

**BOARD OF TRUSTEES
THE CITY UNIVERSITY OF NEW YORK
535 EAST 80TH STREET
NEW YORK, NEW YORK 10021**

CALENDAR

NOVEMBER 27, 2006

NO. 1. UNIVERSITY REPORT: RESOLVED, That the University Report for November 27, 2006 (including Addendum and Errata Items) be approved:

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

NO. 2. CHANCELLOR'S REPORT: RESOLVED, That the Chancellor's Report for November 27, 2006 (including Addendum and Errata Items) be approved:

EXPLANATION: The Chancellor's Report consists of standard resolutions and actions of a non-policy nature which require approval by the Board of Trustees.

NO. 3. APPROVAL OF MINUTES: RESOLVED, That the minutes of the regular Board meetings and Executive Session of September 25, 2006 be approved.

NO. 4. COMMITTEE ON FISCAL AFFAIRS: RESOLVED, That the following items be approved:

A. LAGUARDIA COMMUNITY COLLEGE – JANITORIAL SERVICES CONTRACT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a contract on behalf of LaGuardia Community College to purchase janitorial services. The contract shall be awarded to New York State Industries for the Disabled without competitive bidding and pursuant to law and University regulations. Such purchase shall not exceed a total estimated cost of \$2,100,000, chargeable to FAS Code 217801404 during the fiscal year ending June 30, 2007. The contract shall include up to four one-year options for the University to renew in its best interest. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: This contract will provide janitorial services for LaGuardia Community College. The College is making this procurement through New York State Finance Law Section 162. New York State Industries of the Disabled is a listed preferred source.

B. THE CITY UNIVERSITY OF NEW YORK – FY 2007-2008 UNIVERSITY BUDGET REQUEST:

RESOLVED, Subject to the availability of resources, CUNY seeks a total of \$1.596 billion for the senior colleges. This total includes additional funding sought of \$107.2 million comprising \$60.1 million for baseline needs (of which \$40.3 million is for fringe benefits that for other State entities the State finances in a separate, extra-agency appropriation) and \$47.1 million for programmatic increases.

Of the \$107.2 million in new funds needed, CUNY is seeking \$69.5 million in State aid, representing full mandatory costs and twenty percent of programmatic costs. The University will fund the remainder of its need through philanthropic support; base-budget restructuring; and revenues from enrollment growth and a modest tuition increase, with such revenues to be used solely for programmatic improvements.

Subject to the availability of resources, CUNY seeks a total of \$562.0 million for the community colleges. This total includes additional funding sought of \$32.3 million comprising \$19.4 million for baseline needs and \$12.9 million in programmatic increases.

Of the \$32.3 million in new funds needed, CUNY is seeking \$21.9 million in additional State and City aid, representing full mandatory costs and twenty percent of programmatic costs. The University will fund the remainder of its need through philanthropic support; base-budget restructuring; and revenues from enrollment growth and a modest tuition increase, with such revenues to be used solely for programmatic improvements.

The City University will continue its commitment to finance its ongoing budget priorities through productivity improvements.

EXPLANATION: The 2007-2008 Budget Request is predicated on the University's 2004-2008 Master Plan, unanimously approved by the Board of Trustees and the State Board of Regents. The University is proposing the continuation of its innovative approach to the financing of its State-approved Master Plan for the education of CUNY students—The CUNY COMPACT. Begun last year with the unanimous support of the Board of Trustees, the CUNY COMPACT comprises a long-term Investment Plan in which financing for CUNY is shared by the State/City; the University (through internal efficiencies); philanthropic sources; and the students, through targeted enrollment growth and modest, predictable tuition increases.

Through the COMPACT, the State and City would again commit to fully funding the University's mandatory costs and funding a portion of the priorities in the Master Plan. This year's goals contemplate the continuation of the University's mainstay objectives: the hiring of more full-time faculty and providing support for research, academic enhancements, and student services. This year's central focus will be on three new initiatives: The Campaign for Student Success, The Decade of Science, and an Enterprise Resource Planning (ERP) solution.

The maintenance of full student financial aid is required for the success of this plan so that no student is denied the ability to continue his/her education. The revenue from the increased tuition would go exclusively toward funding CUNY investment initiatives, in full consultation with students and faculty, including elected representatives, as to how the money should be invested at the colleges.

The CUNY Investment Plan imbedded in the COMPACT offers an economically efficient way to finance CUNY by delineating shared responsibility among partners and creating opportunities to leverage funds.

The COMPACT calls for the State and City to commit to providing tax-levy funding to cover 100% of CUNY's mandatory costs (e.g. labor contracts, fringe benefits and energy) and at least 20% of our Investment Plan.

The University commits to funding the balance of the Investment Plan through a combination of sources that include:

- An unprecedented focus on philanthropy as a permanent feature of revenue in support of programmatic initiatives.
- Revenue from targeted enrollment growth that will be directed toward funding the investments.
- The redeployment of the University's resources to achieve greater efficiencies and opportunities and base budget restructuring, all part and parcel with the continuation and expansion of the University's Productivity Initiative.
- Modest tuition increases with no increase greater than the Higher Education Price Index (HEPI).

As a result of the COMPACT, CUNY students will not face huge and unexpected tuition increases like those of the past that were enacted to fill budget gaps. Instead, these modest changes would be directed toward improvements in the quality of academic programs that will further enhance the value of the CUNY degree.

Public higher education can thrive only through a long-term partnership among its primary stakeholders—government, institutions, alumni, and students.

