The Chairman called the meeting to order at 5:20 P.M.

There were present:

Alfred A. Giardino, Chairman
Armand D’Angelo
Sandra Lopez Bird
Vincent R. FitzPatrick

Maynard S. Jones, ex officio

Etta G. Grass, Acting Secretary of the Board

Chancellor Robert J. Kibbee
President William M. Birenbaum
President Candido A. de Leon
President Edgar D. Draper
President Leon M. Goldstein
President John W. Kneller
President Leonard Lief
Acting President Gerald W. Lynch
President Robert E. Marshak
President Joseph S. Murphy
President Harold M. Proshansky
Acting President Morton Rosenstock
President Kurt R. Schmeller

Gurston D. Goldin
Harold M. Jacobs
James P. Murphy
Vinia R. Quinones

The absence of Mrs. Hauser was excused.

X. NEW BOARD MEMBER:

The Chairman announced that he had been informed by the Governor’s Office that the Governor had named a replacement for Mr. Franklin Williams. He introduced Dr. Francis P. Kilcoyne as a man extremely well acquainted with the University, a person of the highest integrity and intellectual accomplishments.

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. A through 9)
A. FRANKLIN H. WILLIAMS - APPRECIATION OF SERVICES:

The resolution was moved and seconded.

At this point the Board heard Ms. Diatra Jones, who, on behalf of the Black Council on Higher Education, asked to go on record as paying tribute to Mr. Williams and read a mailgram which the Black Council on Higher Education had sent to Mr. Williams extolling his commitment and dedication.

The following resolution was adopted unanimously:

WHEREAS, Franklin H. Williams was appointed by Governor Malcolm Wilson as a member and Vice Chairman of the Board of Higher Education and has served in that capacity since January 1, 1974; and

WHEREAS, Our Board has benefitted from Mr. Williams' vast experience in the fields of law, government, education, and urban affairs; and

WHEREAS, As Vice Chairman of the Board of Higher Education he has brought to our work a perception of the role of education for the cultural, social, and economic advancement of individuals and citizens of New York as a whole; now therefore be it

RESOLVED, That the Board of Higher Education expresses its profound appreciation to Mr. Williams for the creativity, intelligence, energy and dedication with which he carried out his duties as a member and Vice Chairman of the Board, and wishes him continuing success in his public and private endeavors.

B. TIMOTHY S. HEALY - APPRECIATION OF SERVICES:

WHEREAS, Dr. Timothy S. Healy became the first Vice-Chancellor for Academic Affairs of the City University on September 16, 1969 and brought to the University a unique blend of erudition, classical scholarship and social activism; and

WHEREAS, His firm belief in the educability of his fellow human beings, combined with uncompromising standards for the academic integrity of the University, made him a chief architect as well as a major builder for the University's pioneering Open Admissions Program; and

WHEREAS, Dr. Healy has announced his intention to leave the City University to accept the post of President of Georgetown University; now therefore be it

RESOLVED, That the Board of Higher Education expresses its regret over Dr. Healy's decision to leave the City University and its deep appreciation for the many contributions he has made to the City University of New York.

C. WILLIAM M. BIRENBAUM - APPRECIATION OF SERVICES:

WHEREAS, William M. Birenbaum became President of Staten Island Community College on September 1, 1968, after having served with distinction at the University of Chicago Wayne State University, the New School for Social Research, Long Island University and the Education Affiliate of the Bedford-Stuyvesant Development and Services Corporation; and
WHEREAS, This broad experience, combined with a clear vision of the potential contributions of higher education to the betterment of urban life, has made him a prominent spokesman for reform of urban higher education and established Staten Island Community College as a widely studied model; and

WHEREAS, President Birenbaum has announced his intention to leave Staten Island Community College to accept the post of President of Antioch College; now therefore be it

RESOLVED, That the Board of Higher Education expresses its regret over President Birenbaum’s decision and its deep appreciation for the many contributions to Staten Island Community College and the City University which his creative energy and untiring efforts have made.

