Minutes of Meetings of the Board of Trustees of the State University of New York
June 19 & 20, 2019

The Board of Trustees of the State University of New York met on June 19 and 20, 2019 at State University Plaza, Albany, New York, pursuant to a notice sent by the Office of the Secretary of the University on June 6, 2019.

June 19, 2019
2:00 p.m.

Trustees Present: Chairman McCall, Trustee Belluck, Trustee Corngold, Trustee Duffy, Trustee Kay, Trustee Lewin, Trustee Litow, Trustee Ostro, Trustee Staller, Trustee Tamrowski, Trustee Tisch and Trustee Spiro.

Trustees Absent: Trustee Burke, Trustee Socarides, and Trustee Spielvogel

Others Present: Chancellor Johnson, Dr. Azziz, Ms. Duncan-Poitier, Mr. Haelen, Ms. Ravitz, Ms. McLoughlin, Ms. Wang, Terri Miller, Ms. Garvey, Dr. Laursen, Mr. Megna, Mr. Pratt and Mr. Porter.

CONVENING OF PUBLIC MEETING
Chairman McCall convened the Public Meeting at 2:03 p.m., which was held at the State University Plaza, Albany, NY – President’s Room. Mr. Pratt then called the roll of members, at which time Chairman McCall declared a quorum. The Chairman asked for a motion to convene an executive session under the provisions of Section 105 of the public offices law for the purpose of discussing matters relating to the appointment of particular persons and to seek legal advice pursuant to section 108 of the public officers law.

CONVENING OF EXECUTIVE SESSION
At 2:03 p.m., Chairman McCall called for an Executive Session under provisions of Section 105 of the Public Officers Law

Upon motion by Trustee Litow, seconded by Trustee Lewin
It was unanimously agreed to convene an Executive Session

RECONVENING OF PUBLIC MEETING
Chairman McCall reconvened the public meeting at 4:25 p.m. He stated that during executive session we had several discussions regarding candidates who will be brought to the board for action tomorrow. No decisions were made in the executive session. The meeting was then adjourned.
June 20, 2019
1:00 p.m.

Trustees Present: Chairman McCall, trustee Staller, trustee Corngold, trustee Spiro, trustee Ostro, trustee Spielvogel, trustee Lewin, trustee Tamrowski, trustee Litow, trustee Kay, and trustee Tisch

Trustees Absent: Trustee Belluck, Trustee Burke, Trustee Duffy, Trustee Socarides

Others Present: Chancellor Johnson, Dr. Azziz, Ms. Duncan-Poitier, Mr. Haelen, Ms. Ravitz, Ms. McLoughlin, Ms. Wang, Terri Miller, Ms. Garvey, Dr. Laursen, Mr. Megna, Mr. Pratt and Mr. Porter

CONVENING OF PUBLIC MEETING
Chairman McCall convened the Public Meeting at 1:05 p.m., which was held at the SUNY Plaza, Albany, New York. It was noted there were eleven members participating, including two non-voting members in person. Secretary Pratt called the roll of members, at which time Chairman McCall declared a quorum.
Chairman McCall invited Chancellor Johnson to give her report.

CHANCELLOR’S REPORT
Chancellor Johnson began her report with a brief year in review. She highlighted the launch of SUNYACHIEVE and PRODiG, and the launch SUNY online pilot in the fall of 2019. She noted that SUNY is building an innovation and research enterprise with the RF and Empire State Development, with focus on supporting the campuses' innovation through the provost innovation fund, the communities of practice, and a focus on operational synergies.

Chancellor Johnson also stated she had the pleasure of recruiting a new provost, chief diversity officer, vice chancellor for human resources, and assistant vice chancellors for communications and government relations.

Chancellor Johnson has recommended 10 campus leaders to the board of trustees in terms of building a leadership team, and some of those appointments will be brought in front of the board later in the meeting.

Chancellor Johnson mentions since May a number of internal meetings, new AI Institute at Stony Brook, farming state college commencement distinguished academy leadership, and then our presidents meeting. Along with the mention of a number of external meetings in New York City working with our colleagues with the research foundation, higher ed and assembly, National Grid and the National Institutes of Health Advisory Committee to the Directorate, as well as hosted and co-chaired a town hall and sexual harassment.
Chancellor Johnson announced three major partnerships; two with industry Applied Materials and IBM, and one with NYSERDA and Department of Energy. SUNY set a goal of trying to double our research expenditures over the next decade.