C. BROOKLYN COLLEGE – ACCEPTANCE OF GIFT FROM BROOKLYN COLLEGE FOUNDATION:

RESOLVED, That the Board of Trustees of The City University of New York, on behalf of Brooklyn College, accept a gift of up to five million (\$5,000,000) dollars for costs associated with the architectural and engineering services for the construction of a performing arts center at Brooklyn College. The General Counsel is authorized to sign any documents to effectuate the gifts; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract for professional design and construction-related services as required for the performing arts center at Brooklyn College. The contract cost shall be chargeable to a non-tax Brooklyn College member organization account for an amount not to exceed five million (\$5,000,000) dollars. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The Brooklyn College Foundation (“Foundation”) is a non-for-profit corporation organized for the sole purpose of aiding and promoting the educational and charitable purposes and lawful activities of the College, including, raising funds for the construction of new buildings on campus. The Brooklyn College Foundation has set aside up to five million (\$5,000,000) dollars from privately raised capital campaign funds for the architectural and engineering services phase of the construction of a new performing arts center, an infill construction project between Gershwin and Whitman Halls. The Center will expand existing performing arts programs of the college and provide state-of-the-art facilities. It is expected that the new facility will include a black box theater, set design work shops, classrooms, rehearsal space, offices, function rooms and galleries.

NO. 5. COMMITTEE ON ACADEMIC POLICY, PROGRAM, AND RESEARCH: RESOLVED, That the following item be approved:

A. BARUCH COLLEGE – MASTER OF BUSINESS ADMINISTRATION DEGREE IN REAL ESTATE:

RESOLVED, That the program in Real Estate leading to the Master of Business Administration degree to be offered at Baruch College, be approved, effective September 2007, subject to financial ability.

EXPLANATION: The proposed program is designed for students to develop the knowledge and skills necessary to sustain successful careers in the dynamic field of Real Estate. Graduates of the program would be qualified for entry level management positions in entities such as, appraisal and consulting firms, insurance companies, banks and financial institutions, investment banks, pension funds, real estate investment trusts, regulatory agencies, and firms with large real estate holdings.

Baruch College currently offers two related undergraduate degrees, a BBA in Real Estate and a B.S. in Real Estate and Metropolitan Development. The College also offers a full compliment (thirteen in all) of existing MBA programs in all the specialized areas of Business, including the opportunity for students to choose a minor in Real Estate within several of these existing MBA programs. Thus the proposed program is the next logical step to provide an appropriate graduate degree for students to succeed in this highly specialized field. There are no new courses required in the proposed program. All of the courses required in the program are already offered on a regularly scheduled basis at the College.

NO. 6. COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION: RESOLVED, That the following items be approved:

A. DISTINGUISHED PROFESSORS: RESOLVED, That the following be designated Distinguished Professors in the departments, and the colleges, and for the period indicated, with compensation of \$21,852 per annum in addition to their regular academic salaries, subject to financial ability:

COLLEGES	NAMES	DEPARTMENT	EFFECTIVE
City College	William B. Rossow	Electrical Engineering	September 1, 2006
College of Staten Island	Ruth Stark	Chemistry	September 1, 2006
The Graduate Center	Wayne Koestenbaum	English	September 1, 2006
Hunter College	Godfrey Gumbs	Physics and Astronomy	September 1, 2006
John Jay College	James Lynch	Criminal Justice	September 1, 2006
Queens College	Morris Rossabi	History	September 1, 2006

B. THE CITY UNIVERSITY SCHOOL OF LAW – NAMING OF THE SECOND FLOOR STUDENT LOUNGE, THE LUIS DEGRAFFE STUDENT LOUNGE:

RESOLVED, That the Board of Trustees of The City University of New York approves the naming of the Second Floor Student Lounge at the City University School of Law, the Luis DeGraffe Student Lounge.

EXPLANATION: The untimely passing last August of Luis DeGraffe, a much loved and respected faculty member, left the Law School community greatly diminished. Professor DeGraffe touched all of his colleagues, the staff, and especially his students. He had a special passion for mentoring law students of color. While there have been a number of occasions at which the Law School has honored Professor DeGraffe, they wanted to pay tribute to him in a more tangible way. The Luis DeGraffe Student Lounge would be a fitting way to preserve his memory for future generations of CUNY Law students and for the broader community of justice.

C. CITY COLLEGE – NAMING OF THE ADMINISTRATION BUILDING, THE HOWARD E. WILLE ADMINISTRATION BUILDING:

RESOLVED, That the Board of Trustees of The City University of New York approve the naming of the Administration Building at the City College, The Howard E. Wille Administration Building.

EXPLANATION: The late Howard E. Wille provided significant support to the City College on many occasions. Most recently, in 2006, his estate delivered a \$5 million gift pledged by Mr. Wille to The City College 21st Century Foundation in order to establish The Howard E. Wille President's Fund for Excellence, an unrestricted account designed to provide funds for the College to respond to both challenges and opportunities as they arise throughout the year. Prior to this gift, Howard E. Wille made several other significant contributions to the City College culminating in June 1998, with a \$2 million gift earmarked to establish the K.D. Irani Visiting Professorship in Philosophy at The City College of New York.

Howard E. Wille graduated from the City College in 1955, Phi Beta Kappa, with a B.A. in Philosophy.

Following his graduation, Mr. Wille served as a securities analyst, investment manager and investment counselor for several firms, before becoming President and Chief Investment Officer of Piedmont Advisory Corporation from 1961 to 1966. From 1966 to 1977, Mr. Wille was a partner and Director of Research at Faulkner Dawkins & Sullivan, a Wall Street investment firm. He held a managerial position with Shearson Hayden Stone after its acquisition of Faulkner Dawkins & Sullivan in 1977. In 1978, Howard E. Wille co-founded FactSet Research Systems, a leading provider of global financial information. He served as Chief Executive Officer and Chairman of the Board until 2000. Mr. Wille passed away in September 2005.

D. BYLAW AMENDMENTS: Notice is served of the following proposed amendments to Article VI and XI –
Instructional Staff of the Bylaws:

Section 6.1. INSTRUCTIONAL STAFF.