NO. 1. CHANCELLOR’S REPORT: RESOLVED, That the Chancellor’s Report for April 26, 1976 (including Addendum Items) be approved, as amended as follows:

(a) Item CRIV.10.2. (Baruch College): Resolution on Authorization to Enter into Lease withdrawn.

(b) Item D.1. (City College): The total in the Guard Service contract should be $696,442 instead of $773,475, with the amount for tax-levy funds being corrected to $669,992 instead of $747,025.

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

Dr. Goldin asked to be recorded as voting No and submitted the following statement for the record setting forth his reasons:

I regret that I shall vote “No” today on Calendar No. 1 for the reasons presented in a statement I have submitted for the record:

On April 5, 1976 I urgently requested that Chancellor Kibbee submit to the Board of Higher Education his specific recommendations for closing the acknowledged fiscal gap between the projected costs and anticipated funding levels in his restructuring plan for the University.

I stated that it was necessary for the Chancellor to do so in order for the Board of Higher Education adequately to fulfill its responsibilities in approving a restructuring plan that is both fiscally sound and educationally viable.

I further expressed my regret that the Board had failed to receive from the University’s chief academic and executive officer any guidance for closing the acknowledged fiscal gap in the restructuring plan.

On April 16 the Chancellor submitted to the Board of Higher Education a memorandum titled “Alternative Possibilities for Meeting Funding Shortfalls.” In my judgment it does not respond to my request for a specific and detailed budgetary plan relating to the realities of the fiscal situation and reflecting the professional judgment of the University’s chief academic and executive officer.

My vote today on Calendar No. 1 is a symbolic act. I intend, in this way, to dissociate myself as a member of the Board of Higher Education from the present administration of City University in whose capability effectively to manage the University I lack confidence.

I shall vote “No” on Calendar No. 1.
NO. 2. BYLAW AMENDMENT RE STUDENT SUSPENSIONS: The resolution was moved and seconded.

At this point the Board heard Mr. Brian A. Kanzaki of the University Student Senate, who called for certain modifications in the bylaw amendment.

Consideration of the item was deferred until later in the evening.

NO. 3. COMMITTEE ON ACADEMIC AFFAIRS: RESOLVED, That the following item be adopted:

A. QUEENS COLLEGE - B.A./M.A. IN POLITICAL SCIENCE:

RESOLVED, That the 4½ Year BA/MA in Political Science, to be offered at Queens College, be approved effective September, 1976, subject to financial ability.

EXPLANATION: Queens College already awards the MA Degree in Political Science. This accelerated program will offer students of exceptional ability an opportunity to begin graduate work in political science more rapidly than is now possible. It will also help to attract gifted students to Queens and enable them to work up to the limits of their potential. The program is modeled after similar programs in other fields at Queens. It will utilize existing courses, faculty and staff and will not incur any additional costs to the college.

NO. 4. COMMITTEE ON FISCAL AFFAIRS AND PLANNING: RESOLVED, That the following items be adopted:

I. FISCAL RESOLUTIONS:

A. BRONX COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize Bronx Community College to advertise for, and receive, open bids and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service for the period July 1, 1976 through June 30, 1977 with the option to renew for two (2) additional one year periods at an estimated cost of $461,326 chargeable as follows:

<table>
<thead>
<tr>
<th>Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>042-6300-403-01-77</td>
<td>$441,326</td>
</tr>
<tr>
<td>Non-Tax Levy Funds</td>
<td>20,000</td>
</tr>
<tr>
<td>Total</td>
<td>$461,326</td>
</tr>
</tbody>
</table>

subject to financial ability; and be it further

RESOLVED, That the Budget Director be requested to approve and authorize the expenditure of $461,326.

