

Faculty Senate Minutes #379

November 3, 2011

1:40 PM

Room 630 T

Present (37): Jana Arsovska, Andrea Balis, Elton Beckett, Erica Burleigh, James Cauthen, Demi Cheng, Kathleen Collins, James DiGiovanna, Mathieu Dufour, Janice Dunham, Jennifer Dysart, DeeDee Falkenbach, Terry Furst, Jay Gates, Laura Greenberg, Maki Haberfeld, Devin Harner, Richard Haw, Veronica Hendrick, Tim Horohoe, Shaobai Kan, Karen Kaplowitz, Kwando Kinshasa, Richard Li, Yu Ma, Vincent Maiorino, Roger McDonald, Sara McDougall, Brian Montes, Catherine Mulder, Richard Ocejo, Raul Rubio, Manouska Saint Gilles, Francis Sheehan, Staci Strobl, Denise Thompson, Patricia Tovar

Absent (12): Michael Alperstein, Lyell Davies, Virginia Diaz-Mendoza, Beverly Frazier, Lior Gideon, Demis Glasford, Norman Groner, Anru Lee, Evan Mandery, Mickey Melendez, David Munns, Rick Richardson

Guest: Professor Bonnie Nelson

Invited Guest: PSC Vice President Steve London

Agenda

1. Adoption of the agenda
2. Announcements & Reports
3. Adoption of Minutes #378 of the October 17, 2011, meeting
4. Invited guest: Professor Steve London, PSC Vice President
5. Report and discussion on the October 19 meeting of the College Council
6. Proposal from the Faculty Senate Ad Hoc Committee on the Selection of CUNY Trustees
7. Proposal from the Senate Ad Hoc Committee on Sexual Relationships between Faculty and Students
8. Election of the faculty members to serve on the Search Committee for the Associate Provost for Research and Strategic Partnerships
9. Development of the Faculty Senate's response to the Pathways proposed Common Core Structure and the proposed Learning Goals
10. Discussion about security issues

1. **Adoption of the agenda.** Approved.

2. **Announcements & Reports**

The Senators commented upon the wonderful ceremony the previous day marking the opening the new building.

It was announced that in the election by the full-time faculty for two members to serve on the Committee on Honorary Degrees, Professors Nathan Lents (Science) and Gerald Markowitz (History/ISP) were elected.

President Kaplowitz noted that at the last meeting she was asked to ascertain whether the Auxiliary Services Board, which is responsible for deciding who shall be our food vendor, bookstore vendor, etc., and the provisions of each contract had voted to not renew MBJ's contract. She said that the Auxiliary Services Board did vote to award the contract to Guest Services and not to MBJ.

3. **Adoption of Minutes #378 of the October 17, 2011, meeting.** Approved.

4. **Invited guest: Professor Steve London, PSC Vice President** [Attachment A]

PSC Vice President Steve London was welcomed and thanked for having asked to be invited to meet with the John Jay Senate and he, in turn, expressed his appreciation for the opportunity to speak with the Senate about the PSC's planned lawsuit in response to the Pathways Initiative. President Kaplowitz explained that the Senate has already read the Article 78 settlement [Attachment A], which was included in the agenda packet for today's meeting and, thus, knows what the basis of the proposed lawsuit will be.

VP London explained that the central argument is that the Pathways Initiative is a violation of faculty governance and faculty responsibility for curriculum as expressed in Article 8.6 of the CUNY Board of Trustees Bylaws. Senator James DiGiovanna read Article 8.6 aloud:

The faculty shall meet at least once in each semester, or oftener, upon call by the president, or by petition of ten per cent of its members. The faculty shall be responsible, subject to guidelines, if any, as established by the board, for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefor, student attendance including leaves of absence, curriculum,

awarding of college credit, granting of degrees. It shall make its own bylaws, consistent with these bylaws, and conduct the educational affairs customarily cared for by a college faculty. The president shall preside at its meetings, or in his/her absence, the dean of faculty or a dean designated by the president.

Senator DiGiovanna then asked how the University could defend itself given this section of the Bylaws. President Kaplowitz said that the key phrase in CUNY's response to a lawsuit will undoubtedly be "subject to guidelines, if any, as established by the board." She said the Board Resolution adopted in June establishing Pathways and the number of credits, 42, will be described as the "guidelines" that were "established by the board" for this initiative.

VP Francis Sheehan asked whether the PSC has filed a Notice of Claim which, he explained, puts a governmental agency on notice that a lawsuit may be filed against that party; VP Sheehan explained to the Senate that if a Notice of Claim is not timely filed, the right to later file the lawsuit is lost. VP London said that a Notice of Claim has not been filed. VP Sheehan then asked what the deadline is to so and VP London replied that he does not know.

When asked what relief would be requested in a lawsuit and other similar questions, VP London said he does not want to talk about these matters in a public meeting. President Kaplowitz explained that the Faculty Senate can go into executive session, that is, a closed, off-the-record session, because the Senate is not bound by the *Perez v. CUNY* court decision (which requires open meetings) but VP London nevertheless declined to provide the requested information.

VP London said it is very important for every campus to respond to the Pathways proposal and President Kaplowitz said that this is the major agenda item on today's Senate agenda. VP London was thanked for speaking with the Senate.

5. Report about the October 19 meeting of the College Council [Attachment B, C]

President Kaplowitz reported that following our last Senate meeting and prior to the October 19 meeting of the College Council, she met with Dean Anne Lopes to review the changes in the proposed Model Syllabus on the College Council agenda, something she always does so as to not blindside the maker of a motion and also so as to work out compromises in the proposed changes to make the College Council meeting as efficient as possible and so as to be as collegial as possible. Dean Lopes had accepted all five of the Senate's proposed revisions but at the College Council meeting, Provost Bowers, who was chairing the meeting in President Travis' absence, objected to the proposed change to the phrase "Office Hours."

At the College Council meeting Provost Bowers insisted that "Office Hours" be listed as such on the Model Syllabus even though it was Provost Bowers who informed the Faculty Senate (and the Council of Chairs) last year that there is no CUNY policy, no John Jay policy, and no contractual requirement for faculty to hold office hours; indeed, our collective bargaining

agreement requires only that faculty provide students with "guidance." Furthermore, adjunct faculty members who teach fewer than six credits at a college are not required to hold office hours; only those adjuncts who teach six credits or more are compensated for an office hour and must hold one a week.

At the College Council meeting in addition to these objections, the points were made by faculty members that faculty who sit in their office during "office hours," when many if not most of their students are in other classes or at work are not providing the opportunity for guidance that those faculty members do who communicate with their students by email or by telephone or who arrange meetings by appointment.

The point was also made by faculty members that if the College is going to have a formal policy requiring office hours, then that should be a proposal formally brought to the College Council for discussion and vote; in other words, a policy about office hours should not be created by the inclusion of an item on a document not specifically related to office hours. Faculty members argued that if the College Council approves a model syllabus that includes the term "office hours," the College Council would be actually establishing a policy requiring office hours. The item was tabled by vote of the College Council.

Subsequent to the meeting, Provost Bowers emailed the other CUNY provosts to learn what is done at the other colleges and she provided that information to President Kaplowitz [Attachment B, C].

Subsequently, she and Provost Bowers met and developed the following proposed compromise: the Model Syllabus will include the phrase "Contact Hours" rather than "Office Hours." She added that Dean Lopes totally supports this solution. The Senate discussed the proposed compromise and agreed to it. President Kaplowitz thanked the faculty members on the College Council who participated in the discussion at that meeting and most especially Senator DiGiovanna.

6. Proposal from the Faculty Senate Ad Hoc Committee on the Selection of CUNY Trustees:
Senator Sara McDougall (Chair), Veronica Hendrick, Staci Strobl, and Karen Kaplowitz
[Attachment D]

Senator Sara McDougall, the Chair of the Senate's Ad Hoc Committee on the Selection of CUNY Trustees, reported that, as requested at the previous Senate meeting, she spoke with the senior staff person for NYS Senator Joseph E. Robach, who is sponsoring the bill which proposes the creation of a commission to recommend candidates to serve as CUNY and SUNY trustees. The staff person provided the website for the full text of the pending bill [Attachment D]. Senator McDougall reported that the staff person said that the Faculty Senate's endorsement would be extremely helpful. The Faculty Senate voted to endorse the bill and to request the University

Faculty Senate to also endorse it and to lobby for it when it engages in lobbying activities in Albany. The vote was 36-0-1.

7. Proposal from the Faculty Senate Ad Hoc Committee on Sexual Relationships Between Faculty and Students: Senators Staci Strobl (Chair), David Munns, Francis Sheehan, Denise Thompson, and Karen Kaplowitz

The newest draft was reviewed. President Kaplowitz asked for a non-binding straw ballot to determine whether the Senate still supports this initiative and, more specifically, supports sending a letter – such as the one being considered – to the CUNY Central Administration. The straw vote reiterated the Senate’s continuing support for this project: the vote was 26-8-3.

Senators suggested that the letter be further revised by adding language about the importance of consultation with elected faculty leaders, especially with the University Faculty Senate, when and if the CUNY administration decides to act on the John Jay Senate’s recommendations. Because of the need to get to other time sensitive issues, a motion was made to table this item for the subsequent Senate meeting and the motion carried.

8. Election by secret written ballot of the faculty members to serve on the Search Committee for Associate Provost for Research and Strategic Partnerships [Attachment E]

Eight faculty members agreed to be candidates for the five faculty seats on the search committee for the position of Associate Provost for Research and Strategic Partnerships. Also on the committee is Professor Karen Terry, who is the interim associate provost and who has decided to not be a candidate and who will be the chair of the search committee; Ben Rohdin of the Provost’s Office; and Mayra Nieves, the interim vice president for development and marketing. All eight faculty candidates provided written bio’s, as requested, and these bio’s were included in the agenda packet. Also included in the agenda packet was the position vacancy notice (PVN) [Attachment E]. The Senate voted by secret, written ballot. Those elected are: Professors George Andreopoulos (Political Science); Joshua Freilich (Criminal Justice); Jonathan Jacobs (Philosophy); Nathan Lents (Science); and John Staines (English).

9. Development of the Faculty Senate’s response to the Pathways proposed Common Core Structure and the proposed Learning Goals due to Provost Bowers’ Office by November 10 and to 80th Street by November 15 [Attachment F, G]

The Faculty Senate has two deadlines for its response to the Pathways proposed 30-credit core and 42-credit total core and the proposed learning outcomes: November 10, which is President

Travis' and Provost Bowers' deadline for responses to be received by Provost Bowers so she can include them in the single College response that she is writing that is required by CUNY from each College by November 15; and the November 15 deadline for the Senate to transmit its response directly to the Pathways Steering Committee.

The Senate reviewed the draft Pathways Common Core Structure issued by the Pathways Steering Committee and Working Committee on November 1 [Attachment F]. The Senate also reviewed the accompanying letter and Q& A from CUNY Law School Dean Michelle Anderson, who is the Chair of the Pathways Steering and Working Committees [Attachment G].

Senators expressed many objections and concerns about the proposed 30-credit Core Curriculum and the proposed learning outcomes. One objection cited by many is that faculty governance has been subverted and undermined. Another objection is that this is not an outcomes based general education curriculum. Specific objections were raised about the Pathways specific recommendations, such as: some thought that the United States in its Diversity category should be changed to the United States Experience; others thought that the Pathways curriculum should require students to take at least one humanities course and at least one social science course in the five-course flexible core.

Other such specifics were enumerated but the Senate decided that a list of broader and larger objections should be developed and that these objections are what should constitute the Senate's response for transmittal to Provost Bowers in time to meet her November 10 deadline. At the Senate's subsequent meeting on November 14, the Senate will decide whether to develop a more extensive or additional response for direct transmittal by November 15 directly to the Pathways Steering Committee.

The following list of Senate responses to the Pathways draft Common Core Structure was developed and approved by unanimous vote of the Faculty Senate for transmittal to the Provost by November 10:

1. The Pathways proposal undermines John Jay's five-year, CUNY-mandated process of revising our General Education curriculum.
2. We have learned that a general education curriculum must be outcomes based and, yet, Pathways is not outcomes based.
3. As presented, and in part because it is not outcomes based, Pathways' learning outcomes are not capable of being properly assessed.
4. Pathways is not responsive to Middle States, which requires an outcomes-based gen ed and, furthermore, John Jay is in the midst of its Middle States Reaccreditation process.
5. Pathways does not represent a true liberal arts education.
6. We at John Jay have developed a revised gen ed which is outcomes based, capable of being assessed, and which addresses the requirements of Middle States.
7. In our revision, we found that we could not reduce the gen ed curriculum below 47 credits without sacrificing these important goals. This is not an arbitrary number, but

was arrived at after five years of working to reduce the size of our general education curriculum.

8. The Pathways process disrespects and bypasses faculty governance and faculty responsibility for curriculum.

The Senate developed the following protocol for the November 15 deadline: President Kaplowitz would again send the Senate, by email, the Pathways proposed Common Core Structure and learning outcomes. The Senate representatives would forward the email to their department colleagues for responses. Senate members would send Karen responses by their department and by colleagues by November 10 and these responses would be included in the agenda packet of the November 14 Faculty Senate meeting.

10. Discussion about security issues [Attachment H, I, J, K]

The Senate reviewed several documents: two emails that President Kaplowitz had sent to all faculty at John Jay on October 26 about a meeting that she, VP Sheehan, and Senators Jennifer Dysart and Staci Strobl had had with VP Robert Pignatello and with Public Safety Director Stephen Hollowell [Attachment H]; an email that VP Pignatello had sent on October 26 to the entire College Community at the recommendation of Senators Kaplowitz, Sheehan, Dysart, and Strobl [Attachment I]; a report provided to the Senate by Vice President Robert Pignatello entitled "John Jay College Public Safety Department Organization" [Attachment J]; and a CUNY document that lists the minimum qualifications for the position of CUNY Peace Officer and a description of the job [Attachment K]. A discussion about security was postponed until a subsequent Senate meeting because of loss of a quorum.

The meeting was adjourned at 3:30 pm.

ATTACHMENT A

Agenda Item #4: Invited Guest: PSC Vice President Steve London

The following is the final resolution of an Article 78 legal action called Polishook v. CUNY. Irwin Polishook was at that time the President of the Professional Staff Congress (PSC). He and Professor Sandi Cooper, then (as now) Chair of the University Faculty Senate (UFS), were the named plaintiffs. An Article 78 legal action asserts that an entity, in this case the City University of New York, violated its own bylaws or policies. The planned PSC lawsuit, about which Professor Steve London has asked to discuss with the Faculty Senate, is based on the below resolution of the Article 78 legal action.

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE CITY
UNIVERSITY OF NEW YORK HELD NOVEMBER 24, 1997 AT THE BOARD
HEADQUARTERS BUILDING - 535 EAST 80TH STREET - BOROUGH OF MANHATTAN

The Public session reconvened at 7:40 P.M.. There were present:

Anne A. Paolucci, Chairwoman Herman Badillo, Vice Chairperson
John Morning
Susan Moore Mouner
James P. Murphy
George Rios
Nilda Soto Ruiz
Richard B. Stone
Satish K. Babbar John J. Calandra Kenneth E. Cook Michael C. Crimmins Alfred B. Curtis Edith
B. Everett Ronald J. Marino
Sandi E. Cooper, ex officio Md. Mizanoor Biswas, ex officio
Secretary Genevieve Mullin
Roy Moskowitz, Acting General Counsel and Acting Vice Chancellor for Legal Affairs
Hourig Messerlian, Executive Assistant
Kisha Fuentes

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

NO. 10. THE CITY UNIVERSITY OF NEW YORK - POLICY ON UNIVERSITY DEGREE REQUIREMENTS:

WHEREAS, On June 26, 1995 the Board of Trustees adopted a "Resolution of the Committee on Long Range Planning," by which the Board enacted the proposals contained in the document titled "University Budget Planning and Policy Options"; and

WHEREAS, Item 27 of the above Long Range Planning Resolution ("LRP 27") provided as follows:

It shall be University policy that, effective September 1, 1996, all bachelor's degree programs will require a maximum of 120 credits for graduation; all associate degree programs will require a maximum of 60 credits. Colleges may be granted waivers from the Office of Academic Affairs for undergraduate degree programs that require additional credits for certification or accreditation from outside professional organizations or for other compelling educational reasons. This policy brings CUNY into conformity with national practices and reduces the cost of tuition by up to \$1,080; and

WHEREAS, In August 1995, Irwin Polishook, as President of the Professional Staff Congress, and others, commenced a legal action against the University pursuant to Article 78 of the New York Civil Practice Law and Rules, styled Polishook, et al. v. The City University of New York, et al., N.Y. County Clerk's Index No. 95/119332 (the "Petition" or the "Polishook litigation"), seeking, among other things, to vacate LRP 27; and

WHEREAS, The New York State Supreme Court, New York County, issued an Order and Judgment on April 30, 1996 that vacated the Board's June 26, 1995 resolutions that had been challenge - ;n the Petition, including LRP 27, and remanded the matter to the Board; and

WHEREAS, The University appealed the Supreme Court's decision to the Appellate Division, First Department; and

WHEREAS, The Appellate Division issued a decision on December 19, 1996 that reversed the Supreme Court's Order and Judgment and denied the Petition in all respects, except with respect to LRP 27, which the Court vacated on the ground that it did not "perceive a rational basis for Long Term Initiative 27"; and

WHEREAS, The University appealed the Appellate Division's decision to the New York State Court of Appeals, thereby staying the Appellate Division's decision; and

WHEREAS, The parties to the Polishook litigation wish to resolve the matter without further legal action, for the benefit of the students, the faculty, and the University as a whole; and

WHEREAS, The Board originally adopted LRP 27 on June 26, 1995 after a period of internal review, on the grounds that: the University-wide degree requirement of 120 credits for the bachelor's degree and 60 credits for the associate degree would be consistent with national norms; campuses would be better able to target their limited resources; and students would benefit because of changing student financial aid eligibility; and

WHEREAS, LRP 27 states that "Colleges may be granted waivers from the Office of Academic Affairs for undergraduate degree programs that require additional credits for certification or accreditation from outside professional organizations or for other compelling educational reasons," and that such waivers were granted under this procedure; and

WHEREAS, The Board acknowledges that: "compelling educational reasons" means, for these purposes, strengthening and enhancing the specific academic objectives of a program and meeting the educational needs of enrolled students; the waiver standard of compelling

educational reasons shall take into account the specific needs of degree programs or the college's general degree requirements; each college faculty senate is encouraged to review current degree requirements where it appears that those requirements are not meeting a program's academic mission or students' needs, and, where appropriate, to submit recommendations that meet the criteria described above to the Office of Academic Affairs; any changes in degree requirements should be implemented to take account of the reasonable expectations of currently enrolled students who have relied on current requirements in planning their education and fulfilling graduation requirements; and the educational interests of students are paramount in this regard; and

WHEREAS, The University has agreed to withdraw and discontinue its appeal of the Appellate Division's December 19, 1996 Decision and Order to the extent it vacated LRP 27; and

WHEREAS, Petitioners have reviewed and support this Resolution and agree that this Resolution now has a rational foundation, based on the waiver process that will take place under the standards described above; and further agree that they will not bring any legal action or proceeding to challenge this Resolution; now, therefore, be it

RESOLVED, That the Board reaffirms that it is and shall remain University policy that all bachelor's degree programs require a maximum of 120 credits for graduation, and all associate degree programs require a maximum of 60 credits. Colleges may continue to be granted waivers from the Office of Academic Affairs for undergraduate degree programs that require additional credits for certification or accreditation from outside professional organizations or for other compelling educational reasons, as explained above; and be it further

RESOLVED, That the Board, in the exercise of its authority to govern and administer the University pursuant to N.Y. Education Law § 6204[1], in connection with the Board's making educational policy, recognizes and reaffirms that the faculty, in accordance with CUNY Bylaws § 8.6. shall be responsible, subject to guidelines, if any, as established by the Board, for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefore, student attendance including leaves of absence, curriculum, awarding of college credit, and granting of degrees: that this responsibility is to be exercised through the college faculty senates pursuant to Board Bylaws or college governance plans approved by the Board, or the University Faculty Senate in accordance with CUNY Bylaws § 8.13, which states: "There shall be a university faculty senate, responsible, subject to the board, for the formulation of policy relating to the academic status, role, rights, and freedoms of the faculty, university level educational and instructional matters, and research and scholarly activities of university-wide import. The powers and duties of the university faculty senate shall not extend to areas or interests which fall exclusively within the domain of the faculty councils of the constituent units of the university"; and that such policies will then be considered by the Board or its appropriate committees in making policy decisions relating to educational matters.