The instructional staff shall consist of the persons employed in the following titles:

Chancellor	Law school instructor
Executive vice chancellor	Law school library professor
Chief operating officer	Law school library associate professor
Senior vice chancellor	Law school library assistant professor
Vice chancellor	Law school adjunct professor
University administrator	Law school adjunct associate professor
University associate administrator	Law school adjunct assistant professor
University assistant administrator	Law school adjunct instructor
President	Law school lecturer
Vice president	Visiting professor
Assistant vice president	Visiting associate professor
University dean	Visiting assistant professor
University associate dean	Adjunct professor
University assistant dean	Adjunct associate professor
Dean	Adjunct assistant professor
Associate dean	Adjunct lecturer
Assistant dean	Lecturer (full-time)
Administrator	Lecturer (part-time)
Associate administrator	Instructor
Assistant administrator	Instructor (nursing science)
Distinguish professor	Research associate
Professor	Research assistant
Associate professor	Clinical assistant
Assistant professor	Senior registrar
Distinguished lecturer	Registrar
<u>Distinguished lecturer – medical series</u>	Associate registrar
<u>Distinguished lecturer – law school series</u>	Assistant registrar
Medical professor (basic sciences)	Registrar's assistant
Associate medical professor (basic sciences)	Chief college laboratory technician
Assistant medical professor (basic sciences)	Senior college laboratory technician
Medical lecturer	College laboratory technician
Adjunct medical professor (basic sciences)	Chief college physician
Adjunct associate medical professor (basic sciences)	College physician
Adjunct assistant medical professor (basic sciences)	Higher education officer
Adjunct medical lecturer	Higher education associate
Medical professor (clinical)	Higher education assistant
Associate medical professor (clinical)	Assistant to higher education officer
Assistant medical professor (clinical)	Business manager
Adjunct medical professor (clinical)	Assistant business manager
Adjunct associate medical professor (clinical)	Assistant to business manager
Adjunct assistant medical professor (clinical)	Placement director
Law school professor	Education and vocational counselor
Law school associate professor	Continuing education teacher
Law school assistant professor	

And in the Hunter college elementary school and
Hunter College high school

Principal	Guidance counselor
Chairperson of department	Librarian
Teacher	College laboratory technician
Assistant teacher	Substitute teacher
Temporary teacher	<u>Occasional per diem substitute</u>
<u>teacher</u>	

And in the childhood centers

Teacher	Assistant teacher
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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

Section 6.2. PERMANENT INSTRUCTIONAL STAFF-TENURE.

The permanent instructional staff shall consist of those persons who have been granted tenure under any of the provisions enumerated in subds. a, b, c, d, e, f, and g below and in section 6.3. subds. a, b, and d.

- a. (1) Appointments before September 1, 2006 – A person employed before September 1, 2006 full-time on an annual salary in the title of professor, associate professor, assistant professor, medical professor (basic sciences), associate medical professor (basic sciences), assistant medical professor (basic sciences), medical professor (clinical), associate medical professor (clinical), assistant medical professor (clinical), law school professor, law school associate professor, law school assistant professor, law school library professor, law school library associate professor, law school library assistant professor, instructor (nursing science), senior registrar, registrar, associate registrar, assistant registrar, chief college laboratory technician, senior college laboratory technician, college laboratory technician, and in the hunter college high school and hunter college elementary school (but not in the early childhood center program), principal, chairperson of department, teacher, guidance counselor, and librarian, or in any grade or position which the board in its discretion may add hereto, who after serving on an annual salary in any of the above titles for five years continuously, has been appointed or shall be appointed for a sixth full year, shall have tenure effective on the first day of September following his/her reappointment for the sixth full year.
- (2) Appointments on or after September 1, 2006 –
 - (a) A person employed on or after September 1, 2006 full-time on an annual salary in the title of professor, associate professor, assistant professor, medial professor (basic sciences), associate medical professor (basic sciences), assistant medical professor (basic sciences), medical professor (clinical), associate medical professor (clinical), assistant medical professor (clinical), law school professor, law school associate professor, law school assistant professor, law school library professor, law school library associate professor, law school library assistant professor, instructor (nursing science) or in any grade or position which the board in its discretion may add hereto, who after serving on an annual salary in any of the above titles for seven full years continuously, has been appointed or shall be appointed for an eighth full year, shall have tenure effective on the first day of September following his/her reappointment for the eighth full year.

