the Director of Admissions, the Director of Financial Aid, and the Evening Affairs Commissioner of the Undergraduate Student Government, shall serve ex-officio without vote.

The Evening Council shall have the following responsibilities:
A. To develop and recommend to the President of Hunter College required improvements in the supporting services (library, business office, registrar, etc.) during the evening hours.

B. To provide the Administrative Committee of the College Senate with agenda items of concern to the Evening Council that are not the responsibility of other Senate committees.

C. To identify, review, and give focus to matters of interest to the evening students and faculty, with the right to express itself as an advisory body on these matters and to transmit its recommendations to the cognizant authorities.

Section 17

The Senate shall establish a Committee on the Library, consisting of one faculty member from each of the divisions (as defined in Article IV.1. B. ii), the School of Social Work, Main Library, Branch Library, 2 students and two student alternates, and the Chief Librarian who shall serve ex-officio without vote.

The Committee shall function in an advisory capacity to the Chief Librarian and as a liaison between the Library and the College community. It shall encourage periodic review of immediate and long-term needs of the Library and library needs of individual departments and disciplines. The committee shall review an annual summary of the status of library resources and services to be provided by the Chief Librarian, and report on it to the Senate in the Fall semester.

Section 18

There shall be a Committee on Academic Freedom consisting of one faculty member from each of the divisions (as defined in the Charter IV.1.B.ii), the School of Social Work, the Library, and one faculty member at-large, one member of the HEO staff, two students, and two faculty alternates, one HEO alternate, and two student alternates. The Provost (or designee) shall serve ex-officio without vote. The chair shall be a faculty member elected by the voting membership of the committee.

The charge of the committee shall include: to monitor, examine and report annually to the Senate on the status of academic freedom at the college; to make appropriate recommendations regarding academic freedom policies and practices to the college’s governance bodies and, as appropriate, through those bodies to the University Faculty Senate; to investigate possible violations of academic freedom.

In order to ensure a secure and protected environment for individuals who wish to bring cases of abridgement of academic freedom before the committee, such charges will be examined by a subcommittee of two members chosen by the committee chair in consultation with the rest of the committee. In addition, the committee chair shall be recused from serving on the subcommittee.

Section 19

There shall be a Standing Committee on Academic Assessment and Evaluation, consisting of one full-time faculty from each division of the School of Arts and Sciences, three
full-time faculty members at-large from the School of Arts and Sciences, one faculty from each of the Schools of Education, Social Work, Nursing and Health Professions, two students-at-large from the School of Arts and Sciences, the Director of Assessment, a HEO representative and a HEO Alternate, and, serving ex-officio without vote the Deans of the schools of Arts and Sciences, Social Work, Nursing, and Health Professions, Education (or their respective designees); the Chief Academic Officer and the Vice President of Student Affairs (or their respective designees); and the Director of Institutional Research. The Chair shall be a faculty member elected by the voting membership of the Committee, the Deputy Chair shall be a voting member elected by the voting membership of the Committee.

The specific charges to the committee shall include: to develop, implement, review, and approve all college policies and procedures related to academic assessment; to seek necessary support (logistical and otherwise) for the proper implementation of approved college assessment processes and policies; to coordinate with other Senate committees to ensure that all policies and procedures related to academic assessment are faculty-driven; to serve as an assessment advisory committee for academic departments and programs, and work with all relevant constituencies as needed; to inform the academic community about accreditation standards as presented by the Middle States Commission on Higher Education; and to deliver regular reports to the Hunter Senate.

Section 20

There shall be a Committee on General Education, consisting of one full-time faculty member from each division of the School of Arts and Sciences, three full-time faculty members at-large from the School of Arts and Sciences, one full-time faculty member from each of the professional schools with undergraduate degree programs, two students-at-large, the Chair, who shall be a full-time faculty member elected by the voting membership of the Senate, and, serving ex-officio without vote: Dean of the School of Arts and Sciences (or designee), the Provost (or designee), the Director of Assessment, the Chair of the Undergraduate Course of Study Committee (or designee), the Chair of the Committee on Academic Assessment and Evaluation (or designee), the Registrar (or designee), and the Director of Advising Services (or designee).

The specific charges to the committee shall include: Develop, review, and approve all college policies and procedures pertaining to the general education program (including related graduation requirements) and curriculum; determine course approval guidelines for courses to be included in general education; review and make recommendations about such proposals; lead and coordinate periodic review of courses in general education; devise programmatic assessment for general education; receive and review programmatic assessment data and make recommendations on the basis thereof; encourage and facilitate faculty participation in general education curriculum development and teaching; advise the administration on matters of implementation of general education requirements as passed by the Senate; collaborate with other Senate committees, especially Undergraduate Course of Study and the Committee on Academic Assessment and Evaluation, to ensure that all policies and procedures related to general education are faculty-driven; and deliver regular reports to the Hunter Senate.
Section 21

There shall be a Committee on Food Services and Facilities, consisting of three faculty members, three students, and the College Business Manager to serve as a Chairperson ex-officio, all Committee members to have a vote. The Committee shall be responsible for advising the administration concerning all food services at the College, including the quality, variety, prices, and presentation of the food, as well as dining facilities. An annual review of all contracted food services shall be part of the Committee’s responsibility.

ARTICLE IX
The Founding of the Hunter College Senate in 1970

Section 1

It shall be the responsibility of the President of Hunter College to set the place and time of the first election within thirty days of the ratification (Article XIV) of this Charter, to convene the newly elected Senate for its first meeting, and to function as its Chair until the first slate of officers has been elected.

Section 2

The next order of business shall be the review and adoption of the Evening Session Council By-laws and the seating of the student representatives at-large, elected by the electoral college of Evening Session Council student members, provided such elections are found to have taken place in consonance with the approved By-laws.

Section 3

The Senate shall then proceed with the election of a Nominating Committee, so that nominations for membership on the standing committees can be made. This committee shall be composed of 4 faculty representatives, 4 student representatives, and one Chair without vote. Ties shall be reported to the Senate.

ARTICLE X

Nothing in the terms of this Charter shall be construed to prevent the continuation, or the establishment in the future, of student government and faculty organizations under instruments of governance which do not arrogate onto such bodies the exercise of functions properly mandated by this Charter to the College Senate, or any body or committee thereof.

ARTICLE XI

Section 1

It shall be the responsibility of individual departments to devise, to change as required, and – after approval by the Senate – to publish their own Bylaws, providing for a departmental policy committee or committees, a Committee on the Evaluation of Teaching, and such other committees as College and Board of Trustee By-laws may require or departmental preference may indicate.
Section 2

It is the intent that departments, given the differences in their size and variations in their programs, shall have and exercise substantial latitude in devising their policy making structures, provided that they assure by representation and schedule opportunity for participation of day, evening, and graduate students and faculty. Large departments may find it expedient to have separate departmental policy committees for undergraduate and graduate sessions, capped by an appropriate arrangement for coordination between them. Departmental policy bodies shall include equal numbers of voting faculty and student members, and there shall be one among them whose duties include that of reviewing the adequacy of departmental governance and to initiate proposals for change if deemed necessary.

Departmental By-laws shall also provide for the review of curriculum proposals. In small departments, this may be assigned as one of its duties to the Departmental Policy Committee. In larger departments, a distinct curriculum committee, or even separate committees on the graduate and the undergraduate curriculum, may be specified.

Section 3

An important departmental function is the evaluation of faculty course work, to be governed by the following basic considerations:

A. Student evaluation of faculty teaching and course handling is to be a significant factor in the professional appraisal of faculty performance for purposes of reappointment, promotion, and tenure.

B. Student evaluations of faculty should be made routinely each semester in all college courses.

C. A standing Departmental Committee on the Evaluation of Teaching, composed almost entirely of student majors in the Department but including a single faculty member with an alternate to insure faculty/student liaison within the Department, shall be responsible for the distribution of the questionnaire and the management of the evaluation in each department. Its purview is to extend to all matters of administration and interpretation of the adopted teacher evaluation procedures.

D. Each semester's questionnaire results are to be submitted to the Department Chair by the Chair of the Committee on Evaluation of Teachers for use in the duly constituted procedures of professional appraisal.

E. There is also to be a faculty evaluation of course handling, based on observation and interview of all faculty members in the Department.

F. As to non-tenured faculty:

   (i) A strongly negative student questionnaire response for a faculty member for a semester is to be the basis for discussion of the results by the Chair of the department or a designee with the faculty member before reappointment for a second year.
(ii) Strongly negative student questionnaire responses for a faculty member for 5 successive semesters are to be a strongly presumptive basis for a departmental recommendation of non-reappointment of this faculty member. Such a questionnaire response record shall be the basis for a detailed review of a faculty member’s prospect for further appointment by the department after consultation with the department Teaching Evaluation Committee and the faculty member.

If after such consultation the Department Personnel & Budget Committee concludes that the questionnaire responses are a valid reflection of the level of classroom competence of the faculty member, it will not recommend reappointment. If a department decides to recommend the reappointment of a faculty member with such a negative response record, the department Student Evaluation Committee shall have the right immediately to appeal this recommendation to the appropriate Dean and if necessary to the President. Pending the outcome of such appeals, any action to reappoint will be held in abeyance.

(iii) The same procedures are to be applied to untenured faculty who are being considered for reappointment with tenure.

(iv) Strongly positive questionnaire responses for a faculty member during the time periods indicated in F. (i) and (ii) above, shall be a strongly presumptive basis for reappointment of the faculty member; such reappointment may be denied by the department if it concludes that the faculty member is not demonstrating prospects of achieving professional growth within the discipline.

(v) Reappointment with tenure shall also be based on other required and significant criteria of professional accomplishments and standing.

G. As to tenured faculty:

Strongly negative student questionnaire responses for a faculty member for 5 successive semesters can be assumed to have given ample opportunity for the kind of reviews, spelled out in the preceding paragraphs of this Article.

They shall therefore be taken as a strongly presumptive basis for a departmental recommendation that the faculty member: (1) either be assigned to non-teaching duties he or she is demonstrably competent to perform; or (2) be brought up on charges of incompetence, with due recognition of all rights under law under applicable collectively negotiated contracts.

Section 4

1. The Procedure for Promotion to Full Professor will begin with nominations and requests for consideration for promotion to full professor being directed to the President of Hunter College by the date announced by the President's Office. This date will be included in the Schedule of Promotions for Full Professors disseminated each year by the Provost's office to deans and department chairs. Nominations may be made by the Department Chair, the Department P&B, or any Full Professor. Copies of the nomination or request for consideration will be directed also to the Provost, the Dean of the
candidate’s respective school or division, and the Chairperson of his or her respective department.

2. When the chair of a department is a candidate for promotion to full professor, all of the chair’s duties in the promotion process for all candidates for promotion to full professor shall be assumed by a chair pro tem. This includes having voice and vote on the departmental P&B, the appropriate divisional or school P&B, and the college-wide Committee on Faculty Personnel and Budget (FP&B) when such bodies consider the issue of promotion to full professor. For the purposes of this section, the Ancillary Units (including the Library), shall be regarded as a division, the FP&B Subcommittee on Personnel in Ancillary Units as the divisional P&B, and the chair of the Subcommittee on Personnel in Ancillary Units as the divisional dean. The chair will have neither voice nor vote on any P&B when it considers any aspect of the process for promotion to full professor. The chair pro tem shall be elected at the first departmental meeting after the deadline date announced by the President for receiving nominations and requests for consideration for promotion to full professor. The chair pro tem will be elected by the full time faculty of the department who would ordinarily be eligible to vote for department chair, and will need a majority vote of all such members of the department for election. Hereafter references to the chair will be understood to apply either to the department chair, if that person is not a candidate for promotion to full professor, or to the chair pro tem.

3. The departmental P&B committee will be responsible for reviewing the files, scholarship materials, and letters of outside evaluation for all the candidates for promotion to full professor within the department and to make a recommendation as to whether the candidate should be endorsed for promotion.

4. The departmental P&B committee shall compile the list of external evaluators. Although the candidate shall be invited to submit names for this list, the final determination of who shall be contacted is the responsibility of the departmental P&B committee and the department Chair.

5. The Chair of the candidate’s department shall on behalf of the departmental P&B committee perform such administrative tasks as contacting outside evaluators, sending them the candidates’ appropriate materials, receiving the evaluations, and transmitting them to the departmental P&B committee. The Chair shall write the Chair’s report summarizing the candidate’s record.

6. The departmental P&B committee shall make its recommendation to the respective school or divisional Personnel and Budget Committee via the office of the respective Dean. The candidate will be informed of the recommendation and, if negative, may elect to withdraw or to continue in the process.

7. The responsibilities of the Dean shall include, but not be limited to, scheduling meetings of the respective personnel and budget committee; scheduling interviews with candidates and the respective personnel and budget committee; duplicating the candidates’ curriculum vitae, external evaluations, and any other pertinent materials; maintaining the files on the candidate; and placing candidates’ publications in the Archives.
8. The appropriate divisional or school personnel and budget committee shall review all supporting documents for the candidate's promotion. An interview before this committee may be requested by the candidate or the committee. Refusal to meet with the committee shall not be prejudicial to the candidate. However, the committee shall not refuse to meet with the candidate once such a meeting is requested in writing by the candidate. The committee may ask any member of the full-time faculty to serve as a resource in gathering pertinent information on the candidate's relevant discipline, including members from the candidate's department and/or school or division.

9. The appropriate divisional or school personnel and budget committee will judge whether to recommend or not recommend each candidate falling within its purview. The committee will vote by secret ballot and minutes of the meeting shall be kept pursuant to Robert's Rules, newly revised. All affirmative recommendations must be by a majority of the committee. The Dean shall transmit a report of the committee's recommendations to the President and Provost's Offices indicating those candidates recommended and those candidates not recommended. Each candidate will be informed of the recommendation and, if negative, may elect to withdraw or to continue in the process.

10. The Deans of each School or Division shall transmit to the President, Provost, and the Office of Personnel for duplication and distribution the curriculum vitae, chair's report, teaching evaluations, and external evaluations for each candidate. All members of the FP&B shall receive copies of the curriculum vitae, chair's report, and teaching evaluations. The Deans shall receive copies of the external evaluations for all candidates and shall make them available to members of the FP&B for review. The Deans shall place all other documents, including publications, in the Archives.

11. The President shall send a report of the recommendations to all members of the FP&B prior to the meeting designated to consider promotions to full professor. At that meeting, members of the FP&B shall deliberate and vote on the FP&B recommendation to the President concerning which candidates should be recommended to the Board of Trustees for promotion.

12. The President shall review the recommendations of the FP&B and notify the candidates, in writing, who the President will recommend to the CUNY Board of Trustees for promotion to full professor. The President also has the authority to make an independent recommendation for promotion after consultation with the appropriate departmental P&B Committee and with the FP&B.

13. The President shall notify in writing those candidates who will not be recommended to the Board of Trustees for promotion. After receipt of this notification, candidates not recommended for promotion to full professor may appeal, writing directly to the President.

ARTICLE XII

Section 1

The College shall establish the office of Hunter College Ombuds Officer, providing a full-time secretary and such assistants as the incumbent may choose to staff the operation.
Section 2

Any member of the College community eligible to serve on the Senate may be nominated or may nominate herself or himself for the position of Hunter College Ombuds Officer. Such nominations shall be addressed to the Nominations Committee of the Senate which may make its own nominations as well as soliciting them from the floor of the Senate. Each candidate shall be voted on individually by a for-or-against vote, the appointment going to the candidate with the highest plurality of “for” votes, provided their number exceeds two-thirds of the number of representatives present and voting.

Section 3

The appointment shall be for a term of three years, removal from office to occur only as the result of demonstrated inability to perform the duties of the office.

Section 4

The Hunter College Ombuds Officer shall consider complaints and grievances that are brought by any member of the Hunter College community, concerning a condition or problem in the College, may investigate the conditions giving rise to such complaints and may refer cases to others when the usual appeals procedures seem adequate. The Ombuds Officer will undertake independent investigations, in general, only if the usual procedures have proved inadequate or have been exhausted, and shall be empowered to recommend action to any officer or to any committee or organization of the College. The Ombuds Officer shall from time to time report on his or her work to the Hunter College Senate; and may otherwise publicize the results of investigations.

Section 5

The Ombuds Officer shall be responsible for causing an impartial review to be conducted of the structure and the functioning of the College Senate at the end of two years of operation, with a view to recommending such changes in structure, functions, operations, by-laws and the like as this review of Senate experience may indicate.

ARTICLE XIII

Section 1

Amendments to the Charter may be proposed for referendum by a three-fourth majority of the Senate members present and voting at any meeting, regular or special, provided that the text of the proposed amendment has been submitted in writing to the Senate membership no less than ten days prior to such meeting. To be approved, amendments shall require a majority vote in each constituency, faculty and students, with no less than 30% of each voting.

Petition for amendment may be filed either by 20% of the Senate membership or by 10% of either the student or the faculty voting constituency.
Section 2

This section is an amendment to Section 1 of Article XIII and, preserving the spirit of equity regarding sessional representation of students and faculty, governs the possible amendment of all articles of the Charter except the total percentages of the faculty, student, and administration representation as set forth in Article III, Section 1.

A. An amendment may be proposed by the Charter Review Committee or by written petition to the Administrative Committee bearing the signatures of not less than 20% of the Senate members or 200 members of the Hunter College community.

B. Upon receipt, the Administrative Committee will schedule as the first order of business, a First Reading of the proposed amendment, not later than the second regular meeting following its submission date, for discussion without vote.

C. A Second Reading will take place at the next Senate meeting, at least 27 days later, the complete text having been mailed to all Senate members and to the chief officer of the faculty organizations and the student governments. At such meeting, the proposed Amendment shall be subject to amendment from the floor by a 3/4 vote of those present and voting. After debate on the proposed Amendment as submitted and amended, the Amendment will be formally proposed if it receives a 3/4 vote of all those present.

D. A Third Reading will be the first order of business after the election of Senate Officers at the first meeting of the new Senate (Article VI, Section 1). Approval by written ballot by 3/4 of all those present shall constitute adoption, which shall be certified by the Chairperson to the President.

ARTICLE XIV

Ratification of this Charter will be completed when it has been:

A. Accepted by a majority of all students and a majority of the instructional staff of Hunter College; provided that at least 30% of each constituency votes.

B. Recommended by the President of Hunter College to the CUNY Board of Trustees.

C. Approved by the CUNY Board of Trustees

C. Lehman College - Amendment to the Governance Plan:

RESOLVED, That the proposed amendment to the Governance Plan of Lehman College be adopted, effective June 27, 2017.

EXPLANATION: The proposed amendment to the Governance Plan of Lehman College of The City University of New York was approved by the Lehman College Senate on February 8, 2017 and is recommended by the College President.

The amendment concerns administration representatives to the College Senate. The Plan calls for twelve administration representatives. The amendment provides that if the
College’s President, Vice Presidents and Deans total more than twelve, the President will designate prior to the first Senate meeting of the academic year which twelve administrators will serve in the Senate for that year.

**GOVERNANCE STRUCTURE OF LEHMAN COLLEGE**
Approved by the Board of Higher Education, February 22, 1971
And amended by the Board of Trustees on June 24, 2002, September 29, 2003, and April 26, 2010

I. The Lehman College Senate

A. General Statement

The Lehman College Senate shall replace the existing Faculty Council. The Senate shall be a unicameral body, representing the faculty, students, administration, and non-teaching instructional staff (delineated in article 1.C.3) of the College, presided over by the President of the College.

B. Functions of the Senate

Subject to the authority and the Bylaws of the Board of Trustees, the College Senate shall be responsible for the formulation of academic policy and for legislative and advisory functions related to the programs, standards, and goals of the College.

1. Policy Functions

It shall have the power to formulate policy, to make policy recommendations, and to review the implementation of policy concerning

a) Academic affairs, including the development of curricula; degree requirements; inter-disciplinary programs; admission and grading practices and standards; and the awarding of credits, degrees and honors;

b) Long-range planning to achieve the overall goals of the College, within The City University and the College community, including responsibility for the continued development of the College;

c) Campus life and activities which promote the total educational program, including ancillary services within the College; student organizations; alumni and community relations;

d) Practices and procedures for protection of academic freedom, the rights and liberties of each member of the Lehman College community, and the equitable settlement of internal campus problems.
2. Advisory Functions

It shall have the following advisory functions:

a) To advise on the appointment of the President of the College and all Full Deans;

b) To propose amendments to, and revisions of, the Bylaws of the Board of Trustees, and to recommend action to other bodies with jurisdiction over The City University;

c) To assist the College Personnel and Budget Committee in the determination of budgetary priorities within the College;

d) To advise the President, Deans, and Department Chairs concerning the procedures for faculty appointments, reappointments, promotions, tenure awards, and dismissal.

3. Legislative Functions

It shall have the following legislative responsibilities:

a) To carry out by legislation the aforestated policy functions;

b) To take such other recommending actions as the Senate may wish.

C. Composition of the Senate

The Senate shall consist of representatives of the faculty, the students, the non-teaching instructional staff (delineated in article 1.C.3) and the administration of the College, with a total membership of 102 senators.

1. Representation of Faculty

a) Department Representation.
   One representative with at least two years of full-time service shall be elected from each department by and from those members eligible to vote in that department.

b) At-Large Representation.
   The number of faculty senators elected at-large shall be adjusted to maintain the total number of department representatives and at-large faculty senators at 51.
c) Apportionment of Faculty Elected At-Large.
Faculty Senators elected at-large shall be elected by and from the full-time members of the instructional staff acting as a single electorate. At-large Senators shall be apportioned in the following manner: Group A, consisting of all full professors, all associate professors, and all assistant professors with tenure; and Group B, consisting of all assistant professors without tenure, all instructors, and all lecturers full-time at the time of the election. At least one-third of the at-large seats shall be assigned to Group A faculty, and at least one-third to Group B faculty.

d) Representation of Part-Time Faculty
Three part-time faculty Senators shall be elected from those part-time members of the instructional staff who teach at least six semester hours per week. They shall be elected by all part-time members of the instructional staff.

e) Floor and Voting Rights
All faculty representatives in the Senate, whether departmental or at-large, part-time or full-time, shall have full floor rights and voting rights.

2. Administration Representatives

The President, Vice-Presidents, and Full Deans, shall be members of the Senate with full voting and floor rights. Prior to the first Senate meeting of the academic year, the President shall appoint additional administration representatives for one year terms with full voting and floor rights so that the total number of administrators in the Senate, including ex-officio representatives, shall equal twelve. If the President, the Vice Presidents, and the Full Deans total more than twelve, the President shall designate prior to the first Senate meeting of the academic year which twelve of them shall serve as administration representatives for the year.

3. Non-Teaching Instructional Staff Representatives

There shall be five representatives, elected by and from the Higher Education Officer and College Laboratory Technician series. They shall serve with full voting and floor rights.

4. Student Representatives

For purposes of Senate composition "student" shall be defined as matriculated students.
a) Number of Students.  
There shall be 34 students comprising the total student membership of the Senate.

b) Election of Students.  
Student Senators shall be elected at-large. Graduate students shall receive at least one guaranteed seat.

D. Length of Service in the Senate

1. At-large Faculty and Non-Teaching Instructional Staff Representatives. All full-time and part-time faculty elected at-large, and non-teaching instructional staff representatives elected to the Senate shall serve two-year terms and shall be eligible for re-election.

2. Departmental Representatives.  
Departmental Representatives shall be elected at times coinciding with regular departmental elections for Chair and departmental Personnel & Budget committees, shall serve for a term of three years, and shall be eligible for re-election.

3. Student Representatives.  
Students shall be elected annually, shall serve for a term of one year, and shall be eligible for re-election.

4. Vacancies.  
(a) Senate seats shall be considered vacant when a senator is no longer employed by or matriculated at the College, or when a senator resigns from the Senate.

(b) Vacancies in seats designated for Faculty at-large, Non-Teaching Instructional Staff, and Student Representatives shall be filled by the person who received the next highest vote total in the most recent election for such seats. If there are no eligible individuals remaining on the list from the previous election, a special election shall be held.

E. Organization of the Senate

The Senate shall establish the necessary offices, committees, and procedures to carry out its responsibilities, and take other necessary actions for the implementation of its aforesaid powers, with the following qualifications:

1. A joint faculty/student/administration committee shall establish procedures and mechanisms for the first election of the Senate, in conformity with the
provisions stated under “Composition of the Senate.” The faculty and administration members of the committee shall be chosen by Faculty Council. Student members shall be chosen by the student legislature. The committee shall provide for election of at-large student members proportional to the full-time equivalent registration of the Undergraduate and Graduate sessions. Thereafter the Senate itself shall establish procedures and mechanisms for its own elections.

2. As a general policy, membership in committees of the Senate shall include Faculty, students, and administrators, and shall be open to nonmembers of the Senate.

3. Meetings of the Lehman College Senate shall be open to all members of the Lehman College community. Floor rights may be granted to nonmembers by vote of the Senate at the request of a member of the Senate.

II. Nullification of Senate Action

Enactment of Legislation By Referendum

A. Nullification of Senate Action

The General Faculty and the Student Body shall have the power to nullify any Senate decision or action in the following manner:

1. Initiation of an action to nullify a Senate decision or action shall be by petition of 20 percent of the faculty or 10 percent of the student body. The petition shall be directed to the Senate.

2. The Senate shall conduct separate referenda of the General Faculty and the Student Body within 20 class days of submission of a petition to nullify a decision or action, except that when the summer interim intervenes, the referenda shall be conducted within 20 class days of the commencement of the fall semester. Such actions to nullify must be completed by the conclusion of the first full semester following the Senate decision or action in question.

3. Nullification of a Senate decision or action shall require a two-thirds majority vote of both the General Faculty and the Student Body in the separate referenda, provided that 60 percent of the faculty and 30 percent of the student body vote in such referenda.

4. In any action to nullify, should a simple majority of either 60 percent of the faculty or 30 percent of the student body approve the proposal to nullify, the Senate will automatically reconsider the decision or action in question.
B. Enactment of Legislation By Referendum

The General Faculty and the Student Body shall have the power to enact legislation in the following manner:

1. Initiation of legislation shall be by petition of 20 percent of the faculty or 10 percent of the student body. The petition, stating the proposed legislation, shall be directed to the President of Lehman College.

2. The President shall submit the proposed legislation to separate referenda of the General Faculty and the Student Body within 20 class days of submission of petition to enact legislation, except that when the summer interim intervenes, the referenda shall be conducted within 20 class days of the commencement of the fall semester.

3. Enactment of legislation shall require a 75 percent majority vote of both the General Faculty and the Student Body in the separate referenda, provided that 60 percent of the faculty and 30 percent of the student body shall vote in such referenda.

III. Departments

Department functions and structures shall be retained with the following qualifications:

A. The Department Chair shall be elected except as otherwise specified in the Bylaws of the Board of Trustees, for a period of three years by members of the instructional staff of the department who hold faculty rank or faculty status.

B. Student participation on department committees shall be as follows:

1. Personnel and Budget Committees.
   Subject to the authority of the Professional Staff Congress/CUNY contract with the Board of Trustees: Students shall serve the departmental Personnel and Budget Committees in advisory capacity, with the method of service and number of students to be determined by the respective departments.

2. Other Standing Committees.
   Students shall have full voting rights on all departmental standing committees, other than Personnel and Budget Committees, with the number of students and the method of election to be determined by the respective departments.
IV. Personnel and Budget

The current Personnel and Budget Committee structures and functions on both the department and college-wide levels shall be retained, with the following qualifications:

A. Departments

1. Eligibility to Serve
   Members of the instructional staff with full-time appointments in titles of Professor, Associate Professor and Assistant Professor may serve as members of the Personnel and Budget Committees of their departments; four of the five members of the committee must be tenured, unless there are fewer than four tenured faculty members in the department.

2. Eligibility to Vote
   All full-time members of the instructional staff may vote for members of the Personnel and Budget Committees of their departments.

3. Promotion to Full Professor
   Nominations for promotion to full professor shall be forwarded to the College Committee on Faculty Personnel and Budget by the chairperson of the department when there is a positive recommendation of the departmental Committee on Personnel and Budget.

B. College-wide Personnel and Budget Committee

1. Student Representation
   Subject to the authority of the Professional Staff Congress/CUNY contract with the Board of Trustees: Students shall serve the College-wide Personnel and Budget Committee in an advisory capacity, with the method of service and number of students to be determined by the Committee.

V. General Faculty

A. Composition of the General Faculty
   The General Faculty of Lehman College shall be composed of all full-time members of the instructional staff, and all others who teach at least six semester hours per week. All such members shall be entitled to full voting and floor rights at any meeting of the General Faculty, and may vote in any election or referendum in which the General Faculty participates. Other members of the instructional staff shall have full floor rights in meetings of the General Faculty.
B. Functions of the General Faculty

The General Faculty may:

1. consider any matter related to the interests or welfare of Lehman College;
2. take positions on College issues;
3. deal with any matter related exclusively to faculty interests or welfare, not specifically assigned to another body;
4. make recommendations to the Lehman College Senate and to any agent, department, committee, or organization of the College, and review actions taken in pursuance to its recommendations;
5. elect at-large Senators to the Lehman College Senate, as provided in appropriate sections of Article I;
6. elect by secret ballot faculty representatives to the University Faculty Senate, and other bodies or committees as requested;
7. and shall act through referendum in the process of Nullification of Senate Actions, in the procedure for Enactment of Legislation By Referendum.

VI. Student Body

A. Composition

The Student Body of Lehman College shall consist of all matriculated students, and all non-matriculated students.

B. Functions

The Student Body shall:

1. elect student representatives to the Lehman College Senate and, upon request, to other bodies and committees;
2. act through referendum in the process of Nullification of Senate Actions and in the procedure for Enactment of Legislation By Referendum.
3. Any student or group of students may make recommendations to the Senate and to any agent, department, committee, or organization of the College.
C. Student Conference

1. Composition

The student members of the Senate shall constitute the Student Conference.

2. Functions

   a) Shall provide a forum for discussion of, and taking positions on, College issues;

   b) Shall hold monthly meetings, open to the Lehman College community, to ascertain opinion on matters which are the concern of the Senate.

   c) After consideration by the Student Conference, any item may be placed on the Agenda of the Senate.

D. Student Governance

An organization to administer student affairs shall be established by student referendum.

VII. Amendment Procedure

This document may be amended in the following manner:

A. Proposal of an Amendment

   1. Proposal of an amendment to this document shall be in the following method:

A written proposal signed by 25 faculty and students, including at least 10 from each group, shall be considered as a proposed amendment to this governance document. All such proposed amendments shall be referred to the Senate Governance Committee. The Governance Committee will review the proposed amendment and recommend an appropriate course of action to the Senate.

B. Adoption of an Amendment

   1. Procedure for adoption of amendments to this document shall be as follows: A 75% affirmative vote of Senators present shall be required to adopt an amendment to this governance document, provided that at least 2/3 of all Senators are present for such vote.
2. Amendments adopted by the procedure above shall be presented for approval to the Board of Trustees.

Moved by Trustee Ferrer and seconded by Trustee DiMartino, resolutions 7.D. through 7.F. were unanimously adopted:

D. Hunter College - Naming of the Hannelore S. and Robert M. Bloch Commons:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of a student study area, located within the Silverstein Success Center on the 6th floor of Hunter College’s Cooperman Library, the “Hannelore S. and Robert M. Bloch Commons” in memory of Hannelore Stern Bloch and Robert M. Bloch.

EXPLANATION: Linda S. Bloch and Sandra A. Bloch, as Trustees of The Robert M. Bloch Trust, have contributed $500,000 to name the student study area on the newly renovated 6th floor of Hunter College’s Library as part of a $750,000 gift to The Hunter College Foundation.

Linda Bloch is the owner of Riverside Travel Service, founded by her grandmother in 1925, and run for many years by her father, Robert Bloch. The Bloch family is a longtime supporter of Hunter College and was one of the earliest donors to the Hunter College Mother’s Day Fund. Robert Bloch visited the College with his family many times to meet the Mother’s Day scholars.

In recognition of the generosity of Mr. Bloch through his trust, the College wishes to name the student study area the “Hannelore S. and Robert M. Bloch Commons.”

E. Hunter College - Naming of the Elizabeth Hemmerdinger Screening Center:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of a screening room within the Silverstein Success Center of the Hunter College Library the “Elizabeth Hemmerdinger Screening Center.”

EXPLANATION: H. Dale Hemmerdinger has contributed $100,000 to The Hunter College Foundation to name the lecture/events/screening hall on the newly renovated seventh floor of Hunter College’s Library the “Elizabeth Hemmerdinger Screening Center,” in honor of his wife.

Elizabeth Hemmerdinger, a graduate of Hunter College Elementary School, is on the Board of Trustees of the Hunter College Foundation. She is an award-winning playwright, screenwriter, and producer. She is the founder and CEO of Providence Productions LLC, a film company she created in 2009 to “capture…extraordinary and
complex stories about women.” A tireless advocate for women, Ms. Hemmerdinger is also a member of the Board of Directors of *Women’s Voices for Change*, a board member of PEN America, and a founding board member of *Dancing Dreams*, a non-profit organization that uses dance to allow high school girls and children with severe physical disabilities to reach their full potential.

H. Dale Hemmerdinger oversees the ATCO family of companies, as well as its parent company, The Hemmerdinger Corporation, and The Hemmerdinger Foundation. He is a board member of HCF Renovation Foundation, Inc. He previously served as Chairman of New York City’s Metropolitan Transportation Authority and as Commissioner of the New York City Conciliation and Appeals Board. He is active in many public and private organizations, including as Chair of the New York City Police Foundation.

In recognition of Mr. Hemmerdinger’s generosity, the College wishes to name the screening room within the Silverstein Success Center the “Elizabeth Hemmerdinger Screening Center.”

F. Queens College - Naming of the Dina Axelrad Perry Pool:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the “Dina Axelrad Perry Pool” at Queens College.

EXPLANATION: Dina Axelrad Perry graduated from Queens College with a Bachelor’s degree in Economics in 1967 and earned her Master’s degree, also in Economics, in 1971. Mrs. Perry has had a long career as a senior portfolio manager, working at Chase and Neuberger Berman before joining Capital Research and Management Company, located in Washington, D.C. She is currently a Senior Vice President with the firm, which is internationally recognized in the field of portfolio management.

Dina Axelrad Perry is a member of the Board of Trustees of the Queens College Foundation and also serves on its Investment Committee. Mrs. Perry has pledged $1,000,000 to the Queens College Foundation, to be fulfilled in two $500,000 installments in May 2017 and September 2017. The Foundation will use $700,000 to establish a fund for pool renovations to include facility upgrades in aquatic areas and locker room upgrades. The remaining balance of $300,000 will establish an endowment fund for pool-related maintenance of the Dina Axelrad Perry Pool.

In recognition and honor of Mrs. Perry’s ongoing commitment and generosity to Queens College, the College recommends the naming of the “The Dina Axelrad Perry Pool.”
Moved by Trustee Ferrer and seconded by Trustee DiMartino, the following resolution was presented and opened for discussion:

**G. The City University Of New York - Adoption Of Revised Guidelines For The Selection And Review Of Distinguished Professors As Board Policy:**

RESOLVED, That the procedures for the selection and review of Distinguished Professors be codified as Board Policy, updated to strengthen the role of the Executive Vice Chancellor and University Provost, clarify the selection criteria, and emphasize the importance of the review process of current title holders effective June 26, 2017.

EXPLANATION: Currently, procedures regarding the criteria for the initial appointment and subsequent review of CUNY Distinguished Professors are not considered in Board of Trustees Policies. The goals of this resolution are to codify and strengthen these procedures as follows:

1) As the Executive Vice Chancellor and University Provost chairs all examining committee meetings of Distinguished Professor candidates, s/he shall be present at Faculty, Staff and Administration Committee meetings when Distinguished Professor candidates are presented and discussed.

2) The word “solely” with regard to the role of scholarship in the appointment to Distinguished Professor is redundant and will be removed from the language of the procedure.

3) Every five years after the initial appointment, the College President, after consultation with appropriate departmental or college members, will submit to the Executive Vice Chancellor and University Provost a written review of the scholarly performance of the Distinguished Professor with a recommendation for reappointment or non-reappointment to the title.

**REVISED GUIDELINES FOR THE SELECTION AND REVIEW OF DISTINGUISHED PROFESSORS**

I. Goals, Criteria, and Required Evidence

- **Goals of the Policy on Distinguished Professors**
  The title of Distinguished Professor is conferred on an individual by the University Board of Trustees in recognition of exceptional scholarly achievement. The purpose of these appointments is to recruit new faculty or retain existing faculty whose appointments enrich the University, especially when candidates require special incentives to influence their decision to accept an offer or to remain within the University. These appointments are expected to contribute to CUNY’s commitment to recruit and retain an excellent faculty representing a rich diversity of gender and ethnicity.
• **Criteria for Distinguished Professorship Appointments**

CUNY Distinguished Professors should comprise a small number of exceptional individuals. That number is currently limited to 250 under the terms of the collective bargaining agreement. The primary purpose of the awards is to recruit or retain outstanding faculty. Distinguished Professorships are reserved for faculty with records of exceptional performance by national and international standards of excellence in their profession. There must be substantial evidence of this exceptional performance, including significant quantities of high-quality work in areas of importance in their disciplines. In addition to superb scholarship, Distinguished Professors are expected to participate in appropriate teaching and service roles in their colleges. However, this honor is granted solely in recognition of the quality and impact of a nominee’s scholarship.

Nominations from colleges are expected to represent a balance between the number of Distinguished Professors recruited from outside the University relative to those appointed from internal CUNY candidates. Since Distinguished Professor appointments are not provided solely to recognize past performance, there must be evidence that their quality of performance will continue. **Colleges must review the performance of all Distinguished Professors at the end of every fifth year after initial appointment. The President will submit the review to the Executive Vice Chancellor and University Provost. In consultation with appropriate departmental and College persons, the President is expected to recommend to the Executive Vice Chancellor and University Provost that a Distinguished Professorship be discontinued if there is failure to perform at the scholarly levels expected of persons at that rank.**

In all but the most exceptional circumstances, candidates who have been rejected may be renominated only once after a minimum of three years from the action.

• **Review Process**

**Colleges must review the performance of all Distinguished Professors at the end of every fifth year after initial appointment. The President will submit the review to the Executive Vice Chancellor and University Provost. In consultation with appropriate departmental and College persons, the President is expected to recommend to the Executive Vice Chancellor and University Provost that a Distinguished Professorship be discontinued if there is failure to perform at the scholarly levels expected of persons at that rank.**

• **Required Evidence for Awards**

There must be evidence that the candidate is regarded nationally, and where appropriate, internationally, as a leading scholar in his/her academic field. There also must be evidence that the candidate, if named University Distinguished Professor, will continue to perform as a faculty member at levels appropriate for Distinguished Professors.

Campuses should seek at least ten (10) external letters of evaluation from full professors or people of comparable standing outside the academy who are widely recognized authorities in the nominee’s field and can provide objective analyses of the nominee’s qualifications. As part of the nomination materials sent to the University, the campuses should provide the evaluating committee with each reviewer’s vita. The review letters should include a comparison of the nominee to a specific list of other
distinguished scholars in the field and provide a clearly articulated rationale for the assessment. Reviewers should acknowledge any prior contact with the nominee; they should not ordinarily be coauthors with the candidate, and they cannot be from any CUNY college.

II. Procedure

• Overview

The procedures which guide the appointment to Distinguished Professor are designed to enable the University to gauge the appropriateness of nominees for this award. Beginning in fall 2014, nominations for the appointments may be presented to the University Board of Trustees at any Board meeting. Prior to presentation to the Board the case must have: (1) college endorsement based on the approved policy and/or practices of the college, which must incorporate the goals, criteria, and evidence prescribed in Section 1 of these guidelines; (2) submission of the materials to the Executive Vice Chancellor and University Provost’s Office; (3) solicitation of evaluative letters by the Executive Vice Chancellor and University Provost when additional documentation is necessary; (4) review by the Distinguished Professor Selection Committee and recommendation to the Chancellor; (5) approval by the Chancellor and recommendation to the Board Committee on Faculty, Staff, and Administration; (6) approval by the Board Committee on Faculty, Staff, and Administration; and (7) approval by the Board of Trustees.

• College Process

The College President will forward to the Executive Vice Chancellor and University Provost (1) a current c.v. checked for accuracy and completeness; (2) letters of recommendation from the College’s President and from the Chief Academic Officer; (3) at least ten (10) external evaluations, accompanied by vitas of the evaluators; (4) documentation of the processes used up to the point of submission of the case from the College, including an account of the process by which external evaluators’ letters were solicited; (5) representative samples of the candidate’s scholarly and/or creative work, as appropriate, and any additional evidence of exceptional performance by national and international standards of excellence.

Note: The evaluations submitted by the College are critical. The evaluators must be among the most highly respected persons in the field, and they must be objective, without reason for bias; for example, as mentioned above, evaluators should not ordinarily be coauthors with the candidate.

Again, reviewers also cannot be from any CUNY college.

• University Process

After the College-level process is completed and the materials are forwarded to the Executive Vice Chancellor and University Provost’s Office, the Executive Vice Chancellor and University Provost will request additional supporting materials if the external evaluations are deemed insufficient.

The Executive Vice Chancellor and University Provost forwards each nomination to a Distinguished Professor Selection Committee. The Selection Committee will then meet and evaluate the candidates’ portfolios, making recommendations to the Executive Vice Chancellor and University Provost, who will send the final recommendations to the
Chancellor for review and submission to the Board Committee on Faculty, Staff, and Administration, including the Executive Vice Chancellor and University Provost, with eventual approval required by the University Board of Trustees. Because every effort will be made to avoid conflicts of interest in the composition and conduct of each Selection Committee, members of a Selection Committee should disclose any ties to the nominee under discussion at the beginning of deliberations. The Executive Vice Chancellor and University Provost may ask members to recuse themselves if there is a reasonable concern that a member’s ties with a nominee would compromise the Committee’s deliberations.

• **Timetable**
Beginning in fall 2014, the University Board of Trustees will act on nominations for Distinguished Professor at any Board meeting during which a nomination is presented. Submissions of nominating materials from the Colleges to the Executive Vice Chancellor and University Provost’s Office for appointment to University Distinguished Professor will be accepted on a rolling basis for consideration by the Board of Trustees at a subsequent meeting. Once an appointment has been approved by the Board, it will go into effect on the first day of the subsequent month.

In response to a question from Vice Chairperson Schwartz on what is the role of the Board regarding distinguished professorship awards:

Chancellor Milliken stated that these are the highest honors that the University bestows on its faculty that goes through a rigorous process of review internally and external recommendations. They are true leaders in their field. They are much sought after recognitions among CUNY’s faculty. The role of the Board is not unlike the role of the Board in the case of approving an honorary degree recipient that comes from the college where through a process the faculty may determine that this is an individual that they would like to honor as a leader in the field, etc., and because this is such a significant CUNY honor puts its imprimatur on the selection. In this case, there is a rigorous internal process which the Board reviewed in committee and made some changes which were welcomed that encouraged the senior leadership to look at other opportunities for recognition of faculty beyond the most outstanding research records. So in this case, the Board had significant input on the direction of the recognition of the faculty.

In response to another question from Vice Chairperson Schwartz on whether the full Board is being asked for its approval in respect to these appointments based on the informed judgment of the Committee that reviewed the information:

Chancellor Milliken stated that a great deal of material was available to CFSA and University Provost and Executive Vice Chancellor Vita Rabinowitz spent a
fair amount of time with the Committee helping them understand the basis for the award so the full Board can rely on the recommendation of the Committee with regard to these appointments.

Trustee Ferrer asked for a vote. Cal. No. 7.G. was unanimously adopted.

Moved by Trustee Ferrer and seconded by Trustee Sandra Wilkin, the following resolution was adopted:

**H. The City College of New York – Appointment of Beth Baron as Distinguished Professor of History:**

RESOLVED, That the Board of Trustees of The City University of New York appoint Beth Baron as Distinguished Professor of History at The City College of New York effective July 1, 2017, with compensation of $28,594 per annum in addition to her regular academic salary, subject to financial ability.

EXPLANATION: Dr. Beth Baron is a leading historian of the modern Middle East and a pioneer and leader in research on women and gender in the Middle East. Her numerous authored and edited books, book chapters and peer-reviewed articles address a broad range of topics including Middle East studies, gender history, women’s history, colonial and postcolonial studies, nationalism, social movements and religious history. One of her reviewers wrote that “she enjoys an enviable reputation as a scholar and her articles, book chapters and books have become classics in a rapidly developing field.” Another commented that her latest book, *The Orphan Scandal*, “is a remarkable piece of historical writing that represents social, political, intellectual and gender history at its finest.” Many of her reviewers point to the importance of Dr. Baron’s five years (from 2009 to 2014) as editor of the *International Journal of Middle East Studies*, the premier scholarly journal in U.S. Middle East studies. As noted by one, “under her editorship, the journal was transformed from a good journal, though very conventional (and at times boring, I regret to say) to a very exciting, cutting-edge journal in which we all compete to be published!” Dr. Baron was elected President of the Middle East Studies Association, an organization with an international membership, from 2015 to 2017. According to one of her reviewers, this “solidifies her reputation as one of her generation’s most important scholars.”

Dr. Baron has been Professor of History at The City College of New York since 2001, and first joined the department as an Assistant Professor in 1989. She earned her doctoral degree in History from the University of California, Los Angeles and her Master’s degree in Near and Middle Eastern Studies from the University of London, School of Oriental and African Studies.
The City College of New York and The City University of New York will be well-served by Dr. Baron’s appointment as Distinguished Professor.

Moved by Trustee Ferrer and seconded by Trustee Berger, the following resolution was adopted:

I. College of Staten Island – Appointment of Sos Agaian as Distinguished Professor of Computer Science:

RESOLVED, That the Board of Trustees of The City University of New York appoint Sos Agaian as Distinguished Professor of Computer Science at The College of Staten Island effective August 25, 2017, with compensation of $28,594 per annum in addition to his regular academic salary, subject to financial ability.

EXPLANATION: Dr. Sos Agaian is an international expert in the areas of data analytics, information security, computational vision, advanced digital signal processing algorithms, 3D imaging sensors and systems and computational biomedical health informatics. He is a scholar of remarkable productivity whose widely cited work has been published in 10 books, 18 book chapters, 133 journal articles, and over 450 refereed conference papers. He also holds 15 patents. His reviewers point out that “his research not only covers a wide range of topics, but is exceptional in depth and perspective.” He has “pioneered novel techniques for image quality measurement that are now widely accepted as the standard in image enhancement system design” and “his impact in multimedia communication and imaging systems are seminal in nature.” Professor Agaian has also “made exceptional theoretical and practical technical contributions to the intelligent security imaging system design community” where his work has “long lasting impact through its implementation in secure mobile communications, medical military systems and tele-medicine markets.” Another reviewer points to his contributions in yet another area: “He has the remarkable ability to recognize key questions/problems, to explore new ideas, and to venture in developing and thus challenging, scientific frontiers. I have found his ideas and research pertinent to applications in cellular and tissue biomedical engineering very promising and of great potential.” In recognition of his contributions, he has been elected Fellow of the American Association for the Advancement of Science, the Society for Imaging Science and Technology, the International Society for Photo-Optical Instrumentation Engineers, and, most recently, the Institute of Electrical and Electronics Engineers (IEEE).

Before joining the College of Staten Island this fall, Dr. Agaian was The Peter T. Flawn Professor in the Department of Electrical Engineering and Director of the Multimedia Analytics & Mobile Signal Processing Laboratory at the University of Texas at San Antonio from 2005 through 2016. Dr. Agaian earned a Ph.D. in Mathematics and Physics from the Steklov Institute of Mathematics, Academy of Sciences of the USSR
(Moscow), a Doctor of Engineering Sciences from the Computer Center Academy of Sciences of the USSR (Moscow), a Senior Research Scientist of Computer Science Diploma (US Equivalent = Ph.D. in Computer Science) from the Supreme Attestation Board of the USSR (Moscow) and an M.S. in Mathematics and Mechanics from Yerevan State University, Armenia.

The College of Staten Island and The City University of New York will be well-served by Dr. Agaian's appointment as Distinguished Professor.

Moved by Trustee Ferrer and seconded by Trustee Wilkin, the following resolution was adopted:

J. Hunter College – Appointment of David Himmelstein as Distinguished Professor:

RESOLVED, That the Board of Trustees of The City University of New York appoint David Himmelstein as Distinguished Professor of Urban Public Health at Hunter College effective July 1, 2017, with compensation of $28,594 per annum in addition to his regular academic salary, subject to financial ability.

EXPLANATION: Professor Himmelstein is recognized nationally and internationally as a health policy expert. He is a scholar of remarkable productivity whose widely-cited and influential work has been published in over 100 journal articles and seven monographs and books. His reviewers point out that he is “a leading policy thinker whose work includes seminal research findings that have changed the debate on health insurance in the United States.” He “is the definition of a Distinguished Professor. Not only has he had an exemplary research career with extensive publications in major journals, he has, more importantly, created (with his collaborators) the database for informed, evidence-based analysis of the U.S. health system,” and “his work represents the pinnacle of rigorous scholarship in health services research.”

Professor Himmelstein’s research with long-time collaborator Professor Stephanie Woolhandler has had a significant impact on health care policy in the United States and abroad. Their study of patients who were refused emergency care because they were uninsured triggered a national debate that eventually led to the passage of the Emergency Treatment and Active Labor Act, which requires hospitals to examine and stabilize patients before transferring them to another institution. Their research on the high administrative costs of medical care and the possible mechanisms to reduce them have entered national health policy debates in the U.S. and elsewhere. They are leading scholars on the effects of for-profit ownership of HMOs, insurance firms and medical providers. Their research on medical bankruptcy, which found that medical bills and illness were common causes of financial insolvency, was cited by President Obama as he worked to pass the Affordable Care Act. Together, Professors Himmelstein and
Woolhandler founded and continue to lead the non-profit education and advocacy group Physicians for a National Health Program, which was recently cited in the New England Journal of Medicine as a leading progressive health policy organization that has grown to include more than 20,000 members nationwide and has active chapters in more than 40 cities.

Hunter College and The City University of New York will be well-served by Professor Himmelstein’s appointment as Distinguished Professor.

Moved by Trustee Ferrer and seconded by Trustee Clarke, the following resolution was adopted:

K. Hunter College – Appointment of Stephanie Woolhandler as Distinguished Professor of Urban Public Health:

RESOLVED, That the Board of Trustees of The City University of New York appoint Stephanie Woolhandler as Distinguished Professor of Urban Public Health at Hunter College effective July 1, 2017, with compensation of $28,594 per annum in addition to her regular academic salary, subject to financial ability.

EXPLANATION: Professor Woolhandler is an internationally recognized expert in health care policy who served as senior health advisor to Senator Bernie Sanders during his 2016 presidential campaign. She is a scholar of remarkable productivity whose widely-cited and influential work has been published in over 100 journal articles and seven monographs and books. Her reviewers point out that she is “amongst the most influential health systems researchers in the United States” and a “creative and rigorous researcher whose scholarly output includes many studies that might be considered groundbreaking.” “Most researchers and scholars crave to have the impact of Dr. Woolhandler’s work,” which “has been the single most important scholarly contribution to the movement for a single-payer health care system.”

Professor Woolhandler’s research with long-time collaborator Professor David Himmelstein has had a significant impact on health care policy in the United States and abroad. Their study of patients who were refused emergency care because they were uninsured triggered a national debate that eventually led to the passage of the Emergency Treatment and Active Labor Act, which requires hospitals to examine and stabilize patients before transferring them to another institution. Their research on the high administrative costs of medical care and the possible mechanisms to reduce them have entered national health policy debates in the U.S. and elsewhere. They are leading scholars on the effects of for-profit ownership of HMOs, insurance firms and medical providers. Their research on medical bankruptcy, which found that medical bills and illness were common causes of financial insolvency, was cited by President Obama.
as he worked to pass the Affordable Care Act. Together, Professors Woolhandler and Himmelstein founded and continue to lead the non-profit education and advocacy group Physicians for a National Health Program, which was recently cited in the New England Journal of Medicine as a leading progressive health policy organization that has grown to include more than 20,000 members nationwide and has active chapters in more than 40 cities.

Hunter College and The City University of New York will be well-served by Professor Woolhandler’s appointment as Distinguished Professor.

Report of Faculty, Staff and Administration Committee Chair Ferrer

Finally, the third quarterly report on diversity and inclusion at CUNY, focusing on faculty. Here are some pertinent metrics:

- CUNY’s full-time faculty total 7,508. Under-represented groups comprise 34.5%. Women constitute 48.4% and Italian-Americans 5% (374). Less than 1% identify as either Individuals with Disabilities (66 / 0.9%) or veterans (56 / 0.7%).

- Over the past year, there has been an overall decrease of 72 full-time faculty (1%). The number of full-time faculty of color increased by 26, for a total of 2,594 or 34.5%. Females decreased by 28, and Italian-Americans decreased by 10. Among the minority full-time faculty, CUNY experienced modest numerical gains from 2015 to 2016. There is near parity by gender, despite the numerical decrease of females, from 2015 to 2016.

- In 2016-2017, 443 new full-time faculty were hired, comprised of:
  - Minorities: 93 (43.6%)
  - Italian-Americans: 17 (3.8%)
  - Females: 258 (58.2%)
  - Individuals with Disabilities: 3 (0.7%)
  - Veterans: 3 (0.7%)

CUNY continues to face challenges in recruiting and retaining a diverse faculty. The higher numbers of attrition among under-represented groups is of particular concern. There are multiple strategies underway centrally and across the campuses, but they need to be bolstered if CUNY is to adequately address faculty separation and attrition.

The Office of Vice Chancellor Gloriana Waters has undertaken a number of initiatives to specifically address these challenges, and the Chancellor has convened a Presidential Working Group on Diversity led by Presidents José Luis Cruz and Michelle Anderson. Furthermore, the Office of Recruitment and Diversity has convened a group of deans, department heads, faculty, and chief diversity officers to provide training on the search
recruitment and hiring process, and to access available resources to diversify the applicant pool and the professoriate at CUNY. The Committee on Faculty, Staff and Administration anticipates hearing from these working groups in the fall on the progress they have made. The next quarterly report will be in October.

8. COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:
Trustee Brian Obergfell reported that the Committee on Facilities Planning and Management met on June 5, 2017. After approval of the minutes of the April 6, 2017 meeting, the Committee addressed the policy items on the agenda. The Committee then went into Executive Session to discuss real estate matters under current negotiation by the University, during which Vice Chancellor Judy Bergtraum reported on new projects and updates.

Moved by Trustee Obergfell and seconded by Trustee Ferrer, the following resolution was unanimously adopted:

A. The City University of New York – Approval of FY 2017-18 Capital Budget:

RESOLVED, That the Board of Trustees of The City University of New York approve the University’s FY 2017-18 Capital Budget comprised of (a) $456 million in new State appropriations, (b) $2.6 billion in State re-appropriations, including CUNY 2020 re-appropriations, and (c) $85.6 million in new City funding for FY 2018, included in the $599.9 million City five-year capital commitment plan, pursuant to Exhibit A, for projects authorized by The City University Construction Fund to address critical maintenance, infrastructure, and programmatic initiatives in support of the University’s mission.

Appropriation and reappropriation levels included herein for the senior and community colleges and various units of the university, per the authority vested in the Chancellery by the Board of Trustees, are reflected in the FY 2017-2018 state enacted budget and FY 2018 city adopted budget for the University; and be it further

RESOLVED, That the Chancellor, or designee, is hereby authorized to modify up to five percent of the allocations provided for herein within the parameters of the state and city budget legislation. Any modifications above five percent will require Board approval. The University will provide semi-annual reports to the Board of Trustees’ Committee on Facilities Planning and Management on planned, active, and completed projects.

EXPLANATION: Every year the University receives funding to complete projects in its capital program. The current budget covers the FY 2017-18 State budget and City FY 2017-21 budget. These projects shall be funded through bonds sold by the Dormitory Authority of the State of New York with debt service payments appropriated by the State
of New York and the City of New York, and through bonds sold by the City of New York; projects shall also be supported by State minor repair funding from the State General Fund. The City provides 50% for the Community Colleges projects and special projects at Senior Colleges. The State provides 100% of the funding for the majority of Senior College projects and the 50% matching for the Community Colleges projects. CUNY 2020 projects will be financed by the Empire State Development bonding.

Projects funded by these sources focus on completion of existing projects and critical health, safety, code compliance and rehabilitation projects, while addressing the need for expansion and modernization of facilities, as called for in campus master plans, where funds are available.

**CUNY's Capital Budget Fiscal Year 2017-18**

*Amounts in $ thousands*

1) New State Capital Budget Appropriations provided in the FY17-18 state enacted budget

   A) Senior College Critical Maintenance (College Specific) $46,350
   B) Senior College Critical Maintenance (CUNY-wide) $177,872
   C) Senior College Strategic Initiatives (College Specific) $60,000
   D) Dormitory Authority & City University Construction Funds Administrative Costs $36,983
   E) Community College State Match to City Funded Projects $80,353
   F) CUNY 2020 $55,000

2) Reappropriations of state capital funds from (prior fiscal years) $2,600,000
   a. Reappropriation of prior year state capital appropriations that are still available for projects.

3) New City Capital Budget funds for Fiscal Year 2018 $85,560
   A) CUNY’s Five-Year Capital Commitment Plan $599,893

1) **New State Capital Budget Appropriations**

*Amounts in $ thousands*

A. Senior College Critical Maintenance Funds (college-specific and CUNY-wide)

For services and expenses related to alterations and improvements to existing facilities for capital maintenance, including but not limited to capital design, construction, reconstruction, rehabilitation, and equipment; for health and safety, preservation of facilities, program improvement or program change, environmental protection, energy conservation, accreditation, facilities for the physically disabled, preventative maintenance and related projects, including costs incurred prior to April 1, 2017 and subject to a plan developed and submitted annually by the City University of New York and approved by the State Director of the Budget.
College-specific Project Schedule

Campus-wide maintenance of various facilities

*Amounts in $ thousands*

<table>
<thead>
<tr>
<th>Critical Maintenance</th>
<th>Individual College Allocations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baruch</td>
<td>$2,511</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>$5,433</td>
</tr>
<tr>
<td>City College</td>
<td>$8,136</td>
</tr>
<tr>
<td>Graduate School</td>
<td>$25</td>
</tr>
<tr>
<td>Honors College</td>
<td>$25</td>
</tr>
<tr>
<td>Hunter</td>
<td>$5,799</td>
</tr>
<tr>
<td>John Jay</td>
<td>$3,193</td>
</tr>
<tr>
<td>Lehman</td>
<td>$2,438</td>
</tr>
<tr>
<td>Medgar Evers</td>
<td>$3,096</td>
</tr>
<tr>
<td>NYC College of Technology</td>
<td>$3,485</td>
</tr>
<tr>
<td>Queens</td>
<td>$5,433</td>
</tr>
<tr>
<td>College of Staten Island</td>
<td>$2,877</td>
</tr>
<tr>
<td>York</td>
<td>$3,899</td>
</tr>
<tr>
<td><strong>Total Individual Colleges</strong></td>
<td><strong>$46,350</strong></td>
</tr>
</tbody>
</table>

B. CUNY-wide Senior College Critical Maintenance

CUNY-wide Schedule

*For university-wide maintenance or capital improvement costs at senior colleges attributable to:*

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The findings of condition surveys for health and safety needs</td>
<td>$9,270</td>
</tr>
<tr>
<td>The findings of condition surveys for preservation of facilities needs</td>
<td>$12,463</td>
</tr>
<tr>
<td>Mechanical and infrastructure needs</td>
<td>$7,210</td>
</tr>
<tr>
<td>ADA needs</td>
<td>$6,180</td>
</tr>
<tr>
<td>Certificate of occupancy/public assembly needs</td>
<td>$2,060</td>
</tr>
<tr>
<td>Energy conservation needs</td>
<td>$4,120</td>
</tr>
<tr>
<td>Science lab upgrade needs</td>
<td>$2,060</td>
</tr>
<tr>
<td>Bathroom facilities upgrade needs</td>
<td>$1,030</td>
</tr>
<tr>
<td>Educational technology initiative needs</td>
<td>$6,695</td>
</tr>
<tr>
<td>Science and technology equipment needs</td>
<td>$5,047</td>
</tr>
<tr>
<td>CUNY TV renovation needs</td>
<td>$515</td>
</tr>
</tbody>
</table>
Priority capital maintenance or capital improvement projects to support preservation of facilities

<table>
<thead>
<tr>
<th></th>
<th>$121,222</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total lump sums</strong></td>
<td>$177,872</td>
</tr>
</tbody>
</table>

Plans for these $121 million in priority funds include:

- CUNY-wide Roof Replacement Survey and Program
- CUNY-wide Fire Alarm System Upgrades
- CUNY-wide Bathroom Upgrades
- CUNY-Wide IT Upgrades
- Other CUNY-Wide Initiatives

Total

Grand Total Senior College Critical Maintenance

C. Senior College Strategic Initiative Funds

For services and expenses related to alterations and improvements to various facilities including but not limited to capital design, construction, reconstruction, rehabilitation, and equipment; for health and safety, preservation of facilities, program improvement or program change, environmental protection, energy conservation, accreditation, facilities for the physically disabled, preventative maintenance and related projects, including costs incurred prior to April 1, 2017 and subject to a plan developed by the City University of New York and approved by the CUNY Board of Trustees and the director of the budget.