EXPLANATION: For furnishing uniform guard service for the security of students, staff, faculty; properties and facilities on and off the main campus owned and rented by Bronx Community College.
B. BROOKLYN COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve contract documents and specifications and authorize Brooklyn College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service as required for the building and campus areas of Brooklyn College for the period of July 1, 1976 to June 30, 1977 with an option to renew for one (1) additional year, at a total estimated cost of $395,170 subject to financial ability; this expenditure chargeable to Brooklyn College Tax Levy Fund 042-4500-403-01-77; and be it further

RESOLVED, That the Director of the Budget approve and authorize the expenditure amount of $395,170 for the proposed contract.

EXPLANATION: The continuance of proper guard service is essential to the security of the College. The 1975-76 contract was reduced from $594,506 to $395,170 because of budget reductions. The proposed expenditure is considered absolutely minimal for the protection of the college community and the physical plant.

C. BOROUGH OF MANHATTAN COMMUNITY COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and specifications and authorize the Borough of Manhattan Community College to advertise for, receive and open bids and award a contract to the lowest responsible bidder for Uniformed Guard Service, at an estimated cost of $85,933 per year, chargeable to Code 042-6600-403-01-77, Office Services, and/or such other funds as may be available for the period July 1, 1976 to June 30, 1977 with the option to renew the contract for one additional year as specified in the contract documents; and be it further

RESOLVED, That the Director of the Budget approve and authorize the expenditure for the proposed contract.

EXPLANATION: The present Guard Service contract expires on June 30, 1976 and continued service is essential.

D. HUNTER COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize the Business Manager of Hunter College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for furnishing Uniformed Guard Service for Hunter College at an estimated cost of $283,000 chargeable to expense code 042-4400-403-01-77, Office Services, for the period July 1, 1976 to June 30, 1977 with a one year option to renew, subject to financial ability; and be it further

RESOLVED, That the Budget Director be requested to approve said contract documents and specifications with a cost limitation of $283,000.

EXPLANATION: To provide Uniformed Guard Service to safeguard the faculty, staff, students and property of the college.
E. RICHMOND COLLEGE - UNIFORMED GUARD SERVICE:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize Richmond College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for Uniformed Guard Service as required at all locations of Richmond College, for the period July 1, 1976 through June 30, 1977 with the option to renew for two (2) consecutive years, at an estimated cost of $143,087 chargeable to Code 042-4800-403-01-77; and be it further

RESOLVED, That the Director of the Budget be requested to approve said contract documents at an estimated cost of $143,087 chargeable to Code 042-4800-403-01-77.

EXPLANATION: The continuance of proper guard service is essential for the security of the college. Due to budget cuts, coverage has been drastically reduced and the amount requested herein is considered the absolute minimum necessary and is in line with the 1975-76 actual expenditure.

F. HUNTER COLLEGE - CLEANING AND MAINTENANCE SERVICES:

RESOLVED, That the Board of Higher Education approve the contract documents and authorize the Business Manager of Hunter College to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for the "Cleaning and Maintenance of Hunter-Midtown at 560 Lexington Avenue, Manhattan" at an estimated cost of $155,500 chargeable to expense code 042-4400-400-01-77, Contractual Services - General for the period of July 1, 1976 to June 30, 1977 with a one year option to renew at the same terms and conditions; and be it further

RESOLVED, That the Budget Director be requested to approve said contract documents and specifications with a cost limitation of $155,500. (See also Cal. No. 2(b)4 4/20/64)

EXPLANATION: In accordance with the terms of the lease, the college must provide cleaning and maintenance services.

II. CAMPUS PLANNING AND DEVELOPMENT RESOLUTIONS:

A. NEW YORK CITY COMMUNITY COLLEGE - NAMM HALL AND JOHNSON “A” BUILDING:

RESOLVED, That the Board accept final plans, specifications and cost estimates as of February 1976 of $6,908,000 for the alterations to Namm Hall and Namm Hall Air Conditioning and cost estimate of $18,448,609 for the Johnson “A” Building for New York City Community College as prepared by Richard G. Stein and Associates; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforementioned contract documents and estimates of costs.