- (b) A person employed on or after September 1, 2006 full-time on an annual salary in the title of senior registrar, registrar, associate registrar, assistant registrar, chief college laboratory technician, senior college laboratory technician, college laboratory technician, and in the hunter college high school and hunter college elementary school (but not in the early childhood center program), principal, chairperson of department, teacher, guidance counselor, and librarian, and in the educational opportunity centers, educational opportunity center college laboratory technician, or in any grade or position which the board in its discretion may add hereto, who after serving on an annual salary in any of the above titles for five full years continuously, has been appointed or shall be appointed for a sixth full year, shall have tenure effective on the first day of September following his/her reappointment for the sixth full year.
- b. Persons promoted to the rank of professor shall be granted tenure after not more than four years of continuous full-time service on an annual salary in positions on the instructional staff.
- c. A distinguished person of proven record appointed to the title of professor, who had tenure in another accredited institution of higher learning, may be appointed with immediate tenure by the board in its discretion.
- d. (1) Appointments before September 1, 2006 – A person appointed to the title of professor, associate professor, or assistant professor may be granted early tenure by the board in its discretion, under these bylaws, after not less than one nor more than five years of continuous satisfactory service on an annual salary basis, when such service is interrupted by the period of a fellowship deemed by the college valuable to it, when for a very substantial reason the college would be well served by such early grant of tenure or when the person has had tenure in another accredited institution of higher learning.
- (2) Appointments on or after September 1, 2006 – A person appointed to the title of professor, associate professor, or assistant professor may be granted early tenure by the board in its discretion, under these bylaws, after not less than one nor more than seven years of continuous satisfactory service on an annual salary basis, when such service is interrupted by the period of a fellowship deemed by the college valuable to it, when for a very substantial reason the college would be well served by such early grant of tenure or when the person has had tenure in another accredited institution of higher learning.
- e. A person who has attained tenure under one of the provisions of Section 6.2. or Section 6.3. of these bylaws in an educational unit under the jurisdiction of the board of trustees, and who is subsequently appointed to a comparable position on an annual salary basis in another education unit under the jurisdiction of the board, shall retain his/her tenure.
- f. The decision of the board to reappoint with tenure a person in a title for which seven years of full-time continuous service is required for achieving tenure shall be communicated in writing to the person affected not later than December first preceding the expiration of the seventh full year of service. The decision of the board to reappoint with tenure a person in a title for which five years of full-time continuous service is required for achieving tenure shall be communicated in writing to the person affected not later than December first preceding the expiration of the fifth full year of service. Where an appointee begins his/her service after September thirtieth the tenure period shall not begin until the succeeding September first, and when an appointment is made during the month of September, the appointment shall date as of September first of that year for the purposes of tenure.
- g. A person in a title on the permanent instructional staff who interrupts her service for maternity leave duly granted to her by the board shall not suffer from an interruption of the service period required for tenure. A period of creditable service immediately preceding such absence shall be counted in computing the years of service required by this section.

Section 6.4. ADMINISTRATIVE CERTIFICATE OF CONTINUOUS EMPLOYMENT.

- a. Persons who have been employed and have served as teachers or counselors in the title of lecturer continuously on a full-time basis for five or more years, or for ten or more semesters, and who were paid from tax levy funds, and who were reappointed effective as of September 1, 1969, for a sixth, or more, full-time continuous year, or for an eleventh, or more, full-time continuous semester, shall be granted an administrative certificate of continuous employment which shall be effective September 1, 1969.
- b. Persons who have been employed and who have served as teachers or counselors in the title of lecturer on a full-time basis for five, or more, years cumulatively since 1961 and who were employed to teach on a full-time basis in the title of lecturer effective as of September 1, 1969, may, upon their next reappointment to a teaching or counseling position in the title of lecturer (full-time), be granted an administrative certificate of continuous employment. (This provision shall be operative until September 1, 1971.)
- c. Persons who have been employed and have served as teachers or counselors for five full years and who are reappointed for a sixth full year of continuous full-time service in the title of lecturer (full-time), [or] medical lecturer, or educational opportunity center lecturer shall be granted an administrative certificate of continuous employment.

Where an appointee begins his/her service at any time after September thirtieth, the time toward the award of an administrative certificate of continuous employment shall not start to accrue until the first of September following the appointment, except that an appointment made during the month of September shall be deemed to be an appointment as of September first of that year for purposes of an administrative certificate of continuous employment.

- d. The administrative certificate of continuous employment shall be valid only in that college which issues the certification and shall carry with it the guarantee of full-time reappointment in that college subject to continued satisfactory performance, stability in academic program, sufficiency of registration, and financial ability.

Section 6.5. APPOINTMENTS WITHOUT TENURE.

Nothing contained in this article shall be construed as conferring or permitting tenure, or service credit toward the achievement of tenure in the positions of chancellor, executive vice chancellor, chief operating officer, sr. vice chancellor, vice chancellor, university administrator, university associate administrator, university assistant administrator, president, vice president, assistant vice president, university dean, university associate dean, university assistant dean, dean, associate dean, assistant dean, administrator, associate administrator, assistant administrator, director of campus schools, department chairperson, chief librarian, principal, supervisor, distinguished professor, distinguished lecturer, distinguished lecturer – medical series, distinguished lecturer – law school series, medical lecturer, adjunct medical professor (basic sciences), adjunct associate medical professor (basic sciences), adjunct assistant medical professor (basic sciences), adjunct medical professor (clinical), adjunct associate medical professor (clinical), adjunct assistant medical professor (clinical), adjunct medical lecturer, law school instructor, law school lecturer, law school adjunct professor, law school adjunct associate professor, law school adjunct assistant professor, law school adjunct instructor, visiting professor, visiting associate professor, visiting assistant professor, adjunct professor, adjunct associate professor, adjunct assistant professor, adjunct lecturer, higher education officer, higher education associate, higher education assistant, assistant to higher education officer, higher education intern, research associate, research assistant, clinical assistant, lecturer (full-time), lecturer (part-time), instructor appointed after October 1, 1968; business manager, assistant business manager, assistant to business manager, continuing education teacher, occasional per diem substitute teacher, educational opportunity center adjunct lecturer, educational opportunity center adjunct 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, all positions in the early childhood centers programs, or any other instructional positions not included on the permanent instructional staff, except that prior service as a full-time lecturer or lecturer (full-time) may be considered

toward the award of tenure to persons in a title on the permanent instructional staff. Appointment to any such non-tenure-bearing position, or removal therefrom, however, shall not deprive the person so appointed or removed of tenure in the highest position on the staff held with tenure prior to his/her appointment to such office, or conjointly with such office, nor shall such appointment or removal deprive any person of service credit toward the achievement of tenure under the provisions of this article.

Section 11.47. EDUCATIONAL OPPORTUNITY CENTER LECTURER.

A. Position Definition:

Educational opportunity center lecturers shall perform teaching and related faculty functions on a full-time basis.

B. Qualifications:

For appointment as an educational opportunity center lecturer, a person must possess a baccalaureate degree and such other qualifications as may be necessary for the satisfactory performance of his/her instructional functions.