Upon motions duly made, seconded and carried, the Meeting was adjourned at 7:42 P.M.

ATTACHMENT B

<u>College</u>	<u>Number of Office Hours</u>
New York City Tech	At least two office hours per semester
Brooklyn College	Office hours are required, but no required number
LaGuardia	Minimum of three hours per week
Lehman	The practice is typically for full-time faculty to have one office hour per week for each class. In one division, the practice is for three office hours per week with one of them being by appointment to accommodate students' schedules.
Graduate Center	All faculty are expected to mentor and/or specifically advise doctoral students. There is no fixed number of required hours for these activities.
City	Faculty are expected to have office hours of one hour per week per course, but there is not a formal, written policy.
Bronx Community	Requires two hours that are scheduled and two hours that the faculty member must be available by appointment.
Borough of Manhattan Community	One hour for each class taught up to three hours
Medgar Evers	A minimum of one hour per week for each course
Queensborough	Full-time faculty members schedule three office hours per week during each semester.
Hostos Community	Three hours per week minimum during each semester
Kingsborough	The norm is three hours.
Queens	Require three office hours.
College of Staten Island	The faculty handbook states that full-time faculty are expected to schedule

ATTACHMENT C

Queens College

Departmental Advising

Departments are constantly working to strengthen their advising programs. Some programs are stronger than others. Departments require full time faculty to be available to advise students at least two hours a week. Students, however, must juggle work and school, and sometimes cannot fit advising hours into their crammed schedules. Departments continue to find ways for students to avail themselves of advising opportunities. Currently, the Political Science department is designing a new pre-law advisement system. The department has established an Outcomes Assessment Committee to measure student progress in keeping with the mission of the department and the college. In the Department of Elementary and Early Childhood Education, advisors post hours in the department as well as on the department website. Advisement teams offer information and recruitment sessions throughout the year. The Psychology Department relies on two types of advisement. One is the periodic, but consistent updating of the Psychology Web page to provide all students with updated information about departmental requirements, offerings and opportunities. The department works closely with the Registrar on preregistration procedures for the fall, spring and summer semesters to all majors early opportunities to register for classes. The second component is the flexibility of the advising process. The chair, deputy chair, and assistant chair are available. In addition students correspond by e-mail stipulating days and times when they are available to meet with faculty. The *Student Experience Survey* (2004) indicated that 58% of Queens College students were satisfied or more than satisfied with Academic Advising. In essence, the college is in the mode of evaluation and assessment and continues to work with the Advising Center, college departments and all offices engaged in advising to increase, substantially, this percentage, for improved advisement will promote higher retention and graduation rates. Several of the initiatives mentioned in this report were recommendations by the college's Enrollment Management Committee (2004); the implementation of some of these recommendations speaks to the college's continuing commitment to improving the quality of undergraduate education.

<http://www.qc.cuny.edu/about/administration/Provost/Pages/CFSCChangingCulture.aspx>

Hunter College Faculty Handbook: Syllabus and Course Requirements

College policy requires that the following information appear on *all* syllabi: the course number and title, the instructor's name, office location, office hours, office telephone number, e-mail address, department office and telephone number, required textbooks and suggested readings, grading and attendance policies, dates and times of examinations -- including the final exam, -- due dates of papers and other assignments, and policy on late papers, late grades, and incompletes. Please make every effort to include all of these items on your syllabus, along with the specific percentage constituted by each required element of the course. The more detailed the syllabus, the lower the probability of problems during and/or after the semester. Successful grade appeals have hinged on the lack of specifics.

Faculty Class Absences and Office Hours

Office hours are as important as class periods. You are required at the beginning of each semester to post on your office door one office hour per week for each class you teach. Please tell students early in the semester when you will be in your office. In addition, your office hours should be listed on the course syllabus.

ATTACHMENT D

Agenda Item #5: Faculty Senate Ad Hoc Committee on the Selection of CUNY and SUNY Trustees: Senators Sara McDougall (chair), Veronica Hendrick, Karen Kaplowitz, and Francis Sheehan

At the last Faculty Senate meeting, the Senate requested that the members of the ad hoc committee communicate with the sponsor(s) of this pending legislation and obtain additional information. The information below is that additional information. The proposal to be voted on is to endorse this pending legislation, to then request that the University Faculty Senate (UFS) also endorse it, and to also ask the University Faculty Senate to lobby for it when the UFS engages in its regular lobbying visits to Albany.

S5321-2011: Creates commissions to interview and recommend trustee candidates to the state university, CUNY and the community colleges

Same as: A159-2011 / Versions: S5321-2011

Creates independent commissions to interview independent commissions to interview and recommend trustee candidates to the state university, CUNY and the community colleges.

Sponsor: ROBACH / Committee: HIGHER EDUCATION
Law Section: Education Law / Law: Amd Ed L, generally

S5321-2011 Actions

- May 5, 2011: REFERRED TO HIGHER EDUCATION

S5321-2011 Memo
BILL NUMBER: S5321

TITLE OF BILL:

An act to amend the education law, in relation to trustees of the state university of New York, city university of New York, and community colleges

PURPOSE:

This bill establishes an eleven member independent commission, which shall evaluate and consider the qualifications of candidates for appointment to SUNY and CUNY and SUNY Community College Board of Trustees.

Baruch

a minimum of three office hours per week, compatible with student, session and college needs.

From the Faculty handbook - Involvement in the education of our students through meaningful advisement and counsel is a vital goal.

Faculty availability for students around the time of a class to review or elaborate on topics discussed --

even to discuss why a student received a particular grade - is a necessary component to a good education.

Informing students of office hours and being sure to be available during those hours also is necessary.

A rule of thumb is to schedule at least one office hour on each teaching day; many faculty members also indicate on their syllabi that they are available by appointment.

Faculty members should post office hours outside their offices and be available during those hours.

<http://open.nysenate.gov/legislation/bill/S5321-2011>

key provisions:

1. THE COMMISSION SHALL CONSIST OF ELEVEN MEMBERS OF WHOM THREE SHALL BE APPOINTED BY THE GOVERNOR AND THREE EACH, BY THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE, AND ONE EACH BY THE CHAIR OF THE STATE UNIVERSITY OF NEW YORK FACULTY SENATE AND BY THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY OF NEW YORK. OF THE THREE MEMBERS APPOINTED BY THE GOVERNOR, NO MORE THAN TWO SHALL BE ENROLLED IN THE SAME POLITICAL PARTY AND TWO OF SUCH MEMBERS SHALL BE GRADUATES OF THE STATE UNIVERSITY OF NEW YORK.

2. 1. THE COMMISSION SHALL: (A) CONSIDER AND EVALUATE THE QUALIFICATIONS OF CANDIDATES FOR APPOINTMENT TO THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES AND, AS VACANCIES OCCUR ON SUCH BOARD, THE COMMISSION SHALL RECOMMEND TO THE GOVERNOR PERSONS WHO BY THEIR CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE AND EXPERIENCE ARE WELL QUALIFIED TO BE A MEMBER OF SUCH BOARD. SUCH QUALIFICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: (1) A BACCA LAUREATE DEGREE AS THE MINIMUM EDUCATIONAL CRITERIA; (2) FAMILIARITY WITH ADDRESSING POLICY ISSUES IN A UNIONIZED ENVIRONMENT; (3) UNDERSTANDING OF PUBLIC SECTOR INTERGOVERNMENTAL RELATIONS AS THEY RELATE TO HIGHER EDUCATION INSTITUTIONS; (4) UNDERSTANDING OF AND FAMILIARITY WITH THE KINDS OF ISSUES ARISING IN LARGE COMPLEX ORGANIZATIONS; (5) CURRENT INTEREST IN THE INSTITUTION; (6) A COMMITMENT TO PUBLIC HIGHER EDUCATION; (7) A GENERAL BACKGROUND THAT WOULD ALLOW THEM TO MAKE DECISIONS IN THE BEST INTERESTS OF THE INSTITUTION; (8) AN ABILITY TO RECOGNIZE THE SOMETIMES AMBIGUOUS DISTINCTION BETWEEN MANAGEMENT AND GOVERNANCE; AND (9) AN ACTUAL AND PERCEIVED INDEPENDENCE FROM POLITICAL INTERFERENCE IN THE GOVERNANCE OF THE INSTITUTION.

(B) ESTABLISH PROCEDURES TO ASSURE THAT PERSONS WHO MAY BE WELL QUALIFIED FOR APPOINTMENT TO THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES, OTHER THAN THOSE WHO HAVE REQUESTED CONSIDERATION OR WHO HAVE BEEN RECOMMENDED FOR CONSIDERATION BY OTHERS BE ENCOURAGED TO AGREE TO BE CONSIDERED BY THE COMMISSION.

(C) REQUIRE THE PRODUCTION OF ANY BOOKS, RECORDS, DOCUMENTS OR OTHER EVIDENCE THAT IT MAY DEEM RELEVANT OR MATERIAL TO ITS EVALUATION OF CANDIDATES.

S 352-B. ORGANIZATION OF THE COMMISSION. 1. A STATE UNIVERSITY OF NEW YORK INDEPENDENT COMMISSION ON BOARD OF TRUSTEES' NOMINATIONS IS HEREBY ESTABLISHED. THE COMMISSION SHALL CONSIST OF ELEVEN MEMBERS OF WHOM THREE SHALL BE APPOINTED BY THE GOVERNOR AND THREE EACH, BY THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE, AND ONE EACH BY THE CHAIR OF THE STATE UNIVERSITY OF NEW YORK FACULTY SENATE AND BY THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY OF NEW YORK. OF THE THREE MEMBERS

APPOINTED BY THE GOVERNOR, NO MORE THAN TWO SHALL BE ENROLLED IN THE SAME POLITICAL PARTY AND TWO OF SUCH MEMBERS SHALL BE GRADUATES OF THE STATE UNIVERSITY OF NEW YORK. NO MEMBER OF THE COMMISSION SHALL HOLD ANY ELECTED PUBLIC OFFICE OR OFFICE IN ANY POLITICAL PARTY OR SHALL BE AN EMPLOYEE OF OR UNDER THE SUPERVISION OF EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

LBD01071-02-1

S. 5321

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ANY PERSON WHO HOLDS SUCH ELECTED PUBLIC OFFICE OR OFFICE OF A POLITICAL PARTY. NO MEMBER OF THE COMMISSION SHALL SERVE IN ANY PUBLIC OR POLITICAL OFFICE WITHIN ONE YEAR OF THE MEMBER'S PERIOD OF SERVICE. THE MEMBERS OF THE COMMISSION SHALL BE RESIDENTS OF THE STATE.

2. THE MEMBERS FIRST APPOINTED BY THE GOVERNOR SHALL HAVE ONE, TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBERS FIRST APPOINTED BY THE SPEAKER OF THE ASSEMBLY SHALL HAVE ONE, TWO, AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE SHALL HAVE ONE, TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE CHAIR OF THE STATE UNIVERSITY OF NEW YORK FACULTY SENATE SHALL HAVE A TWO-YEAR TERM AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY OF NEW YORK SHALL HAVE A ONE-YEAR TERM AS HE OR SHE SHALL DESIGNATE. EACH SUBSEQUENT APPOINTMENT SHALL BE FOR A TERM OF ONE YEAR.

3. A VACANCY SHALL BE DEEMED TO OCCUR IMMEDIATELY UPON THE APPOINTMENT OR ELECTION OF ANY MEMBER TO AN OFFICE THAT WOULD DISQUALIFY HIM OR HER FOR APPOINTMENT TO, OR MEMBERSHIP ON, THE COMMISSION. A VACANCY OCCURRING FOR ANY REASON OTHER THAN BY EXPIRATION OF TERM SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THE REMAINDER OF THE UNEXPIRED TERM PURSUANT TO THE PROVISIONS OF THIS SECTION.

4. THE MEMBERS OF THE COMMISSION SHALL DESIGNATE ONE MEMBER TO SERVE AS CHAIRPERSON FOR A PERIOD OF TWO YEARS OR UNTIL HIS OR HER TERM OF OFFICE EXPIRES, WHICHEVER PERIOD IS SHORTER.

5. EACH MEMBER OF THE COMMISSION SHALL BE ENTITLED TO RECEIVE HIS OR HER ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF HIS OR HER DUTIES.

6. SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

S 352-C. FUNCTIONS OF THE COMMISSION. 1. THE COMMISSION SHALL:

(A) CONSIDER AND EVALUATE THE QUALIFICATIONS OF CANDIDATES FOR APPOINTMENT TO THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES AND, AS VACANCIES OCCUR ON SUCH BOARD, THE COMMISSION SHALL RECOMMEND TO THE GOVERNOR PERSONS WHO BY THEIR CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE AND EXPERIENCE ARE WELL QUALIFIED TO BE A MEMBER OF SUCH BOARD.

SUCH QUALIFICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: (1) A BACCALAUREATE DEGREE AS THE MINIMUM EDUCATIONAL CRITERIA; (2) FAMILIARITY WITH ADDRESSING

POLICY ISSUES IN A UNIONIZED ENVIRONMENT; (3) UNDERSTANDING OF PUBLIC SECTOR INTERGOVERNMENTAL RELATIONS AS THEY RELATE TO HIGHER EDUCATION INSTITUTIONS;

(4) UNDERSTANDING OF AND FAMILIARITY WITH THE KINDS OF ISSUES ARISING IN LARGE COMPLEX ORGANIZATIONS; (5) CURRENT INTEREST IN THE INSTITUTION; (6) A COMMITMENT TO PUBLIC HIGHER EDUCATION; (7) A GENERAL BACKGROUND THAT WOULD ALLOW THEM TO MAKE DECISIONS IN THE BEST INTERESTS OF THE INSTITUTION; (8) AN ABILITY TO RECOGNIZE THE SOMETIMES AMBIGUOUS DISTINCTION BETWEEN MANAGEMENT AND GOVERNANCE; AND (9) AN ACTUAL AND PERCEIVED INDEPENDENCE FROM POLITICAL INTERFERENCE IN THE GOVERNANCE OF THE INSTITUTION.

(B) ESTABLISH PROCEDURES TO ASSURE THAT PERSONS WHO MAY BE WELL QUALIFIED FOR APPOINTMENT TO THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES, OTHER THAN THOSE WHO HAVE REQUESTED CONSIDERATION OR WHO HAVE BEEN RECOMMENDED FOR CONSIDERATION BY OTHERS BE ENCOURAGED TO AGREE TO BE CONSIDERED BY THE COMMISSION.

(C) REQUIRE THE PRODUCTION OF ANY BOOKS, RECORDS, DOCUMENTS OR OTHER EVIDENCE THAT IT MAY DEEM RELEVANT OR MATERIAL TO ITS EVALUATION OF CANDIDATES.

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(D) REQUIRE FROM ANY COURT, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR OTHER AGENCY OF THE STATE OR POLITICAL SUBDIVISION THERE OF OR ANY PUBLIC AUTHORITY SUCH ASSISTANCE, INFORMATION AND DATA, AS WILL ENABLE IT PROPERLY TO EVALUATE THE QUALIFICATIONS OF CANDIDATES.

(E) REQUIRE THE APPEARANCE OF ANY CANDIDATE BEFORE IT AND INTERVIEW ANY PERSON CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE.

(F) COMMUNICATE WITH THE GOVERNOR CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE GOVERNOR, AND COMMUNICATE WITH THE SENATE CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE APPOINTED BY THE GOVERNOR.

(G) DO ALL OTHER THINGS NECESSARY AND CONVENIENT TO CARRY OUT ITS FUNCTIONS PURSUANT TO THIS ARTICLE.

2. A RECOMMENDATION TO THE GOVERNOR SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF THE COMMISSION. THE RECOMMENDATIONS TO THE GOVERNOR SHALL BE TRANSMITTED TO THE GOVERNOR IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE GOVERNOR. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIR PERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR.

3. NO PERSON SHALL BE RECOMMENDED TO THE GOVERNOR WHO HAS NOT CONSENTED TO BE A CANDIDATE, WHO HAS NOT BEEN PERSONALLY INTERVIEWED BY A QUORUM OF THE MEMBERSHIP OF THE COMMISSION AS PROVIDED FOR IN SUBDIVISION SIX OF SECTION THREE HUNDRED FIFTY-TWO-B OF THIS ARTICLE, AND WHO HAS NOT FILED A FINANCIAL STATEMENT WITH THE COMMISSION, ON A FORM TO BE PRESCRIBED BY THE COMMISSION. THE FINANCIAL STATEMENT SHALL CONSIST OF A SWORN STATEMENT OF THE CANDIDATE'S ASSETS, LIABILITIES AND SOURCES OF INCOME, AND ANY OTHER RELEVANT FINANCIAL INFORMATION,

WHICH THE COMMISSION MAY REQUIRE. THE COMMISSION SHALL TRANSMIT TO THE GOVERNOR THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED. THE GOVERNOR SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE GOVERNOR, BUT NOT APPOINTED BY HIM OR HER, SHALL BE CONFIDENTIAL.

S 352-D. RULES OF THE COMMISSION. 1. THE COMMISSION SHALL ADOPT, AND MAY AMEND, WRITTEN RULES OF PROCEDURE NOT INCONSISTENT WITH LAW.

2. RULES OF THE COMMISSION SHALL BE FILED WITH THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK AND SHALL BE PUBLISHED IN THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE. UPON REQUEST OF ANY PERSON, THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK SHALL FURNISH A COPY OF THE COMMISSION'S RULES WITHOUT CHARGE.

3. RULES OF THE COMMISSION MAY PRESCRIBE FORMS AND QUESTIONNAIRES TO BE COMPLETED AND, IF REQUIRED BY THE COMMISSION, VERIFIED BY CANDIDATES.

4. RULES OF THE COMMISSION SHALL PROVIDE THAT UPON THE COMPLETION BY THE COMMISSION OF ITS CONSIDERATION AND EVALUATION OF THE QUALIFICATIONS OF A CANDIDATE, THERE SHALL BE NO RECONSIDERATION OF SUCH CANDIDATE FOR THE VACANCY FOR WHICH HE OR SHE WAS CONSIDERED, EXCEPT WITH THE CONCUR RENCE OF A QUORUM OF THE COMMISSION.

THE FOLLOWING IS THE COMPLETE TEXT OF THE BILL:

S5321-2011: Creates commissions to interview and recommend trustee candidates to the state university, CUNY and the community colleges

Same as: A159-2011 / Versions: S5321-2011

Creates independent commissions to interview and recommend trustee candidates to the state university, CUNY and the community colleges.

Sponsor: ROBACH / **Committee:** HIGHER EDUCATION
Law Section: Education Law / **Law:** Amd Ed L, generally

S5321-2011 Actions

- May 5, 2011: REFERRED TO HIGHER EDUCATION

S5321-2011 Memo

BILL NUMBER: S5321

TITLE OF BILL:

An act to amend the education law, in relation to trustees of the state university of New York, city university of New York, and community colleges

PURPOSE:

This bill establishes an eleven member independent commission, which shall evaluate and consider the qualifications of candidates for appointment to SUNY and CUNY and SUNY Community College Board of Trustees.