Amounts in $ thousands

### Strategic Initiative Funding

<table>
<thead>
<tr>
<th>Individual College Allocations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Baruch</td>
<td>$1,260</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>$8,460</td>
</tr>
<tr>
<td>City College</td>
<td>$15,120</td>
</tr>
<tr>
<td>Graduate School</td>
<td>$60</td>
</tr>
<tr>
<td>Honors College</td>
<td>$60</td>
</tr>
<tr>
<td>Hunter</td>
<td>$9,360</td>
</tr>
<tr>
<td>John Jay</td>
<td>$2,940</td>
</tr>
<tr>
<td>Lehman</td>
<td>$1,080</td>
</tr>
<tr>
<td>Medgar Evers</td>
<td>$2,700</td>
</tr>
<tr>
<td>NYC College of Technology</td>
<td>$3,660</td>
</tr>
<tr>
<td>Queens</td>
<td>$8,460</td>
</tr>
<tr>
<td>College of Staten Island</td>
<td>$2,160</td>
</tr>
</tbody>
</table>
D. Dormitory Authority and City University Construction Funds Administrative Costs

For payment to the Dormitory Authority of the State of New York, for services and expenses of the authority related to construction activities administered by the authority for the state share of capital projects of the City University of New York which are appropriated by the state and otherwise authorized by law.

For payment to the City University Construction Fund for services and expenses of the City University Construction Fund related to construction activities administered by the City University Construction Fund for the state share of capital projects of the City University of New York which are appropriated by the state and otherwise authorized by law.

*Amounts in $ thousands*

| DASNY - program administration | $21,000 |
| CUCF - program administration  | $15,983 |
| **Total**                      | **$36,983** |

E. Community College State Match to City-Funded Projects

For services and expenses for state financial assistance to community colleges for alterations and improvements to various facilities including services and expenses, capital design, construction, reconstruction, rehabilitation and equipment; for health and safety, preservation of facilities, new facilities program improvement or program change, environmental protection, energy conservation, accreditation, facilities for the physically disabled, and related projects, including costs incurred prior to April 1, 2017 subject to an annual plan developed by the City University approved by the State Director of the Budget and which may include, but not be limited to projects in the following schedule:

Community College Critical Maintenance Project Schedule

*Amounts in $ thousands*

<table>
<thead>
<tr>
<th>College / Project</th>
<th>City &amp; State Funds</th>
<th>State 50% Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bronx CC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-Bronx CC Critical Maintenance</td>
<td>$42,000</td>
<td>$21,000</td>
</tr>
<tr>
<td>-Student Success Center</td>
<td>$14,000</td>
<td>$7,000</td>
</tr>
<tr>
<td>-STEM Resource Center</td>
<td>$300</td>
<td>$150</td>
</tr>
<tr>
<td>BMCC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-Cooling Tower Rehab</td>
<td>$3,600</td>
<td>$1,800</td>
</tr>
<tr>
<td>-Gymnasium Light Replacement</td>
<td>$700</td>
<td>$350</td>
</tr>
</tbody>
</table>
Hostos CC
- One Stop Student Services Center $7,700 $3,850

Kingsborough CC
- Roof Replacements $2,000 $1,000
- Marina Upgrades $500 $250
- Science Equipment $454 $227

LaGuardia CC
- Ctr for Career and Employment Training $6,774 $3,387

Queensborough CC
- Roof Repairs $2,400 $1,200
- Kitchen and Cafeteria Renovation $5,600 $2,800

CUNY-Wide CC Critical Maintenance $60,678 $30,339
CUNY-Wide CC Facilities for ASAP $14,000 $7,000

Total Community Colleges $160,706 $80,353

F. CUNY 2020

The sum of $55,000,000 for the NY CUNY 2020 challenge grant program.

NY CUNY 2020 plans shall be developed in consultation with the regional economic development councils and funding will be subject to the approval of a NY CUNY 2020 plan or plans by the Governor and the Chancellor of the City University of New York. The determination of grant awards shall take into consideration the extent to which plans: (1) use technology, including but not limited to the expansion of on-line learning, to improve academic success and job opportunities for students; (2) leverage economic and academic opportunities through the START-UP NY program; and (3) provide experiential learning opportunities that connect students to the workforce.

Amounts in $ thousands

| CUNY 2020 Challenge grant fifth year allocation | $55,000 |

2) $2.6 billion in State reappropriations

Amounts in $ thousands

Reappropriations
1) Seniors Critical Maintenance $1,480,000
2) Seniors Strategic Initiative Funding $579,000 (detail below)
   FY 16-17 Strat Init Lump Sum $20,000
   ASRC/CCNY Science $30,000
   BARUCH-17 Lexington Avenue $70,000
   BKLYNC-Performing Arts Ctr $2,973
   BKLYNC-Roosevelt Hall Reno $123,745
June 26, 2017

Minutes of the Meeting of the Board of Trustees

<table>
<thead>
<tr>
<th>Institution</th>
<th>Amount (Thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSI-Center Computational Sci</td>
<td>$35,530</td>
</tr>
<tr>
<td>Hunter Sci (now Swing Space)</td>
<td>$53,452</td>
</tr>
<tr>
<td>LEHMAN-Nursing Ed Ctr</td>
<td>$40,689</td>
</tr>
<tr>
<td>NYCCT-Academic Bldg. 1</td>
<td>$166,412</td>
</tr>
<tr>
<td>YORK-Academic Village/Conference Ctr</td>
<td>$36,500</td>
</tr>
<tr>
<td>Total</td>
<td>$579,301</td>
</tr>
</tbody>
</table>

3) Community Colleges match to city funds $310,000

4) Hard dollars / minor repair funding $30,000

Subtotal $2,399,000

5) CUNY 2020 years 1 - 4 $220,000

Total State Reappropriations $2,619,000

3) New City Capital Budget funds for Fiscal Year 2018 $85,560

A) CUNY’s Five-Year Capital Commitment Plan $599,893

Amounts in $ thousands

<table>
<thead>
<tr>
<th></th>
<th>FY'17</th>
<th>FY'18</th>
<th>FY'19</th>
<th>FY'20</th>
<th>FY'21</th>
<th>5-Year Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$298,265</td>
<td>$194,615</td>
<td>$59,519</td>
<td>$24,167</td>
<td>$23,327</td>
<td>$599,893</td>
</tr>
</tbody>
</table>

Moved by Trustee Obergfell and seconded by Trustee Charles Shorter, resolutions 8.B. through 8.F. were unanimously adopted:

B. Baruch College, Kingsborough Community College, LaGuardia Community College, and Macaulay Honors College - Upgrade of Fire Alarm Systems in Various Buildings:

RESOLVED, That the Board of Trustees of The City University of New York requests the City University Construction Fund to execute Purchase Orders with Siemens Industry for the upgrading of the fire alarm systems in a total of 5 buildings at Baruch College (1), LaGuardia Community College (1), Kingsborough Community College (2), and Macaulay Honors College (West 67th Street building). The proposed work will be performed under a New York State Office of General Services Contract. The purchase orders will be subject to the approval of the Fund’s General Counsel.

The total cost of such upgrades shall be chargeable as follows:

Baruch College: State Capital Construction Fund for an amount not to exceed $1,400,000.
LaGuardia CC: 50% to State Construction Fund and 50% to City Funds for an amount not to exceed $4,500,000.
Kingsborough CC: 50% to State Construction Fund and 50% to City Funds for an amount not to exceed $2,950,485.
Macaulay College: State Capital Construction Fund for an amount not to exceed $1,200,000.

EXPLANATION: The Fund on behalf of the City University of New York intends to upgrade the fire alarm systems in Baruch College’s Newman Hall building, LaGuardia Community College’s Shenker Hall building, Kingsborough Community College’s “U” College Center and “P” Central Services buildings, and Macaulay Honors College’s West 67th Street building.

The scope of work for all upgrades include:

1. Installation of the Fire Alarm Systems and Central Monitoring Stations;
2. Obtaining the plan approvals and permits from NYC DOB and NYC Fire Department; and
3. Labor and materials required for upgrading the complete fire alarm systems and Central Monitoring Stations.

C. Baruch College – Amendment to Purchase Order for Fire Alarm Upgrades at 17 Lexington Avenue Building:

RESOLVED, That the Board of Trustees of The City University of New York requests that the City University Construction Fund amend the previously approved purchase order adopted by the Board of Trustees of The City University of New York at the meeting of January 27, 2014 (Cal. No. 5.D.) by approving an increase from $2,000,000 to $4,000,000, for services to design, purchase and install a new Fire Alarm System at Baruch College’s 17 Lexington Avenue building. This purchase order is to be awarded pursuant to a New York State Office of General Services Requirement Contract. The cost of the purchase order shall be chargeable to the State Capital Construction Fund for an amount not to exceed $4,000,000. The purchase order shall be subject to approval as to form by the Fund’s General Counsel.

EXPLANATION: Subsequent to the approval of the original Purchase Order (CUCF1205) and under the Phase I of the major renovations to the 17 Lexington Building a considerable number of fire alarm devices were specified to be installed. In order to have consistency and a single source of responsibility for the entire building’s fire alarm system installation, it is highly recommended to utilize Siemens Industry, Inc., under the original Purchase Order (CUCF1205), to perform the installation of these additional fire alarm devices. It was determined that an additional $2,000,000 will be
required to complete the entire fire alarm building installation and therefore this proposed resolution increases the authorization amount to $4,000,000.

The scope of work includes:

1. Preparation of plans and specifications for the installation of the Fire Alarm Systems and Central Monitoring Station;
2. Obtaining plan approval from NYC DOB and Fire Department;
3. Labor and materials required for the complete fire alarm systems and Central Monitoring Station.

D. Medgar Evers College – Phase I of the Security System Upgrade:

RESOLVED, That the Board of Trustees of The City University of New York requests that the City University Construction Fund amend the previously approved Purchase Order adopted by the Board of Trustees of The City University of New York at the meeting of June 27, 2016 (Cal. No. 7.B.) by approving an increase from $1,700,000 to $3,000,000, for design, purchase and installation services to upgrade the existing security system at Medgar Evers College. The purchase order with A+ Technology and Security Solutions will be awarded pursuant to a New York State Office of General Services Contract and is subject to approval as to form by the Fund’s General Counsel. The cost of this purchase order shall be chargeable to the State Capital Funds for an amount not to exceed $3,000,000.

EXPLANATION: Subsequent to the June 27, 2016 Resolution No. 7.B. and based upon the final scope of the project and the results of the competitive bidding process, an additional $1,300,000 will be required for the security upgrade work, and therefore this proposed resolution increases the authorization amount for the purchase order to $3,000,000.

Based upon the bids received for the project, A+ Technology & Security Solutions, Inc. has been selected to perform the security upgrade work. The work includes installation of servers, workstations, cameras, access controls and card readers and related control systems throughout the Medgar Evers campus.

E. City College - Retro Commissioning for ASRC and CDI Buildings:

RESOLVED, That the Board of Trustees of The City University of New York requests the City University Construction Fund to execute a Purchase Order to complete retro commissioning, post retro commissioning monitoring, and staff training services for the ASRC and CCNY CDI buildings. The proposed work will be performed under a New
York State Office of General Services Contract. The purchase order will be subject to the approval of the Fund’s General Counsel.

The total cost of all such purchases shall be chargeable to the State Capital Construction Fund up to an amount not to exceed $3,000,000.

EXPLANATION: The Fund on behalf of the City University of New York intends to contract full retro commission services for ASRC and CUNY CDI Buildings to improve existing indoor environmental conditions for all spaces including clean rooms and labs that have high sensitive temperature and humidity requirements to ultimately improve the indoor air quality.

The scope of work includes:

1. To investigate and identify the deficiencies, provide adjustments, and reprogramming of the controls for the proper operation and functionality of the HVAC systems.
2. Provide post monitoring verifications.
3. Staff training.

F. York College – Multimedia Center, Academic Core Building:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a new contract on behalf of York College to renovate the existing Faculty Dining space and create a code compliant Multimedia Center. The contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. The contract costs shall be chargeable to the City Capital Budget for an amount not to exceed $1,189,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: York College’s Faculty Dining space is located in a highly visible area at the 160th Street entrance to the Academic Core Building and is currently used by faculty, staff, and students. York College wants to renovate this space so that it can be used to hold conferences and teleconferences, host academic and social functions, and use as a gathering space for the Jamaica community and civic organizations. To accomplish this York College will expand the rooms used by adding a series of technological, functional, and aesthetic improvements that will enhance its use as a teaching space and a place for meetings.
Moved by Trustee Obergfell and seconded by Trustee Ferrer, resolutions 8.G. through 8.I. were unanimously adopted:

G. **Baruch College – Execution of Memorandum of Agreement for a Permanent Pedestrian Plaza on East 25th Street Between Lexington and Third Avenues, New York, New York:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a Memorandum of Agreement with The New York City Department of Transportation and The New York City Department of Design and Construction for a reimbursement of funds up to an amount not to exceed $7.5 million to create a permanent pedestrian plaza on East 25th Street between Lexington Avenue and Third Avenue.

EXPLANATION: A temporary pedestrian plaza currently exists on East 25th Street between Lexington and Third Avenues that was created through the New York City Plaza Program administrated by the Department of Transportation. Through the Memorandum of Agreement (1) CUNY will pay the Department of Transportation for Baruch College’s portion of the project, and (2) the Department of Design and Construction will act as construction manager to procure and administer the project contracts.

H. **The City University of New York – Lease to Cold Spring Harbor Laboratory for DNA Learning Center at New York City College of Technology:**

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to enter into a thirty-year lease, along with associated agreements, with Cold Spring Harbor Laboratory for the creation of a DNA Learning Center at New York City College of Technology. The DNA Learning Center will be located on the entire second floor of City Tech’s Pearl Street Building (approximately 19,000 square feet). The lease, and any associated agreements, shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The City University of New York will establish a collaboration with Cold Spring Harbor Laboratory (CSHL) – the preeminent international research institution that continues to spearhead breakthroughs in molecular biology and genetics. The proposed partnership will support the establishment of a DNA Learning Center in Brooklyn at New York City College of Technology (City Tech) that will serve as a hub for the public to explore and understand DNA science and its impact on health and society. The partnership will also foster educational and research collaborations between CUNY and CSHL.
The DNA Learning Center will be located on the entire second floor of City Tech’s Pearl Street Building (approximately 19,000 square feet). The DNA Learning Center will provide the following:

- course-based undergraduate research experiences to 500 CUNY students per year;
- paid internships for 30 CUNY students per semester at both the DNA Learning Center and Cold Spring Harbor Lab facilities;
- mentoring for science education majors;
- academic year lab field trips for 15,000 NYC students and summer camps for 650 NYC students in grades 5-12 each year;
- a network of 200 students involved in distributed research projects in DNA barcoding, microbiomes and genome sequencing;
- train 100 teachers and provide equipment footlockers to support 2,000 in-school student labs each year; and
- weekend learning activities and family events for 10,000 visitors annually.

The DNA Learning Center will encompass six DNA learning laboratories (2 of which will be dedicated for City Tech’s and CUNY’s use), two conference rooms, exhibit areas, and required support facilities. Downtown Brooklyn is one of the most accessible areas in New York City, and the location will afford access to students and members of the public from all over the City.

CUNY is not allowed to charge rent due to the restrictions imposed by the tax-exempt bonds used to improve the building. However, CSHL will be solely responsible for the construction of the DNA Learning Center as well as all operating costs associated with the DNA Learning Center.

I. The City University of New York – Execution of Lease Amendment for 70 Murray Street, 3rd Floor, New York, New York on Behalf of Borough of Manhattan Community College:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a new lease amendment, along with any associated agreements, for approximately 51,953 rentable square feet of space, at 70 Murray Street, New York, New York, on behalf of the Borough of Manhattan Community College. The lease amendment shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The Borough of Manhattan Community College has occupied 156,179 rentable square feet of office and classroom space at this location on the Ground Floor, part of the 2nd Floor and the entire 10th, 11th, 12th and 14th Floors since June 2004,
pursuant to a lease (the “Master Lease”) that will expire on May 31, 2035. Under the Master Lease, the current annual base rent is $6,648,160 ($42.56/SF).

On May 1, 2017 the Board of Trustees approved a resolution amending the Master Lease by adding 25,935/SF of space to house the college’s ASAP program bringing the total amount of space under the Master Lease to 182,114/SF.

This current resolution will add an additional 51,953/SF of space, bringing the total amount of space under the Master Lease to 234,067/SF. This additional space is comprised of the entire 3rd Floor of the building and will provide the Borough of Manhattan Community College with needed additional classrooms and support spaces.

The term for the additional space will be co-terminous with the Master Lease and will start upon substantial completion by landlord of the interior renovations specified by the University. The University will reimburse the landlord for the cost of the renovations. The base annual rent will start at $58.00/SF ($3,013,274) and will increase by $5.00/SF every five years.

Pursuant to the Master Lease, the landlord will continue to be responsible for exterior, structural and roof repairs. In addition, the landlord, at landlord’s cost, will provide cleaning services and be responsible for HVAC maintenance.

The University is awaiting the funding necessary for the lease amendment. Execution of the amendment and expansion to the additional space is dependent upon this new funding.

9. **COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS:**
Trustee Una Clarke reported that at the June 7, 2017 meeting of the Committee on Student Affairs and Special Programs, the Committee approved the following resolutions, and she recommended their approval by the Board.

Moved by Trustee Clarke and seconded by Trustee Obergfell, resolutions 9.A. through 9.G. were presented and opened for discussion:

**A. Graduate School of Public Health and Health Policy – Establishment of a Student Activity Fee and a College Association:**

RESOLVED, That a student activity fee of $41.45 per semester be established for students at the Graduate School of Public Health and Health Policy, effective Fall 2017, in accordance with the following schedule:
and be it further

RESOLVED, That the Board of Trustees approve the establishment of the CUNY Graduate School of Public Health and Health Policy College Association and the proposed bylaws of the college association.

EXPLANATION: Students at the Graduate School of Public Health and Health Policy held a referendum to establish a $41.45 student activity fee effective Fall 2017. The referendum was held in accordance with Board Bylaw section 16.12 on March 27 – 30, 2017. The vote on the referendum was 44 in favor, 14 opposed, with 11.6% of the eligible students voting and, of those voting, a 76% support rate.

The fee will be used to support student clubs and organizations, student travel to conferences, social and cultural activities and other initiatives determined by the student government. Elections for student government are scheduled this Spring. The Dean supports this initiative to enhance the student experience at this new school.

The School desires to organize a college association that will have supervision and review over School’s student activity fee supported budgets. The college association will be organized as a unit of the School, not as a separate corporation. In accordance with Board Bylaw section 16.5, the bylaws of the college association have been approved by the Dean of the School and reviewed by the University Office of General Counsel. The college association membership will consist of the Dean of the School or his or her designee as chair, six students, three administrators, and three faculty members.

B. New York City College of Technology – Student Activity Fee Increase:

RESOLVED, That the student activity fee paid by students at New York City College of Technology increase from $55.15 to $60.65 for full-time students and from $20.80 to $24.80 for part-time students, effective Fall 2017, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Earmarked Allocating Body</th>
<th>Current Fee FT/PT</th>
<th>Proposed Fee FT/PT</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Association</td>
<td>$42.70/$16.35</td>
<td>$46.20/$17.85</td>
</tr>
</tbody>
</table>
The $26.00 summer session student activity fee shall continue in accordance with the following schedule and students enrolled in multiple summer sessions shall pay the fee only once per summer:

<table>
<thead>
<tr>
<th>Earmarked Allocating Body</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Association</td>
<td>$15.55</td>
</tr>
<tr>
<td>Student Government</td>
<td>$05.00</td>
</tr>
<tr>
<td>NYPIRG</td>
<td>$04.00</td>
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<tr>
<td>University Student Senate</td>
<td>$01.45</td>
</tr>
<tr>
<td>Total</td>
<td>$26.00</td>
</tr>
</tbody>
</table>

**EXPLANTION:** The student activity fee schedule represents an increase of $5.50 in the full-time student activity fee and $4.00 in the part-time student activity fee paid by students at New York City College of Technology. The increases will be locally earmarked to Student Government for Student Government Operations and Clubs and to the College Association for Student Life and Development Programs. This will be the first increase in the academic year student activity fee since 1998 and has the support of the College President.

A referendum was held in accordance with University Bylaw Section 16.12 in conjunction with student government elections held April 3-5, 2017. The vote on the referendum was 420 in favor, 258 opposed, with 4.5% of the eligible students voting.

Within the College Association fee, the following local earmarkings for full-time and part-time students will exist: Accident Insurance ($1.25/$0.25); Athletics ($10.00/$3.57); Day Care ($7.00/$3.75); Graduation ($3.65/$0.35); On Campus Health Clinic ($10.00/$6.00); Health Information ($3.50/$1.00); Tipster ($1.25/$0.25); Theatre Works ($1.00/$0.25); Contingency ($0.10/0; Corporation Annual Assessment ($0.45/$0.05); and Student Life and Development ($3.50/$1.50).

Within the Student Government fee, the following local earmarkings will exist for full-time and part-time students: Student Clubs ($4.00/$3.00) and Student Government Operations ($5.00/$2.50).
Local earmarkings at the College have been established and are subject to change at the College in accordance with the referendum process set forth in University Bylaw Section 6.12, provided there is no change in the total fee. The earmarkings to the allocating bodies as set forth in the resolution may only be changed by further Board action.

The student activity fee allocated by the New York Public Interest Research Group (NYPIRG) is refundable, in accordance with procedures subject to the approval of the College President.

C. John Jay College of Criminal Justice – Student Activity Fee Increase:

RESOLVED, That the student activity fee paid by students at John Jay College of Criminal Justice increase from $100.20 to $130.20 per semester for full-time undergraduate students, from $80.45 to $105.45 per semester for part-time undergraduate students and from $60.95 to $80.95 per semester for graduate students, effective Fall 2017, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>FULL-TIME CURRENT/PROPOSED</th>
<th>PART-TIME CURRENT/PROPOSED</th>
<th>GRADUATE FEE CURRENT/PROPOSED</th>
<th>PART-TIME GRADUATE CURRENT/PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Assoc.</td>
<td>$98.75/$128.75</td>
<td>$79.00/$104.00</td>
<td>$59.50/$79.50</td>
<td>$59.50/$79.50</td>
</tr>
<tr>
<td>USS</td>
<td>$01.45/$01.45</td>
<td>$01.45/$01.45</td>
<td>$01.45/$01.45</td>
<td>$01.45/$01.45</td>
</tr>
<tr>
<td>Total</td>
<td>$100.20/$130.20</td>
<td>$80.45/$105.45</td>
<td>$60.95/$80.95</td>
<td>$60.95/$80.95</td>
</tr>
</tbody>
</table>

and be it further

RESOLVED, That the summer session undergraduate fee continue to be the part-time undergraduate fee and that graduate summer session fee continue to be the part-time graduate student activity fee, which will both increase effective Summer 2018.

EXPLANATION: This student activity fee schedule represents an increase of $30.00 for full-time undergraduate students, $25.00 for part-time undergraduate students and $20.00 for both full-time and part-time graduate students. The proposed increase will strengthen services available to all students.

In accordance with Board Bylaw Section 16.12, a referendum was held in conjunction with student government elections held March 27-March 30, 2017. The vote on the referendum was 979 in favor and 942 opposed, with 18% of the eligible student body voting.
Within the College Association fee, local earmarkings will now exist for full-time undergraduate, part-time undergraduate, full-time graduate and part-time graduate students, respectively, in accordance with the following schedule: Intercollegiate Athletics ($11.25/$8.50/$4.75/$4.75); Recreation ($9.00/$6.25/$3.50/$4.25); Clubs ($11.00/$10.00/$2.50/$2.50); Child Care ($6.50/$6.00/$0.00/$0.00); Student Government ($12.00/$10.00/$10.00/$10.00); Yearbook ($4.25/$3.25/$3.25/$3.25); Commencement ($9.25/$8.25/$7.75/$7.75); CSIL ($5.50/$4.50/$2.00/$2.00); Orientation ($4.50/$4.45/$4.25/$4.50); Student Services ($3.00/$1.25/$2.00/$1.00); Quality of Life ($2.00/$2.00/$0.75/$0.75); Graduate Students ($0.00/$0.00/$8.50/$8.50); Campus Activity Board ($2.00/$2.25/$1.00/$1.00); Newspaper ($0.75/$0.75/$0.50/$0.50); Radio ($1.00/$0.50/$0.25/$0.25); Theatrical Activities ($0.50/$0.50/$0.25/$0.25); Urban Male Initiative ($2.25/$1.75/$0.00/$0.00); Community Outreach ($1.75/$1.00/$0.75/$0.75); Counseling Services ($1.85/$1.00/$0.75/$0.75); Veterans Services ($1.90/$1.50/$1.25/$1.25); Women’s Center ($1.25/$0.80/$0.75/$0.75); Student Travel ($5.50/$4.00/$4.50/$4.50); Administration ($14.80/$13.00/$11.50/$11.50); Unearmarked ($1.00/$1.00/$1.00/$1.00). New earmarkings within the College Association fee will now exist for full-time undergraduate, part-time undergraduate, and graduate students respectively: Health ($4.75/$3.75/$2.00/$2.00); Accessibility ($1.60/$1.50/$1.50/$1.50); LGBTQ ($1.25/$0.75/$1.00/$1.00); United Nations ($0.75/$1.00/$0.50/$0.50); CARE ($4.25/$2.50/$1.00/$1.00); Career Services ($0.50/$0.50/$0.50/$0.50); and Media Services ($2.85/$1.50/$1.25/$1.25).

Local earmarkings at the college are established and are subject to change at the college in accordance with the referendum process set forth in University Bylaw section 16.12, provided there is no change in the total fee. The earmarkings to the allocating bodies as set forth in the resolution may only be changed by further Board action.

The John Jay College President strongly supports the fee increases because it will enable the College to enhance services for students and will improve funding to a growing number of student organizations. Although the college significantly increased the student activity fee in 2013 that was the first increase in 25 years. The College is still playing catch-up to support all the services and student organizations that now exist. In addition to student organizations and Student Government, many programs and departments within the college will have additional resources to better support the students. New earmarkings will support a Nurse Practitioner, an LGBTQ+ Coordinator, CARE and additional Career and Accessibility Services. This additional funding will directly improve the quality of life for John Jay College students.

D. Hunter College - Undergraduate Student Activity Fee – Re-Earmarking:

RESOLVED, That the student activity fee of $85.10 per semester paid by full-time undergraduate students, and $55.05 per semester paid by part-time undergraduate
students at Hunter College be re-earmarked, effective Fall 2017, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT FEE FT/PT</th>
<th>PROPOSED FEE FT/PT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Government</td>
<td>$24.60/$21.40</td>
<td>$21.62/$19.84</td>
</tr>
<tr>
<td>College Association</td>
<td>$55.05/$28.20</td>
<td>$58.03/$29.76</td>
</tr>
<tr>
<td>NYPIRG</td>
<td>$04.00/$04.00</td>
<td>$04.00/$04.00</td>
</tr>
<tr>
<td>University Student Senate</td>
<td>$01.45/$01.45</td>
<td>$01.45/$01.45</td>
</tr>
</tbody>
</table>

Total Student Activity Fee $85.10/$55.05 $85.10/$55.05

and be it further

RESOLVED, That the Summer Session Student Activity Fee of $27.15 be re-earmarked and allocated as follows:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT FEE</th>
<th>PROPOSED FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Government</td>
<td>$14.65</td>
<td>$18.97</td>
</tr>
<tr>
<td>College Association</td>
<td>$09.05</td>
<td>$04.73</td>
</tr>
<tr>
<td>NYPIRG</td>
<td>$02.00</td>
<td>$02.00</td>
</tr>
<tr>
<td>University Student Senate</td>
<td>$01.45</td>
<td>$01.45</td>
</tr>
</tbody>
</table>

Total Summer Student Activity Fee $27.15 $27.15

EXPLANATION: The proposed student activity fee schedule represents a re-earmarking of the full-time, part-time and summer session student activity fees without any change to the total student activity fee. The College underwent a complete review of all student activity fee allocations. This re-earmarking enables the College to maintain the student activity fee at the 2001 level.

A referendum was held in accordance with University Bylaw Section 16.12, in conjunction with student government elections held May 1-5, 2017. The vote on the referendum was 936 in favor and 692 opposed, with 10.4% of the eligible students voting on the referendum. The College President supports the re-earmarking because these actions better reflects the needs of the current undergraduate student body.

Within the Student Government Fee, the following local earmarkings for full-time and part-time undergraduate students will exist: Brookdale ($2.84/$1.61); Renovation of Student Space ($0.67/$0.55); Student Government ($7.19/$3.75); Student Resource
Center ($1.51/$9.00); Student Clubs ($9.20/$4.88) and Participatory Budget ($0.21/$0.05).

Within the College Association Fee, the following local earmarkings for full-time and part-time undergraduate students will exist: Administrative Costs ($0.50/$0.25); Intercollegiate Athletics ($14.64/$6.50); Recreation and Intramural Programs ($7.28/$2.89); Medical Office ($2.01/$0.59); Performing Arts ($5.86/$0.91) Yearbook ($1.00/0); Child Care ($3.86/1.07); Envoy ($0.27/$0.54); Media ($1.59/$0.54); Music ($1.59/$0.10); Accessibility Center ($4.94/$3.79); Welfare Rights Initiative ($2.09/$1.88); Green Initiative ($1.25/$0.54); WHCS Radio ($1.25/$1.07); Student Activities Office ($6.18/$4.00); Tutoring Fund ($1.21/$1.60); Emergency Food and Shelter ($1.67/$1.61); Civics Programming ($0.01/$1.34); and Healthcare Products ($0.84/$0.48).

Within the Undergraduate Summer Session Fee, the following local earmarkings for Student Government Fee will exist: $5.45 for Student Government, $1.29 for Renovation of Student Space, and $12.23 for the Student Resource Center. Within the Undergraduate Summer Session Fee, the following local earmarkings for the College Association Fee will exist: $1.80 for Accessibility Center, $0.71 for the Medical Office, $0.37 for Child Care, $1.00 for Recreation and Intramural Programs, $0.37 for Welfare Rights Initiative; $0.24 for Envoy and $0.24 for WHCS Radio.

This resolution incorporates adjustments that were made in 2005 and 2010 to local earmarkings through referenda which did not require Board of Trustees approval.

Local earmarkings at the College have been established and are subject to change at the College in accordance with the referendum process set forth in University Bylaw section 16.12, provided there is no change in the total fee. The earmarkings to the allocating bodies as set forth in the resolution may only be changed by further Board action.

The student activity fee allocated by NYPIRG is refundable, in accordance with procedures subject to the approval of the College President.

E. York College – Student Activity Fee Increase:

RESOLVED, That the student activity fee paid by all students at York College increase from $68.60 to $73.60 for full-time students and from $48.60 to $53.60 for part-time students, effective Fall 2017, in accordance with the following schedule:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT FEE</th>
<th>PROPOSED FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Association</td>
<td>$67.15/$47.15</td>
<td>$72.15/$52.15</td>
</tr>
</tbody>
</table>
and be it further

RESOLVED, That the summer session fee increase from $11.45 to $16.45 in accordance with the following schedule:

<table>
<thead>
<tr>
<th>EARMARKED ALLOCATING BODY</th>
<th>CURRENT FEE</th>
<th>PROPOSED FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Association</td>
<td>$10.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>University Student Senate</td>
<td>$01.45</td>
<td>$01.45</td>
</tr>
<tr>
<td>Total Summer Student Activity Fee</td>
<td>$11.45</td>
<td>$16.45</td>
</tr>
</tbody>
</table>

EXPLANATION: The student activity schedule represents an increase of $5.00 in the full-time and part-time student activity fee schedules and $5.00 in the summer session student activity fee. The increases will fund local earmarkings for student clubs, athletics, Student Government, the Radio Station, Child Care and the Game Room. In addition, a number of local earmarkings were adjusted to meet current needs. These fees will be allocated by the College Association.

A referendum was held in accordance with University bylaw section 16.12 in conjunction with student government elections held April 20-April 21, 2017. The vote on the referendum was 89 in favor and 87 opposed, with 2.6% of the eligible students voting. The College President supports the fee increase, which is the first increase since 2010.

Within the College Association fee of $72.15/$52.15 the following local earmarkings will exist for full-time and part-time students: Athletics ($23.00/$16.00), Association Performing Arts Fund ($2.00/$2.00), York College Radio Station ($4.00/$4.00), Game Room ($3.00/$3.00), York College Child and Family Center ($5.00/$5.00), Study Away/Study Abroad ($4.00/$3.00), Student Government ($6.00/$6.00) Student Clubs (4.00/2.00) and the Budget Committee ($21.15/11.15). There are no local earmarkings for the summer session fee.

Local earmarkings at the college have been established and are subject to change at the college in accordance with the referendum process set forth in University bylaw section 16.12 provided there is no change in the total fee. The earmarkings set forth in the resolution may only be changed by further Board action.
F. School of Professional Studies – Establishment of a College Association:

RESOLVED, That the Board of Trustees approve the establishment of the CUNY School of Professional Studies College Association and the proposed bylaws of the college association.

EXPLANATION: The CUNY School of Professional Studies desires to organize a college association that will have supervision and review over School’s student activity fee supported budgets. The college association will be organized as a unit of the School, not as a separate corporation. In accordance with Board Bylaw section 16.5, the bylaws of the college association have been approved by the Dean of the School and reviewed by the University Office of General Counsel. The college association membership will consist of the Dean of the School or his or her designee as chair, six students, three administrators, and three faculty members.

G. The City University of New York – Amendments to Board Policy on Payment of Stipends to Student Leaders:

RESOLVED, That the Board of Trustees of The City University of New York adopt the following amended policy on the payment of stipends to student leaders. The Board believes and intends that service as a student leader should be an educational experience. Recognizing the educational role of student leadership positions, the Board, while not encouraging the payment of stipends, believes some stipend payments to student leaders should be allowed within the parameters outlined below:

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

   1. Stipend payments to student leaders shall be limited to two (2) years in the University, except:

      a. A student leader elected to an office of the University Student Senate shall be allowed three (3) years of stipend payments, with no more than two (2) years of the payments as an officer of the University Student Senate.

      b. A student who receives two (2) years of stipend payments as an undergraduate student leader, shall be permitted a third (3rd) year of stipend payments as a graduate student leader.

      c. Co-chairs of the Doctoral Students’ Council at The Graduate School and University Center shall be permitted a third (3rd) year of stipend payments as a graduate student leader.

   2. The amount of stipend payments to student leaders shall be limited as follows:
a. College student leaders shall be limited to a maximum of $4,950 or $5,134 effective July 1, 2017, or no more than $2,245 per semester effective July 1, 2017.

b. The Chairperson of the University Student Senate shall be limited to a maximum of $10,754 or $11,152 per year or no more than $5,377 per semester effective July 1, 2017.

c. Vice-chairpersons of the University Student Senate shall be limited to a maximum of $6,270 or $6,502 per year or no more than $3,135 per semester effective July 1, 2017.

d. Co-chairs of the Doctoral Students’ Council at The Graduate School and University Center shall be limited to a maximum equal to the minimum salary for the title of Graduate Assistant B.

3. No student leader shall for the same period receive more than one stipend, or be an employee of or receive any other compensation from a student activity fee allocating body.

4. The Chancellor or his or her designee shall, every two years, review the schedule of stipend payments, and report to the Board on any adjustments he or she recommends as being appropriate, in relationship to any changes in the Consumer Price Index (CPI).


In accordance with the Board policy, the Chancellor has reviewed the schedule of stipend payments since stipends were last increased in July 2013. The proposed revisions increase the maximum allowable stipends by 3.7% on July 1, 2017, in accordance with the 3.7% increase in the Consumer Price Index (CPI), for all urban consumers in New York City and Northern New Jersey, from July 2013 through January 2017. A previous review of stipends was conducted in Spring 2015. Based on an increase of 0.7%, yielding annual increases ranging from $34.00 to $75.00, a decision was made not to increase stipends at that time. The implementation of the increase in the amounts to be paid to student leaders shall be determined by the Chancellor.
In response to a question from University Faculty Senate Chair and Trustee Conway about who evaluates and performs a comparative analysis of the student fees across the University:

SVC&CFO Sapienza stated that the comparative analysis of student activity fees are done through the Central Office of Student Affairs and the USS as they differ amongst campuses. The rest of the fees such as the technology and consolidated fees are all the same throughout the University; however, there is disparity in student activity fees amongst the campuses.

Trustee Clarke asked for a vote. Cal. Nos. 9.A. through 9.G. were unanimously adopted.

10.  **EXECUTIVE COMMITTEE:**
Chairperson Thompson noted that Calendar Item No. 10, is being read for informational purposes only. It serves as notice of an action taken by the Board of Trustees' Executive Committee on June 5, 2017 on this item recommended by Chancellor Milliken, regarding the Designation of General Counsel and Vice Chancellor for Legal Affairs.

RESOLVED, That the Board of Trustees approve the appointment of Loretta P. Martinez as General Counsel and Vice Chancellor for Legal Affairs, effective August 1, 2017, at a compensation to be recommended by the Chancellor and the Chairperson of the Board of Trustees to the Board of Trustees, subject to financial ability.

EXPLANATION: At the conclusion of a national search chaired by Trustee Lorraine A. Cortes-Vazquez, the search committee recommended four finalists for consideration. The Chancellor and Chairperson are recommending Loretta P. Martinez as the General Counsel and Vice Chancellor for Legal Affairs. Ms. Martinez is currently the General Counsel and Secretary to the Board of Trustees at Metropolitan State University of Denver. She was previously General Counsel at the Colorado State University System, Legal Counsel and General Secretary at Colorado College, and Associate Attorney in the Office of the General Counsel at Harvard University. Ms. Martinez, who holds a Bachelor of Arts in Political Science from Yale University and a Juris Doctorate from Harvard Law School, is currently a Commissioner and Executive Committee Member of the Western Interstate Commission on Higher Education (WICHE), President of the Latin American Education Foundation, and a Board Member of the Mexican American Legal Defense and Education Fund.
Moved by Chairperson Thompson and seconded by Trustee Ferrer, the following resolution was adopted:

**11. Resolution of Appreciation – Farley Herzek:**

WHEREAS, Farley Herzek has served as President of Kingsborough Community College since 2014; and

WHEREAS, He has distinguished himself through his dedication to his students and their futures, starting with his intervention to ensure that Kingsborough students with unpaid tuition balances were offered payment terms and allowed to continue their studies; and

WHEREAS, Under President Herzek’s leadership Kingsborough launched the innovative AssistMe app, which was designed to keep first-year students on track with information about financial aid, academic support, food and housing assistance, residency and child care to help them succeed; and

WHEREAS, His innovative approaches on behalf of his students have attracted funding from private foundations that are committed to the success of CUNY students; and

WHEREAS, Farley Herzek exemplifies the distinctive CUNY success story: a first-generation American, the son of a father who was liberated from a concentration camp at the end of World War II, a native of Brooklyn, the first in his family to graduate from college, a graduate of New York City public schools who attended Brooklyn College before earning his B.S. degree from The City College of New York, and an educator with wide experience in California in both K-12 and higher education; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York expresses its heartfelt appreciation to Farley Herzek for his exemplary dedication and distinguished leadership as President of Kingsborough Community College.

Moved by Chairperson Thompson and seconded by Trustee Clarke, the following resolution was adopted:

**12. Resolution of Appreciation – Jeremy Travis:**

WHEREAS, Jeremy Travis was appointed as the fourth President of John Jay College of Criminal Justice in 2004, beginning a 13-year period of transformation for the college; and
WHEREAS, Under President Travis’ visionary leadership, John Jay College has emerged as one of the nation’s leading criminal justice and liberal arts institutions, dedicated to the mission of “educating for justice”; and

WHEREAS, President Travis oversaw a transformation of John Jay College that has included the addition of more than 12 new liberal arts majors; the joining of John Jay with The City University of New York’s prestigious Macaulay Honors College in 2012, and his launch of John Jay Online in 2014 to expand access and increasing the college’s impact on justice issues globally; and

WHEREAS, President Travis worked with CUNY’s community college presidents to create the CUNY Justice Academy, a dual-admission, joint-degree partnership leading to baccalaureate studies at John Jay; and

WHEREAS, during President Travis’ tenure the college has piloted a four-year college program to improve graduation rates, modeled on CUNY’s community college-focused ASAP program; completed its first capital campaign for $50 million; and increased John Jay’s impact as a research institution with nearly $25 million in such funding awarded to the college’s faculty in 2016; and

WHEREAS, President Travis has exemplified a powerful commitment to student success as well as a generous willingness to provide counsel and leadership on important CUNY-wide issues and initiatives, while making significant contributions outside the University as a leader in criminal justice reform; now therefore be it

RESOLVED, That the members of the Board of Trustees of The City University of New York express their sincere thanks and deepest appreciation to Jeremy Travis for his exemplary leadership, tireless dedication, and outstanding service to The City University of New York as President of John Jay College; and be it further

RESOLVED, That the Board of Trustees extends its best wishes for his continued success in his new role as University Professor at the CUNY Graduate Center, as a Senior Fellow in Criminal Justice at Harvard University’s Kennedy School of Government, and in all other future endeavors.
Moved by Chairperson Thompson and seconded by Trustee Cortés-Vázquez, the following resolution was adopted:

13. **Resolution of Appreciation – Judah Gribetz:**

WHEREAS, The Honorable Judah Gribetz was appointed by Mayor Michael R. Bloomberg in November 2010 as a member of the Board of The City University of New York; and

WHEREAS, Mr. Gribetz had previously served as a member of the Board from June 1980 to April 1989 via appointment by Mayor Edward I. Koch; and

WHEREAS, Mr. Gribetz was the Vice Chair of the Board’s Standing Committee on Faculty, Staff and Administration, and a member of the Standing Committee on Audit; and

WHEREAS, Mr. Gribetz provided invaluable contributions to the University by helping to secure effective leadership throughout CUNY, as a member of the Queensborough Community College Presidential Search Committee, the Graduate School of Journalism Dean Search Committee, the Queens College Presidential Search Committee, the CUNY School of Law Dean Search Committee, and most recently, the City College of New York Presidential Search Committee; now therefore be it

RESOLVED, That the members of the Board of Trustees of The City University of New York express their sincere thanks and deepest appreciation to the Honorable Judah Gribetz for his energy, devotion, and outstanding service to The City University of New York; and be it further

RESOLVED, That the Board of Trustees extends its best wishes for his continued success in all of his future endeavors.

Moved by Chairperson Thompson and seconded by Trustee Clarke, the following resolution was adopted:

14. **Resolution of Appreciation – Rita DiMartino:**

WHEREAS, The Honorable Rita DiMartino was appointed by Mayor Michael R. Bloomberg in July 2003 as a member of the Board of The City University of New York and she was reappointed in November 2010 for a seven-year term; and

WHEREAS, Ms. DiMartino served as a member of the Board’s Standing Committee on Faculty, Staff and Administration, and a member of the Standing Committee on Student Affairs and Special Programs; and
WHEREAS, Ms. DiMartino provided invaluable contributions to the University by helping to secure effective leadership throughout CUNY as a member of the Presidential Search Committees for Baruch College, Bronx Community College, the College of Staten Island, the Graduate Center, Hostos Community College, John Jay College, Kingsborough Community College, Lehman College, Medgar Evers College, Queens College, Queensborough Community College, the CUNY School of Law Dean Search Committee, the Chancellor Search Committee, and most recently the City College of New York Presidential Search Committee; now therefore be it

RESOLVED, That the members of the Board of Trustees of The City University of New York express their sincere thanks and deepest appreciation to the Honorable Rita DiMartino for her energy, devotion, and outstanding service to The City University of New York; and be it further

RESOLVED, That the Board of Trustees extends its best wishes for her continued success in all of her future endeavors.

Moved by Chairperson Thompson and seconded by Vice Chairperson Schwartz, the following resolution was adopted:

15. **Resolution of Appreciation – Wellington Z. Chen:**

WHEREAS, The Honorable Wellington Chen was appointed by Governor George Pataki in June 2000 as a member of the Board of The City University of New York and he was reappointed by Governor Pataki in June 2005, and by Governor David Paterson in 2010 for a seven year term; and

WHEREAS, Mr. Chen served as Chair of the Board’s Standing Committee on Academic Policy, Programs and Research, and as a member of the Standing Committee on Facilities Planning and Management; and

WHEREAS, Mr. Chen provided invaluable contributions to the University by helping to secure effective leadership throughout CUNY as a member of the Presidential Search Committees for Baruch College, Bronx Community College, the City College of New York, the Graduate Center, John Jay College, Kingsborough Community College, Medgar Evers College, Queensborough Community College, York College; the Dean Search Committees for the CUNY Law School and Macaulay Honors College; and the Search Committees for Executive Vice Chancellor and the Vice Chancellor for Research, now therefore be it

RESOLVED, That the members of the Board of Trustees of The City University of New York express their sincere thanks and deepest appreciation to the Honorable Wellington Chen for his energy, devotion, and outstanding service to The City University of New York; and be it further
RESOLVED, That the Board of Trustees extends its best wishes for his continued success in all of his future endeavors.

***VIDEO PRESENTATION OF THE 2017 CUNY VALEDICTORIANS***
The link is available as follows: http://www.cuny.tv/landing/valedictorian.php

Moved by Chairperson Thompson and seconded by Trustee Clarke, the following item was considered in Executive Session and Chancellor James Milliken presented it for the Board’s approval:

16. **Kingsborough Community College – Designation of Peter M. Cohen as Interim President:**

Moved by Chairperson Thompson and seconded by Trustee Clarke the reconvened public session was adjourned at 6:36 P.M.
FISCAL YEAR 2017-18 OPERATING & CAPITAL BUDGET

Presentation to the
Board of Trustees
June 26, 2017
OPERATING BUDGET OVERVIEW

- The University’s Budget Request for Fiscal Year 2018 was approved by the Board of Trustees in October 2016.

- The State Budget for FY2018 was enacted in April 2017. The State’s budget adds $74.5M for the senior colleges, a 3% increase.

- Included in the State’s budget agreement is authorization to increase tuition rates by $200 per year for the next four years.

- The State agreement also calls for an $11.2M increase in community college funding, representing a 4.5% increase.

- The City’s budget for FY2018 was adopted in early June. The proposal calls for $20.6M in additional funding for the community colleges, a 5.6% increase.
ALLOCATIONS – SOURCES OF FUNDS

FY2018 OPERATING BUDGET - SOURCES OF FUNDS

- State Operating Support: $1,538.8 (44%)
- State Support for TAP: $321.1 (9%)
- City Support: $422.2 (12%)
- Federal Funding: $261.2 (8%)
- Student Tuition: $742.6 (22%)
- Scholarship / Waivers: $184.5 (5%)
CHALLENGES & SOLUTIONS

- For the senior colleges, a shortfall still exists in FY2018 for costs related to the recent collectively-bargained labor agreements. The total shortfall for next year is approximately $65M.

- This shortfall will be covered by the following actions:
  - $200 increase in tuition - $31M
  - Administrative Efficiencies - $14M
  - 1% reduction to senior colleges - $13M
  - 2% reduction to central offices/shared services centers - $2M
  - Other re-estimates and accruals - $5M

- It is expected that these on-going labor costs will be fully covered in FY2019 from additional revenue generated by the predictable tuition policy.
STRATEGIC FRAMEWORK INVESTMENTS

- **Excelsior Scholarships** - the State enacted budget includes the Governor’s landmark Excelsior Scholarship program, which will provide free tuition to families making up to $100,000 in the next academic year.

- **Accelerated Studies in Associates Programs (ASAP)** – the City Budget includes $14M to expand this highly successful degree completion program to 21,000 students.

- **Open Educational Resources** - $4M has been provided by the State to help lower the cost of textbooks through electronic resources.

- **Labor Agreements** – fully funding the recent collective bargaining contracts with our unionized employees will enable the University to recruit and retain outstanding faculty and staff.

- **Administrative Efficiencies** – this year’s budget proposal sets-aside funds for one-time investments that will help to generate $75M in reallocations to core instructional and student support services over the next four years.
TUITION – SENIOR COLLEGES

- The University’s proposed operating budget for FY2018 includes an increase of $200 at the senior colleges, which was authorized in State’s enacted budget.

- This increase will generate approximately $31M at the senior colleges, and will be used to cover the costs of contractual labor agreements, enabling the University to continue to invest in talented faculty.

- Currently, about 60% of all full-time undergraduate students at the senior colleges attend tuition-free, due to the State’s Tuition Assistance Program, Federal Pell grants and tax credits.
The Community College allocations assume a tuition freeze for academic year 2017-2018.

In its Budget Request for FY2018, the University recommended a community college tuition freeze if all funding requests were met; while that is not the case, the community colleges are in a stable enough fiscal environment to warrant that tuition rates remain unchanged.

The inclusion of the tuition freeze comes after consultation with the Council of Presidents’ Fiscal Committee.

This will represent the second straight year that community college students have had their tuition remain unchanged.

As of Fall 2015, 48.8% of community college students come from households whose income is less than $20,000 per year.
ALLOCATIONs – USES OF FUNDS

FY2018 OPERATING BUDGET - USES OF FUNDS

- Senior Colleges: $1,391.0 (40%)
- Community Colleges: $698.1 (20%)
- Centrally Managed Programs: $1,298.6 (37%)
- Shared Services: $81.7 (2%)
- Central Administration: $25.5 (1%)

The pie chart indicates the distribution of funds among different categories.
SENIOR COLLEGES - OVERVIEW

- Total Budget increase of $160M, mostly for collective bargaining increases, representing an 11.5% increase.

- A 1% Budget reallocation is also included to offset partially on-going collective bargaining costs; this reallocation totals $13M.

- This 1% is additive to two previous years of base budget reallocations. The total reallocations from senior college base budgets from FY2016 through FY2018 is 6%.

- Revenue Targets are being increased by $31M, or 3.2%, to reflect a $200 tuition increase.

- Fringe Benefits cost increases have been funded fully by the State ($36M).
COMMUNITY COLLEGES - OVERVIEW

- Total Base Budget increase of $65M, mostly for collective bargaining increases, representing an 11.7% increase.

- The year-to-year increase also includes the effect of the State base aid increase for community colleges.

- An Efficiencies Reduction, issued by the City, totaling $3.1M is also included.

- Programmatic funding increases are also included for the expansion of the ASAP initiative ($14M), CUNY Math Start ($0.6M), CUNY Tutor Corps ($1.4M), and metro cards at Guttman Community College ($0.3M).

- Mandatory cost increases for Fringe Benefits, totaling $7.2M, are fully funded.
The overall reduction target for Central Administration and Shared Services for FY2018 is 2%.

The actual reductions to the allocations are 4%. The University is implementing a higher reduction in order to ensure that the 2% target is achieved.

This is the third consecutive year that the Central Administration and Shared Services' allocations have been reduced; in FY2016, the reduction target was 6% and in FY2017 it was 5%, making the total three-year reduction target 13%.

As with the colleges, all collective bargaining increases are funded.

The budget for the Advanced Science Research Center (ASRC) is being moved from the Central Office to the Graduate Center beginning in FY2018.

Other costs, which are being expensed by Shared Services on behalf of the colleges, will be appropriately shifted to college accounts.
The overall staffing level at Central Administration and Shared Services has been reduced by 123 positions over the last two years, representing a 12.1% reduction.

At year-end FY2015, the total staffing level was 1,020.
  - The FY2016 efficiency reallocations resulted in a total staffing reduction of 58
  - In FY2017, an additional 65 positions have been reduced
  - The current headcount is 897

The reductions have been achieved through a modified hiring freeze (all transactions must by approved by a committee) as well as the elimination and restructuring of managerial positions.
<table>
<thead>
<tr>
<th>Description</th>
<th>Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime reduction</td>
<td>500</td>
</tr>
<tr>
<td>Automating Payment Processes</td>
<td>100</td>
</tr>
<tr>
<td>Central Office Staffing Attrition</td>
<td>900</td>
</tr>
<tr>
<td>Credit Card Rebates</td>
<td>100</td>
</tr>
<tr>
<td>Demand Response Rebates</td>
<td>660</td>
</tr>
<tr>
<td>Identify Savings in Rental Facilities</td>
<td>1,500</td>
</tr>
<tr>
<td>Increase Senior College Tuition and Fee Collection Rates by 0.5%</td>
<td>2,200</td>
</tr>
<tr>
<td>Maximize Non Tax Levy Resources for Central Office Programs</td>
<td>1,000</td>
</tr>
<tr>
<td>Maximize Research Foundation Funds</td>
<td>3,200</td>
</tr>
<tr>
<td>Overachieved Central Office Savings Target</td>
<td>815</td>
</tr>
<tr>
<td>Produce Publications In-house/Electronically</td>
<td>200</td>
</tr>
<tr>
<td>Revamp Marketing Program</td>
<td>900</td>
</tr>
<tr>
<td>Strategic Sourcing</td>
<td>1,500</td>
</tr>
<tr>
<td>Unemployment Insurance Cost Reduction</td>
<td>75</td>
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<tr>
<td>Vehicle Reduction</td>
<td>350</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>14,000</strong></td>
</tr>
</tbody>
</table>
The University will produce quarterly expenditure projections reports throughout Fiscal Year 2018. These reports will include budget modifications, revenue estimates, and enrollment and staffing data.

A fiscal year-end report on FY2017 will be produced in the Fall.

At the November 2017 Fiscal Committee meeting, the University will present its Budget Request for FY2019 and updated Four-Year Financial Plan.

Preliminary budget allocations for FY2019 will be presented to the Fiscal Committee once the Governor’s Executive Budget and Mayor’s Preliminary Budget are issued in January 2018.
FISCAL YEAR 2017-18 CAPITAL BUDGET

Presentation to the
Board of Trustees
June 26, 2017
OVERVIEW OF CUNY CAPITAL NEEDS

Critical Maintenance
- Bulk of capital funds are for critical maintenance to renew CUNY’s 28 million square feet of space and bring campuses to a state-of-good repair; and address health, safety, security, facilities preservation and code issues.
  - Preservation of infrastructure
  - Upgrade of program space e.g. classrooms, labs, libraries, athletic facilities

Strategic Initiatives / Increased Capacity
- In some instances additional buildings are added to meet demand

IT and Equipment
- University has an ongoing need for replacement of information technology and equipment, including:
  - Infrastructure upgrades, systems engineering, and new equipment that will allow the University to develop integrated data services across the system
  - Expanding online learning offerings
FY 2017-18 BUDGET RESULTS

Combined $542.2 million new capital funding

- State $456.6 million
- City $85.6 million
FY 2017-18 STATE ENACTED BUDGET RESULTS

1. $456.6 million in new funding for CUNY
   A. $284.2 million for critical maintenance/strategic initiatives at Senior Colleges:
      ▪ Critical Maintenance (college-specific) $46.4 M
      ▪ Critical Maintenance (CUNY-wide lump sums) $177.9 M
      ▪ Strategic Initiatives (college-specific) $60.0 M
   B. $37 million for operating expenses to oversee CUNY capital program:
      ▪ Dormitory Authority of State of New York (DASNY) $21.0 M
      ▪ City University Construction Fund (CUCF) $16.0 M
   C. $80.4 million for critical maintenance projects at the Community Colleges
   D. $55 million for fifth-year of CUNY 2020 Challenge Grant funding

2. $2.6 billion in re-appropriations for the senior and community colleges

$3.1 billion available in CUNY capital appropriations in FY 2017-18
FY 2017-18 STATE ENACTED BUDGET 
RESULTS – FUNDING TYPES

SENIOR COLLEGES

Critical Maintenance (college-specific and CUNY-wide)
For alterations and improvements to existing facilities. Work in this category addresses the ongoing protection of the University’s assets and includes health and safety, preservation of facilities, environmental protection, energy conservation, code compliance, preventative maintenance and related projects.

Strategic Initiatives (college-specific)
For new facilities or alterations and improvements to existing facilities for programmatic purposes that address accreditation; changes in pedagogy, academic offerings and enrollment; and to support the work of CUNY students, faculty and staff.
$456 million in new state funding

Senior College Critical Maintenance combined $224 M (amounts in $ thousands)

$46.4 million college-specific lump sums

<table>
<thead>
<tr>
<th>College / Project</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical Maintenance</td>
<td>$2,511</td>
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<tr>
<td>Individual College Allocations</td>
<td></td>
</tr>
<tr>
<td>Baruch</td>
<td>$5,433</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>$8,136</td>
</tr>
<tr>
<td>City College</td>
<td></td>
</tr>
<tr>
<td>Graduate School</td>
<td>$25</td>
</tr>
<tr>
<td>Honors College</td>
<td>$25</td>
</tr>
<tr>
<td>Hunter</td>
<td>$5,799</td>
</tr>
<tr>
<td>John Jay</td>
<td>$3,193</td>
</tr>
<tr>
<td>Lehman</td>
<td>$2,438</td>
</tr>
<tr>
<td>Medgar Evers</td>
<td>$3,096</td>
</tr>
<tr>
<td>NYC College of Technology</td>
<td>$3,485</td>
</tr>
<tr>
<td>Queens</td>
<td>$5,433</td>
</tr>
<tr>
<td>College of Staten Island</td>
<td>$2,877</td>
</tr>
<tr>
<td>York</td>
<td>$3,899</td>
</tr>
<tr>
<td>Total Individual Colleges</td>
<td>$46,350</td>
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</table>

$177.9 million CUNY-wide lumps sums

<table>
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<tr>
<th>College / Project</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical Maintenance</td>
<td>$121,222</td>
</tr>
<tr>
<td>CUNY-Wide lump sums</td>
<td></td>
</tr>
<tr>
<td>Priority capital maint. or capital improvement projects to support preservation of facilities</td>
<td>$9,270</td>
</tr>
<tr>
<td>Health and Safety</td>
<td></td>
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<tr>
<td>Facilities Preservation</td>
<td>$12,463</td>
</tr>
<tr>
<td>Mechanical and Infrastructure Upgrades</td>
<td>$7,210</td>
</tr>
<tr>
<td>ADA</td>
<td>$6,180</td>
</tr>
<tr>
<td>C of O / Public Assembly</td>
<td>$2,060</td>
</tr>
<tr>
<td>Energy Conservation</td>
<td>$4,120</td>
</tr>
<tr>
<td>Science Lab Upgrades</td>
<td>$2,060</td>
</tr>
<tr>
<td>Upgrade Bathrooms</td>
<td>$1,030</td>
</tr>
<tr>
<td>Education Technology</td>
<td>$6,695</td>
</tr>
<tr>
<td>Science &amp; Technology Equipment</td>
<td>$5,047</td>
</tr>
<tr>
<td>CUNY TV Upgrades</td>
<td>$515</td>
</tr>
<tr>
<td>Total lump sums</td>
<td>$177,872</td>
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</table>
$456 million in new state funding
Senior Colleges Strategic Initiative lump sums $60 million
(amounts in $ thousands)

<table>
<thead>
<tr>
<th>College / Project</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Strategic Initiative Funding</em></td>
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</tr>
<tr>
<td>Individual College Allocations</td>
<td></td>
</tr>
<tr>
<td>Baruch</td>
<td>$1,260</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>$8,460</td>
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<tr>
<td>City College</td>
<td>$15,120</td>
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<tr>
<td>Graduate School</td>
<td>$60</td>
</tr>
<tr>
<td>Honors College</td>
<td>$60</td>
</tr>
<tr>
<td>Hunter</td>
<td>$9,360</td>
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<tr>
<td>John Jay</td>
<td>$2,940</td>
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<td>Lehman</td>
<td>$1,080</td>
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<td>Medgar Evers</td>
<td>$2,700</td>
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<tr>
<td>NYC College of Technology</td>
<td>$3,660</td>
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<tr>
<td>Queens</td>
<td>$8,460</td>
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<tr>
<td>College of Staten Island</td>
<td>$2,160</td>
</tr>
<tr>
<td>York</td>
<td>$4,680</td>
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<tr>
<td><strong>Total Individual Colleges</strong></td>
<td><strong>$60,000</strong></td>
</tr>
</tbody>
</table>
FY 2017-18 STATE ENACTED BUDGET RESULTS – FUNDING TYPES

CUNY-WIDE

Dormitory Authority and City University Construction Funds Administrative Costs
For payment to the Dormitory Authority of the State of New York (DASNY) and to the City University Construction Fund (CUCF) for services and expenses related to the construction program of the University.