Section 11.48. EDUCATIONAL OPPORTUNITY CENTER ASSISTANT TO HIGHER EDUCATION OFFICER.

A. Position Definition:

An educational opportunity center assistant to higher education officer shall, generally under the supervision of an educational opportunity center higher education officer or college dean, perform such administrative duties as may be assigned to him/her.

B. Qualifications:

For appointment as an educational opportunity center assistant to higher education officer, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must show potential for significant achievement and growth. He/she must possess a baccalaureate degree.

Section 11.48. EDUCATIONAL OPPORTUNITY CENTER HIGHER EDUCATION ASSISTANT.

A. Position Definition:

The duties of an educational opportunity center higher education assistant are generally to serve as an assistant to one of the major educational officers of an educational opportunity center with responsibility for a limited area of planning, research or professional and/or administrative duties as may be assigned.

B. Qualifications:

For appointment as educational opportunity center higher education assistant, the candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least four years of experience in one or more related areas and be sufficiently adaptable to apply such experience to the field in which his/her responsibility will lie. He/she must possess at least a baccalaureate degree and show definite potential for significant achievement and growth in the area to which he/she is assigned. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the four years of experience in determining qualifications for the position of educational opportunity center higher education assistant.

Section 11.48. EDUCATIONAL OPPORTUNITY CENTER HIGHER EDUCATION ASSOCIATE.

A. Position Definition:

The duties of an educational opportunity center higher education associate are:

- a. To serve as deputy for an educational opportunity center higher education officer or
- b. To assume administrative responsibility, in most instances under the general supervision of an educational opportunity center higher education officer or college dean for some major area of educational opportunity center activity or
- c. To develop some major aspect of new programs.

B. Qualifications:

For appointment as an educational opportunity center higher education associate, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least six years of related experience. He/she must be sufficiently well versed in the overall functions of the educational opportunity center to be able to serve as deputy for an educational opportunity center higher education officer, or to carry full responsibility, in most instances under the general supervision of a college dean for some major area of educational opportunity center activity. He/she must possess at least a baccalaureate degree and show evidence of exceptional achievement in his/her chosen field as well as potential for future growth. An advanced degree above the baccalaureate degree may be required as appropriate to perform the duties of a particular position. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the six years of experience in determining qualifications for the position of educational opportunity center higher education associate.

Section 11.49. EDUCATIONAL OPPORTUNITY CENTER HIGHER EDUCATION OFFICER.

A. Position Definition:

The duties of an educational opportunity center higher education officer are:

- a. To assume full responsibility for the educational opportunity center activity or for a major activity thereof or
- b. To develop some major aspect of new programs.

B. Qualifications:

For appointment as educational opportunity center higher education officer, the candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least eight years of related experience. He/she must be sufficiently well versed in the overall functions of an educational opportunity center to be able to assume full responsibility, answerable as a general rule to his/her college president or designee for the educational opportunity center or a major activity thereof. He/she must possess a baccalaureate degree and show evidence of exceptional achievement in his/her chosen field as well as potential for future growth. An advanced degree above the baccalaureate degree may be required as appropriate to perform the duties of a particular position. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the eight years of experience in determining qualifications for the position of educational opportunity center higher education officer.

Section 11.50. EDUCATIONAL OPPORTUNITY CENTER COLLEGE LABORATORY TECHNICIAN.

A. Position Definition:

An educational opportunity center college laboratory technician shall perform laboratory functions and other technical duties of a highly skilled nature which are reasonably related to such functions but which are nevertheless non-teaching. An educational opportunity center college laboratory technician, for example, shall provide lecture support in the form of set-ups of equipment displays and demonstrations and laboratory support for experiments and for research. Each educational opportunity center shall develop a specific job description which will be related to the laboratory or technical requirements of the educational opportunity center. Where appropriate, the technician shall exercise some supervision.

B. Qualifications:

For appointment as an educational opportunity center college laboratory technician, a person, in addition to possessing knowledge and skills related to the discipline, shall be a high school graduate possessing one of the following sets of minimum additional qualifications: (a) four (4) years of work or experience appropriate to the requirements of the educational opportunity center at a level of competence comparable to that indicated by apprenticeship in the skilled trades, or (b) an associate degree and a minimum of two (2) years of experience of the type described above, or (c) a bachelor's degree in an area appropriate to the duties to be performed, or (d) an appropriate combination of at least four (4) years of education and work experience beyond high school.

The candidate shall have the personal characteristics needed to work effectively with students and staff.

Section 11.51. EDUCATIONAL OPPORTUNITY CENTER ADJUNCT LECTURER.

A. Position Definition:

A person employed as an educational opportunity center adjunct lecturer shall be assigned to teach part-time or perform related duties on a part-time basis at an educational opportunity center.

B. Qualifications:

For appointment as an educational opportunity center adjunct lecturer a person must have those qualifications or professional achievement and training comparable to those of faculty members in the rank of educational opportunity center lecturer.

Section 11.52. EDUCATIONAL OPPORTUNITY CENTER ADJUNCT COLLEGE LABORATORY TECHNICIAN.

A. Position Definition:

A person employed as an educational opportunity center adjunct college laboratory technician shall perform the duties of an educational opportunity center college laboratory technician on a part-time basis.

B. Qualifications:

For appointment as an educational opportunity center adjunct college laboratory technician a person must have the same qualifications as an educational opportunity center college laboratory technician.

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

EXPLANATION: In the 2002-2007 PSC/CUNY collective bargaining agreement, the University negotiated an enhanced opportunity for the Sophie Davis School of Biomedical Education and the CUNY Law School to use the distinguished lecturer title with salaries in line with the schools' other salary schedules. The occasional per diem

substitute title provides the Hunter College Elementary School and the Hunter College High School an option for covering occasional teacher absences. The proposed amendments incorporate these new titles into the list of instructional staff and the list of appointments without tenure.