SUMMARY OF PROVISIONS:

This bill directs the nominating commission to consider the certain characteristics as important considerations for potential trustee candidates. Section 350 of the Education Law is amended to add two new subdivisions defining the "Commission" and "Candidate." Section 352 of the Education Law is amended to add four new sections that define the organization of the SUNY Commission, functions of the SUNY Commission, rules of the SUNY Commission and the confidentiality of the proceedings and records of the SUNY commission. Section 6203 of the Education Law is amended to add four new sections that define the organization of the CUNY Commission, functions of the CUNY Commission, rules of the CUNY Commission and the confidentiality of the proceedings and records of the CUNY Commission. Section 6301 of the Education Law is amended to add five new subsections that define the SUNY Community College Independent Commission, Regional Commissions, Candidates, local appointing authority and regional appointing authority. Section 6306 of the Education Law is amended to add four new sections that define the organization of the SUNY Community College Commission, functions of the SUNY Community College Commission, rules of the SUNY Community College Commission and the confidentiality of the proceedings and records of the SUNY Community College Commission. Section 6310 of the Education Law is amended to add four new sections that define organization of the Regional Commission, functions of the Regional Commission, rules of the Regional Commission and the confidentiality of the proceedings and records of the Regional Commission.

JUSTIFICATION:

SUNY, CUNY and New York State community colleges are governed by boards of trustees, the majority of whose members are politically appointed either by the Governor, the Mayor of the City of New York or by local legislators.

Over the years, many trustee appointments have been made based on political alliances rather than the qualifications and real connections to public higher education. This has created at times real and potential conflicts of interest and political influence that has interfered with the ability of trustees to responsibly carry out their duties.

Strong universities and community colleges deserve trustees who are selected based on their vision for the future, their commitment to public higher education and the skills they bring to the job. Boards of trustees dedicated solely to the university or community college, not the agendas of government officials, are essential for the success of the state's public university systems and community colleges.

The creation of a nonpartisan advisory, independent nominating commission to recruit and screen trustee appointments to the boards of our state's public higher education institutions will help mitigate such political influence and interference from government officials. As a result, actions taken by trustees will more likely be in the best interests of our universities and community colleges instead of the interests of government officials.

LEGISLATIVE HISTORY:

2006 - 2010 Referred to Higher Education

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to appointments made on or after such effective date.

S5321-2011 Text

S T A T E O F N E W Y O R K

5321

2011-2012 Regular Sessions
I N S E N A T E
May 5, 2011

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to trustees of the state university of New York, city university of New York, and community colleges

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1.

Section 350 of the education law is amended by adding two new subdivisions 7 and 8 to read as follows:

7. "COMMISSION" MEANS THE STATE UNIVERSITY OF NEW YORK'S INDEPENDENT COMMISSION ON BOARD OF TRUSTEE'S NOMINATIONS.

8. "CANDIDATE" MEANS A PERSON WHO HAS REQUESTED THAT THE COMMISSION CONSIDER HIS OR HER QUALIFICATIONS TO SERVE ON THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES; OR (A) WHO HAS BEEN RECOMMENDED FOR CONSIDERATION BY THE COMMISSION BY ANOTHER PERSON, INCLUDING A COMMUNITY OR PROFESSIONAL ORGANIZATION; OR (B) WHO HAS AGREED TO BE CONSIDERED BY THE COMMISSION AT THE COMMISSION'S REQUEST.

S 2. The education law is amended by adding four new sections 352-b, 352-c, 352-d and 352-e to read as follows:

S 352-B. ORGANIZATION OF THE COMMISSION. 1. A STATE UNIVERSITY OF NEW YORK INDEPENDENT COMMISSION ON BOARD OF TRUSTEES' NOMINATIONS IS HEREBY ESTABLISHED. THE COMMISSION SHALL CONSIST OF ELEVEN MEMBERS OF WHOM THREE SHALL BE APPOINTED BY THE GOVERNOR AND THREE EACH, BY THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE, AND ONE EACH BY THE CHAIR OF THE STATE UNIVERSITY OF NEW YORK FACULTY SENATE AND BY THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY OF NEW YORK. OF THE THREE MEMBERS APPOINTED BY THE GOVERNOR, NO MORE THAN TWO SHALL BE ENROLLED IN THE SAME POLITICAL PARTY AND TWO OF SUCH MEMBERS SHALL BE GRADUATES OF THE STATE UNIVERSITY OF NEW YORK. NO MEMBER OF THE COMMISSION SHALL HOLD ANY ELECTED PUBLIC OFFICE OR OFFICE IN ANY POLITICAL PARTY OR SHALL BE AN EMPLOYEE OF OR UNDER THE SUPERVISION OF EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.
LBD01071-02-1

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ANY PERSON WHO HOLDS SUCH ELECTED PUBLIC OFFICE OR OFFICE OF A POLITICAL PARTY. NO MEMBER OF THE COMMISSION SHALL SERVE IN ANY PUBLIC OR POLITICAL OFFICE WITHIN ONE YEAR OF THE MEMBER'S PERIOD OF SERVICE. THE MEMBERS OF THE COMMISSION SHALL BE RESIDENTS OF THE STATE.

2. THE MEMBERS FIRST APPOINTED BY THE GOVERNOR SHALL HAVE ONE, TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBERS FIRST APPOINTED BY THE SPEAKER OF THE ASSEMBLY SHALL HAVE ONE, TWO, AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE SHALL HAVE ONE, TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE CHAIR OF THE STATE UNIVERSITY OF NEW YORK FACULTY SENATE SHALL HAVE A TWO-YEAR TERM AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY OF NEW YORK SHALL HAVE A ONE-YEAR TERM AS HE OR SHE SHALL DESIGNATE. EACH SUBSEQUENT APPOINTMENT SHALL BE FOR A TERM OF ONE YEAR.

3. A VACANCY SHALL BE DEEMED TO OCCUR IMMEDIATELY UPON THE APPOINTMENT OR ELECTION OF ANY MEMBER TO AN OFFICE THAT WOULD DISQUALIFY HIM OR HER FOR APPOINTMENT TO, OR MEMBERSHIP ON, THE COMMISSION. A VACANCY OCCURRING FOR ANY REASON OTHER THAN BY EXPIRATION OF TERM SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THE REMAINDER OF THE UNEXPIRED TERM PURSUANT TO THE PROVISIONS OF THIS SECTION.

4. THE MEMBERS OF THE COMMISSION SHALL DESIGNATE ONE MEMBER TO SERVE AS CHAIRPERSON FOR A PERIOD OF TWO YEARS OR UNTIL HIS OR HER TERM OF OFFICE EXPIRES, WHICHEVER PERIOD IS SHORTER.

5. EACH MEMBER OF THE COMMISSION SHALL BE ENTITLED TO RECEIVE HIS OR HER ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF HIS OR HER DUTIES.

6. SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

S 352-C. FUNCTIONS OF THE COMMISSION. 1. THE COMMISSION SHALL:

(A) CONSIDER AND EVALUATE THE QUALIFICATIONS OF CANDIDATES FOR APPOINTMENT TO THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES AND, AS VACANCIES OCCUR ON SUCH BOARD, THE COMMISSION SHALL RECOMMEND TO THE GOVERNOR PERSONS WHO BY THEIR CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE AND EXPERIENCE ARE WELL QUALIFIED TO BE A MEMBER OF SUCH BOARD. SUCH QUALIFICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: (1) A BACCA LAUREATE DEGREE AS THE MINIMUM EDUCATIONAL CRITERIA; (2) FAMILIARITY WITH ADDRESSING POLICY ISSUES IN A UNIONIZED ENVIRONMENT; (3) UNDERSTANDING OF PUBLIC SECTOR INTERGOVERNMENTAL RELATIONS AS THEY RELATE TO HIGHER EDUCATION INSTITUTIONS; (4) UNDERSTANDING OF AND FAMILIARITY WITH THE KINDS OF ISSUES ARISING IN LARGE COMPLEX ORGANIZATIONS; (5) CURRENT INTEREST IN THE INSTITUTION; (6) A COMMITMENT TO PUBLIC HIGHER EDUCATION; (7) A GENERAL BACKGROUND THAT WOULD ALLOW THEM TO MAKE DECISIONS IN THE BEST INTERESTS OF THE INSTITUTION; (8) AN ABILITY TO RECOGNIZE THE SOMETIMES AMBIGUOUS DISTINCTION BETWEEN MANAGEMENT AND GOVERNANCE; AND (9) AN ACTUAL AND PERCEIVED INDEPENDENCE FROM POLITICAL INTERFERENCE IN THE GOVERNANCE OF THE INSTITUTION.

(B) ESTABLISH PROCEDURES TO ASSURE THAT PERSONS WHO MAY BE WELL QUALIFIED FOR APPOINTMENT TO THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES, OTHER THAN THOSE WHO HAVE REQUESTED CONSIDERATION OR WHO HAVE BEEN RECOMMENDED FOR CONSIDERATION BY OTHERS BE ENCOURAGED TO AGREE TO BE CONSIDERED BY THE COMMISSION.

(C) REQUIRE THE PRODUCTION OF ANY BOOKS, RECORDS, DOCUMENTS OR OTHER EVIDENCE THAT IT MAY DEEM RELEVANT OR MATERIAL TO ITS EVALUATION OF CANDIDATES.

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(D) REQUIRE FROM ANY COURT, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR OTHER AGENCY OF THE STATE OR POLITICAL SUBDIVISION THERE OF OR ANY PUBLIC AUTHORITY SUCH ASSISTANCE, INFORMATION AND DATA, AS WILL ENABLE IT PROPERLY TO EVALUATE THE QUALIFICATIONS OF CANDIDATES.

(E) REQUIRE THE APPEARANCE OF ANY CANDIDATE BEFORE IT AND INTERVIEW ANY PERSON CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE.

(F) COMMUNICATE WITH THE GOVERNOR CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE GOVERNOR, AND COMMUNICATE WITH THE SENATE CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE APPOINTED BY THE GOVERNOR.

(G) DO ALL OTHER THINGS NECESSARY AND CONVENIENT TO CARRY OUT ITS FUNCTIONS PURSUANT TO THIS ARTICLE.

2. A RECOMMENDATION TO THE GOVERNOR SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF THE COMMISSION. THE RECOMMENDATIONS TO THE GOVERNOR SHALL BE TRANSMITTED TO THE GOVERNOR IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE GOVERNOR. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIR PERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR.

3. NO PERSON SHALL BE RECOMMENDED TO THE GOVERNOR WHO HAS NOT CONSENTED TO BE A CANDIDATE, WHO HAS NOT BEEN PERSONALLY INTERVIEWED BY A QUORUM OF THE MEMBERSHIP OF THE COMMISSION AS PROVIDED FOR IN SUBDIVISION SIX OF SECTION THREE HUNDRED FIFTY-TWO-B OF THIS ARTICLE, AND WHO HAS NOT FILED A FINANCIAL STATEMENT WITH THE COMMISSION, ON A FORM TO BE PRESCRIBED BY THE COMMISSION. THE FINANCIAL STATEMENT SHALL CONSIST OF A SWORN STATEMENT OF THE CANDIDATE'S ASSETS, LIABILITIES AND SOURCES OF INCOME, AND ANY OTHER RELEVANT FINANCIAL INFORMATION, WHICH THE COMMISSION MAY REQUIRE. THE COMMISSION SHALL TRANSMIT TO THE GOVERNOR THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED. THE GOVERNOR SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE GOVERNOR, BUT NOT APPOINTED BY HIM OR HER, SHALL BE CONFIDENTIAL.

S 352-D. RULES OF THE COMMISSION. 1. THE COMMISSION SHALL ADOPT, AND MAY AMEND, WRITTEN RULES OF PROCEDURE NOT INCONSISTENT WITH LAW.
2. RULES OF THE COMMISSION SHALL BE FILED WITH THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK AND SHALL BE PUBLISHED IN THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE. UPON REQUEST OF ANY PERSON, THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK SHALL FURNISH A COPY OF THE COMMISSION'S RULES WITHOUT CHARGE.
3. RULES OF THE COMMISSION MAY PRESCRIBE FORMS AND QUESTIONNAIRES TO BE COMPLETED AND, IF REQUIRED BY THE COMMISSION, VERIFIED BY CANDIDATES.
4. RULES OF THE COMMISSION SHALL PROVIDE THAT UPON THE COMPLETION BY THE COMMISSION OF ITS CONSIDERATION AND EVALUATION OF THE QUALIFICATIONS OF A CANDIDATE, THERE SHALL BE NO RECONSIDERATION OF SUCH CANDIDATE FOR THE VACANCY FOR WHICH HE OR SHE WAS CONSIDERED, EXCEPT WITH THE CONCURRENCE OF A QUORUM OF THE COMMISSION.

S 352-E. CONFIDENTIALITY OF PROCEEDINGS AND RECORDS. 1. ALL COMMUNICATIONS TO THE COMMISSION, AND ITS PROCEEDINGS, AND ALL APPLICATIONS, CORRESPONDENCE, INTERVIEWS, TRANSCRIPTS, REPORTS AND ALL OTHER PAPERS, FILES AND RECORDS OF THE COMMISSION SHALL BE CONFIDENTIAL AND PRIVILEGED AND, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW, SHALL NOT BE MADE AVAILABLE TO ANY PERSON EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

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2. THE GOVERNOR SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO PERSONS RECOMMENDED TO HIM OR HER BY THE COMMISSION. THE SENATE SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO THE PERSON APPOINTED BY THE GOVERNOR TO FILL A VACANCY. ALL INFORMATION THAT IS NOT PUBLICLY DISCLOSED IN ACCORDANCE WITH SUBDIVISIONS TWO AND THREE OF SECTION THREE HUNDRED FIFTY-TWO-C OF THIS ARTICLE, OR DISCLOSED IN CONNECTION WITH THE SENATE'S CONFIRMATION OF THE APPOINTMENT, SHALL REMAIN CONFIDENTIAL AND PRIVILEGED, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW.

3. THE MEMBERS OF THE COMMISSION SHALL NOT PUBLICLY DIVULGE THE NAMES OF, OR ANY INFORMATION CONCERNING, ANY CANDIDATE EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

S 3. Subdivision 1 of section 353 of the education law, as amended by

chapter 127 of the laws of 2006, is amended to read as follows:

1. The state university shall be governed, and all of its corporate powers exercised, by a board of trustees. Such board shall consist of seventeen members, fifteen of whom shall be appointed by the governor with the advice and consent of the senate, one of whom shall be the president of the student assembly of the state university, ex-officio and voting, and one of whom shall be the president of the university faculty senate, ex-officio and non-voting; PROVIDED, HOWEVER, THAT SUCH TRUSTEES, EXCEPT THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY, EX-OFFICIO, HAVE BEEN RECOMMENDED AND APPROVED BY THE STATE UNIVERSITY OF NEW YORK'S INDEPENDENT COMMISSION ON BOARD OF TRUSTEES NOMINATIONS. NO SUCH TRUSTEE, EXCEPT THE PRESIDENT OF THE STUDENT ASSEMBLY OF THE STATE UNIVERSITY SERVING AS AN EX-OFFICIO MEMBER, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF SUCH APPOINTING AUTHORITIES. THE SENATE UPON RECEIVING THE GOVERNOR'S NOMINATION OF A TRUSTEE TO BE CONSIDERED FOR CONFIRMATION SHALL CONSULT WITH THE CHAIR OF THE SENATE HIGHER EDUCATION COMMITTEE AND SHALL PUBLICIZE ITS CONSIDERATION OF SAID NOMINEE. THE SENATE SHALL VOTE TO CONFIRM THE NOMINEE NO EARLIER THAN TWENTY-ONE DAYS AFTER THE NOMINEE'S CONSIDERATION HAS BEEN PUBLICIZED. Such ex-officio members shall be subject to every provision of any general, special, or local law, ordinance, charter, code, rule, or regulation applying to the voting members of such board with respect to the discharge of their duties, including, but not limited to, those provisions setting forth codes of ethics, disclosure requirements, and prohibiting business and professional activities. One member of the board shall be designated by the governor as chairperson and one as vice-chairperson. Of the members first appointed, two shall be appointed for a term which shall expire on June thirtieth, nineteen hundred fifty-two; one for a term which shall expire on June thirtieth, nineteen hundred fifty-three; two for a term which shall expire on June thirtieth, nineteen hundred fifty-four; one for a term which shall expire on June thirtieth, nineteen hundred fifty-five; two for a term which shall expire on June thirtieth, nineteen hundred fifty-six; one for a term which shall expire on June thirtieth, nineteen hundred fifty-seven; two for a term which shall expire on June thirtieth, nineteen hundred fifty-eight; one for a term which shall expire on June thirtieth, nineteen hundred fifty-nine; two for a term which shall expire on June thirtieth, nineteen hundred sixty; and one for a term which shall expire on June thirtieth, nineteen hundred sixty-one. Vacancies shall be filled for the unexpired term in the same manner as original appointments. The term of office of each trustee appointed on or after April first, nineteen hundred eighty-six shall be seven years, except those of the student member and the faculty member. Trustees shall receive no compen

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sation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this article.

S 4.

Section 6202 of the education law is amended by adding two new subdivisions 10 and 11 to read as follows:

10. "COMMISSION" MEANS THE CITY UNIVERSITY OF NEW YORK'S INDEPENDENT

COMMISSION ON BOARD OF TRUSTEES' NOMINATIONS.

11. "CANDIDATE" MEANS A PERSON WHO HAS REQUESTED THAT THE COMMISSION CONSIDER HIS OR HER QUALIFICATIONS TO SERVE ON THE CITY UNIVERSITY OF NEW YORK BOARD OF TRUSTEES; OR (A) WHO HAS BEEN RECOMMENDED FOR CONSIDERATION BY THE COMMISSION BY ANOTHER PERSON, INCLUDING A COMMUNITY OR PROFESSIONAL ORGANIZATION; OR (B) WHO HAS AGREED TO BE CONSIDERED BY THE COMMISSION AT THE COMMISSION'S REQUEST.

S 5. The education law is amended by adding four new sections 6203-a, 6203-b, 6203-c and 6203-d to read as follows:

S 6203-A. ORGANIZATION OF THE COMMISSION.

1. A CITY UNIVERSITY OF NEW YORK INDEPENDENT COMMISSION ON BOARD OF TRUSTEES' NOMINATIONS IS HEREBY ESTABLISHED. THE COMMISSION SHALL CONSIST OF ELEVEN MEMBERS OF WHOM THREE SHALL BE APPOINTED BY THE GOVERNOR AND TWO SELECTED BY THE MAYOR OF THE CITY OF NEW YORK, AND TWO EACH, BY THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE, AND ONE EACH BY THE CHAIR OF THE CITY UNIVERSITY OF NEW YORK FACULTY SENATE AND BY THE CHAIRPERSON OF THE CITY UNIVERSITY OF NEW YORK STUDENT SENATE. OF THE THREE MEMBERS APPOINTED BY THE GOVERNOR, NO MORE THAN TWO SHALL BE ENROLLED IN THE SAME POLITICAL PARTY AND TWO OF SUCH MEMBERS SHALL BE GRADUATES OF THE CITY UNIVERSITY OF NEW YORK. THE TWO MEMBERS APPOINTED BY THE MAYOR SHALL NOT BE ENROLLED IN THE SAME POLITICAL PARTY AND ONE OF SUCH MEMBERS SHALL BE A GRADUATE OF THE CITY UNIVERSITY OF NEW YORK. NO MEMBER OF THE COMMISSION SHALL HOLD ANY ELECTED PUBLIC OFFICE OR OFFICE IN ANY POLITICAL PARTY OR SHALL BE AN EMPLOYEE OF OR UNDER THE SUPERVISION OF ANY PERSON WHO HOLDS SUCH ELECTED PUBLIC OFFICE OR OFFICE OF A POLITICAL PARTY. NO MEMBER OF THE COMMISSION SHALL SERVE IN ANY PUBLIC OR POLITICAL OFFICE WITHIN ONE YEAR OF THE MEMBER'S PERIOD OF SERVICE. THE MEMBERS OF THE COMMISSION SHALL BE RESIDENTS OF THE STATE.