CUNY 2020
NY CUNY 2020 plans shall be developed in consultation with the regional economic development councils and funding will be subject to the approval of a NY CUNY 2020 plan or plans by the Governor and the Chancellor of the University.
FY 2017-18 STATE ENACTED BUDGET RESULTS – FUNDING TYPES

COMMUNITY COLLEGES

Community College State Match to City-Funded Projects

For alterations and improvements to existing facilities. Work in this category addresses the ongoing protection of the University’s assets and includes health and safety, preservation of facilities, environmental protection, energy conservation, code compliance, preventative maintenance and related projects.

Funding is a 50% match to funding provided in last year’s (FY 2017) City budget.
FY 2017-18 STATE ENACTED BUDGET - DETAILS

$456 million in new state funding

Community College Match $80.4 million (amounts in $ thousands)

<table>
<thead>
<tr>
<th>College / Project</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CUNY-Wide</strong></td>
<td></td>
</tr>
<tr>
<td>- CC Critical Maintenance</td>
<td>$30,339</td>
</tr>
<tr>
<td>- Facilities for ASAP</td>
<td>$7,000</td>
</tr>
<tr>
<td><strong>BMCC</strong></td>
<td></td>
</tr>
<tr>
<td>- Cooling Tower Rehab</td>
<td>$1,800</td>
</tr>
<tr>
<td>- Gymnasium Light Replacement</td>
<td>$350</td>
</tr>
<tr>
<td><strong>Bronx CC</strong></td>
<td></td>
</tr>
<tr>
<td>- Bronx CC Critical Maintenance</td>
<td>$21,000</td>
</tr>
<tr>
<td>- Student Success Center</td>
<td>$7,000</td>
</tr>
<tr>
<td>- STEM Resource Center</td>
<td>$150</td>
</tr>
<tr>
<td><strong>Hostos CC</strong></td>
<td></td>
</tr>
<tr>
<td>- One-Stop Student Services Center</td>
<td>$3,850</td>
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</table>

<table>
<thead>
<tr>
<th>College / Project</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kingsborough CC</strong></td>
<td></td>
</tr>
<tr>
<td>- Roof Replacements</td>
<td>$1,000</td>
</tr>
<tr>
<td>- Marina Upgrades</td>
<td>$250</td>
</tr>
<tr>
<td>- Science Equipment</td>
<td>$227</td>
</tr>
<tr>
<td><strong>LaGuardia CC</strong></td>
<td></td>
</tr>
<tr>
<td>- Ctr. for Career / Employment Training</td>
<td>$3,387</td>
</tr>
<tr>
<td><strong>Queensborough CC</strong></td>
<td></td>
</tr>
<tr>
<td>- Roof Repairs</td>
<td>$1,200</td>
</tr>
<tr>
<td>- Kitchen / Cafeteria Renovation</td>
<td>$2,800</td>
</tr>
</tbody>
</table>

**Total Community Colleges** $80,353
FY 2018 CITY ADOPTED FIVE-YEAR BUDGET

- $85.6 million in new City funding for programmatic initiatives and critical maintenance in FY 2018
  - $53.7 million City Council funding for programmatic & critical maintenance projects;
  - $16.5 million Mayoral funding for on-going critical maintenance needs at the community colleges;
  - $15.4 million Borough President funding for programmatic & critical maintenance projects.

$599.9 million Five-Year Capital Commitment Plan
LAST FIVE YEARS STATE CAPITAL FUNDING RECEIVED: $1.6 BILLION

State funding FY 2014 – FY 2018 (amounts in $ millions)
LAST FIVE YEARS COMBINED STATE & CITY CAPITAL FUNDING: $2+ BILLION

State and City funding combined FY 2014 – FY 2018 (amounts in $ millions)
FISCAL YEAR 2017-18 OPERATING & CAPITAL BUDGET

THANK YOU
The Board of Trustees of The City University of New York (CUNY) met on October 23, 2017 at Baruch College Vertical Campus, New York, New York, pursuant to a Notice sent by the Office of the Secretary of the Board on October 9, 2017.

**Trustees Present:** Chairperson William C. Thompson, Jr., Vice Chairperson Barry F. Schwartz, Michael Arvanites, Henry T. Berger, Una S. T-Clarke, Lorraine A. Cortés-Vázquez, Fernando Ferrer, Mayra Linares-Garcia, Kevin D. Kim, Robert F. Mujica, Jr., Brian D. Obergfell, Charles A. Shorter, Ken Sunshine, Sandra Wilkin, John Aderounmu, ex officio, and Katherine Conway, ex officio (non-voting)

**Others present:** Chancellor James B. Milliken, EVC and University Provost Vita Rabinowitz, SAC and Board Secretary Gayle M. Horwitz, General Counsel and VC Loretta P. Martinez, Interim Chief Operating Officer Marc V. Shaw, SVC&CFO Matthew Sapienza, Vice Chancellor Judy Bergratun, Vice Chancellor Brian Cohen, Vice Chancellor Pamela Silverblatt, Vice Chancellor Gloriana Waters, Interim Vice Chancellor Christopher Rosa and Deputy Vice Chancellor Burton Sacks; and President Michelle Anderson, Interim President Vincent Boudreau, President Diane B. Call, Interim President Peter M. Cohen, President Rudolph Crew, President José L. Cruz, President Scott E. Evenbeck, President William J. Fritz, President David Gomez, President Russell K. Hotzler, President Thomas Isekenegbe, President Marcia V. Keizs, President Karol V. Mason, President Antonio Pérez, President Jennifer Raab, President Chase Robinson, President Felix V. Matos Rodriguez, President Mitchel Wallerstein, Dean Sarah Bartlett, Dean Mary Lu Bilek, Dean Ayman El-Mohandes, Dean Mary Pearl, University Dean John Mogulescu, and Research Foundation President Richard Rothbard

**CONVENING OF PUBLIC MEETING**
Chairperson Thompson called the Public meeting to order at 4:36 p.m. and announced that the Public Meeting is being transmitted live on cable Channel 75 and webcast live at www.cuny.edu/livestream. He also announced that the Public meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

**CHAIRPERSON’S REPORT**
Chairperson Thompson extended a warm welcome to the new trustees – Michael Arvanites and Kevin Kim.

Chairperson Thompson announced that the University Student Senate (USS) elected John Aderounmu of Hunter College to serve as its Chair and Student Trustee for 2017-2018. John is a CUNY BA student (with Hunter College his home campus) with a major that combines Computer Science and Mathematics. John earned an A.S. in Computer Science from Borough of Manhattan Community College (BMCC), where he served as a senator of the student government and later as president.
Chairperson Thompson thanked Chika Onyejiukwa for her dedication to the students of CUNY as their representative on this Board. She distinguished herself over the last year as a terrific colleague and as a powerful representative of students.

Chairperson Thompson stated that on Monday, October 16, 2017, the Board held its joint Manhattan Borough Hearing and Public and Budget Hearing. Vice Chairperson Barry Schwartz chaired the hearing and was joined by myself, Trustees Henry Berger, Michael Arvanites, and Sandra Wilkin, University Faculty Senate (UFS) Chair and Trustee Kay Conway, USS Chair and Trustee Chika Onyejiukwa, Manhattan Borough President Gale Brewer, members of the chancellery, and presidents of Baruch College, BMCC, City College, the CUNY Graduate School of Journalism, CUNY School of Professional Studies, the CUNY Graduate School of Public Health and Health Policy, The CUNY Graduate Center, Hunter College, John Jay College of Criminal Justice, the William E. Macaulay Honors College, and Guttmann Community College. A summary of the October 16th hearings, including testimony, was circulated to the Trustees and the chancellor's staff, and transcripts are available in the Office of the Secretary.

Chairperson Thompson further stated that on September 20th, along with the Chancellor, he had the honor of welcoming the President of France, Emmanuel Macron, to The CUNY Graduate Center for the launch of the French Dual Language Programs Fund. The French Dual Language Program will offer bilingual education for children and training for educators in public schools across the United States. This is a fantastic program and the Board looks forward to working with the French Dual Language Fund to promote bilingualism.

Chairperson Thompson described that on August 2nd, The City University of New York and the City University Construction Fund hosted a conference on Contract Opportunities for Minority, Women, and Service-Disabled Veteran-Owned Businesses. More than 1,000 people participated in the event with featured speakers including Counsel to the Governor Alphonso David, John Jay College President Karol Mason, Chief Human Resources Officer for the Clinton Foundation Philip Berry, President & CEO of DASNY Gerrard Bushell, and Chancellor James Milliken. Chairperson Thompson announced that at the conference, he committed to significantly increasing CUNY’s Minority and Women-Owned Business Enterprise (MWBE) participation and expects to see increases over the coming year. He gave a special thank you to Senior Vice Chancellor and Chief Financial Officer (SVC&CFO) Matthew Sapienza and Vice Chancellor Judy Bergtraum for their efforts in making this conference a huge success.

Chairperson Thompson announced that CUNY also participated in New York’s largest statewide forum on MWBE in October in Albany. SVC&CFO Sapienza and Vice Chancellor Bergtraum hosted a panel on MWBE opportunities for new campus construction, renovations and facility maintenance, as well as non-construction commodity and professional service procurements and William Choi, the CUNY Director of MWBE Outreach was recognized as CUNY’s MWBE Champion.
Chairperson Thompson also announced that the Puerto Rican Bar Association celebrated its 60th Anniversary at the Puerto Rican Bar Association (PRBA) Scholarship Fund dinner where the CUNY Board of Trustees was honored. Trustees Una Clarke, Lorraine Cortés-Vázquez, Mayra Linares-Garcia, and Sandra Wilkin, and UFS Chair and Trustee Kay Conway represented the Board at the dinner. The Puerto Rican Bar Association Scholarship Fund was created for the purpose of raising funds to award financial scholarships to deserving law students. To date, over $400,000 in scholarship grants have been awarded since the fund's inception.

**COLLEGE AND FACULTY HONORS**

Trustee Ken Sunshine announced the following:

1. Hunter College jumped from 42 to 28 among best regional universities in the latest *U.S. News* ranking.

2. The Hunter College School of Social Work, ranked 30th in *U.S. News*, received accreditation for its new BSW undergraduate program.

3. The National Academy of Medicine announced that Distinguished Professor Gerald Markowitz of John Jay College and The CUNY Graduate Center has been elected a member of the Academy. This is among the highest honors in the field, granted to individuals with exceptional professional achievements and commitment to service.

4. The dean of the CUNY Graduate School of Public Health and Health Policy, Dr. Ayman El-Mohandes, has received the American Public Health Association’s prestigious executive director’s citation for “Exceptional Distinguished Service.”

Trustee Sunshine said this is a sampling of CUNY’s renowned faculty members who continually win professional achievement awards from prestigious organizations as well as research grants from government agencies, foundations, and corporations, and urged all to refer to CUNY’s website for additional accomplishments.

Trustee Sunshine then acknowledged Vice Chancellor Gloriana Waters’ retirement by stating she has served as Vice Chancellor for Human Resources Management since 2007 and has performed 37 years of distinguished service for The City University of New York. Vice Chancellor Waters has been responsible for developing and implementing the University’s human resources functions, for more than 45,000 employees. Vice Chancellor Waters has been responsible for multiple initiatives that promote diversity, equity and inclusion at The City University of New York, including a Diversity Action Plan adopted by CUNY in 2012 to increase diversity and inclusion among the University’s faculty and staff. Her work on diversity and
inclusion was recently recognized by the Board of Directors of the National Association of Diversity Officers in Higher Education with the Frank W. Hale Distinguished Service Award.

STUDENT AND ALUMNI HONORS
Trustee Ken Sunshine announced the following:

1. Two CUNY alumnae were awarded MacArthur Genius Fellowships from the James and Catherine MacArthur Foundation.
2. Pulitzer Prize winning playwright Annie Baker (Brooklyn College MFA) who is also co-associate director of Hunter College’s Rita & Burton Goldberg MFA playwriting program and Christina Jimenez Moreta (Queens College BA, Baruch College MPA), co-founder & Executive Director of United We Dream, the country’s largest youth-led immigration organization were both named MacArthur Geniuses.
3. LaGuardia Community College student Paola Cruz was selected as a 2017 Coca-Cola Leaders of Promise Scholar and will receive a $1,000 scholarship.
4. Three LaGuardia Community College students: Jonathan Morales, Miguel Castillo, and Konstantinos Gobakus have been awarded a 2017 Jack Kent Cook Undergraduate Transfer Scholarship.
5. Three Hunter College graduate students: Michael Murphy, Omar Omar, and Elyssa Bernfeld were named Salt Fellows by the New York Academy of Science.
6. Benjamin ‘Benjy’ Firester a rising senior at Hunter College High School, was named a Davidson Fellow and granted a $25,000 scholarship to study the pathogen that caused the Irish Potato Famine.

GRANTS
Chairperson Thompson presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the June 26, 2017 Board meeting.

BARUCH COLLEGE
1. $446,046 NATIONAL SCIENCE FOUNDATION to Louis-Pierre Arguin, for “Statistics of Extrema in Complex & Disor”
2. $200,000 YALE-JOHN B. PIERCE LABORATORY to David Gruber, for “IBIS: Implantable Bioluminescence Interface for an All-Optical Neuropseudogenesis to the Visual Cortex”
3. $130,310  **DEPARTMENT OF ENERGY** to Jamal Jalilian-Marian, for “High Energy Qcd in Heavy-Iron Collisions”

4. $100,000  **PFOUND/SURDNA FOUNDATION** to Hector Cordero-Guzman, for “Project Support”

5. $100,000  **NPORG/NATIONAL ACADEMY OF SCIENCES** to David Gruber, for “Handle with Care: Soft Robots Zooplankto”

6. $100,000  **NPORG/FUND FOR PUBLIC HEALTH IN NEW YORK, INC.** to Micheline Blum, for “DOHMH Landlord Survey”

**BRONX COMMUNITY COLLEGE**

1. $4,680,308  **STATE UNIVERSITY OF NEW YORK** to Thomas Jordan, for “EOC”

2. $1,562,500  **NEW YORK STATE EDUCATION DEPARTMENT** to Simone Rodriguez-Dorestant, for “Academic and Student Success Programs”

3. $1,200,000  **UNITED STATES DEPARTMENT OF EDUCATION/OFFICE OF POSTSECONDARY EDUCATION** to Michelle Danvers, for “Pre-College Program”

4. $899,490  **NATIONAL SCIENCE FOUNDATION/EDUCATION & HUMAN RESOURCES** to Sunil Bhaskaran, for “Chemistry”

5. $672,756  **HEALTH RESOURCES & SERVICES ADMINISTRATION** to Ken Adams, for “Continuing Education”

6. $555,000  **ROBIN HOOD FOUNDATION** to Elizabeth Payamps Rodriguez, for “Pre-College Program”

7. $385,988  **NEW YORK CITY HUMAN RESOURCES ADMINISTRATION** to Barbara Martin, for “Student Affairs”

8. $139,481  **NEW YORK CITY OFFICE OF THE MAYOR** to Blanche Kellawon, for “Pre-College Program”

9. $124,615  **NEW YORK STATE DEPARTMENT OF LABOR** to Blanche Kellawon, for “Pre-College Program”

10. $101,528  **PFFOUND/PINKERTON FOUNDATION** to Orlando Lopez, for “Academic and Student Success Programs”

11. $100,000  **NEW YORK CITY COUNCIL** to Elizabeth Payamps Rodriguez, for “Pre-College Program”

**BROOKLYN COLLEGE**

1. $392,500  **DEPARTMENT OF HEALTH AND HUMAN SERVICES/NATIONAL INSITUTES OF HEALTH** to Ryan Murelli, for “Biological Studies of Alpha-Hydroxytropolones”

2. $358,668  **UNITED STATES DEPARTMENT OF EDUCATION** to Michael Meagher, for “Brooklyn College Educational Talent Search Program”
3. $177,416 NATIONAL INSTITUTES OF HEALTH to Mariana P. Torrente, for “Epigenetics in Neurodegenerative Disease: Targeting Histone Modifications in ALS”

4. $160,636 EDINST/UNIVERSITY OF CALIFORNIA to Juergen Polle, for “A Systems Biology and Pond Culture-Based Understanding and Improvement of Metabolic Processes Related to Productivity in Diverse Microalgal Classes for Viable Biofuel Production”

5. $125,000 NATIONAL SCIENCE FOUNDATION to Paul M. Forlano, for “Collaborative Research: Mechanisms of Sound Source Localization Underlying an Ancestral Mode of Vertebrate Hearing”

6. $117,750 DEPARTMENT OF HEALTH AND HUMAN SERVICES to Yu Gao, for “A Brain Imaging Study on Conditioning Deficits in Antisocial Youths”

7. $100,000 PFOUND/AGNESS VARIS TRUST to Diane Reiser, for “Brooklyn College Art Lab”

CITY COLLEGE

1. $1,600,709 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION to Reza Khanbilvardi, for “CSC-Earth System Sciences and Remote Sensing Technologies – ESSRST”

2. $1,136,584 NATIONAL SCIENCE FOUNDATION to Jorge Gonzalez, for “Collaborative Research: The Hispanic AGEP Alliance for the Environmental Science and Engineering Professoriate in Community Colleges and Associate Degree Program”

3. $987,631 NATIONAL SCIENCE FOUNDATION to Maria Tamargo, for “CREST Center for Interface Design and Engineered Assembly of Low-Dimensional Systems (IDEALS)”

4. $709,321 NATIONAL SCIENCE FOUNDATION to Lucas Parra, for “Assessing Student Attentional Engagement From Brain Activity During STEM Instruction”

5. $642,555 NEW YORK CITY DEPARTMENT OF EDUCATION to Mary Driscoll, for “New York City Teaching Fellows Program”


7. $572,121 NATIONAL SCIENCE FOUNDATION to Carlos Meriles, for “MRI: Development of a Scanning-Probe-Assisted Confocal Microscope for Investigating Optical and Magnetic Properties and Phenomena”

8. $555,228 UNITED STATES DEPARTMENT OF EDUCATION to Elizabeth Thangaraj, for “TRIO - Student Support Services Program at CCNY”

9. $549,710 UNITED STATES DEPARTMENT OF EDUCATION to Nancy Stern, for “Improving Instruction for Secondary English Learners: TESOL Certification and Team-Based Professional Development in Content-Area Literacy”
10. **$450,000 NEW YORK STATE EDUCATION DEPARTMENT** to Doris Cintron-Nabi, for “Science and Technology Entry Program (STEP)”

11. **$429,920 NATIONAL INSTITUTES OF HEALTH** to Marom Bikson, for “A Tool-box to Control and Enhance tDCS Spatial Precision”

12. **$423,621 NATIONAL SCIENCE FOUNDATION** to Luis Cardoso, for “Contrast-Ehanced MicroCT-Based Analysis of Human Atheroma Biomechanics”

13. **$414,168 NATIONAL SCIENCE FOUNDATION** to Mark Biscoe, for “Probing Reactivity and Mechanism of Alkyl Transmetallation in Palladium-Catalyzed Cross-Coupling Reactions”

14. **$398,901 NATIONAL INSTITUTES OF HEALTH** to Hernan Makse, for “Graph Theoretical Analysis of the Effect of Brain Tumors on Functional MRI Networks”

15. **$389,693 NATIONAL INSTITUTES OF HEALTH** to Ronald Koder, for “Structural and Thermodynamic Features Which Govern Enzymatic Nitric Oxide Detoxification”

16. **$334,688 NATIONAL INSTITUTES OF HEALTH** to John Martin, for “Lesion and Activity Dependent Corticospinal Tract Plasticity”

17. **$312,255 NEW YORK CITY MAYOR’S OFFICE OF LONG-TERM PLANNING AND SUSTAINABILITY** to Michael Bobker, for “Benchmarking Help Center”

18. **$307,378 NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES** to Michael Bobker, for “Energy Data Lab”

19. **$302,594 VARIOUS PRIVATE SOURCES** to Vincent Boudreau, for “Colin Powell Center for Policy Studies”

20. **$300,000 NATIONAL SCIENCE FOUNDATION** to Robert Messinger, for “Molecular Understanding of Ion Intercalation Processes in Rechargeable Aluminum-Carbon Batteries”

21. **$296,556 UNITED STATES DEPARTMENT OF EDUCATION** to Ruth Stark, for “Graduate Assistance in Areas of National Need”

22. **$254,349 NEW JERSEY DEPARTMENT OF TRANSPORTATION** to Anil Agrawal, for “Drone /Unmanned Aircraft (UAS) Regulations and Policies for Use in New Jersey”

23. **$236,207 NATIONAL SCIENCE FOUNDATION** to Ilona Kretzschmar, for “Collaborative Research: Dynamic Clustering and Rheology of Magnetic Janus Particles with Shifted Dipoles”

24. **$226,950 NATIONAL INSTITUTES OF HEALTH** to Itzhak Mano, for “Novel Strategies for Glutamate Clearance in a Glia-deprived Synaptic Hub: Lessons from C. Elegans”

25. **$220,000 NATIONAL SCIENCE FOUNDATION** to Vinod Menon, for “Collaborative Research: OP-Interface States and Excitons at Heterojunctions Between Two and Three Dimensional Materials Systems”
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43. $150,000 **NEW YORK STATE DEPARTMENT OF TRANSPORTATION** to Camille Kamga, for “University Transportation Research Consortium – NYMTC”

44. $149,163 **EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT** to Adeyinka Akinsulure-Smith, for “The Impact of Female Genital Cutting on African Immigrants”

45. $146,948 **NATIONAL SCIENCE FOUNDATION** to David Lohman, for “Collaborative Research: ButterflyNet - An Integrative Framework for Comparative Biology”

46. $141,256 **BRIGHAM AND WOMEN’S HOSPITAL, INC.** to Luis Cardoso, for “Macrophage-Derived Microcalcifications”

47. $139,134 **AIR FORCE** to Javad Shabani, for “(YIP) Epitaxial Superconductor-Semiconductor Materials Systems for Quantum Computation”

48. $126,300 **UNIVERSITY OF MISSOURI** to Jizhong Xiao, for “INSPIRE: Autonomous Wall-Climbing Robots for Inspection & Maintenance of Concrete Bridges (AS-3)”

49. $120,815 **MSI STEM RESEARCH & DEVELOPMENT CONSORTIUM (MSRDC)** to Urs Jans, for “Computational Approaches to Predict Organophosphate - Target Interactions”

50. $109,100 **NATIONAL AERONAUTICS SPACE ADMINISTRATION** to Zhengzhao Luo, for “Assessing Satellite-Based Estimates of Convective Mass Fluxes and Evaluation GCM Simulations of Tropical Convection”

51. $106,144 **RUSH UNIVERSITY MEDICAL CENTER** to Hoau-Yan Wang, for “Mechanisms Linking Insulin Resistance to Brain Structure, Pathology and Function”

52. $102,748 **NATIONAL SCIENCE FOUNDATION** to Benjamin Black, for “Collaborative Research: Flood Volcanism and Environmental Impacts – A Multidisciplinary Investigation of the Deccan Traps and Events at the Cretaceous-Paleogene Boundary”

53. $101,013 **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION** to Reza Khanbilvardi, for “CSC-Earth System Sciences and Remote Sensing Technologies – ESSRST”

54. $100,000 **NATIONAL SCIENCE FOUNDATION** to Brian Tiburzi, for “Electromagnetic Properties and Hadronic Parity Violation in Lattice QCD”

55. $100,000 **MSI STEM RESEARCH & DEVELOPMENT CONSORTIUM (MSRDC)** to Muharrem Umit Uyar, for “AI and Game Theory Based Autonomous CND Software Agents for Dynamic Trust Evaluation”

**GRADUATE SCHOOL AND UNIVERSITY CENTER**

1. $963,400 **NEW YORK STATE EDUCATION DEPARTMENT** to Lisa Auslander, for “SIFE Curriculum”

2. $744,062 **GOVERNMENT OF CANADA** to John Torpey, for “Global Centre for the Responsibility to Protect”
3. **$300,000 GOVERNMENT OF AUSTRALIA** to John Torpey, for “Global Centre for the Responsibility to Protect”

4. **$300,000 NATIONAL SCIENCE FOUNDATION** to Janet Gornick, for “The Development of Cross-national Income and Wealth Databases: The Luxembourg Income and Wealth Studies 2014-2018”

5. **$276,000 NATIONAL SCIENCE FOUNDATION** to Edith Gonzalez, for “National Science Foundation Graduate Research Fellowships”

6. **$237,392 NYPORG/GREAT LAKES HIGHER EDUCATION GUARANTY CORP.** to Paul Attewell, for “Early Leading Indicators of Student Success”

7. **$225,000 BOOTH FERRIS FOUNDATION** to Michelle Fine, for “College Access: Research & Action”

8. **$215,000 GOVERNMENT OF THE NETHERLANDS** to John Torpey, for “Global Centre for the Responsibility to Protect”

9. **$170,000 THE NEW YORK COMMUNITY TRUST** to Michelle Fine, for “College Access: Research and Action”

10. **$167,700 UNITED STATES DEPARTMENT OF EDUCATION** to Alberta Gatti, for “CUNY Center for Integrated Language Communication”

11. **$132,832 NEW YORK STATE EDUCATION DEPARTMENT** to Gita Martohardjono, for “State Bilingual Funds to Develop Curriculum to Support English Language Learners”

**HOSTOS COMMUNITY COLLEGE**

1. **$103,020 NATIONAL SCIENCE FOUNDATION** to Sarah Hoiland, for “Nice: Numeracy Infusion for College Education”

**HUNTER COLLEGE**

1. **$1,611,129 NEW YORK COUNTY DISTRICT ATTORNEY’S OFFICE** to Gary Mallon, for “Community Navigator Pilot Program”

2. **$1,424,908 NEW YORK CITY DEPARTMENT OF PROBATION** to Harriet Goodman, for “Models of Probation Project”

3. **$1,375,344 PHS/NIH/NATIONAL OF ALLERGY & INFECTIOUS DISEASES** to Jonathan Rendina and Jeffrey Parsons, for “Examining Modifiable Psychosocial Predictors of HIV Seroconversion in a Large Nationwide Cohort of High Risk Men”

4. **$909,309 PHS/NIH/NATIONAL INSTITUTE ON DRUG ABUSE** to Tyrel Starks, for “Intervention to Reduce Drug Abuse & HIV Incidence among High PrEp Priority Partnered YMSM”

5. **$814,245 PHS/NIH/NATIONAL INSTITUTE OF MENTAL HEALTH** to Tracy Dennis, for “Attention Bias Modification for Anxiety: A Randomized Control Trial with Biomarkers”

6. **$671,887 NEW YORK CITY DEPARTMENT OF EDUCATION** to Robert Gyles and Frank Gardella, for “Math Center for Learning & Teaching”
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<td><strong>PHS/NIH/NATIONAL INSTITUTE OF NEUROLOGICAL DISORDER &amp; STROKE</strong> to Regina Miranda and Vanya Quinones, for “BP-ENDURE at Hunter (Blueprints Program: Enhancing Neuroscience Diversity through Undergraduate Research Education)”</td>
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<td><strong>NEW YORK CITY COUNCIL</strong> to Edwin Melendez, for “Center for Puerto Rican Studies”</td>
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<td><strong>UNIVERSITY OF MINNESOTA/NIH/NIDA</strong> to Jeffrey Parsons, for “A Technology-Delivered Peer-to-Peer Support Art Allowance Intervention for HIV+ Adults”</td>
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<td><strong>PHS/NIH/NATIONAL CANCER INSTITUTE</strong> to Michael Hoyt, for “Emotion-Regulation, Inflammatory Processes, &amp; Depression in Prostate Cancer Survivors”</td>
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<td>“Modulation of Fear &amp; Safety in the Basal Forebrain-Amygdala Prefrontal Network”</td>
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<td>Der-lin Chao</td>
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<td>43</td>
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<td>Jessica Rothman and Sagan Friant</td>
<td>“Exploring the Links between Biodiverse Foods, Nutritional Quality, and Food Security”</td>
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<td>44</td>
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<td>Herman Pontzer and Samuel Urlacher</td>
<td>“Tradeoffs in Childhood Energy Allocation &amp; The Impact of Market Integration on Ontogeny and Health”</td>
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<td>45</td>
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<td>TEACH FOR AMERICA</td>
<td>Matthew Caballero</td>
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JOHN JAY COLLEGE

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<td>1.</td>
<td>$3,100,000</td>
<td>NEW YORK CITY CENTER FOR ECONOMIC OPPORTUNITY</td>
<td>Ann Jacobs</td>
<td>“New York City Justice Corps”</td>
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<td>3.</td>
<td>$564,845</td>
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<td>David Kennedy</td>
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<td>4.</td>
<td>$300,000</td>
<td>JOHN D. AND CATHERINE T. MACARTHUR FOUNDATION</td>
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<td>“Strengthening and Focusing the Violence Reduction Strategy in Response to Chicago’s Violence Crisis”</td>
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<td>5.</td>
<td>$256,625</td>
<td>THE JACOB &amp; VALERIA LANGELOTH FOUNDATION</td>
<td>Stephen Handelman</td>
<td>“Hell is a Small Place: Rethinking Solitary Confinement: A Training Program for Justice”</td>
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<td>6.</td>
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<td>Maureen Allwood</td>
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<td>Phillip A. Goff</td>
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<td>“Sustaining the Assessment of New York City’s Project Fast Track and other Programmatic Initiatives”</td>
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<td>11.</td>
<td>$125,453</td>
<td>MAYOR'S OFFICE OF CRIMINAL JUSTICE - DEPARTMENT OF INFORMATION TECHNOLOGY &amp; TELECOMMUNICATIONS to Preeti Chauhan, for “Technical Assistance for Data Integration for Mayor's Office of Criminal Justice”</td>
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<td>12.</td>
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<td>NATIONAL INSTITUTES OF HEALTH to Elise Champeil, for “Role of p21 in the Upstream p53-independent Signaling Pathway in Response to MC and DMC DNA Interstrand Crosslinks”</td>
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<td>13.</td>
<td>$107,981</td>
<td>NATIONAL INSTITUTES OF HEALTH VIA WASHINGTON UNIVERSITY IN ST. LOUIS to Cathy Spatz Widom, for “Building a Multidisciplinary Pipeline of Researchers in Child Abuse and Neglect”</td>
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<td>14.</td>
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<td>MAYOR’S OFFICE OF CRIMINAL JUSTICE to Jeffrey A. Butts, for “Mayor's Action Plan for Neighborhood Safety”</td>
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<td>INTER-AMERICAN DEVELOPMENT BANK to Stephen Handelman, for “Communication Strategies for Citizen Security”</td>
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**KINGSBOROUGH COMMUNITY COLLEGE**

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<td>UNITED STATES DEPARTMENT OF EDUCATION to Brian Mitra and Faith Fogelman, for “Student Support Services – Trio Program”</td>
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**LAGUARDIA COMMUNITY COLLEGE**

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<td>NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT to Adjoa E. Gzifa, for “Summer Youth Employment Program (SYEP) Older Youth”</td>
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<td>3.</td>
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<td>NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT to Adjoa E. Gzifa, for “Young Adult Internship Program”</td>
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<td>4.</td>
<td>$317,457</td>
<td>NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES to Kimberly Kendall, for “Medical Billing Cohort 3&amp;4”</td>
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<td>5.</td>
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<td>DEPARTMENT OF HEALTH AND HUMAN SERVICES/NATIONAL INSTITUTES OF HEALTH to Hendrick Delcham, for “LaGuardia Bridges to the Baccalaureate”</td>
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<td>NEW YORK STATE EDUCATION DEPARTMENT to John Hunt, for “Center for Immigrant Adult Literacy &amp; Basic Adult Education”</td>
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<td>7.</td>
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<td>DEPARTMENT OF TRANSPORTATION/OFFICE OF THE SECRETARY OF TRANSPORTATION to Linda Mellon, for “Northeast Region SBTRC”</td>
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<td>$213,835</td>
<td>STATE UNIVERSITY OF NEW YORK to Rosa Figueroa, for “NYS Small Business Development Center”</td>
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**LEHMAN COLLEGE**

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<td>1</td>
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<td>Deborah Shanley</td>
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<td>2</td>
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<td>Christopher Malone</td>
<td>“Lehman Tech Talent Pipeline”</td>
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<td><strong>NEW YORK CITY DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT</strong></td>
<td>Anne Rothstein</td>
<td>“COMPASS - Pathways to Success – Astor Collegiate Academy”</td>
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<td>$196,316</td>
<td><strong>NATIONAL SCIENCE FOUNDATION</strong></td>
<td>Jason Behrstock</td>
<td>“Geometric Group Theory, Random Graphs and Isoperimetry”</td>
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<td>$136,225</td>
<td><strong>HOSPITAL LEAGUE, LOCAL 1199</strong></td>
<td>Jane Mackillop</td>
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<td><strong>NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES</strong></td>
<td>Jane Mackillop</td>
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**NEW YORK CITY COLLEGE OF TECHNOLOGY**

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<td><strong>DEPARTMENT OF HEALTH AND HUMAN SERVICES/NATIONAL INSTITUTES OF HEALTH</strong></td>
<td>Liana Tsenova</td>
<td>“Bridges to the Baccalaureate Program”</td>
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<td><strong>NATIONAL INSTITUTES OF HEALTH</strong></td>
<td>Evgenia Giannopoulou</td>
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<td>Yoko Nomura, for “The Infants of Superstorm Sandy: The Epigenetic and Developmental Impact of Natural Disaster”</td>
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<td><strong>NATIONAL SCIENCE FOUNDATION</strong></td>
<td>Luat Vuong and Harry Gafney, for “Wide Analysis of Low-Energy Plasmonically-Powered Cascaded Dynamics in Liquids”</td>
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<td><strong>NATIONAL INSTITUTES OF HEALTH</strong></td>
<td>Daniel Weinstein, for “Transcriptional Regulation of Pluripotency in the Early Vertebrate Embryo”</td>
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<td><strong>NEW YORK STATE EDUCATION DEPARTMENT</strong></td>
<td>Soribel Genao and Patricia Velasco, for “Certification in Education Leadership with A Focus on Academic Achievement of English Language Learner Student Populations”</td>
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<td>Sara B. Woolf, for “Integrated Master’s Program in Early Childhood Special and Bilingual Education”</td>
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<td>16.</td>
<td>$187,735</td>
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<td><strong>NATIONAL SCIENCE FOUNDATION/BINATIONAL SCIENCE FOUNDATION</strong> to Azriel Genack, for “NSF/DMR/-BSF: Universality and Control of Wave Propagation Inside Random Media”</td>
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<td>20.</td>
<td>$158,219</td>
<td><strong>ICAHN SCHOOL OF MEDICINE AT MOUNT SINAI/CENTERS FOR DISEASE CONTROL</strong> to Steven Markowitz, for “Assessing Inflammatory and Behavioral Pathways Linking PTSD to Increased Asthma Morbidity in WTC Workers”</td>
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<td>21.</td>
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<td>$102,430</td>
<td><strong>COLUMBIA UNIVERSITY/NATIONAL INSTITUTES OF HEALTH</strong> to Joel Sneed, for “Cognitive Training and Neuroplasticity in Mild Cognitive Impairment”</td>
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<td>$100,000</td>
<td><strong>ASPHALT GREEN</strong> to Holger Eisl, for “Asphalt Green Air Quality Monitoring Study”</td>
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**QUEENSBOROUGH COMMUNITY COLLEGE**

| 1. | $1,825,955 | **NEW YORK STATE EDUCATION DEPARTMENT** to Yicel Nota-Latif, for “QCC Liberty Partnership Program” |
| 2. | $698,697 | **NATIONAL SCIENCE FOUNDATION** to David Sarno, for “Institutional Partnership to Create Successful Student Transition to Smart Energy & Materials” |
| 3. | $500,000 | **NATIONAL SCIENCE FOUNDATION** to Christine Mooney, for “I-Corps Sites - Type I: CUNY STEM Tools for Innovation and Entrepreneurial Success (STEM TIES) I-Corps Site” |
| 4. | $149,623 | **NEW YORK CITY DEPARTMENT OF EDUCATION, CITY UNIVERSITY OF NEW YORK, CUNY EXPLORERS** to Sherri Ann Simmons and Jacqueline Montgomery, for “2017-18 CUNY Explorers Middle School Visits” |
| 5. | $134,098 | **NATIONAL SCIENCE FOUNDATION** to Dugwon Seo, for “Collaborative Research: The Hispanic AGEP Alliance of the Environmental Science and Engineering Professoriate in Community Colleges and Associate Degree Programs” |

**COLLEGE OF STATEN ISLAND**

| 1. | $468,124 | **NATIONAL SCIENCE FOUNDATION** for " RUI: Protocadherin Cytoplasmic Interactions, Trafficking and Anti-Adhesion" |
2. $173,881  **PRIVATE** for “A Hybrid Hydrophobic Hydrophilic Coating with Combines Anti Reflective & Anti Soiling Properties”

3. $139,874  **NATIONAL SCIENCE FOUNDATION** for “Collaborative Research: Worm Algorithm & Diagrammatic Monte Carlo for Strongly Correlated”

**YORK COLLEGE**

1. $166,190  **NATIONAL INSTITUTES OF HEALTH** to Yolanda Small, for “Address how to improve available fluorophores by size-selecting AgNCs and tuning their optical properties”

**CHANCELLOR’S REPORT**

Chancellor James Milliken opened by reporting on CUNY’s response to the crisis in Puerto Rico. Following the devastating impact of Hurricane Maria the CUNY community immediately mobilized by putting in place opportunities across CUNY for contributions of money and requested material for the people of Puerto Rico. The college presidents and deans of the professional schools have been asked to designate a lead on their campuses responsible for coordinating these efforts and locations with the system office, and they immediately did so. The colleges have communicated the location of their donation centers to the local community through the college websites, social media, and postings throughout the campus.

In addition to these humanitarian efforts, CUNY has made a point to assist in ways that only a university can. Milliken immediately wrote to the president of CUNY’s long-time collaborator institution, the University of Puerto Rico (UPR), to offer academic assistance for students and faculty, established a CUNY-wide presidential taskforce led by Presidents Jose Cruz and Felix Matos-Rodriguez, both of whom have had significant relevant professional experience in Puerto Rico.

The University has been in frequently communication with CUNY’s colleagues at UPR. The goal of the administration is to offer temporary assistance and align with the plans of UPR so that university system can be back on its feet and serve its students and faculty effectively as soon as possible.

In response to Governor Cuomo’s request, the Board is scheduled to vote on a resolution to grant in-state tuition rates for students from Puerto Rico and the U.S. Virgin Islands who may wish to temporarily continue their studies. The University has launched a private fundraising campaign to further defray the costs of attendance, given the substantial difference in residential tuition between New York and Puerto Rico.

The University has a new website that will serve as a clearinghouse for information on what CUNY is offering, including information on giving, admissions and financial aid, and faculty resources, among others. The administration is developing plans for winter term courses for students from Puerto Rico and the U.S. Virgin Islands. CUNY will also use the time in the spring
session to align the University’s schedules with when UPR is operational so that students could take courses at CUNY either physically or online and then get back into the sequence at UPR.

Also, a number of the CUNY campuses have already arranged to make space available for faculty from UPR to do research and I have been impressed by the work at the grassroots by an organization across CUNY also by CENTRO, the Institute for Puerto Rican Research at Hunter College and CUNY’s colleagues’ generosity in opening their space during this period.

The University has also launched a number of initiatives at CUNY to improve and streamline the performance of the administration and strengthen the culture of integrity, oversight and internal control that is an essential objective in all of CUNY’s activities.

Recently, Gayle Horwitz, the Senior Advisor to the Chancellor and Secretary of the Board has been appointed as the new chairperson of the CUNY Research Foundation (RF), to lead the reorganization plan and develop a renewed relationship between CUNY and the RF. This continues the important work done by Interim Chief Operating Officer Marc Shaw and I thank him for his service.

In addition, the University has made significant progress in implementing the recommendations of the administrative performance initiatives, adopting best practices for high performing organizations, redesigning business processes and streamlining functions to help reallocate funds to CUNY’s highest academic priorities and observe the highest standards of financial integrity. These include:

- A more than 12 percent reduction in central administrative and shared services staffing over the last two fiscal years.
- Significant reductions in use of assigned vehicles by implementing the new Board policy.
- The appointment of a director of strategic initiatives to manage CUNY’s Administrative Excellence Initiative, which will save $75 million on a recurring basis over a 4-year period.
- The hiring of a new director of strategic sourcing and procurement to leverage the University’s volume of purchases to achieve cost efficiencies.
- Significant new goals in CUNY’s MWBE program based on reducing the number of exemptions and increase the base used for MWBE spending, and increasing the University’s outreach efforts.
- Reducing energy consumption and achieving savings through more efficient use of CUNY’s facilities.

The aim of these initiatives is not just to improve efficiencies and the quality of service but also to create savings that can be used for the University’s highest academic priorities and support the quality and the success of the students.
I am pleased to review the important progress in CUNY’s voter registration efforts. This is in response to a request from the Governor, wherein the administration very much share his view that this is an important priority for New York universities and that CUNY’s policies and practices should encourage student participation in the University’s democratic processes. General Counsel and Vice Chancellor Loretta Martinez conducted a thorough review of CUNY’s voter registration programs, and while she found them to be effective in reaching students and had a good infrastructure for providing information, education and support, she also identified opportunities for strengthening the University’s programs with an action plan that will educate the students and encourage their full participation.

All of CUNY’s colleges and graduate schools have a dedicated campus Voter Registration Coordinator, and they work with the University Voter Registration Coordinator. Among the activities they pursue are handing out and collecting registration forms at student orientation sessions, distributing and collecting completed forms at key campus locations, hosting voter registration tables at student events, sponsoring voter awareness programs, sending email blasts and working with students and student organizations in registration drives. The University also use digital means to make students aware of registration information and deadlines and CUNY-TV runs voter public service announcements.

One result of these efforts is that CUNY students have consistently outperformed city and state college age population in terms of voter registration and turnout. To enhance the University’s effectiveness, the action plan includes creation of a permanent committee of campus representatives with regular meetings to measure progress and consider new initiatives.

Lastly, I want to add my welcome to the new Trustees, in particular the new student Trustee of the Board, John Aderounmu.

Chancellor Milliken then asked Executive Director for Enrollment Strategy & Management Clare Norton to give a brief presentation on enrollment at CUNY, a very important element of CUNY’s mission.

Executive Director Clare Norton reported on CUNY enrollment for Fall 2017, and a discussion followed. Various topics were discussed, including information regarding the demographics of CUNY students, Excelsior Scholarship, application fee, transfers within the CUNY-wide, and the anticipated go-live date of the Common Application for CUNY’s new admission system.

Chancellor Milliken then made a few comments about the Budget Request, noting it is an important statement about the University’s mission, goals, and strategies that is driven by the commitments set forth in the CUNY Strategic Framework Initiative, Connected CUNY. He then asked SVC&CFO Sapienza and Vice Chancellor Bergtraum to give a report on The City University of New York Operating & Capital Budget Request for Fiscal Year 2018-2019.

Discussion about the Budget Request followed. Various topics were discussed, including the possible risk of cuts on the federal level, philanthropy development, new full-time faculty hires,
Accelerated Study in Associate Programs (ASAP) and Single Stop Initiative, and revenue enhancements.

***ADDENDUM OF THE CITY UNIVERSITY OF NEW YORK OPERATING & CAPITAL BUDGET REQUEST, FISCAL YEAR 2018-2019 ARE AVAILABLE AT THE CONCLUSION OF THE BOARD MINUTES***

**CHANCELLOR’S UNIVERSITY REPORT:** Chairperson Thompson called for a motion to accept the Chancellor’s University Report for October 23, 2017, which was seconded by Vice Chairperson Barry Schwartz. He asked if there were any amendments. Upon hearing none, the item was unanimously adopted by the Board.

1. **Chancellor’s University Report:**

   RESOLVED, That the Chancellor’s University Report for October 23, 2017 (including Addendum and Errata Items) be approved.

   UFS Chair and Trustee Conway made comments relating to salary increases, and expressed concern regarding promotions that occur under Article IX of the CUNY Bylaws.

**APPROVAL OF MINUTES:** Chairperson Thompson called for a motion to accept the minutes of the regular Board meetings and Executive Session of June 26, 2017, which was seconded by Vice Chairperson Schwartz. Trustees Kevin Kim and Michael Arvanites abstained. He asked if there were any amendments. Upon hearing none, the item was adopted by the Board:

2. **Approval of Minutes:**

   RESOLVED, That the minutes of the regular Board meetings and Executive Session of June 26, 2017 be approved.

Moved by Chairperson Thompson and seconded by Trustee Fernando Ferrer, the following resolution was presented and opened for discussion as amended:

3. **The City University of New York - In-State Tuition for Students from Puerto Rico and the U.S. Virgin Islands:**

   WHEREAS, Puerto Rico and the U.S. Virgin Islands were devastated by Hurricanes Irma and Maria; and
WHEREAS, Students from these areas have had their college educations disrupted by these events; and

WHEREAS, The Puerto Rican community is one of the most vibrant communities in New York, and more U.S. Virgin Islanders list their place of birth as New York than any other state in the nation; and

WHEREAS, Governor Cuomo has called upon The City University of New York to allow students from these U.S. territories to attend CUNY colleges at the in-state tuition rate; and

WHEREAS, CUNY’s mission is to provide access to opportunities that enable individuals to improve their lives and the lives of their families by reaching their full potential; now therefore be it

RESOLVED, That the Board of Trustees authorizes The City University of New York to provide students from Puerto Rico and the U.S. Virgin Islands displaced by hurricanes Maria and Irma to pay tuition at the in-state rate for academic year 2017-2018; and be it further

RESOLVED, That the Board of Trustees grants to the CUNY college presidents, or their designees, the authority to determine and provide financial assistance to affected students on a case-by-case basis.

EXPLANATION: Hurricanes Irma and Maria had a devastating impact on Puerto Rico and the U.S. Virgin Islands. While families are trying to rebuild homes and lives, the Board of Trustees wishes to provide every possible support to college students who have been touched by these disasters.

Trustee Lorraine Cortés-Vázquez made a few comments, thanking the Board for their involvement in providing academic assistance to students from Puerto Rico and the U.S. Virgin Islands.

Chairperson Thompson made one amendment to the resolution changing the word “impacted” to “displaced.”

Chairperson Thompson asked for a vote. Cal. No. 3 was unanimously adopted.

4. COMMITTEE ON FISCAL AFFAIRS:
Trustee Fernando Ferrer reported that the Committee on Fiscal Affairs met on October 2, 2017. After approval of the minutes of the June 5, 2017 Committee meeting, SVC&CFO Sapienza addressed the Fiscal Year 2019 Operating Budget Request, and after subsequent deliberations, the Committee approved the resolution. After a presentation by SVC&CFO Sapienza on the
University’s Quarterly Financial Report, and with no more items on the agenda, the meeting was adjourned.

Moved by Trustee Ferrer and seconded by Trustee Una Clarke, the following resolution was presented and opened for discussion:

A. The City University of New York - Fiscal Year 2019 University Budget Request:

RESOLVED, Subject to the availability of resources, CUNY seeks additional investment funds of $245.5 million for the University. This total includes $184.4 million for the senior colleges and $61.1 million for the community colleges. At the senior colleges, $63.4 million is for baseline needs, $9.2 million is for recent collective bargaining agreements, $38.2 million is for future collective bargaining agreements, and $73.6 million is for strategic investments. At the community colleges, $16.9 million is for baseline needs, $16.3 million is for future collective bargaining agreements, and $27.9 million is for the investment plan. The University will self-fund $18.0 million through its Administrative Efficiencies Action Plan. The request continues the predictable tuition policy, with an annual increase of $200 at the senior colleges.


EXPLANATION: With the Fiscal Year 2019 Budget Request, the University enhances its capacity to carry out its mission of access and opportunity for New Yorkers and its commitment to meet the economic and educational needs of New York State and New York City. CUNY’s strategic priorities are based on the strategic framework, Connected CUNY, and align with the priorities of the State and City. They include initiatives that will speed student progress toward degree attainment, improve access and retention, provide experiential learning opportunities that prepare students for the workforce and assist students in achieving post graduate success whether that is transferring to advanced degree programs or beginning their career paths.

State and City financing of fixed mandatory needs, such as contractually required incremental salary increases, collective bargaining agreements, fringe benefit and building rental cost increases, will allow existing funding to remain in programmatic areas so that the University can continue to provide high quality services in support of its statutory mission and its commitment to all New Yorkers.

Trustee Cortés-Vázquez made a statement about past salary disparities, recommending a review of salaries across the board for appropriateness.
Statement of University Student Senate Chair and Trustee John Aderounmu:
I would like to thank SVC&CFO Sapienza and his team for putting together this budget and consulting students on several occasions. This budget does a great job at providing support to continue the success of CUNY’s key programs such as ASAP and ACE, both of which have played a great role in improving retention and graduation rates at the colleges. Secondly, the USS appreciates the proposal to freeze tuition at CUNY community colleges, and looks forward to seeing ACE expand to all of the senior colleges and become a national model such as ASAP.

CUNY students have concerns about this budget. Months have passed since the introduction of the free tuition scholarship by the Governor, but here the Board sits, talking about another round of $200 tuition increases at senior colleges. In 2015, the Governor vetoed the Maintenance of Effort (MOE) legislation that would provide CUNY adequate funding to freeze tuition and pay faculty a livable wage. The MOE has been adopted by the Assembly and the Senate by support from members of both sides of the aisle. The Board needs to take action and call on the Governor to sign this bill into law.

The University system has been deprived of the necessary funding to support this dream machine which propels people living in poverty into the middle class. Year after year, the need for thorough investment in CUNY is obvious, but the University is continuously given the short end of the stick. CUNY has become victims of this attack on public higher education and should be requesting its fair share because of the great work CUNY is doing with ASAP, ACE, BMI, SEEK, College Discovery and CUNY Leads.

The Budget Request offers a tuition increase for the community colleges only if the city refuses to provide the full funding requested. It falls short of doing the same to the state proposing tuition increases. One could question why the state does not fund the $31.3 million to cover operating costs at senior colleges to prevent increasing tuition $200 in FY2019. Every year since 1976, tuition has increased almost 20 times. The Predictable Plan assumes that tuition increases happen once in a while. However, on average, tuition increases happen almost every other year. Tuition increases are a threat to access of public higher education and this is very unfortunate for those that lack means to attend.

The University needs to act now, during a time of tremendous uncertainty when the students fear waking up to twitter terror threats, which will end the pursuit of their dream. CUNY, as a public city university, must demand more from state leaders as it is the greatest urban university in the world serving the most diverse population in the world, wherein the Board needs to support this effort to sustain achievement.

I humbly asked that this Board release a statement calling on Governor Cuomo to sign the MOE into law and to amend the budget to request the $31.3 million from the state instead of raising tuition.
Students must deal with endlessly increasing rent and transportation, ridiculously expensive textbooks, while having stagnated wages at their jobs as inflation negatively impacts the effectiveness of taxes they pay for public services such as public education.

As Nelson Mandela once said, “Education is the greatest weapon one can use to change the world.” That is why students, like myself enroll at CUNY. That is why faculty teach and administrators work at CUNY. And this is why the Trustees exist because these constituencies entrust that the Board will do all they can to help them achieve success.

As Vice Chairperson Schwartz mentioned, the Board can do more and asked that the Trustees join me in doing all that they can to help the students, faculty and staff succeed.

Chairperson Thompson asked for a vote. Cal. No. 4.A. was adopted. USS Chair and Trustee Aderounmu abstained.

Moved by Trustee Ferrer and seconded by Trustee Clarke, the following resolution was presented and opened for discussion:

B. Hunter College - Increase Rates at Brookdale Residential Hall:

WHEREAS, The Brookdale Residential Hall at Hunter College has been and continues to be a highly desirable feature and recruitment tool of the College, and

WHEREAS, The Hunter dormitory fees remain as much as 50% less expensive than other CUNY and private college dormitories in the New York metropolitan area, and

WHEREAS, The last time the rates were increased by the CUNY Board of Trustees was in 2010; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York authorize Hunter College to implement an increase in dormitory fees beginning with Spring 2018 semester. Dormitory fees will increase between 30 and 33% for new residents in Spring 2018. The rate for returning residents will increase by 10% in Fall 2018.

The current dormitory fees range from $500 to $729 per month for the nine-month school year and will be increased to $666 to $947 per month for the nine-month school year, depending on the type of resident room.

EXPLANATION: The last Board approved increase in dormitory fee rates for Hunter College was seven years ago. Since then, rate increases have been tied to the Higher Education Price Index (HEPI), which has averaged just below 2% per year. The proposed rate increase will ensure that sufficient revenues are generated to support the
general operations, maintenance and repair costs related to the Brookdale Campus Dormitory of Hunter College. The fee increase is needed to maintain the condition of the dormitory complex and fund staffing levels including residence life, custodial, facilities maintenance and security services required for the operation of the dormitory, as well as to provide for a regular replacement cycle for dormitory furniture and equipment.

Trustee Henry Berger expressed concern about the thirty percent increase in dormitory fee rates, suggesting that Hunter College not wait another seven years to bring forth a rate increase.

Chairperson Thompson asked for a vote. Cal. No. 4.B. was unanimously adopted.

5. COMMITTEE ON ACADEMIC POLICY, PROGRAMS, AND RESEARCH:
Trustee Fernando Ferrer reported that at the October 2, 2017 meeting of the Committee on Academic Policy, Programs, and Research, the Committee approved the following resolutions, and he recommended their approval by the Board.

Moved by Trustee Ferrer and seconded by Trustee Clarke, resolutions 5.A. through 5.G. were presented and opened for discussion:

A. Borough of Manhattan Community College – AS in Financial Management:

RESOLVED, That the program in Financial Management leading to the Associate of Science degree at Borough of Manhattan Community College be approved effective October 23, 2017, subject to financial ability.

EXPLANATION: The high percentage of graduates of the existing AAS in Business Management who transfer to a senior college warranted the creation of a similar AS degree that would better serve students’ goal of obtaining a bachelor’s degree. This program will provide students with the foundational courses needed for most business related bachelor’s degrees. An articulation agreement has already been signed with City College and others will be pursued.

B. Borough of Manhattan Community College – AS in Digital Marketing:

RESOLVED, That the program in Digital Marketing leading to the Associate of Science degree at Borough of Manhattan Community College be approved effective October 23, 2017, subject to financial ability.

EXPLANATION: BMCC will combine its expertise in multimedia and digital imaging with its strong business curriculum to develop a program with little additional cost. It will prepare students for employment in the technology, advertising, media and information
fields which are experiencing very strong employment growth in the lower Manhattan neighborhoods among others. Students may choose employment either directly upon graduation or after completing a bachelor’s degree. An articulation agreement has been signed with City College and others will be pursued.

C. Bronx Community College – AAS in Cybersecurity and Networking:

RESOLVED, That the program in Cybersecurity and Networking leading to the Associate of Applied Science degree at Bronx Community College be approved effective October 23, 2017, subject to financial ability.

EXPLANATION: According to the Bureau of Labor Statistics (BLS), the employment opportunities for professionals in the field of cybersecurity are expected to grow as much as 37% by 2022. Cybersecurity and networking degree programs will prepare students for entry-level positions in the industry and help them to earn standard certifications like A+, Network+, etc. An innovative aspect of this program is that students will have the option of beginning this program in non-credit certification courses which will be converted into credit bearing courses. Recently, Bronx Community College was awarded a pilot grant from the Capital One Foundation to develop this program, with the expectation of a full five years of funding support.

D. The Graduate School and University Center – MS in Quantitative Methods in the Social Sciences:

RESOLVED, That the program in Quantitative Methods in the Social Sciences leading to the Master of Science degree at The Graduate School and University Center be approved effective October 23, 2017, subject to financial ability.

EXPLANATION: This interdisciplinary master’s program would build on the many advanced methodology courses within existing programs at the Graduate Center to develop a coherent MS program that offers systematic study of quantitative methods, advanced forms of data analysis, and cutting edge techniques in the social sciences. Students will join current doctoral students in gaining knowledge that is highly valued in academia, the non-profit world, government, and business.

E. The Graduate School and University Center – MS in Cognitive Neuroscience:

RESOLVED, That the program in Cognitive Neuroscience leading to the Master of Science degree at The Graduate School and University Center be approved effective October 23, 2017, subject to financial ability.
EXPLANATION: Cognitive Neuroscience is an exciting interdisciplinary field that focuses on understanding the biological bases of cognitive functions such as perception, memory, attention, language and decision making. In addition to the coursework, students in this proposed program will have the opportunity to conduct research in the laboratories of the many CUNY faculty affiliated with the program throughout the University. Students will be able to gain direct employment in laboratories in addition to applying to doctoral programs upon graduation.

F. Hunter College – Resolution to Award an Honorary Degree:

RESOLVED, That Hunter College award Mark Sinclair (Vin Diesel) the degree of Doctor of Humane Letters, honoris causa, at the colleges annual commencement ceremony in January 2018.

EXPLANATION: Mark Sinclair (Vin Diesel) is an accomplished attendee of Hunter College and an acclaimed screenwriter, director, and actor. In addition to his bold performances in action films, he has portrayed more nuanced and robust roles, and has written and produced several films including and Strays (1997) which was selected for competition at the Sundance Festival.

G. The City University of New York – Amendments to Research Misconduct Policy:

RESOLVED, That the Board of Trustees adopt the revised Research Misconduct Policy, effective October 23, 2017.

EXPLANATION: Due to organizational changes as well as the need for further clarification of the current Research Misconduct Policy, amendments to the Policy were developed by the Office of Research and the Office of the General Counsel and in consultation with the University Faculty Senate. The changes are summarized as follows:

- The Research Foundation is the official recipient of research grants and contracts. The Policy has been revised to have reporting requirements fulfilled by the Research Foundation instead of the College Grants Officer.
- The Research Integrity Officer is an administrator or tenured member of the faculty with appropriate training in research compliance and integrity.
- In the absence of the Vice Provost for Research, his or her designee typically performs the tasks assigned to the Vice Provost. The Policy has been amended throughout to reflect this more consistently.
- The individual responsible for research compliance in the central administration is the Associate University Provost for Research Administration and Compliance. The Office of Academic Affairs has reorganized its Research Administration division. The
title of University Director for Research Compliance is no longer used. This change is made throughout the document.

- In Section 1, “similar educational activities” has been removed due to its ambiguity in implementation of the policy. The definition of College has been revised to include the Advanced Science Research Center and the CUNY School of Medicine.

NOTE: A red-lined version of the changes may be obtained from the Office of the Secretary of the Board of Trustees upon request.