The titles in the educational opportunity centers have been approved by the Board of Trustees in successive PSC/CUNY collective bargaining agreements since 1980. The purpose of this resolution is to incorporate the existing titles in the Bylaws with statements of the duties and qualifications for each title. An amendment to Section 6.2.a(2)(b) is proposed to recognize that educational opportunity center college laboratory technicians may achieve tenure under the terms stated therein. An amendment to Section 6.4.c. is proposed to recognize that educational opportunity center lecturers may achieve an administrative certificate of continuous employment under the terms stated therein.

E. COLLEGE OF STATEN ISLAND – AMENDMENTS TO THE GOVERNANCE PLAN:

RESOLVED, That the proposed amendments to the Governance Plan of the College of Staten Island be adopted, effective December 1, 2006. The proposed amendments are attached.

NOTE: Matter underlined is new.

EXPLANATION: The proposed amendments to the College of Staten Island (“CSI”) Governance Plan have been approved by the CSI College Council and by members of the instructional staff the faculty, in a referendum conducted pursuant to the CSI Governance Plan, and are recommended by the College President. The amendments provide for the election of alternate members for elected delegates to the Faculty Senate and the Higher Education Officer Steering Committee (“HEO Steering Committee”); Faculty Senate members and HEO Steering Committee members are also members of the College Council. Specifically, alternates for at-large seats will be the three highest vote recipients in each category following the elected representative. Alternates for the departmental chair and departmental representatives will be elected in each department.

The change is proposed to allow the Senate to conduct its business effectively, in light of the New York State Court of Appeals ruling in *Perez v. CUNY*, which held that governance bodies such as the CSI College Council are subject to the Open Meetings Law and therefore must meet legally-mandated quorum and majority vote requirements in order to conduct business.

In addition, the amendments provide for election procedures for representatives to the University Faculty Senate (“UFS”). Under the proposed amendments, full time faculty elected to the Faculty Senate will serve on the UFS in staggered three-year terms. Alternates will be chosen from the recipients of the next highest vote after the election of delegates. One representative will be elected to represent the College Laboratory Technician series, adjuncts and substitute faculty, and that representative will serve a one-year term. One alternate for that position will be chosen from the recipient of the next highest vote total following the election of a delegate.

The current governance plan does not specify a process for this election. These amendments will regularize the elections and provide for the election of an adjunct delegate and alternates.

Proposed Amendments to the Governance Plan of the College of Staten Island

Article 1, Section 1b: New provision

(h) Elected delegates to the Faculty Senate and the Steering Committee of the Higher Education officers shall include alternates to serve in the absence of the official representative. Alternates for the departmental chair and departmental representatives shall be elected in each department. Alternates are to be informed in a timely manner to attend and vote in the Council and Senate in the event of an absence of a representative and are urged to attend all other meetings without vote and without counting as part of the whole number for the purpose of determining whether a quorum is present or a majority have approved an action.

Article I, Section 3: New provision

Section 3: Election of representatives to the University Faculty Senate

Membership: Full-time faculty elected to the University Faculty Senate shall serve in staggered three-year terms. Alternates shall be chosen from the recipients of the next highest vote after the election of delegates. The individual elected to represent the College Laboratory Technician series, adjuncts and substitute faculty shall serve a one-year term. An alternate shall be chosen from the recipient of the next highest vote following the election of a delegate.

NO. 7. COMMITTEE ON FACILITIES PLANNING, AND MANAGEMENT: RESOLVED, That the following items be approved:

A. LAGUARDIA COMMUNITY COLLEGE – CENTER 3 FOURTH FLOOR FACULTY OFFICES & CLASSROOMS:

RESOLVED, That the Board of Trustees of The City University of New York accept the design of the Fourth Floor of Center 3 at LaGuardia Community College, as prepared by Helpern Architects, with a construction budget of \$6,628,712. The consultant was selected from the DASNY Requirements Contract list; and be it further

RESOLVED, That the City University Construction Fund is requested to authorize the Dormitory Authority of the State of New York to complete the contract documents, to bid and award contracts and to supervise the construction of this project.

EXPLANATION: LaGuardia Community College will renovate the remaining unbuilt space on the Fourth Floor of Center 3 for faculty offices and classrooms.

B. NEW YORK CITY COLLEGE OF TECHNOLOGY – DEPARTMENT OF HOSPITALITY MANAGEMENT CULINARY TRAINING FACILITY:

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 New York City College of Technology to renovate culinary training facility for the Department of Hospitality Management. The Contract shall be awarded to the lowest responsive and responsible bidder after public advertisement and sealed bidding pursuant to law and University regulations. Project costs are estimated at \$3.3 million dollars. Construction is presently funded in an amount of \$1.7 million dollars, charged to the City Capital Budget, Project No. NY002-005. The remainder will be provided by the College, private sector contributions, CUNY-Wide allocations or a combination thereof, pending the availability of funds.

EXPLANATION: New York City College of Technology will renovate the existing culinary training facility.

The Board approved the selection of the design firm of Hans Knutzen Associates, Inc. by resolution dated April 26, 2005, Cal. No. 7.E.

C. QUEENSBOROUGH COMMUNITY COLLEGE – FIRE ALARM REHABILITATION:

RESOLVED, That the Board of Trustees of The City University of New York authorize Queensborough Community College to purchase a fire alarm system under existing State of New York Contract Number PC61187 held by Johnson Controls, Inc., pursuant to law and University regulations; and be it further

RESOLVED, That the Board of Trustees of The City University of New York authorize Queensborough Community College to purchase installation services under existing State of New York Contract Number PT60298 held by ARC Networks, Inc., pursuant to law and University regulations; and be it further

RESOLVED, The Contract Cost shall be chargeable to Capital Project No. QB023-004, for an amount not to exceed \$1,835,680.