2. THE MEMBERS FIRST APPOINTED BY THE GOVERNOR SHALL HAVE ONE, TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBERS FIRST APPOINTED BY THE MAYOR SHALL HAVE TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBERS FIRST APPOINTED BY THE SPEAKER OF THE ASSEMBLY SHALL HAVE TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBERS FIRST APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE SHALL HAVE TWO AND THREE-YEAR TERMS, RESPECTIVELY, AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE CHAIR OF THE CITY UNIVERSITY OF NEW YORK FACULTY SENATE SHALL HAVE A TWO-YEAR TERM AS HE OR SHE SHALL DESIGNATE. THE MEMBER FIRST APPOINTED BY THE PRESIDENT OF THE CITY UNIVERSITY OF NEW YORK STUDENT SENATE SHALL HAVE A ONE-YEAR TERM AS HE OR SHE SHALL DESIGNATE. EACH SUBSEQUENT APPOINTMENT SHALL BE FOR A TERM OF ONE YEAR.

3. A VACANCY SHALL BE DEEMED TO OCCUR IMMEDIATELY UPON THE APPOINTMENT OR ELECTION OF ANY MEMBER TO AN OFFICE THAT WOULD DISQUALIFY HIM OR HER FOR APPOINTMENT TO, OR MEMBERSHIP ON, THE COMMISSION. A VACANCY OCCURRING FOR ANY REASON OTHER THAN BY EXPIRATION OF TERM SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THE REMAINDER OF THE UNEXPIRED TERM PURSUANT TO THE PROVISIONS OF THIS SECTION.

4. THE MEMBERS OF THE COMMISSION SHALL DESIGNATE ONE MEMBER TO SERVE AS CHAIRPERSON FOR A PERIOD OF TWO YEARS OR UNTIL HIS OR HER TERM OF OFFICE EXPIRES, WHICHEVER PERIOD IS SHORTER.

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5. EACH MEMBER OF THE COMMISSION SHALL BE ENTITLED TO RECEIVE HIS OR HER ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF HIS OR HER DUTIES.

6. SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

S 6203-B. FUNCTIONS OF THE COMMISSION. 1. THE COMMISSION SHALL:

(A) CONSIDER AND EVALUATE THE QUALIFICATIONS OF CANDIDATES FOR APPOINTMENT TO THE CITY UNIVERSITY OF NEW YORK BOARD OF TRUSTEES AND, AS VACANCIES OCCUR ON SUCH BOARD, SHALL RECOMMEND TO THE GOVERNOR AND THE MAYOR OF THE CITY OF NEW YORK, PERSONS WHO BY THEIR CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE AND EXPERIENCE ARE WELL QUALIFIED TO BE A MEMBER OF SUCH BOARD. SUCH QUALIFICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: (1) A BACCALAUREATE DEGREE AS THE MINIMUM EDUCATIONAL CRITERIA; (2) FAMILIARITY WITH ADDRESSING POLICY ISSUES IN A UNIONIZED ENVIRONMENT; (3) UNDERSTANDING OF PUBLIC SECTOR INTERGOVERNMENTAL RELATIONS AS THEY RELATE TO HIGHER EDUCATION INSTITUTIONS; (4) UNDERSTANDING OF AND FAMILIARITY WITH THE KINDS OF ISSUES ARISING IN LARGE COMPLEX ORGANIZATIONS; (5) CURRENT INTEREST IN THE INSTITUTION; (6) A COMMITMENT TO PUBLIC HIGHER EDUCATION; (7) A GENERAL BACKGROUND THAT WOULD ALLOW THEM TO MAKE DECISIONS IN THE BEST INTERESTS OF THE INSTITUTION; (8) AN ABILITY TO RECOGNIZE THE SOMETIMES AMBIGUOUS DISTINCTION BETWEEN MANAGEMENT AND GOVERNANCE; AND (9) AN ACTUAL AND PERCEIVED INDEPENDENCE FROM POLITICAL INTERFERENCE IN THE GOVERNANCE OF THE INSTITUTION.

(B) ESTABLISH PROCEDURES TO ASSURE THAT PERSONS WHO MAY BE WELL QUALIFIED FOR APPOINTMENT TO THE CITY UNIVERSITY OF NEW YORK BOARD OF TRUSTEES, OTHER THAN THOSE WHO HAVE REQUESTED CONSIDERATION OR WHO HAVE BEEN RECOMMENDED FOR CONSIDERATION BY OTHERS BE ENCOURAGED TO AGREE TO BE CONSIDERED BY THE COMMISSION.

(C) REQUIRE THE PRODUCTION OF ANY BOOKS, RECORDS, DOCUMENTS OR OTHER EVIDENCE THAT IT MAY DEEM RELEVANT OR MATERIAL TO ITS EVALUATION OF CANDIDATES.

(D) REQUIRE FROM ANY COURT, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR OTHER AGENCY OF THE STATE OR POLITICAL SUBDIVISION THEREOF OR ANY PUBLIC AUTHORITY SUCH ASSISTANCE, INFORMATION AND DATA, AS WILL ENABLE IT PROPERLY TO EVALUATE THE QUALIFICATIONS OF CANDIDATES.

(E) REQUIRE THE APPEARANCE OF ANY CANDIDATE BEFORE IT AND INTERVIEW ANY PERSON CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE.

(F) COMMUNICATE WITH THE GOVERNOR CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE GOVERNOR AND COMMUNICATE WITH THE SENATE CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE APPOINTED BY THE GOVERNOR.

(G) COMMUNICATE WITH THE MAYOR OF THE CITY OF NEW YORK CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE MAYOR OF THE CITY OF NEW YORK, AND COMMUNICATE WITH THE SENATE CONCERNING THE

QUALIFICATIONS OF ANY CANDIDATE APPOINTED BY THE MAYOR OF THE CITY OF NEW YORK.

(H) DO ALL OTHER THINGS NECESSARY AND CONVENIENT TO CARRY OUT ITS FUNCTIONS PURSUANT TO THIS ARTICLE.

2. RECOMMENDATIONS TO THE GOVERNOR SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF THE COMMISSION. THE RECOMMENDATIONS TO THE GOVERNOR SHALL BE TRANSMITTED TO THE GOVERNOR IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE GOVERNOR. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIR PERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR.

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3. RECOMMENDATIONS TO THE MAYOR OF THE CITY OF NEW YORK SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF THE COMMISSION. RECOMMENDATIONS TO THE MAYOR OF THE CITY OF NEW YORK SHALL BE TRANSMITTED TO THE MAYOR OF THE CITY OF NEW YORK IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE MAYOR OF THE CITY OF NEW YORK. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIRPERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE MAYOR OF THE CITY OF NEW YORK.

4. NO PERSON SHALL BE RECOMMENDED TO THE GOVERNOR OR THE MAYOR OF THE CITY OF NEW YORK WHO HAS NOT CONSENTED TO BE A CANDIDATE, WHO HAS NOT BEEN PERSONALLY INTERVIEWED BY A QUORUM OF THE MEMBERSHIP OF THE COMMISSION AS PROVIDED FOR IN SUBDIVISION SIX OF SECTION SIXTY-TWO HUNDRED THREE-A OF THIS ARTICLE, AND WHO HAS NOT FILED A FINANCIAL STATEMENT WITH THE COMMISSION, ON A FORM TO BE PRESCRIBED BY THE COMMISSION. THE FINANCIAL STATEMENT SHALL CONSIST OF A SWORN STATEMENT OF THE CANDIDATE'S ASSETS, LIABILITIES AND SOURCES OF INCOME, AND ANY OTHER RELEVANT FINANCIAL INFORMATION, WHICH THE COMMISSION MAY REQUIRE. THE COMMISSION SHALL TRANSMIT TO THE GOVERNOR THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR. THE GOVERNOR SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE GOVERNOR, BUT NOT APPOINTED BY HIM OR HER SHALL BE CONFIDENTIAL. THE COMMISSION SHALL TRANSMIT TO THE MAYOR OF THE CITY OF NEW YORK THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED TO THE MAYOR OF THE CITY OF NEW YORK. THE MAYOR OF THE CITY OF NEW YORK SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE MAYOR OF THE CITY OF NEW YORK, BUT NOT APPOINTED BY HIM OR HER SHALL BE CONFIDENTIAL.

S 6203-C. RULES OF THE COMMISSION. 1. THE COMMISSION SHALL ADOPT, AND MAY AMEND, WRITTEN RULES OF PROCEDURE NOT INCONSISTENT WITH LAW.

2. RULES OF THE COMMISSION SHALL BE FILED WITH THE CHANCELLOR OF THE CITY UNIVERSITY OF NEW YORK AND SHALL BE PUBLISHED IN THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE CITY AND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK. UPON REQUEST OF ANY PERSON, THE

CHANCELLOR OF THE CITY UNIVERSITY OF NEW YORK SHALL FURNISH A COPY OF THE COMMISSION'S RULES WITHOUT CHARGE.

3. RULES OF THE COMMISSION MAY PRESCRIBE FORMS AND QUESTIONNAIRES TO BE COMPLETED AND, IF REQUIRED BY THE COMMISSION, VERIFIED BY CANDIDATES.

4. RULES OF THE COMMISSION SHALL PROVIDE THAT UPON THE COMPLETION BY THE COMMISSION OF ITS CONSIDERATION AND EVALUATION OF THE QUALIFICATIONS OF A CANDIDATE, THERE SHALL BE NO RECONSIDERATION OF SUCH CANDIDATE FOR THE VACANCY FOR WHICH HE OR SHE WAS CONSIDERED, EXCEPT WITH THE CONCURRENCE OF A QUORUM OF THE COMMISSION.

S 6203-D. CONFIDENTIALITY OF PROCEEDINGS AND RECORDS. 1. ALL COMMUNICATIONS TO THE COMMISSION, AND ITS PROCEEDINGS, AND ALL APPLICATIONS, CORRESPONDENCE, INTERVIEWS, TRANSCRIPTS, REPORTS AND ALL OTHER PAPERS, FILES AND RECORDS OF THE COMMISSION SHALL BE CONFIDENTIAL AND PRIVILEGED AND, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW, SHALL NOT BE MADE AVAILABLE TO ANY PERSON EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

2. THE GOVERNOR AND THE MAYOR OF THE CITY OF NEW YORK SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO PERSONS RECOMMENDED TO

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HIM OR HER BY THE COMMISSION. THE SENATE SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO THE PERSON APPOINTED BY THE GOVERNOR AND THE MAYOR OF THE CITY OF NEW YORK TO FILL A VACANCY. ALL INFORMATION THAT IS NOT PUBLICLY DISCLOSED IN ACCORDANCE WITH SUBDIVISIONS TWO, THREE AND FOUR OF SECTION SIXTY-TWO HUNDRED THREE-B OF THIS ARTICLE, OR DISCLOSED IN CONNECTION WITH THE SENATE'S CONFIRMATION OF THE APPOINTMENT, SHALL REMAIN CONFIDENTIAL AND PRIVILEGED, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW.

3. THE MEMBERS OF THE COMMISSION SHALL NOT PUBLICLY DIVULGE THE NAMES OF, OR ANY INFORMATION CONCERNING, ANY CANDIDATE EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

S 6. Paragraph (a) of subdivision 2 of section 6204 of the education law, as added by chapter 305 of the laws of 1979, is amended to read as follows:

(a) The board of trustees shall consist of seventeen trustees. Ten of the trustees shall be appointed by the governor with the advice and consent of the senate; PROVIDED, HOWEVER, THAT NO SUCH TRUSTEES SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, ANY OF SUCH APPOINTING AUTHORITIES. Five of the trustees shall be appointed by the mayor of the city of New York with the advice and consent of the senate; PROVIDED, HOWEVER, THAT NO SUCH TRUSTEE SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, ANY OF SUCH APPOINTING AUTHORITIES. THE SENATE UPON RECEIVING THE GOVERNOR'S NOMINATION OF A TRUSTEE TO BE CONSIDERED FOR CONFIRMATION SHALL CONSULT WITH THE CHAIR OF THE SENATE HIGHER EDUCATION COMMITTEE AND SHALL PUBLICIZE ITS CONSIDERATION OF SAID NOMINEE. THE SENATE SHALL VOTE TO CONFIRM THE NOMINEE NO EARLIER THAN TWENTY-ONE DAYS AFTER THE NOMINEE'S CONSIDERATION HAS BEEN PUBLICIZED. One ex-officio trustee shall be the chairperson of the university student senate. One ex-officio non-voting trustee shall be the chairperson of the university faculty senate. SUCH TRUSTEES, EXCEPT THE CHAIRPERSON OF THE UNIVERSITY STUDENT SENATE, EX-OFFICIO, AND THE CHAIRPERSON OF THE FACULTY SENATE, EX-OFFICIO, MUST BE RECOMMENDED AND APPROVED BY THE CITY

UNIVERSITY OF NEW YORK'S INDEPENDENT COMMISSION ON BOARD OF TRUSTEE NOMINATIONS.

S 7.

Section 6301 of the education law is amended by adding five new subdivisions 6, 7, 8, 9 and 10 to read as follows:

6. "COMMISSIONS." THE STATE UNIVERSITY OF NEW YORK'S COMMUNITY COLLEGE INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS.

7. "REGIONAL COMMISSIONS." THE STATE UNIVERSITY OF NEW YORK'S REGIONAL COMMUNITY COLLEGE INDEPENDENT COMMISSIONS ON LOCAL BOARD OF TRUSTEES NOMINATIONS.

8. "CANDIDATE." A PERSON WHO HAS REQUESTED THAT THE COMMISSION OR THE REGIONAL COMMISSION CONSIDER HIS OR HER QUALIFICATIONS TO SERVE ON THE LOCAL BOARD OF TRUSTEES OF A STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE; OR (A) WHO HAS BEEN RECOMMENDED FOR CONSIDERATION BY THE COMMISSION OR REGIONAL COMMISSION BY ANOTHER PERSON, INCLUDING A COMMUNITY OR PROFESSIONAL ORGANIZATION; OR (B) WHO HAS AGREED TO BE CONSIDERED BY THE COMMISSION OR REGIONAL COMMISSION AT SUCH COMMISSION'S REQUEST.

9. "LOCAL APPOINTING AUTHORITY." THE LOCAL LEGISLATIVE BODY OR BOARD, OR OTHER APPROPRIATE GOVERNING AGENCY AUTHORIZED TO APPOINT MEMBERS TO A STATE UNIVERSITY COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO SECTION SIXTY-THREE HUNDRED SIX OF THIS ARTICLE.

10. "REGIONAL APPOINTING AUTHORITY." THE REGIONAL LEGISLATIVE BODY OR BOARD, OR OTHER APPROPRIATE GOVERNING AGENCY AUTHORIZED TO APPOINT

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MEMBERS TO A STATE UNIVERSITY REGIONAL COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO SECTION SIXTY-THREE HUNDRED TEN OF THIS ARTICLE.

S 8. The education law is amended by adding four new sections 6306-a, 6306-b, 6306-c and 6306-d to read as follows:

S 6306-A. ORGANIZATION OF THE COMMISSIONS. 1. FOR EACH COMMUNITY COLLEGE, EXCLUDING THOSE IN THE CITY OF NEW YORK EXCEPT FOR THE FASHION INSTITUTE OF TECHNOLOGY, THERE IS HEREBY ESTABLISHED A STATE UNIVERSITY OF NEW YORK COMMUNITY COLLEGE INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS. EACH COMMISSION SHALL CONSIST OF ELEVEN MEMBERS OF WHOM FOUR SHALL BE APPOINTED BY THE GOVERNOR, FIVE MEMBERS SHALL BE APPOINTED BY THE LOCAL APPOINTING AUTHORITY, ONE MEMBER APPOINTED BY THE PRESIDENT OF THE FACULTY COUNCIL OF COMMUNITY COLLEGES, AND ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE. OF THE FOUR MEMBERS APPOINTED BY THE GOVERNOR, NO MORE THAN TWO SHALL BE ENROLLED IN THE SAME POLITICAL PARTY AND TWO OF SUCH MEMBERS SHALL BE GRADUATES OF THE STATE UNIVERSITY SYSTEM. OF THE FIVE MEMBERS APPOINTED BY THE LOCAL APPOINTING AUTHORITY NO MORE THAN THREE SHALL BE ENROLLED IN THE SAME POLITICAL PARTY. NO MEMBER OF A COMMISSION SHALL HOLD ANY ELECTED PUBLIC OFFICE OR OFFICE IN ANY POLITICAL PARTY OR SHALL BE AN EMPLOYEE OF OR UNDER THE SUPERVISION OF ANY PERSON WHO HOLDS SUCH ELECTED PUBLIC OFFICE

OR OFFICE OF A POLITICAL PARTY. NO MEMBER OF A COMMISSION SHALL SERVE IN ANY PUBLIC OR POLITICAL OFFICE WITHIN ONE YEAR OF THE MEMBER'S PERIOD OF SERVICE. THE MEMBERS OF EACH COMMISSION SHALL BE RESIDENTS OF THE STATE.

2. OF THE MEMBERS FIRST APPOINTED BY THE GOVERNOR, TWO MEMBERS SHALL HAVE A TWO-YEAR TERM AND TWO MEMBERS SHALL HAVE A THREE-YEAR TERM AS HE OR SHE SHALL DESIGNATE. OF THE MEMBERS FIRST APPOINTED BY THE LOCAL APPOINTING AUTHORITY, TWO MEMBERS SHALL BE APPOINTED FOR A TWO-YEAR TERM, TWO MEMBERS SHALL BE APPOINTED FOR A THREE-YEAR TERM AND ONE MEMBER SHALL BE APPOINTED FOR A FOUR-YEAR TERM, AS SUCH LOCAL APPOINTING AUTHORITY SHALL DESIGNATE. EACH SUBSEQUENT APPOINTMENT BY THE GOVERNOR AND THE LOCAL APPOINTING AUTHORITY SHALL SERVE A TERM FOR FOUR YEARS. THE MEMBER FIRST APPOINTED BY THE PRESIDENT OF THE FACULTY COUNCIL OF COMMUNITY COLLEGES SHALL SERVE A TWO-YEAR TERM. EACH SUBSEQUENT APPOINTMENT BY THE PRESIDENT OF THE FACULTY COUNCIL SHALL BE FOR A TERM OF FOUR YEARS. THE MEMBER FIRST ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE SHALL SERVE A ONE-YEAR TERM. EACH SUBSEQUENT TERM FOR THE ELECTED MEMBER SHALL BE A ONE-YEAR TERM.

3. A VACANCY SHALL BE DEEMED TO OCCUR IMMEDIATELY UPON THE APPOINTMENT OR ELECTION OF ANY MEMBER TO AN OFFICE THAT WOULD DISQUALIFY HIM OR HER FOR APPOINTMENT TO, OR MEMBERSHIP ON, A COMMISSION. A VACANCY OCCURRING FOR ANY REASON OTHER THAN BY EXPIRATION OF TERM SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THE REMAINDER OF THE UNEXPIRED TERM PURSUANT TO THE PROVISIONS OF THIS SECTION.