THE CITY UNIVERSITY OF NEW YORK
POLICY REGARDING THE DISPOSITION OF ALLEGATIONS OF RESEARCH MISCONDUCT

1. GENERAL STATEMENT OF POLICY

A fundamental purpose of the University is to foster an environment that promotes the responsible conduct of research, discourages Research Misconduct, and deals promptly with any Allegations or Evidence of possible Research Misconduct. (Definitions of “Research Misconduct”, “Allegation”, “Evidence” and other terms in this Policy that appear with initial capital letters are set forth in Section 12 below.) It is the University’s basic expectation that all research conducted by members of the University community will adhere to the highest ethical and moral standards. This Policy describes the procedures to be followed by the University in connection with any Allegation that University faculty, staff, post-doctoral associates, and/or students, whether paid by the University or through other funding sources, may have engaged in Research Misconduct. This Policy is also intended to comply with the requirements of applicable regulatory agencies and the sponsors of research.

2. APPLICABILITY

This Policy applies only to Allegations of Fabrication, Falsification, and Plagiarism in research, as such terms are defined in Section 12 below, and not to any other kind of academic misconduct or dishonesty. This Policy applies to all research conducted by University faculty, staff, post-doctoral associates, and/or students, regardless of the academic discipline of the researcher or the sponsorship or source of support for the research. This Policy does not supersede or establish an alternative to any existing University or governmental regulations, procedures, or policies regarding fiscal improprieties, conflicts of interest, ethical treatment of human or animal subjects, or criminal matters, all of which remain in effect.

It is the University’s expectation that all members of the University community will cooperate in reporting suspected Research Misconduct, responding to Allegations, providing relevant Research Records and other relevant information, and participating in Research Misconduct Proceedings.

This Policy replaces the University’s Policy Regarding the Disposition of Allegations of Misconduct in Research and Similar Educational Activities, adopted on June 25, 2007.

3. REPORTING ALLEGATIONS OF RESEARCH MISCONDUCT

Allegations of Research Misconduct may be brought to the University’s attention as follows:
31. Any individual may report suspected Research Misconduct by one or more persons orally or in writing. Such individual (the “Complainant”) should address such Allegation to the Research Integrity Officer (“RIO”) of the College where the subject of the Allegation (the “Respondent”) has an appointment. In cases where the Respondent is a faculty member with joint appointments, the Allegation should be reported to the RIO of the “home College”, as determined in accordance with the University’s Joint Appointment Guidelines. If the Allegation is reported to the RIO orally, the RIO will contemporaneously create a written record of the Allegation.

32. If an Allegation is received by another University administrator or identified in the course of another University process, such as an internal audit, the responsible administrator must immediately notify the RIO of the Allegation in writing. The RIO may initiate a Research Misconduct Proceeding regardless of the conduct or outcome of the other University processes.

33. A regulatory agency or research sponsor may forward an Allegation of Research Misconduct at the University to the Vice Provost for Research or his or her designee, and the Vice Provost for Research or his or her designee will then determine whether to accept the responsibility of an Inquiry or an Investigation of the Allegation on behalf of the University. If the regulatory agency or research sponsor has conducted an Inquiry, the University’s Research Misconduct Proceeding may begin at the Investigation stage. The Vice Provost for Research or his or her designee will give notice of the Allegation to the President and the RIO at the appropriate College and, if the Allegation involves sponsored research, the President of the Research Foundation. The Associate University Provost for Research Administration and Compliance, in collaboration with the RIO, will notify the Respondent of the Allegation.

4. INDIVIDUAL OBLIGATIONS REGARDING INVESTIGATIONS CONDUCTED BY A REGULATORY AGENCY OR RESEARCH SPONSOR

If a University faculty or staff member, post-doctoral associate, or student becomes the subject of an Investigation of any kind conducted by a regulatory agency or research sponsor concerning an Allegation of Research Misconduct, such individual must report the existence of the Investigation immediately in writing to the Chief Academic Officer of his or her College. Upon receiving such notification, the Chief Academic Officer will give notice of the pending Investigation to the Vice Provost for Research or his or her designee and, if the pending Investigation involves sponsored research, the President of the Research Foundation. Failure to disclose a pending Investigation pursuant to this section may subject the University faculty or staff member, post-doctoral associate, or student to disciplinary or other appropriate action.

5. CONFIDENTIALITY

In order to protect the privacy and professional reputations of those involved, all Research Misconduct Proceedings will be conducted in a fashion designed to maintain confidentiality. Knowledge of the Research Misconduct Proceedings and the disclosure of the identity of the Respondents and the Complainants will be limited, to the extent possible, to those who need to know, consistent with a thorough, competent, objective, and fair Research Misconduct Proceeding, and as allowed by law. Except as may otherwise be prescribed by
applicable law, confidentiality of any Research Records or Evidence from which research subjects might be identified must be maintained. Disclosure of such Research Records or Evidence will be limited to those who have a need to know to carry out a Research Misconduct Proceeding. All individuals having knowledge of the identity of the Respondents and the Complainants and access to information in any reports or drafts thereof prepared in connection with a Research Misconduct Proceeding must keep such knowledge and information confidential.

6. INQUIRY

6.1. Upon receipt of an Allegation of Research Misconduct, the RIO will promptly determine whether or not an Inquiry is warranted. An Inquiry is warranted if the Allegation (a) falls within the definition of Research Misconduct in Section 12.17 below; (b) is made against a person to whom this Policy applies; and (c) is sufficiently credible and specific so that potential Evidence of Research Misconduct may be identified. The purpose of an Inquiry is preliminary information-gathering and preliminary fact-finding to determine whether the Allegation warrants a formal Investigation, as described in Section 7 below. An Inquiry is not a formal hearing requiring a full review of all Research Records and Evidence related to the Allegation.

6.2. Promptly following the RIO’s determination of whether or not an Inquiry is warranted, the RIO will consult the Vice Provost for Research or his or her designee regarding the determination and, if an Inquiry is warranted, regarding the appropriate scope of the Inquiry and the requirements and procedures for securing related Research Records and Evidence. Either before or at the time the RIO notifies the Respondent of the Allegation as provided in Section 6.3 below, the RIO will secure the related Research Records and Evidence in accordance with Section 8.1 below. If the RIO determines that an Inquiry is NOT warranted, he or she will give notice of such determination and a summary of the Allegation to the President in writing.

6.3. Once the RIO determines that an Inquiry is warranted, the RIO will notify the Respondent, the Complainant, and the President in writing of the Allegation that has been filed and that an Inquiry will be conducted. If the Inquiry subsequently identifies additional Respondents, the RIO will also notify them in writing.

6.4. Promptly following the RIO’s determination that an Inquiry is warranted, the securing of the related Research Records and Evidence, and the notifications required under Section 6.3 above, the RIO will conduct an Inquiry to determine whether an Investigation of the Allegation is warranted. An Investigation is warranted if there is (a) a reasonable basis for concluding that the Allegation falls within the definition of Research Misconduct under Section 12.17 below, and (b) preliminary information-gathering and preliminary fact-finding from the Inquiry indicates that the Allegation may have substance.

6.5. Promptly following the completion of the Inquiry, the RIO will prepare a preliminary Inquiry report that will include the following information: (a) the name and position of the Respondent; (b) a description of each Allegation of Research Misconduct; (c) whether the Allegation is associated with sponsored research, and the related contract or grant number, if any; (d) a summary of the steps taken during the
Inquiry; (e) a summary of the results of the Inquiry; (f) the basis for concluding that the Allegation falls within the definition of Research Misconduct; (g) a recommendation to the President as to whether or not an Investigation is warranted; and (h) attachments of any relevant materials used in the Inquiry.

66. The RIO will provide the Respondent an opportunity to review and comment on the preliminary Inquiry report. Upon receipt of the comments from the Respondent, the RIO will attach the Respondent's comments to the preliminary Inquiry report and submit this final Inquiry report to the President. Upon receipt of the final Inquiry report, the President, in consultation with the Vice Provost for Research or his or her designee and the RIO, will make the decision as to whether to refer the case for an Investigation.

67. All efforts should be made to complete the Inquiry as expeditiously as possible, and within 60 calendar days of its initiation, unless circumstances clearly warrant a longer period. If the Inquiry takes longer than 60 calendar days to complete, the Inquiry record must include documentation of the reasons for exceeding the 60-day period.

68. If the President decides that an Investigation is NOT warranted, he or she must consult with the Vice Provost for Research or his or her designee prior to closing the case. If the Vice Provost for Research is in agreement with the President, the matter will be closed and all records of the proceedings treated as confidential pursuant to Section 5 to respect the rights and protect the reputations of all parties involved. All reasonable and practical efforts, if requested and as appropriate, will be undertaken to protect or restore the reputation of the Respondent. The RIO will notify the Respondent and the Complainant of this decision in writing.

69. If the President decides that an Investigation is warranted, the RIO will so notify the Respondent and the Complainant in writing within a reasonable time after the President’s decision, but before the Investigation begins. The notice to the Respondent must include a copy of the final Inquiry report and include a copy of, or refer to, this Policy and the relevant regulations or policies of the applicable regulatory agency and/or research sponsor, if any.

70. If the President decides that an Investigation is warranted, he or she will send the final Inquiry report to the Vice Provost for Research or his or her designee for Investigation of the case within 14 calendar days of this decision. If the research involved in the Allegation is supported by a grant or contract from a research sponsor, the Vice Provost for Research or his or her designee will notify the President of the Research Foundation and the sponsor in accordance with sponsor requirements.

7. INVESTIGATION

7.1. Upon receipt of the final Inquiry Report, the Vice Provost for Research or his or her designee will appoint at least three members of University or College staff or tenured faculty at any College to an Investigation Committee to conduct the Investigation. A majority of the members of the Investigation Committee will be tenured faculty actively involved in research in the same field as the Respondent or
a related field, and a majority of the members of the Investigation Committee will be tenured faculty members at Colleges other than the Respondent’s College. In addition, no staff member of the Respondent’s College may serve on the Investigation Committee.

72. The Investigation will begin within 30 calendar days after the President’s referral of the case to the Vice Provost for Research. The Investigation Committee will give the Respondent written notice of any new Allegations of Research Misconduct not addressed during the Inquiry or in the initial notice of the Investigation within a reasonable amount of time after a determination to pursue any such new Allegations.

73. The University will take reasonable steps to ensure an impartial and unbiased Investigation to the maximum extent practicable, including participation of persons with appropriate expertise who do not have unresolved personal, professional, or financial conflicts of interest with, or biases against, those involved with the Inquiry or the Investigation.

74. The Investigation Committee will use diligent efforts to ensure that the Investigation is thorough and sufficiently documented and that it includes an examination of all Research Records and Evidence relevant to reaching a decision on the merits of the Allegations. If the Respondent refuses to make any such Research Records and Evidence available for the Investigation, the Investigation Committee may draw adverse inferences from such refusal.

75. The Investigation Committee will comply with the requirements of any applicable regulatory agency and/or research sponsor regarding the interviewing of individuals in connection with the Investigation, will use reasonable efforts to interview each Respondent, the Complainant, and any other available person whom the Investigation Committee has identified as having information regarding any relevant aspects of the Investigation, and will keep written records of each interview.

76. Upon completion of the Investigation, the Investigation Committee will prepare a draft Investigation report and will provide the Respondent a copy of the draft Investigation report and, concurrently, provide the Respondent and/or his or her union representative or legal counsel, if any, a copy of, or supervised access to, the Evidence on which the draft Investigation report is based. The comments of the Respondent on the draft Investigation report, if any, must be submitted within 30 calendar days of the date on which the Respondent received the draft report.

77. The Investigation Committee will promptly review any comments on the draft Investigation report by the Respondent and decide whether or not to make a finding of Research Misconduct. The Investigation Committee will document its decision in the final Investigation report. The final Investigation report will be in writing and will:

a) Describe the nature of the Allegations of Research Misconduct;

b) Identify the research sponsor support, if any, and include any grant or contract numbers, grant or contract applications, grants or contracts, and publications listing the support;
c) Describe the specific Allegations of Research Misconduct for consideration in the Investigation;

d) Include the University policies and procedures under which the Investigation was conducted;

e) Identify and summarize the Research Records and Evidence reviewed, and identify any Evidence taken into custody but not reviewed;

f) For each separate Allegation of Research Misconduct identified during the Investigation, provide a finding as to whether Research Misconduct did or did not occur, and if so:

   i) Identify whether the Research Misconduct was Falsification, Fabrication, or Plagiarism, and if it was intentional, knowing, or in reckless disregard;

   ii) Summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the Respondent;

   iii) Identify the specific research sponsor support, if any;

   iv) Identify whether any publications need correction or retraction;

   v) Identify the person(s) responsible for the Research Misconduct; and

   vi) List any current support or known applications or proposals for support that the Respondent has pending with any research sponsors; and

g) Include and consider any comments made by the Respondent on the draft Investigation report.

78. The Investigation Committee will submit the final Investigation report to the Vice Provost for Research, who will then discuss the report with the President. The President will notify the RIO, the Respondent, and the Complainant of the Investigation Committee’s finding as to whether Research Misconduct did or did not occur and, in the case of a finding of Research Misconduct, will decide whether any subsequent disciplinary actions by the University are warranted. If the President finds that subsequent disciplinary actions are warranted as a result of the Investigation, the University may conduct a disciplinary proceeding in connection with the finding in accordance with applicable collective bargaining agreements, the University Bylaws, and/or other applicable policies of the University.

79. If the research involved in the Allegations is or was supported by a grant or a contract, the Vice Provost for Research or his or her designee, in collaboration with the Research Foundation, will report and respond to any applicable regulatory agency and/or research sponsor as outlined in Section 9 below and send a copy of any such communication to the President of the Research Foundation.

7.10. All aspects of the Investigation, including conducting the Investigation, preparing the draft Investigation report and providing it for comment, deciding whether or not to
make a finding of Research Misconduct, preparing the final Investigation report, and notifying any applicable regulatory agency and/or research sponsor in accordance with its requirements, will be completed within 120 calendar days of the beginning of the Investigation.

7.11. If, upon the conclusion of an Investigation, it is determined that the Respondent has NOT committed any Research Misconduct, the matter will be closed, the Vice Provost for Research or his or her designee will notify in writing any applicable regulatory agency and/or research sponsor and, if the Allegation involves sponsored research, the President of the Research Foundation, and all records of the proceedings will be treated as confidential pursuant to Section 5 above to respect the rights and protect the reputations of all parties involved. All reasonable and practical efforts, if requested and as appropriate, will be undertaken to protect or restore the reputation of persons alleged to have engaged in Research Misconduct but against whom no finding of Research Misconduct is made.

8. SECURING OF RESEARCH RECORDS AND EVIDENCE

8.1. Pursuant to section 6.2 above, the RIO will comply with the requirements and procedures for securing Research Records and Evidence based on consultation with the Office of Research. Either before or at the time the RIO notifies the Respondent of the Allegation and at any other time during the course of an Inquiry when additional Research Records or Evidence are discovered, the RIO, with any necessary assistance from the Legal Affairs Designee at the College and in consultation with the Associate University Provost for Research Administration and Compliance, will take all reasonable and practical steps to (a) obtain custody of all the Research Records and Evidence needed to conduct the Research Misconduct Proceeding, (b) inventory the Research Records and Evidence, and (c) sequester the Research Records and Evidence in a secure manner; except that where the Research Records or Evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the Research Records or Evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. To the extent that compliance with the requirements and procedures for securing Research Records and Evidence involves monitoring or inspecting the activity and accounts of individual users of the University’s computer resources, the RIO, the Legal Affairs Designee at the College, and the Associate University Provost for Research Administration and Compliance will comply with the requirements of Section 13(c) of the University’s Policy on Acceptable Use of Computer Resources.

8.2. The RIO will maintain the Research Records and Evidence as required under Section 11 below.

8.3. If, in accordance with Section 6.4 above, it is determined that an Investigation is warranted, the Associate University Provost for Research Administration and Compliance, with assistance from the RIO and the Legal Affairs Designee at the College, will perform at the Investigation stage the responsibilities of the RIO regarding the securing and maintenance of Research Records and Evidence as set forth in Sections 8.1 and 8.2 above.
8. Where appropriate, the Respondent will be given copies of, or reasonable supervised access to, the Research Records or Evidence to allow the Respondent to continue to do his or her work during an Inquiry, Investigation, and/or any related disciplinary proceedings.

9. REPORTING AND RESPONDING TO REGULATORY AGENCIES AND RESEARCH SPONSORS

9.1. The Vice Provost for Research or his or her designee, in collaboration with the Research Foundation, will report and respond to all applicable regulatory agencies and research sponsors with regard to Allegations of Research Misconduct in accordance with applicable regulations and sponsor policies. Depending on the regulatory agency or the research sponsor, reporting requirements may begin immediately upon receipt of an Allegation and continue during and after the Research Misconduct Proceedings. If the Allegation involves sponsored research, the Vice Provost for Research or his or her designee will send to the President of the Research Foundation a copy of all such reports and responses to the research sponsor, as well as a copy of any follow-up communications with the research sponsor.

9.2. The Vice Provost for Research or his or her designee will immediately notify the applicable regulatory agency and/or research sponsor providing support for research that is the subject of an Allegation of Research Misconduct, as well as the President of the Research Foundation, if, at any time during any related Research Misconduct Proceeding, the University has reason to believe that any of the following conditions exist:

   a) Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
   b) Research sponsor resources or interests are threatened;
   c) Research activities should be suspended;
   d) There is reasonable indication of possible violations of civil or criminal law;
   e) Governmental or other action is required to protect the interests of those involved in the Research Misconduct Proceeding;
   f) The University believes the Research Misconduct Proceeding may be made public prematurely, so that the regulatory agency and/or research sponsor may take appropriate steps to safeguard Evidence and protect the rights of those involved; and
   g) The research community or the public should be informed.

10. GENERAL CONSIDERATIONS

10.1. When being interviewed by the RIO or appearing before the Investigation...
Committee, the Respondent may be accompanied by a union representative or legal counsel. However, neither the Inquiry nor the Investigation is a trial-type proceeding, and the union representative or legal counsel may not actively participate in the proceeding, such as by directing questions or answers or offering argument on behalf of the Respondent.

10.2. The Respondent may be suspended or removed from work under a research grant or contract by the President, in consultation with the Vice Provost for Research, any time following the commencement of an Inquiry regarding an Allegation of Research Misconduct about such research if, in the judgment of the President, such suspension or removal is warranted by the circumstances. Depending on developments in the Inquiry or Investigation, the President may, in consultation with the Vice Provost for Research, restore the Respondent to the work under the research grant or contract. The Vice Provost for Research or his or her designee will notify any applicable regulatory agency and/or research sponsor of any suspension, removal, or restoration decision under this section, and will send the President of the Research Foundation a copy of any such notice and any follow-up communications with the regulatory agency or research sponsor.

10.3. If the Respondent admits the accuracy of an Allegation of Research Misconduct in the course of an Inquiry or Investigation, the matter will be directly forwarded to the President for appropriate action, which may include disciplinary action under applicable collective bargaining agreements, the University Bylaws, or other applicable policies of the University.

10.4. Allegations that are brought in good faith may not be the basis of any Retaliation against the Complainant, even if the Allegations are not substantiated upon Inquiry or Investigation. All reasonable and practical efforts will be undertaken, as appropriate, to protect or restore the position and reputation of any Complainant and any witness or other individual involved in a Research Misconduct Proceeding, and to counter potential or actual Retaliation against such individuals.

10.5. The RIOs, members of the Investigation Committee, the President and all others responsible for carrying out any part of a Research Misconduct Proceeding, the Vice Provost for Research, and the Associate University Provost for Research Administration and Compliance:

a) will take precautions to ensure that they do not have real or apparent personal, professional, or financial conflicts of interest with, or biases against, any Respondent, any Complainant, or any witness in a Research Misconduct Proceeding;

b) will at all times conduct their activities related to the implementation of this Policy in a fashion that is consistent with their obligations under applicable federal, state, and local laws, rules, and regulations; and

c) may request the assistance of legal counsel from the University’s Office of the General Counsel during the course of their activities related to the implementation of this Policy.
11. RECORD KEEPING

The University has a continuing obligation under this Policy to ensure that it maintains adequate records of a Research Misconduct Proceeding. The RIO will maintain in a secure manner sufficiently detailed documentation of each Inquiry, including related Research Records and Evidence, and the Associate University Provost for Research Administration and Compliance will maintain in a secure manner sufficiently detailed documentation of each Investigation, including related Research Records and Evidence, for seven years after (a) the completion of the Research Misconduct Proceeding or (b) the completion of any regulatory agency or research sponsor proceeding involving the Allegations of Research Misconduct, whichever is later, in order to permit a later assessment by the regulatory agency or research sponsor or otherwise. To the extent that the RIO forwards such original detailed documentation of an Inquiry to the Office of Research in connection with an Investigation, the Associate University Provost for Research Administration and Compliance will be responsible for maintaining such documentation for the period provided in this section.

12. DEFINITIONS

12.1. *Allegation* means a disclosure of possible Research Misconduct through any means of communication. The disclosure may be by written or oral statement or other communication.

12.2. *College* means an educational unit of the University, including all senior colleges and community colleges, the Graduate School and University Center (including, without limitation, the School of Professional Studies, the Graduate School of Journalism, the Advanced Science Research Center and the CUNY School of Public Health), the City University School of Law, the City University School of Medicine, and the University’s Central Office.

12.3. *Complainant* means a person who makes an Allegation of Research Misconduct.

12.4. *Evidence* means any document, tangible item, or testimony offered or obtained during a Research Misconduct Proceeding that tends to prove or disprove the existence of an alleged fact.

12.5. *Fabrication* means making up data or results and recording or reporting them.

12.6. *Falsification* means manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

12.7. *Inquiry* means preliminary information-gathering and preliminary fact-finding to determine whether an Allegation has substance and if an Investigation is warranted. An Investigation must be undertaken if the Inquiry determines the Allegation has substance.

12.8. *Investigation* means the formal development, examination, and evaluation of a factual record to determine whether Research Misconduct has taken place, to
assess its extent and consequences, and to evaluate appropriate action.

12.9. **Investigation Committee** means the committee consisting of at least three members of University staff or tenured faculty at any College actively involved in research in the same field as the Respondent or a related field who are appointed by the Vice Provost for Research or his or her designee to investigate charges of Research Misconduct against faculty, staff, post-doctoral associates, and/or students.

12.10. **Legal Affairs Designee** means the individual at each College designated by the President to deal with legal issues at the College in conjunction with the University’s Office of the General Counsel.

12.11. **Plagiarism** means the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.

12.12. **Policy** means this Policy regarding the Disposition of Allegations of Research Misconduct.

12.13. **Preponderance of the Evidence** means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

12.14. **President**, except for the President of the Research Foundation, means the President or Dean of each College, as applicable. For purposes of this Policy, the Provost or his or her designee will be deemed to be the President of the University’s Central Office.

12.15. **Research Foundation** means the Research Foundation of The City University of New York.

12.16. **Research Integrity Officer** ("RIO") means the official at each College designated by the President of the College after consulting with the appropriate faculty governance body at the College to be responsible for receiving Allegations of Research Misconduct, determining whether such Allegations warrant Inquiries, conducting the Inquiries and preparing the Inquiry reports, recommending to the President whether or not Investigations are warranted, and assisting in the Investigations by the Investigation Committee. The RIO must be an administrator or tenured faculty member at the College and will be provided appropriate training to carry out his or her responsibilities under this Policy.

12.17. **Research Misconduct** means Fabrication, Falsification, or Plagiarism in proposing or performing research, reviewing research, or in reporting research results. Research Misconduct does not include honest error or differences of opinion. A finding of Research Misconduct made under this Policy requires that: (a) there be a significant departure from accepted practices of the relevant research community; (b) the misconduct be committed intentionally, knowingly, or recklessly; and (c) the Allegation be proven by a Preponderance of the Evidence.

12.18. **Research Misconduct Proceeding** means any action related to alleged Research Misconduct taken under this Policy, including but not limited to, determinations of whether or not an Inquiry is warranted, Inquiries, Investigations, and regulatory
agency or research sponsor oversight reviews, hearings, and administrative appeals.

12.19. *Research Record* means the record of data or results that embody the facts resulting from a research inquiry, including, but not limited to, research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and any documents and materials provided in the course of a Research Misconduct Proceeding.

12.20. *Respondent* means the person against whom an Allegation of Research Misconduct is directed or who is the subject of a Research Misconduct Proceeding.

12.21. *Retaliation* means an adverse action taken against a Complainant, witness, or other participant in a Research Misconduct Proceeding in response to (a) a good faith Allegation of Research Misconduct, or (b) good faith cooperation with a Research Misconduct Proceeding.

12.22. *University* means The City University of New York.

12.23. *Vice Provost for Research* means the University’s Vice Provost for Research. If there is a vacancy at any time in the position of Vice Provost for Research, the University’s Executive Vice Chancellor for Academic Affairs or his or her designee will assume the responsibilities assigned to the Vice Provost for Research under this Policy. Similarly, if there is a vacancy at any time in the position of Associate University Provost for Research Administration and Compliance, the Vice Provost for Research or his or her designee will assume the responsibilities assigned to the Associate University Provost for Research Administration and Compliance under this Policy.

UFS Chair and Trustee Conway expressed concern about when new programs are introduced and the way in which other campuses find out about programs.

*Chairperson Thompson asked for a vote. Cal. Nos. 5.A. through 5.G. were unanimously adopted.*

6. **COMMITTEE ON FACULTY, STAFF AND ADMINISTRATION:**

Trustee Lorraine Cortés-Vázquez reported that at the October 2, 2017 meeting of the Committee on Faculty, Staff and Administration (CFSA), the Committee approved the following resolutions, and she recommended their approval by the Board.

Moved by Trustee Cortés-Vázquez and seconded by Trustee Clarke, the following resolution was adopted:

A. **The City University of New York - Revised Pre-Tenure Review Policy:**
WHEREAS, In 2011 the University adopted a pre-tenure review policy, following the lead of a number of CUNY colleges that had similar policies; and

WHEREAS, Following the adoption of the 2011 policy, the Professional Staff Congress/CUNY filed an improper practice charge with the New York State Public Employment Relations Board, alleging that the pre-tenure review policy should have been a subject of collective bargaining; and

WHEREAS, The University denied that it had engaged in an improper practice charge, but entered into discussions with the Professional Staff Congress/CUNY regarding the terms of the policy; and

WHEREAS, The University and the PSC were able to reach a settlement agreement resolving the improper practice charge, pursuant to which the University agreed to make some modest changes to the original policy; now therefore be it

RESOLVED, That the Board of Trustees adopt the following revised policy for pre-tenure review of tenure-track faculty, effective immediately, which shall supersede the policy adopted on February 28, 2011:

There shall be a Dean’s review for each untenured tenure-track faculty member in his/her third year of service. Such review will be conducted as follows:

1. Toward the end of the spring semester, after the department chair’s annual evaluation memorandum but before the spring commencement, the dean of the appropriate school, division, or other academic unit in which the faculty member serves (or if there is no such dean, the appropriate academic administrator designated by the President) shall review the professional record of the faculty member.

2. The professional record shall consist of all materials used by the chair in creating the third-year annual evaluation memorandum, plus the third-year evaluation and the contents of the faculty member’s personnel file. No additional documentation shall be required. The record will not include any external reviews.

3. If the Dean believes the total academic performance of the faculty member is not sufficiently set forth in the third-year annual evaluation memorandum, the Dean shall prepare a draft memorandum to the department chair that specifies the strengths and weaknesses of the faculty member’s total academic performance in light of the criteria for tenure consistent with established University policies. The Dean shall share the draft with the department chair and discuss it, after which a copy of the draft memorandum shall be sent to the faculty member.
4. Thereafter, there shall be a meeting with the faculty member to discuss the draft memorandum. The college shall decide whether the meeting is with the Dean or the department chair. If the faculty member requests it, the Dean (if the meeting is with the chair) or the chair (if the meeting is with the Dean) shall also be included at the meeting.

5. Within ten (10) days after the meeting set forth in paragraph 4, the Dean shall issue a final memorandum to the department chair with a copy to the faculty member. The department chair shall have the faculty member initial the Dean’s memorandum solely to show receipt of the Dean’s memorandum and place it in the faculty member’s personal personnel file. The faculty member shall retain all rights under Articles 19 and 20 of the PSC/CUNY collective bargaining agreement.

6. A College President may choose to conduct the Dean’s review for all affected faculty in the fall or spring of the faculty member’s fourth year of service instead of the third year of service with notice to the faculty in which case all references to the third year in this procedure will refer to the year in which the evaluation is conducted.

EXPLANATION: In 2011, the University adopted a pre-tenure review policy, following the lead of a number of CUNY colleges that had similar policies. Faculty members are considered for tenure at the beginning of their seventh continuous year of service, and it is critical that they receive feedback well in advance of the tenure decision as to the strengths and weaknesses of their performance in light of the University’s tenure standards. The pre-tenure review, conducted at the end of the faculty member’s third year, is a mechanism for providing faculty members with such feedback, in addition to the performance reviews contained in the faculty member’s annual evaluations. Under the pre-tenure review process, a Dean reviews the faculty member’s record and writes a memorandum to the faculty member about his/her total academic performance; the memorandum is then discussed with the faculty member and placed in the faculty member’s personnel file.

Following the adoption of the 2011 policy, the Professional Staff Congress/CUNY and the University entered into discussions about the policy and reached an agreement that involved some modest changes to the original policy. These changes are consistent with the purpose of the original policy and prior college policies. The revised policy also improves upon the original policy by providing flexibility for a college to conduct the pre-tenure review in a faculty member’s fourth year of service rather than the third year, and by having the Dean’s memorandum start as a draft and become finalized only after the meeting with the faculty member.

NOTE: Matter underlined is new; matter strikethrough is deleted.

THE CITY UNIVERSITY OF NEW YORK
Pre-Tenure Review Policy

There shall be a dean’s review for each untenured tenure-track faculty member in his/her third year of service. Such review will be conducted as follows:

1. Toward the end of the spring semester, after the department chair’s annual evaluation memorandum but before the spring commencement, the dean of the appropriate school, division, or other academic unit in which the faculty member serves (or if there is no such dean, the appropriate academic administrator designated by the President) shall review the professional record of the faculty member.

2. The professional record shall consist of all materials used by the chair in creating the third-year annual evaluation memorandum, plus the third-year evaluation and the contents of the faculty member’s personnel file. No additional documentation shall be required. The record will not include any external reviews.

In order to ensure that each tenure-track faculty member has adequate guidance on the progress he/she is making towards meeting the standards for tenure, the school, divisional or other appropriate dean or academic administrator designated by the President (hereinafter the “Dean”) shall review each such faculty member at the end of his or her third year of service.

3. If the dean believes the total academic performance of the faculty member is not sufficiently set forth in the third-year annual evaluation memorandum, the dean shall prepare a draft memorandum to the department chair that specifies the strengths and weaknesses of the faculty member’s total academic performance in light of the criteria for tenure consistent with established University policies. The dean shall share the draft with the department chair and discuss it, after which a copy of the draft memorandum shall be sent to the faculty member.

The Dean shall review the personal personnel file of each untenured tenure-track faculty member in the spring of his/her third year of service, following the annual evaluation conducted pursuant to the PSC/CUNY collective bargaining agreement. Thereafter, the Dean shall meet with the chairperson of the faculty member’s department to discuss the faculty member’s progress. After that meeting, the Dean shall prepare a memorandum to the department chairperson regarding the faculty member’s progress toward tenure and setting forth recommendations for any additional guidance to be provided to the faculty member.

4. Thereafter, there shall be a meeting with the faculty member to discuss the draft memorandum. The college shall decide whether the meeting is with the dean or the department chair. If the faculty member requests it, the dean (if the meeting is with the chair) or the chair (if the meeting is with the dean) shall also be included at the meeting.

The Dean's memorandum shall be provided to the faculty member and discussed with him/her by the department chairperson and/or the Dean. Following the meeting, the Dean may, where appropriate, attach an addendum to the memorandum based on the Dean’s participation in the meeting or the department chairperson’s report of the meeting to the Dean. In accordance with the procedures set forth in the collective bargaining agreement between the University and the Professional Staff Congress, the faculty member shall be asked to initial the Dean’s memorandum and addendum, if any, before it is placed in his/her file, and the faculty member shall have the right to include in his/her personnel file any comments he or she has concerning the Dean’s memorandum.
5. Within ten (10) days after the meeting set forth in paragraph 4, the dean shall issue a final memorandum to the department chair with a copy to the faculty member. The department chair shall have the faculty member initial the dean’s memorandum solely to show receipt of the dean’s memorandum and place it in the faculty member’s personal personnel file. The faculty member shall retain all rights under Articles 19 and 20 of the PSC/CUNY collective bargaining agreement.

6. The appropriate body at each college may adopt implementation procedures that are consistent with this policy. Such procedures may provide, for example, whether the discussion of the Dean’s memorandum with the faculty member will be conducted by the department chairperson, the Dean or both and whether the faculty member may have a choice in the matter. In addition, notwithstanding the provision as to the timing of the review set forth above, a college governance body may choose to provide for this review more than once prior to the year of tenure decision, in which case the review shall occur at appropriate intervals and not necessarily at the end of the third year. A college president may choose to conduct the dean’s review for all affected faculty in the fall or spring of the faculty member’s fourth year of service instead of the third year of service with notice to the faculty in which case all references to the third year in this procedure will refer to the year in which the evaluation is conducted.

Moved by Trustee Cortés-Vázquez and seconded by Trustee Ferrer, the following resolution was adopted:

B. The CUNY School of Law - Amendments to the Governance Plan:

WHEREAS, The CUNY School of Law formerly was affiliated with Queens College; and

WHEREAS, The CUNY School of Law is no longer affiliated with Queens College; now therefore be it

RESOLVED, That the proposed amendments to the Governance Plan of The CUNY School of Law be adopted, effective October 24, 2017.

EXPLANATION: The proposed amendments to the Governance Plan of the CUNY School of Law consist of technical revisions to remove references to Queens College. At one time the Law School was affiliated with Queens College, but it is no longer part of the College. The current Governance Plan incorrectly refers to the Law School as “the CUNY School of Law at Queens College.” The revised plan would instead refer to “the CUNY School of Law.”

These technical amendments are requested by the Dean of the Law School.

NOTE: A red-lined version of the changes may be obtained from the Office of the Secretary of the Board of Trustees upon request.

GOVERNANCE PLAN
THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW

I. INTRODUCTION

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October 23, 2017
Minutes of the Meeting of the Board of Trustees
A. PURPOSES

1. The central purpose of The City University School of Law (the “Law School”) is to create an educational program that will train students for the practice of law in the service of human needs and honor students’ aspirations toward building a legal career that reflects their commitment toward justice, fairness, and equality. The organization of work and life at the Law School is designed to encourage students to think actively about their life choices, their evolving concept of professionalism, and the content and processes of the law itself, in ways that foster their capacity to practice law in a socially useful manner.

2. This Governance Plan is intended to provide a governance system for the Law School that facilitates the realization of this commitment. This Governance Plan should be read consistent with the Bylaws of the Board of Trustees of The City University of New York, and nothing in this Plan should be read as inconsistent with the Bylaws of the Board of Trustees unless specifically so stated in this Governance Plan. The procedures that follow seek to encourage a spirit of relationship, trust, and community that operates within a framework of rules. The rules are designed to provide a framework within which people motivated by a sense of shared mission can operate in a manner that encourages responsibility and participation by all members of the Law School community.

3. In order to serve these ends, a governance system needs to respect both democratic modes of participation and an institutional authority that enables the Law School to maintain a coherent and coordinated expression of its purpose.

B. STATUS WITHIN THE CITY UNIVERSITY

1. The City University School of Law is a unit of The City University of New York (“The City University”). The Law School is a constituent element, similar to a college of The City University and shall have ties to all institutions within The City University.

C. TITLES AND DEFINITIONS

1. The Board or Board of Trustees means the Board of Trustees of The City University of New York.

2. The authorization and definition of titles for faculty, permanent Instructional staff, other instructional staff, and classified (non-instructional) staff at the Law School shall include only those titles authorized and defined in the Bylaws of the Board of Trustees.

3. Notices of reappointment at the Law School shall be handled in accordance with the Bylaws of the Board.

4. The term “administrative staff” or “administrators” shall mean full-time members of the instructional staff within the meaning of Section 6.1 of the Board of Trustees’ Bylaws who are not members of the faculty.

5. The term “support staff” refers to persons, other than students enrolled at the Law School, who are working full-time at the School, or who have worked part-time, at least 10 hours per week, at the School for at least six months, and are not members of the instructional staff.

II. THE DEAN
A. AUTHORITY OF THE DEAN

1. The Dean of The City University School of Law shall be the chief educational and administrative officer of the Law School. The Dean of the Law School shall be a member of the CUNY Council of Presidents and shall have, subject to the provisions and exceptions contained in this Governance Plan, the duties and responsibilities of a college president as stated in Section 11.4 of the Board of Trustees Bylaws and other policies and resolutions of the Board. The Dean of the Law School shall have, subject to the provisions and exceptions contained in this Governance Plan, all of the rights and responsibilities of a president relative to all collective bargaining agreements, rules and regulations of CUNY Classified Service and all other policies and procedures issued by the City University of New York.

2. The Dean may be removed by the Board upon the recommendation of the Chancellor after consultation with the faculty of the Law School. The Dean of the Law School shall be a tenured member of the Law faculty.

3. The Dean of the Law School shall exercise all the responsibilities customarily exercised by law school deans. He/she shall consult with and report to the Chancellor. He/she shall have the affirmative responsibility for developing the academic program, enhancing the educational standards and assuring the academic excellence of the Law School. Such responsibility shall include but not be limited to the following duties:

   a. to recommend, as stated in this Governance Plan, the appointment, promotion, and tenure of persons who will contribute to the improvement of the Law School program. These recommendations shall be consistent with the immediate and long-range objectives of the Law School;

   b. to advise the Chancellor and the Board of Trustees on matters concerning the program of the Law School;

   c. to provide advice concerning other law-related programs within The City University and to make recommendations on the development and operation of such programs;

   d. to supervise and manage the work of the Law School faculty and employees, and to carry into effect the Bylaws, resolutions and policies of the Board of Trustees;

   e. to prepare and implement a long-range plan for the Law School;

   f. to act as chairperson of the faculty of the Law School and the Law School Committee on Personnel and Budget;

   g. to review and recommend to the Chancellor and other appropriate officials the actions of the Law School faculty on matters of curriculum and other matters falling under faculty jurisdiction;

   h. to consult with appropriate faculty committees on matters of appointments, reappointments, and promotions, taking systemic student evaluations into account;

   i. to develop Law School activities that enhance the Law School's involvement and reputation in the legal community;

   j. to develop integrated courses of study with law-related disciplines; k. to prepare and present an annual Law School budget to the Chancellor; l. to appoint such ad hoc and/or special committees
B. APPOINTMENT AND REAPPOINTMENT OF THE DEAN

1. When a vacancy occurs or is expected in the office of the Dean of the Law School, a Search Committee shall be established under the Board guidelines for Presidential searches.

2. A committee which will be constituted in the same fashion as a Presidential Review Committee will be appointed at the beginning of every fifth year of a Dean’s term to serve as a Review Committee to review the Dean’s performance. This committee will make a report to the Chancellor.

III. THE FACULTY

A. ORGANIZATION AND DUTIES

1. The faculty of the Law School will meet monthly, during the academic year, on the dates set forth in a calendar distributed at the start of each semester by the Dean. The faculty shall also meet on call of the Dean or upon the petition of 1/3 of the faculty, and the Dean will preside at its meetings. Within general policies established by the Board of Trustees, through its Bylaws, resolutions, policies, rules, regulations, and this Governance Plan, the Dean and Faculty of the Law School shall have the responsibility for formulating and administering the program of the School including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction; admission policies; and academic standards of retention, advancement and graduation of students.

2. The presence of a majority of the voting faculty shall constitute a quorum. A quorum shall be necessary for the transaction of any business. Business shall be conducted in accordance with Robert’s Rules of Order, latest edition. Minutes shall be kept of all meetings. The faculty may adopt such additional procedures for the discharge of its responsibilities under this Governance Plan, as it may deem necessary, subject to the approval of the Dean.

3. The agenda for the regular monthly faculty meeting shall be proposed by the Dean and distributed to the faculty within a reasonable time prior to the meeting. Any member of the faculty may add items to New Business. The proposed agenda shall be adopted by the faculty, by a vote of a majority of those present if a quorum is present, at the beginning of each faculty meeting and may be amended by the faculty by the same vote prior to its adoption. Once adopted the agenda may be amended in any manner by a 2/3 vote.

4. A faculty member who misses three regular faculty meetings during an academic year shall not be entitled to vote nor be counted towards a quorum at all faculty meetings for the remainder of the academic year in which the third absence occurs. Faculty members facing the loss of voting rights may appeal to the remaining voting faculty for a waiver of this rule by providing good and sufficient reasons. The waiver shall be granted if 2/3 of faculty present at a faculty meeting vote to approve the waiver.

5. The student government is authorized to elect three students, one from each class, who must be in good standing, to serve as ex-officio members of the faculty for the purpose of faculty meetings. The student government is also authorized to elect students in good standing to be the student members of faculty committees, except where otherwise specified by this Governance Plan or the Bylaws or resolutions of the Board of Trustees. All elected students must remain in good standing to retain their seats on committees or in student government; all serve for a one-
year term and may be reelected. No student may serve in more than two elected positions under this Governance Plan, including student government, at a time. When a vacancy occurs, the student government may fill the vacant seat for the remainder of the term.

B. FACULTY COMMITTEES

The Faculty committees shall be those specified below and shall also include any additional committees created from time to time by action of the Faculty or the Dean.

1. The Personnel and Budget Committee

a. The Law School shall establish a Personnel and Budget Committee which shall be composed of five persons. Members of the Personnel and Budget Committee shall be Law School faculty members elected in accordance with the Bylaws and written policies of the Board of Trustees and one second or third year student elected by the students as a non-voting member. The manner of constituting the committee, and the procedure to be followed by it, shall be subject to the approval of the Dean of the Law School. This committee shall review all recommendations for appointment and reappointment, with or without tenure, to the faculty, and promotion in rank, special salary increases and increments, and applications for fellowship and other leaves. Additionally, the Committee on Committees may appoint other committees, when needed, to review faculty candidates and to develop reports, make factual findings, and make recommendations to the P & B on reappointment, tenure, and/or promotion. Upon receiving these reports and the factual record underlying them, the P & B shall make an independent assessment and recommendation to the Dean. These other committees shall review candidates’ qualifications under the policies and standards of the City University of New York as set forth in the Bylaws, personnel policies, and resolutions of the Board of Trustees of the City University of New York. It shall recommend action thereon to the Dean. The Dean of the Law School will be one of the five members of the Law School Personnel and Budget Committee and shall serve as Chair.

2. Faculty Search Committees and Faculty Appointments

The Dean, in consultation with the Personnel and Budget Committee, shall establish such Faculty Search Committees as are appropriate. All Faculty Search Committees shall adopt and follow appropriate procedures in order to assure compliance with The City University Affirmative Action policies and procedures. The Dean shall appoint a student member to each Search Committee.

b. A Faculty Search Committee shall report its recommendations to the faculty for discussion and then to the Dean. The Dean shall review the recommendations and make his or her own recommendation regarding each faculty appointment to the Personnel and Budget Committee.

c. The Personnel and Budget Committee shall review the recommendations of the Dean, consult with the full-time tenured and tenure-track faculty, and shall make its own recommendation regarding each faculty appointment to the Dean.

d. The Dean shall review the recommendations of the Personnel and Budget Committee and shall recommend to the Chancellor for appointment, only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence of the Law School.

e. The Chancellor will review the Dean’s recommendations in accordance with Section C of this Article.

3. Faculty Reappointment, Promotion, and Tenure Review Procedures

a. The Personnel and Budget Committee and all other committees charged with the review of
faculty shall review all candidates’ qualifications under the policies and standards of The City University as set forth in the Bylaws, personnel policies, and resolutions of the Board of Trustees of The City University of New York.

b. The Dean shall review the affirmative recommendation(s) of the Personnel and Budget Committee and shall recommend to the Chancellor for reappointment, promotion, and tenure only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence at the Law School.

c. The Chancellor shall review the Dean’s affirmative recommendations in accordance with Section C of this Article.

4. The Admissions & Admissions Policy Committee

The Admissions & Admissions Policy Committee shall include the Assistant Dean for Enrollment Management and Director of Admissions, not fewer than three faculty, and two students who are members of the second or third year classes. Faculty appointments shall be for a term of two years.

a. The Admissions & Admissions Policy Committee shall review individual candidates for admission and recommend admissions policy, subject to the approval of the faculty, the Dean and the Chancellor.

b. No applicant may be admitted by the Law School except on the affirmative vote of the Admissions & Admissions Policy Committee. The Committee shall follow procedures that have been approved by the faculty and the Dean.

5. Scholastic Standards and Academic Standing Committee

a. The membership of the Scholastic Standards and Academic Standing Committee shall include an Associate Dean, who shall chair the Committee, not fewer than four faculty members and two third-year students.

b. The Committee shall review policies and procedures concerning scholastic standards and assist in the development of academic support systems for students.

c. The Committee shall apply the academic standards of the Law School to individual students from the time of admission until the granting of the Juris Doctor. The Committee will receive and act upon student appeals relating to academic matters.

6. The Curriculum Committee

a. The Curriculum Committee shall be composed of not fewer than four faculty and three student members. The term of all faculty members shall be two years.

b. The Curriculum Committee shall have authority to consider all proposals to review, modify, or develop the course of study for each of the years of the program, and all proposals relating to the educational program; including, but not limited to, evaluation of student work and scheduling.

7. Committee on Committees

a. A Committee on Committees shall be constituted each year, consisting of the Dean, two faculty members elected by the faculty, one student elected by the student government and one staff member elected by the administrative and support staff.
b. The Committee shall recommend, except with respect to committees that consider personnel matters or where specified in this Governance Plan or the Bylaws of the Board of Trustees, how many, if any, members of the faculty, administrative staff, and support staff shall be nominated to each committee. The Committee shall also propose nominations for membership and chair for each committee that shall be submitted to the faculty for election, substitution or addition. Except where the Board of Trustee Bylaws or resolutions are to the contrary, the normal term of office for faculty members on committees shall be two years and for students, one year. Committee members may be reelected unless the charge of the committee or rules of the Board of Trustees limits a member’s term.

C. APPOINTMENTS AND REAPPOINTMENTS TO, AND PROMOTIONS WITHIN, THE INSTRUCTIONAL STAFF PROCEDURE

1. All appointments and reappointments, including reappointments with tenure, to, and promotions within the instructional staff, except where otherwise provided, shall be recommended to the Dean who shall review the recommendations and recommend to the Chancellor only those persons who he/she is reasonably certain will contribute to the academic excellence of the Law School.

2. The Chancellor shall review the Dean’s affirmative recommendations and shall recommend to the Board of Trustees for appointment, reappointment, promotion and/or tenure only those persons who he/she is reasonably certain will contribute to the improvement of the academic excellence at the Law School.

D. APPEALS

1. A Faculty member may appeal a negative decision of the Personnel and Budget Committee regarding his or her candidacy to the Dean, who shall consider, decide and notify the candidate regarding the appeal.

IV. APPOINTMENT AND REAPPOINTMENT OF EXECUTIVES AND ADMINISTRATORS

A. INITIAL PROCESS FOR APPOINTMENT AND REAPPOINTMENT OF ADMINISTRATORS OTHER THAN THOSE IN EXECUTIVE PAY PLAN TITLES

1. Proposed appointments, other than acting or substitute appointments, to positions on the administrative staff shall be reviewed initially, after a search, by the Dean.

There shall be an Administrative Screening and Review Committee. The Dean shall make his/her recommendations to the Administrative Screening and Review Committee. The members of the Administrative Screening and Review Committee shall be appointed by the Dean and shall consist of no fewer than five members, one of whom must be a classified staff member, and at least one of whom must hold a professorial appointment, and a majority of whom must be administrators. Service on this committee will be for two years. An Associate Dean shall chair the Administrative Screening and Review Committee.

2. The Committee will review proposed appointments and reappointments, and proposed title and salary recommendations, for administrative positions to assure that the applicable University standards have been met and that rates of pay for members of the Law School administrative staff take into account comparable rates at metropolitan area law schools and other institutions in The City University and, to the extent practicable, are commensurate for those with comparable tasks and comparable experiences within The City University. The Committee shall make its
recommendation to the Dean. The Dean shall review those recommendations in making his/her own recommendation to the Chancellor for appointment or reappointment.

**B. EVALUATION OF ADMINISTRATORS OTHER THAN THOSE IN EXECUTIVE PAY PLAN TITLES**

Evaluation of the work of persons on the administrative staff is ultimately the responsibility of the Dean. The Dean, in consultation with the Administrative Screening and Review Committee as outlined in Section A above, may recommend for appointment or reappointment persons holding such titles in accordance with established University procedures.

**C. APPOINTMENT OF PERSONS HOLDING PROFESSORIAL TITLES TO ADMINISTRATIVE DUTIES OTHER THAN THOSE IN EXECUTIVE PAY PLAN TITLES**

1. The Administrative Screening and Review Committee of the Law School may recommend to the Dean that an administrative position be filled by an individual whose title is law school instructor, law school assistant professor, law school associate professor, law school professor, or law school lecturer. Such recommendation may, but need not, include a recommendation that the person receive a change in remuneration for work in that title.

2. If the Dean concurs with their recommendation he/she may make such a recommendation to the Chancellor in accordance with the procedures for appointments to the instructional staff.

**D. APPEALS**

1. An administrator may appeal a negative decision of the Administrative Screening and Review Committee regarding his or her candidacy to the Dean, who shall consider, decide, and notify the candidate regarding the appeal.

**V. BOARD OF VISITORS**

A. There shall be a Board of Visitors for The City University School of Law appointed by the Chancellor. The Board of Visitors shall be made up of distinguished jurists, lawyers, scholars, and other interested persons. Its role will be to advise the Law School about its academic program, its role in the community, placement of graduates and the like. It shall assist the Dean, the Chancellor and the Board of Trustees in all aspects of the Law School’s development efforts. It shall serve as a liaison between the Law School, the legal profession, and the public and private groups, which are served by the legal profession and participate in the legal process.

B. Members of the Board of Visitors will be appointed for three-year terms upon the recommendation of the Dean of the Law School, with the concurrence of the Chancellor.

C. The membership of the Board of Visitors should reflect the Law School’s role in the Borough of Queens, in the City, the State, and the Nation. The Board of Visitors shall be governed by Bylaws promulgated by the Board of Visitors.

**VI. AMENDMENTS**

**A. AMENDMENT PROCEDURE**

1. Amendments to this Governance Plan may be recommended by the Faculty, the Dean, or the Chancellor. Any recommendations which originate in the Law School Faculty must be first submitted to the Dean for consideration. The Dean shall review the Faculty recommendation(s).
Any recommendation in whole or in part approved by the Dean or any modification thereof that the Dean determines to be in the best interests of the Law School shall be recommended to the Chancellor for further consideration.

2. The Chancellor shall review the Dean’s recommendations. Any recommendation in whole or in part approved by the Chancellor or any modification thereof that the Chancellor determines to be in the best interests of the Law School shall be recommended to the Board for approval.

3. No change in this Governance Plan shall be implemented until it has been adopted by the Board.

Moved by Trustee Cortés-Vázquez and seconded by Trustee Arvanites, the following resolution was adopted:

C. Guttman Community College - Adoption of New Governance Plan:

WHEREAS, Guttman Community College, formerly known as “The New Community College,” has been operating under an Interim Governance Plan since June 25, 2012; and

WHEREAS, Guttman Community College has grown and developed and requires a new governance plan to reflect this growth and development; now therefore be it

RESOLVED, That the Board of Trustees repeal the Interim Governance Plan approved by the Board on June 25, 2012; and be it further

RESOLVED, That the Board of Trustees adopt a new governance plan for Guttman Community College as set forth in Attachment I, effective February 1, 2018.

EXPLANATION: Guttman Community College, formerly known as The New Community College, enrolled its first students in August 2012 and has been operating under an Interim Governance Plan approved by the Board of Trustees on June 25, 2012 (Attachment II). As noted in the Explanation to the June 2012 Resolution, “as with other educational units established by the Board, it [wa]s appropriate for the New Community College to have an initial governance plan to guide its operations during its early years, with the understanding that as it grows and develops, the College will likely amend the governance plan to meet new circumstances.”

A task force of faculty, staff and administrators have worked for over a year to develop a new governance plan that was approved at the College Council on May 30, 2017 and amended on September 12, 2017. The new governance plan is recommended by the College President. The new plan calls for an elected body of representatives in a Council (rather than having all full-time faculty serve on the Council) and a separate Academic Senate, also elected, of faculty and student engagement staff. In accordance with the organizational structure of Guttman Community College, three faculty personnel
committees would be established to represent the interdisciplinary practice areas of Social Science, STEM, and the Humanities (E. Personnel Committees, Articles I and II).

The College has carefully developed and approved an implementation plan and timeline that would enable it to roll out the new governance plan following Board approval; the Governance Plan would be effective as of February 1, 2018. Until that date, the College will continue to utilize the existing Interim Governance Plan, College Council, and standing committees.

GOVERNANCE PLAN
STELLA AND CHARLES GUTTMAN COMMUNITY COLLEGE

A. PREAMBLE

The Stella and Charles Guttman Community College, founded in 2011, is committed to implementing innovative practices in community college education to best prepare its students with guided pathways to senior college and the world beyond. The curriculum is built on a first year experience (FYE), interdisciplinary programs of study, and methods of student engagement designed to ensure student success.

Shared governance is a Guttman community commitment that encourages interdisciplinary and interdepartmental collaboration while honoring the strengths, interests, and responsibilities of our faculty, staff, administration, and students.

B. STAKEHOLDERS

The Faculty of Guttman Community College (College) shall consist of all full- and part-time persons holding professorial, instructor, lecturer, or adjunct titles. In consultation with the Provost, each faculty member shall join an interdisciplinary area of inquiry ("practice area")—STEM, Social Science or Humanities—based on their disciplinary and pedagogical interests and experience.

The positions reserved for the Office of Student Engagement (OSE) shall be limited to full-time Higher Education Officer (HEO) series members.

In all other situations, traditional CUNY title designations shall apply.

C. COLLEGE COUNCIL

Article I
Powers and Functions of the Council

The Council shall be the governing body of the College and, subject to the authority of the Bylaws of the CUNY Board of Trustees, shall be responsible for the establishment of College academic policy and goals pertaining to its operations and CUNY-mandated activities.

Article II
Composition

Section 1. Membership
The Council shall have the following members:

a. Faculty:
   1. 24 full-time faculty representatives, eight from each practice area, elected from and by full-time faculty in that practice area
   2. The Academic Senate Chair
   3. One part-time faculty member elected from and by part-time faculty
b. Office of Student Engagement (OSE). Five representatives of OSE elected from and by OSE members.
c. Staff. Five full-time representatives of the non-OSE staff elected from and by non-OSE full-time staff members.
d. Students. The President of the Student Government Association and four students elected from and by the student body.
e. The chair from each Council standing committee. Committee chairs not elected to Council sit as non-voting members.
f. Administration:
   1. The President, who shall appoint two additional administrative members to the Council. The President shall serve in a non-voting role, except to break a tie.
   2. Any Vice Presidents, each of whom shall appoint two additional administrative members to the Council.

In the event of structural or titular change, the equivalent functional titleholder shall serve in that capacity.

Section 2. Alternates

Alternates are individuals elected to fill a temporary absence or vacancy. Alternates are expected to attend all meetings of the Council, although they shall only be counted towards quorum and vote when seated. Two alternates for each practice area shall be elected from and by the full-time faculty in that area; two alternates for OSE shall be elected from and by members of OSE; two alternates for staff shall be elected from and by the staff; two alternates for the students shall be elected from and by the students; an alternate administrator may be appointed if necessary.

Section 3. Term of Office

The term of office of the newly elected Council members and alternates shall begin the first day of the Academic Year. Each Student Council member and student alternate shall have a one-year term; all other Council members and alternates shall have staggered three-year terms.

Section 4. Recall of a Council Member

All voting Council members are subject to recall. A Council member shall be subject to recall for neglect of duties, as outlined in the Council bylaws.

Article III
Organization of the Council

Section 1. Officers and Responsibilities

The President shall serve as the Council Chair and preside at all meetings.
At the Council’s first meeting, a Vice-Chair and Secretary shall be elected from and by Council members for a three-year term.

The Vice-Chair shall serve as acting Chair in the Chair’s absence.

The Secretary shall take minutes and attendance during Council and Executive Committee meetings, maintain records of the proceedings, and attend to all correspondence.

Section 2. Parliamentarian

The Executive Council shall appoint a Parliamentarian, who need not be a member of the Council. If the Parliamentarian is not a member, the Parliamentarian shall have all rights and privileges of Council membership, except the right to vote. Parliamentarian shall serve for a three year term.

Section 3. College Council Committees

There shall be seven standing committees of the Council: the Executive Committee, the Legislative Committee, the Curriculum Committee, the Academic Assessment and Learning Committee, the Strategic Planning and Budget Committee, the Academic Technology Committee, and the Student Services Committee.

With the exception of the Executive Committee and the Strategic Planning and Budget Committee, all committees shall elect their own Chair by majority vote.

Article IV
Meetings

Section 1. Time of Meetings

The Council shall meet at least twice each semester.

Section 2. Conduct of Meetings

All Council meetings shall be conducted in conformance with Robert’s Rules of Order, latest edition, except as otherwise required by law or CUNY Bylaws.

Council meetings are open to all members of the College community.

A majority of the voting members of the Council must be present to constitute a quorum and for passage of a measure within the Council’s authority.

Section 3. Special Meetings

The petition of at least ten Council members shall be sufficient to mandate a special meeting, which shall be scheduled by the Council Chair within seven business days after receiving the petition.

Section 4. Recordkeeping
Minutes of all Council meetings shall be made available to members of the College community. The Secretary shall record the final vote of each member of the Council when votes are taken, a record of which shall be made available upon request.

Article V
Repeal of Council Decisions

Upon petition of twenty percent of the total full-time faculty, full-time staff or student body, a petition of reversal of a Council decision may be presented to the President. A petition must be filed within four weeks after publication in Council minutes. A decision shall be reversed by a two-thirds vote of the full-time faculty, full-time staff and student body in which at least twenty percent of each constituency must participate. The vote will be coordinated by the Legislative Committee.

Article VI
Powers and Duties of Standing Committees

Section 1. Executive Committee:

a. Membership. The Executive Committee shall consist of:
   1. The President, who shall serve as Committee Chair
   2. The Council Vice-Chair
   3. The Council Secretary
   4. The Academic Senate Chair
   5. Three additional persons elected from and by Council members.

b. Charge. The Council Executive Committee shall:
   1. Prepare and distribute annual schedule of Council meetings.
   2. Prepare and distribute the agenda to the entire College community at least one week before each meeting. On receipt of a written request endorsed by at least five Council members, the Executive Committee shall place on the agenda the item of concern.
   3. Invite key persons to participate in Council meetings.
   4. Review and coordinate the activities of all standing and ad hoc Council committees, which oversight shall include:
      i. The timely referral of issues to the appropriate committee
      ii. The timely receipt of committee reports and recommendations
      iii. The collection of committee meeting schedules and minutes
   5. Call Council into special session, with proper notice
   6. Conduct such business as may be necessary in an emergency when the Council is not in session or lacks a quorum, which action shall be subject to review and vote at the next scheduled Council meeting.
   7. Exercise any further powers and duties that may be conferred on it by the Council.

Section 2. Legislative Committee:

a. Membership. The Legislative Committee shall be composed of Council members and shall consist of:
   1. The Council Vice-Chair
   2. The Council Secretary
   3. Four faculty representatives elected from and by the Council
   4. One full-time non-teaching representative elected from and by the Council
5. One student representative elected from and by the Council

b. **Charge.** The Legislative Committee shall:
   1. Facilitate nomination and election procedures for the Council.
   2. Nominate, appoint, or facilitate the election of members to ad hoc or special committees, as created by the Council.
   3. Inform Council of vacancies in Council and its Standing Committees and fill those vacancies through appointment or special election.
   4. Receive and hear grievances relating to elections and make appropriate recommendations to the Executive Committee.
   5. Assess the governance plan on a biennial basis and make recommendations to the Council.
   6. Review and propose amendments to the bylaws of the Council and standing committees in consultation with the committees.
   7. Review and evaluate how changes to the CUNY Bylaws or PSC-CUNY Collective Bargaining Agreement may impact the bylaws of the College Council or its standing committees and recommend changes as needed.
   8. Act as custodian of all minutes, agenda and election results from College Council and all standing committees.