EXPLANATION: This project consists of replacing the existing antiquated Fire Alarm System with a new state-of-the-art system in the Administration, Library and Science Buildings at Queensborough Community College.

D. LEHMAN COLLEGE – CHILDCARE CENTER EXPANSION:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a design/build contract on behalf of Lehman College to install a new modular construction childcare facility. The contract shall be awarded to Vanguard Modular Building Systems. The contract cost shall be chargeable to the State Capital Construction Fund, Project No. LM054-094 for an amount not to exceed \$1,528,670.00. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Lehman College will install a new modular construction childcare center facility in order to provide expanded childcare services for the campus community.

E. BROOKLYN COLLEGE – CAMPUS CONFERENCE CENTER AMENDMENT:

RESOLVED, That the Board of Trustees of The City University of New York amend the resolution adopted at the meeting of September 26, 2005, Cal. No. 6.C., for a construction contract creating a Campus Conference Center, to authorize an increase in the approved amount from \$1,136,000 to \$1,453,200 chargeable to the City Capital Budget, Project No. BY007-004.

EXPLANATION: The City University of New York will award the construction contract to the lowest responsive and responsible bidder from the bids opened on August 8, 2006.

F. QUEENS COLLEGE – TRACK & FIELD REHABILITATION AMENDMENT:

RESOLVED, That the Board of Trustees of The City University of New York amend the resolution adopted at the meeting of June 26, 2006, Cal. No. 7.C., to rehabilitate the track and fields at Queens College to authorize and increase in the approved amount from \$720,000 to \$930,300, chargeable to the City Capital Budget, Project No. QC008-005.

EXPLANATION: The City University of New York will award the construction contract to the lowest responsive and responsible bidder from the bids opened on August 8, 2006.

G. HOSTOS COMMUNITY COLLEGE – ADA IMPROVEMENTS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of Graf & Lewent Architects, LLP for professional design and construction-related services as required for ADA Improvements at Hostos Community College, CUNY Project No. CA202HS04. The contract cost shall be chargeable to the City Capital Budget, Project No. CA202HS04 for an amount not to exceed \$192,582. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Hostos Community College will engage Graf & Lewent to design new toilet room layouts at the old 475 Grand Concourse building for code compliance and ADA accessibility requirements including all necessary mechanical work. The proposed firm was selected in accordance with law and procedures established by the University.

H. YORK COLLEGE – OBSERVATORY:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of Voorsanger Architects PC for professional design and construction-related services as required for the Observatory at York College, CUNY Project No. YC019-006. The contract cost

shall be chargeable to the City Capital Budget, Project No. YC019-006, for an amount not to exceed \$100,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: York College will engage Voorsanger Architects for design and construction administration services associated with a free-standing Observatory to serve the programmatic needs of its Astronomy and Physics Departments. The proposed firm was selected in accordance with law and procedures established by the University.

I. BOROUGH OF MANHATTAN COMMUNITY COLLEGE – EXHAUST SYSTEMS FOR CARPENTER’S AND REPROGRAPHIC SHOPS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of Greenman – Pedersen, Inc. for professional design and construction–related services as required for the exhaust systems for Carpenter’s and Reprographics Shops at Borough of Manhattan Community College, CUNY Project No. MC020-006. The contract cost shall be chargeable to the City Capital Budget, Project No. MC020-006 for an amount not to exceed \$88,236.75. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Borough of Manhattan Community College is in need of and this project provides for development of a design of exhaust systems for the Carpenter’s and Reprographic Shop areas. This design project will provide a code compliant exhaust system that will collect and filter dust, fumes and discharge all to the exterior of the building. The proposed firm was selected in accordance with law and procedures established by the University.

J. LAGUARDIA COMMUNITY COLLEGE – STREETScape IMPROVEMENT PROJECT:

RESOLVED, That the Board of Trustees of The City University of New York authorizes the General Counsel to execute a consultant contract with the firm of Lee Weintraub Landscape Architecture, LLC for professional design and construction–related services as required for the Streetscape Improvement Project at LaGuardia Community College, CUNY Project No. LG015-095. The contract cost shall be chargeable to the City Capital Budget, Project No. LG015-095 for an amount not to exceed \$85,000. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: The City University of New York will engage Lee Weintraub Landscape Architecture, LLC to provide architectural/engineering services for the Streetscape Improvement Project. The proposed firm was selected in accordance with law and procedures established by the University.

K. LEHMAN COLLEGE – CHILDCARE CENTER PLAYGROUND:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute a consultant contract with the firm of The RBA Group for professional design and construction–related services as required for the Childcare Center Playground at Lehman College, CUNY Project No. LM092-001. The contract cost shall be chargeable to the City Capital Budget, Project No. LM092-001 for an amount not to exceed \$37,850.00. The contract shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Lehman College will construct a new playground as required for the expanded childcare center. The proposed firm was selected in accordance with law and procedures established by the University.

L. THE CITY UNIVERSITY OF NEW YORK – ARCHITECT/ENGINEER REQUIREMENTS CONTRACTS:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute up to twenty-four (24) architect/engineer requirements contracts for professional design, engineering and construction management to be used on an as-needed basis. The contracts shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Historically, the Department of Design, Construction and Management (DDCM) issued Request for Proposals to solicit for Architectural/Engineering services on an individual project basis. The “by project” solicitation process is very costly, time consuming, labor-intensive, and inefficient to administer, and fails to meet the needs of the University expeditiously and efficiently. To eliminate this expensive and burdensome process, DDCM is seeking to award up to twenty-four (24) separate requirements contracts to provide Architectural/Engineering services on an expedited “as needed” term basis for small, medium and larger projects with a construction cap of \$5 million dollars.