4. THE MEMBERS OF A COMMISSION SHALL DESIGNATE ONE MEMBER TO SERVE AS CHAIRPERSON FOR A PERIOD OF TWO YEARS OR UNTIL HIS OR HER TERM OF OFFICE EXPIRES, WHICHEVER PERIOD IS SHORTER.

5. EACH MEMBER OF A COMMISSION SHALL BE ENTITLED TO RECEIVE HIS OR HER ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF HIS OR HER DUTIES.

6. SEVEN MEMBERS OF A COMMISSION SHALL CONSTITUTE A QUORUM.

S 6306-B. FUNCTIONS OF THE COMMISSIONS. 1. EACH COMMISSION SHALL:

(A) CONSIDER AND EVALUATE THE QUALIFICATIONS OF CANDIDATES FOR APPOINTMENT TO THEIR STATE UNIVERSITY COMMUNITY COLLEGE LOCAL BOARD OF TRUSTEES AND, AS VACANCIES OCCUR ON A LOCAL BOARD, SHALL RECOMMEND TO THE GOVERNOR AND LOCAL APPOINTING AUTHORITY PERSONS WHO BY THEIR CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE AND EXPERIENCE ARE WELL QUALI

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FIED TO BE A MEMBER OF SUCH STATE UNIVERSITY COMMUNITY COLLEGE LOCAL BOARD OF TRUSTEES. SUCH QUALIFICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: (1) A BACCALAUREATE DEGREE AS THE MINIMUM EDUCATIONAL CRITERIA; (2) FAMILIARITY WITH ADDRESSING POLICY ISSUES IN A UNIONIZED ENVIRONMENT; (3) UNDERSTANDING OF PUBLIC SECTOR INTERGOVERNMENTAL RELATIONS AS THEY RELATE TO HIGHER EDUCATION INSTITUTIONS; (4) UNDERSTANDING OF AND FAMILIARITY WITH THE KINDS OF ISSUES ARISING IN LARGE COMPLEX ORGANIZATIONS; (5) CURRENT INTEREST IN THE INSTITUTION; (6) A COMMITMENT TO PUBLIC HIGHER EDUCATION; (7) A GENERAL BACKGROUND THAT WOULD ALLOW THEM TO MAKE DECISIONS IN THE BEST INTERESTS OF THE INSTITUTION; (8) AN ABILITY TO RECOGNIZE THE SOMETIMES AMBIGUOUS DISTINCTION BETWEEN MANAGEMENT AND

GOVERNANCE; AND (9) AN ACTUAL AND PERCEIVED INDEPENDENCE FROM POLITICAL INTERFERENCE IN THE GOVERNANCE OF THE INSTITUTION.

(B) ESTABLISH PROCEDURES TO ASSURE THAT PERSONS WHO MAY BE WELL QUALIFIED FOR APPOINTMENT TO A STATE UNIVERSITY COMMUNITY COLLEGE LOCAL BOARD OF TRUSTEES, OTHER THAN THOSE WHO HAVE REQUESTED CONSIDERATION OR WHO HAVE BEEN RECOMMENDED FOR CONSIDERATION BY OTHERS BE ENCOURAGED TO AGREE TO BE CONSIDERED BY THE COMMISSION.

(C) REQUIRE THE PRODUCTION OF ANY BOOKS, RECORDS, DOCUMENTS OR OTHER EVIDENCE THAT IT MAY DEEM RELEVANT OR MATERIAL TO ITS EVALUATION OF CANDIDATES.

(D) REQUIRE FROM ANY COURT, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR OTHER AGENCY OF THE STATE, LOCAL GOVERNMENT OR MUNICIPALITY, OR POLITICAL SUBDIVISION THEREOF OR ANY PUBLIC AUTHORITY SUCH ASSISTANCE, INFORMATION AND DATA, AS WILL ENABLE IT PROPERLY TO EVALUATE THE QUALIFICATIONS OF CANDIDATES.

(E) REQUIRE THE APPEARANCE OF ANY CANDIDATE BEFORE IT AND INTERVIEW ANY PERSON CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE.

(F) COMMUNICATE WITH THE GOVERNOR CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE GOVERNOR AND COMMUNICATE WITH THE SENATE CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE APPOINTED BY THE GOVERNOR.

(G) COMMUNICATE WITH THE LOCAL APPOINTING AUTHORITY CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE LOCAL APPOINTING AUTHORITY.

(H) DO ALL OTHER THINGS NECESSARY AND CONVENIENT TO CARRY OUT ITS FUNCTIONS PURSUANT TO THIS ARTICLE.

2. A RECOMMENDATION TO THE GOVERNOR SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF A COMMISSION. THE RECOMMENDATIONS TO THE GOVERNOR SHALL BE TRANSMITTED TO THE GOVERNOR IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE GOVERNOR. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIR PERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR.

3. A RECOMMENDATION TO A LOCAL APPOINTING AUTHORITY SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF A COMMISSION. RECOMMENDATIONS TO A LOCAL APPOINTING AUTHORITY SHALL BE TRANSMITTED TO THE LOCAL APPOINTING AUTHORITY IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE LOCAL APPOINTING AUTHORITY. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIRPERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE LOCAL APPOINTING AUTHORITY.

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4. NO PERSON SHALL BE RECOMMENDED TO THE GOVERNOR OR A LOCAL APPOINTING AUTHORITY WHO HAS NOT CONSENTED TO BE A CANDIDATE, WHO HAS NOT BEEN PERSONALLY INTERVIEWED BY A QUORUM OF THE MEMBERSHIP OF A COMMISSION AS PROVIDED IN SUBDIVISION SIX OF SECTION SIXTY-THREE HUNDRED SIX-A OF THIS ARTICLE, AND WHO HAS NOT FILED A FINANCIAL STATEMENT WITH A COMMISSION, ON A FORM TO BE PRESCRIBED BY THE COMMISSION. THE FINANCIAL STATEMENT SHALL CONSIST OF A SWORN STATEMENT OF THE CANDIDATE'S ASSETS, LIABILITIES AND SOURCES OF INCOME, AND ANY OTHER RELEVANT FINANCIAL INFORMATION, WHICH A COMMISSION MAY REQUIRE. EACH COMMISSION SHALL TRANSMIT TO

THE GOVERNOR THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR. THE GOVERNOR SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE GOVERNOR, BUT NOT APPOINTED BY HIM OR HER SHALL BE CONFIDENTIAL. THE COMMISSION SHALL TRANSMIT TO THE LOCAL APPOINTING AUTHORITY THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED TO THE LOCAL APPOINTING AUTHORITY. THE LOCAL APPOINTING AUTHORITY SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE LOCAL APPOINTING AUTHORITY, BUT NOT APPOINTED BY SUCH AUTHORITY, SHALL BE CONFIDENTIAL.

S 6306-C. RULES OF THE COMMISSIONS. 1. EACH COMMISSION SHALL ADOPT, AND MAY AMEND, WRITTEN RULES OF PROCEDURE NOT INCONSISTENT WITH LAW. 2. RULES OF EACH COMMISSION SHALL BE FILED WITH THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK AND SHALL BE PUBLISHED IN THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE. UPON REQUEST OF ANY PERSON, THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK SHALL FURNISH A COPY OF ANY COMMISSION'S RULES WITHOUT CHARGE. 3. RULES OF EACH COMMISSION MAY PRESCRIBE FORMS AND QUESTIONNAIRES TO BE COMPLETED AND, IF REQUIRED BY ANY COMMISSION, VERIFIED BY CANDIDATES. 4. RULES OF EACH COMMISSION SHALL PROVIDE THAT UPON THE COMPLETION BY THE COMMISSION OF ITS CONSIDERATION AND EVALUATION OF THE QUALIFICATIONS OF A CANDIDATE, THERE SHALL BE NO RECONSIDERATION OF SUCH CANDIDATE FOR THE VACANCY FOR WHICH HE OR SHE WAS CONSIDERED, EXCEPT WITH THE CONCURRENCE OF A QUORUM OF THE COMMISSION.

S 6306-D. CONFIDENTIALITY OF PROCEEDINGS AND RECORDS. 1. ALL COMMUNICATIONS TO EACH COMMISSION, AND THEIR PROCEEDINGS, AND ALL APPLICATIONS, CORRESPONDENCE, INTERVIEWS, TRANSCRIPTS, REPORTS AND ALL OTHER PAPERS, FILES AND RECORDS OF EACH COMMISSION SHALL BE CONFIDENTIAL AND PRIVILEGED AND, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW, SHALL NOT BE MADE AVAILABLE TO ANY PERSON EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE. 2. THE GOVERNOR SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO CANDIDATES RECOMMENDED TO HIM OR HER BY EACH COMMISSION. A LOCAL APPOINTING AUTHORITY SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO CANDIDATES RECOMMENDED TO IT BY A COMMISSION. ALL INFORMATION THAT IS NOT PUBLICLY DISCLOSED IN ACCORDANCE WITH SUBDIVISIONS TWO, THREE AND FOUR OF SECTION SIXTY-THREE HUNDRED SIX-B OF THIS ARTICLE, SHALL REMAIN CONFIDENTIAL AND PRIVILEGED, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW. 3. THE MEMBERS OF EACH COMMISSION SHALL NOT PUBLICLY DIVULGE THE NAMES OF, OR ANY INFORMATION CONCERNING, ANY CANDIDATE EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

S 9. Subdivision 1 of section 6306 of the education law, as amended by chapter 268 of the laws of 2003, is amended to read as follows:

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1. Each community college, except in the city of New York, shall be administered by a board of trustees of ten members, nine of whom shall

be appointed for terms of seven years in annual rotation, and one member elected as herein provided, except that initial appointments shall be made for terms of one to nine years respectively. Five members shall be appointed by the local legislative body or board, or other appropriate governing agency [~~one of whom may be a member of such local legislative body or board, or other appropriate governing agency, four,~~]; PROVIDED, HOWEVER, THAT SUCH TRUSTEES, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, HAVE BEEN APPROVED BY THE STATE UNIVERSITY OF NEW YORK'S COMMUNITY COLLEGE INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS. NO SUCH TRUSTEE, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, ANY OF SUCH APPOINTING AUTHORITIES. FOUR MEMBERS SHALL BE APPOINTED from among persons residing in the sponsoring community, by the governor [~~and one~~]; PROVIDED, HOWEVER, THAT SUCH TRUSTEES, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, HAVE BEEN APPROVED BY THE STATE UNIVERSITY OF NEW YORK'S COMMUNITY COLLEGE INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS. NO SUCH TRUSTEE, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, ANY OF SUCH APPOINTING AUTHORITIES. ONE member SHALL BE elected by and from among the students of the college who shall serve as a member of the board for a one-year term, provided, however, that the term of the student member first elected shall be nine months commencing October first, nineteen hundred seventy-five. The student member shall be afforded the same parliamentary privileges as are conferred upon voting members, including but not limited to the right to make and second motions and to place items on the agenda. Such student member shall be subject to every provision of any general, special or local law, ordinance, charter, code, rule or regulation applying to the members of such board with respect to the discharge of their duties including, but not limited to, those provisions setting forth codes of ethics, disclosure requirements and prohibiting business and professional activities. The election of the student member shall be conducted in accordance with rules and regulations promulgated by the respective representative campus student association in accordance with guidelines established by the state university trustees. In the event that the student member ceases to be a student at the institution, he shall be required to resign. The governor's initial appointments shall be for terms of two, four, six and eight years respectively and those by local authorities for terms of one, three, five, seven and nine years respectively. Vacancies shall be filled for unexpired terms in the same manner as original selections by the authority responsible for the original selection. The board shall select its own [~~chairman~~] CHAIRPERSON from among its voting membership. Where two or more local sponsors join in the establishment of a community college, the apportionment of the appointments among them shall be made by the state university trustees. Trustees shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this article. Members initially appointed or elected under this subdivision to the board of trustees of any community college hereafter established shall take office immediately upon their selection and qualification, but for purposes of determining the expiration of their respective terms and the commencement of the terms of their successors, the term of office of each such initial

year in which such college was established. The terms of office of all members of the boards of trustees of community colleges heretofore established, appointed or elected as provided in this subdivision, shall terminate on the thirtieth day of June of the calendar year within which such terms expire under the provisions of this subdivision as hereby amended. For the purpose of determining such year all initial terms of office of appointed members of the boards of trustees of community colleges heretofore established shall be deemed to have commenced on the first day of July of the year in which such colleges were established and the terms of their successors for full terms, if any, shall be deemed to have commenced upon the expiration of the number of years from such date for which such initial appointments were made.

The one member elected by and from among the students of the college may be removed by such students in accordance with rules and regulations promulgated by the respective representative campus student association in accordance with guidelines promulgated by the state university trustees. In the case of community colleges in the city of New York the year in which any such college was established for the purposes of this subdivision shall mean the year in which it was or may be determined that its board of trustees be appointed and serve in the manner provided by this subdivision.

The provisions of this subdivision shall not apply to community college regional boards of trustees.

S 10. The education law is amended by adding four new sections 6310-a, 6310-b, 6310-c and 6310-d to read as follows:

S 6310-A. ORGANIZATION OF REGIONAL COMMISSIONS. 1. FOR EACH COMMUNITY COLLEGE REGION AND COMMUNITY COLLEGE SPONSORED BY SUCH REGION, THERE IS HEREBY ESTABLISHED A STATE UNIVERSITY OF NEW YORK REGIONAL COMMUNITY COLLEGE INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS. EACH COMMISSION SHALL CONSIST OF ELEVEN MEMBERS OF WHOM FOUR SHALL BE APPOINTED BY THE GOVERNOR, FIVE MEMBERS SHALL BE APPOINTED BY THE REGIONAL APPOINTING AUTHORITY, ONE MEMBER APPOINTED BY THE PRESIDENT OF THE FACULTY COUNCIL OF COMMUNITY COLLEGES AND ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE. OF THE FOUR MEMBERS APPOINTED BY THE GOVERNOR, NO MORE THAN TWO SHALL BE ENROLLED IN THE SAME POLITICAL PARTY AND TWO OF SUCH MEMBERS SHALL BE GRADUATES OF THE STATE UNIVERSITY SYSTEM. OF THE FIVE MEMBERS APPOINTED BY THE REGIONAL APPOINTING AUTHORITY NO MORE THAN THREE SHALL BE ENROLLED IN THE SAME POLITICAL PARTY. NO MEMBER OF A REGIONAL COMMISSION SHALL HOLD ANY ELECTED PUBLIC OFFICE OR OFFICE IN ANY POLITICAL PARTY OR SHALL BE AN EMPLOYEE OF OR UNDER THE SUPERVISION OF ANY PERSON WHO HOLDS SUCH ELECTED PUBLIC OFFICE OR OFFICE OF A POLITICAL PARTY. NO MEMBER OF A REGIONAL COMMISSION SHALL SERVE IN ANY PUBLIC OR POLITICAL PARTY. NO MEMBER OF A REGIONAL COMMISSION SHALL SERVE IN ANY PUBLIC OR POLITICAL OFFICE WITHIN ONE YEAR OF THE MEMBER'S PERIOD OF SERVICE. THE MEMBERS OF EACH REGIONAL COMMISSION SHALL BE RESIDENTS OF THE STATE.

2. OF THE MEMBERS FIRST APPOINTED BY THE GOVERNOR, TWO MEMBERS SHALL SERVE A TWO-YEAR TERM AND TWO MEMBERS SHALL SERVE A THREE-YEAR TERM AS HE OR SHE SHALL DESIGNATE. OF THE MEMBERS FIRST APPOINTED BY THE REGIONAL APPOINTING AUTHORITY, TWO MEMBERS SHALL SERVE A TWO-YEAR TERM, TWO MEMBERS SHALL SERVE A THREE-YEAR TERM AND ONE MEMBER SHALL SERVE A

FOUR-YEAR TERM, AS SUCH LOCAL APPOINTING AUTHORITY SHALL DESIGNATE. EACH SUBSEQUENT APPOINTMENT BY THE GOVERNOR AND THE REGIONAL APPOINTING AUTHORITY SHALL BE FOR A TERM OF FOUR YEARS. THE MEMBER FIRST APPOINTED BY THE PRESIDENT OF THE FACULTY COUNCIL OF COMMUNITY COLLEGES SHALL

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SERVE A TWO-YEAR TERM. EACH SUBSEQUENT APPOINTMENT BY THE PRESIDENT OF THE FACULTY COUNCIL SHALL SERVE FOR A TERM OF FOUR YEARS. THE MEMBER FIRST ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE SHALL SERVE A ONE-YEAR TERM. EACH SUBSEQUENT TERM FOR THE ELECTED MEMBER SHALL BE A ONE-YEAR TERM.

3. A VACANCY SHALL BE DEEMED TO OCCUR IMMEDIATELY UPON THE APPOINTMENT OR ELECTION OF ANY MEMBER TO AN OFFICE THAT WOULD DISQUALIFY HIM OR HER FOR APPOINTMENT TO, OR MEMBERSHIP ON, A REGIONAL COMMISSION. A VACANCY OCCURRING FOR ANY REASON OTHER THAN BY EXPIRATION OF TERM SHALL BE FILLED BY THE REGIONAL APPOINTING AUTHORITY FOR THE REMAINDER OF THE UNEXPIRED TERM PURSUANT TO THE PROVISIONS OF THIS SECTION.

4. THE MEMBERS OF EACH REGIONAL COMMISSION SHALL DESIGNATE ONE MEMBER TO SERVE AS CHAIRPERSON FOR A PERIOD OF TWO YEARS OR UNTIL HIS OR HER TERM OF OFFICE EXPIRES, WHICHEVER PERIOD IS SHORTER.

5. EACH MEMBER OF A REGIONAL COMMISSION SHALL BE ENTITLED TO RECEIVE HIS OR HER ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF HIS OR HER DUTIES.

6. SEVEN MEMBERS OF A REGIONAL COMMISSION SHALL CONSTITUTE A QUORUM.

S 6310-B. FUNCTIONS OF REGIONAL COMMISSIONS. 1. EACH REGIONAL COMMISSION:

(A) SHALL CONSIDER AND EVALUATE THE QUALIFICATIONS OF CANDIDATES FOR APPOINTMENT TO THEIR STATE UNIVERSITY REGIONAL COMMUNITY COLLEGE LOCAL BOARD OF TRUSTEES AND, AS VACANCIES OCCUR ON A REGIONAL LOCAL BOARD, SHALL RECOMMEND TO THE GOVERNOR AND REGIONAL APPOINTING AUTHORITY PERSONS WHO BY THEIR CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE AND EXPERIENCE ARE WELL QUALIFIED TO BE A MEMBER OF SUCH STATE UNIVERSITY REGIONAL COMMUNITY COLLEGE LOCAL BOARD OF TRUSTEES. SUCH QUALIFICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO: (1) A BACCALAUREATE DEGREE AS THE MINIMUM EDUCATIONAL CRITERIA; (2) FAMILIARITY WITH ADDRESSING POLICY ISSUES IN A UNIONIZED ENVIRONMENT; (3) UNDERSTANDING OF PUBLIC SECTOR INTERGOVERNMENTAL RELATIONS AS THEY RELATE TO HIGHER EDUCATION INSTITUTIONS; (4) UNDERSTANDING OF AND FAMILIARITY WITH THE KINDS OF ISSUES ARISING IN LARGE COMPLEX ORGANIZATIONS; (5) CURRENT INTEREST IN THE INSTITUTION; (6) A COMMITMENT TO PUBLIC HIGHER EDUCATION; (7) A GENERAL BACKGROUND THAT WOULD ALLOW THEM TO MAKE DECISIONS IN THE BEST INTERESTS OF THE INSTITUTION; (8) AN ABILITY TO RECOGNIZE THE SOMETIMES AMBIGUOUS DISTINCTION BETWEEN MANAGEMENT AND GOVERNANCE; AND (9) AN ACTUAL AND PERCEIVED INDEPENDENCE FROM POLITICAL INTERFERENCE IN THE GOVERNANCE OF THE INSTITUTION.