**Section 3. Curriculum Committee:**

a. **Membership.** The Curriculum Committee shall consist of:
   1. The Vice President of Academic Affairs and Provost (Provost) or designee
   2. Six faculty representatives, two from each practice area elected from and by full-time faculty in that practice area
   3. One faculty representative from Libraries, elected from and by members of the Libraries
   4. Three OSE representatives elected from and by OSE members
   5. One student representative elected by the student body
   6. The College Registrar or designee, without vote
   7. The Chief Student Affairs Officer or designee, without vote
   8. The OAA administrator responsible for curricular matters, without vote

b. **Charge.**

The Curriculum Committee shall review, evaluate and recommend programs of study, FYE concentrations, and course proposals received from any source and shall perform such other functions as the Council may assign.

c. **Review.**

The Curriculum Committee shall periodically report to the Council. Committee recommendations are subject to Council review, modification, approval or rejection.

**Section 4. Academic Assessment and Learning Committee:**

a. **Membership.** The Academic Assessment and Learning Committee shall consist of:
   1. Six faculty representatives elected from and by all College full-time faculty
   2. Two members of OSE elected from and by OSE members
   3. The OAA administrator responsible for Assessment
b. **Charge.** The Academic Assessment and Learning Committee shall:
   1. Recommend procedures for institutional student learning outcomes assessment, including student achievement of competencies and program quality.
   2. Evaluate assessment results and report out institutional performance. The Committee shall not evaluate individual faculty or staff.
   3. Based on assessment, identify and recommend professional development venues for faculty and staff, including distributing teaching and professional development resources and identifying grant and funding opportunities.
   4. Work with the Center for College Effectiveness to provide support for student learning outcomes.

c. **Review.**

   The Academic Assessment and Learning Committee shall periodically report to the Council. Committee recommendations are subject to Council review, modification, approval or rejection.

**Section 5. Strategic Planning and Budget Committee:**

a. **Membership.** The Strategic Planning and Budget Committee shall consist of:
   1. The Vice President of Administration and Finance, who shall chair the committee
   2. The Provost
   3. The administrator responsible for Strategic Planning
   4. Two faculty representatives elected from and by the College full-time faculty
   5. One Higher Education Officer elected from and by the HEO staff
   6. One classified staff member elected from and by members of the classified staff
   7. One student representative elected from and by the student body
   8. Each Vice President shall appoint up to two additional members

b. **Charge.** The Strategic Planning and Budget Committee shall:
   1. Review the strategic and financial plans for the College to ensure alignment among planning, budget and assessment.
   2. Recommend strategic plan priorities to the Council.
   3. Review and analyze the College’s budget, aided by budget presentations from the Office of the Vice President of Administration and Finance to ensure continued support of strategic priorities.

c. **Review.**

   The Strategic Planning and Budget Committee shall periodically report to the Council. Committee recommendations are subject to Council review, modification, approval or rejection.

**Section 6. Academic Technology Committee:**

a. **Membership.** The Academic Technology Committee shall consist of:
   1. The OAA administrator responsible for Academic Technology
   2. The Chief Information Officer
   3. Three faculty representatives, elected from and by the College full-time faculty
   4. The Chief Librarian or designee
   5. Two representatives of OSE elected from and by OSE members
   6. One student elected from and by the student body
b. **Charge.** The Academic Technology Committee shall:
   1. Use evidence-based data and best practices research to recommend strategies to integrate use of technology into the curriculum.
   2. Develop guidelines and best practices on the use of supported classroom technology.
   3. Advise and assist faculty and staff on using technology to expand and improve student learning.

c. **Review.**

   The Academic Technology Committee shall periodically report to the Council. Committee recommendations are subject to Council review, modification, approval or rejection.

**Section 7. Student Services Committee:**

a. **Membership.** The Student Services Committee shall consist of:
   1. The Chief Student Affairs Officer
   2. One representative from Student Government Association (SGA) leadership, elected by and from SGA leadership
   3. One representative from the SGA Board elected from and by SGA representatives
   4. Two representatives from OSE elected from and by OSE members
   5. Two representatives of the non-OSE full-time staff elected from and by non-OSE full-time staff
   6. Two faculty representatives elected from and by all College full-time faculty

b. **Charge.** The Student Services Committee shall:
   1. Review and recommend policies and procedures pertaining to student life and welfare, campus-wide cultural and educational events, professional opportunities and student engagement matters.
   2. Further develop and advise student support services to promote student success academically, personally and professionally.

c. **Review.**

   The Committee shall periodically report to the Council. Committee recommendations are subject to Council review, modification, approval or rejection.

**Section 8. Committee Regulations**

a. Each committee shall prepare and implement committee bylaws in accordance with the CUNY Bylaws and this governance plan.

b. With the exception of the Executive Committee and the Strategic Planning and Budget Committee, all chairs of standing committees shall be elected by majority vote of each committee.

c. Each committee shall meet as often as necessary, but at least once each semester, keep minutes of its meetings and send copies of minutes to the Council Secretary.

d. Standing committees may establish and abolish subcommittees as necessary.

e. Committee members shall serve staggered three-year terms; each student member shall serve a one-year term.
Amendments to this governance document may be proposed and approved by a two-thirds affirmative vote of the members present, if that number also constitutes a majority of the members of the Council, which amendments shall then be subject to the approval of the President and the CUNY Board of Trustees.

D. THE ACADEMIC SENATE

Article I
Function
The College Academic Senate (Senate) shall serve as the voice of faculty and members of the Office of Student Engagement. Subject to the guidelines of the CUNY Board of Trustees and their own bylaws, the Senate shall provide a forum for discussion, review, and recommendation of procedures, policies and practices related to academic matters. Senate recommendations shall be referred to the Council or standing committee, as appropriate, for review and action.

Article II
Composition
Section 1. Membership
a. 24 full-time faculty, eight from each practice area, elected from and by the full-time faculty in that practice area
b. Three part-time faculty elected from and by the part-time faculty
c. Eight representatives from the OSE elected from and by full-time OSE members
d. One faculty representative Libraries, elected from and by the faculty members from Libraries
e. The President, without vote
f. The Provost, without vote
g. The Deans of the Office of Academic Affairs, without vote

Section 2. Term of Office
The term of office of the newly elected Senators shall begin the first day of the academic year. Senators shall have staggered three-year terms.

Article III
Organization of the Academic Senate
Section 1. Officers
The Chair shall be a faculty member, elected by and from the Senate at its first meeting. The Chair shall be responsible for convening and presiding at Senate and Executive Committee meetings, and is a member of the College Council Executive Committee.
The Vice Chair shall be elected by and from the Senate. In the absence of the Chair, the Vice Chair shall preside. In the absence of both the Chair and Vice Chair, the Chair shall appoint a member of the body to preside.

The Secretary shall be elected by and from the Senate. The Secretary is responsible for notifying Senate members of all meetings, Senate action and for taking minutes in the Senate meetings.

All officers shall have a three year term.

Section 2. The Senate Executive Committee

a. Membership. The Senate Executive Committee shall consist of:
   1. The Senate Officers
   2. Two Senate representatives, elected from and by Senate members. At least one of whom shall be from the Office of Student Engagement.

b. Charge. The functions of the Executive Committee are to:
   1. Establish and publish a schedule for regular meetings of the Senate by or at the beginning of each academic year.
   2. Prepare the agenda for Senate meetings.
   3. Create and coordinate the activities of ad hoc committees after consultation with the Senate.
   4. Coordinate faculty meetings.
   5. Serve as the liaison to the Senate, the President and the College Council.
   6. Keep minutes and report regularly to the Senate.

Article IV
Meetings

Section 1. Time of Meetings

The Senate shall meet at least once a semester. The time, location, and agenda of all Senate meetings shall be distributed to Senate members not less than a week prior to the time of the meetings.

Section 2. Conduct of Meetings

Senate meetings shall be conducted in conformance with Robert’s Rules of Order, latest edition, except as otherwise required by law or as may be provided in the bylaws.

Senate meetings are open to all members of the College community.

Section 3. Special Meetings

Special meetings of the Senate may be called by the Chair, or on the petition of at least ten Senators, which meeting shall be scheduled by the Senate Chair within seven business days after receiving the petition.

E. PERSONNEL COMMITTEES

Faculty shall be evaluated based on their teaching (FYE and Guttman Programs of Study) service and scholarship.
The following committees shall be responsible for reappointment, promotion and tenure (RPT) recommendations:

a. The College Personnel Committee
b. Faculty Personnel Committees

**Article I**

**The College Personnel Committee**

**Section 1. Membership**

a. The College Personnel Committee (CPC) shall consist of:
   1. One tenured faculty elected from and by full-time faculty in each academic practice area, all of whom shall serve staggered three-year terms
   2. The three Faculty Personnel Committee (FPC) Chairs, all of whom shall serve staggered three-year terms
   3. The Provost
   4. The President, without vote
b. The CPC shall elect a Chair for a one year term

**Section 2. Function**

The CPC shall recommend to the President:

a. Faculty reappointment, promotion and tenure
b. The grant of certificates of continuous employment to lecturers
c. The grant of multi-year appointments to adjuncts
d. The grant of fellowship and other instructional staff leaves
e. Academic personnel procedures and policies

**Article II**

**The Faculty Personnel Committee**

**Section 1. Membership**

a. The Faculty Personnel Committee (FPC) shall consist of:
   1. Three faculty personnel committees to represent the interdisciplinary practice areas of Social Science, STEM and the Humanities.
      i. Each FPC shall consist of five full-time faculty members elected from and by full-time faculty within the appropriate practice area, who shall serve staggered three-year terms. A minimum of two members on each FPC must be tenured. This requirement shall change to three, then four, tenured faculty members, at such times as the particular practice area has three, and, ultimately, four, tenured faculty members among its membership.
      ii. Each FPC shall elect a Chair from its tenured members for a one year term.
Section 2. Function

a. Each FPC shall:
   1. Coordinate and assign semester teaching observations for full- and part-time faculty.
   2. Either the chair or a committee designee shall assign a representative to coordinate and conduct annual evaluations.”
   3. Recommend reappointment, promotion and tenure to the College Personnel Committee for full- and part-time faculty.

b. FPC faculty recommendations shall take into consideration performance within the faculty member’s discipline and interdisciplinary work performed in the First Year Experience.

Moved by Trustee Cortés-Vázquez and seconded by Vice Chairperson Schwartz, the following resolution was adopted:

D. The City University of New York - Amendment to Article VI of the Bylaws:

WHEREAS, The establishment of a new instructional staff title at The City University of New York requires amendment of Article VI of the Bylaws of the Board of Trustees; now therefore be it

RESOLVED, That Section 6.1 of the Bylaws of the Board of Trustees of The City University of New York be amended to establish the title “Assistant Vice Chancellor,” as follows:

**NOTE: New material is highlighted.**

SECTION 6.1. INSTRUCTIONAL STAFF.

The board hereby establishes the following instructional staff titles:

Chancellor
Chancellor emeritus
Executive vice chancellor
Chief operating officer
Senior vice chancellor
Vice chancellor
Associate vice chancellor
Assistant vice chancellor
University provost
Secretary of the board
University administrator
University associate administrator
University assistant administrator
President
Dean of the City University School of Law
Dean of the Graduate School of Journalism
Dean of the Sophie Davis School of Biomedical Education
Senior vice president
Vice president
Assistant vice president
Senior university dean
University dean
University associate dean
University assistant dean
Dean
Associate dean
Assistant dean
Administrator
Associate administrator
Assistant administrator
Distinguished professor
University professor
Professor
Associate professor
Assistant professor
Research professor
Research associate professor
Research assistant professor
Einstein professor
Visiting distinguished professor
Clinical Professor
Distinguished lecturer
Distinguished lecturer – medical series
Distinguished lecturer – law school series
Medical professor (basic sciences)
Associate medical professor (basic sciences)
Assistant medical professor (basic sciences)
Medical lecturer
Adjunct medical professor (basic sciences)
Adjunct associate medical professor (basic sciences)
Adjunct assistant medical professor (basic sciences)
Adjunct medical lecturer
Medical professor (clinical)
Associate medical professor (clinical)
Assistant medical professor (clinical)
Adjunct medical professor (clinical)
Adjunct associate medical professor (clinical)
Adjunct assistant medical professor (clinical)
Law school distinguished professor
Law school university professor
Law school non-teaching adjunct
Law school professor
Law school associate professor
Law school assistant professor
Law school instructor
Law school library professor
Law school library associate professor
Law school library assistant professor
Law school adjunct professor
Law school adjunct associate professor
Law school adjunct assistant professor
Law school adjunct instructor
Law school lecturer
Visiting professor
Visiting associate professor
Visiting assistant professor
Adjunct professor
Adjunct associate professor
Adjunct assistant professor
Adjunct lecturer
Adjunct lecturer (doctoral student)
Lecturer (full-time)
Lecturer (part-time)
Visiting lecturer
Instructor
Instructor (nursing science)
Research associate
Research assistant
Graduate assistant (a-d)
Senior registrar
Associate registrar
Chief college laboratory technician
Adjunct chief college laboratory technician
Senior college laboratory technician
Adjunct senior college laboratory technician
College laboratory technician
Adjunct college laboratory technician
College physician
Higher education officer
Higher education associate
Higher education assistant
Assistant to higher education officer
Continuing education teacher
Non-teaching adjunct (I-V)
Non-teaching adjunct (doctoral student)
Affiliated professional
Professor of Military Science
Affiliated medical professor
Associate affiliated medical professor
Assistant affiliated medical professor
Affiliated medical lecturer
Affiliated medical teacher
Clinical professor—medical series
CLIP instructor
CUNY Start instructor

and in the Hunter College Elementary School and Hunter College High School

Principal
Chairperson of department
Assistant principal
Teacher
Assistant Teacher
Temporary teacher
Campus schools college laboratory technician
Campus schools senior college laboratory technician
Guidance counselor
Placement director
Education and vocational counselor
Librarian
Substitute teacher
Occasional per diem substitute teacher

and in the childhood centers

Teacher
Assistant teacher
And in the educational opportunity centers (EOC)
Educational opportunity center adjunct lecturer
Educational opportunity center adjunct college laboratory technician
Educational opportunity center college laboratory technician
Educational opportunity center higher education officer
Educational opportunity center higher education associate
Educational opportunity center higher education assistant
Educational opportunity center assistant to higher education officer
Educational opportunity center lecturer

*and in the School of Journalism and in the Executive MBA Programs of the Zicklin School of Business at Baruch College:

Professional programs adjunct professor
Professional programs adjunct associate professor
Professional programs adjunct assistant professor
Professional programs adjunct lecturer
Professional programs professor (H)
Professional programs associate professor (H)
Professional programs assistant professor (H)
Professional programs lecturer (H)
and be it further

RESOLVED, That the effective date for the creation of this title shall be July 1, 2017; and be it further

RESOLVED, That the Board of Trustees hereby waives the requirement in Section 5.1 of the Bylaws that notice of the amendment to the Bylaws proposed in this resolution be presented at a meeting preceding the meeting at which a vote is taken.

EXPLANATION: The title “Assistant Vice Chancellor” was included in the list of titles in the Executive Salary and Compensation Plan resolution approved by the CUNY Board of Trustees at its meeting held on June 26, 2017. The adoption of a new instructional title requires an amendment of Article VI of the Bylaws.

The Board is being asked to waive the requirement that this amendment to the Bylaws be noticed at a meeting preceding the meeting at which it is voted upon in order to make the new title available as soon as possible.

Moved by Trustee Cortés-Vázquez and seconded by Trustee Ferrer, the following resolutions, 6.E. through 6.G., were presented and opened for discussion:

**E. Queens College - Naming of the Raymond Erickson Music Reference Collection:**

WHEREAS, Dr. Raymond Erickson has long been a strong supporter of Queens College and the Aaron Copland School of Music, and has donated more than $134,000 to the College, including a $100,000 charitable gift annuity created in 2016 specifically to benefit the music library reference collection; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of “The Raymond Erickson Music Reference Collection” at the Aaron Copland School of Music at Queens College.

EXPLANATION: Dr. Raymond Erickson, music historian and keyboardist, joined the Queens College faculty in 1971. He has served as Chair of the Music Department (1978-81), founding Director of the Aaron Copland School of Music (1981), and Dean of Arts and Humanities (1993-2000). He laid the groundwork for the Center for Preparatory Studies in Music and organized the first scholarship endowments for Queens College music majors.
In recognition of Dr. Erickson’s generosity and service, the College requests Board approval to name the “The Raymond Erickson Music Reference Collection,” to be located in the Music Library of the Aaron Copland School of Music at Queens College.

**F. Queens College - Naming of the Mary E. O’Connor Conference Room:**

WHEREAS, Mary E. O’Connor, who passed away in October 2016, was a dedicated donor to Queens College during her lifetime, regularly giving annual gifts totaling more than $24,000; and

WHEREAS, As a member of the Jefferson Society, a recognition organization for those who have included Queens College in their estate plans, Ms. O’Connor had notified Queens College of her inclusion of a bequest to the College in her trust; and

WHEREAS, Under the terms of Ms. O’Connor’s trust, she left 60% of her estate to the Queens College Foundation to create the “Mary E. O’Connor Endowment Fund” to provide scholarships to juniors and seniors majoring in Economics and/or Business Administration at Queens College; and

WHEREAS, The Queens College Foundation has received $3,600,000 from Ms. O’Connor’s estate, with a small additional payment expected in the future when the estate is fully settled; now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the “Mary E. O’Connor Conference Room” at Queens College.

EXPLANATION: Mary E. O’Connor graduated from Queens College cum laude in June 1950 with a bachelor’s degree in Economics. Soon thereafter she joined The Equitable Life Assurance Society of the United States (now known as AXA Equitable), a major life, disability and health insurer in New York City, and spent her entire 41-year career with the company.

A life-long resident of Queens and a loyal supporter of her alma mater, Ms. O’Connor was a regular attendee at Homecoming and alumni events. She often expressed appreciation for the excellent education she had receive—at no cost to her—and felt it was an obligation to help others enjoy the same benefits.

In recognition of Mary E. O’Connor’s generosity to Queens College, the College requests approval to name the “Mary E. O’Connor Conference Room” in Room 347 of Powdermaker Hall, which is located near the Economics Department.

**G. The CUNY Graduate School of Journalism - Naming of the Leonard Tow Chair for Journalism Innovation:**
WHEREAS, In July 2017 the Tow Foundation pledged $1,500,000 to support outstanding faculty in the field of journalism innovation at the CUNY Graduate School of Journalism, now therefore be it

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the “Leonard Tow Chair for Journalism Innovation” at the CUNY Graduate School of Journalism.

EXPLANATION: Leonard Tow is a pioneer in the field of cable broadcasting and wireless communications. A graduate of CUNY’s Brooklyn College, Mr. Tow has been a generous supporter of public higher education. In 2008, he extended his support to the CUNY Graduate School of Journalism with a $3 million gift to launch the “Tow-Knight Center for Entrepreneurial Journalism.” Over the past nine years, through his family foundation, Mr. Tow has pledged a total of more than $7 million to the School. He has evinced a progressive vision for journalism at a time of industry disruption, becoming a valued partner to the CUNY J-School, which is built on a commitment to responsiveness and innovation.

In recognition of the Tow Foundation’s continued generosity, the CUNY Graduate School of Journalism requests the Board’s approval to name the “Leonard Tow Chair for Journalism Innovation.”

UFS Chair and Trustee Conway inquired about donor guidelines.

Chairperson Thompson asked for a vote. Cal. Nos. 6.E. through 6.G. were adopted.

Report of Faculty, Staff and Administration Committee Chair Cortés-Vázquez
I would now like to share a brief summary of the final quarterly report on diversity and inclusion at CUNY, presented by the Office of Vice Chancellor Gloriana Waters to the Committee. This report focused on staff. Here are some pertinent metrics:

- CUNY’s full-time staff (excluding faculty) currently stands at 12,552 employees.
- 8,385 are from federally protected minority groups, 655 are Italian-American, and 3,512 identify as white.
- Females comprise 6,670 employees and represent 53.1% of the staff. There is near parity for females at both the senior and community colleges overall.
- The change in the total number of CUNY staff over the past year is as follows:
  - Overall: increased by 8 or 0.1%
  - Minorities increased by 49 or 0.6%
  - Italian Americans decreased by 20 or 3.0%
- Whites decreased by 21 or 0.6%
- Females increased by 81 or 1.2%

• 1.4% of CUNY’s employees self-identify as Veterans. This does not represent a substantive change University-wide from 2016 to 2017. This past year 17 Veterans were hired and 6 of those individuals are in administrative and/or managerial posts.

• 1.3% of the staff identify as Individuals with Disabilities. 9 individuals in this category were hired this past year; 8 are in administrative and managerial positions.

• In both of these instances, it is clear that the campuses need to engage in additional recruitment strategies in support of veterans and individuals with disabilities.

• The executive ranks, or ECP, is comprised of 553 employees. Of these 195 (35%) are from under-represented groups. 63 (11.4%) are Italian-American, a number which is comparable to the Hispanic/Latino representation. African-Americans number 97, or 17.5% of the ECP, but Asian-Americans only number 29 or 5.2% in the executive group. Again, it is clear that concerted efforts need to be made to bolster the presence of this group among the University’s highest ranks.

Finally, the Committee heard from the Office of Vice Chancellor Waters with regard to retirement projections.

University-wide, 27.5% of the workforce is 55 and older with 15 or more years of service, and thus eligible to retire. If we extrapolate 5 years from now, it is readily apparent that the University will experience significant loss in many critical areas. In light of these expected developments, CUNY should bolster its efforts to plan for projected needs both in the near term and over the next decade. Robust recruitment strategies, leadership development, and succession planning will be critical to this endeavor.

Trustee Cortés-Vázquez then thanked former Faculty, Staff and Administration Committee Chair Trustee Ferrer for his recommendation for the Committee to have quarterly diversity reports, to increase diversity and inclusion at CUNY. She concluded by acknowledging Vice Chancellor Waters’ retirement by thanking her for all the years of great service at CUNY.

7. **COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:**
Trustee Brian Obergfell reported that the Committee on Facilities Planning and Management met on October 2, 2017. After approval of the minutes of the June 5, 2017 meeting, the Committee addressed the policy items on the agenda. The Committee then went into Executive Session to discuss real estate matters under current negotiation by the University, during which Vice Chancellor Judy Bergtraum reported on new projects and updates.
Moved by Trustee Obergfell and seconded by Trustee Clarke, the following resolution was unanimously adopted:

A. The City University of New York - Five Year Capital Budget Request, FY 2018-19 through FY 2022-23:

RESOLVED, That The City University of New York Board of Trustees approve a five-year Capital Budget Request for Fiscal Years FY 2018-19 through FY 2022-23 of approximately $6.7 billion for projects authorized by The City University Construction Fund to address critical maintenance, infrastructure, and programmatic initiatives in support of the University’s mission. These projects shall be funded through bonds sold by the Dormitory Authority of the State of New York with debt service payments appropriated by the State of New York and the City of New York, and through bonds sold by the City of New York; projects shall also be supported by state minor repair funding from General Fund. The five-year request breaks down to $5 billion for the Senior Colleges and $1.7 billion for the Community Colleges. The state provides 100% of the funding for Senior Colleges and 50% for the Community Colleges. The city provides the matching 50% for the Community Colleges and special projects at Senior Colleges.

CUNY’s first-year prioritized state bonded funding request is $1.1 billion, broken down as per attached chart.

CUNY’s request for City Fiscal Year 2019 local elected official funding is $93 million.

RESOLVED, That the Master Plan for the University be and is hereby amended as necessary to provide for the capital proposal.

The Capital Budget Request and the schedule of projects are on file in the Office of the Secretary of the Board.

EXPLANATION: Every year the University is required to submit a five-year capital plan to the State Division of the Budget and the City Office of Management and Budget. As in previous plans, the FY 2018-19 through FY 2022-23 request focuses on completion of existing projects and critical health, safety, code compliance and rehabilitation projects, while recognizing the need for expansion and modernization of facilities as called for in campus master plans. In formulating specific projects under this plan, an effort will be made where possible to leverage available University real estate resources through public-private development.

The projects included in the plan originate at the campuses and are prioritized following Board of Trustees criteria:

1. Critical Maintenance projects to ensure health, safety, security, facilities preservation, and compliance with codes, including ADA and asbestos-related regulations;
2. Individual campus projects that were started with partial earlier funding and need completion of funding;
3. Projects to upgrade existing science facilities and provide new science instruction and research facilities;
4. CUNY-wide technology projects, including infrastructure upgrades, systems engineering, and new equipment;
5. CUNY-wide projects to meet energy conservation and performance objectives including Executive Order 88 and Local Law 87;
6. New construction of space needed for academic programs, with projects ranked in order of overall campus space deficiency. Highest priority is assigned to classroom and instructional laboratory facilities and to the replacement of temporary or leased space with permanent space;
7. CUNY-wide and individual campus projects for purposes other than those listed above.

Moved by Trustee Obergfell and seconded by Trustee Clarke, the following resolutions, 7.B. and 7.C., were unanimously adopted:

B. The City University of New York - Execution of Lease for Retail Space at 55 West 125th Street, New York, N.Y.:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a fifteen year lease,
for 2,937 rentable square feet of space on the ground floor at 55 West 125th Street, New York, New York, to host a Career Path Center for the University and the Healthy Harlem Community Space for the CUNY Graduate School of Public Health and Health Policy. The lease shall be subject to approval as to form by the University Office of General Counsel.

**EXPLANATION:** The proposed new lease will provide 2,937/RSF rentable square feet of retail space to be shared by the University and the CUNY Graduate School of Public Health and Health Policy. The University will utilize the space to host a Career Path Center that will address the University’s employer engagement needs and convene students from across the University and employers from across the City in key industry sectors, including Life Sciences, Finance, Healthcare, Tech, Creative/Media, Civic, Nonprofits, and Hospitality. The CUNY Graduate School of Public Health and Health Policy will utilize the space to host the Healthy Harlem Community Space, which will enable the school to partner with community-based, governmental and educational institutions on research, service and educational activities with the goal to improve the health of the residents of Harlem and the surrounding communities.

The term of the lease will start upon substantial completion of the landlord’s work. The rent for the new space will start at approximately $323,070 ($110.00/RSF) per annum with fixed rent increases every fifth anniversary from the start date of the lease; the fixed increases are an additional $15.00/RSF and $16.88/RSF, respectively.

The Landlord shall be responsible for all repairs, including the HVAC system. The University will be responsible for interior maintenance and its proportionate share of any increases in current real estate taxes.

C. Guttman Community College - Execution of Lease Extension for 50 West 40th Street, New York, N.Y.:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel and Vice Chancellor of Legal Affairs to execute a lease extension for 3 years until 2023, along with any associated agreements, for approximately 91,000 rentable square feet of space, at 50 West 40th Street, New York, New York, on behalf of Guttman Community College. The lease extension shall be subject to approval as to form by the University Office of General Counsel.

**EXPLANATION:** Guttman Community College has occupied the entire building, consisting of 91,000 rentable square feet of office and classroom space, at this location since November 2010, pursuant to a Lease that will expire on December 31, 2020. Under the Lease, the current annual base rent is $5,003,802 ($55.00/SF).
To accommodate the college’s need for space to house its academic programs, the University will amend the Lease to extend the lease term for an additional 3 years, with a new expiration date of December 31, 2023. The extended lease term will allow Guttman Community College to continue operating at its original campus location without interruption.

The extended term for the space will start immediately after the current lease expiration date of December 31, 2020. The annual base rent will be $77.50/SF ($7,052,500) for the entire extension term, with no increase.

Pursuant to the Lease, the landlord will continue to be responsible for exterior, structural and roof repairs. The University will be responsible for interior maintenance and any increase in the current real estate taxes.

8. COMMITTEE ON STUDENT AFFAIRS AND SPECIAL PROGRAMS:
Trustee Una Clarke reported that at the October 2, 2017 meeting of the Committee on Student Affairs and Special Programs, the Committee approved the following resolutions, and she recommended their approval by the Board.

Moved by Trustee Clarke and seconded by Vice Chairperson Schwartz, the following resolution was presented and opened for discussion:

A. The City University of New York - Student Activity Fee Policy:

WHEREAS, The collection of student activity fees to fund eligible student organizations, services, programs and activities serves a vital purpose in enhancing the college and university environment for all students; and

WHEREAS, The recognition of eligible student organizations and the allocation and expenditure of student activity fees are governed by Bylaws of the Board of Trustees, the governing documents, policies and procedures of the college associations and student governments, and CUNY’s Fiscal Handbook for the Control and Accountability of Student Activity Fees; and

WHEREAS, These Bylaws, governing documents, policies and procedures and the Handbook have not been recently reviewed or updated to assure that they comport with prevailing laws and best practices; and

WHEREAS, The current system of student activity fee allocation also may not reflect the contemporary priorities and needs of current students because historical earmarks constrain annual allocation of fees; now therefore be it
RESOLVED, That the Board of Trustees directs Student Affairs and the General Counsel's Office to perform a comprehensive review of CUNY’s student activity fee policy infrastructure; and be it further

RESOLVED, That recommendations for changes to this system in compliance with prevailing law and best practice shall be made expeditiously to the Board so that such changes can be implemented no later than the 2018-2019 academic year; and be it further

RESOLVED, That the Board desires that the student and campus stakeholders be consulted and engaged in the process of review and re-design of the student activity fee policy infrastructure and allocation process via a Task Force composed of representatives to be co-chaired by the University Student Senate Chairperson.

EXPLANATION: This action is required for the purpose of addressing legal compliance and policy concerns. The governing bylaws, constitutions, policies and procedures and the fiscal handbook have not been updated in a number of years and therefore necessitate a comprehensive review and revision.

USS Chair and Trustee Aderounmu inquired about the timeline for implementation of the student activity fee policy.

Statement of University Student Senate Chair and Trustee John Aderounmu:
On October 2nd, the Committee on Student Affairs and Special Programs considered an amendment to the original student activity fee resolution. This amendment seeks to establish a taskforce consisting of CUNY stakeholders that would be responsible for the review and development of policy recommendations sent to the Board.

On Sunday, October 8th, the USS held its monthly plenary meeting that included a discussion about the student activity fee policy, to inform the delegation that this comprehensive review is a step in the right direction, allowing the University to assess the performance of the student activity fee and make policy changes which will modernize the fee processes to improve programs and enhance the student experience. The USS is excited that the Board has recognized that students and campus stakeholders be consulted and engaged in the process. As a result, the plenary adopted resolution 1718-P03, which calls on the Board to establish a Student Activity Taskforce. As a board, Trustees must ensure that their intent is clear to mitigate any confusion at the local level. This amendment clearly articulate the Boards’ vision of consultation and engagement. Moreover, this amendment aligns the review and recommendation process with CUNY’s shared governance principles.

CUNY students understand these principles to mean that all interested stakeholders shall be represented, all interested stakeholders will have proportionate representation.
relevant to the subject matter, and that consultation is a three-phase process where stakeholders will be engaged pre, during and post, in addition to diversity of thought is welcomed and respected.

Over the past several years the process by which student activity fees have been allocated are not consistent with the purpose for which they are collected. I would like to highlight a few examples to illustrate some current expenses of student activity fees which are limiting the amount of extracurricular activities organized each year. One college collects nearly $40 each semester in student activity fees to fund a shuttle bus from the local train to the college. In 2011, another college increased the student activity fee by $30 each semester to purchase a building. Over the last 13 semesters, students have paid this fee but the college has not purchased the building yet.

At another campus, students are paying nearly $5 each semester to cover the cost to have a full-time nurse on campus but there is a hospital across the street from the campus. In addition to these earmarkings, student organization budgets are taxed indirectly for organizing each activity on campus, such as, the Student Activity Fee fund staffing of public safety and rental of on-campus facilities and services.

Student leaders want to ensure that the outcome of the review process leads to changes for the betterment of the students, University, and the college communities. Several student governments have adopted a resolution calling on the Board to establish a Taskforce. At the hearing on October 16th, several students testified urging this request.

The USS asks that this taskforce be co-chaired by the chairperson of the USS because this is consistent with the CUNY Bylaws Article 15.3, which reads the following.

“...There shall be a university student senate responsible, subject to the board of trustees, for the formulation of university-wide student policy relating to the academic status, role, rights, and freedoms of the student.”

The USS hopes that this review improves student activity operations by increasing the number of engaged students, by increasing the number of events organized by student organizations to serve students, and by ensuring compliance with laws. The USS also hopes this review is NOT politically motivated and aims to limit student government authority and autonomy by over regulating their financial capabilities; does NOT lead to student activity fees being spent to fill budget gaps and cover expenses that should be cover in the operating and capital budget such as, salaries for administrators, nurses, shuttle buses, advisors, faculty, career services and building repairs or purchases; or does NOT lead to elected student leaders losing their ability to govern and manage the student activity fee. Student activity fees are paid by students for students and should be managed by the elected students with assistance and oversight from the administration.
and the Board. The USS acknowledges the Trustees’ fiduciary responsibility and hopes that the Board can develop ways to maintain student’s rights during this process.

I ask that the full Board support the students in this request to be adequately consulted and involved in the process by establishing a taskforce consisting of at least the following members: the USS chairperson (as co-chair) and five other students (selected by the USS chairperson), two faculty members, one representative from the Central Office of Student Affairs, one representative from the Office of General Counsel, one representative from the CUNY Council of Student Life Directors, and one representatives from a campus college association (chosen by the chancellor).

UFS Chair and Trustee Conway asked for clarification of the composition of the taskforce. She added that she supports the students wanting to be represented as it moves toward shared governance.

_Chairperson Thompson asked for a vote. Cal. No. 8.A. was unanimously adopted._

Chairperson Thompson moved to go into Executive Session at 7:05 p.m. The motion was seconded by Vice Chairperson Schwartz.

**CONVENING OF EXECUTIVE SESSION**

Chairperson Thompson called for an Executive Session pursuant to Section 105, Article 7, of the Public Officers Law, to discuss matters pertaining to investigations, litigation and personnel. The Board met in Executive Session from 7:14 p.m. to 8:38 p.m.

Moved by Chairperson Thompson and seconded by Vice Chairperson Schwartz, the public session was reconvened at 8:39 p.m.

Moved by Chairperson Thompson and seconded by Vice Chairperson Schwartz, the reconvened public session was adjourned at 8:39 p.m.
THE CITY UNIVERSITY OF NEW YORK
OPERATING & CAPITAL BUDGET REQUEST
FISCAL YEAR 2018-2019

Report to Board of Trustees
October 23, 2017
Operating Budget Request
Fiscal Year 2019 Budget Request

• The outline for the FY2019 Budget Request and Four-Year Financial Plan is built on “Connected CUNY”, the University’s commitment to provide accessible, affordable, high quality education by leveraging the power of our connected campuses, as well as working with our many partners, including government, the public schools, other leading universities and the private sector.

• “CUNY has for generations been a beacon of hope and a remarkable engine of mobility for New York, and our framework will reenergize our vital mission by significantly increasing our accessibility, raising graduation rates and enhancing the prospects for career success so that all New Yorkers will enjoy the same opportunities.”
Strategic Planning:
CUNY’s Multi-Year Action Plan

• The University is in the second year of a multi-year Action Plan designed to generate resources that, together with the important support from New York State and City, will fund the priorities in our strategic plan and the costs of collective bargaining agreements with our employee unions.

• FY2019 represents year two of an Administrative Efficiencies Transformation Initiative that redirects resources to core areas, and will use these savings to leverage State and City support in order to help fund strategic priorities.

• The multi year Action Plan is predicated on the assumption of future funding from University stakeholders. The University will continue to request the State and City fund mandatory cost increases necessary for CUNY’s continued operation. Administrative efficiencies and enhanced revenue streams are important but can only take us so far. Tuition increases and new public support are critical.
### Four-Year Financial Plan
($ in millions)

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<tr>
<td><strong>Total New Needs</strong></td>
<td>282.2</td>
<td>254.8</td>
<td>249.1</td>
<td>232.8</td>
</tr>
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</table>
Strategic Framework Investments

Access and Completion

• To keep pace with the rapid changes of a knowledge-based economy, CUNY will ensure that more New Yorkers are able to attend college and earn degrees. By 2022, CUNY will lead the nation in urban community college degree attainment and double our three-year graduation rate for associate degrees. CUNY will also achieve an unprecedented improvement in its six-year graduation rate for bachelor’s programs, raising the rate by ten percentage points.

Highlights include:
• Launch a Momentum Campaign at all CUNY undergraduate colleges.
• Gateway Course Redesign and Academic Support
• Expand the Accelerate, Complete and Engage (ACE) program.
• Implement an Adult Learning Initiative
• Create new Career-Aligned Online Education Programs
• Provide students with discounted Metrocards
• Grow Single Stop Program
Strategic Framework Investments

College Readiness

• The most straightforward means of improving college readiness is to strengthen CUNY’s teacher education programs in high-need subject areas.

• CUNY and DOE will collaborate to offer the CUNY Math Start curriculum in public high schools so students are better prepared when they start their college career.

• CUNY proposes to increase the availability of college course offerings to high school students via College NOW and the Early College Initiative.
Strategic Framework Investments

Career Success

• The Career Pathways Initiative will serve as CUNY’s central hub between potential employers and CUNY’s 24 colleges with the creation of expertise in each of 10 industry sectors and new web-based tools to provide students with sector-specific career preparation support, internships and jobs.

• Health and human services will serve as an example of our new sector-specific strategy. Sector expertise will make students aware of the full range of CUNY programs in the field beyond the most competitive areas and help CUNY programs stay on top of changing employer needs.
Strategic Framework Investments

Faculty Recruitment/Academic and Research Programs

• CUNY will invest in and support its faculty’s knowledge creation, research, creative activities and innovation as engaged scholars, teachers, and members of the community. We will expand our full-time faculty and implement new strategies to build greater diversity in the faculty.

• A State contribution of $40,000 per student per year is requested for the CUNY School of Medicine, consistent with the level of State support provided for SUNY Medical Schools.

• To build on the work of the University’s Joseph S. Murphy Institute, a new CUNY School for Labor and Urban Studies will be established to provide a focus on workers and opportunities for career advancement and economic mobility.
Mandatory Needs ($ in millions)

<table>
<thead>
<tr>
<th>Senior Colleges</th>
<th>FY2019</th>
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<tr>
<td>Building Rentals</td>
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<td>New Buildings</td>
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<td>Energy</td>
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<td>Contractual Salary Increments</td>
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<td>Fringe Benefits</td>
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<td><strong>Sub-Total</strong></td>
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<table>
<thead>
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<th>Community Colleges</th>
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<td>Building Rentals</td>
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<tr>
<td>Energy</td>
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<td>Fringe Benefits</td>
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<tr>
<td><strong>Sub-Total</strong></td>
<td><strong>16.9</strong></td>
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</table>

**TOTAL MANDATORY NEEDS** 80.3
Financing Plan

• State Base Aid Increase to Community Colleges

• Additional NYC Support for Senior Colleges, including phase-in of TAP Tuition Credit restoration

• Funding of Mandatory Needs from State and City

• CUNY Administrative Efficiencies Program

• Continuation of the Predictable Tuition Policy
Community College Base Aid Increase

- The University is requesting a three-year commitment to increase community college funding by $250 per student FTE each year.

- The current base aid level is $2,747 per FTE, down $314 in inflation adjusted dollars from the FY2009 level of $2,675.

- This request is part of a multiyear effort to increase State funding and increase it to a level that will enable it to adequately support community college operations and provide funding for strategic investments that will improve student outcomes.

- The State base aid increases of the past several years have been very helpful in both stabilizing community college operations and allowing for investments to bolster student success. It is important to not only continue these increases, but to put in place measures to prevent future decline.

- CUNY requests maintenance of effort legislation be enacted to ensure base aid cannot be reduced from prior year levels.
Additional NYC Support for Senior Colleges

• CUNY is seeking equitable increases in City funding for our senior colleges.

• While the City has been supportive of CUNY’s community colleges, its level of funding of our senior colleges has remained unchanged for more than twenty years, at $32.3 million.

• Simply applying the Higher Education Price Index over that time period would have meant an additional $29 million in annual, recurring support for the senior colleges.

• CUNY is required to provide TAP waiver credits covering the difference between tuition and student TAP awards, which will divert $58M away from senior college operating budgets; the University requests City funding to close the gap between the maximum TAP award and tuition.
Administrative Efficiencies Program

• The University will expand on the administrative efficiency program that it began in FY2016.

• CUNY has developed an efficiencies plan focused on Strategic Sourcing, Organizational Redesign, Facilities Management, and Revenue Enhancement activities. We have begun execution of this plan in terms of both implementing efficiency initiatives and establishing the necessary structures for further enactment.

• An estimated $75 million in savings, productivity and revenue enhancements is projected over four years through this plan. In Fiscal Year 2018, the savings target is $14 million.
Predictable Tuition Policy

• The Predictable Tuition Policy, first enacted by the State in 2011 and renewed in 2017, enables the University to implement modest and predictable annual tuition increases. In the first iteration of the predictable tuition, CUNY colleges used the revenues from these increases strategically to directly benefit students. Over this timeframe, approximately 1,000 new faculty lines were created.

• A new, more modest four-year policy was enacted beginning in FY2018, which provides for annual increases of up to $200 at the senior colleges.

• The University seeks to implement a similar policy at the community colleges. A tuition freeze was committed to in FY2017 and FY2018. Ideally, an extension of this rate freeze would continue in FY2019; however, a tuition increase of $100 will be required to cover strategic plan needs if the City does not provide funding for additional full-time faculty and advisors at the community colleges.
CUNY Funding Sources

FY 2018 University Adopted Budget

CUNY Funding Sources
- Scholarships and Waivers: 5%
- Graduate Students: 6%
- Undergraduate Students: 16%
- City Support: 12%
- Federal: 8%
- State Aid/TAP: 53%

CUNY Funding Sources per FTE
- Scholarships and Waivers: $889
- Graduate Students: $999
- Undergraduate Students: $2,677
- City Support: $2,098
- Federal: $1,282
- State Aid/TAP: $9,071

Total per FTE $17,016

1using Fall 2016 FTE
CUNY Funding Sources

FY 2019 Proposed Operating Budget

CUNY Funding Sources

- Scholarships and Waivers: 5%
- Federal: 7%
- Graduate Students: 6%
- Undergraduate Students: 15%
- City Support: 14%
- State Aid/TAP: 53%

CUNY Funding Sources per FTE

- Scholarships and Waivers: $889
- Federal: $1,282
- Graduate Students: $1,059
- Undergraduate Students: $2,779
- City Support: $2,619
- State Aid/TAP: $9,690

Total per FTE $18,309

*using Fall 2016 FTE
Capital
Budget
Request
CUNY Capital Budget overview

- Majority of funding is from New York State
  - Senior Colleges: 100% funded by State
  - Community Colleges: 50% funded by State

- City Funds
  - 50% funding for Community colleges
  - Mayoral, local elected officials (Council, borough presidents)

- Private funding
  - Gifts
  - Public-Private Partnerships
Status of CUNY’s Capital Funds

• Over $3 billion in re-appropriations
  • State: $2.6 billion in re-appropriations
  • City: $600 million

• $420 million State total spending cap for FY 2017-18

• Capital projects require long-range planning / funding

• We have funds to progress many current projects
  – But without additional funds no new buildings can begin construction
  – State’s ability to add to debt service is still tight
State Capital Funds Overview (in $ millions)

<table>
<thead>
<tr>
<th></th>
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<td>$421</td>
<td>$392</td>
<td>$346</td>
<td>$363</td>
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*CUNY capital program is currently spending down the $2.6 billion in State re-appropriations*
How We Establish the Capital Request

- Informed by master plans and studies

- Established through collaboration between FPCM and the colleges
  - Meetings held with every college
  - Review and update of project details

- Colleges approve both State and City requests for submission
Five-Year Capital Request Priorities

- State-of-Good-Repair effort
- Complete ongoing, partially funded projects
- New facilities
- Technology/equipment upgrades
- Energy conservation/performance
  » State EO 88 & City LL 87
FY 2018-19 Five Year Capital Request

• 5-Year Need totals approximately $6.7 billion
  • Seniors $5 billion / Community Colleges $1.7 billion
  • State share $5.9 billion / City share $800 million

• First-year priorities to State $1.1 billion

• Additional City elected official request of $93 million for next year
## Five-Year Request – Individual College Excerpt (in $ thousands)

<table>
<thead>
<tr>
<th>College / Project</th>
<th>Est. Proj. Cost (in $ thousands)</th>
<th>FY 18-19 Ph</th>
<th>FY 18-19 Need (in $ thousands)</th>
<th>FY 19-20 Ph</th>
<th>FY 19-20 Need (in $ thousands)</th>
<th>FY 20-21 Ph</th>
<th>FY 20-21 Need (in $ thousands)</th>
<th>FY 21-22 Ph</th>
<th>FY 21-22 Need (in $ thousands)</th>
<th>FY 22-23 Ph</th>
<th>FY 22-23 Need (in $ thousands)</th>
<th>5-Year Need Total (in $ thousands)</th>
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<td>Boiler Replacement</td>
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<td>Campus ADA Upgrades</td>
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## Summary of Five-Year Request by Year (in $ millions)

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<tr>
<th></th>
<th>FY 18-19</th>
<th>FY 19-20</th>
<th>FY 20-21</th>
<th>FY 21-22</th>
<th>FY 22-23</th>
<th>Five-Year Need</th>
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<tr>
<td><strong>Senior Colleges</strong></td>
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<tr>
<td>Total</td>
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<td>$610</td>
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<table>
<thead>
<tr>
<th><strong>Community Colleges</strong></th>
<th>FY 18-19</th>
<th>FY 19-20</th>
<th>FY 20-21</th>
<th>FY 21-22</th>
<th>FY 22-23</th>
<th>Five-Year Need</th>
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<tr>
<td>Total</td>
<td>$425</td>
<td>$480</td>
<td>$210</td>
<td>$362</td>
<td>$217</td>
<td>$1,694</td>
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| **University Total**   | $1,275   | $1,515   | $1,549   | $1,534   | $827     | $6,700        |
Capital Budget Request support of Connected CUNY Framework

- Career Success
- Knowledge Creation & Innovative Research
- Access and Completion / College Readiness
- New Economies for CUNY

Pie chart showing distribution of support:
- Access and Completion / College Readiness: 63%
- Knowledge Creation & Innovative Research: 14%
- New Economies for CUNY: 10%
- Other: 13%
<table>
<thead>
<tr>
<th>Program</th>
<th>State First-Year Request Priorities (bonded $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Colleges – Critical Maintenance*</td>
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<tr>
<td>Community Colleges – Critical Maintenance* (State share)</td>
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<tr>
<td>Senior Colleges – Strategic Initiatives</td>
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<td>Total First Year Priorities</td>
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*Upgrades and improvements to existing facilities*
Minutes of the Meeting of the Board of Trustees
of The City University of New York
December 4, 2017

The Board of Trustees of The City University of New York (CUNY) met on December 4, 2017 at Baruch College Vertical Campus, New York, New York, pursuant to a Notice sent by the Office of the Secretary of the Board on November 22, 2017.


Others present: Chancellor James B. Milliken, EVC and University Provost Vita Rabinowitz, SAC and Board Secretary Gayle M. Horwitz, General Counsel and VC Loretta P. Martinez, Interim Chief Operating Officer Marc V. Shaw, SVC&CFO Matthew Sapienza, Vice Chancellor Judy Bergrtraum, Vice Chancellor Brian Cohen, Vice Chancellor Pamela Silverblatt, and Deputy Vice Chancellor Burton Sacks; and President Michelle Anderson, Interim President Vincent Boudreau, Interim President Peter M. Cohen, President Rudolph Crew, President José L. Cruz, President Scott E. Evenbeck, President William J. Fritz, President Russell K. Hotzler, President Thomas Isekenegbe, President Marcia V. Keizs, President Karol V. Mason, President Antonio Pérez, President Chase Robinson, President Felix V. Matos Rodriguez, President Mitchel Wallerstein, Dean Sarah Bartlett, Dean Mary Lu Bilek, Dean Mary Pearl, University Dean John Mogulescu, and Research Foundation President Richard Rothbard

CONVENING OF PUBLIC MEETING
Chairperson Thompson, Jr. called the Public meeting to order at 4:33 p.m. and announced that the Public Meeting is being transmitted live on cable Channel 75 and webcast live at www.cuny.edu/livestream. He also announced that the Public meeting will be available as a podcast within 24 hours and can be accessed through the CUNY website.

Chairperson Thompson, Jr. moved to go into Executive Session at 4:34 p.m. The motion was seconded by Trustee Fernando Ferrer.

CONVENING OF EXECUTIVE SESSION
Chairperson Thompson, Jr. called for an Executive Session pursuant to Section 105, Article 7, of the Public Officers Law, to discuss matters pertaining to investigations, litigation and personnel. The Board met in Executive Session from 4:35 p.m. to 6:11 p.m.
Moved by Chairperson Thompson, Jr. and seconded by Trustee Ken Sunshine, the public session was reconvened at 6:16 p.m.

CHAIRPERSON’S REPORT
Chairperson Thompson, Jr. stated that on Wednesday, November 29, 2017, the Board held its public hearing chaired by Vice Chairperson Barry Schwartz. He was joined by Trustees Henry Berger, Ken Sunshine, and Una Clarke, University Faculty Senate (UFS) Chair and Trustee Kay Conway, University Student Senate (USS) John Aderounmu, and members of the chancellery. A summary of the November 29th hearing, including testimony, was circulated to the Trustees and the Chancellor’s staff, and transcripts are available in the Office of the Secretary.

General Counsel and Vice Chancellor Loretta Martinez then gave a brief account of the actions her office has taken on behalf of the Board subsequent to the November 29th hearing with regard to food service workers at CUNY.

Chairperson Thompson, Jr. further stated that last Thursday, Trustee Kevin Kim was a special guest at CUNY’s Asian American/Asian Research Institute Gala. Trustees Una Clarke and Fernando Ferrer, and UFS Chair and Trustee Kay Conway attended the event with Trustee Kim.

Chairperson Thompson, Jr. further reported that on November 9th, he and Trustee Lorraine Cortés-Vázquez joined Congressman Adriano Espaillat, Lehman College President Jose Luis Cruz, Borough of Manhattan Community College (BMCC) President Antonio Perez, State University of New York Chairman H. Carl McCall and other SUNY officials on a tour of the Dominican Republic which highlighted higher education on the island. He reported that they had the pleasure of meeting Danilo Medina, the President of the Dominican Republic as well as the presidents of private and public universities. Chairperson Thompson, Jr. further said that it was an extraordinary trip, and “I look forward to a continuing dialogue on how we can work together to improve higher education both here and in the Dominican Republic.”

COLLEGE AND FACULTY HONORS
Trustee Lorraine Cortés-Vázquez announced the following:

1. Hunter College is honored to have been chosen as a recipient of City Hall’s Tech Talent Pipeline CUNY 2X Grant. This $2.5 million grant will bolster computer science initiatives, and will allow Hunter College to double tech grads who garner successful tech jobs in New York City.
2. Workers from the New York Power Authority (NYPA) have installed 947 solar energy panels on the main roof of BMCC’s four-block-long 199 Chambers Street building. The BMCC solar array is now the largest public photovoltaic facility on Manhattan island.

3. President of LaGuardia Community College Gail Mellow was honored by the American Folk Art Museum for their partnership, funded by the Andrew W. Mellon Foundation, which resulted in the museum receiving a three-year grant of $461,000 to develop the Museum Career Internship Program, an intensive work and study program organized by LaGuardia Community College.

4. Silberman School of Social Work Professor Gary Mallon received the 2017 Adoption Excellence Award for his work on adoption and LGBTQ youth.

5. Deepsikha Chatterjee, a lecturer in the Theatre Department, received a United Solo 2017 Best Costume Design Award for “Hide Your Fires,” a Butoh version of Lady Macbeth’s story.

Trustee Cortés-Vázquez said this is a sampling of CUNY’s renowned faculty members who continually win professional achievement awards from prestigious organizations as well as research grants from government agencies, foundations, and corporations, and urged all to refer to CUNY’s website for additional accomplishments.

STUDENT AND ALUMNI HONORS
Trustee Una Clarke announced the following:

1. Hunter College student Thamara Jean was named a 2018 Rhodes Scholar. She is the first Hunter College student to receive this distinction. A Macaulay Scholar with majors in Political Science and Media Studies, Thamara had risen to the top of her class academically, and last year she published her groundbreaking senior thesis in the Columbia University Journal of Politics and Society. Thamara will enter Oxford in October 2018 to study political theory.

2. Josephine Cooke of Queens College is among the 2018 Marshall Scholars announced yesterday. 43 college students were awarded scholarships to study in the United Kingdom. Josephine will study at Imperial College, London, focusing on how dance therapy can be used to rehabilitative neurological disorders. This highly prestigious grant, largely funded by the UK government, funds study for up to three years at any British institution.

3. Queens College students Daniel Baruch, Max Fruchter, and Shlomo Sandler placed first among a field of 2,507 students from more than 325 schools nationwide in the TD Ameritrade U 2017 Think or Swim Challenge, a competition that promotes financial literacy and invites students in the United States to participate in a simulated trading competition.
The students won $30,000 for Queens College and each received an Apple iPad Pro and $3,000 in a TD Ameritrade brokerage account.

4. For the second time in three years, a team of Lehman College students has won the Maiden Lane Division of the College Fed Challenge under the guidance of Nikolaos Papanikolaou, a Professor in the Department of Economics and Business. This year’s winning team was comprised of students: Tashane Henry, Tushain Newman, Frederick Boakye, and Jesus Minervino. They won the preliminary round in October, before competing against 40 other colleges and in the “Maiden Lane” finals on November 14th, held at the Federal Reserve Bank of New York’s Manhattan office.

GRANTS
Chairperson Thompson, Jr. presented for inclusion in the record the following list of grants and bequests of $100,000 or above received by the University subsequent to the October 23, 2017 Board meeting.