EXPLANATION: This resolution results in the acceptance of architectural plans and specifications which have been completed. This work was done in accordance with the contract between the New York State Dormitory Authority and the above named architects. The cost of the architectural contracts was provided in earlier Dormitory Authority financial arrangements. This represents the completion of the architects' obligation, for which appropriate payment should be made. This resolution makes no commitment for any additional expenditures.
On May 27, 1975 (Cal. No. 3.11.C, Namm Hall Alterations and Namm Hall Air Conditioning) and on June 23, 1975 (Cal. No. 4F, Johnson "A" Building) the Board accepted the Preliminary Plans, Outline Specifications and Preliminary Cost Estimates for the aforesaid work. The Preliminary Cost Estimate as of January 1975 was $6,415,260 for Namm Hall Alterations and Namm Hall Air Conditioning and $17,670,225 for Johnson "A" Building. The final estimate as of February 1976 of $6,908,000 for Namm Hall Alterations and Namm Hall Air Conditioning and $18,448,609 for Johnson "A" Building compares favorably with the preliminary estimates.

The plans have been reviewed and accepted by the College, the University Office of Campus Planning and Development and the Dormitory Authority of the State of New York. It is recommended that the final plans, etc., be accepted. The acceptance by the Board of the design work performed to date by the Architects is a requirement of the firm's contract with the Authority. The actual construction work will not be contracted unless and until the Board has authorized its bidding and there are funds available for its financing.

B. QUEENS COLLEGE - NEW SCIENCE BUILDING:

RESOLVED, That the Board accept final plans, specifications and cost estimate of $18,788,000 as of February, 1976 for the construction of Queens College New Science Building as prepared by Davis, Brody and Associates, Architects; and be it further

RESOLVED, That the City University Construction Fund be requested to accept the aforementioned contract documents and estimates of costs.

EXPLANATION: This resolution results in the acceptance of architectural plans and specifications which have been completed. This work was done in accordance with the contract between the New York State Dormitory Authority and the above named architects. The cost of the architectural contracts was provided in earlier Dormitory Authority financial arrangements. This represents the completion of the architects' obligation, for which appropriate payment should be made. This resolution makes no commitment for any additional expenditures.

The proposed New Science Building is a three-story concrete structure with partial basement. It contains Instructional Laboratories, Research Space and Services, Faculty Offices for the following science disciplines: Biology, Chemistry, Earth Environmental Sciences, Physics, Psychology. This building also contains special facilities such as Computer Science Space and four Lecture Halls with a capacity of 120 seats each, which are intended to be used by the entire College.

The facility will contain 136,360 net square feet of space in a building area of 225,000 gross square feet. (Efficiency ratio of 1:1.64)

The Board approved the preliminary estimate of $18,796,000, Cal. No. 3.111.C. on September 22, 1975. The Architect's final estimate of $18,788,000 is consistent with the previously approved estimate.

The final plans, specifications and cost estimate have been reviewed by the College, the Office of Campus Planning and Development and the Dormitory Authority of the State of New York. It is recommended that the final plans, etc., be accepted. The acceptance by the Board of the design work performed to date by the Architects is a requirement of the firm's contract with the Authority. The actual construction work will not be contracted unless and until the Board has authorized its bidding and there are funds available for its financing.

NO. 5. CITY COLLEGE - BIOMEDICAL PROGRAM:

RESOLVED, That the program in Biomedical Science at City College leading to a Degree of Bachelor of Science shall be conducted in conformity with the amendment of the Master Plan approved by the Board of Regents on October 24, 1975, subject to the conditions set forth in such approval.

EXPLANATION: On November 27, 1972 (Cal. No. 7A), the Board approved the establishment of a center for Biomedical Education at The City College. The Board of Regents approved the amendment of the Master Plan for City University authorizing the program in Biomedical Science on October 24, 1975 with certain conditions.
NO. 6. BROOKLYN COLLEGE - PERSONNEL ACTION:
The Chairman asked whether Mr. Singer or his attorney wished to say anything, but there was no answer. It was noted that they had been invited to attend the Board meeting of April 19 but had declined.