(B) ESTABLISH PROCEDURES TO ASSURE THAT PERSONS WHO MAY BE WELL QUALIFIED FOR APPOINTMENT TO A STATE UNIVERSITY REGIONAL COMMUNITY COLLEGE LOCAL BOARD OF TRUSTEES, OTHER THAN THOSE WHO HAVE REQUESTED CONSIDERATION OR WHO HAVE BEEN RECOMMENDED FOR CONSIDERATION BY OTHERS, ARE ENCOURAGED TO AGREE TO BE CONSIDERED BY THE REGIONAL COMMISSION.

(C) REQUIRE THE PRODUCTION OF ANY BOOKS, RECORDS, DOCUMENTS OR OTHER EVIDENCE THAT IT MAY DEEM RELEVANT OR MATERIAL TO ITS EVALUATION OF

CANDIDATES.

(D) REQUIRE FROM ANY COURT, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OR OTHER AGENCY OF THE STATE, LOCAL GOVERNMENT OR MUNICIPALITY, OR POLITICAL SUBDIVISION THEREOF OR ANY PUBLIC AUTHORITY SUCH ASSISTANCE, INFORMATION AND DATA, AS WILL ENABLE IT PROPERLY TO EVALUATE THE QUALIFICATIONS OF CANDIDATES.

(E) REQUIRE THE APPEARANCE OF ANY CANDIDATE BEFORE IT AND INTERVIEW ANY PERSON CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE.

(F) COMMUNICATE WITH THE GOVERNOR CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE GOVERNOR AND COMMUNICATE WITH

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THE SENATE CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE APPOINTED BY THE GOVERNOR.

(G) COMMUNICATE WITH THE REGIONAL APPOINTING AUTHORITY CONCERNING THE QUALIFICATIONS OF ANY CANDIDATE WHOM IT HAS RECOMMENDED TO THE REGIONAL APPOINTING AUTHORITY.

(H) DO ALL OTHER THINGS NECESSARY AND CONVENIENT TO CARRY OUT ITS FUNCTIONS PURSUANT TO THIS ARTICLE.

2. A RECOMMENDATION TO THE GOVERNOR SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF A REGIONAL COMMISSION. THE RECOMMENDATIONS TO THE GOVERNOR SHALL BE TRANSMITTED TO THE GOVERNOR IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE COMMISSION AT THE TIME IT IS SUBMITTED TO THE GOVERNOR. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIRPERSON, AND SHALL INCLUDE THE COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO THE GOVERNOR.

3. A RECOMMENDATION TO A REGIONAL APPOINTING AUTHORITY SHALL REQUIRE THE CONCURRENCE OF A QUORUM OF A REGIONAL COMMISSION. RECOMMENDATIONS TO A REGIONAL APPOINTING AUTHORITY SHALL BE TRANSMITTED TO THE REGIONAL APPOINTING AUTHORITY IN A SINGLE WRITTEN REPORT, WHICH SHALL BE RELEASED TO THE PUBLIC BY THE REGIONAL COMMISSION AT THE TIME IT IS SUBMITTED TO THE REGIONAL APPOINTING AUTHORITY. THE REPORT SHALL BE IN WRITING, SIGNED ONLY BY THE CHAIRPERSON, AND SHALL INCLUDE THE REGIONAL COMMISSION'S FINDINGS RELATING TO THE CHARACTER, TEMPERAMENT, PROFESSIONAL APTITUDE, EXPERIENCE, QUALIFICATIONS AND FITNESS OF EACH CANDIDATE WHO IS RECOMMENDED TO A REGIONAL APPOINTING AUTHORITY.

4. NO PERSON SHALL BE RECOMMENDED TO THE GOVERNOR OR A REGIONAL APPOINTING AUTHORITY WHO HAS NOT CONSENTED TO BE A CANDIDATE, WHO HAS NOT BEEN PERSONALLY INTERVIEWED BY A QUORUM OF THE MEMBERSHIP OF A REGIONAL COMMISSION AS PROVIDED FOR BY SUBDIVISION SIX OF SECTION SIXTY-THREE HUNDRED TEN-A OF THIS ARTICLE, AND WHO HAS NOT FILED A FINANCIAL STATEMENT WITH A REGIONAL COMMISSION, ON A FORM TO BE PRESCRIBED BY THE REGIONAL COMMISSION. THE FINANCIAL STATEMENT SHALL CONSIST OF A SWORN STATEMENT OF THE CANDIDATE'S ASSETS, LIABILITIES AND SOURCES OF INCOME, AND ANY OTHER RELEVANT FINANCIAL INFORMATION, WHICH A REGIONAL COMMISSION MAY REQUIRE. EACH REGIONAL COMMISSION SHALL TRANSMIT TO THE GOVERNOR THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS

RECOMMENDED TO THE GOVERNOR. THE GOVERNOR SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE GOVERNOR, BUT NOT APPOINTED BY HIM OR HER SHALL BE CONFIDENTIAL. THE REGIONAL COMMISSION SHALL TRANSMIT TO THE REGIONAL APPOINTING AUTHORITY THE FINANCIAL STATEMENT FILED BY EACH CANDIDATE WHO IS RECOMMENDED TO THE REGIONAL APPOINTING AUTHORITY. THE REGIONAL APPOINTING AUTHORITY SHALL MAKE AVAILABLE TO THE PUBLIC THE FINANCIAL STATEMENT FILED BY THE CANDIDATE WHO IS APPOINTED TO FILL A VACANCY. THE FINANCIAL STATEMENTS FILED BY ALL OTHER CANDIDATES RECOMMENDED TO THE REGIONAL APPOINTING AUTHORITY, BUT NOT APPOINTED BY SUCH AUTHORITY, SHALL BE CONFIDENTIAL.

S 6310-C. RULES OF REGIONAL COMMISSIONS. 1. EACH REGIONAL COMMISSION SHALL ADOPT, AND MAY AMEND, WRITTEN RULES OF PROCEDURE NOT INCONSISTENT WITH LAW.

2. RULES OF EACH REGIONAL COMMISSION SHALL BE FILED WITH THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK AND SHALL BE PUBLISHED IN THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE. UPON REQUEST OF ANY PERSON, THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW

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YORK SHALL FURNISH A COPY OF ANY REGIONAL COMMISSION'S RULES WITHOUT CHARGE.

3. RULES OF EACH REGIONAL COMMISSION MAY PRESCRIBE FORMS AND QUESTIONNAIRES TO BE COMPLETED AND, IF REQUIRED BY ANY REGIONAL COMMISSION, VERIFIED BY CANDIDATES.

4. RULES OF EACH REGIONAL COMMISSION SHALL PROVIDE THAT UPON THE COMPLETION BY THE REGIONAL COMMISSION OF ITS CONSIDERATION AND EVALUATION OF THE QUALIFICATIONS OF A CANDIDATE, THERE SHALL BE NO RECONSIDERATION OF SUCH CANDIDATE FOR THE VACANCY FOR WHICH HE OR SHE WAS CONSIDERED, EXCEPT WITH THE CONCURRENCE OF A QUORUM OF THE REGIONAL COMMISSION.

S 6310-D. CONFIDENTIALITY OF PROCEEDINGS AND RECORDS. 1. ALL COMMUNICATIONS TO EACH REGIONAL COMMISSION, AND THEIR PROCEEDINGS, AND ALL APPLICATIONS, CORRESPONDENCE, INTERVIEWS, TRANSCRIPTS, REPORTS AND ALL OTHER PAPERS, FILES AND RECORDS OF EACH REGIONAL COMMISSION SHALL BE CONFIDENTIAL AND PRIVILEGED AND, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW, SHALL NOT BE MADE AVAILABLE TO ANY PERSON EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

2. THE GOVERNOR SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO CANDIDATES RECOMMENDED TO HIM OR HER BY EACH REGIONAL COMMISSION. A REGIONAL APPOINTING AUTHORITY SHALL HAVE ACCESS TO ALL PAPERS AND INFORMATION RELATING TO CANDIDATES RECOMMENDED TO IT BY A REGIONAL COMMISSION. ALL INFORMATION THAT IS NOT PUBLICLY DISCLOSED IN ACCORDANCE WITH SUBDIVISIONS TWO, THREE AND FOUR OF SECTION SIXTY-THREE HUNDRED TEN-B OF THIS ARTICLE, SHALL REMAIN CONFIDENTIAL AND PRIVILEGED, EXCEPT FOR THE PURPOSES OF ARTICLE TWO HUNDRED TEN OF THE PENAL LAW.

3. THE MEMBERS OF EACH REGIONAL COMMISSION SHALL NOT PUBLICLY DIVULGE THE NAMES OF, OR ANY INFORMATION CONCERNING, ANY CANDIDATE EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

S 11. Subdivision 1 of section 6310 of the education law, as amended

by chapter 268 of the laws of 2003, is amended to read as follows:

1. Each community college region and community college sponsored by such region shall be administered by a single board of trustees of four teen members, thirteen of whom shall be appointed for terms of seven years, as set forth in this subdivision, and one member elected as here in provided, except that initial appointments shall be made for terms of one to nine years respectively. Seven members shall be appointed by the local legislative bodies or boards of those counties eligible to appoint members to the community college regional board of trustees; PROVIDED, HOWEVER, THAT SUCH TRUSTEES, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, HAVE BEEN RECOMMENDED AND APPROVED BY THE STATE UNIVERSITY OF NEW YORK'S REGIONAL INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS. NO SUCH TRUSTEE, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF SUCH APPOINTING AUTHORITIES.

~~[The seven locally appointed members of such board may include one member from the local legislative body or board of each county eligible to appoint members to the community college regional board of trustees.]~~

Membership in a community college regional board of trustees shall be apportioned among the counties participating in such board in accordance with the number of full-time equivalent students attending a community college sponsored by such regional board who are residents of the respective participating counties, and in accordance with such further regulations as may be prescribed by the state university trustees. Six members shall be appointed by the governor ~~[and one]~~; PROVIDED, HOWEVER, THAT SUCH TRUSTEES, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE

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STUDENTS OF THE COLLEGE, HAVE BEEN APPROVED BY THE STATE UNIVERSITY OF NEW YORK'S REGIONAL COMMUNITY COLLEGE INDEPENDENT COMMISSION ON LOCAL BOARD OF TRUSTEES NOMINATIONS. NO SUCH TRUSTEE, EXCEPT THE ONE MEMBER ELECTED BY AND FROM AMONG THE STUDENTS OF THE COLLEGE, SHALL BE AN EMPLOYEE OF, OR UNDER THE SUPERVISION OF, ANY OF SUCH APPOINTING AUTHORITIES. ONE member SHALL BE elected by and from among the students of the college who shall serve as a member of the board for a one-year term, provided, however, that the term of the student member first elected shall be nine months commencing October first, nineteen hundred eighty four. The student member shall be afforded the same parliamentary privileges as are conferred upon members, including but not limited to the right to make and second motions and to place items on the agenda. Such student member shall be subject to every provision of any general, special or local law, ordinance, charter, code, rule or regulation applying to the members of such board with respect to the discharge of their duties including, but not limited to, those provisions setting forth codes of ethics, disclosure requirements and prohibiting business and professional activities. The election of the student member shall be conducted in accordance with rules and regulations promulgated by the respective representative campus student association in accordance with guidelines established by the state university trustees. In the event that the student member ceases to be a student at the institution, he shall be required to resign. The governor's initial appointments shall be as follows: (a) two individuals shall be appointed for terms of two and four years respectively; (b) two individuals for terms of six years and two individuals for terms of eight years. Appointments by local authorities shall be as follows: (a) three individuals for terms of one, three and five years, respectively; (b) two individuals for terms of

seven years, and two individuals for terms of nine years. Vacancies shall be filled for unexpired terms in the same manner as original selections by the authority responsible for the original selection. The board shall select its own [chairman] CHAIRPERSON from among its voting membership. Trustees shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this article. Members initially appointed or elected under this subdivision to any community college regional board of trustees hereafter established shall take office immediately upon their selection and qualification, but for purposes of determining the expiration of their respective terms and the commencement of the terms of their successors, the term of office of each such initial member shall be deemed to have commenced on the first day of July of the year in which such college was established. The terms of office of all members of community college regional boards of trustees heretofore established, appointed or elected as provided in this subdivision, shall terminate on the thirtieth day of June of the calendar year within which such terms expire under the provisions of this subdivision as hereby amended. For the purpose of determining such year all initial terms of office of appointed members of the community college regional board of trustees heretofore established shall be deemed to have commenced on the first day of July of the year in which such community college regions were established and the terms of their successors for full terms, if any, shall be deemed to have commenced upon the expiration of the number of years from such date for which such initial appointments were made.

The one member elected by and from among the students of the college may be removed by such students in accordance with rules and regulations

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promulgated by the respective representative campus student association in accordance with guidelines promulgated by the state university trustees.

S 12. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to appointments made on or after such effective date.

ATTACHMENT E

AGENDA ITEM #8: POSITION VACANCY NOTICE (PVN) FOR ASSOCIATE PROVOST FOR RESEARCH AND STRATEGIC PARTNERSHIPS

John Jay College of Criminal Justice

Title	Associate Provost for Research and Strategic Partnerships
Location/Department	Office of Academic Affairs
Position Detail	Executive Compensation Plan
FLSA Status	Exempt
Compensation	Commensurate with qualifications and experience
Web Site	<u>www.jjay.cuny.edu</u>
Notice Number	
Closing Date	Open until filled with review of applications

POSITION DESCRIPTION AND DUTIES

John Jay College of Criminal Justice invites applications and nominations for the position of Associate Provost for Research and Strategic Partnerships. Located steps from Lincoln Center at the cultural heart of New York City, John Jay College offers bachelor's and master's degrees, supports doctoral programs in Criminal Justice and Forensic Psychology, and participates in the doctoral programs of the Graduate School of City University of New York (CUNY). The College has the largest Hispanic enrollment of any four-year college in the northeastern United States. With close to 400 full time faculty actively engaged in research and teaching, the College has experienced significant growth in its sponsored project portfolio and has increasingly become oriented toward grant productivity. We maintain a diverse portfolio of funding sources including the U.S. Department of Education, National Science Foundation, National Institutes of Health, Department of Homeland Security, National Institute of Justice, National Endowment for the Humanities, the Macarthur Foundation, the Ford Foundation, and the Doris Duke Charitable Foundation, among others.

Reporting to the Provost, the Associate Provost for Research and Strategic Partnerships is the chief research officer of the College and the spokesperson and champion for all research, scholarly, and creative work. His/her efforts will be aimed at expanding research activities in all academic areas and developing new institutional research programs and strategic partnerships to support research. In close collaboration with the President and Provost, he/she will serve as the primary contact between the College and federal and state funding agencies and corporate and other partners, including foreign governments and international universities. He/she will have responsibility for promoting and supporting

research and creative activity within the College, assisting faculty to obtain and manage external funding, and broadening awareness of the societal value of the faculty's research activities. He/she will increase the College's success at securing institutional grants to support teaching, learning, and student success. In addition, the Associate Provost works with the President, Provost, Deans, and department chairs to ensure that research and scholarly work are effectively pursued and appropriately valued in the faculty personnel process. He/she works closely with the President and Provost on strategic planning to develop research initiatives and with the Development Office to maximize private foundation and corporate connections, in support of grants and gifts.

The successful candidate will

- Represent the College in University research initiatives
- Coordinate the Human Subjects Institutional Review Board and oversee the responsible conduct of research and other associated compliance activities
- Head the Office for the Advancement of Research, with responsibility for the Office of Sponsored Programs and the Centers for Research, Policy, and Practice
- Chair the Research Advisory Committee
- Serve as a member of various governance bodies, including the College Council, the Faculty Personnel Committee, and the Budget and Planning Committee
- Advocate for facilities and other resources to meet the needs of the John Jay research community
- Formulate strategic priorities that envision the future of research and scholarship at the College
- Create integrated services, transparent research administration, infrastructure, and streamlined processes in support of the research enterprise
- Build relationships with government agencies, foundations, non profits, and other external partners to support opportunities for faculty and students to engage in research and to serve as consultants and interns.
- Administer College-wide programs to allocate research incentive funds, including Scholarly Excellence Awards, Research Incentive Awards, and seed and bridge grants
- Organize seminars and workshops on publishing and research funding
- Organize and sponsor symposia and seminars to promote and showcase research
- Provide mentoring for junior faculty as they develop their own independent research programs
- Serve as a liaison for visiting scholars and faculty exchange programs
- Develop external partnerships with international institutions and organizations

QUALIFICATION REQUIREMENTS

The Associate Provost will possess an earned doctorate and qualify for the rank of full Professor in one of the departments of the College, with a strong background in teaching and research and an excellent record in funded research. The successful candidate will have management experience in an academic environment and will demonstrate highly developed consultative, negotiation, and communication skills. He/she will demonstrate a commitment to diversity and to promoting a culture that nurtures various forms of inquiry

and scholarship, across multiple disciplines.

TO APPLY

Please send cover letter, resume and the names and contact information of three references to:

Address: **Office of Human Resources**

Or submit above mentioned material via e-mail at:

candidates@jjay.cuny.edu

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The City University of New York
An Equal Employment Opportunity/Affirmative Action/Immigration Reform and Control Act/
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ATTACHMENT F

Draft Common Core Structure November 1, 2011

I. Required Common Core

A. English Composition: 7 credits

English composition courses must meet all of the following learning outcomes. A student will be able to:

- Demonstrate critical reading, listening, and analytical skills, including identifying an argument's major assertions and assumptions, and evaluating its supporting evidence.
- Produce coherent texts (such as formal essays, research papers, and reports) using appropriate technology, critique one's own and others' texts, and improve them using standard English, grammar, mechanics, and clear prose.
- Demonstrate research skills using appropriate technology, including finding, evaluating, and synthesizing primary and secondary sources.
- Support a thesis with a well-reasoned argument and communicate persuasively across a variety of contexts, purposes, audiences, and media, using appropriate rhetorical modes and technology.
- Formulate original ideas and integrate them with the ideas of others by employing the conventions of ethical attribution and citation.

B. Mathematical and Quantitative Reasoning: 4 credits

Mathematical and quantitative reasoning courses must meet all of the following learning outcomes. A student will be able to:

- Interpret and draw appropriate inferences from mathematical models, such as formulas, graphs, and tables.
- Use algebraic, numerical, graphical, or statistical methods to draw accurate inferences and solve mathematical problems.
- Represent quantitative problems expressed in natural language in a suitable mathematical format.
- Effectively communicate quantitative analysis or solutions to mathematical problems in written or oral form.
- Evaluate solutions to problems for reasonableness using a variety of means, including informed estimation.
- Identify and apply logically valid arguments.
- Apply mathematics in a real world context.

C. Life and Physical Sciences: 4 credits

Life and physical science courses must meet all of the following learning outcomes. A student will be able to:

- Identify and apply the fundamental concepts and research methods of a scientific discipline.
- Apply the scientific method to explore natural phenomena, including observation, hypothesis development, experimentation, measurement,

data collection, evaluation of evidence, quantitative analysis, and presentation of data.

- Use the tools of a scientific discipline to carry out collaborative investigations in appropriate laboratory settings.
- Obtain, analyze, and interpret data and present it in an effective written laboratory report.
- Apply scientific ethics and unbiased assessment in the reporting of scientific data.
- Retrieve, evaluate, and interpret information from a variety of sources.

II. Flexible Common Core: five 3-credit liberal arts courses, with at least one course from each of the four areas and no more than one course in any discipline. All Flexible Common Core courses must meet the following three learning outcomes. A student will be able to:

- Retrieve, evaluate, and interpret information from a variety of sources and points of view.
- Evaluate evidence and arguments critically.
- Produce well-reasoned written or oral arguments using evidence to support conclusions.