BROOKLYN COLLEGE

1. $383,826 NEW YORK STATE EDUCATION DEPARTMENT to Louise Hainline, for “Collegiate Science and Technology Entry Program (CSTEP)”
2. $377,338 DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT to Erica Niwa, for “COMPAS - MSE Public School RI”
3. $306,220 DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT to Erica Niwa, for “SONYC Community Roots MS-Compass School R2”
4. $130,390 NEW YORK STATE EDUCATION DEPARTMENT to Catherine McEntee, for “Science and Technology Entry Program (STEP)”

CITY COLLEGE

1. $2,147,990 NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES to Michael Bobker, for “Energy Data Lab”
2. $1,161,284 UNITED STATES EDUCATION DEPARTMENT to Jorge Gonzalez, for “City College of New York Initiative to Promote Academic Success in STEM (CiPASS)”
3. $901,283 NATIONAL SCIENCE FOUNDATION to Masahiro Kawaji, for “PIRE Investigation of Multi-Scale, Multi-Phase Phenomena in Complex Fluids for the Energy Industries”
4. $499,713 NATIONAL SCIENCE FOUNDATION to Ana Carnaval, for “Convergence ROL: RCN: Cross-Scale Processes Impacting Biodiversity”
5. **$437,863** NATIONAL INSTITUTES OF HEALTH to Joan Dorn, for “City College/Memorial Sloan-Kettering Cancer Center Partnership for Cancer Research Training & Community Outreach”

6. **$340,821** NATIONAL INSTITUTES OF HEALTH to Karen Hubbard, for “City College/Memorial Sloan-Kettering Cancer Center Partnership for Cancer Research Training & Community Outreach”

7. **$336,001** UNITED STATES EDUCATION DEPARTMENT to Yuri Job, for “TRIO - Upward Bound”

8. **$254,787** NEW YORK STATE EDUCATION DEPARTMENT to Mary Driscoll, for “Leadership Online Collaborative Course and Support: Creating a Strong Implementation Plan for Your School/District”

9. **$248,086** NATIONAL SCIENCE FOUNDATION to Bo Yuan, for “AitF: Collaborative Research: A Framework of Simultaneous Acceleration and Storage Reduction on Deep Neural Networks Using Structured Matrices”

10. **$211,320** NATIONAL INSTITUTES OF HEALTH to Lingyan Shi, for “City College/Memorial Sloan-Kettering Cancer Center Partnership for Cancer Research Training & Community Outreach”

11. **$195,001** COLUMBIA UNIVERSITY to Lia Kruzin-Elbaum, for “Columbia University Materials Research Science and Engineering Center”

12. **$190,981** DEPARTMENT OF ENERGY to Dorthe Eisele, for “Mapping the Interaction Landscape of Excitonic-Plasmonic Hybrid Nanosystems: Supercharging Biomimetic Solar Energy Harvesting”

13. **$178,214** NATIONAL INSTITUTES OF HEALTH to Marom Bikson, for “City College/Memorial Sloan-Kettering Cancer Center Partnership for Cancer Research Training & Community Outreach (2 of 2)”

14. **$171,180** NATIONAL INSTITUTES OF HEALTH to Bao Vuong, for “City College/Memorial Sloan-Kettering Cancer Center Partnership for Cancer Research Training & Community Outreach”

15. **$154,713** NATIONAL AERONAUTICS SPACE ADMINISTRATION to Maria Tzortziou, for “Ecological and Sociodemographic Determinants and Impacts of Urbanization and Restoration on Intertwined Urban-Wetland-Estuarine Systems”

16. **$151,458** DEPARTMENT OF ENERGY to Naresh Devineni, for “Multi-Scale Modeling of Extreme Events and Impact Information”

17. **$150,945** COLUMBIA UNIVERSITY to James Booth, for “Characterization of Oceanic Post-Cold Frontal Clouds and their Model Representation”

18. **$143,007** NATIONAL AERONAUTICS SPACE ADMINISTRATION to Kyle McDonald, for “Assessing Impacts of Climate-Induced Change on River Flow and Associated Economic Output in the High Mountain Asia Region”

### GRADUATE SCHOOL AND UNIVERSITY CENTER

1. $443,782  **NATIONAL INSTITUTES OF HEALTH** to Patrizia Casaccia, for “Mechanism of Regulation of Progenitor Proliferation and Transformation"

2. $335,014  **NATIONAL INSTITUTES OF HEALTH** to Kevin Gardner, for “Photosensory LOV Proteins: Study and Application of Signaling Mechanisms”

3. $309,622  **NATIONAL INSTITUTES OF HEALTH** to Bruce Johnson, for “NMRFx: An Integrated Software Suite for Macromolecular NMR Analysis”

4. $249,000  **NATIONAL INSTITUTES OF HEALTH** to Shana Elbaum, for “From Physiological Liquids to Pathological Gels: Regulation of Protein Phase Separation in Neurodegenerative Disease”

5. $246,856  **NATIONAL ENDOWMENT FOR THE HUMANITIES** to Lisa Rhody, for “Expanding Communities of Practice”

6. $209,673  **NATIONAL AERONAUTICS SPACE ADMINISTRATION** to Charles Vorosmarty, Peter Groffman, Zachary Tessler, and Anthony Cak, for “Coastal Hypoxia Analysis and Risk Tracking (CHART) through Remote Sensing and Process-Based Modeling in South and Southeast Asia”

7. $203,758  **AIR FORCE DEFENSE RESEARCH SCIENCES PROGRAM** to Rein Ulijn, for “Adaptive Nanostructures through Dynamic Molecular Systems”

8. $160,000  **DEPARTMENT OF ENERGY** to Elisa Riedo, for “NanoMechanics: Elasticity and Friction in Nano-Objects”

9. $140,355  **NATIONAL SCIENCE FOUNDATION** to Peter Groffman, for “Collaborative Research: MSB-FRA: Alternative Ecological Futures for the American Residential Macrosystem”

10. $136,448  **AIR FORCE DEFENSE RESEARCH SCIENCES PROGRAM** to Adam Braunschweig, for “Carbohydrate Materials Discovery: Towards a Post-Cellulosic Future”

11. $120,000  **NATIONAL INSTITUTES OF HEALTH/NEW YORK STRUCTURAL BIOLOGY CENTER** to Bruce Johnson, for “Center on Macromolecular Dynamics by NMR Spectroscopy (CoMD/NMR)”

12. $110,000  **ARBOR BROS., INC.** to Michelle Fine, for “College Access: Research & Action (CARA)”

13. $106,686  **NATIONAL SCIENCE FOUNDATION/CARY INSTITUTE** to Peter Groffman, for “LTER: Dynamic Heterogeneity: Investigating Causes and Consequences of Ecological Change in the Baltimore”

### THE CUNY SCHOOL OF PROFESSIONAL STUDIES

1. $9,616,036  **NEW YORK CITY ADMINISTRATION FOR CHILDREN'S SERVICES** to John Mogulescu, for “ACS Workforce Institute”

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2. $1,704,586 NEW YORK CITY HUMAN RESOURCES ADMINISTRATION to John Mogulescu, for “Child Support Training Program”

3. $1,673,046 NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES to John Mogulescu, for “Energy Management Program”

4. $775,000 THE CENTRAL PARK CONSERVANCY to John Mogulescu, for “Learning Programs for Urban Parks”

HOSTOS COMMUNITY COLLEGE

1. $2,145,553 UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES to Carlos Molina, for “Hostos Allied Health Career Pipeline Program”

2. $824,044 NEW YORK STATE EDUCATION DEPARTMENT to Christine Mangino, for “Vocational Education Program, PERKINS”

3. $584,986 NEW YORK CITY HUMAN RESOURCE ADMINISTRATION/CUNY to Nathaniel Cruz and Maria Cano, for “EDGE Program”

4. $519,534 UNITED STATES DEPARTMENT OF EDUCATION to Christine Mangino, for “Hostos Community College ADELANTE: Reinvigorating, Enhancing and Accelerating Developmental Education, Enhancing College Credit Courses and Expanding Faculty Development and Research Immersion, Year 4”

5. $450,000 NEW YORK STATE EDUCATION DEPARTMENT to Evelyn Fernandez-Ketcham, for “Liberty Partnerships Program”

6. $431,874 NEW YORK STATE EDUCATION DEPARTMENT to Christine Mangino and Moise Koffi, for “STEP/Proyecto Access”

7. $290,000 UNITED STATES SOCIAL SECURITY ADMINISTRATION to Peter Mertens and Ninoska Uribe, for “Work Incentives Planning and Assistance Program (WIPA)”

8. $200,597 UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION to Evelyn Fernandez-Ketcham, for “Health Career Opportunity Program”

9. $199,500 NEW YORK STATE EDUCATION DEPARTMENT to Christine Mangino and Moise Koffi, for “CSTEP”

10. $165,451 NEW YORK STATE EDUCATION DEPARTMENT to Peter Mertens, for “Workforce Investment Act Program”

11. $150,000 NPORG/HEALTH RESEARCH, INC. to Lillian Morales and Fabian Wander, for “Support for Expectant and Parenting Teens”

12. $125,000 NEW YORK CITY COUNCIL to Carlos Molina, for “CUNY Fatherhood Academy”

13. $115,812 PINKERTON FOUNDATION to Evelyn Fernandez-Ketcham, for “Community Partnership for College”
HUNTER COLLEGE

1. $1,509,303  FLORIDA STATE UNIVERSITY/NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT to Jeffrey Parsons, for “Scale It Up: Effectiveness-Implementation Research to Enhance HIV-Related Self–Management among Youth”
2. $600,000  DEPARTMENT OF HEALTH AND HUMAN SERVICES/SUBSTANCE ABUSE & MENTAL HEALTH SERVICES ADMINISTRATION to Robert Abramovitz, for “National Child Trauma Workforce Development Institute”
3. $132,063  SIMONS FOUNDATION to Herman Pontzer and Eric Castillo, for “Simons Society of Fellows – Junior Fellowship”
4. $112,320  NATIONAL SCIENCE FOUNDATION to Jessica Rothman and Sagan Friant, for “Exploring the Links between Biodiverse Foods, Nutritional Quality, and Food Security”

JOHN JAY COLLEGE

1. $8,780,519  MAYOR’S OFFICE OF CRIMINAL JUSTICE (MOCJ) to Jeffrey Butts, for “Mayor’s Action Plan for Neighborhood Safety”
2. $1,949,650  MAYOR’S OFFICE OF CRIMINAL JUSTICE (MOCJ) to Ann Jacobs, for “College and Reentry Services Initiative & Forensic Peer Navigator Certificate Program”
3. $1,200,000  THE LAURA AND JOHN ARNOLD FOUNDATION to Preeti Chauhan, for “Research Network on Misdemeanor Justice”
4. $651,519  MAYOR’S OFFICE OF CRIMINAL JUSTICE (MOCJ) to Jeffrey Butts, for “Sustaining the Assessment of New York City’s Project Fast Track and other Programmatic Initiatives”
5. $613,857  UNITED STATES DEPARTMENT OF EDUCATION to Anthony Carpi and Kate Szur, for “A Success Pipeline for Hispanic Students: Expanding a Model Transfer Articulation Program by Supporting Cohort Identity, Academic Progress, and Learner-Centered Curriculum”
6. $524,672  UNITED STATES DEPARTMENT OF EDUCATION to Anthony Carpi and Kate Szur, for “Developing the Foundations of Post-Graduate Success: Engaging Hispanic Students in Experiential Learning and Integrated Academic and Career Planning”
7. $509,000  UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID) to Javier Osorio, for “Promoting Quantitative Analysis Capabilities and Applied Research on Citizen Security in Central America”
8. $427,106  UNITED STATES DEPARTMENT OF EDUCATION to Karen Texeira, for “John Jay Upward Bound Program”
9. $379,578  MAYOR’S OFFICE OF CRIMINAL JUSTICE (MOCJ) to Preeti Chauhan, for “An Evaluation of the New York City’s Criminal Justice Reform Act”
10. $334,007 CITY OF FORT MEYERS to David Kennedy for “Reducing Serious Violence in Fort Meyers, Florida”
11. $259,429 NEW YORK STATE EDUCATION DEPARTMENT to Anthony Carpi and Edgardo Sanabria-Valentin, for “Collegiate Science and Technology Entry Program (CSTEP)”
12. $252,755 DISTRICT ATTORNEY’S OFFICE OF NEW YORK (DANY) to Ann Jacobs, for “Expansion of Higher Education in NYS Prisons - A DANY Initiative”
13. $250,836 UNITED STATES DEPARTMENT OF EDUCATION to Jessica Gordon-Nembhard, for “John Jay College McNair Scholars”
14. $231,291 JEWISH FOUNDATION FOR EDUCATION OF WOMEN (JFEW) to DeLandra Hunter, for “JFEW ACE Scholars Program”
15. $167,998 NEW YORK STATE EDUCATION DEPARTMENT to Shu-Yuan Cheng, for “Science and Technology Entry Program (STEP)”
16. $156,652 UNITED STATES DEPARTMENT OF EDUCATION VIA BOROUGH OF MANHATTAN COMMUNITY COLLEGE to Kate Szur, for “Title III: HSI STEM Articulation Digital Pathways Initiative”
17. $125,000 NATIONAL SCIENCE FOUNDATION (NSF) to Shweta Jain, for “EAGER: Collaborative: E-witness-Preserve and Prove Forensic Soundness of Digital Evidence”

KINGSBOROUGH COMMUNITY COLLEGE

1. $110,716 NEW YORK STATE EDUCATION DEPARTMENT to Christine Beckner, for “WIA, Title 2 Adult Education and Literacy”
2. $102,602 NATIONAL INSTITUTES OF HEALTH to Anna Rozenboym, for “Bridges to the Baccalaureate”

LAGUARDIA COMMUNITY COLLEGE

1. $847,107 UNITED STATES DEPARTMENT OF EDUCATION/OFFICE OF POSTSECONDARY EDUCATION to Bret Eynon, for “STEM-CONNECT Building a Guided Pathway”
2. $524,270 UNITED STATES DEPARTMENT OF EDUCATION/OFFICE OF POSTSECONDARY EDUCATION to Bret Eynon, for “Project Avanzar: CLR Pathways to STEM”
LEHMAN COLLEGE

1. $479,991 HEALTH RESOURCES AND SERVICES ADMINISTRATION to Amanda Sisselman and Jessica Kahn, for “Behavioral Health Workforce Education and Training BHWET Program”

2. $200,000 NATIONAL SCIENCE FOUNDATION to Victor Pan, for “A Framework of Simultaneous Acceleration and Storage Reduction on Deep Neural Networks Using Structured Matrices”

NEW YORK CITY COLLEGE OF TECHNOLOGY

1. $899,792 NEW YORK STATE EDUCATION DEPARTMENT to Bonne August, for “Perkins”

2. $400,000 NEW YORK STATE EDUCATION DEPARTMENT to Bonne August, for “CSTEP”

3. $384,940 UNITED STATES DEPARTMENT OF EDUCATION to Jonas Reitz, for “Opening Gateways to Student Success in STEM”

4. $297,116 NEW YORK STATE EDUCATION DEPARTMENT to Bonne August, for “STEP”

5. $247,272 UNITED STATES DEPARTMENT OF EDUCATION to Sandie Han, for “MSEiP: Women and Minorities in STEM”

6. $140,624 UNITED STATES DEPARTMENT OF EDUCATION to Hong Li, for “Digital Pathways Project”

QUEENS COLLEGE

1. $575,000 UNITED STATES DEPARTMENT OF EDUCATION to Patricia Rachal and Susanne Morrow, for “New York Deaf-Blind Collaborative”

2. $260,404 NATIONAL SCIENCE FOUNDATION to Chao Chen, for “AitF: Collaborative Research: Topological Algorithms for 3D/4D Cardiac Images: Understanding Complex and Dynamic Structures”

3. $232,265 UNITED STATES DEPARTMENT OF EDUCATION to Mirian Detres-Hickey, for “DSSS Disabled Student Services”

4. $102,988 NATIONAL SCIENCE FOUNDATION to Alexey Ovchinnikov, for “AF: Medium: Collaborative Research: Numerical Algebraic Differential Equations”
QUEENSBOROUGH COMMUNITY COLLEGE

1. $946,879 NEW YORK STATE EDUCATION DEPARTMENT PERKINS IV to Timothy Lynch, for “QCC Perkins IV – 2018”
2. $226,704 NEW YORK CITY SMALL BUSINESS ADMINISTRATION to Jeff Chen, for “Certified Recovery Peer Advocate Training Program (CRPA) (Cohorts 3 & 4)”

COLLEGE OF STATEN ISLAND

1. $468,124 NATIONAL SCIENCE FOUNDATION to Greg Phillips, for “RUI” Protocadherin Cytoplasmic Interactions, Trafficking and Anti-Adhesion"
2. $173,881 PRIVATE to Alan Lyons, for “A Hybrid Hydrophobic Hydrophilic Coasting with Combines Anti Reflective & Anti Soiling Properties”
3. $139,874 NATIONAL SCIENCE FOUNDATION to Anatoly Kuklov, for “Collaborative Research: Worm Algorithm & Diagrammatic Monte Carlo for Strongly Correlated”

YORK COLLEGE

1. $508,473.50 DEPARTMENT OF DEFENSE to Louis Levinger, for “Equipment Grant”

CHANCELLOR’S REPORT

Chancellor James Milliken opened by announcing he will step down as Chancellor at the end of the academic year.

Milliken’s Remarks:

“My commitment to CUNY’s values, its mission and, most important of all, its wonderful students has only deepened with the years. This University’s historical record of achievement and the achievements over the last few years are humbling. What is particularly striking is that every time CUNY improve an academic program, implement a new initiative, create better career opportunities, the University has succeeded not in some abstract or vague pursuit. CUNY change lives and always for the better.

I know the Trustees join me in the pride I take in my association with an institution that does so much for so many on a daily basis. That for generations has been one of the most effective engines of social mobility in the country.

Doors are opening to great career opportunities in the city's most promising industries because of CUNY’s new workplace partnerships, which are being scaled up significantly. The Connected
CUNY strategic plan has already produced results in these areas and the improvements will accelerate in the coming years.

Of course, the University’s administrative efficiency is critical. We need to improve administrative service to the colleges and departments, and in the process, ensure we are investing more in CUNY’s classrooms and establishing great standards for transparency and accountability. We have initiatives that the Board will be addressing today that advance this important effort.

The administration is reminded every day of the importance of the work of CUNY, and today in the *New York Times* there was a column by David Leonhardt called "Lost Einsteins: The Innovations We’re Missing." It is a case in point. The key point from another groundbreaking study led by Stanford economist Raj Chetty is that only top students from the high-income brackets had a decent chance to become inventors.

Why? So consider a few data points: The chances of attending an ivy-league school is seventy-seven times higher for a child from the top one percent than from the bottom twenty percent. Children born in 1980 in the top quartile of wealth are three times as likely to attend college as those from the bottom quartile. And they were six times as likely to graduate from college. Eighty percent of the children in the top quartile of wealth go to college. Twenty-nine percent from the bottom quartile. Fifty-four percent of the children from the top quartile complete college. Nine percent of the children in this cohort from the bottom quartile finished college.

If you take only those that entered college, students in the top quartile of wealth had two times the opportunity to graduate as those from the bottom quartile. These stark and unacceptable statistics led to my starting point for the Connected CUNY plan.

That is, while talent is widely distributed without regard to wealth, opportunity is not. And that is unacceptable and CUNY, working with the University’s partners, is one of the best tools to remedy that. And that has to be the foundation of CUNY’s work.

Lastly, I want to thank the many who have expressed warm feelings and support since my announcement about my plans. I have been gratified by comments especially from educators, who recognized the strides CUNY is taking and the wonderful future that lies ahead. It is a bright future and we need to keep addressing the inequality of opportunity that faces so many.

Thank you for the opportunity of a lifetime at a truly remarkable institution.”
CHANCELLOR’S UNIVERSITY REPORT: Chairperson Thompson, Jr. called for a motion to approve the Chancellor’s University Report for December 4, 2017, which was seconded by Trustee Charles Shorter. Vice Chairperson Barry Schwartz abstained. He asked if there were any amendments. Upon hearing none, the item was adopted by the Board.

1. Chancellor’s University Report:

   RESOLVED, That the Chancellor’s University Report for December 4, 2017 (including Addendum and Errata Items) be approved.

APPROVAL OF MINUTES: Chairperson Thompson, Jr. called for a motion to approve the minutes of the regular Board meeting and Executive Session of October 23, 2017, which was seconded by Trustee Brian Obergfell. He asked if there were any amendments. Upon hearing none, the item was adopted by the Board:

2. Approval of Minutes:

   RESOLVED, That the minutes of the regular Board meeting and Executive Session of October 23, 2017 be approved.

Moved by Chairperson Thompson, Jr. and seconded by Trustee Fernando Ferrer, the following resolution was presented and opened for discussion:

3. The City University of New York - Reform of Governance and Administrative Policies and Practices to Enhance Transparency and Accountability:

   WHEREAS, The CUNY Board of Trustees and management of the University are committed to ensuring best practices in financial oversight, internal controls, transparency and accountability; and

   WHEREAS, The Board of Trustees established a standing Audit Committee of the Board of Trustees at its January 30, 2017 Board Meeting; and

   WHEREAS, The Board of Trustees adopted revised Procurement Guidelines on February 21, 2017; and

   WHEREAS, The Board of Trustees, at its June 26, 2017 meeting, adopted revised college foundation guidelines and a model memorandum of agreement, authorized the renegotiation of the agreement between the City University of New York and the City University Research Foundation, adopted a policy on the use and operation of university vehicles, amended the
RESOLVED, That the Board of Trustees approve the additional, recommended policy changes outlined below, effective December 4, 2017, to further ensure best practices in financial oversight, internal controls, transparency and accountability; and be it further

RESOLVED, That the Board of Trustees authorizes the General Counsel and the Secretary of the Board of Trustees to revise the Board of Trustees Bylaws and Manual of General Policy to reflect the necessary changes to implement these actions.

EXPLANATION: The reforms are divided into sections as follows:

A. ADOPTION OF REVISED AUXILIARY CORPORATION GUIDELINES AND MODEL MEMORANDUM OF AGREEMENT

RESOLVED, That the Board of Trustees of the City University of New York adopt the attached Auxiliary Enterprise Corporation Guidelines and Model Memorandum of Agreement, effective December 4, 2017.

EXPLANATION: The CUNY Auxiliary Enterprise Corporation Guidelines, which were last revised in 2007, set forth policies regarding the operation of the auxiliary enterprise corporations, independent entities that benefit the University through the support of a particular college or school and its students, faculty, and staff. The AECs support the campuses by providing non-instructional auxiliary enterprises and services such as fiscal administration of a college’s food service, vending, bookstore and/or parking operations, short-term licensing of college facilities to third parties, and other activities in cooperation with the college. As a condition of an AEC’s use of a college or school’s name, facilities, and/or other resources, the AEC must accept and follow the Guidelines. The Guidelines have been updated to reflect changes in the law and to strengthen requirements for governance, accountability, transparency and financial controls. A requirement of the Guidelines is that each AEC enter into a...
Memorandum of Understanding with its supported college or school in the form set forth in an appendix to the Guidelines.

THE CITY UNIVERSITY OF NEW YORK
AUXILIARY ENTERPRISE CORPORATION GUIDELINES

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I. PREAMBLE

The purpose of this policy is to establish guidelines regarding the auxiliary enterprise corporations (each an “AEC”) that support The City University of New York (“CUNY” or the “University”). Although independent, each AEC is organized for the sole purpose of supporting CUNY and a particular CUNY college or school (each a “college”), its students, faculty, staff and other members of the college community. Through the provision of non-instructional auxiliary enterprises and services (“auxiliary services”) such as fiscal administration of a college’s food service operations, short-term licensing of college facilities to third parties, and other activities in cooperation with the college, an AEC can assist its supported college in meeting its higher education goals.

As a condition of an AEC’s use of the University’s or a college’s name, facilities and/or other resources, an AEC must accept and follow these Guidelines, which are intended to protect the University’s interests, as well as to help ensure that the AEC operates in a prudent, lawful manner. As further described in this document, each AEC shall be:

- organized solely for the benefit of a particular supported college, its students, faculty, staff, and other members of the college community;
- operated in a fiscally prudent manner and consistent with its governance documents and applicable federal, state and local law and regulation; and
- guided by best practices in good governance and ethical judgment.
II. OVERVIEW

A. Purpose and Permitted Activities

The AECs are entities created and operated for the principal purpose of benefiting the students, faculty, staff, and other members of the community of the various colleges by providing auxiliary services and by otherwise supporting the educational mission of the college and the University. Each AEC supports a particular college. Examples of auxiliary services that an AEC may provide include:

- Food service operations, including catering and vending;
- Beverage “pouring rights” contracts and similar arrangements;
- Bookstores and campus stores, both physical and virtual;
- Copy machines, laundry centers, games and amusements, and similar operations;
- ATMs and other banking services;
- Student, faculty and staff housing and related services;
- Sports, health, and recreation facilities licensing, memberships and camps;
- Parking operations and transportation services;
- Childcare centers, art galleries, and performing arts centers;
- Short-term licensing of college facilities to third parties;
- Trademark licensing;
- Campus telecommunication services such as WiFi extenders;¹
- Such other auxiliary services as mutually agreed by the AEC and the college.

An AEC may provide auxiliary services through: (i) direct operation (e.g., parking operations), (ii) a subcontract with another vendor (e.g., transportation services), or (iii) by acting as the college’s fiscal agent in connection with a college or University contract or facility (e.g., pouring rights, theater operations) or asset licensing program (e.g., short-term facility use, trademarks). Other structures and activities may be permitted upon approval of the supported college and the CUNY Office of the General Counsel and the CUNY Office of Budget and Finance.

An AEC’s tax exempt status is based on the premise that it will be providing the traditional types of auxiliary services that directly assist students, faculty and staff in their education and work (e.g., food service, bookstores, parking, etc.). An entity that is primarily a repository of revenues from facility or intellectual property licensing, and does not provide traditional auxiliary services as its principal activity does not meet the definition of an AEC and may not meet the criteria for tax exemption.

¹ This does not include cell tower and similar arrangements, unless structured as a short-term facility use license.
B. Prohibited Activities

AECs shall not engage in activities that do not relate to their primary purpose or mission of providing auxiliary services, except as permitted by Section X.A.3 with respect to the use of surplus funds. Examples of prohibited activities include:

- offering instructional or certificate programs, whether credit or noncredit-bearing, and including adult and continuing education;
- receipt and/or management of sponsored grants for research or for college programs, except for those non-instructional programs for which the AEC is the college-designated fiscal administrator. AECs may accept and administer grants for programs they directly operate, such as government funding for child care centers, and for non-instructional college programs for which the college has designated the AEC to be its fiscal administrator, such as government funding for a performing arts center;
- holding “depository accounts” for college offices or departments, student organizations, or other college-related groups, that are not controlled by the AEC. AECs may hold and administer funds with restricted purposes, such as use for a specific program or department and may deposit surplus funds (as defined in X.A.3) with the City University Construction Fund (CUCF) to fund college capital projects. However, such funds shall be included in the AEC’s budget and are subject to the same management, accounting, reporting and control requirements as other funds held by the AEC;
- activities prohibited by applicable federal, state or local law or regulation, or CUNY or college policy.

C. Self-Supporting

The AECs are intended to be self-supporting; revenues generated by an AEC are expected to be sufficient to cover its expenses.

III. AUTHORITY

By resolution of June 27, 1983, the University’s Board of Trustees authorized the establishment of an AEC at each CUNY college campus and under each college’s name. Some AECs were established prior to this date pursuant to individual Board of Trustees resolutions.

Pursuant to Article XVI of the Bylaws of the University’s Board of Trustees (“CUNY Bylaws”), an AEC shall have responsibility for the oversight, supervision and review of college auxiliary enterprises.
IV. STRUCTURE AND GOVERNANCE

A. Structure

1. **AECs.** Each AEC shall be organized and operated as a New York not-for-profit corporation that is legally separate from its supported college and the University. It shall obtain and maintain status as a tax-exempt, charitable organization under §501(c)(3) of the Internal Revenue Code and applicable New York State laws. The certificate of incorporation of each AEC shall make reference to the CUNY college it will benefit in terms of purposes, objectives, and programs. The governing documents of each AEC shall be reviewed by CUNY’s Office of the General Counsel and approved by the CUNY Board of Trustees.

2. **Affiliates.** An “Affiliate” for purposes of these Guidelines is an entity formed by an AEC to assist it in meeting the specific needs of, or providing a direct benefit to a college or an associated AEC. An AEC may establish one or more Affiliates as permitted by law. Each Affiliate should be a New York not-for-profit corporation that is tax-exempt under the Internal Revenue Code, unless a different organizational structure (e.g., a limited liability company) is more appropriate as determined by the AEC board. Prior to formation of an Affiliate, a plan outlining the structure, governance, and purpose of the proposed Affiliate must be approved in writing by the college president or dean (each a “president”) upon consultation with the CUNY Offices of the General Counsel and Budget and Finance. An Affiliate may be created under the University’s or a college’s name only with the approval of the CUNY Board of Trustees. Throughout these Guidelines, references to an AEC shall be deemed to include any Affiliate of that AEC.

3. **Dissolution.** The governance documents of each AEC must provide that in the event of its dissolution, the AEC’s net assets shall be distributed to the University or another University-approved entity, for the benefit of the college that the AEC was created to support.

4. **Documentation.** Copies of all governance documents, including all amendments thereto, must be on file with the college and the CUNY Office of the General Counsel.

B. Governance

1. **Role of Board.** An AEC’s governing body (each a “board”) is responsible for the governance and oversight of the AEC’s affairs, personnel and properties. The AEC’s board is also responsible for issuing necessary policies, ensuring that the AEC operates in accordance with its mission and all legal requirements, and monitoring the AEC’s financial condition.

2. **Composition of Board.** The composition of the AEC’s board, including its membership, committee structure, and adherence to term limits, if any, shall be in full compliance with the
requirements of Article XVI of the CUNY Bylaws, the AEC’s certificate of incorporation and bylaws, and these Guidelines.

3. **Audit Committee.** Even if not so required by New York Not-For-Profit Corporation Law (N-PCL) § 712-a, AECs must have an audit committee whose voting members consist solely of independent directors, as defined by the N-PCL. The audit committee shall oversee the accounting and financial reporting processes of the AEC and the audit of the AEC’s financial statements and shall review the Internal Revenue Service (IRS) Forms 990 for the AEC before they are signed and filed.

**V. ACCOUNTABILITY AND COMPLIANCE**

**A. Corporate and Fiduciary Responsibilities**

Each AEC shall meet all requirements of the N-PCL and other applicable laws covering its organizational structure. Among other things:

- Its board shall conduct its business, including meetings, elections of officers, other voting, and the keeping of minutes and other records, in full compliance with its bylaws, applicable law, and these Guidelines;

- It shall maintain on file all official minutes of meetings, including all resolutions considered at a meeting and the disposition of each, signed by the individual officially writing the minutes. Given that minutes may not be immediately available after a meeting, promptly after each meeting, the Secretary of the AEC shall prepare a summary of the actions taken, including the disposition of all resolutions, and make the summary widely available through posting on the AEC’s website or some other means of widespread publication to the campus community.; and

- It shall be familiar with, and fulfill, its fiduciary responsibilities under the New York Prudent Management of Institutional Funds Act (NYPMIFA), N-PCL Article 5-A, and any other statutes that define its fiduciary responsibilities.

Each AEC shall comply with all other federal, state and local laws and University and college policies applicable to its organization and activities, including without limitation the University’s policies and procedures regarding reporting and/or use of non-tax levy funds.

Each AEC shall operate in accordance with sound business practices and develop, administer and communicate written policies and procedures for all key business functions, as further described in these Guidelines.
B. Tax Requirements

Each AEC shall make all required filings with the IRS and the New York State Department of Taxation and Finance, and follow all other applicable tax laws enforced and/or promulgated by the IRS or New York State, including without limitation, as applicable:

- IRS and NYS filings and tax payments regarding sales tax and unrelated business income (UBI) and tax; and
- laws relating to payroll and vendor payments (Form 1099).

Each AEC shall make available for public inspection its Form 1023 request to the IRS for tax-exempt status, its IRS “determination” letter as a 501 (c)(3) organization, and its Form 990s for the past three years. It shall provide copies of these documents to those who request them, as is required by law. An AEC may, but is not required to, comply with this section by posting the relevant documents on a website accessible to the public.

C. Contracts

In general each AEC should refrain from entering into contracts regarding activities that will be carried out, overseen or administered by its supported college or the University, not the AEC (e.g., independent consultants for the college, software hosted on college systems or using college/student data), except to the extent that the college has designated the AEC to be its fiscal agent for such activity, as set forth in the Memorandum of Understanding between the college and the AEC. Instead, with the approval of the AEC board, it may provide funding or reimbursement for the costs of such contracts entered into by the college or University or generally for the projects they relate to. No AEC shall enter into any contract that: (i) would obligate its supported college or the University without the prior written approval of the college president or designee or (ii) relates to a college capital project without the prior approval of the University’s Office of Facilities Planning, Construction and Management.

All AEC contracts shall be for the benefit of the supported college and the University. Among other things, AECs shall not enter into fiscal agency or other agreements on behalf of non-CUNY entities.

Consistent with N-PCL § 716, an AEC shall not provide a loan to any of its directors or officers, including without limitation the college president, or to any entity in which a director or officer has a financial interest or is a director or officer. Any loan from an AEC to its supported college is subject to the approval of the CUNY Board of Trustees prior to its acceptance by the college.
D. Authorized Signatories

All AEC contracts shall be signed by the chief executive officer (CEO) of the AEC (typically also the Chair) unless the AEC’s bylaws permit otherwise. The AEC CEO may delegate his or her signing authority to another AEC board member generally, or specifically for a particular contract, but not to a college or AEC employee who is not a member of the AEC board, except as specifically permitted pursuant to Section X.C below. All such delegations must be in writing, updated annually, and kept with records of the AEC.

E. Use of College Name and Marks

An AEC may, solely in connection with its lawful activities to benefit its supported college, use the name, logos, seals, and other symbols and marks of the college, pursuant to the terms and conditions of the Memorandum of Understanding between the AEC and the college.

F. Compliance with Investigations

Each AEC shall cooperate with the University and government authorities regarding any investigation of the AEC’s activities in support of a college or CUNY generally, as the case may be.

VI. INSURANCE AND INDEMNIFICATION

As independent entities, the AECs are not indemnified by New York State or New York City, as is the University and its colleges. If sued, an AEC is responsible for hiring its own counsel and paying any damages for which it may be found liable. Consequently, the AECs need to have insurance to cover these costs.

A. Insurance

1. D&O Insurance. Each AEC shall obtain and maintain directors and officers liability insurance in the amount of at least $1 million per occurrence and in the aggregate.

2. General Liability Insurance. An AEC shall obtain comprehensive general liability insurance in such amounts determined by the AEC board to be reasonable and appropriate in consideration of the AEC’s activities. If an AEC does not maintain general liability insurance covering its operations in general, it should obtain insurance on a per event basis for any events sponsored by it, in particular those (i) occurring off campus or (ii) for which it has signed a contract pursuant to which it indemnifies one or more other parties. Notwithstanding the foregoing, CUNY requires an AEC to obtain liability insurance in the following situations:

   - The AEC operates a child care center;
   - The AEC directly operates a performing arts center, theater or art gallery, or is the college’s fiscal agent with respect to such a facility;
• The AEC is sponsor of an event that will be open to the general public, unless the AEC board and the college president or his or her designee have determined that the event is low risk and the risks can be sufficiently managed by the college’s office of public safety; or
• The AEC is the sole or co-sponsor of an event at which alcohol will be served.

3. Other Insurance. An AEC shall obtain and maintain such other insurance as is required by law or prudent given the AEC's activities (e.g., workers compensation insurance, employers liability insurance, property insurance, etc.)

B. Indemnification

Each AEC’s bylaws shall include a provision indemnifying its directors and officers in a manner consistent with the provisions of Article 7 of the N-PCL.

VII. PERSONNEL MATTERS

A. Classification/Definitions

1. AEC Employees & Other Staff

   (a) General. Each AEC should have adequate and qualified staff to carry out its operations. Individuals hired by the AEC must be informed in writing that they are employees of the AEC, not the college, and will not receive the retirement, health and other fringe benefits associated with employment by the college and University (although they will receive benefits, if any and as applicable, offered by the AEC). As self-supporting entities, AEC staff should be: (A) employed by the AEC or (B) college or Research Foundation employees dedicated, in whole or in part, to AEC duties and whose salary for such work is reimbursed by the AEC. Each AEC shall comply with all University procedures regarding non-tax levy payrolls of the University’s related entities.

   (b) AEC Employees Must be Conducting AEC Work. Individuals paid on an AEC payroll must be carrying out work for the AEC, not the college. Examples include, but are not limited to, an AEC’s executive director, accountants, bookkeepers and clerical staff. Individuals working for the college should be paid on a college or RF payroll, although as noted below, the AEC may reimburse the college for all or part of the cost of the individual’s salary. College employees who spend a percentage of their work-day on AEC matters should have such portion of the AEC work reimbursed to the college by the AEC as set forth in Section VII.B.4.

   (c) Status. AEC employees shall be hired as full-time, part-time or hourly at-will employees unless they meet the definition of independent contractor or are approved volunteers, as described below.
2. Independent Contractors

(a) **Definition.** An AEC may engage an individual as an independent contractor if the AEC directs the work product of the individual, but does not direct the manner in which the work is performed. If the AEC controls and directs the individual’s work product, as well as the details and manner of the performance of the work, the individual should be engaged as an AEC employee. Independent contractors, by definition, are self-employed. Independent contractors are most likely to perform highly skilled, specialized work, provide their own tools and materials for conducting and providing such work, and may on occasion perform work or provide services off-site. An independent contractor retains the right to hire and pay assistants and assign or contract part of the work.

(b) **Procedures.** AECs engaging independent contractors shall follow the procurement rules and best practices in these Guidelines and shall enter into a written agreement with the individual providing the services.

3. Volunteers

(a) **General Rule.** An AEC may engage volunteers only to provide incidental services that are not typically provided by AEC or CUNY employees. Examples of permitted volunteers include students providing ushering services in exchange for the right to see the performance at the college and authorized student intern and training programs at an AEC-operated child care center.

(b) **Student Interns.** Students who contribute work hours to an AEC in exchange for CUNY academic credit and learning and training opportunities in compliance with the FLSA may be categorized as unpaid interns. The internship experience should be for the benefit of the intern and the intern must not displace a regular AEC or college employee. The intern should work under close supervision of the existing staff. The intern is not entitled to a job at the conclusion of the internship. Volunteer student interns are not eligible for wages or employment benefits. The AEC may pay an intern a stipend (see VII.B.3 below). However, the AEC must keep a record of time and work performed by the student to support the classification as an unpaid intern and also to provide evidence that the work and compensation is not the same as that of an employee.

(c) **Written Agreement.** AECs engaging volunteers as permitted by this policy shall give to the individual providing the services a written statement setting forth the parameters of the volunteer activities prior to engagement.
B. Salary/Compensation

1. Compensation of AEC Employees. Where feasible, compensation standards for AEC staff, with specified minimum and maximum pay ranges, shall be comparable to positions at the supported college and at AECs supporting other CUNY colleges, with similar responsibilities.

2. Honoraria. An honorarium is a payment by an AEC to an individual for services for which fees are not traditionally required, such as a guest lecturer or speaker, and is given as a gesture of good will and appreciation. The honorarium payment and the amount are both discretionary; it is not a fee charged by the person being honored. In accordance with IRS regulations, an honorarium is reportable by the payee on Form 1099-Misc as income to the individual. Honoraria should not be paid to persons employed by CUNY or the AEC.

3. Stipends. A stipend is a fixed sum of money that is paid periodically for services or to defray expenses. The term “stipend” is used by AECs to refer to several types of payments, including both wages and non-wage payments.

   (a) Stipends as wages. This typically refers to payments by an AEC for services, often short-term or temporary, by individuals whose work is directed by the AEC. These payments are considered wages to employees, are subject to employment tax withholding, and are reportable to the IRS on Form W-2.

   (b) Stipends as non-wage payments for services. This includes payments by an AEC to volunteer student interns. Payment is not measured by hours devoted to the performance of the position, but is typically a lump sum amount determined at the start of the activity. These payments are not considered wages and have no employment taxes withheld from them. However, the payments are taxable income to the recipient and are reportable to IRS on Form 1099 if the payments to an individual total $600 or more for the calendar year.

4. Compensation of CUNY employees. No AEC shall underwrite any compensation for CUNY or college faculty and staff except as follows:

   • An AEC may provide funding to CUNY, in an amount to be determined by the University Offices of the General Counsel and Budget and Finance, to enable the hiring of counsel and other professional staff or services to assist the AECs with legal, financial and/or tax matters. Any lawyer engaged pursuant to this provision shall be part of the Office of the General Counsel;
   • An AEC may reimburse its supported college for all or part of the salary and related costs of college employees doing work for the AEC, such as administrative staff in Higher Education Officer titles, accountants and clerical staff. Applicable law and CUNY employment regulations, procedures and contractual requirements, must be met for CUNY employees doing work for the AEC where their salaries and related costs are being reimbursed by the AEC;
• At the request of the college president or his or her designee, an AEC may provide funding for all or part of the salary and related costs of the following college employees: coaches; temporary non-instructional staff such as ushers, tour guides, and musicians; such other categories of employees as set forth in the Memorandum of Understanding, but not to include faculty or senior managerial staff.

• Subject to the University’s Statement of Policy on Multiple Positions and other CUNY policies related to multiple positions, an AEC may hire and pay college employees to perform work for the AEC during those hours when they are not carrying out their college duties and not related to their full-time responsibilities. For example, subject to the AEC’s purchasing and conflict of interest policies, an AEC may hire an adjunct faculty member as an independent contractor to design software to assist with AEC operations. However, an AEC shall not engage as independent contractors and/or pay college employees “stipends” for carrying out activities that are part of the employee’s work for the college. For example, an AEC shall not pay a college employee for designing the lighting plot for a college production if the employee is a member of the Theatre Department whose job includes working on college productions.

All such payments shall be approved by the AEC’s board.

C. Tax ID

AEC employees must be paid using the AEC’s own EIN.

D. Payroll Period

An AEC shall provide notification of payroll periods and timesheet requirements and deadlines to all its employees.

E. Hiring Process

AECs shall adopt policies and procedures regarding hiring of AEC employees, including regarding job postings and searches, and the items described below.

1. Classification of Employees (FLSA). AEC employees must be classified as either exempt or non-exempt, in accordance with FLSA guidelines. A non-exempt employee is subject to all provisions of the FLSA and receives overtime pay for hours worked beyond 40 hours in any workweek at one and a half times the regular hourly rate. An exempt employee, generally an executive, professional, administrator, salesperson, or certain computer professionals, is excluded from the overtime provisions of the FLSA. The executive director of the AEC and child care center teachers are examples of employees who may be exempt.
2. **Job Descriptions.** AECs shall develop job descriptions for all employees who work for them with correct FLSA classification (i.e., exempt or non-exempt). Employees must be advised of their FLSA designation at the time of hire.

3. **Equal Employment Opportunity/Affirmative Action.** AECs are required to comply with all applicable federal, New York State, and New York City laws regarding equal employment opportunity and affirmative action. All AEC job vacancy notices shall include an EEO/AA statement.

4. **Verification of Worker Identity and Eligibility to Work.** AECs are required to verify that each new non-tax levy employee is legally eligible to work in the United States. This includes completing the U.S. Citizenship and Immigration Services (“USCIS”) Form I-9, Employment Eligibility Verification. AECs must maintain completed Forms I-9 in their files for three years after the date of hire or one year after the date employment ends, whichever is later.

5. **Employee Background Screening**

   (a) **Fingerprinting.** Each AEC that operates a child care center on a CUNY campus is responsible for ensuring that all individuals working in the center, including student interns, are fingerprinted. AECs are also responsible for ensuring that all other individuals they engage, including volunteers, who regularly work with minors (such as in connection with middle and high school students' programs and camps, etc.) are fingerprinted before they commence service. Background investigation shall include a national criminal history check, including sex offender history.

   (b) **Other Background Checks.** AECs must ensure that individuals who receive a conditional offer of employment to undertake significant fiscal responsibility and/or authority to commit financial resources of the AEC, including but not limited to execution or approval of financial transactions valued at $10,000 or more, financial reporting and billing, and responsibility for accounts receivable and payable, shall be subject to a database background check that includes a national criminal history check, including sex offender history, and a credit check. Fidelity bond coverage for those persons who deal with the funds of the AEC is advised.

In compliance with Article 23-A of the New York State Corrections Law, the following factors shall be considered concerning previous criminal convictions:

- the public policy of this state, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses;
- the specific duties and responsibilities necessarily related to the license or employment sought or held by the person;
- the bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his /her fitness or ability to perform one or more such duties or responsibilities;
the time which has elapsed since the occurrence of the criminal offense or offenses;
the age of the person at the time of occurrence of the criminal offense or offenses;
the seriousness of the offense or offenses;
any information produced by the person, or produced on his behalf, in regard to his/her rehabilitation and good conduct, and
the legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

Before any adverse action is taken, the AEC will:

• furnish a written copy of the criminal history inquiry to the candidate in the New York City Commission on Human Rights (NYCCHR) Article 23-A Evaluation Form, adapted by CUNY for use by the campuses, and titled "Fair Chance Act Notice of Criminal History Review Article 23-A Evaluation Form" (the Form).
• provide a written analysis of the Corrections Law Article 23-factors to the candidate in the Form, together with “supporting documents” which formed the basis for an adverse action and reasons for the adverse action; and
• after providing the candidate with the required documentation, allow him or her at least three business days to respond and, during that time, hold the position open for the candidate.

F. Legally-Mandated Employee Benefits

AECs are required to comply with all applicable federal, New York State, and New York City laws regarding employee benefits, including the following:

1. Tax Withholdings. AECs are required to withhold appropriate employment taxes and comply with all applicable federal (including Social Security taxes), New York State, and local tax laws.

2. State Requirements: Workers’ Compensation and Unemployment Insurance. AECs are required to provide Workers’ Compensation and Unemployment Insurance Benefits to its employees consistent with New York State law. As not-for-profit corporations, AECs that compensate individuals for their services are required to obtain a Workers’ Compensation Insurance Policy, unless they meet an exception to the Workers Compensation law. Detailed information is available at http://www.wcb.ny.gov/.

3. Affordable Care Act/Health Insurance. Applicability of the ACA depends on the related entity’s revenue and the number of its employees. Small AECs, such as those with less than $500,000 in annual revenue, are not subject to the Affordable Care Act. Detailed information is available at http://www.hhs.gov/healthcare/rights/.
4. Other State and City Laws

(a) Family and Medical Leave Act (FMLA) (Federal). For covered AECs, FMLA entitles eligible employees to up to 12 weeks of unpaid leave to attend to certain health and medical issues, including childbirth and certain childcare, serious health conditions of the employee or certain members of the employee’s family, certain circumstances relating to an employee’s family member who is a covered military member on covered active duty, and care of certain family members who are a seriously injured or ill covered service members. AECs with fewer than 50 employees are not covered by FMLA. Detailed information is available at http://www.dol.gov/whd/fmla/.

(b) New York City Earned Sick Time Act (City). AECs must provide sick time for their employees to care for an employee’s own health needs or to take care of a sick member of the immediate family (limited to spouse, child, parent or domestic partner). AECs with five or more employees who are hired to work more than 80 hours a calendar year in New York City must provide paid sick leave. AECs with fewer than five employees must provide unpaid sick leave. Detailed information is available at http://www.nyc.gov/html/dca/html/law/PaidSickLeave.shtml.

(c) Jury Duty (State). AECs with more than 10 employees are required by New York State statute to pay employees on jury duty the jury fee of $40 or the employee’s wage (whichever is lower) each day for the first 3 days of jury duty. AECs with 10 or fewer employees must provide leave, which may be paid as in the previous sentence or unpaid, at the employer's option.

(d) Other Leaves (City and State). In accordance with New York City and New York State law, AECs must provide their employees time off to vote, for religious observance, to donate blood, and for breast cancer and prostate cancer screening.

(e) New York City Commuter Benefits Law (City). AECs with 20 or more full-time non-union employees must offer their full-time employees the opportunity to use pre-tax income to purchase qualified transportation fringe benefits, other than qualified parking. Qualified transportation includes service into and within New York City by public and private mass transit, ferry and water taxi, vanpool, and paratransit. Detailed information is available at http://www1.nyc.gov/site/dca/about/pre-tax-transit-benefits-law.page.

G. AEC Employer Responsibilities

1. Compliance with Law. Each AEC shall follow all applicable labor, employment and tax laws, including, but not limited to, the Age Discrimination in Employment Act of 1967, as amended by the Older Workers Benefit Protection Act of 1990, the Americans with Disabilities Act, the Family and Medical Leave Act (FMLA), the Fair Labor Standards Act of 1938 (FLSA), Title VII of the Civil Rights Act of 1964, the Employee Retirement Income Security Act of 1974, the New York Labor Law, the New York Human Rights Law, the New York Civil Rights Law, and Title IX of the Education Amendments of 1972.
2. **Compliance with applicable CUNY Policies.** Each AEC shall follow applicable CUNY employee-related policies, such as Sexual Misconduct, Workplace and Domestic Violence, and Use of Computer Resources. AEC employees are deemed “visitors” for purposes of CUNY’s Policy on Sexual Misconduct and may report incidents pursuant to the terms of that policy.

3. **No Discrimination.** No AEC shall discriminate in employment or in its programs and activities on the basis of race, color, creed, national origin, ethnicity, ancestry, religion, age, sex (including pregnancy, childbirth and related conditions), sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, status as a victim of domestic violence/stalking/sex offenses, unemployment status or any other legally prohibited basis in accordance with federal, state or local laws.

H. **Recordkeeping**

1. **Hiring Documents.** Each AEC shall maintain personnel records for each AEC employee, including documents pertaining to the search, the application for employment, I-9, the background investigation report, if relevant, the job offer letter with terms and conditions of employment (for volunteers and interns, a consent form prescribing job duties and hours of work), copies of applicable AEC and CUNY policies (such as Sexual Harassment, Workplace Violence, Use of Computer Resources) signed by the employee, payroll information such as Tax Withholding Forms, Direct Deposit, the job description, and annual evaluation.

2. **Personnel Action Forms.** AECs are required to have Personnel Action Forms (PAFs) for all personnel transactions for full-time, part-time and hourly employees, including appointments, reappointments, and terminations. PAFs are also required for volunteers and interns, as well as detailed work descriptions and schedules.

3. **Time Sheets.** All AEC employees shall maintain daily records of the days and hours worked, including accrual and use of leave (sick, annual, and other), if any, on bi-weekly timesheets. These timesheets shall be reviewed and approved by the supervisor. For non-exempt employees under the FLSA, the timesheet should record time for any overtime worked. If compensatory time is provided, a record of compensatory time accrual and use must be maintained on a quarterly basis.

VIII. **CONFLICT OF INTEREST**

Each AEC must adopt a conflict of interest policy in compliance with the N-PCL to ensure that its directors, officers, and key persons act in the AEC’s best interest and comply with applicable legal requirements. The policy must cover related party transactions, which are defined by the N-PCL as transactions, agreements or arrangements in which a related party has a financial interest and in which the entity or an affiliate is a participant. The policy may also cover other
types of conflicts that may exist even though there is no financial interest at stake or the circumstances are otherwise outside the definition of a related party transaction.

Pursuant to the N-PCL, each AEC director must submit to the AEC’s secretary or other designated officer prior to initial election to the AEC board, and annually thereafter, a written statement identifying, to the best of the director’s knowledge, any entity of which the director is an officer, director, trustee, member, owner, or employee and with which the entity has a relationship, and any transaction in which the entity is a participant and in which the director might have a conflicting interest. Likewise, officers and key persons must submit an annual conflicts statement to the secretary or other designated officer.

IX. MEMORANDUM OF UNDERSTANDING

Each AEC shall enter into a written memorandum of understanding (“Memorandum of Understanding” or “MOU”) with its supported college, in the form set forth in Appendix A. The MOU shall authorize the AEC to operate on the campus of its supported college and shall enumerate its activities and those of each Affiliate it establishes. The MOU shall be approved by University’s Office of the General Counsel. Among other things, the MOU shall address the following:

A. Use of Facilities
An AEC may occupy, operate, and use college facilities and property separately or jointly with its supported college as identified by the MOU. The AEC shall use the facilities and property only for those services and functions that are consistent with the MOU and applicable current or future policies, rules, and regulations of the CUNY Board of Trustees and the college.

B. Provision of Space and Services
The college may provide certain services, at no cost, to the AEC, which may include office space, utilities, telephones, custodial and facilities maintenance services, equipment and information systems service and advice, personnel and related assistance and other similar services. The AEC shall record the value of these services on its financial statements as donated services.

Given that AECs are intended to be self-supporting, AECs are encouraged to reimburse their supported colleges for all or some of the expenditures incurred by the college as a result of activities of the AEC. In these situations, the college shall invoice the AEC for such expenditures, indicating items charged and the method of determining costs. Any such reimbursement by an AEC should be consistent with the approved annual budget and terms and conditions of the MOU with the college.
X. FINANCIAL MANAGEMENT

Each AEC is responsible for developing, managing and monitoring its fiscal and operational plans. An AEC is also responsible for complying with applicable federal, state, and local laws, and University and college policies applicable to its organization and activities.

Pursuant to Article XVI of the CUNY Bylaws, the college president has the authority to disapprove an AEC allocation or expenditure, which in the president’s opinion contravenes federal, state or local law or any bylaw or policy of the University or any policy, regulation, or order of the college. The college president must consult with the CUNY General Counsel and Vice Chancellor for Legal Affairs regarding any such disapproval, and communicate his or her decision to the AEC.

A. Budgeting

1. Annual Budget. Each AEC shall develop an annual operating budget that sets formal financial goals. Budgets shall include the total financial operation, including any funds restricted for use by a particular college program or department, and be prepared on the basis of historical data, projected short-range trends, and long-range financial objectives. Prices, fees, and rates should be established to fully fund the total financial obligations of the AEC. Annual budgets and plans shall be reviewed by and approved by the AEC’s board in partnership with the college president or designee, and prior to expenditure or execution. Financial commitments and expenditures by the AEC shall be in accordance with the approved budgets and plans. Any substantial amendments to the budget (e.g., changes of 10% or more in any budget category) shall be approved by the AEC board prior to expenditure or execution. The AEC’s chief financial officer shall monitor the status of spending to the budget, and produce regular reports that are shared with the AEC’s board and management, as well as college leadership, including student and faculty governance leaders.

2. Activities to be Self-Supporting. The revenue generating activities operated by the AEC should be self-supporting, that is, the revenues generated from the auxiliary services should be at least equal to the cost incurred in running the operations. Activities providing a beneficial service to the supported college, but which are not self-supporting because of the need to keep prices, fees and rates at levels affordable to the college community, may be subsidized by other AEC funding sources, subject to approval of the AEC’s board. An AEC shall evaluate its revenue generating activities annually to ensure that each activity continues to provide a beneficial service to the supported college. This review shall be initiated by the chief financial officer of the AEC and be submitted to the AEC’s board as part of the annual operating budget process.

3. Use of Surplus Funds. An AEC may have funds remaining after paying its expenses related to the auxiliary services it provides (“surplus funds”). The anticipated amount of surplus funds shall be included in the annual operating budget. Surplus funds shall be used solely for the
benefit of an AEC’s supported college, students and faculty, as determined by the AEC board, and shall be consistent with the college’s requests for specific use of the funds. The AEC board shall annually develop a plan for utilization of surplus funds that includes the categories of such expenditures (scholarships, college equipment, funding of college capital projects, etc.) as well as the relative percentage of the plan for each category. All surplus fund expenditures must comply with State law and institutional policies and guidelines of the University, as well as applicable provisions of the Internal Revenue Code pertaining to the AEC’s status as a §501(c)(3) supporting organization, and be consistent with the AEC’s mission. Such funds will be audited as part of AEC audits.

B. Cash and Treasury Management

1. **Investment.** Any cash held by an AEC that is scheduled to be used in the current year can be invested in short-term investments such as U.S. Treasury bills, money market accounts, certificates of deposits, etc., or the University’s Short-term Investment Pool (STIP). The primary investment objective is to be able to meet the daily operational needs of the AEC while protecting the safety of the principal at an appropriate investment risk. Funds that can be invested for a longer period should be invested in the University’s Investment Pool, unless the University Office of Budget and Finance has approved the use of another vehicle by a particular AEC. All funds shall be managed and invested as required by NYPMIFA.

2. **Transfer of Funds.** Any transfer of funds by the supported college to an AEC, or by an AEC to its supported college, for management, investment or as a reimbursement, or by an AEC to the City University Construction Fund for the funding of college capital projects, shall be formalized in writing so the fiduciary requirements of the respective governing boards are complied with.

3. **Cash and Other Collections.** All cash and other payments should be collected in one central location at the college, which should be the Bursar’s Office, unless an alternative procedure has been documented and approved by the AEC, the college’s business office and the University Office of Budget and Finance. The AEC and the college should ensure that there are proper controls in place to ensure the physical safeguarding of all amounts collected, and have proper segregation of duties over the custody, recording and reconciliation of collections.

The AECs shall follow the University’s Cash Management and Banking guidelines issued by the University Office of Budget and Finance, to the extent that such guidelines indicate that they are applicable to AECs.

C. Purchasing

1. **General.** Each AEC shall follow sound purchasing practices and procedures that provide for open and free competition to the maximum extent practicable while meeting the needs of management for flexibility and minimum administrative burden. Each AEC shall take steps to
ensure fairness in all contracts, including abiding by Section 715 of the N-PCL regarding related party transactions.

Under the N-PCL, the AEC board has a duty to ensure that the AEC acts prudently and uses good business judgment and fiscal responsibility. As a charitable organization, an AEC’s activities must be generally in support of CUNY and particularly in support of its supported college. AECs should keep in mind that as entities closely related to CUNY and their supported colleges, which are public institutions, their activities will be subject to heightened scrutiny.

Any procurement relating to college capital projects, including design and construction to University facilities, must be reviewed and approved prior to its initiation by the University’s Office of Facilities Planning, Construction and Management and must follow the University guidelines for the procurement of capital projects.

2. MWBE/SDVOB. The AECs are included in CUNY’s Supplier Diversity program. This means that each AEC is required to make and document good-faith efforts to maximize the practical participation of NYS-certified Minority- and Women-owned Business Enterprises (MWBEs) and Service-Disabled Veteran-Owned Businesses (SDVOBs) in its purchases and contracts, including its efforts to meet the University’s overall MWBE and SDVOB participation goal, set annually by the University. AEC staff must endeavor to consider and engage MWBE and SDVOB vendors whenever practical, feasible, and appropriate. To the extent practicable, each AEC shall adhere to University policy regarding purchasing from MWBEs and SDVOBs.

3. Assistance of College Purchasing Office. At an AEC’s request and with its supported college’s permission, the college purchasing office may assist the AEC with ministerial procurement tasks, such as preparing solicitation documents and receiving and reviewing responses. Such activities shall be carried out in the name of and on behalf of the AEC, and all AEC solicitation documents and contracts shall bear the AEC’s name rather than the college’s name. The college purchasing office shall not have decision-making authority for the AEC. However, the AEC board may authorize the college purchasing director or other purchasing office staff to sign AEC purchase orders that have been prepared consistent with AEC instructions. Such authorization shall be in writing, updated annually, and kept with the records of the AEC.

D. Accounting

1. Financial System. Each AEC shall maintain a financial system that provides for accrual-based accounting and is used to process all financial transactions. The AEC shall follow the Governmental Accounting Standards Board (GASB) Statements and Interpretations, Accounting Principles Board Opinions, and Accounting Review Boards of the Committee of Accounting Procedures and Generally Accepted Accounting Principles (GAAP). Each AEC shall implement all new GASB accounting rules and regulations.
2. **Personnel.** Each AEC should have an accountant (preferably a Certified Public Accountant) to perform its accounting functions, prepare regular and ad hoc financial reports, and annual financial statements. The accountant may be an AEC employee or an employee of the supported college dedicated in whole or in part to AEC duties. Any use of college employees and the amount of any AEC reimbursement to the college shall be noted in Exhibit B of the MOU. All accounting personnel should remain current with all GASB updates and understand not-for-profit accounting requirements. Staff should attend ongoing training relevant to not-for-profit accounting and discuss new GASB rules with the AECs’ auditors during the annual planning meeting.

3. **Revenue Recognition** Consistent with GAAP and to ensure completeness of revenues, AECs shall recognize revenues based on “sales” in the period that the revenue was earned, and not when the cash was collected. For example, revenue for parking shall be recorded based on the number of parking decals sold, licensing revenues shall be recorded based on the license terms, and commissions for vending shall be recorded based on vendors’ sales reports.

**E. Capital Assets Management**

Any equipment purchased with AEC funds meeting the University’s capitalization threshold and any improvements or renovations funded with surplus funds shall be tagged and included as AEC property in the University’s fixed assets system (CUNYfirst Asset Management, “CFAM”) in a timely manner. The supported college’s property manager should be responsible for the inventory of these assets on an annual basis and work with the college Business Office to reconcile the CUNYfirst General Ledger to the CFAM, in a timeframe as outlined by the University Office of Budget and Finance. All depreciation expense will be recorded by the University Office of Budget and Finance utilizing system-generated automation within CFAM. An AEC should follow the University’s capitalization policy (i.e., all equipment $5,000 or greater should be capitalized) to ensure accurate and consistent reporting of the assets. An AEC may also decide to track items under these thresholds, if it deems them as sensitive items (i.e., they are susceptible to theft).

**XI. FINANCIAL REPORTING AND AUDIT**

**A. Reporting to the Board/Financial Statements**

The chief executive officer and/or chief financial officer of each AEC shall provide its board with periodic financial and managerial reports. Each AEC shall prepare annual financial statements in the format outlined by the University Office of Budget and Finance. These statements shall be in conformity with GAAP and be audited by a licensed, independent certified public accounting firm (CPA) in accordance with generally accepted auditing standards\(^2\). The audited

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\(^2\) Except that AECs with annual gross revenues under $250,000 shall not be required to have a certified audit unless otherwise required by Executive Law 7-A regarding registration and reporting to the NYS Charities Bureau.
financial statements shall be reviewed by the AEC’s audit committee and, if acceptable, recommended to the AEC board for acceptance. To enable the University to include pertinent information in its annual financial statements, the audit committee and board must accept the audited financial statements within 90 days after the close of an AEC’s fiscal year.

B. Independent Auditor

The independent CPA retained by the AEC must have experience auditing tax exempt organizations and must be approved by a designee of the Chancellor. No auditor of the independent CPA shall serve as the lead or sole auditor for the AEC for more than seven years and a three-year period must elapse before such auditor may serve again as lead auditor or sole auditor. For purposes of efficiency, cost control, and to ensure consistency in reporting, the University may, at its option, require the AECs to use an auditor selected and contracted for by the University. In such event, the audit committees of the AECs shall have an opportunity to participate in the selection process.

On an annual basis the AEC’s auditor must confirm its independence to the University’s external auditors via a signed “independence letter.”

Refer to Section XVI for additional guidance from the Charities Bureau regarding audit matters.

C. CUNY Financial Accounting and Reporting Requirements

The financial activity of the AECs are included in the University’s financial statements as discretely presented component units. AECs shall follow the guidance and adhere to the requests of the University’s Office Budget and Finance in relation to accounting and reporting.

D. CUNY Audit Rights

1. **CUNY Audit.** The books and records, financial condition, operating results, compliance with policies and procedures, laws, rules or regulations and program activities of an AEC are subject to periodic review by the college president and/or designee, the University, and outside firms hired by the University, and to the extent allowed by law, outside regulatory bodies.

2. **Reporting to CUNY.** Pursuant to Article XVI of the CUNY Bylaws, each AEC shall fully disclose all financial information with respect to auxiliary enterprises to its membership, to the supported college and to that college’s student government. AECs are strongly encouraged to have a publicly accessible page on the college’s website that includes financial information, current directors and officers, summaries and minutes of board meetings, governance documents, etc. Each AEC shall promptly provide to the college president and University Office of Budget and Finance all audit reports from whatever source, including the certified (consolidated) financial statements, any report indicating a significant deficiency or material weakness in the internal controls over financial reporting, and any management letter or other
report, together with the associated corrective action plan of the AEC. Management’s corrective action plan should include the planned timeframe for addressing the independent auditor comments. Additionally, each AEC must:

- Timely provide to the University Office of Budget and Finance such purchasing data as needed to comply with its reporting requirements to New York State in connection with MWBE/SDVOB and supplier diversity;

- Record its financial activity in the University’s administrative system, CUNYfirst, in the timeframe and format established by the University Office of Budget and Finance;

- Provide the college and the University Office of Budget and Finance with a complete list of bank and investment accounts held outside of the University’s short-term and long-term investment portfolio. For each account, the interest or dividend income earned and/or the realized or unrealized investment gains/losses, the investment return, and the banking and investment fees paid shall be provided;

- Require all members of the AEC’s board to annually provide written acknowledgement to the AEC: (i) that they have received a copy of these Guidelines and the MOU and reviewed them and (ii) that they understand that these Guidelines and the MOU are binding on the AEC. Directors and officers may provide such acknowledgements as part of their annual conflict of interest disclosure statements. The AEC shall provide on a timely basis copies of such acknowledgements to the college president and/or the University upon their request.

- Annually certify that the AEC is in compliance with these Guidelines and the MOU.

- Concurrent with its filing with the IRS, provide a copy of the AEC’s IRS Form 990 to the University’s Office of Budget and Finance, and provide on a timely basis such other information on the AEC’s financial status and operations as requested by the college president or the University.

XII. POLICY MANUAL

Each AEC shall develop a comprehensive manual documenting the policies, procedures, standards, and other administrative and operating criteria applicable to it. This manual shall be maintained on a current basis and be consistent with applicable University policies and guidance. The AEC shall provide copies of the current version, as well as any updates or revisions as they are adopted, to the supported college’s business office and the University’s Office of Budget and Finance, and to internal and external auditors on request.

In addition to these Guidelines, each AEC shall also follow all other University policies and guidance whose scope specifically identifies the AECs as being included, in whole or in part, for
example, the University’s Office of Budget and Finance Policy on Cash Management and Banking.