For the 2020 academic year, 11 presidents will be recruited; 8 at the state operated campuses and 3 at community colleges.

Chancellor Johnson says goodbye to Joe Porter and Chairman McCall and continues on with regard to Dr. Ginni Horvath will retire as the President of SUNY Fredonia on June 30th. Recommend Dr. Dennis Hefner for your consideration.

Chairman McCall states the Members of the board have had opportunity to meet with Dr. Hefner and it is believed that he will serve the college well in the capacity of interim president. Chairman then asks the secretary please read the resolution.

**RESOLUTION: Appointment of the Interim Presidential Candidate at SUNY Fredonia**

Resolved that the appointment of Dr. Dennis Hefner as Interim President of State University of New York at Fredonia, effective on or about July 1, 2019, be and hereby is, approved. Dr. Hefner will receive a salary of $240,000 for his service. Dr. Hefner will reside in a campus owned residence and will be provided with use of a campus owned automobile or automobile allowance. This appointment will continue until the Board of Trustees, by resolution, appoints a successor, or the Board of Trustees or Chancellor takes further action with respect to the position of president.

(2019-35)

Upon motion by Trustee Lewin, seconded by Trustee Ostro
Chairman declares that the motion caries

Chancellor continues with appointments, President Sam Stanley of Stony Brook University recently announced his intention to step down as president. Dr. Michael Bernstein is recommended as the interim President for Stony Brook.
Chairman McCall states the members of the board have had opportunity to meet with Dr. Michael Bernstein and it is believed that he will serve well in the capacity of interim president. Chairman then asks the secretary please read the resolution.

**RESOLUTION: Appointment of the Interim Presidential Candidate at Stony Brook**

Resolved that the appointment of Dr. Michael Alan Bernstein as Interim President of Stony Brook University, effective on or about August 1, 2019, be and hereby is, approved. Dr. Bernstein will receive a salary of $560,000 per year from State appropriated funds and $100,000 per year from the campus foundation for this service. Dr. Bernstein will reside in a campus owned residence and be provided with use of a campus owned automobile or automobile allowance. This appointment will continue until the Board of Trustees, by resolution, appoints a successor, or the Board of Trustees or Chancellor takes further action with respect to the position of president.

(2019-36)

Upon motion by Trustee Staller, seconded by Trustee Tisch
Chairman declares that the motion caries

Chancellor continues, President Dr. Dustin Swanger of Fulton Montgomery Community College has stepped down as president. The Fulton Montgomery board of trustees has appointed Gregory Truckenmiller as acting president. Chancellor moves to confirm Dr. Truckenmiller as acting president of Fulton Montgomery Community College.

Chairman McCall states the members of the board have had opportunity to meet with Dr. Truckenmiller and it is believed that he will serve well in the capacity of acting president. Chairman then asks the secretary please read the resolution.

**RESOLUTION: Appointment of the Acting Presidential Candidate at Fulton Montgomery Community College**

Resolved that the appointment of Gregory Truckenmiller as Acting President of Fulton-Montgomery Community College, by the Fulton Montgomery Community College Board of Trustees, effective August 1, 2019, at a salary to be determined, be, and hereby is, approved. This appointment will continue until August 1, 2020, or until the Board of Trustees, by resolution, appoints a permanent president, whichever comes first.

(2019-37)

Upon motion by Trustee Lewin, Seconded by Trustee Litow

Chairman declares that the motion caries

Chancellor continues with the reappoint of Dr. Murabito to continue to serve as interim president as the board of trustees at Niagara County Community College decided to extend its search for a permanent president and would like to reappoint Dr. Murabito to continue to serve as interim president during this process.

Chairman then asks the secretary please read the resolution.

**RESOLUTION: Reappointment of the Interim Presidential Candidate at Niagara County**

Resolved that the re-appointment of William J. Murabito as Interim President of Niagara County Community College, by the Niagara County Community College Board of Trustees, at a salary of $225,000, effective upon approval by the State University of New York Board of Trustees, be, and hereby is approved. This appointment will continue until May 31, 2020, or until the Board of Trustees, by resolution, appoints a permanent president, whichever comes first.

(2019-38)

Upon motion by Trustee Lewin

Seconded by Trustee Litow

Chairman declares that the motion caries

Chancellor continues with the approval of Dr. Alexander Colvin as permanent dean at the Cornell College of industrial and labor relations. Dr. Alexander Colvin was serving as the interim dean of the School of Industrial and Labor Relations.