A. World Cultures

A course in this area must meet at least three of the following additional learning outcomes. A student will be able to:

- Identify and apply the fundamental concepts and research methods of a discipline or interdisciplinary field exploring world cultures, including, but not limited to, anthropology, economics, foreign languages (non-duplicative of previous language acquisition), history, political science, and world literature.
- Analyze the concept of culture and global cultural diversity and describe any given event or process from more than one cultural viewpoint.
- Analyze the historical development of a non-U.S. society.
- Analyze the significance of a major movement that has shaped the world's societies.
- Identify and discuss the role that race, ethnicity, class, gender, or belief plays in cultural systems.
- Speak, read, and write a language and use the conceptual skills to appreciate and respond to cultures other than one's own.

B. U.S. Experience in its Diversity

A course in this area must meet at least three of the following additional learning outcomes. A student will be able to:

- Identify and apply the fundamental concepts and research methods of a discipline or interdisciplinary field exploring the U.S. experience in its diversity, including, but not limited to, anthropology, economics, history, political science, sociology, and U.S. literature.

- Analyze the major themes of U.S. history from different social, economic, demographic, cultural, or political perspectives.
- Evaluate how immigration and slavery have shaped the development of the United States.
- Explain the role of the United States in international relations and how this role has influenced the country and the rest of the world.
- Identify and differentiate among the legislative, judicial, and executive branches of government and analyze their influence on the development of U.S. democracy.
- Analyze common institutions or patterns of life in contemporary U.S. society and how they influence or are influenced by race, ethnicity, class, gender, sexual orientation, or other forms of social differentiation.

C. Creative Expression

A course in this area must meet at least three of the following additional learning outcomes. A student will be able to:

- Identify and apply the fundamental concepts and research methods of a discipline or interdisciplinary field exploring creative expression, including, but not limited to, communications, creative writing, media arts, music, and theater.
- Analyze how arts from diverse cultures of the past serve as a foundation for those of the present and describe the significance of works of art in the societies that created them.
- Articulate how meaning is created in the arts or communications and how experience is interpreted and conveyed.
- Demonstrate knowledge of the skills involved in the creative process.
- Use appropriate technologies to conduct research and to communicate.

D. Individual and Society

A course in this area must meet at least three of the following additional learning outcomes. A student will be able to:

- Identify and apply the fundamental concepts and research methods of a discipline or interdisciplinary field exploring the relationship between the individual and society, including, but not limited to, anthropology, computer science, philosophy, psychology, religion, and sociology.
- Examine how an individual's place in society affects experiences, values, and choices.
- Articulate and assess ethical views and their underlying premises.
- Articulate ethical uses of data and other information resources to respond to problems and questions.
- Analyze the transformational impact of science or technology on the individual and society.
- Identify, analyze, and engage with local, national, or global trends and analyze their impact on individual or collective decision-making.

October 31, 2011

ATTACHMENT G

Dear CUNY colleagues,

On June 27, 2011, the CUNY Board of Trustees passed the *Resolution on Creating an Efficient Transfer System*, which specified that general education at CUNY would consist of a 30-credit Common Core for all campuses across the University and a 12-credit College Option for senior colleges. The Chancellor charged the Pathways Task Force with making a recommendation on the contours of the 30-credit Common Core structure.

Attached is a draft structure for the Common Core. Although the Resolution did not require the Task Force to do so, the Task Force is now engaging in formal campus consultation so that it can reflect carefully on coordinated campus feedback. The Task Force hopes to incorporate the best ideas from across the University in revising the structure before submitting it to the Chancellor.

The college president's office should submit the coordinated campus response via email to pathways@mail.cuny.edu by 5 p.m. on November 15, 2011. The Resolution mandates that the Pathways Task Force submit its final recommendation to the Chancellor by December 1, 2011.

There are two parts to the Common Core structure developed by the Pathways Task Force: 1) the Required Core, and 2) the Flexible Core. The Required Core consists of 15 credits, which include seven credits in English Composition, four credits in Mathematical and Quantitative Reasoning, and four credits in Life and Physical Sciences. The Flexible Core, also with 15 credits, includes four thematic areas: World Cultures, U.S. Experience in its Diversity, Creative Expression, and the Individual and Society.

As required in the Board *Resolution*, each area of the Common Core includes specific learning outcomes that a course must meet in order to fulfill that area. Each area, including those in the Required Core, is defined by the learning outcomes it requires, not by its title. For example, "World Cultures" is not limited to those courses with the words "World" or "Cultures" in their names. It is restricted to those courses that satisfy the applicable learning outcomes in that area.

This Common Core structure, with specific learning outcomes defining each area, is designed to do several things:

1. **Bolster the basics.** CUNY students must achieve excellence in the fundamental areas of English, math, and science, so the structure places each of these areas in the Required Core and grants them slightly weightier credits. Effective written and oral communication are given special prominence throughout the Common Core. In the Required Core, English composition obviously expects students to learn how to produce coherent texts and support well-reasoned arguments. Math also requires students to effectively communicate solutions to mathematical problems in written or oral form, and science requires students to produce

effective written laboratory reports. In the Flexible Core, every course requires students to produce well-reasoned written or oral arguments using evidence to support conclusions.

2. **Strengthen critical thinking skills.** High-level critical thinking skills are required in every Common Core course. In English, students must demonstrate critical reading, listening, and analytical skills. In math, students must identify and apply logically valid arguments. In science, students must apply the scientific method to explore natural phenomena, including observation, hypothesis development, and the evaluation of evidence. Every course in the Flexible Core requires the critical evaluation of evidence and arguments from a variety of sources and points of view.
3. **Provide broad curricular exposure.** The Pathways Task Force takes as a given that the first 30 credits of general education at any University should require the study of a wide range of disciplines. Courses in the Flexible Core are limited to three credits to allow students to take five courses. These five courses must be taken in four different thematic areas and five different disciplines. The requirement that students take no more than one course in any particular discipline is designed to mandate the study of different fields and thereby broaden curricular exposure.
4. **Maximize flexibility for the campuses.** The Common Core allows campuses to submit courses across a variety of disciplines in many areas of study. None of the thematic areas in the Flexible Core is defined by discipline, and courses in any discipline or interdisciplinary field may fit in a range of areas. Where disciplines are identified in thematic areas, they are provided only as examples, and are not meant to constitute exhaustive lists. The Flexible Core is designed to grant campuses the maximum opportunity to fit their current general education courses into the Common Core.

At the end of this letter we have included a set of Frequently Asked Questions to help the CUNY community understand the Common Core structure developed here. Although not required by the Board *Resolution*, the Pathways Task Force has also developed a set of overarching Learning Goals to help guide its own work and the work of the campuses as they implement the Common Core. That document, and much more information on the history and work of the Pathways Project, may be accessed on the Pathways website: www.cuny.edu/pathways.

While we welcome all your feedback, in order for a campus response to be most useful, and to increase its likelihood of influencing the final recommendation to the Chancellor, we ask colleges to make concrete and specific suggestions for revision if they seek changes in the Common Core structure. For example, if a college believes that a particular discipline should be placed in the Required Core, we hope that it would not simply describe the importance of learning in that discipline. We request that the college suggest specifically how to alter the structure to include it. Alternatively, if a college

believes there are too many learning outcomes listed in a certain area, we hope that it would not simply describe the burden of numerous outcomes. We request that the college suggest which specific learning outcomes to delete.

The Pathways Task Force looks forward to receiving the coordinated campus feedback by 5 p.m. on November 15, 2011. Please submit campus responses as Microsoft Word documents to facilitate their prompt transmission to the members of the Pathways Task Force for expeditious review and consideration.

Other individuals or groups are also encouraged to submit feedback via email to pathways@mail.cuny.edu.

Sincerely,

Michelle J. Anderson
Dean and Professor of Law, CUNY School of Law

CUNY Pathways Common Core FAQs

Do remedial courses count for the Common Core?

No. Common Core courses must be credit bearing. Remedial courses are not credit bearing. All courses in the Common Core must also be at the college level. The New York State Education Department regulations require: "Credit toward an undergraduate degree shall be earned only for college level work." The CUNY-wide committee tasked with evaluating courses submitted for the Common Core will ensure that all courses approved for the Common Core are college-level courses.

Do all courses in the Common Core have to be at the lowest level?

No. Within each area of the Common Core, colleges must offer at least one course that has no prerequisites. Colleges will also offer higher-level courses. Colleges should submit courses of different levels and students should be encouraged to take courses at levels compatible with their knowledge and skills.

What are College Option credits?

Each senior college will develop its own 12 College Option, general education credits. In addition to the 30 credits of general education in the Common Core, senior colleges will require all students who begin at their colleges to complete 12 College Option credits. Students who transfer in to the senior college with 30 or fewer credits must similarly complete 12 College Option credits. Students who transfer in with more than 30 credits but without an Associate Degree must complete 9 College Option credits. Students who transfer with a completed Associate Degree must complete 6 College Option credits.

Do AAS degree programs have to implement the full Common Core?

No. AAS programs are not required to implement the full Common Core. The Board *Resolution* states: "liberal arts requirements for AAS degrees will be drawn from the

courses approved for the Common Core such that AAS students will receive partial certification for completion of the Core.” Moreover, CUNY will ensure that all licensing and accreditation standards for AAS and other degree programs are met.

What about programs that cannot fit the Core?

It is possible that some high-credit majors with very specific course demands will not be able to accommodate the requirements of the Common Core. At a later stage in the Pathways process, the CUNY Office of Academic Affairs (OAA) will review such cases. In situations where licensing or other requirements preclude program changes, OAA will ensure that students are not required to enroll for additional semesters to complete general education requirements.

What is the relationship between the Common Core and requirements for the major?

The Pathways Majors Committees in nine areas (accounting, biology, business, criminal justice, English, finance, nursing, psychology, and teacher education) are working to recommend the first three to six lower-division courses that will serve as entries into the majors. These committees may also recommend courses for beginning the major that could be taken as part of the Common Core. For example, a student majoring in sociology might be required to complete Sociology 101 as part of the major and also have the option of completing an area of the Common Core by taking Sociology 101. A student could count that course for both the Common Core and the major.

How will the Common Core affect articulation agreements between community colleges and senior colleges?

With respect to the transfer of general education credits, the Common Core will supersede existing articulation agreements. Courses taken as part of the Common Core will transfer as general education credits. Articulation agreements that cover courses in the major might continue to apply, although the work of the Pathways Majors Committees will supersede many articulation agreements in the major.

Will the Common Core also benefit students transferring from a senior college to a community college?

Yes. Common Core courses will transfer for general education credit whether students are transferring from a community college to a senior college, from one senior college to another, from a senior college to a community college, or from one community college to another. If students transferring from a senior college to a community college have taken some or all of the senior college’s 12 College Option credits, those credits will transfer for elective credit or for the major, as appropriate.

ATTACHMENT H

Agenda Item #10: Security Issues

From: Karen Kaplowitz
Sent: Wednesday, October 26, 2011 10:52 PM
To: 'facsen-announce@listserver.jjay.cuny.edu'
Cc: Karen Kaplowitz
Subject: New Plan for Providing Public Safety at John Jay College

Dear faculty colleagues,

When several members of the Faculty Senate's Executive Committee -- Francis Sheehan, Jennifer Dysart, Staci Strobl and I -- met with VP Pignatello and Public Safety Director Stephen Hollowell at our request two days ago on Monday, we asked that a letter be sent to the entire college community about the information contained in the memo, below, and I'm pleased that it has been sent.

However and unfortunately we were not shown a draft of the memo and so we couldn't comment on it or make suggestions. We had asked that the following important information also be included: the CUNY Peace Officers are just that -- peace officers -- and as such have arrest powers. This is true of all 26 of the peace officers who are being hired. The sergeants -- we now have three and will have 5 -- must have a minimum of five years working on a CUNY campus as a peace officer to be eligible for promotion to sergeant. The highest rank is lieutenant and there is no expectation that we will hire any lieutenants.

Our student safety officers will each continue to work the 24 hours each week that they have always worked and so the number of hours each student will work will not change.

We received lots more information, much in answer to a series of questions we asked, and we are seeking additional information, which we will report to the Senate at our next meeting on November 3 at 1:40 pm.

In the meantime, I urge you to introduce yourself to our three new security colleagues and welcome them to the John Jay community as you would do with all new colleagues. So far I have met two of the sergeants at my initiative and I've found them very friendly, very professional, and very grateful for the welcome and appreciative of receiving my business card. The three sergeants are Edward Hickey, Mike Odum, and James Valdes (whom I haven't yet met).

As is true of all our Senate meetings (except when we decide on honorary degree candidates) our meetings are open to all John Jay faculty, who may participate in discussions. Also, you may want to have your dept rep to the Senate and/or any at-large Senate members who are on your faculty report at your next department meeting.

Also on our November 3 meeting agenda are the development of the Senate's response to the draft 30-credit Pathways Core Curriculum being imposed on all CUNY colleges by 80th Street and also a briefing by PSC VP Steve London -- he asked to be invited and we were pleased to do so -- on the lawsuit the PSC is bringing against CUNY because of the central administrations actions with regard to the Pathways curriculum initiative.

These are but three items on an extensive agenda.

Best regards,
Karen

Karen Kaplowitz
President, Faculty Senate

From: Karen Kaplowitz
Sent: Wednesday, October 26, 2011 11:32 PM
To: 'facsen-announce@listserver.jjay.cuny.edu'
Cc: Karen Kaplowitz
Subject: New Plan for Providing Public Safety at John Jay College

Dear all,

I forgot to include following information:

As VP Pignatello wrote in his memo, our CUNY Peace Officers are NOT armed. They are, however, legally permitted to carry arms. In NYS, Peace Officers may make arrests and may carry firearms. But our Peace Officers are NOT armed. CUNY policy is that if any peace officers are to be armed, this must be a decision made by the President of the college and by no one else. (At two CUNY colleges that I am aware of, offices are, in fact, armed.) Furthermore, VP Pignatello and Director Hollowell said that although our peace officers have had firearms training, they would need much, much more extensive firearms training before the President would authorize them to be armed.

All the best,
Karen

Karen Kaplowitz
President, Faculty Senate

ATTACHMENT I

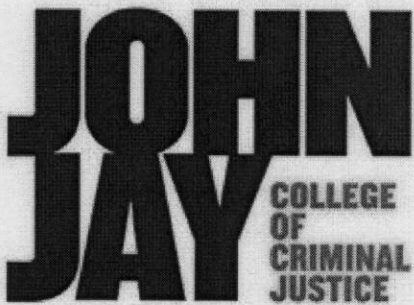
Agenda Item #10: Security Issues

From: Important Announcements

Sent: Wednesday, October 26, 2011 2:38 PM

To: importantannouncements@jjay.cuny.edu

Subject: New Plan for Providing Public Safety at John Jay College



*Robert M. Pignatello
Senior Vice President and
Chief Operating Officer
Finance and Administration*

*899 Tenth Avenue, Room 622
New York, NY 10019
T. 212.237.8500
F. 212.237.8616
rpignatello@jjay.cuny.edu*

TO: The John Jay College Community

FROM: Robert Pignatello, Senior Vice President, Finance and Administration

DATE: October 26, 2011

RE: New Plan for Providing Public Safety at John Jay College

The opening of our new building has provided John Jay College with an opportunity to rethink our approach to public safety. As you have no doubt noticed, we are adding sergeants to our public safety presence, and will soon be augmenting our contingent of student officers with CUNY peace officers. The purpose of this memorandum is to explain the reasons for these changes, and to reaffirm our commitment to providing internship opportunities for John Jay students to work as part-time student officers.

Historically, John Jay has been the only CUNY campus to not utilize uniformed CUNY Peace Officers. Instead, we have been the only CUNY campus to utilize part time student officers. In the future, student officers will continue to play a major role in public safety services at John Jay. In fact, we will be increasing the number of student officers from 56, a year ago, to 66, a year from now. We recognize that these internship opportunities are highly valuable to our students as a source of income, and an opportunity for professional training. We will remain true to this tradition. In fact, John Jay will remain

the only CUNY College that utilizes student officers.

To augment our student officers we will be introducing a new supervisory level, CUNY Peace Officer Sergeants. We have hired the first three, and will hire an additional two Sergeants in the coming months. We will also employ CUNY Peace Officers. We expect to hire five by January, and a total of 21 by October, 2012. These uniformed officers will work alongside and with student officers across the campus.

We believe that this hybrid arrangement is best for our College and will enhance overall public safety. While the student officers play a valuable role in our public safety program, there are limitations on the functions they can perform. Student officers are primarily expected to "observe and report." The College has been concerned for many years about the restricted functions of our security personnel, and the potential for civil litigation against the College should a serious incident take place involving a student officer.

Under our new plan, the duties of the Student Officers and the duties of the Peace Officers will be complimentary and will conform with these legal requirements. This plan also creates greater stability, an important consideration because student officers typically work on average of two years before they graduate. The plan will also improve shift supervision and patrols and will professionalize our response to emergencies.

Some members of our community have asked natural questions about the CUNY Peace Officers. You will note that they wear a uniform prescribed by the University and it is the same uniform at all campuses. John Jay/CUNY Peace Officers do not carry a firearm and there are no plans for them to do so. All CUNY Peace officers carry pepper spray, a baton and handcuffs and ours will as well. CUNY Peace Officers undergo extensive training and must pass a rigorous state certification process to be designated "peace officers". The Peace Officer sergeants have worked for at least five years on another CUNY campus, so they are well versed in the unique challenges of providing security service in a CUNY college environment.

I hope you will join me in welcoming these new members of our community. If you have any questions, please feel free to contact me or Public Safety Director Stephen Hollowell.

ATTACHMENT J

Agenda Item #10: Security issues

John Jay College Public Safety Department Organization

With the opening of the new building and the need to hire additional public safety staff came the opportunity to rethink public safety structure, deployment and increase the level of professionalism and stability. Historically John Jay has been the only CUNY campus to not utilize Peace Officers. Our part time students officers have always and still do perform admirably.

We considered introducing CUNY Peace Officers because:

While there has been a waiver and recognition by CUNY that the work of the Student Officers in many ways serves as an internship program due to their studies and our special mission, as college assistants they are working in the wrong classification for this critical function.

There is of course by nature a high turnover.

It is also important to minimize the potential liability of civil litigation against the College should a serious incident take place involving a College Assistant. By having Peace Officers deal with such incidents we protect the student body, faculty, staff and visitors using CUNY Rules of Conduct and the rule of law.

Improve shift supervision and patrols.

The University has also been advocating that we move in this direction. (We have in fact advocated that other CUNY campuses use student officers and offered to help organize that but there has not been a great deal of interest or support from CUNY Central on this)

In addition we had other professional full time staff in College Assistant positions that needed to be converted to full time professional classifications.

What we decided to embrace was the idea of a hybrid system that would continue to maintain a large base of student officers with certain duties that would be supplemented by Peace Officers and Peace Officer Sergeants who would serve as supervisors. This plan preserves a central role for student officers and the number of student officers will actually increase.

	7/1/2011	10/1/2011	1/1/2012	9/1/2012
Student Officers	47	84	76	66
Peace Officer Sergeants	0	3	5	5
Peace Officers	0	0	5	21

CUNY Peace Officers go through an extensive screening process, which can last from two to three months. They then attend a 12 week CUNY training program and then campus based training. They are instructed in numerous areas such as how to write incident reports, criminal law, powers of arrest, use of force, patrol procedures, guidelines for responding to demonstrations, use of public address system.

Current Overall Department Organization

Presently, we have the Director, Deputy Director and Assistant Director. The Assistant Director works in the evenings and is the alternate for either the Director or Deputy Director. The Environmental Health & Safety/Risk Manager also reports to the Director.