XIII. INTERNAL CONTROLS

Each AEC is responsible for establishing and maintaining adequate internal controls. Some of these controls include maintaining segregation of duties between the:

- cash receipts and disbursements functions,
- physical custody of assets and recordkeeping functions;
- accounting and bank reconciliations functions;
- accounts payable and purchasing functions;
- check preparation and distribution functions; and
- payroll and human resource functions.

Other key internal controls include restricting access to the vendor listing, preparing timely bank reconciliations, requiring dual signatories on checks over set amount, blank check management and safeguarding assets.

XIV. RECORDS RETENTION

Each AEC shall adopt the University’s record retention policy or a policy consistent with that issued by the University.

XV. EXCEPTIONS AND AMENDMENTS

Any proposed exceptions to these Guidelines must be approved in writing by the Chancellor or designee. With the exception of amendments necessitated by changes in federal, state or local law or CUNY policy, any proposed amendments to these Guidelines must be approved by the CUNY Board of Trustees. The CUNY Offices of the General Counsel and Budget and Finance will be responsible for the periodic review of these Guidelines, as well as ensuring that all appropriate parties are informed of them. All Guideline amendments shall become effective upon a duly adopted amendment to the MOU between the college and the AEC.

XVI. RELATED INFORMATION

The following links and/or references provide additional information related to this guidance:

New York Not-for-Profit Corporation Law: [http://public.leginfo.state.ny.us](http://public.leginfo.state.ny.us)
New York State Charities Bureau
- [www.oag.state.ny.us/charities/charities.html](http://www.oag.state.ny.us/charities/charities.html)
MODEL MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made by and between The City University of New York by and on behalf of [name of College or School] located at [address] (“College”)3 and [name of Auxiliary], a New York not-for-profit corporation that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“Corporation” or “AEC”).

RECITALS

A. The College is a constituent unit of The City University of New York, a public institution of higher education established pursuant to Article 125 of the New York Education Law (the “University”).

B. The Corporation is an independent entity organized for the sole purpose of supporting the University and the College through the provision of non-instructional auxiliary enterprises and services to assist the College in meeting its education, research and community service mission;

C. The College and the Corporation desire to formalize their working relationship in the form of this Memorandum of Understanding (“MOU”).

TERMS

In consideration of the mutual covenants, promises and conditions herein contained, and for good and valuable consideration the adequacy of which is hereby acknowledged, College and Corporation agree as follows:

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3In the case of a CUNY School or other unit or program, changes should be made throughout the document to refer to School and Dean, etc., as appropriate.
1. **Corporation Services.**

1.1. The College and the Corporation agree that the Corporation shall perform the activities and services described in **Exhibit B** to this MOU ("Services"), as it may be amended from time to time, exclusively for the benefit of the College.

1.2. The Services may be provided by the Corporation to the College through one or more subcontractors.

   1.2.1. Except to the extent the College determines otherwise with respect to a particular subcontractor or category of subcontractors, all subcontractors must provide insurance satisfactory to the College. The nature and amount of insurance that a subcontractor shall be required to provide (if any) shall be determined by the University’s Auxiliary Enterprise Corporation Guidelines, attached as **Exhibit A**, as they may be amended from time to time (the “Guidelines”) or by the College on a case-by-case basis. Such insurance may include commercial general liability insurance against claims for injuries to, or death of persons, or loss of or damages to property, including fire and theft, which may arise from or in connection with the performance of the Services by the subcontractor, its officers, agents, representatives, employees or sub-subcontractors. The University and the Corporation must be named as additional insureds under all liability insurance policies.

   1.2.2. Except to the extent the College determines otherwise with respect to a particular subcontractor or category of subcontractors, all subcontractors must agree to indemnify, defend and hold harmless the Corporation and the University, from any and all actions, claims, demands, damages, fines, losses, liabilities, judgments, liens, and expenses of any kind (including, without limitation, court costs, attorneys’ fees and related disbursements), arising out of or in connection with (a) the breach by subcontractor of any of its agreements or covenants under a subcontract to provide the Services and (b) the performance of the Services by the subcontractor and its officers, employees, agents and representatives.

1.3. In consideration of the Services, the College agrees that except as otherwise set forth in this MOU, the Corporation may retain any income earned as a result of the Services, so long as the Corporation’s activities benefit the College community and income earned as a result of the Services is used to support the College community.

2. **College Support of Corporation.** Subject to the availability of funding and the budget process, the College, in accordance with the terms and conditions of this MOU, shall
make available to the Corporation the facilities, personnel, equipment and other support, goods and services (collectively “College Support”) listed in Exhibit C. Any changes to the College Support shall be made by written amendment to this MOU and Exhibit C, a copy of which shall be filed with the University Office of the General Counsel. Any reimbursement to the College by the Corporation for the College Support shall be consistent with the Corporation’s annual budget and the terms indicated on Exhibit C.

3. Care of Premises. The Corporation shall take good care of the Premises set forth in Exhibit B (“Premises”) and used by the Corporation to carry out the Services, and shall maintain them in a clean and orderly condition. The College shall keep the Premises in good repair and make all capital improvements necessary to comply with all applicable federal, state and municipal health and safety codes. The Corporation shall not make alterations to the Premises without the prior written consent of the College. Any alteration or improvement to the Premises and/or its fixtures that may be paid for by the Corporation shall become the property of the University.

4. Affiliates. The Corporation has established the Affiliate(s) (as defined in the Guidelines) listed in Exhibit D.4

5. Use of the College Name and Trademarks.

5.1. Corporation may, solely in connection with the Services, use and license its subcontractors to use, the name of the College as well as College logos, seals, and other symbols and marks of the College (collectively, the “College Marks”), including without limitation use of College Marks on goods manufactured for sale through venues approved by the College. Except to the extent included as part of a College Mark, Corporation shall not use the names “The City University of New York” or “CUNY,” or any logo, seal, symbol or mark of the University without the prior approval of University’s Office of Communications and Marketing.

5.2. Notwithstanding the foregoing, the College President may, in his/her discretion, forbid any particular use of a College Mark or, if such use has already commenced, require that such use cease. The Corporation shall not delegate the authority to use a College Mark to any person or entity without the prior written approval of the College President.

5.3. Corporation agrees to stop using the College Marks in the event (i) the Corporation dissolves, (ii) the University withdraws recognition of the Corporation, (iii) the Corporation ceases to be a not-for-profit corporation or is no longer recognized by the Internal Revenue Service as an entity described in section 501(c)(3) of the Internal Revenue Code, or (iv) the Corporation is directed

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4 If the AEC has no Affiliates, delete this sentence and replace with “N/A – the Corporation has no Affiliates.”
to stop such use by the College President.

5.4. For purposes of this Section 5, “College President” means the President of the College or his or her designee.

6. Data and Confidentiality.

6.1. The College may make available to the Corporation records and information concerning students and alumni in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 and regulations promulgated thereunder (“FERPA”) for use by the Corporation in a manner consistent with the Corporation’s rights and obligations under this MOU and with College and University policies. The Corporation shall treat such records and information as confidential in accordance with FERPA and shall not disclose any or all of them to any third party without the express prior written consent of the College and subject to a written agreement with such third party that shall: (i) be subject to the terms and conditions of this MOU, including without limitation those regarding confidentiality of information; (ii) be non-transferable; and (iii) provide for its termination or assignment to the College, at the College’s sole option, on termination of this MOU. The Corporation shall provide the College with a copy of each such agreement.

6.2. If the Corporation’s Services as listed on Exhibit B include providing loans or other financial products (not including scholarships, awards and grants) or assisting the College with the administration of such services, the Corporation will comply with the Gramm-Leach-Bliley Act (P.L. 106-102), as amended, and the Federal Trade Commission’s Safeguards Rule (16 CFR Part 314) (collectively, “GLB Regulations”), regarding any nonpublic personal information that the Corporation receives, maintains, processes or otherwise has access to from students or others in connection with providing such services.

6.3. The Corporation shall comply with the provisions of the New York State General Business Law Section 899-aa regarding security breaches of personal information. The Corporation shall be liable for the costs associated with any breach of these provisions if caused by the negligent or willful acts or omissions of the Corporation or its agents, officers, employees, or subcontractors.

6.4. Each party shall maintain network security that conforms to generally recognized “Industry Standards” and best practices that the party applies to its own network. Generally recognized industry standards include but are not limited to the current standards and benchmarks set forth and maintained by the Center for Internet Security (see http://www.cisecurity.org) or Payment Card Industry/Data Security Standards (PCI/DSS) (see http://www.pcisecuritystandards.org).
6.5. Corporation employees and agents shall abide by all confidentiality requirements imposed by law or by College or University policy to protect the privacy of past and present College employees and students. If the Corporation subcontracts with a third party for any of the Services, the Corporation shall ensure that such third parties comply with all of the confidentiality provisions of this MOU.

7. **Coordination with the College’s Office of Finance.** The Corporation shall provide the College’s Office of Finance with any and all financial reports otherwise provided to the Corporation’s Board of Directors and its Investment and Finance Committees, if any. A Corporation representative shall meet at least quarterly with the College’s Chief Financial Officer to discuss matters relating to interactive financial arrangements.

8. **Liability.**

8.1. In the event any damage or injury is caused to the equipment or Premises provided by College hereunder, by the negligence or improper conduct of the Corporation, its agents, subcontractors or employees, the Corporation shall cause the said damage or injury to be repaired as speedily as possible at its own cost and expense.

8.2. In no event shall anything contained in this MOU be deemed to impose liability of any nature on the Corporation for loss or damage to persons or property, to the extent caused by the University, its officers or employees or by any third party over which the Corporation exercises no control.

9. **Occupancy of Premises.**

9.1. The Corporation’s occupancy of the Premises is that of a licensee only. The Corporation will not maintain ownership or other similar interest in the Premises, nor is there a landlord-tenant relationship between the University or the College and the Corporation.

9.2. The College and the University and any of their agents may enter the Premises or any part of them at any time for the purpose of examination, supervision or audit.

9.3. The Corporation and its subcontractors have the right, subject to the College’s rules regarding building access and security, to 24-hour access to the Premises for the purposes of conducting the Services.

10. **Compliance.** The Corporation shall comply[, and shall ensure that its Affiliates comply,] with all federal, state and local laws, whether now or hereinafter in force, applicable to the proper and lawful conduct of its Services, as well as the Guidelines. The
Corporation shall cooperate, and shall ensure that its Affiliates cooperate, with the University and governmental authorities regarding any investigation of the Corporation and/or an Affiliate regarding the conduct of the Corporation’s and/or Affiliate’s Services.

11. **Effect of MOU; Amendment.** This MOU (and any attachments) contains all the terms between the parties and may be amended only in writing signed by an authorized representative of each party. Any amendment to this MOU (or any attachment) will not become effective until it has been approved by the University’s Office of the General Counsel.

12. **Confidentiality.** Neither the Corporation nor the University shall disclose or use any private, confidential, proprietary, or trade secret information provided from one to the other except as required in and by the terms of this MOU.

13. **Term and Termination.**

13.1. This MOU shall have an initial term of one year beginning [date] and ending [date], and shall be automatically renewed for additional one-year terms unless written notice is given no later than 90 calendar days of the end of the term or renewal term by either the Corporation or the College of its desire to terminate or modify the provisions of this MOU. Any notice requesting modification shall describe the modification(s) requested. If a notice requesting modification is given, the parties shall meet within 30 calendar days to try to reach an agreement on any changes.

13.2. This MOU may be terminated in whole or in part by the College upon the breach by the Corporation of one or more of its terms, including without limitation failure to comply with the Auxiliary Enterprise Corporation Guidelines attached as **Exhibit A.** Prior to any such termination, the College shall provide a written notice of breach to the Corporation describing the nature of the breach(es). On receipt of the notice of breach, the Corporation shall have 30 calendar days to cure the breach(es). If the Corporation fails to do so to the satisfaction of the College, the College shall provide a written notice of termination to the Corporation, to be effective immediately. The Corporation may contest the notice of breach and/or the notice of termination by submitting a letter to the University Chancellor. The Chancellor shall review the contested notice and provide a recommendation to the CUNY Board of Trustees within 30 calendar days of submission of the Corporation’s letter. The decision of the CUNY Board of Trustees shall be final.

13.3. This MOU may be terminated in whole or in part by the University Chancellor or the CUNY Board of Trustees upon 30 calendar days prior written notice in accordance with the notice provisions of this MOU.
14. **Notice.** Any notice to either party hereunder must be in writing, signed by the party giving it, and shall be delivered either personally, by overnight delivery service, or by electronic mail or fax machine, or deposited in the United States mail, postage prepaid, registered or certified mail, addressed as set forth below. Such notices will be deemed to have been given or made when so delivered or deposited.

TO UNIVERSITY AND COLLEGE:

President
[Name of College]
[Address]

With a copy to

Office of the General Counsel
The City University of New York
205 E. 42nd Street, 11th Floor
New York, NY 10017

TO THE CORPORATION:

[Insert]

or to such persons as may be hereafter designated by notice.

15. This MOU includes the following documents:

15.1. Exhibit A - CUNY Auxiliary Enterprise Corporation Guidelines
15.2. Exhibit B - Corporation Services
15.3. Exhibit C - Personnel, Equipment and Other Support, Goods and Services Provided to Corporation by the College
15.4. Exhibit D - Description of Affiliates and College-provided Resources

16. In the event of any controversy of terms, the priority of the interpretation of documents comprising this MOU shall be in the following order:

16.1. Exhibit A - CUNY Auxiliary Enterprise Corporation Guidelines
16.2. This MOU
16.3. Exhibit B - Corporation Services
16.4. Exhibit C - Personnel, Equipment and Other Support, Goods and Services Provided to Corporation by the College

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5 Delete if AEC has no Affiliates.
16.5. Exhibit D - Description of Affiliates and College-provided Resources

17. This MOU constitutes the entire agreement of the parties hereto and all previous communications between the parties, whether written or oral, with reference to the subject matter of this MOU are hereby superseded.

This Memorandum of Understanding has been executed by and on behalf of the College and the Corporation on this ____ day of ____________, 20__.

THE CITY UNIVERSITY OF NEW YORK
By and on behalf of

[COLLEGE] [CORPORATION]

By:____________________________ By:______________________
President

Approved as to Form:

________________________________

The City University of New York
Office of the General Counsel

Date:____________________________

Exhibit A
CUNY Auxiliary Enterprise Corporation Guidelines

Exhibit B
Corporation Services

(This language is to be modified as necessary to accurately reflect a particular Corporation’s Services and relationship with its supported college.)

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6 Delete if AEC has no Affiliates.
List of Services to be provided by the Corporation:

**Advertising** - contracts related to placement of third-party ads on campus
- □ subcontract with vendor  □ fiscal agent for CUNY contract

Premises:

**Art Gallery Operations**
- □ direct operation – AEC employees (primarily) operate and control the facility
- □ fiscal agent for College – College employees (primarily) operate and control the facility, but AEC enters into agreements with artists, art lenders and consignors, and licensees for use of the facility

Premises:

**Automatic Teller Machines**
- □ subcontract with vendor  □ fiscal agent for CUNY contract

Premises:

**Bookstore/Campus Store Operations**
- □ direct operation  □ subcontract with vendor  □ fiscal agent for CUNY contract

Premises:

**Child Care Center Operations** – direct operation

Premises:

**Copy machines, printers, and/or related equipment and operations**
- □ subcontract with vendor  □ fiscal agent for CUNY contract

Premises:

**Facility Use** – short term licensing of various College facilities to third-parties consistent with the CUNY Facility Use Policy

**Food Service Operations**
- □ direct operation  □ subcontract with vendor  □ fiscal agent for CUNY contract

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7 Delete those Services that don’t apply.
8 “CUNY contract” includes both CUNY-wide contracts and college contracts.
Premises:

**Games and amusements, laundry centers and similar operations**
- ☐ subcontract with vendor
- ☐ fiscal agent for CUNY contract

Premises:

**Housing**
- ☐ fiscal agent for College - AEC leases facility on behalf of College, with Central Office approval, for use as student/staff housing

Premises:

**Intellectual Property Licensing Agent** – AEC has the non-exclusive right to represent the College with respect to the licensing of the Marks (as defined in Section 5.1 of the MOU), copyrighted works owned by the College and other intellectual property owned by the College.

**Parking Operations**
- ☐ direct operation – AEC employees (primarily) operate and control the parking lots, garages and related facilities, including maintenance, and otherwise handle parking operations on campus.
- ☐ fiscal agent for College – Campus Facilities Office operates and controls the parking lots, garages and related facilities, including maintenance and security, but AEC collects and administers fees for parking permits and may enter into agreements with third-party vendors to manage particular facilities.

Premises:

**Performing Arts Center/Theater Operations**
- ☐ direct operation – AEC employees (primarily) operate and control the facility
- ☐ fiscal agent for College – College employees (primarily) operate and control the facility, but AEC enters into agreements with third-party performers or licensees for use of the facility

Premises:

**Pouring Rights** – fiscal agent for CUNY contract

**Sports/Recreation/Wellness Center Operations**
- ☐ direct operation – AEC employees (primarily) operate and control the facility, including maintenance

---

9 If handled by an Affiliate, list on Exhibit D.
☐ fiscal agent for College – Campus Facilities Office, Athletic Department and/or other College offices or departments operate and control the facility, including maintenance and security, but AEC enters into agreements with licensees for use of the facility and/or administers alumni and/or community use or similar programs.

Premises:

**Transportation Services** (e.g., shuttle buses)
- ☐ subcontract with vendor  ☐ fiscal agent for CUNY contract

Premises:

**Vending Machine Operations**
- ☐ subcontract with vendor  ☐ fiscal agent for CUNY contract

Premises:

**Telecommunication services** for the College community and/or related equipment and operations (not cell towers)
- ☐ subcontract with vendor  ☐ fiscal agent for CUNY contract

Premises:

**Other:**

---

### Exhibit C

**Personnel, Equipment and Other Support, Goods and Services Provided to Corporation by the College**

A. **College personnel assigned:**

<table>
<thead>
<tr>
<th>College Title</th>
<th>% of time worked for AEC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The AEC has no employees.\(^{10}\)

---

\(^{10}\) Delete if not accurate.
B. Description of equipment and other support, goods and services provided\textsuperscript{11}:

- Standard office furniture and equipment used by those College personnel listed above when carrying out work for the AEC
- Equipment and furnishings in the Premises used by the food service vendor(s), as listed in the contract between the AEC and the vendor
- Ordinary and necessary utilities for the Premises
- Support services of the type provided to College departments including, but not limited to: access to the College’s telephone system and internet; janitorial services; maintenance of the Premises from the College’s physical plant; duplicating, printing and mail services.
- Payroll services for Corporation employees, including the allocation of related benefits, accounting services, and other administrative services
- Technology support services, as well as online access to such College files as the Corporation deems, and the College agrees, to be relevant and necessary to the activities and purpose of the Corporation.

C. Description of reimbursement for the items listed in A - B:

Exhibit D\textsuperscript{12}

Description of Affiliates and College-provided Resources

A. Name and address of each Affiliate:

B. Description of Services and Premises:

\textsuperscript{11} Revise as appropriate.
\textsuperscript{12} Delete Exhibit if the AEC has no Affiliates
C. College personnel assigned:

D. Description of equipment and other support, goods and services provided:

E. Description of reimbursement for the items listed in C - E:

###

B. ADOPTION OF CITY UNIVERSITY OF NEW YORK POLICY ON THE USE OF COLLEGE FACILITIES

RESOLVED, That the Board of Trustees of the City University of New York adopt the following attached Policy Regarding the Use of College Facilities, effective December 4, 2017.

EXPLANATION: The CUNY Policy Regarding Use of College Facilities, which was last revised in 2005, sets forth the purposes and priorities under which CUNY colleges may permit use of their facilities by other entities. This policy governs short-term use of CUNY facilities for purposes such as events, programs and meetings. The policy also permits CUNY colleges to deny use of facilities under certain circumstances. The policy continues to allow CUNY colleges to charge fees and direct costs for the use of their facilities. The policy has been updated to strengthen requirements for accountability, transparency and financial controls and to ensure that revenues collected from use fees are spent in compliance with revised applicable CUNY spending policies.
THE CITY UNIVERSITY OF NEW YORK POLICY REGARDING
USE OF COLLEGE FACILITIES

I. INTRODUCTION

The principal function of the facilities of The City University of New York is to provide a setting to enable the University to carry out its primary mission of education and research. These facilities should not be put to any use that may conflict with, or impede, this mission. However, in recognition of its role as an urban public university, the University takes upon itself a special responsibility to permit responsible individuals and groups not affiliated with the University the use of its facilities, at such times as they are not in use for the University’s primary education and research mission, within the parameters of this policy. In making available its space to non-affiliated users, the University in no way takes responsibility for the contents of any program or any controversy engendered by any program presented at its facilities by such users.

II. SCOPE OF THIS POLICY

A. This policy applies to short-term\textsuperscript{13} use of college facilities. (“College” is defined here as a constituent unit of the University, including without limitation senior and community colleges, graduate and professional schools, Macaulay Honors College and the central office.) Agreements between a college and its Related Entities\textsuperscript{14} regarding a Related Entity’s presence on campus and use of college facilities, and agreements between a Related Entity and a subcontractor regarding the provision of services to the college community on campus are not covered by this policy. Such agreements are covered by the applicable CUNY guidelines for particular Related Entities and the associated Memoranda of Understanding (“MOUs”). This policy does cover short-term licensing of college facilities by those auxiliary enterprise corporations that have been granted authority, through an MOU with their supported college, to administer a college’s short-term facility licensing program.

B. This policy does not apply to licensing of facilities that a college or the University leases or licenses from a third party. Any such proposed licensing agreement must be approved by the University Offices of Facilities Planning, Construction and Management and General Counsel.

\textsuperscript{13} A short-term use includes, e.g., a time-limited event, a conference, or a weekly series of programs during a semester.

\textsuperscript{14} “Related Entities” means separately-incorporated auxiliary enterprise corporations, college associations, child care centers, arts centers, college foundations and alumni associations of a host college.
III. RESPONSIBILITIES AND PRIORITIES

A. The use and scheduling of college facilities shall be under the control and supervision of the vice president of administration, or their designee(s), of each college.

B. Priority of use of a college’s facilities shall be in the order set forth below.

1. Host college departments, divisions, programs and offices for curricular, administrative and other college purposes.

2. Users affiliated with the host college, including:
   a. recognized student organizations;
      b. academic or professional organizations made up of persons on the host college staff (includes all employees), provided each such organization is open to all members of the staff of such rank or ranks as are admitted to membership;
      c. other recognized organizations drawing membership without restriction from the membership of the host college staff;
      d. Related Entities of the host college; and
      e. University-wide organizations such as the University Faculty Senate (“UFS”) and University Student Senate (“USS”).

3. Other CUNY colleges, including the central office (“other CUNY colleges”), and users affiliated with such other CUNY colleges.

4. Government agencies and non-profit organizations of an educational, scientific, cultural, social, civic, religious, or similar nature.

5. Union organizations affiliated with the host college.

6. All other users, including:
   a. commercial users
   b. partisan political users
   c. users not specifically included in another category

Colleges shall permit use under categories 1 through 5 and may permit use under category 6. Use by union organizations affiliated with the host college
shall be governed by the applicable collective bargaining agreement with the University. Users within each category or sub-category shall be treated on a uniform basis.

C. The University shall deny or terminate use of college facilities to:

1. Users that refuse to employ at their event the security personnel required by the host college.

2. Users that previously submitted a false application or that have previously violated the terms of a use agreement.

3. Users whose use or planned use of college facilities has been determined by the college to likely obstruct or disrupt college operations, interfere with freedom of movement on campus, or expose persons or property to safety hazards or risk of injury.

D. Use of college facilities may be subject to reasonable time, place and manner restrictions.

E. Fees for the use of college facilities shall be determined as follows:

1. Each college shall establish and make available a fee schedule, setting forth the college’s standard rates for (a) use of the space (“Use Fee”) and (b) direct costs such as labor, security, equipment and catering. The fee schedule shall be approved by the vice president for administration of the college.

2. Colleges may vary the Use Fee for a particular facility based on the category of user, e.g., affiliated users, non-affiliated non-profit users, commercial users, partisan political users.

   a. A host college shall not charge a Use Fee to its affiliated users (including without limitation recognized student organizations, University Faculty Senate and University Student Senate).

   b. Notwithstanding a. above, if the affiliated user is co-sponsoring an event with one or more outside organizations, the host college may charge a Use Fee in an amount limited to that which may be apportioned to the outside organizations(s) and which the host college would charge if it were the co-sponsoring college.

   c. A host college may charge other CUNY colleges a Use Fee that is discounted from that charged to non-affiliated users, or no Use Fee at all, in the discretion of the host college.
d. A host college may charge its affiliated users its direct costs, at the standard or discounted rates.
e. All other users shall be charged direct costs at the host college’s standard rates.

3. Fair market value must be charged for partisan political use.

F. All fees collected for facilities use are subject to applicable CUNY spending policies, including without limitation CUNY Fiscal Handbook for Control and Accountability of Student Activity Fees, CUNY Foundation Guidelines, CUNY Auxiliary Enterprise Guidelines, Guidelines on the Use and Reporting of Non-Tax Levy Funds, Cash Accountability Policy, CUNY Bank Account Policy and Procedures and Guidelines for Petty Cash Funds.

IV. PROCEDURES

A. Applicants for use of a college’s facilities shall provide the college with the following information: the name, address and telephone number of the individual or group making the request; whether it is a non-profit or commercial entity; the facilities (and any attendant college services) requested; a detailed description of the proposed use; the number of persons expected to use the facility and whether the event is open to the general public; the time(s) and date(s) for the requested use; and the amount of any admission fee to be charged and its intended use, and any other information reasonably requested by the college.

B. Individuals and groups that have received approval to use a college facility are required to:

1. Comply with all applicable University and college rules and policies, and applicable local, state and federal laws and regulations, including fire, health and safety regulations.

2. Assume full responsibility for any loss, damage or claims arising out of their use of the facility.

3. Pay the appropriate Use Fee and other charges for the use of the facility and related services, subject to Section III.E.2 above.

4. Unless the user is affiliated with the college or is another CUNY college, or is the City of New York, the State of New York or the U.S. Government, indemnify, defend and hold harmless the University, the college, the Dormitory Authority of the State of New York, the State of New York, the City of New York and the appropriate University related entity (where
as well as their officers and employees, from any liability arising out of the actions of the user, its agents, employees and invitees, incidental to the use of the facility by the user.

5. Unless the user is another CUNY college, UFS or USS, or is the City of New York, the State of New York or the U.S. Government, provide evidence of appropriate and adequate insurance protection (including liquor liability if alcohol will be served) covering property damage, personal injury, or death arising out of the use of the facility. The chief administrative officer of the college may waive this requirement for affiliated users, other government agencies and not-for-profit users upon a determination that there is minimal risk exposure to the college from the event.

6. Execute a written agreement with the University setting forth these requirements as well as any additional requirements pertaining to the use of the facility.

C. In all cases, the University and the colleges reserve the right to require and provide, at the user’s expense, such security personnel and technical experts as may be needed to insure order and safety on its premises.

V. RELATED CUNY POLICIES AND INFORMATION

Policy re Private Security

Policy re Tobacco Use

Advisory re Use of Campus Facilities by Candidates for Public Office http://www2.cuny.edu/wp-
content/uploads/sites/4/page-assets/about/administration/offices/legal-affairs/advisories/college-
facilities-candidates.pdf

Regulations for Graduations on CUNY Campuses

Best Practices for Use of Campus Facilities by Student Clubs, College Associations and Other Sponsoring Organizations
http://www2.cuny.edu/about/administration/offices/legal-affairs/advisories/
RESOLVED, That the Board of Trustees' Policy 3.01, titled “Bank Accounts” be renamed “Cash Accountability, Bank Account Control and Petty Cash” and be amended as follows; and be it further

RESOLVED, That Policy 3.01A is named Cash Accountability, Policy 3.01B is named Bank Account Control and Policy 3.01C is named Petty Cash; and be it further

RESOLVED, That the purpose of the Cash Accountability Policy (3.01A) is to articulate the requirements and guidelines related to cash controls and chain of custody for cash; and be it further

RESOLVED, That the purpose of the Bank Account Control Policy (3.01B) is to ensure that the City University of New York (CUNY) has appropriate procedures, practices and controls in place to safeguard and manage the University’s cash assets and to minimize the risk of financial loss; and be it further

RESOLVED, That the purpose of the Petty Cash Policies and Procedures (3.01C) is to establish the proper uses and administration of Petty Cash Funds.

EXPLANATION: In August 2008, the Office of the University Controller (now the University Office of Budget and Finance) issued Cash Management and Banking guidelines. The University recently began an effort to update and significantly enhance the guidelines, which have now been separated into three stand-alone Policies, called Cash Accountability, Bank Account Control and Petty Cash, which is a reflection of the both the significance, variability and audience of each policy. The new Policies seek to clarify and enhance CUNY’s expectations for handing cash, bank accounts and petty cash and focuses on standardization, oversight, internal controls and accountability. Any material changes to these Policies requires approval by the Board of Trustees.

THE CITY UNIVERSITY OF NEW YORK
PETTY CASH POLICIES AND PROCEDURES

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   4.1. Establishing a Petty Cash Fund 3
   4.2. Designating a Petty Cash Fund Custodian 4
1. **POLICY**

This policy establishes the proper uses and administration of Petty Cash Funds and supersedes all other policies and procedures previously issued.

Petty Cash Funds are intended to provide cash to colleges, schools, departments and units to cover small dollar purchases, such as reimbursement to staff members for small expenses when another form of payment (procurement card, purchase order, expense reimbursement) is not appropriate or available.

The University requires each Petty Cash Fund to have an approved Fund Custodian, who documents and reviews expenditures to ensure appropriate business purpose, reviews receipts, safeguards the funds, and reconciles the account.

CUNY will prosecute fraudulent claims, theft of funds or other criminal activity to the full extent of the law.

2. **SCOPE**

All constituent parts of the University, including CUNY colleges, schools, administrative and academic departments, centers, institutes, units, and the central office shall comply with this policy. Separately organized college associations, student service corporations, performing arts center and childcare centers shall also comply with this policy and shall be deemed as “CUNY departments” for purposes of this policy.
Auxiliary enterprise corporations, college foundations, the Research Foundation of The City University of New York (RFCUNY) and other separately incorporated entities are not required to follow this policy; however, they should establish their own policies on the use and administration of petty cash.

3. **DEFINITIONS**

As used in this Policy:

“Accounts Payable” means the office responsible for final approval prior to disbursement of funds, ensures that all Petty Cash replenishment requests adhere to this policy and is responsible for maintaining all accounting records in accordance with the University Records Retention Policy.

“Business Office” means the office responsible for handing the business and finance operations of a college. For a Related Entity, “Business Office” shall mean those individuals responsible for the day-to-day business and finance operations of the corporation, and may include individuals in the Business Office of the Related Entity’s supported college, as permitted by the MOU between the corporation and the college.

“Business Manager” means the individual responsible for administering the “Business Office” defined above.

“Cash” means coins and currency.

“CUNY Colleges” means all constituent parts of the University, including CUNY colleges, schools, academic and administrative departments, CUNY departments, centers, institutes, units, and the central office.

“Fund Custodian” means the individual responsible for ensuring that Petty Cash Funds are physically secured or attended by an authorized person at all times.

“Petty Cash Fund” means small cash account intended to provide cash to colleges, schools, departments, centers, institutes, units and central office to cover small dollar purchases, such as reimbursement to staff members for small expenses.

“University Treasurer” means the senior administrator in the Office of Budget and Finance in charge of cash and investments. The University Director of Treasury Services may perform the bank review and approval functions of the University Treasurer if the University Treasurer is unavailable to perform duties required by this Policy.

“Deputy Chief Financial Officer” refers to the individual with direct supervisory authority over the University Treasurer and University Controller.
4. GUIDELINES

4.1. Establishing a Petty Cash Fund

Requests for Petty Cash Funds must be approved by the Business Manager at the colleges or by the University Treasurer at the Central Office; these individuals have a responsibility to evaluate the department’s business need and limit the Petty Cash account to the lowest amount that will meet those needs.

To establish a Petty Cash Fund, a formal request must be sent to the Business Office at the College or Treasurer’s Office at the central office using the form in EXHIBIT A. The allocation for a Petty Cash Fund is generally $250; however, exceptions may be granted when a written justification is provided and with the approval of the Business Manager at the Colleges or the University Treasurer at the Central Office.

The request for establishing a new Petty Cash Fund must be made on the form included in EXHIBIT A and include:

- The purpose of the Petty Cash Fund;
- The dollar amount of the Petty Cash Fund (usually not to exceed $250, unless an approved written justification is attached);
- The name and title of the individual who will act as the Fund Custodian;
- A description of how and where the funds will be secured including physical location (see, 4.3, below); and
- Approval by the department head.

4.2. Designating a Petty Cash Fund Custodian

Each department will designate a Fund Custodian in its initial request. The Fund Custodian must be an employee of the entity for which the petty cash is established, and must acknowledge his or her responsibilities by signing the Fund Custodian attestation portion of the Request form (EXHIBIT A).

In the event the Fund Custodian has a scheduled absence, the department head may assign a temporary Fund Custodian. The funds must be counted in the presence of the authorized Fund Custodian before the leave period begins and again once the Fund Custodian returns (EXHIBIT B).

In the event the Fund Custodian has an unscheduled absence of less than five business days, the department head may also assign a temporary Fund Custodian. The funds must be counted in the presence of the department head or his designee before the funds are used. A similar cash count must be performed upon the return of the regular Fund Custodian. The department shall maintain the cash count verifications until the next cash count is performed. To assign a
temporary Fund Custodian, where the expected absence is more than five business days, the department head shall fill out the Petty Cash Fund Temporary Custodian Form (EXHIBIT B).

In the event of a permanent change in Fund Custodian, the Petty Cash Fund account shall be reconciled and closed. After appropriate review by Accounts Payable, all remaining funds and sub-vouchers totaling the original amount of the petty cash box shall be submitted to the appropriate Business Office and a new box may be opened in its place, if needed. The process described above in “Establishing a Petty Cash Fund” shall be followed if it is determined that a new Petty Cash Fund is necessary.

4.3. Safeguarding the Cash

The Fund Custodian is responsible for safeguarding Petty Cash Funds under his/her control. Petty Cash Funds must be secured at all times and kept in a locked box in a limited access locked drawer, safe or file cabinet. Funds must be secured each time the Fund Custodian leaves the office. The keys to the box, file cabinet, or drawer shall be kept in the possession of the Fund Custodian, and not left in desks or in the office overnight. The Petty Cash fund is subject to audit at any time without prior notice by the Office of Internal Audit.

The Petty Cash Fund and receipts must not be co-mingled with other cash. To discourage thefts, the Fund Custodian shall avoid dispensing money from the petty cash box in an area that is open to the public. The Fund Custodian and department head may be subject to discipline or held jointly liable for losses that occur as a result of negligence.

In the event Petty Cash Funds are missing and theft is suspected, the Petty Cash Fund Custodian shall notify his/her immediate superior as well as the campus Public Safety Office, the University’s Public Safety Office, the University’s Office of Internal Audit and the Office of General Counsel. The University Public Safety shall immediately report the suspected theft to the local precinct and the General Counsel shall communicate with and serve as liaison with the New York State Inspector General’s office and other appropriate law enforcement agencies.

4.4. Disbursement from Petty Cash

The Fund Custodian is responsible for ensuring that all disbursements from the Petty Cash Fund are in accordance with CUNY policy. Disbursements from the Petty Cash Fund must be properly documented and be for a valid University business purpose, as set forth below. The Fund Custodian must approve each disbursement.

A Petty Cash sub-voucher (EXHIBIT E) shall be used to document each cash disbursement. Every Petty Cash sub-voucher shall be signed by the recipient, his or her supervisor, be supported with original receipts and approved by the Fund Custodian. To track the disbursements, sub-vouchers shall be sequentially numbered, and the counter shall be reset at
the beginning of each Fiscal Year; number nomenclature should be four-digit year and four digits (e.g., 2017-0001).

Under no circumstance may an individual, including the Fund Custodian, approve his or her own Petty Cash sub-voucher. Under no circumstance shall the Fund Custodian draw from petty cash as reimbursement for his or her own expense.

It is the responsibility of the Custodian to ensure that each sub-voucher is complete, accurate, legible and accompanied by original documentation. Altered receipts shall not be accepted under any circumstance. All receipts must be itemized; credit card use receipts shall not be accepted for reimbursement. Should a receipt be missing or illegible, the recipient shall submit the “Missing/Illegible Receipt Memo”. (See EXHIBITS G and H).

Prior to reimbursement, the Fund Custodian shall ensure that the following information and attachments are included with the reimbursement request:

1. Original of the vendor's customary receipt which includes:
   - Vendor name
   - Date of purchase
   - Items purchased (to be completed by department if not on receipt)
   - Price per item
   - Total price for the quantity received
2. Custodian may require purchaser to sign or initial original receipts if receipts are not clear
3. Signature of the supervisor on the sub-voucher

Upon receipt of completed information, the Fund Custodian will reimburse the petty cash expenditure.

It is strongly recommended that the reimbursement requests be submitted within ten (10) business days following a purchase.

4.4.1. Allowable Transactions

The transactions that are allowable using petty cash funds include purchases for small dollar needs and purchases for which the goods have been received. Examples include:

- MetroCards for local office travel (usage should be documented)
- Copy services;
- Taxis/local parking (must be justified, refer to CUNY Travel Guidelines);
- Stamps;
- Supplies if not on hand but immediately required (this should not be a frequent occurrence); and
• Small infrequent purchases (such as copy of office key, etc.).

4.4.2. Unallowable Transactions

Items that are required to be purchased through the college or university Purchasing Office may not be purchased with petty cash funds. Additionally, out of town travel expenses and meals must be reported through the travel reimbursement process.

Further, the following transactions and purchases shall not be reimbursed from petty cash funds:

• Items covered by State, City or University contracts (except as noted above);
• Payments to vendors for invoices submitted directly to the department where a purchase order was issued;
• Out of town travel (meals, lodging, transportation) and conference fees;
• Services, including payments to employees, consultants and independent contractors;
• Scholarships, stipends, and awards;
• Inventorial equipment or sensitive items (as per the property management manual);
• Payments to service centers (e.g., bookstore, etc.);
• Cashing personal checks or providing personal loans (IOUs);
• Tips /gratuities (excluding reasonable tips on taxi expense);
• Food, beverages, catering (for more information related to purchasing food, please refer to the University’s policy on Lodging and Meal Allowances);
• Gas for Automobiles (personal vehicles, or office vehicles);
• Memberships and subscriptions; and
• New York City and New York State Sales Tax (see below).

Tax Levy Petty cash funds may not be used to purchase any items that are prohibited pursuant to University, State or City policies, such as parking violations, fines and penalties, etc. Refer to the ‘All Fund Matrix’ approved by the University’s Board of Trustees in December 2017 for a list of allowable purchases from tax levy and other funds.

Generally, CUNY does not reimburse the payment of New York City and New York State sales tax. Since it may not always be practicable to provide the sales tax exemption certificate for minor purchases or when traveling locally, it is permissible to incur and reimburse sales taxes for expenditures under $25.00 in these or other exigent situations. Nevertheless, CUNY employees should make every effort to avoid the payment of sales taxes on any in-State purchase for University business, regardless of size.
4.5. **Replenishing the Petty Cash Fund**

The Fund Custodian is responsible for replenishment of the Petty Cash Fund. Replenishment of the Petty Cash Fund shall be made on a regular basis or at least quarterly (by September 30, December 31, March 31, and June 30) and must include:

- An original Check Request and Payment Authorization form (college specific forms);
- A completed signed Petty Cash Recapitulation form (see EXHIBIT C);
- All numbered sub vouchers submitted for reimbursement with original, legible receipts and pertinent backup (see EXHIBIT E);
- A completed Petty Cash reconciliation form signed by the Custodian and Department Head; (see EXHIBIT D)

The total on the recapitulation form cannot exceed the total dollar value of the fund.

The Fund Custodian must reconcile the Petty Cash Fund every time a request for replenishment is submitted. The replenishment request must be completed and noted accordingly on the Petty Cash Reconciliation form (EXHIBIT D). If the reconciliation is not clearly noted on the worksheet, the request for replenishment will not be processed and will be returned to the department for completion. The total currency and coins in the cash box, all un-replenished sub-vouchers/receipts, and all uncashed replenishment checks must at all times equal the original Petty Cash Fund dollar amount (e.g., $250).

Replenishment checks should be cashed within 30 days of issuance. Any replenishment checks that have not been cleared by the bank within 30 days should be added to the Reconciliation Worksheet balance. The subsequent reimbursement requests will be reduced by the amount of the uncashed checks.

CUNY Colleges and the Central Office must adhere to State and City guidelines governing the certification of petty cash balances see below, NYS Guide to Financial Operations/ Petty Cash.

If the Petty Cash Fund is not used for a period of six months and no replenishment is therefore required, the need for the fund shall be evaluated. Refer to the section on “Closing the Petty Cash” fund below.

4.6. **Recordkeeping**

The Fund Custodian is responsible for submitting completed Petty Cash Replenishment forms to Accounts Payable for review.

Accounts Payable is responsible for ensuring that all Petty Cash Replenishment requests adhere to this policy prior to the disbursement of funds and is responsible for maintaining all accounting records. Accounts Payable, shall keep receipts for each Petty Cash transaction, in
Petty Cash logs and receipts are subject to unannounced review by the college Business Office, University Treasurer, Internal Audit, and the Office of the State/City Comptroller, as appropriate.

Petty Cash Funds shall be established by withdrawals from the Imprest Fund bank account and shall be kept under general ledger control. Once established, each fund shall be maintained on an imprest basis, which means the amount of the funds remains constant, and the Fund Custodian is reimbursed by check on the Imprest Fund bank account for amounts paid out of the fund upon presentation and surrender of satisfactory evidence of such disbursements. The amount of the reimbursing check shall be for the exact amount of the disbursements made from the fund.

4.7. Closing the Petty Cash Fund

4.7.1. Closing the Fund - Voluntarily

In the event that a fund is to be closed voluntarily, the Fund Custodian shall take the following steps:

1. Notify the Business Office at the colleges or the University Treasurer at the central office of the intent to terminate the account.
2. Prepare final replenishment request.
3. Submit all cash on hand and final cash count to the Bursar’s Office at the college or the Treasurer’s Office at the central office.
4. In the event that a Fund Custodian leaves CUNY employment without reconciling the petty cash box, CUNY reserves the right to deduct from the employee’s final paycheck any shortfall in the box that the employee failed to report.

The college Bursar’s Office or the University Treasurer’s Office will review the final cash count and provide information to the college Business Office or Controller’s Office at the Central Office, who will close the box for that fund. Notice of Fund closure will be forwarded to the Fund Custodian.

4.7.2. Closing the Fund – Involuntary

Repeated violations of petty cash procedures can result in termination of the fund. The fund will be closed by the college Business Office or the University’s Controller’s Office and replenishments will no longer be processed. The Fund Custodian is ultimately responsible for the disposition of funds.
4.7.3. Inactive Funds

If a Petty Cash Fund has been inactive for a period of six months or more, the Business Office (for a college fund) or the University Treasurer’s Office (for a central office fund) shall contact the department to determine whether the Petty Cash Fund is still required to meet the department’s needs.

5. INTERNAL CONTROLS

Colleges must ensure that there are segregation of duties over the receipt, safeguarding and disbursement of petty cash funds.

6. RESPONSIBILITIES

- The CUNY Colleges are responsible for managing departmental Petty Cash Funds per the procedures in this policy;
- The Accounts Payable Office, at the Colleges or Central Office, as applicable, is responsible for review of fund replenishment submissions, maintenance of all petty cash records, and vouchering for fund replenishment;
- The college Business Office or the University Treasurer’s Office, as applicable, is responsible for establishing the Petty Cash Fund;
- The college Business Office or University Treasurer’s Office, as applicable, is responsible for replenishing departmental Petty Cash Funds as requested.

7. EXCEPTIONS AND AMENDMENTS

Any deviation or alternative procedures to this policy shall be documented in writing, approved by both the Vice President of Finance at the college and the University’ Deputy Chief Financial Officer, maintained in the files and revisited on an annual basis.

The University Office of Budget and Finance is responsible for the periodic review of this policy as well as ensuring that all appropriate parties are informed of them.

8. EFFECTIVE DATE

This policy is effective January 1, 2018.

9. RELATED INFORMATION

The following links and/or references provide additional information related to this policy:

- Tax Exempt Forms
- NYS Guide to Financial Operations/ Petty Cash
CUNY Bank Account Control Policy

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The purpose of this Policy is to ensure that The City University of New York has appropriate procedures, practices and controls in place to safeguard and manage the University's cash assets and comply with applicable law and best practices so as to minimize the risk of financial loss. This Policy articulates the requirements for opening, closing, updating and maintaining college bank accounts (see Definitions, below). All colleges must follow this Policy, and must ensure that all necessary employees and other individuals are aware of and understand how to follow proper procedures with establishing and maintaining control and oversight over bank accounts. All college cash must be deposited in a bank account that conforms to the requirements of this Policy. This Policy supports other processes and procedures established to maintain the financial integrity of the University. This Policy supersedes all other policies previously issued by the University regarding the establishment and management of college bank accounts.

2. SCOPE

Unless otherwise specified, this Policy applies to all colleges, as that term is defined below. This Policy does not apply to college foundations or separately incorporated alumni associations; however, those entities are strongly encouraged to establish bank account management policies of similar scope to protect their financial integrity.

3. DEFINITIONS

As used in this Policy:

“Bank account” means any and all bank and investment accounts with financial institutions including but not limited to checking, savings, money market, certificates of deposits (CDs), mutual funds, and investment accounts.

“Business office” means the office responsible for handling the business and finance operations of a college. For a Related Entity, “business office” shall mean those individuals responsible for the day-to-day business and finance operations of the corporation, and may include individuals in the business office of the Related Entity’s supported college, as permitted by the MOU between the corporation and the college.
“Cash” means coins and currency and all negotiable instruments with monetary value (including but not limited to checks, money orders, Automated Clearing House (ACH) transactions, etc.), that can be deposited into a bank account.

“Collateralized” means assets pledged by financial institutions in the event of failure of the financial institution.

“College” means a constituent unit of the University, including without limitation senior and community colleges, graduate and professional schools, Macaulay Honors college and the central office (including the UTO and other offices and departments), as well as fund groups and organizations that are not legally separate from the University (e.g., the Queens College Athletic and Recreational Fund, the college associations of Hunter College, the School of Professional Studies and the Graduate School of Public Health and Health Policy). For purposes of this Policy, “college” also includes the Related Entities, unless otherwise indicated.

“CUNY” and “University” mean The City University of New York.

“Deputy Chief Financial Officer” refers to the individual with direct supervisory authority over the University Treasurer.

“Related Entities” means the following types of entities and their subsidiaries, if legally separate from the University and unless otherwise indicated: auxiliary enterprise corporations, college associations, student services corporations, childcare centers, performing arts centers, and art galleries.

“University Treasurer” means the senior administrator in the Office of Budget and Finance in charge of cash and investments. The University Treasurer is the business manager for the central office. The University Director of Treasury Services may perform the bank review and approval functions of the University Treasurer if the University Treasurer is unavailable to perform duties required by this Policy.

“UTO” means the University Treasurer’s Office. UTO is the business office for the central office.

4. BANK CONTROLS

In order for CUNY to maintain sufficient oversight and controls over college funds, it is essential that a college establish all bank accounts in accordance with this Policy, and that the UTO have a complete and up-to-date list of all such accounts, including closed accounts, and the signatories thereon. Bank accounts and related activity (for example, interest income and banking and investment fees) must be recorded in the University’s official accounting system (CUNYfirst) or such other accounting system used by a Related
Entity, and reconciled to bank statements within the time constraints set forth in the CUNY Cash Accountability Policy.

4.1 Establishing Bank Accounts

All college bank accounts except Related Entity bank accounts. Only a college business office (for a college) or UTO (for the central office) may establish and maintain college bank accounts. Colleges wishing to open a new bank account shall complete the Bank Account Request Form attached as Appendix A to this Policy. The college (including the UTO) shall include a justification for opening the new bank account describing the potential financial advantage and/or risk mitigation as compared to the cost. The Bank Account Request Form shall be signed by the Vice President for Administration and Finance at the college or, for central office bank accounts, by the University Treasurer unless it is an UTO account, in which case it shall be signed by the Deputy Chief Financial Officer, and submitted to the University Treasurer.

The University Treasurer will notify the college business office in writing if the bank account has been approved or if the University has any concerns with the establishment of the new account. A college business office shall not proceed with establishing the new account until it has received written approval from the University Treasurer. Upon opening the new bank account, the college business office shall update the University’s banking account management system with the new account information and submit a chart field request form to create a general ledger account for the new bank account.

All college bank accounts opened after the effective date of this Policy must be established using the following naming convention: the name “CUNY” followed by the college name, followed by department or program in the account title description with the financial institution. For example, “CUNY Brooklyn College ACE”.

Related Entity bank accounts. A Related Entity may open one or more bank accounts, as approved by resolution of its board of directors, in order to conduct its business. Each Related Entity must notify the business office of its supported college and the University Treasurer of each bank account existing at the effective date of this Policy and within five (5) business days of opening any new bank account. A Related Entity shall use the Related Entity Bank Account Notification Form attached as Appendix B to this Policy to notify the college business office and University Treasurer of new accounts. Related Entity bank accounts must be established under their legal names.

4.2 Signatories

There should be three or more signatories for each bank account. An authorized signatory who is separated from the University, or otherwise has a change in employment or job responsibilities, must be removed from the list immediately and the bank notified in writing.
Colleges should monitor the list of signatories with the bank and at least annually verify and update as needed the bank’s record of authorized signatories. No custodian or individual who reconciles can be a signatory. This applies to all accounts, including those in UTO. All written statements must be maintained per records retention policy.

4.3 Closing Bank Accounts

Any bank account that is no longer needed by a college shall be closed in a timely manner via a written statement to the financial institution that shall be maintained by the college pursuant to the CUNY records retention policy. The college (including all Related Entities) shall notify the University Treasurer of the account closing by using the Bank Account Closing Notification Form attached as Appendix C to this Policy. Once the account is closed, the college shall promptly update the University’s bank account management system and submit a chart field request to deactivate the general ledger account for the closed bank account.

4.4 Repurposing Bank Accounts

As a general rule, bank accounts shall not be repurposed or reused for a purpose other than the account’s original purpose. An account no longer needed should be closed, or a new account needed opened. In rare cases for a specific reason, a college may request an exception to this rule from the University Treasurer, which shall be justified in a statement that is maintained by the requestor and the University Treasurer. Similarly, in rare cases, the University Treasurer may request an exception to be allowed to repurpose an account from the Deputy Chief Financial Officer, which if approved must be similarly justified in writing.

4.5 Bank Accounts Maintained by Unaffiliated Organizations

No college shall knowingly permit the establishment of, and no college employee, other individual shall establish a bank account under a University, college or Related Entity name, address, or federal employer identification number (EIN), or permit the deposit of funds made payable to, or intended for, the University, college or a Related Entity into such an account, except pursuant to this Policy.

4.6 Annual Survey

Each college is responsible for checking regularly to ensure that there are no unauthorized bank accounts, and that all accounts are active. At least annually, the colleges shall survey financial institutions in their local area to ensure that no bank accounts have been established under a University, college or Related Entity name, address, or EIN without the knowledge or approval (as applicable) of the college business office or UTO, including closed accounts.
This survey shall be conducted by an individual who does not have the authority to open or close bank accounts.

They shall also check annually to ensure that authorized accounts are active and have appropriate signatories (see 4.2). Each college shall maintain copies of the signed letters sent to financial institutions during this annual survey along with any responses received, in accordance with the University’s record retention policy.

4.7 Electronic Fund Transfers (ACH)

To achieve faster processing, cost savings and more secure transactions than paper transfers, including checks, colleges are strongly encouraged to receive and send funds electronically via ACH (Automated Clearing House) whenever possible. Because ACH transfers are conducted by the bank using batch processing, ACH transfers are far less expensive than wire transfers are.

4.8 Custodial Credit Risk

The custodial credit risk for deposits is the risk that, in the event of the failure of a financial institution, the University or a Related Entity will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party.

Colleges shall not maintain accounts at any one bank in excess of FDIC insurance limits, unless the bank is rated four (4) stars or better by Bauer Financial (www.bankrate.com). Because bank ratings will change, colleges should check the above website periodically to ensure that nothing adverse has occurred with any bank in which the college’s bank balance exceeds FDIC limits.

5. FRAUD PREVENTION SOLUTIONS

5.1 Positive Pay

Positive Pay is a service whereby an institution provides its bank with a file of all checks issued that day. If a check does not exactly match the issued item, the bank is required to notify the institution. Unless the institution instructs the bank to pay the item noted as not matching, the bank will return the check unpaid. UTO and college business offices shall institute, whenever feasible and appropriate, the Positive Pay service provided by banks to protect an institution from check fraud; this service may not be needed for small accounts.

5.2 ACH Debit Blocks / Filters

A debit block prevents ACH debits received for processing at a bank from posting to the designated bank account. Unauthorized debits are automatically returned to the originating (sending) company. Each college shall enroll in ACH Debit Block for each demand deposit
account (DDAs) at the college that accepts ACH. Colleges that want to permit routine, recurring bank debit transactions to post to their bank account may establish an ACH Debit Filter. This filter can be established for a maximum dollar amount.

6. REPORTING REQUIREMENT

6.1 Foreign Bank Account Reporting (FBAR)

All colleges are responsible for Foreign Bank Account Reporting (FBAR) under the U.S Bank Secrecy Act (“Act”), if the college has a financial interest in or signature authority over a foreign financial account, including a bank account, brokerage account, mutual fund, trust, or other type of foreign financial accounts, exceeding $10,000 at any time during the calendar year. Affected colleges must file a FBAR report for foreign financial accounts on or before April 15th of the year following the calendar year being reported. The Act permits no more than a six-month extension of the filling deadline.

6.2 Suspected Fraud Reporting

Any college that suspects check or ACH fraud has occurred shall immediately report its concern to the University Director of Public Safety, University Director of Internal Audit, the Office of the General Counsel, and the University Treasurer. University Public Safety shall coordinate with the campus Director of Public Safety and the Office of the General Counsel shall communicate with and serve as liaison with the New York State Inspector General’s office and other appropriate law enforcement agencies.

7. INTERNAL CONTROLS

Maintaining sound internal controls as part of the banking process is crucial. The foundation of a good internal control system is segregation of duties. That means that the duties of (1) authorization (signing a check or releasing a wire transfer), (2) custody (having access to blank check stock or ability to establish a wire) and (3) recordkeeping (ability to record the transition in the accounting system) shall be separated so that one individual cannot complete a transaction from start to finish. To that end, the signatories on college bank accounts shall not have custody or recordkeeping ability.

The University Treasurer (for central office bank accounts), the Vice Presidents of Administration and Finance (for college bank accounts except Related Entity accounts), and the Related Entity’s board of directors (for Related Entity bank accounts) shall assign a responsible official to each bank account for the purposes of ensuring compliance with applicable University and Related Entity policies and procedures, timely reconciliation of bank accounts, adequate segregation of duties regarding the administration of the account as described below, monitoring the continued need or appropriate structure for such accounts, and other oversight requirements as appropriate. Individuals with the authority to
instruct a bank to make positive pay exceptions cannot have any responsibility for the bank reconciliation of that bank account. Individuals assigned by the responsible official to reconcile the account shall not be the same individuals who are authorized to sign checks or approve electronic funds transfer (EFT's) on the account.

The University Treasurer (for central office bank accounts), the Vice Presidents of Administration and Finance (for college bank accounts except Related Entity accounts), and the Related Entity’s board of directors (for Related Entity bank accounts) shall review and approve authorized signatories for electronic funds transfers and checks drawn on college bank accounts. The UTO or the college business office, as applicable, must maintain a current list of such authorized signatories at all times. An authorized signatory who is separated from the University or the Related Entity must be removed from the list immediately and the bank notified in writing.

The CUNY Cash Accountability Policy includes additional internal controls and segregation of duties requirements.

8. RECORD RETENTION

Each college shall consult the University’s Records Retention and Disposition Schedule to ensure that they are in compliance with records retention and disposition related to banking.

9. BANK ACCOUNT POLICY ACKNOWLEDGEMENT

Each college shall ensure that this Policy is provided to all new employees and on an annual basis to all individuals at the college who are involved in bank account administration and that such individuals acknowledge in writing that they have received and read this Policy, using the Acknowledgement Form in Appendix D. Individual acknowledgements shall be maintained on file with the college business manager.

10. EXCEPTIONS AND ALTERNATIVE PROCEDURE

Any exception to this Policy shall be approved by both the Vice President of Administration and Finance at the college and the University Treasurer, documented with the justification therefor in writing, maintained in the files of both offices, and reviewed and a new determination made and documented on at least an annual basis.

11. EFFECTIVE DATE AND TRANSITION

The Policy is effective January 1, 2018. Changes adopted to conform to this Policy shall be applied as of that date.
12. **UPDATE AND PERIODIC REVIEW**

The University Office of Budget and Finance is responsible for the periodic review and recommendation of changes to this Policy, as well as for ensuring that all appropriate parties are informed of it.

13. **EXTERNAL LINKS**

The FBAR filing link: [https://bsaefiling.fincen.treas.gov/main.html](https://bsaefiling.fincen.treas.gov/main.html)
Record Retention Schedule: [http://www.cuny.edu/recordretentionschedule](http://www.cuny.edu/recordretentionschedule)

14. **APPENDIX**

A) Bank Account Request Form  
B) Related Entity Bank Account Notification Form  
C) Bank Account Closing Notification Form  
D) Bank Account Control Acknowledgement Form

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THE CITY UNIVERSITY OF NEW YORK  
CASH ACCOUNTABILITY POLICY

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1. POLICY

Cash by its nature is susceptible to misappropriation, and therefore it is of critical importance that internal controls over cash are strong, and the chain of custody for cash receipts and disbursements is secure and well documented.

This Policy articulates the requirements and guidelines related to cash control and chain of custody for cash. This Policy is tightly linked with the execution of highly controlled processes designed to maintain the financial integrity of the University and to limit the risk of misappropriation of cash and other monetary instruments. This Policy supersedes all other policies previously issued by the University on cash management and cash control.

2. SCOPE

Unless otherwise specified, this Policy applies to all colleges, as that term is defined below. This Policy does not apply to college foundations or separately incorporated alumni associations; however, those entities are strongly encouraged to establish cash accountability policies of similar scope to protect their financial integrity.
3. DEFINITIONS

As used in this Policy:

“Bank account” means any and all bank and investment accounts with financial institutions including but not limited to checking, savings, money market, certificates of deposits (CDs), mutual funds, and investment accounts.

“Business Manager” means the senior finance person at a college who reports to the Vice President of Finance and Administration. Although not always called a Business Manager, this person is typically responsible for the Budget, Bursar, Accounts Payable, Purchasing, and Accounting areas of the campuses. For Related Entities, the Business Manager shall mean the corporation’s chief financial officer.

“Business Office” means the office responsible for handing the business and finance operations of a college. For a Related Entity, “business office” shall mean those individuals responsible for the day-to-day business and finance operations of the corporation, and may include individuals in the business office of the Related Entity’s supported college, as permitted by the Memorandum of Understanding (MOU) between the corporation and the college.

“Cash” means coins and currency and all negotiable instruments with monetary value including but not limited to checks, money orders, and Electronic Funds Transfer (e.g., Automated Clearing House (ACH) transactions, wire transfers, etc.).

“College” means a constituent unit of the University, including without limitation senior and community colleges, graduate and professional schools, Macaulay Honors college and the central office (including the University Treasury’s Office and other offices and departments), as well as fund groups and organizations that are not legally separate from the University (e.g., the Queens College Athletic and Recreational Fund, the college associations of Hunter College, the School of Professional Studies and the Graduate School of Public Health and Health Policy). For purposes of this Policy, “college” also includes the Related Entities, unless otherwise indicate.

“CUNY” and “University” mean The City University of New York.