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

WHEREAS, Disciplinary charges were served upon tenured Assistant Registrar Richard Singer on February 25, 1976; and

WHEREAS, On March 1, 1976 the Board appointed an impartial committee to hear those charges (Cal. No. 1); and

WHEREAS, On March 22, 1976 a hearing was held on the charges before the impartial committee; and

WHEREAS, On March 29, 1976 the impartial committee determined that the person charged was guilty of the specifications charged as amended at the hearing; and

WHEREAS, such committee recommended that the person charged be dismissed forthwith from the University; and

WHEREAS, an appeal was taken to the Board and the Board has duly considered such appeal at its informal meeting of April 19, 1976, including the brief submitted thereon by the person charged; and

WHEREAS, the Board has considered the charges and specifications, the transcript of the hearing and the exhibits submitted therein, and the determination of the impartial hearing committee and its recommendation; it is hereby

FOUND, that on the basis of the record including copies of relevant official academic transcripts, summaries of discrepancies between such transcripts and departmental records and records in the Brooklyn College Office of Academic Regulations and Adjustments and admissions made under oath by Richard Singer, in evidence, that 1) alterations were made by Richard Singer in the official academic records of Richard Wonder between Fall 1972 and Summer 1975; 2) alterations were made by Richard Singer in the official academic record of Arnold Horn in or about 1974 and 3) alterations were made by Richard Singer in the official academic record of Arthur Hom in or about 1974; and it is hereby

DETERMINED, that Richard Singer is guilty as charged; and it is hereby

RESOLVED, that Richard Singer is hereby removed for cause from the permanent instructional staff as Assistant Registrar effective immediately.

NO. 7. FACULTY RETRENCHMENT GUIDELINES: The resolution was moved and seconded.

The Chairman announced that since the Guidelines issued to the public had inadvertently omitted one page, which was later distributed, the Board planned to hear comments on them at this meeting but would not take action. After considering the comments, the Guidelines would be placed on the agenda of the next formal Board meeting for action without further discussion.
At this point the Board heard the following who spoke in opposition to the Guidelines:

Professor David Valinsky, Chairman, University Faculty Senate
Professor Irwin Polishook, President, Professional Staff Congress
Dean William L. Hamilton, President, Black Council on Higher Education

Mrs. Bird asked to go on record as being seriously concerned about the Guidelines in connection with Affirmative Action. She spoke of the general tenor of the Guidelines and especially about the review procedures.

Upon motions duly made, seconded and carried, the item was tabled for action at the May meeting without further public debate.

NO. 8. DESIGNATION OF PRESIDENT: The resolution was moved and seconded.

At this point the Board heard the following who called for the creation of a search committee prior to the designation of a president:

Professor David Valinsky, Chairman, University Faculty Senate
Professor Irwin Polishook, President, Professional Staff Congress
Professor Mohamed Yousef, Chairman, Staten Island Community College Chapter, Professional Staff Congress
Dean Martin A. Kuhn, Staten Island Community College
Professor James Haskins, Staten Island Community College
Dr. Diane Crothers, Staten Island Community College
Professor Daniel Kramer, Chairman, Richmond College Chapter, Professional Staff Congress
Ms. Diatra Jones, Black Council on Higher Education

Mrs. Bird moved to table the resolution and called for the creation of a special search committee to be composed of members of the Board and members of the faculty and student bodies of both institutions. She asked that her action not be construed as being against President Volpe for in her short association with him, he had proven worthy of her trust and admiration. However, she opposed the procedure in this instance which, she felt, was not in keeping with Board policy. She felt there were two similar situations and two different standards were being applied.

The motion was seconded by Mrs. Quinones. The motion was lost.