There is one Administrative Manager who is responsible for all the disciplines of the office, key control, ID's, etc, as well as all budgetary responsibilities.

There are five Campus Security Specialists, whose duties involve Operations, Investigations, Risk Management, Ethics, Compliance, Asset & Property Control, and Security Systems. We are budgeted for an additional CSS Level 1 and a CSS Level 2. We are also budgeted to hire a locksmith. (This duty is currently undertaken by a part-timer).

We currently have four Administrative Clerks, who have been promoted from the CA list. This group assists with in-house training, time and attendance, safety inspections and other administrative functions. They do not directly supervise the PSOs and do not instruct the Sergeants.

There is one Executive Assistant whose primary responsibilities are all action items assigned by the Director, scheduling and also assisting with regular office duties and an office receptionist.

There are currently three CUNY Sergeants on board. (We are budgeted to hire five). The Sergeants manage the shift, including roll call, deployment and effectively dealing with all emergency calls such as aided, faculty/student incidents, theft reports etc. They are stationed in the lobbies of HH and NH (and will in the NB) and they patrol the entire campus, including all outlying facilities and the MHC.

Peace Officer Sergeants

The hiring of Sergeants is vital to ensure that a seasoned professional with experience in security protection, school safety and law enforcement take charge of the day to day operations of the new Peace Officers and the Student Officers.

- Peace Officers and Student Officers are supervised by CUNY Peace Sergeants who ultimately take their instructions from the Campus Public Safety Director or his designee.
- The Sergeants are also trained as EMTs and have been instrumental in attending to injuries and complaints of illness effectively while waiting for official emergency response here at JJ.
- Sergeants have also been trained as Fire Safety Directors (will need to take on-site test). This will increase the efficiency of the PS Department, especially given the fact that we have so many different buildings requiring a FSD.
- The Sergeants are also qualified first aid trainers and train all new PSOs in CPR and use of the defibrillators.

Peace Officers

- The Peace Officers role will be multi-faceted and involves the following:
 - Stationed within the lobbies where they will be providing a safe and secure environment by being aware of suspicious activity. They will patrol the campus lobbies and deal with any type of incident that may occur within that area
 - Conduct safety and security inspections by patrolling the campus
 - Dispatched to deal with all emergency calls
 - Provide a law enforcement presence when dealing with any serious incident.
 - Write incident reports
 - Provide a security presence at events
 - Man the command center
 - Utilized whenever possible in dealing with "aided" complaints due to their superior training in first aid.
 - May supervise PSO's in the absence of a Sergeant

Public Safety officer (PSOs – Student College Assistants)

The Public Safety Officers (Students College Assistants) will continue to be utilized within the Public Safety Department. There will be at least a three to one ratio in favor of the student officers. Providing this invaluable work experience will not

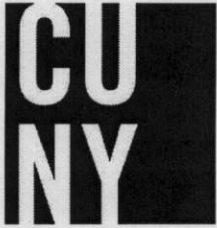
discontinue. Student Officers will be assigned to the following duties:

- The PSO will be assigned to the lobby desks. They will monitor the access control policy as they have always done. They may be also be within the lobby if additional personnel are needed but this will be the exception.
- Provide the college community or visitors with all pertinent and necessary information.
- PSOs will be available for key runs
- Prepare incident reports when required
- Assist the Peace Officers in manning the command center
- PSOs will NOT be answering emergency calls or any incidents that may involve confrontation during normal business operations. The ONLY exception is if they are the nearest Officer personnel to the incident or in the event of a serious disturbance or incident. Peace Officers will also be dispatched to the same emergency call and will then immediately take the lead on any such incident.
- PSOs may not supervise other student officers.

Future Plans

We expect five (5) CUNY Peace Officers (CPOs) to join the Department in January after their training CUNY training. We have budgeted for a total of 21. There has been a new CPO exam, which ended October 15. There is a potential for a new pool of candidates to be available for interview perhaps by January. This would mean that a CUNY college class would not be available until April/May at the earliest. This in turn would mean that the next group of Peace Officers would not be on campus until August/September 2012. Peace Officers will be assigned to the Lobbies of NB, HH and NH, as well as patrol and will respond to incidents as required.

There are currently 76 Public Safety Officers (PSOs John Jay Students working as , College Assistants). We require 84 student officers to supplement the missing Peace Officers until they are hired. When all Peace Officers are on board the PSOs will be reduced to approximately 66. We expect a ratio of 3 to 1 of Student Officers to Peace Officers. **In June of 2011, there were 47 Public Safety Officers.**



EXAMINATION NOTICE

The City University of New York Announces
An Open Competitive Civil Service Examination for

Campus Peace Officer Exam # 2038

Salary Schedule

CURRENT CUNY Employees	New Hires
Upon entry: \$33,824	Upon entry: \$29,933
After three (3) year of service: \$40,723	After three (3) years of service: \$40,723
NOTE: AFTER 12 MONTHS OF SERVICE, ALL FULL TIME EMPLOYEES ARE ENTITLED A TUITION BENEFIT FOR UP TO SIX (6) UNDERGRADUATE CREDITS OR THREE (3) GRADUATE CREDITS PER SEMESTER BASED UPON SPACE AVAILABLE BASIS.	

Written Test Date: Saturday, November 5th, 2011

Filing Period Opens: Monday, September 12, 2011

Filing Period Closes: Friday, October 14, 2011 -Applications must be received or completed online by (not postmarked by) 5:00 PM (Eastern) this date

Filing Fee: \$30 fee is required. All applicants must pay the filing fee, unless qualified to receive a waiver.

Minimum Qualifications for this position require that you:

- Are at least 21 years old
- Have worked for at least 2 years full-time (i.e., 35 hours or more per week)
- Have a High School Diploma or GED
- Are a United States citizen
- Are a resident of New York State
- Possess a valid New York State Driver's License and
- Are fluent in English (must be able to speak, read, write, & comprehend English); proficiency will be evaluated at the time of interview.

Individuals meeting the above requirements & passing the written exam must also pass a medical screening including drug test, physical agility test, psychological screening and background investigation. (See details inside)

The City University of New York (CUNY)

An Equal Opportunity Employer/Affirmative Action/Immigration Reform and Control Act/Americans with Disabilities Act Employer.
Visit the CUNY website at www.cuny.edu

ELIGIBILITY FOR EMPLOYMENT: You must be legally eligible to work in the United States at the time of appointment and throughout your employment with CUNY. If appointed, you must produce documents that establish your identity and eligibility to work in the United States, as required by the federal Immigration Reform and Control Act of 1986, and the Immigration and Nationality Act. Proof of meeting the above requirements is necessary at the time of application. You will be asked to provide proof of having met these requirements.

Description of the Job

In accordance with the policies of The City University of New York and individual colleges, and under supervision, incumbents perform duties supporting campus/location public safety and security.

Community Policing	<p>General Work Tasks</p> <p>Respond to alarms and calls for service from the college community.</p> <p>Enforce college rules and regulations as specified in Standard Operating Procedures.</p> <p>Maintain a personal record (memo book) of daily job activities and incidents.</p> <p>Maintain radio contact with the Department's Central Dispatch.</p> <p>Provide customer service by enthusiastically providing information and services.</p> <p>Assist with crowd control.</p> <p>When assigned, maintain post and tour logs, ensuring that logs are kept current.</p> <p>Write complete, accurate, and timely reports to record campus incidents.</p> <p>Escort students, college VIPs, visiting dignitaries, and others on foot and/or by driving college vehicles.</p>
Law Enforcement	<p>Investigate crimes in accordance with all relevant rules, regulations, and laws of the College, University, New York City, New York State, and Federal Government.</p> <p>Use and maintain defensive equipment (e.g., ASP, handcuffs, pepper spray, etc).</p> <p>Make arrests, perform arrest processing, including warrant checks, voucher evidence according to Departmental procedures and all relevant rules, regulations, and laws of the College, University, New York City, New York State, and Federal Government.</p> <p>Provide testimony in College disciplinary and legal proceedings.</p>
Administrative Duties	<p>Help monitor the performance of Campus Security Assistants and Security Guards.</p> <p>When assigned, carefully monitor the premises through the campus CCTV system.</p> <p>Perform assigned Fire Safety duties, including acting as a Fire Warden, Fire Guard, or Fire Safety Director during fire drills, emergencies, and other building evacuations.</p> <p>Inventory Public Safety equipment.</p>
Access Control	<p>Check IDs and parking passes/decals in accordance with the College's access policy.</p> <p>Provide access to rooms and locations, after receiving the proper authorizations.</p> <p>Accept and voucher items into the campus Lost & Found.</p>
Patrol	<p>Act as a First Responder to alarms and calls for service.</p> <p>Conduct patrols of campus premises on foot, by driving marked, unmarked, and cart vehicles.</p> <p>Control the flow of vehicle and pedestrian traffic on campus property.</p> <p>Upon volunteering for and being selected, incumbents serve as members of special patrols, such as Bike, Canine, and S.A.F.E. Team Patrol Units.</p>

The City University of New York (CUNY)

An Equal Opportunity Employer/Affirmative Action/Immigration Reform and Control Act/Americans with Disabilities Act Employer.
Visit the CUNY website at www.cuny.edu

The Selection Process

APPLICATIONS MUST BE RECEIVED BY CPS HR CONSULTING, BY THE CLOSING DATE OCTOBER 14, 2011.

BY THE CLOSE OF THE FILING PERIOD 5 PM EST., FRIDAY, OCTOBER 14, 2011, YOU MUST:

- Step 1. Complete the electronic application process or the paper application obtained from any CUNY Human Resources office or download from: www.cuny.edu (click on **Jobs at CUNY**, then **Civil Service Exams**).

ONLINE APPLICATIONS ARE STRONGLY RECOMMENDED.

You must meet the minimum qualifications. If you do not meet the minimum qualifications, you will be disqualified from the selection process; if you have already been appointed, you will be terminated from employment. You must attest to the accuracy of the information provided in the application process. You must attest to your understanding that cheating, applying under multiple Social Security Numbers or other ethical breaches will result in disqualification from the exam process.

Note: It is your responsibility to update your contact information. Changes to your name, address, telephone number, or email address will make it difficult for CUNY to locate you if you do not inform us of any changes. Your education and work history will be verified by The City University of New York.

Return the completed packet to:

**CPS HR Consulting
Attn: CUNY CPO Examination #2038
6700A Rockledge Drive, Suite 510
Bethesda, MD 20817**

DO NOT RETURN YOUR PAPER APPLICATION PACKET TO ANY CUNY ADDRESS.

- Step 2. Meet the minimum qualifications for appointment (see the front page). **Supply your New York State Driver's License information: ID #, expiration date, and class.** Pay the non-refundable filing fee of \$30 via credit/debit card within the Exams Xpress system or a U.S. Postal or bank money order, or certified check (made payable to CUNY).

WE CANNOT ACCEPT PERSONAL CHECKS.

Mail payment to:

**CPS HR Consulting
Attn: CUNY CPO Examination #2038
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Submission of fees will not be accepted after the close of the filing period. The filing fee is NOT REFUNDABLE. Waiver of the filing fee is available under §50.5(b) of New York State Civil Service Law. To qualify for a waiver, you must have a *demonstrable* financial hardship or meet the other criteria and complete the **Application Fee Waiver Request and Certification Form**. **Your waiver request form must be submitted along with your application by the close of the filing period.**

- Step 3. Take and pass the written test.
Step 4. After passing the examination, you may view your score in the Exams Xpress system once your final banded score has been calculated.
Step 5. A CUNY Certified List of Eligibles will be established for the title.
Step 6. Qualified applicants may be invited for an interview.
Step 7. Qualified applicants must meet medical, physical, psychological and background verification standards.

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Your final score will be determined by the grade you receive on the Written Test components and the veteran preference credit/legacy credits you receive. Your score will determine the order in which you are certified from the eligible list. The City University of New York reserves the right to refer only a sufficient number of applicants to meet the current and near-term staffing needs. The civil service certified list of eligibles resulting from the OPEN COMPETITIVE examination will be used to fill positions at CUNY colleges located in all five boroughs of New York City.

It is your responsibility to (if applicable):

Submit all supporting documentation of your claims of veteran preference credit or legacy credit, or your requests for disability accommodation during the written test or an alternate written test date due to Sabbath observance (if applicable).

Notice to Retirees: Retirees from public service employment with New York State or its political subdivisions including the City of New York are eligible for appointment. CUNY will not be able to request a waiver of the earnings limitation for retirees under the age of 65, established in Section 212 of New York State Retirement and Social Security Law. The annual earnings limitation is \$30,000 per year.

Specific Qualifications: Before being conditionally appointed, you must:

1. Meet the physical, medical, and psychological requirements as defined; successfully undergo a drug usage screen and you will be required to demonstrate physical ability to perform job tasks. Physical Agility Test includes, but is not limited to, running 300 yards in 80 seconds or less, running down and climbing back up 3 flights of stairs in 45 seconds or less, and dragging 50 pounds a distance of 50 feet in 8 seconds or less.
2. You must undergo a background check, including a fingerprint screening & be able to obtain New York State Peace Officer Status.

Continued employment as a Peace Officer Level is contingent upon the satisfactory completion of training courses / programs prescribed by the Vice Chancellor for Human Resources, and/or the University Director of Public Safety. All Campus Peace Officers are subject to random drug screening.

The Written Test (100% of Final Ranked Rating)

It is anticipated that the written test will be administered on **Saturday, November 5th, 2011**. In case of bad weather, please call 212.794.5672 to learn of any changes to the test administration schedule. A written test will determine your score. **Applicants must pass the written test to be continued in the selection process.** The minimum passing scaled final score is 70. This examination will be prepared and rated in accordance with Section 23(2) of the Civil Service Law. The provisions of the New York State Civil Service Law, rules and regulations dealing with the preparation and rating of examinations will apply to this examination.

This examination consists of: Written Test Component #1 Multiple-choice assessment of relevant knowledge/skills/abilities (KSAs).

The Written KSA Test:

The written test will consist of multiple-choice questions that evaluate general knowledge, skills, and ability used in performing the Campus Peace Officer duties. The content areas are: Judgment, Observational Skills, Dispute Resolution, Customer Service Skills, Interviewing Skills, Communication Skills, Listening Skills, Ability to Follow Orders and Take Direction, Organization Skills, Telephone Skills and Writing Skills. The questions are covered in a situation question format or by multiple-choice requiring possession of such skills. All the information required to answer any question on this written test will be presented in the scenarios and/or as part of the test question itself. You will not be required to have any special knowledge of being a Peace Officer or of CUNY. A Test Review Session will not be held for this test.

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Special Notes

Release of Test Scores Below 70. Per University regulations, the University does not score tests once it has been determined that an applicant failed to meet the minimum qualifications for appointment to the title. In these cases, test scores are assigned an administrative score of "60."

Special Accommodations for Physically or Mentally Challenged Applicants: Accommodations for the written test are available for persons with a verified disability. Applicants must complete a Request for Accommodation form from the Exams Xpress system and ensure that CPS HR Consulting receives it **by the close of the filing period Friday, October 14, 2011**. A physician, licensed psychologist, or agency authorized for the purpose of confirming the specific nature of the applicant's impairment must complete the indicated section of the form. Information regarding applicants' disabilities is confidential, and used only to qualify an applicant for the special accommodation in testing.

Special Accommodations for Religious Beliefs: Applicants unable to participate in the Saturday written test because of a sincerely held practice of their religious beliefs must submit a signed statement on letterhead from the applicant's religious leader certifying to the applicant's religious observance in order to sit for the written test on an alternate examination date. All requests must be presented to CPS HR Consulting (**SEE ADDRESS SHOWN PREVIOUSLY**) **by the close of the filing period Friday, October 14, 2011**.

Special Accommodations for Emergency Situations: Emergencies that will not permit you to attend the written test are:

- Death in the immediate family
- Unforeseen or medically necessary hospitalization
- Military service activation
- Mandated court attendance

These must be documented in advance except for hospitalization or a death in the family. An alternative examination date may be scheduled if warranted. All requests must be written and mailed to CPS Human Resource Services (**SEE ADDRESS SHOWN PREVIOUSLY**) received **no later than the Monday BEFORE the test date Monday, October 31, 2011** providing verifiable documentation of the reason. In the case of a death in the immediate family or an unforeseen hospitalization, an applicant must contact CPS HR Consulting no later than **5:00 p.m. on the Tuesday after the test date** at 866.864.1072 ext. 3245. A determination will be made if you will be scheduled for an alternate test date.

Claiming Veteran Preference Credit

If you pass this examination, you may be eligible for the veteran preference credit if you are currently a New York State resident and have full-time active duty military service in the armed forces of the United States (not the military reserves nor the national/state guards) and have been honorably discharged or separated. Veterans (disabled veterans) who are eligible for additional credit and wish to be considered must indicate this as part of the electronic application process and download the form, complete it and send it to:

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You must submit proof of your eligibility before the establishment of the resulting eligible list. No credit may be granted after the establishment of the list. It is the responsibility of the test-taker to provide appropriate documentation. Effective January 1, 1998, the State Constitution was amended to permit test-takers currently in the armed forces of the United States to apply for and be conditionally granted veteran preference credit.

Claiming Legacy Credit (For Open Competitive Examinations Only)

If you pass an examination for original appointment (not promotion), you may be eligible for an additional 10 points being added to your final examination score if your parent or sibling was killed in the line of duty as a firefighter or

police officer in the service of the City of New York and you are applying for a position which would gain you entry into the public service. Legacy Credit is not applicable for promotional examinations.

1. **For Parent Legacy Credit:** if candidate's parent was killed in the line of duty as a firefighter or police officer in the service of New York City.
2. **For Sibling Legacy Credit:** if candidate's sibling was killed in the line of duty as a firefighter or police officer in the service of New York City as a result of the September 11, 2001, World Trade Center attack, or as a result of the rescue effort that took place in response to the attack.

If a candidate requests Legacy Credit after an application has been submitted, the candidate must write a letter indicating the candidate's name, address, social security number, the open-competitive exam title and number for which Legacy Credit is sought, and whether the request is for Parent Legacy Credit, Sibling Legacy Credit, or both. Claims for Legacy Credit cannot be made once the eligible list is established. All claims for Legacy Credit will be investigated. All candidates making such claims will be required to present to CPS HR Consulting, **prior to eligible list establishment**, documentation verifying their claim, which must be addressed to:

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Note on Legacy Credit Usage:

1. You may use Legacy Credit only once for appointment from a City, State, or County open-competitive Civil Service eligible list from a jurisdiction within the State of New York.
2. Legacy Credit will be added only to the final score of those candidates who pass all parts of the open competitive examination.

Appointment Information

Eligible List – Once you pass the examination, your name will remain on the certified list of eligibles for up to one year, during which time you may be appointed to a probable permanent position in the University.

Proof of Identity and Work Authorization – In accordance with the Immigration Reform and Control Act of 1986, if appointed to CUNY you must be able to provide proof of identity and proof of the right to obtain employment in the United States.

Probationary Period – Each position is subject to a one-year probationary period following appointment from the CUNY Civil Service certified list of eligibles, which may be extended.

Fingerprinting – If you are selected for employment, you must be fingerprinted by The City University of New York. You will be informed where to report and the fee that you must bring (currently \$75, imposed by New York State).

Background Investigation – The University will investigate your background thoroughly. If we discover cheating, ethical breaches, or material facts about you that call into question your qualifications for the title, we will disqualify you. If you already have been appointed or placed on a certified list, we will terminate your employment or remove you from the list.

Advancement – Campus Peace Officers may be advanced to a higher assignment level, based upon the duties of the position. Campus Peace Officers may be eligible to file for the promotional Campus Public Safety Sergeant Examination.

Applicants may call **CPS HR Consulting at 866.864.1072 ext. 3245** for further information.

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