M. THE CITY UNIVERSITY OF NEW YORK – FY 2007-08 THROUGH FY 2011-12 – CAPITAL BUDGET REQUEST:

RESOLVED, That the Board of Trustees of The City University of New York approve a rolling five-year Capital Budget Plan for Fiscal Years 2007-08 through 2011-12 of approximately \$6.4 billion and a Capital Budget for Fiscal Year 2007-08 of approximately \$817.8 million. The \$817.8 million includes \$811.2 million for major bonded projects authorized by the City University Construction Fund and new funding requests for condition assessment, infrastructure, and programmatic initiatives. 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. The request is made up of: \$97.4 million in re-appropriations and \$70.1 million requested for reimbursement for capital eligible advances from the State of New York, plus \$58.6 million in re-appropriations from the City of New York; \$505.2 million in new bonded and minor rehabilitation funding requested from the State, \$294.7 million of which is required to complete existing projects; and \$86.5 million in new bonded funding requested from the City, \$68.1 million of which is to complete existing projects; and be it further

RESOLVED, That the Master Plan for the University be and is hereby amended as necessary to provide for the capital proposal.

EXPLANATION: The FY 2007-08 to FY 2011-12 Capital Budget Plan includes funds for major new construction, rehabilitation, and capital equipment in support of the University’s mission. As in previous plans, this 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 in this plan, an effort will be made where possible to leverage available University real estate resources through public-private development.

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. Therefore, each year the Office of Facilities Planning, Construction and Management revises the University’s previous submission by removing the first year and adding a new fifth year, thereby creating a “rolling” five-year plan. In 1998, the State began to provide the University with multi-year appropriations, which has lead to rolling five-year plans that include both re-appropriation of funds which have not yet been bonded and new requests. Subsequently, in May 2005, for the first time, the Mayor of the City of New York provided the University with a multi-year appropriation from the City. The projects included in the plan originate at the campuses and are prioritized following Board of Trustees criteria.

The FY 2007-08 Capital Budget Request is made up of re-appropriations for the community colleges and Medgar Evers, in line with the NYC Office of Management and Budget Commitment Plan, and new requests for funding to support:

- Ongoing projects needing additional funding as a result of unforeseen conditions, escalation and economic changes;
- Infrastructure improvements, including immediate work needed at City College’s Marshak Building;
- New initiatives such as the CUNY Honors College; and
- Laboratory improvements for recently hired science faculty.

Summary of Active and Proposed Capital Projects

Since 1998, The City University has received more than \$3.2 billion from the City and State to upgrade existing facilities and to build major expansions. Of the projects fully funded in previous plans, most have been completed while several, including those listed below, are well under way:

- Lehman College – Consolidated Computer Center, Phase II (DCE* \$14,329,000)
- College of Staten Island – Building 2M Renovations, Phase I (DCE \$8,000,000)
- Hostos Community College – 500 Grand Concourse Phase II (DCE \$12,000,000)

The current request includes completion funding for previously approved projects which were started with partial funding from previous years, including the following highlights:

- CUNY-Wide Advanced Science Research Center (C \$78,000,000)
- City College New Science Facility (C \$94,027,000), including required power plant expansion, phase I
- Brooklyn College – West Quad Building (CE \$8,000,000)
- City College – School of Architecture (E \$10,000,000)
- CUNY Law – Renovate CUNY Law Building (C \$6,204,000)
- Lehman Science Facility (DC \$11,090,000) for power plant expansions, phase I and II
- New York City College of Technology – Voorhees Façade (\$21,567,000)
- Queens – Science Upgrades Phase II (D \$4,000,000)
- Bronx Community College – Mechanical/Infrastructure Upgrades, Phase I (DC \$11,800,000), Power Plant associated with North Instructional Building
- BMCC – Fiterman Hall Replacement (C \$55,000,000)
- Medgar Evers College – Academic Building I (C \$21,890,000)

Funding is requested to continue successful CUNY-wide programs initiated in prior budget plans, including:

- CUNY-Wide Senior Colleges – Condition Assessment (DC \$50,000,000)
- CUNY-Wide Senior Colleges – NIT, Information Systems & Administrative Applications (E \$50,000,000)
- CUNY-Wide Senior Colleges – Science & Technology Equipment (E \$5,000,000)
- CUNY-Wide Community Colleges – Condition Assessment (DC \$7,756,000)

Also, requested is funding to continue CUNY-wide matching grant programs:

- CUNY-Wide Senior Colleges – Matching Grants Program (DCE \$20,000,000)
- CUNY-Wide Community Colleges – Matching Grants Program (DCE \$5,000,000)

Criteria for Prioritizing the FY 2007-08 Capital Budget Request

1. CUNY-wide projects to ensure health, safety, security, and compliance with codes, including ADA and asbestos-related regulations
2. CUNY-wide facility and infrastructure preservation projects
3. CUNY-wide technology projects, including infrastructure upgrades, systems engineering, and new equipment
4. Individual campus renovation projects similar in scope to the CUNY-wide project types listed above
5. Individual campus projects which were started with partial earlier funding and need completion of funding
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 projects to meet energy conservation and performance objectives
8. CUNY-wide and individual campus projects for purposes other than those listed above

NO. 8. 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:

COLLEGE	DEGREE
JOHN JAY COLLEGE OF CRIMINAL JUSTICE	
Taylor Branch	Doctor of Humane Letters
Patricia Cornwell	Doctor of Letters
Richard Delgado	Doctor of Laws
Paul Farmer	Doctor of Science
Deborah E. Lipstadt	Doctor of Humane Letters
(To be awarded at the 2007 Commencement Exercises)	