“Related Entities” means the following types of entities and their subsidiaries, if legally separate from the University and unless otherwise indicated: auxiliary enterprise corporations, college associations, student services corporations, childcare centers, performing arts centers, and art galleries.
4. CASH RECEIPTS

There are many controls required for the cash receipts process, beginning with the point of collection and ending with the bank deposit and recognition of the deposit by a banking institution. The designated depository for all cash receipts is the Bursar\textsuperscript{15} at the colleges and the University Treasurer at the central office. All cash receipts must be deposited directly with the Bursar’s Office or the University Treasurer’s Office. Any exceptions to this centralized-collection rule must follow the “Exceptions and Alternative Procedures” described in Section 14 below.

Colleges shall perform background checks on staff who are handing cash on the campus. Campus are also strongly encouraged to obtain a fidelity bond to protect against any potential losses.

4.1 Management of Cash Drawers

The cashier at the college Bursar’s Office must enter each receipt into the CUNYfirst Student Financial Cashiering System immediately upon receiving funds. A numbered system-generated receipt (paper or electronic) must be provided to the customer when payment is received in person.

Cashiers at the Bursar’s Office are responsible for their own cash drawer for the entirety of their shift. Cash drawers shall not be exchanged or shared for any reason. If a change of drawer needs to be made, a supervisor must be present to make the change. At the beginning and at the end of the shift, the cash drawer must be closed out and counted by cashier and supervisor from the Bursar’s Office. A log shall be kept of the cash count that must be signed by the cashier and the supervisor. The college shall reconcile the cash to cash register totals at the end of each drawer close out and any differences shall be immediately resolved, or if further investigation is warranted, by the close of the next business day. If the cash discrepancy is not resolved within a timely manner than the procedures outline in Section 6.2 shall be followed.

Staff shall not make change from the cash collected by the college.

4.2 Foreign Funds

Foreign funds are not generally accepted for in-person payments. They are, however, accepted as payment on a student’s account via a bank transfer, provided the foreign denominated payment (after conversion and transaction costs) is equal to or less than the total charges on the student’s account. All foreign denominated payments or U.S. dollars

\textsuperscript{15} The college Bursar should be the recipient of all cash collected by the college and its Related Entities, unless an Alternative Procedure is approved as outlined in the Section 14.
payments drawn on a foreign bank must be submitted for conversion on collection. Adjustments will be made by the bank for conversion fees; all fees and conversion charges are the responsibility of the payer.

Tuition and fee payments from foreign funds are generally NON-REFUNDABLE. Any excess after conversion will not be refunded to the payer but instead will become an advance for future semesters. In cases such as student drops out during the refund period and with approval from the college business manager, if payments need to be refunded, the return will be applied back to the original foreign bank account from where the funds were initially transferred.

4.3 Remote Check Deposit (RCD)

When collecting payments by check, the cashier must verify that the check is filled out completely and accurately before applying the payment. Checks shall be restrictively endorsed (marked “for deposit only”) immediately upon receipt. Post-dated checks are not permitted.

RCD technology allows the college to avoid the physical movement of received checks to its bank. Instead, the college can use a special scanner and scanning software to create an electronic image of each check which is then transmitted to the bank. RCD cannot be used for checks drawn on foreign banks. Each college is strongly recommended to use RCD for domestic check deposits when feasible.

4.4 Frequency of Deposits

The amount of cash on hand at the Bursar’s Office shall be minimized to the amount that is needed by the college for routine bursar’s office activities (e.g. cash on hand needed for the change fund for each cashier). Funds on hand in excess of the minimum amount needed must be deposited in the bank by the next business day using the University’s designated armored car service. Logs signed by college personnel and armored car personnel for armored car pickup must be completed for each run. Daily deposits (daily) must be made in situations where funds accumulate rapidly, such as during registration.

All funds must be properly secured at the college until picked up by the armored car services. Cash receipts must be reconciled on a daily basis to ensure that all deposits reached the bank and any discrepancies must be immediately investigated.

4.5 Bursar Office Procedures

Each college Bursar office must develop their own documents that detail their standard operating procedures. These procedures shall be in compliance with this policy, and signed
by each employee of the Bursar office indicating they have read and understood the college’s operating procedures.

Prior to finalizing the college’s new or revised operating procedures, the draft procedures document should be submitted to the University Bursar and the Office of Internal Audit for review.

The final version shall also be submitted to the University Bursar.

5. PHYSICAL CONTROLS

5.1 Safeguarding of Cash and Chain of Custody

Upon receipt, all cash shall be secured in a locked cash drawer, drop safe or traditional safe. These secured storage areas shall be locked at all times and only opened in the presence of a second authorized person.

Cash will often move from one of the above-mentioned secured containers to another; during this transfer, cash is especially susceptible to misappropriation. It is therefore imperative that the chain of custody of the cash remains intact; this process should be outlined clearly in the college Bursar’s Office operating procedures document as described above.

The cashier’s drawer and the contents of the drop safe, if applicable, shall be opened and counted in the presence of the cashier and supervisor at the end of a shift, preferably in a designated counting room. Once the cash is counted and prepared for deposit, these individuals shall secure the funds in locked pouches and sealed tamper-evident bank bags, and place the sealed funds in a safe. The sealed funds shall only be removed immediately prior to transport to the bank for deposit, in the presence of at least two authorized employees.

Safes, which must be “fire rated,” shall be locked at all times between uses for withdrawing or depositing funds. The college Business Manager or University Treasurer must designate and limit the individuals who have access to the safe; no other individuals may have access. Safe combinations must be changed upon the termination of any individual with authorized access or upon an individual’s change to an inconsistent job role.

It is preferable that the college’s safe is secured in a separate room that is locked at all times and can only be accessed via an individually assigned card key. If that is not possible due to the physical layout of the office, then an ‘access log’ that includes the names and signatures of individuals who entered the room, the purpose, time in and out, shall be maintained.
At no time shall one individual be allowed to place or remove funds from a safe; each such action must include at least two authorized employees.

5.2 Security Cameras

Colleges shall have surveillance cameras in areas where there is a high volume of cash collected, sorted, or stored, such as in the PHiL\(^6\) (Payment Headquarters in Location) Stations, Bursar’s Office, including the cashier’s areas, counting rooms, and the areas where safes are located. These cameras shall cover the entirely of the areas or rooms where cash is collected, counted, disbursed or stored in order to minimize the risk of misappropriation of cash outside of the camera’s range.

College Business Offices shall coordinate the quantity and location of the cameras with their respective campus Public Safety Office and in conjunction with the University Department of Public Safety. All security cameras shall be live and have recording capability.

6. REPORTING REQUIREMENTS

6.1 Counterfeit Currency

Cashiers are responsible for exercising reasonable care in screening cash transactions. For example, the cashier should use a counterfeit detector pen for $50 dollar bills and above.

6.2 Reporting Instances of Fraud or Theft

Any college that suspects check or ACH fraud has occurred shall immediately report its concern to the University Director of Public Safety, University Director of Internal Audit, the Office of the General Counsel, and the University Treasurer. University Public Safety shall coordinate with the campus Director of Public Safety and the Office of the General Counsel shall communicate with and serve as liaison with the New York State Inspector General’s office and other appropriate law enforcement agencies.

Any college who suspects that cash may be missing due to theft or have unidentified discrepancies between the cash register totals compared to cash on hand (refer to Section 4.1) shall immediately report its concerns to the campus Public Safety Office, University Director of Public Safety, University Director of Internal Audit, the Office of the General Counsel, and the University Treasurer.

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\(^6\) A PHiL station is an electronic device that is physically located on a college campus. Students and others may use a PHiL station to load money onto their ID cards in order to make campus purchases such as printing and photocopying.
7. CASH DISBURSEMENT CONTROLS

7.1 Blank Check Management

Requisition of Checks

The University Treasurer (for central office bank accounts) and the Business Managers (for college bank accounts) are responsible for designating the personnel who are authorized to prepare check orders and approve check orders. These personnel shall not be engaged in the storage and management of the check stock.

The individual requesting a check shall submit to the University Controller or college Business Manager, as applicable, a written check-order report, specifying the order, the requestor, and the approver at the time of requisition of the checks.

Without Recourse

Checks shall have the words “Without Recourse” printed on the face of the check. Under NYS UCC, Section 3-413 (2), this minimizes exposure of a college or the university to liability to banks, vendors, or individuals that receive or cash fraudulent checks purported to have been drawn against a college or university bank account.

Storage

The University Controller (for central office bank accounts) and the college Business Manager (for college bank accounts) is responsible for ensuring that proper procedures are followed in regards to the receipt, documentation, storage and management of check inventory and that there are adequate segregation of duties over the various roles. At a minimum, blank check stock must be stored in sealed and numbered tamper-evident boxes.

Blank Check Control Record

The University Controller (for central office bank accounts) or the college Business Manager (for college bank accounts) is responsible for ensuring proper controls over the blank checks, which includes, at a minimum:

1. A control record of check requisitions, shipment verification, and stock drawdown/issuance by check type (e.g., payroll, vendor payment);
2. Check sequence number control and accountability for quantities, sequence numbers, dates of checks written and signed, and the sequence numbers of checks canceled, voided, or for any other reason not issued;
3. Procedures for managing unexplained variations in check controls and an inquiry process for resolving such discrepancies; and
4. Policy for safekeeping of blank checks.
7.2 Check Processing

Transmittal of Checks

When checks are transmitted from one processing point to another, they must be accompanied by a transmittal sheet. An explanation must be provided for each missing check number (e.g., a check not received from the printer, canceled, or voided). The original of the document shall be forwarded to the business office.

If any discrepancies are noted, the responsible person must make an immediate investigation and inform the Business Manager at the college or University Treasurer at the central office.

Check Signing Controls

Checks must be signed manually by an authorized signatory or by an authorized representative of the signatory using the appropriate mechanism (e.g., magnetic ink, printers, check signatory plates). Such mechanisms must be secured at all times. Checks equal to or exceeding $5,000 require dual signatures by approved signatories unless, in the case of a Related Entity, the corporation’s board of directors has approved a lower threshold.

7.3 Management of Outstanding Checks

The colleges shall contact the vendor or payee for all checks that have been outstanding for six months. At that point, checks shall either be canceled or canceled and reissued.

Stop Payments

A staff member of the business office shall be delegated responsibility for approval of all orders to stop a check after it has been issued. Colleges with the positive pay on the bank accounts do not have to issue stop payments since college can remove the check in question from the positive pay record.

Voided Check

A voided check is a check written or partially written but then canceled or deleted by the college. The notation of “void” is used because checks are pre-numbered for control purposes and every check needs to be accounted for. Void check may require some adjustments when reconciling the bank statement.
CANCELED CHECK

A canceled check is a check that has cleared the depositor’s bank account and has been marked as “canceled” by the bank. Both voided and canceled checks must be retained in accordance with the University Record Retention and Disposition Schedule.

7.4 STORAGE OF PAID CHECK FILES, VOIDED, AND CANCELED CHECKS

Paid checks files and canceled check images received monthly with the bank statements must be kept, along with any voided and canceled checks, in locked storage until completion of the external audit for the year in which they were written. These checks shall be accessible only to designated staff.

The colleges are encouraged to utilize on-line data storage systems to electronically store checks and bank statements.

8. ELECTRONIC FUND TRANSFERS (EFT)

To achieve faster processing, cost savings and more secure transactions than paper transfers including checks, colleges are strongly encouraged to receive and send funds electronically via ACH (Automated Clearing House) whenever possible. Because ACH transfers are conducted by the bank using batch processing, ACH transfers are far less expensive than wire transfers.

Segregation of Duties

Duties for vendor setup, initiating, reviewing, and approving EFT shall be segregated between two or more individuals. No single individual shall have the authority or opportunity to set up, initiate and approve payment into the accounting software or financial system. Colleges shall require a signed approval document for manually initiated electronic payments and shall apply dollar limits or additional approval for large payments.

For those electronic payments being made automatically by the accounting software, the access to create and edit a vendor must be segregated from the access to make a payment. Furthermore, the access to the vendor master file must be strictly restricted.

Office of Foreign Asset Control (OFAC)

EFT (ACH and wire instructions) will not be provided to countries on the Office of Foreign Asset Control (OFAC) sanctions list.
9. **UNCLAIMED AND UNCASHED CHECKS**

9.1 **Unclaimed/Uncashed Student Tuition Refunds and Credit Balances**

Unclaimed/uncashed student tuition refunds and credit balances shall be held in a college bank account for a period of five (5) years, at which time the outstanding liability balance can be written off and be counted towards the college’s revenue target. During the five-year period, annual attempts must be made to contact and return the funds to their rightful owner.

9.2 **Unclaimed Payroll and Vendor Checks**

Colleges are required to return unclaimed payroll and vendor checks to the issuing agency (i.e. City or State of New York) after 90 days.

9.3 **Other Unclaimed/Uncashed Checks**

Colleges are required to follow the State of New York’s Abandoned Property Law for proper handling of unclaimed/uncashed checks related to non-student liabilities, which is summarized below.

- The period for negotiating checks drawn from bank accounts for any funds is six months. Unpaid checks that remain dormant for three years from the date of issuance period are considered abandoned property by the State.
- After the three years period has elapsed, unclaimed check amounts shall be paid to the Office of the State Comptroller (OSC) for deposit in the abandoned property fund, except for a check for federal funds, in which case the check shall be returned to the federal agency that provided the funds.
- Notification must be given to the payee of such funds no less than ninety (90) days before reporting such amounts as abandoned property to OSC. In addition, a second notice, by certified mail, is required sixty (60) days prior to the transfer if the amount exceeds $1,000.
- Notification is not required for checks less than $20.
- Once these funds are transferred to OSC, the University or Related Entity is no longer liable for payment and subsequent claims of unpaid funds must be directed to OSC.

9.4 **Re-Issuance of Checks**

Colleges are required to place a written stop payment on un-cashed checks after six months, and to re-issue those checks in accordance with applicable federal, New York State, and New York City law and CUNY and Related Entity policies, including those relating to Accounts Payable, Payroll, or Student Financial Aid, or return the funds back to the appropriate program(s).
10. BANK ACCOUNT RECONCILIATION

10.1 Purpose of a Bank Reconciliation

Bank reconciliations are an essential internal control tool and are necessary in preventing and detecting fraud and accounting errors. The bank reconciliation ensures that all transactions that have been processed by a bank have been reviewed and checked, thus reducing the probability of errors in the data used to record book balances. Bank reconciliations also assist in ensuring that all payments and receipts have been applied to a bank account and have also been recorded in the accounting records. Any differences shall be identified, explained, and rectified.

10.2 Segregation of Duties over Bank Reconciliations

The reconciliation function requires segregation of duties. In that regard, the person who performs the bank reconciliations shall not also have access to the recording of transactions in the accounting system or the processing of cash disbursements or receipts. Any differences identified between the accounting records and the bank statements shall be adjusted by a person other than the one performing the reconciliation.

The bank reconciliation must be reviewed, signed and dated by both the preparer and the reviewer/approver. The preparer and reviewer shall not be the same individual. The College must maintain supporting documentation with all reconciliations in accordance with the University’s record retention policy.

10.3 Bank Reconciliation Requirement

A comprehensive reconciliation of all bank accounts must be performed, at a minimum, on a monthly basis. New York State designated bank accounts such as the Imprest accounts must be reconciled within 5 business days of the month end, while all other college accounts must be reconciled within 15 business days of the month end. Colleges are encouraged to obtain bank statements electronically.

10.4 Central Office Review

All college bank reconciliations must be sent to the Office of the University Controller (OUC) for review in the frequency and timeframe communicated by OUC directly to each college.

11. INTERNAL CONTROLS

Internal controls such as supervisory oversight and review, transaction monitoring, systems-access control, reconciliations, and employee training must be maintained at all times and adjusted as conditions change. Duties for receiving, recording, depositing, disbursing, and reconciling monies must be segregated between two or more individuals. No single
individual shall be in a position that allows the individual to both receive money and record the payment into the financial system, and no single individual shall be responsible for initiating a payment transaction and serving as the sole signatory for the disbursement of monies. When the size of a department or a Related Entity's Business Office does not allow for proper segregation of duties between two or more individuals, then the University’s Office of Internal Audit will provide assistance in the establishment of compensating internal controls such as increased monitoring. These compensating controls shall be documented in writing and approved by the college’s Vice President of Finance, University’s Deputy Chief Financial Officer and Director of Internal Audit.

The Vice President for Finance and Administration, as well as the Business Manager (at each college) and the Deputy Chief Financial Officer (at the Central Office) are responsible for ensuring that different individuals perform the following responsibilities:

- Check preparation, check signing, payables ledger reconciliation, check distribution, and bank statement reconciliation;
- Check endorsement, receivables ledger reconciliation, deposit slip preparation, and bank statement reconciliation;
- Establishment and oversight of physical controls over cash and other monetary instruments; and
- Access to physical cash/check storage and control over access-prevention security mechanisms; and
- Accounting software vendor setup, EFT setup, EFT review, and EFT approval.

12. RECORDS RETENTION

Colleges shall follow the University’s Records Retention and Disposition Schedule with respect to the maintenance of cash and banking records.

13. CASH CERTIFICATION/ACKNOWLEDGEMENT

Each individual employed at the college or central office who is in any way involved in the chain of custody of cash (e.g. collection, safeguarding, deposit, accounting or disbursement) shall be accountable and acknowledge their understanding by signing the following documents:

1. CUNY Cash Accountability Policy Attestation (see Appendix A).
2. College Bursar/Cashiering Procedure Attestation (applicable to Bursar Staff)
3. Individual Staff Roles and Responsibilities Attestation (certification of job description)

Upon the effective date of this policy, the college Business Manager or the University Treasurer is responsible for ensuring that all relevant staff and any new staff sign the forms and maintain a record of the attestation.
14. EXCEPTIONS AND ALTERNATIVE PROCEDURES

Any deviation or alternative procedures to this policy shall be documented in a writing that is approved by both the Vice President of Finance/Administration at the college and the University’s Deputy Chief Financial Officer, and maintained in the files. Such deviation or alternative procedures shall be revisited and reconsidered on an annual basis.

15. EFFECTIVE DATE AND TRANSITION

This policy is effective beginning on January 1, 2018 and supersedes all earlier policies related to cash accountability issued by the University Office of Budget and Finance or its departments. Due to the comprehensiveness of this policy, colleges will have until June 30, 2018 to fully adopt all the provisions in the policy and/or apply for any exception or alternative procedures, as described above. Changes adopted to conform to this policy should be applied as of that date.

16. UPDATE AND PERIODIC REVIEW

The University Office of Budget and Finance is responsible for the periodic review and recommendation of changes to this Policy, as well as for ensuring that all appropriate parties are informed of it.

17. RELATED INFORMATION

CUNY Banking Policy: http://www.cuny.edu/bankingpolicy
CUNY Petty Cash Policy: http://www.cuny.edu/pettycashpolicy
NYS Unclaimed Property: http://www.osc.state.ny.us/ouf/index.htm
OFAC Sanction List: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx

18. Appendix A - Cash Accountability Certification Form

D. AMENDMENT OF BOARD OF TRUSTEES POLICY 3.04 – GUIDELINES ON THE USE AND REPORTING OF NON-TAX LEVY FUNDS

RESOLVED, That the Board of Trustees’ Policy 3.04, which was originally adopted on March 23, 1981 and titled “Presidential Discretionary Funds”, and was renamed “Guidelines on the Use and Reporting of Non-Tax Levy Funds” at the June 26, 2017 meeting, be amended; and be it further

RESOLVED, That the amended Policy includes the University’s commitment to transition these non-tax levy funds into its system of record, CUNYfirst. The scope of this project will include all
separately incorporated auxiliary enterprise corporations, college associations, student services corporations, child care centers, performing arts centers and art galleries, adult and continuing education activities, and other non-tax levy funds; and be it further

RESOLVED, That the amended Policy requires that the central office, in addition to the colleges, is mandated to report the expenditure of all unrestricted non-tax levy funds no later than 90 days after the fiscal year-end; and be it further

RESOLVED, that the amended Policy includes an Addendum, titled “All-Funds Expense Matrix”, the purpose of which is to provide the University community with a reference document as to the appropriateness of funding sources for individual expense categories.

EXPLANATION: At its meeting on June 26, 2017, the Board of Trustees revised Board Policy 3.04, in order to issue formal guidelines on the use and reporting of non-tax levy funds for all colleges. Those guidelines are being amended herein to include the central office as part of the annual reporting structure. In addition, by means of this Resolution, the Board is authorizing management to begin to transition non-tax levy funding sources into its’ integrated financial systems. The University currently uses an integrated administrative system called CUNYfirst to process its tax levy operating transactions. However, the system is not used to process non-tax levy funds; instead, separate systems are used on every campus to record those transactions and periodically they are summarized and uploaded into CUNYfirst for financial reporting purposes. In order to streamline the financial and non-tax levy reporting process, allow CUNY to budget and report data using an “all funds” model, and take advantage of the internal control structures in CUNYfirst, management will transition these non-tax levy funds into CUNYfirst.

Any material changes to this Policy requires approval by the Board of Trustees.

Policy 3.04 Non-Tax Levy Funds

Guidelines on the Use and Reporting of Non-Tax Levy Funds

Introduction

The City University of New York (CUNY) receives funds from a variety of sources. Many of the funds received are for specific, limited purposes or are subject to restrictions; however, some of the funds received are of a discretionary nature and considered unrestricted non-tax levy funds. The University and its colleges shall use all funds, regardless of type, in a manner consistent with applicable laws and regulations, policies, and other restrictions or designations governing their use.
Purpose

The purpose of this document is to provide guidance on the use of unrestricted non-tax levy funds and the annual reporting of such use.

Non-Tax Levy Funds Defined

The following are examples of non-tax levy funds:

- Gifts to the college, its affiliated foundation(s) or its related entities;
- Commissions and royalties from service contracts such as pouring rights, food service, vending, and bookstore operations (including virtual);
- Revenue from the licensing of CUNY facilities, such as classrooms, gyms, theatres, conference centers and other spaces;
- Royalties from the licensing or other commercialization of CUNY intellectual property, including trademarks, copyright, patents and technology;
- Admission fees and revenues from ticket sales, such as for athletic and entertainment events;
- Membership fees, such as for alumni and community memberships to athletic and wellness facilities;
- Revenues from parking lots and garages, including sale of parking permits;
- Revenues from sales of publications and subscriptions;
- Child care center tuition and fees;
- Indirect cost recoveries on grants and contracts administered through The Research Foundation of the City University of New York (RFCUNY) or elsewhere; and
- Other miscellaneous revenues such as interest income, forfeited bond deposits, and insurance proceeds, regardless of where the funds are held or who administers them.

The following are examples of what are considered tax-levy funds:

- Funds appropriated by the State and City of New York, including funds appropriated for tuition revenue;
- Federal, State and City financial aid;
- Funds held by New York State Treasury in income fund reimbursable accounts or deposited with New York City as non-miscellaneous income (such as technology fees); and
- Reimbursements of tax-levy expenditures such as vendor refunds or summary salary reimbursements from RFCUNY.

For purposes of these Procedures, "Non-Tax Levy Funds" also include student activity fees; however, the use of student activities fees should follow the CUNY Fiscal Handbook for the Control and Accountability of Student Activity Fees and the Financial Management Guidelines...
related to the College Associations, both of which are currently being updated and which have been and will continued to be closely aligned with New York State's Procurement policies.

**Unrestricted and Restricted Non-Tax Levy Funds**

Non-Tax Levy Funds can be either unrestricted or restricted. Restricted non-tax levy funds must be administered and spent in accordance with the associated grant document, contract or gift agreement.

Unrestricted Non-Tax Levy Funds are funds that are not government appropriated and do not carry restrictions as to usage or purpose. These funds can generally be used for any legal purpose that will advance the mission of the University; however, there are several overarching principles governing the use of these funds.

Expenditures:

1. Shall be for a valid and necessary business purpose;
2. Shall not be for a personal benefit;
3. Shall not be neither lavish or excessive;
4. Shall advance the University's mission;
5. Shall not support a political party or the campaign of any particular candidate for public office; and
6. Shall not support any organization that restricts membership by race, creed, sex, religion or sexual orientation.

For purpose of these Procedures, Restricted Non-Tax Levy Funds refers to funds that are restricted because of the terms of a grant document, gift agreement or other contract, and must be administered and spent in accordance with terms of such document.

Other Non-Tax Levy Funds are "restricted" in the sense that the entity generating the revenue is organized with a specific, limited purpose (i.e., operating a childcare center, performing arts center, etc. rather than more generally benefitting the University) and any revenues must be used in support of that specific purpose. Or, in the case of student activity fees, the funds are restricted in that they may be spent only for the purposes set forth in the eleven expenditure categories described in Section 16.2 of the CUNY Board of Trustees Bylaws ("CUNY Bylaws"). For purposes of these Procedures, these types of funds are deemed to be Unrestricted Non-Tax Levy Funds.

**Types of Non-Tax Levy Funds**

There are two types of Non-Tax Levy Funds: College Non-Tax Levy Funds and Related Entity Non-Tax Levy Funds, each of which is described below.
**College Non-Tax Levy Funds**

College Non-Tax Levy Funds are held in local college bank accounts. The source of these funds are not tax levy in nature and include things such as interest income; commissions, royalties, fees and other payments that are not otherwise generated or held by a separately-incorporated related entity. They may also include revenues from unincorporated college associations.

**Related Entity Non-Tax Levy Funds**

Related Entity Non-Tax Levy Funds are controlled by separately incorporated entities that are related to CUNY or the colleges, and are held in the entities' own bank accounts. Related Entity Non-Tax Levy Funds can become College Non-Tax Levy Funds when, for example, a college foundation transfers funds to the college for college expenditure.

Examples of sources of Related Entity Non-Tax Levy Funds include:

*Auxiliary Enterprise Corporations* (*"Auxiliaries"*). These are separately incorporated tax-exempt entities created and operated for the principal purpose of benefiting the students, faculty, staff, and other members of the community of the various colleges by providing "auxiliary" services and by otherwise supporting the educational mission of the college and the University. Each Auxiliary supports a particular college. Examples of “auxiliary” services that an Auxiliary may provide include: food service, operations, including catering and vending; beverage "pouring rights" contracts and similar arrangements; bookstores and campus stores, both physical and virtual; copy machines, laundry centers, games and amusements, and similar operations; ATMs and other banking services; student, faculty and staff housing and related services; sports, health, and recreation facilities licensing, memberships and camps; parking operations and transportation services; childcare centers, art galleries, and performing arts centers; short-term licensing of college facilities to third parties; trademark licensing; campus telecommunication services such as Wi-Fi extenders; such other auxiliary services as mutually agreed by the Auxiliary and the college.

Auxiliaries provide auxiliary services through: (i) direct operation (e.g., parking operations), (ii) a subcontract with another vendor (e.g., transportation services), or (iii) by acting as the college’s fiscal agent in connection with a college or University contract or facility (e.g., pouring rights, theater operations) or asset licensing program (e.g., short-term facility use, trademarks).

The Auxiliaries use these funds pursuant to their board-approved budgets to support their operations, directly support college activities, and provide discretionary support for the college or the college president.

*College Associations* (*"Associations"*). These are separately incorporated tax-exempt entities that support the colleges by administering student activity fee-supported budgets and otherwise
supporting the student body. Association funds consist of student activity fees held by the
Associations, revenues generated from student activity fee-supported activities (e.g., ticket
revenues from concerts, advertising revenue from student publications, fundraising by student
clubs, etc.), and such other revenues that an Association may from time-to-time generate or
receive. The Associations adopt budgets and use these funds pursuant to the CUNY Fiscal
Handbook for the Control and Accountability of Student Activity Fees and other University
policies and procedures. Student activity fee funds (including revenues generated from student
activity fee-supported activities) must be expended in accordance with the categories set forth
in Section 16.2 of the CUNY Bylaws. Student activity fees may not be used to provide
discretionary support for the college or the college president except as permitted by Section
16.9 of the CUNY Bylaws regarding a college purposes fund.

[Footnote:] ¹ Some college associations are not separately incorporated but are instead
operated as fund groups of a particular college. Monies held by these unincorporated college
associations are College Non-Tax Levy Funds.

Student Services Corporations ("SSCs"). These are separately incorporated tax exempt
entities that support the colleges by operating the student union/center on campus or otherwise
providing student support services). SSC funds consist of a portion of the college student
activity fee earmarked for use by the SSC, revenues from licensing their facilities, and such
other revenues that an SSC may from time-to-time generate or receive. SSCs are restricted in
the same manner as Associations regarding their use of student activity fees and their
operations generally.

College Foundations ("Foundations"). These separately incorporated tax-exempt entities
support the colleges by soliciting donors and gifts, and related activities. Foundation funds
consist primarily of restricted and unrestricted donations to the Foundations. The Foundations
use these funds pursuant to their board-approved budgets to, among other things, support their
operations, directly support college activities, provide scholarships, and provide discretionary
support for the college president. Discretionary support may take the form of the transfer of
funds to the college president (in which case the funds become College Non-Tax Levy Funds)
or direct payment of expenses at the college president's request. Any discretionary support for
the college president must be in accordance with the memorandum of understanding between
the Foundation and its supported college, as well as any University policies and procedures
regarding such support. A Foundation's use of donor-restricted funds must be consistent with
the purpose and other restrictions set forth in any written agreement with the donor.

The Research Foundation of the City University of New York ("RFCUNY"). The RFCUNY is a
private, not-for-profit educational corporation that manages private and government sponsored
programs and grants on behalf of CUNY. The RFCUNY supports CUNY faculty and staff in
identifying and obtaining external support (pre-award) from government and private sponsors
and is CUNY’s fiscal agent, responsible for the administration of all such funded programs.
(post-award). The Non-Tax Levy Funds held and administered by the RFCUNY include federal, state, city, and private grants, as well other non-grant funds such as Overhead Receipts and other Non-Grant or Institutional Funds. "Overhead Receipts" are generated by charging a predetermined percentage, often known as the Facilities and Administrative Rate, to externally sponsored projects. Each college is responsible for determining who has authority over the use of those funds. "Non-Grant/Institutional Funds" are other non-tax levy funds that are deposited at the RFCUNY and spent from the RFCUNY. Examples include Adult and Continuing Education funds per the University's Standard Operating Procedures for use of such funds and other institutional funds.

Child Care Centers, Performing Arts Centers and Other Separately Incorporated Related Entities: These separately incorporated tax-exempt entities benefit the colleges typically by providing specific support services. Non-Tax Levy Funds generated or held by these entities include childcare fees, federal, state and local grant funds, ticket revenues, gifts from donors and other fundraising revenues. These entities use these funds pursuant to their board-approved budgets to support their operations.

Procurement and Approvals

Purchasing using College Non-Tax Levy Funds is governed by CUNY's Procurement Policy and Procedures, adopted by the CUNY Board of Trustees on February 21, 2017. Purchasing using Related Entity Non-Tax Levy Funds is governed by the New York Not-for-Profit Corporation Law; the related entity's own policies and procedures; and any policies, guidelines, and procedures issued by the University with respect to any or all related entities, including Financial Management Guidelines and the CUNY Fiscal Handbook for the Control and Accountability of Student Activity Fees.

System Transparency and Simplification

The University currently uses an integrated administrative system called CUNYfirst to process its tax levy operating transactions. However, currently the system is not used to process CUNY's non-tax levy funds; instead, separate systems are used on every campus to record those transactions and periodically they are summarized and uploaded into CUNYfirst for financial reporting purposes.

In order to streamline the financial and non-tax levy reporting process (noted below), allow CUNY to budget and report data using an ‘all funds’ model, and take advantage of the internal control structures in CUNYfirst, CUNY will transition these non-tax levy funds into CUNYfirst. The scope of this project includes all separately incorporated auxiliary enterprise corporations,
college associations, student services corporations, child care centers, performing arts centers and art galleries, adult and continuing education activities, and other non-tax levy funds.

**Reporting the Use of Unrestricted Non-Tax Levy Funds**

Beginning for FY 2017 (July 1, 2016 to June 30, 2017), each college and the central office shall report the College Non-Tax Levy Funds it has expended, as well as the Related Entity Non-Tax Levy Funds expended by the related entities that support the college.

Reports shall be certified by the Chief Fiscal Officer and the College President for each college submission and the University’s Chief Financial Officer and the Chancellor for the Central Office’s submission.

Additionally, the colleges and central office shall report any exceptions granted on the use of funds as outlined in the All Funds Expense Matrix.

Completed and certified reports shall be submitted to the University’s Office of Internal Audit (OIA). OIA may request additional information and support from the colleges.

Reports are due within 90 days of the year-end.

**Addendum - All Funds Expense Matrix**

An All Funds Expense Matrix is included as an Addendum to this policy, the purpose of which is to provide the University community with a reference document as to the appropriateness of funding sources for individual expense categories.

**ALL FUNDS EXPENSE MATRIX**

As an entity that is funded primarily by public support and that also relies on student tuition and fee payments, gifts from donors, and sponsored awards, the City University of New York (CUNY) has a fiduciary obligation to use its funds prudently. This means that all CUNY employees must use University resources in the fullest support of CUNY’s mission. To that end, all expenses must be reasonable and necessary and not lavish or extravagant.

The below matrix of ‘All Funds Expenses’ should be consulted when purchasing goods and services using the various types of funds outlined in the matrix columns. Please note that this matrix serves as guidance for determining how funds may be used. Any proposed use of funds that are not consistent with these guidelines, in the case of extraordinary circumstances, must be justified in writing and approved prior to commitment of funds by the Vice President of Finance (for college expenditures), the University’s Chief Financial Officer (for CUNY central expenditures), or the Treasurer or designee (for separately-incorporated related entity expenditures). In all cases, purchases are subject to budget availability and most require a pre-approval by the college, Central Office or the related entity’s board, as the case may be.
The colleges, their separately incorporated affiliated entities, and the Research Foundation of the City University of New York (RFCUNY) may prepare their own guidance on the use of funds; those guidelines can be more restrictive than the matrix but can never be less restrictive. In those cases, the more restrictive policy takes precedence.

Definitions of Matrix Funding Sources

- **Tax Levy**; in the context of this matrix, refers to payments made by the State and City of New York on behalf of CUNY for both personal service (PS) and other than personnel costs (OTPS). The funding for these payments are derived from amounts appropriated by the State and City of New York; student tuition collected by CUNY and deposited with New York City; and other funds collected by CUNY and deposited with the New York State Treasury in Income Fund Reimbursable Accounts (IFR) for senior colleges and graduate and professional schools, and as miscellaneous deposits with New York City for community colleges. These deposits include Adult and Continuing Education tuition and fees.

- **Indirect Cost Recoveries** are generated by charging a pre-determined rate to externally sponsored projects and can be used at the discretion of the University. The majority of indirect cost recoveries are generated through grants and contracts administered through the Research Foundation of the City University of New York (RFCUNY). Also included in this category are funds generated from interest income and other unrestricted college-funded activities that are administrated through the RF.

- **Auxiliary Enterprise Corporations (AEC)** are separately incorporated not for profit entities created and operated for the principal purpose of benefiting the students, faculty, staff, and other members of the community of the various colleges by providing non-instructional auxiliary services and by otherwise supporting the educational mission of the college and the University. Examples of auxiliary services that an AEC may provide include: food service operations, including catering and vending; beverage “pouring rights” contracts and similar arrangements; bookstores and campus stores, both physical and virtual; student, faculty and staff housing and related services; sports, health, and recreation facilities licensing, memberships and camps; parking operations and transportation services; short-term licensing of college facilities to third parties; and such other auxiliary services as mutually agreed by the AEC and the college. The AEC column on the matrix below represents the costs associated with operating the Auxiliary’s activities. An AEC may have funds remaining after paying its expenses related to the auxiliary services it provides (“surplus funds”); these surplus funds are considered part of the Other Non-Tax Levy funds column for the purpose of the matrix. Refer to the Auxiliary Enterprise Corporation Guidelines for further information.

- **College Foundations** are separately incorporated not-for-profit entities created and operated exclusively to benefit a particular college, operation, or CUNY generally by conducting
fundraising, investment and fund management including endowment management, and otherwise aiding and promoting the educational and charitable purposes and lawful activities of that college, operation or CUNY. The majority of the foundations’ funds are derived from philanthropic dollars. The matrix below only covers the expenses from the unrestricted gifts or other unrestricted revenues of the college foundation.

- **All Other Non-Tax Levy** funds may include surplus auxiliaries funds of separately incorporated entities as defined above, auxiliary activities that are not in a separately incorporated AECs, philanthropic dollars that support the college (and not donated to the college foundation), funds provided by the foundation for the college’s use, forfeited bond deposits, interest income and insurance proceeds, etc.

**What is Not Included?**

- Separately incorporated childcare centers, performing arts centers, art galleries, and other special purpose entities (e.g., Main Street Legal Services, Inc.) are not included in the below matrix. The funds generated or received by these entities shall be used to support the services that they provide.

- Restricted gifts, grants, and contracts are NOT covered by this matrix; instead, those funds can only be used in accordance with their associated agreements.

- The use of student activity fees are not included in the attached matrix; the University is currently revising its policies and procedures related to student activity fees and once completed, those funds will be included in this matrix.

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**MATRIX LEGEND**

WHITE – means that the type of expense can be purchased using the funding sources as noted in the column header. All purchases are however are subject to budget availability and proper approvals, and should support the university’s mission.

GRAY– means that the type of expense cannot be purchased using the funding sources noted in the column header. Any proposed and infrequent use of funds that are not consistent with these guidelines must be justified in writing, follow the approval processes noted above, and reported annually as part of the non-tax levy reporting requirement.

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<thead>
<tr>
<th>Category</th>
<th>Type of Expenses</th>
<th>Tax Levy</th>
<th>Indirect Cost Recoveries</th>
<th>Auxiliary Enterprises Corp (AEC)</th>
<th>Foundations</th>
<th>All Other Non-Tax Levy</th>
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<td>Personal loans</td>
<td>(Spaces for budget allocation)</td>
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<td>Presidential housing allowance</td>
<td>(Spaces for budget allocation)</td>
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<td>Alcohol</td>
<td>Alcoholic beverages</td>
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<td>Auxiliary</td>
<td>Management of auxiliary services (should be self-supporting)</td>
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<td>Awards</td>
<td>Employee certificates, plaques, etc. (follow State policy for State funds or NYC's Directive 6 for City funds)</td>
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<td>non-monetary &amp; nominal</td>
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<td>Consultants</td>
<td>Program related or professional consultant, speakers, performer or guest lecturer</td>
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<td>Contributions</td>
<td>Political contributions</td>
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<td>Sponsorship of community organizations (tables and events)</td>
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<td>Conferences</td>
<td>On Site or off site, faculty and staff retreats, conferences, training seminars, etc. (job related and must specifically advance University's or the separately-incorporated entity's mission)</td>
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<td>On site or off site, student retreats, conferences, etc. (related to University's academic or administrative business)</td>
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<td>External conferences (if pre-approved and related to position at CUNY or separately incorporated entity)</td>
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<td>Community-sponsored programs, conference, continuing education courses (pre-approved &amp; job related)</td>
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<td>Hardware &amp; Software</td>
<td>Software, printers and copiers, computer and other electronic devices</td>
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<td>Entertainment</td>
<td>Musicians/performers at fundraising, community development, faculty and staff recognition receptions (see Commencement exception below in Student Related section)</td>
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<td></td>
<td>Instructional purposes (e.g., theater, dance, music)</td>
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<td>Flowers</td>
<td>Instructional purposes (e.g., horticulture)</td>
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<td>Congratulatory/funeral employee and immediate family members, student, donor, community or business partner</td>
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<td>For receptions (see Commencement exception)</td>
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<tr>
<td>Food &amp; Refreshments</td>
<td>Offsite business(^{17}) meals (not while in travel status)</td>
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<td></td>
<td>Departmental refreshments (use by offices and departments such as coffee)</td>
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<td>Meals at onsite business meetings (tax levy - Guidelines for Meals Served on Premises for Business Meetings)</td>
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<td>Program-related food purchases</td>
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<td>Gifts, Giveaways &amp; Prizes</td>
<td>Employee personal/appreciation/memorial/retirements, special occasions/incentives (may be considered a taxable fringe benefit – refer to IRS Publication 5137)</td>
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<td></td>
<td>Incentives to students to encourage participation in mission-related activities (must be minor in value, have a legitimate business purpose (e.g.,)</td>
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\(^{17}\) A business meal is defined, as a meal that includes more than one person and has substantive and bona fide business purpose deemed essential to the University’s mission.
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<tr>
<td>Educational/Research</td>
<td>educational/research), cannot be given out arbitrarily and all students participating should be treated in the same manner; may have tax implications</td>
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<td>Lobbying</td>
<td>At fundraising, community relations or other receptions celebrating CUNY’s faculty or staff</td>
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<td>Maintenance, Repairs &amp; Operations</td>
<td>Maintenance, repair and minor construction projects</td>
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<td>Memberships</td>
<td>Institutional and individual professional memberships (benefits CUNY and not individual)</td>
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<td></td>
<td>Professional license/certifications (if condition of employment)</td>
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<td>Entertainment and recreational memberships (e.g., health, golf, tennis or county clubs)</td>
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<td></td>
<td>Social/business club memberships (e.g., Economic, University club, etc.) if primarily used for University business such as institutional advancement</td>
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<td>Office Décor</td>
<td>Decorations (holiday, flowers, other)</td>
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<td></td>
<td>Art, decorative items for lobbies, common areas, public spaces (CUNY property)</td>
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<td></td>
<td>Pictures, artwork and decorative items for individual offices</td>
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<td>Personal Expenses</td>
<td>Purchases of or goods or services for personal use and that has no benefit to the University (e.g., child care and pet care services, non-business meals)</td>
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<td>Promotional Materials</td>
<td>Promotional materials at recruitment events</td>
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<td></td>
<td>Promotional materials at internal CUNY conferences and events (attended mostly by CUNY employees)</td>
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<td>Promotional materials at meetings or events with external parties to promote the University</td>
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<td>Presidential Housing</td>
<td>Presidential housing costs (refer to Executive Compensation policy for allowable costs)</td>
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<tr>
<td>Public Relations</td>
<td>Fundraising activities (personnel, consultants, mailings, etc.)</td>
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<td>Donations for name recognition, sponsorship of social events, etc.</td>
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<td></td>
<td>Student recruitment and other publicity advertising</td>
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<td>Receptions</td>
<td>Fundraising events (can be combined with retirement or welcome)</td>
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<td>Community development events</td>
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<td>Employer Incentive or Recognition Programs (if using State funds must follow Section XIV.5 of the Guide to Financial Operations manual or if using City funds must follow Directive 6)</td>
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<td>Other employee work related achievement or employee morale building event</td>
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<td>Personal recognition events such as birthdays, weddings, baby showers, housewarming</td>
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<td>Recruitment</td>
<td>Executive search costs</td>
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<td>Candidate travel (to/from interview - refer to NYS and NYC travel policies for tax levy)</td>
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<td>Meals and food supplies at interview/meetings</td>
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<td>Moving expenses (must be included in offer letter – State funded must follow State policy and City funded costs must follow Directive 6 – refer to IRS Publication 521)</td>
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<td>Scholarships &amp; Stipends</td>
<td>Scholarships or waivers from tax levy funds if approved by the Board</td>
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<td>and/or State or City funding has been designated specifically for payment of tuition (must coordinate with financial aid office)</td>
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<td>Scholarships from non-tax levy sources (must coordinate with financial aid office)</td>
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<td>Stipends (tax levy must follow CUNY guidelines, and AEC funds must follow AEC guidelines)</td>
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<td>Subscriptions</td>
<td>Higher education, profession-related publications (if not available through college library electronic subscriptions)</td>
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<td>Student Related</td>
<td>Freshman, transfer and other student orientation</td>
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<td></td>
<td>Student conferences and retreats, workshops, etc. with mission-related programs</td>
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<td>Commencement (space rental, refreshments, flowers, entertainment, diplomas, etc. – Auxiliary “Surplus” funds can be used if approved by the AEC Board as noted in the AEC guidelines)</td>
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<td>Food supplies for department orientations, formal receptions, related to program &amp; department graduation events</td>
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<td>Pre-approved student travel (related to</td>
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<td>Supplies</td>
<td>Common area breakroom(^{18}) supplies and equipment (tax levy - water filtration systems, cups for water, soap, and maintence and replacement of standard appliances such as microwaves and refrigerators)</td>
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<td>Office, cleaning, maintenance and program supplies and materials</td>
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<td>Travel</td>
<td>Employee business travel (transportation, lodging and meals as appropriate when in travel status - State and City policy applicable to tax levy and encouraged for others)</td>
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<td>Business class airfare if one leg of trip exceeds 7 hours or for a documented medical reason or disability</td>
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<td>First class airfare</td>
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<td>Travel for Board members when representing CUNY or separately incorporated entity (AEC and Foundation Board members cannot be reimbursed from tax levy)</td>
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<td>Companion costs (e.g., spouse or child)</td>
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\(^{18}\) A breakroom is a room that is accessible to all employees in an office setting where they may go to share a meal in the absence of a cafeteria.
USS Chair and Trustee John Aderounmu noted that the USS and the UFS did not have sufficient time to review and discuss this policy with constituents, and expressed concern about the process of policy changes.

Chairperson Thompson, Jr. noted that any changes to the larger rules, regulations, or bylaws of CUNY must come before the full Board for a vote.

Senior Vice Chancellor and Chief Financial Officer Matthew Sapienza further noted that the Committee on Fiscal Affairs met prior to this Board meeting to review and discuss the resolutions in this policy. As part of the discussion, he proposed an amendment to the Auxiliary Corporation Guidelines and Model Memorandum of Agreement, Section X, Financial Management, last paragraph of letter B, Cash and Treasury Management as follows:

“The AECs shall follow the University’s Cash Accountability, Bank Account Control, and Petty Cash guidelines issued by the University Office of Budget and Finance, to the extent that such guidelines indicate that they are applicable to AECs.”

Chairperson Thompson, Jr. asked for a vote. Cal. No. 3 was unanimously adopted as amended.
4. **COMMITTEE ON AUDIT:**

Trustee Fernando Ferrer reported that at the October 30, 2017 meeting of the Committee on Audit, the Committee approved the following resolution.

Moved by Trustee Ferrer and seconded by Trustee Jill O’Donnell-Tormey, the following resolution was unanimously adopted:

**A. The City University of New York – Approval of Fiscal Year 2017 Audited Financial Statements:**

RESOLVED, That the Board of Trustees of The City University of New York approves the University’s Fiscal Year 2017 audited Financial Statements.

EXPLANATION: The University is required to provide annual, audited and consolidated financial statements. These financial statements are considered consolidated because they include the University’s separately incorporated, not-for-profit affiliated entities such as auxiliary enterprises, college associations and foundations, child care centers, the Research Foundation, and the City University Construction Fund. The financial statements are independently audited by the University’s external auditor, KPMG LLP. For Fiscal Year 2017, KPMG issued an unmodified, or “clean”, opinion of the University’s financial statements.

On October 30, 2017, KPMG and University Management presented the Fiscal Year 2017 financial statements to the Board’s Audit Committee. At this meeting, the Committee met independently with KPMG and subsequently with Management to discuss the financial statements. At the conclusion of the presentation and subsequent discussions, the Committee unanimously approved the Fiscal Year 2017 financial statements.

5. **COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT:**

Trustee Brian Obergfell reported that the Committee on Facilities Planning and Management met on November 13, 2017. After approval of the minutes of the October 2, 2017 meeting, the Committee addressed the policy items on the agenda. The Committee then went into Executive Session to discuss real estate matters under current negotiation by the University, during which Vice Chancellor Judy Bergtraum reported on new projects and updates.
Moved by Trustee Obergfell and seconded by Trustee Sunshine, the following resolutions, 5.A. through 5.F., were presented and opened for discussion:

A. Brooklyn College - Replacement of Fire Alarm System in the Roosevelt Hall & Roosevelt Hall Extension Buildings:

RESOLVED, That the Board of Trustees of The City University of New York requests the City University Construction Fund (the “Fund”) to execute a Purchase Order for upgrading of the Fire Alarm System in the Roosevelt Hall & Roosevelt Hall Extension buildings at Brooklyn College. The proposed work will be performed under a New York State Office of General Services Contract. The total cost of all such purchases shall be chargeable to the State Capital Fund, for an amount not to exceed $2,300,000. The purchase order will be subject to the approval of the Fund’s General Counsel.

EXPLANATION: The Fund on behalf of the City University of New York intends to upgrade the fire alarm system at the Roosevelt Hall & Roosevelt Hall Extension buildings.

The scope of work includes:

1. Installation of the Fire Alarm System and Central Monitoring Station;
2. Obtaining the plan approvals and permits from NYC DOB and NYC Fire Department; and
3. Labor and materials required for upgrading the complete fire alarm system and Central Monitoring Station.

B. Borough of Manhattan Community College - Replacement of Ramp, Plaza and Roof at 199 Chambers Street Building:

RESOLVED, That the Board of Trustees of The City University of New York accept the design for the replacement of the existing entrance ramp and third floor plaza pavers, drains, insulation and roofing systems and the fifth and sixth floor set back roof systems at the Borough of Manhattan Community College’s 199 Chambers Street building, as prepared by Superstructures Engineers + Architects, a DASNY Term Consultant; and be it further

RESOLVED, That the Board of Trustees of The City University of New York requests that the City University Construction Fund authorize the Dormitory Authority of the State of New York to complete the contract documents, bid and award contracts and supervise the construction of this project. The total project, including design, is estimated to cost approximately $11,900,000. This project is chargeable to the State and City Capital Budgets.
EXPLANATION: The project will remove and replace the 199 Chambers Street main campus building’s failing entrance ramp and third floor plaza pavers, drains, insulation and roofing systems, along with the fifth and sixth floor set back roof systems.

C. Borough of Manhattan Community College - Amendment to Resolution Authorizing a Contract to Provide Construction Services for Installation of New Windows at 199 Chambers Street Building:

RESOLVED, That the Board of Trustees of The City University of New York amend the resolution adopted at the regular meeting of the Trustees of The City University of New York held on September 26, 2016, Cal. No. 5.D., which requested the City University Construction Fund to execute a contract with the lowest responsive and responsible bidder to provide construction services to install new windows on the 2nd floor of the Borough of Manhattan Community College’s 199 Chambers Street Building, for an amount not to exceed $800,000. This amendment will increase the approved amount for this project to $900,000. This project is chargeable to the State and City Capital Budgets. The contract shall be subject to approval as to form by the Fund’s General Counsel.

EXPLANATION: The Fund, on behalf of The City University of New York, intends to install new windows on the second floor of the 199 Chambers Street building. The original resolution needs to be amended, since during the bid phase of the project it was determined that an additional $100,000 would be required for the project, due to the bids coming in higher than the design consultant’s original cost estimate. The installation of the new windows will offer views of the Hudson River and bring natural light into the adjacent spaces, making them more useful as offices and for student services.

D. Lehman College – Amendment to the Architectural Services Contract for the Nursing Education, Research, and Practice Center:

RESOLVED, That the Board of Trustees of The City University of New York requests the City University Construction Fund to amend the previously approved Architectural Design Services Contract with Urbahn Architects, adopted at the regular meeting of the Trustees of The City University of New York held on June 30, 2014, Cal. No. 6.A., from the not-to-exceed amount of $3,000,000, executed for professional design and construction administration services for the Lehman College Nursing Education, Research, and Practice Center, to the not-to-exceed amount of $4,000,000. The increase will be chargeable to the State Capital Fund. The contract amendment shall be subject to approval as to form by the Fund’s General Counsel.

EXPLANATION: Request for permission to amend the Architectural Services Contract with Urbahn Architects to increase fees for designing 50,000 GSF instead of 40,000 GSF for the Lehman College Nursing Education, Research, and Practice Center (NERPC). The construction of the Lehman College NERPC will accommodate the Department of Nursing,
which has experienced growth far exceeding projections, and allow for the demolition of the
temporary T-3 building permitting expansion of the Science Hall as per the Lehman Master
Plan. The project is in the Design Development phase.

E. New York City College of Technology – Purchase and Install Cooling Systems for
Namm Hall Datacenter and Telephone Equipment Room:

RESOLVED, That the Board of Trustees of The City University of New York requests the
City University Construction Fund to execute a Purchase Order to purchase and install new
cooling systems for the datacenter and telephone equipment room in the Namm Hall
Building. The proposed work will be performed under a New York State Office of General
Services Contract. The total cost of this project shall be chargeable to the State Capital
Fund for an amount not to exceed $1,250,000. The Purchase Order will be subject to the
approval of the Fund’s General Counsel.

EXPLANATION: The City University Construction Fund on behalf of the City University of
New York intends to contract for design and construction services to provide cooling
systems that will improve existing indoor environmental conditions and protect highly
sensitive IT and telephone equipment in the Namm Hall datacenter and telephone room.

The scope of work includes:

1. Design of the AC system and related work. This includes preparation of contract
drawings and specifications.
2. Purchase and install the AC system in accordance with the approved drawings and
specifications.

F. The City University of New York - Execution of Lease Amendment for 5030
Broadway, New York, New York, for the CUNY in the Heights Center:

RESOLVED, That the Board of Trustees of The City University of New York (the “Board”)
amend the resolution adopted by the Board on May 1, 2017, Cal. No. 6.C., authorizing the
General Counsel and Vice Chancellor of Legal Affairs to execute a lease amendment, along
with any associated agreements, to effect the leasing of an additional 15,000 rentable
square feet of space, at 5030 Broadway, New York, New York, for the CUNY in the Heights
Center, by approving an increase in the annual base rent for the first year from $668,550.00
($44.57/SF) to $684,000 ($45.60/SF). The lease amendment shall be subject to approval as
to form by the University Office of General Counsel.

EXPLANATION: The CUNY in the Heights Center has occupied 15,000 rentable square feet
of classroom and office space on the ground floor at 5030 Broadway in the
Inwood/Washington Heights section of Manhattan since June 2012 pursuant to a lease that
will expire on May 31, 2027. Both Borough of Manhattan Community College and Hostos
Community College operate educational programs at this location. Under the existing lease the current base rent is $35.72/SF and escalates at 2% per annum. Pursuant to the lease amendment, an additional 15,000/SF second floor space will be added to the lease – for a combined total of 30,000/SF. The additional space provided under this lease amendment will provide Borough of Manhattan Community College with needed additional classrooms and support spaces in order to increase the number of credit-bearing classes offered at the CUNY in the Heights Center. The CUNY Xpress Immigration Center (CUNY Citizenship Now!) will be relocated to the ground floor.

The term for the additional space will be co-terminous with the current lease, expiring on May 31, 2027, and will start upon substantial completion by landlord of the interior renovations specified by the University. The University will reimburse the landlord for the cost of the renovations. The annual base rent for the additional space was negotiated almost a year ago at $668,550.00 ($44.57/SF) in the first year with 2% escalations every year thereafter. Since then leasing rates have gone up and the annual base rent for the additional space has increased to $684,000 ($45.60/SF) in the first year with the same 2% escalations every year thereafter.

The Landlord is still responsible for exterior, structural and roof repairs. The University is still responsible for the cleaning and increases in real estate taxes over a base year.

Trustee Michael Arvanites pointed out that the CUNY in the Heights Center lease agreement at 5030 Broadway, New York, New York, is the first contract to reach state standards to include services from Minority and Women Owned businesses (MWBE), and Disabled Veteran and LGBTQ organizations.

Chairperson Thompson, Jr. asked for a vote. Cal. Nos. 5.A. through 5.F. were unanimously adopted.

Moved by Trustee O’Donnell-Tormey and seconded by Trustee Henry Berger, the following resolution was unanimously adopted:

6. The City University of New York - CUNY School of Labor and Urban Studies – Naming of Gregory Mantsios Founding Dean:

WHEREAS, The newly launched CUNY Strategic Framework calls on the University to increase the educational access, degree attainment and career success of adult students, sharpen its focus on issues of importance to urban life and better serve the City and State of New York; and

WHEREAS, The CUNY Board of Trustees, at its meeting on June 26, 2017, directed Chancellor James B. Milliken to transform the Joseph S. Murphy School for Worker Education and Labor
Studies into the CUNY School of Labor and Urban Studies as a division of the Graduate School and University Center; and

WHEREAS, The Murphy Institute has matured and expanded as an academic enterprise, become internationally known for its scholarship and its graduate degree programs, and has supported students in undergraduate and graduate degree programs directly related to its mission; and

WHEREAS, Dr. Gregory Mantsios has ably led what is now The Murphy Institute as Director since 1984, when it was known as the Labor Education and Advancement Program at Queens College; and

WHEREAS, Dr. Mantsios has been widely recognized for his sustained contributions to the labor movement most recently by being awarded the Corporate Social Responsibility Award for Labor and Law by the media company, City and State New York; now therefore be it

RESOLVED, That Dr. Gregory Mantsios be named Founding Dean of the CUNY School of Labor and Urban Studies, a division of the Graduate School and University Center, subject to financial ability, effective January 26, 2018.

Moved by Chairperson Thompson, Jr. and seconded by Vice Chairperson Schwartz, the following resolution was presented and opened for discussion:

7. The City University of New York – Appointment of President:

RESOLVED, That the Board of Trustees of The City University of New York approve the appointment of Vincent G. Boudreau as the President of The City College of New York, effective December 5, 2017 at a compensation of $370,000 annually.

EXPLANATION: Following a national search led by Vice Chairperson Barry Schwartz, the Chancellor is recommending Vincent G. Boudreau as President. Dr. Boudreau is presently the Interim President of The City College of New York and has been serving in this position since November 2, 2016. Previously he served as Dean of The City College of New York’s Colin Powell School for Civic and Global Leadership, a position he assumed in January 2013 after leading the Colin Powell Center for Policy Studies as its Director since 2002. Dr. Boudreau held other leadership positions at The City College of New York, including Chair of the Department of Political Science from 2001 to 2008 and Director of the Master’s program in International Relations from 1992 to 1997. Promoted to full professor in 2007, Dr. Boudreau is an accomplished scholar in the field of democratic movements in Southeast Asia. Dr. Boudreau earned a B.A. in English and Philosophy (Summa Cum Laude) from LeMoyne College, and an M.A. and a Ph.D in Comparative Politics and International Relations from Cornell University.
Chancellor Milliken highlighted the leadership successes and commitment of Dr. Vincent Boudreau to The City College of New York.

Chairperson Thompson, Jr. further outlined the extensive community involvement process that Dr. Boudreau experienced.

Dr. Boudreau then commented on the legacy of The City College of New York, and gratefully accepted the position of President of the institution.

Chairperson Thompson, Jr. asked for a vote. Cal. No. 7 was unanimously adopted.

Moved by Chairperson Thompson, Jr. and seconded by Trustee Lorraine Cortés-Vázquez, the following resolution was presented and opened for discussion:

8. **The City University of New York – Appointment of Vice Chancellor for University Advancement:**

RESOLVED, That the Board of Trustees of The City University of New York approve the appointment of Brigette A. Bryant as Vice Chancellor for University Advancement, effective January 16, 2018 at a compensation of $250,000 annually.

**EXPLANATION:** At the conclusion of an extensive search, the search committee identified five finalists for the position of Vice Chancellor for University Advancement. The Chancellor is recommending Brigette A. Bryant as Vice Chancellor for University Advancement. Ms. Bryant is an accomplished advancement professional with a successful record of building fundraising infrastructure, securing large gifts and leading capital campaigns in higher education institutions. Ms. Bryant is presently Associate Vice President for Development at Seton Hall University and has been serving in this position since February 2013. Previously she was Senior Director of Development at Tufts University, School of Arts and Sciences, a position she held from October 2005 to February 2013. From April 2003 to September 2005 she was Associate Vice President of Philanthropic Development at Case Western Reserve University. Ms. Bryant held other development positions in higher education including at Columbia University, The State University of New York at Stony Brook and the New Jersey Institute of Technology. She earned a Bachelor of Music in Music Production and Engineering from Berklee College of Music.

Chancellor Milliken highlighted his recommendation of Brigette Bryant as an accomplished leader who fully embraces CUNY’s mission.

Chairperson Thompson, Jr. asked for a vote. Cal. No. 8 was unanimously adopted.

Moved by Chairperson Thompson, Jr. and seconded by Trustee Ferrer, the reconvened public session was adjourned at 6:59 p.m.