The following resolution was adopted:

WHEREAS, At its meeting on April 5, 1976 the Board adopted a restructuring plan for the City University; and

WHEREAS, As part of that plan, effective September 1, 1976, Staten Island Community College and Richmond College are to be joined to form a single, federated institution operating distinct junior division programs funded as a community college and senior division programs funded as a senior college under a single administration;

NOW THEREFORE BE IT RESOLVED, That Edmond Volpe, currently president of Richmond College, be designated president of the newly federated institution, effective September 1, 1976, with no change in salary.

Mrs. Bird and Mrs. Quinones asked to be recorded as voting No.
NO. 9. UNIVERSITY REPORT: The Chancellor presented an oral report on honors and awards received by members of the faculty and students of the University:

(a) Guggenheim Fellowships: From among 3,000 applicants 300 Fellowships were awarded, including nine to City University faculty. This placed the University in a tie with UCLA and Yale in the number of awards received, which number is exceeded only by the University of California at Berkeley, Harvard, Stanford and Princeton. Five of the awards went to Queens, placing that institution in a tenth place tie with the University of Chicago, Michigan and the University of Washington.

(b) Regents Scholarships for Study of Dentistry and Medicine: Of 70 scholarships awarded, eight went to students attending CUNY colleges, three at Brooklyn, four at Queens, and one at City college. This placed CUNY in a tie with Harvard, with only Cornell receiving a greater number. Queens College was tied for fourth place with Stony Brook, with only Cornell, Harvard and Columbia having a greater number of scholarship winners.

(c) Rockefeller Humanities Fellowships: Three went to CUNY faculty members, two at City College and one at Richmond.

(d) Lehman Fellowships: Four went to City University undergraduates with five alternates named as well.


(f) Foundation Grants:

(1) The Andrew W. Mellon Foundation recently awarded a grant of $450,000 to the Biomedical Program of City College.

(2) Two Foundation grants totaling $50,000 went to City College for the B.A./J.D. program with the New York Law School.

At this point Cal. No. 2 was considered.

NO. 2. BYLAW AMENDMENT RE STUDENT SUSPENSIONS

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

RESOLVED, That section 15.5 of the Board of Higher Education Bylaws be amended to read as follows:

Section 15.5 SUSPENSION OR DISMISSAL. The Board reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or unit of the University in the use of its facilities or in the achievement of its purposes as an educational institution.

A president or full dean may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in Bylaw 15.3 to take place within not more than seven (7) school days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall
forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation or theory of the matter. When a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter.

Note: Matter underlined is new.

EXPLANATION: This amendment will conform he bylaw provision for temporary suspensions in emergency or extraordinary circumstances to the requirements of Goss v. Lopez, 422 U.S. 725 (1975) decided by the United States Supreme Court.

Provision for subsequent written charges and hearing is made in Bylaw Section 15.3.

Mrs. Bird and Mrs. Quinones asked to be recorded as voting No.

At this point the Chairman introduced Dr. Volpe, the newly elected President of the federated institution on Staten Island.

NO. 10. GENERAL DISCUSSION:
(a) Mrs. Bird noted for the record that she had requested that she be designated a member of the presidency search committee for the consolidated Hostos-Bronx Community College and that her request had been denied. Mr. Giardino noted that when Mrs. Bird made the request, he informed her that the committee had previously been designated, before she became a member of the Board, and was composed of three members, Mr. Murphy, Mrs. Quinones and Mr. D'Angelo, and that she was welcome to attend all of the meetings of that committee and to participate. In addition, he referred to the fact that the committee had power only to recommend and that the final action was one within the purview of the entire Board of which she was a member, and her voice and vote would be effective at that time.

(b) Mr. FitzPatrick expressed the congratulations of the Board to the faculty and student award winners who had brought great honor not only upon themselves but upon the University as well.

(c) Mr. Jones announced that the University Student Senate, meeting in plenary session, voted to shut down the University on May 3.

Upon motions duly made, seconded and carried, the meeting was adjourned at 7:10 P.M.

ETTA G. GRASS
Acting Secretary of the Board