Chairman McCall states that he will serve well in the capacity of Dean.
RESOLUTION: Appointment of the Dean of the New York State School of Industrial and Labor Relations at Cornell University

Resolved that Dr. Alexander J.S. Colvin be, and hereby is, appointed Dean of the New York State School of Industrial and Labor Relations at Cornell University at an annual state salary of $200,000, effective immediately.

(2019-39)

Upon motion by Trustee Litow, Seconded by Trustee Staller
Chairman declares that the motion carries

Chancellor recognizes individuals that will be retiring:
- Dr. John Ettlinger at Plattsburgh College
- Dr. Tom Schwartz at Purchase.
- Reverend Calvin Butts at Old Westbury
- Dr. Kate Douglas at Corning Community College
- Dr. Stephen Tyrrell and North Country Community College
- Dr. James Campion at Columbia Green Community College

Chancellor continues with a resolution to change the official name of SUNY Downstate, current name of the campus is the State University of New York Health Science Center at Brooklyn. The college has requested that its official name be changed to the State University of New York Downstate Health Sciences University. It is noted that the change is supported by the president the College Council and the campus faculty senate.
Chairman then asks the secretary please read the resolution.

RESOLUTION: Name change at Downstate Medical Center

Resolved that the State University of New York Health Science Center at Brooklyn will, effective immediately, be officially known as the “State University of New York Downstate Health Sciences University” for all legal purposes in accordance with the powers vested in the Board of Trustees by NYS Education Law §355(m); and, be it further

Resolved that the Chancellor or designee shall notify the NYS Board of Regents of the renaming of the Campus as the “State University of New York Downstate Health Sciences University.”

(2019-40)

Upon motion by Trustee Staller, Seconded by Trustee Spielvogel
Chairman declares that the motion carries

COMMITTEE PRESENTATIONS AND RESOLUTIONS
Chairman McCall indicated that they had committee meetings and invited the chairs of the committees to present their reports and resolutions. He first invited the chair of the Audit Committee, Trustee Spiro.

Audit Committee
Trustee Spiro began by stating that Independent accountants Fust Charles Chambers issued an unqualified audit opinion and noted that there were no material weaknesses or significant deficiencies identified during the hospital's financial statement audit. He then states that the audit committee approved the hospital's financial statements. At the June 19, 2019 meeting The university Audit Department presented the audit committee with an updated internal audit charter the audit committee approved the internal audit charter you had before you the resolution to approve.

Trustee Spiro asks the secretary the university please read the resolution.

RESOLUTION: Approval of Audit Charter

Resolved that the Internal Audit Charter dated March 22, 1989 is hereby repealed and replaced with the revised Internal Audit Charter, attached to this Resolution. (2019-41)

Upon motion by Trustee Spiro, Seconded by Trustee Litow Chairman declares that the motion caries

Finance Administration Committee

Chairman turns the floor over to Trustee Staller, chair of the Finance Administration Committee for their report

Trustee Staller introduces 6 resolutions to the board for consent resolution:

RESOLUTION: SUNY Management Confidential Salary Plan Adjustments

Resolved that the “Guidelines for Salary Adjustments for Certain Managerial/Confidential Employees in the Professional Service of the State University” (copy on file in the Office of the Secretary of the University), are approved; and, be it further

Resolved that the salary schedules adopted on September 13, 2018 by Resolution 2018-061 are hereby repealed; and, be it further

Resolved that the “Salary Schedule for Managerial/Confidential Employees in the Professional Service of the State University of New York” (copy on file in the Office of the Secretary of the University) be, and hereby is, approved, subject to and in accordance with any applicable legislation; and, be it further

Resolved that the Chancellor, or her designee, be, and hereby is, authorized to take all steps necessary and appropriate to implement the above-referenced Salary Schedule and Guidelines in a fiscally responsible manner dependent on the individual circumstances of an institution. (2019-42)

RESOLUTION: Amendments to 8 NYCRR Part 302.1(b): State-operated Tuition Rate Schedule

Resolved that the Chancellor, or designee, be, and hereby is, authorized and directed to prepare, in accordance with the provisions of the State Administrative Procedure Act, a Notice of Emergency Adoption and Proposed Rulemaking with respect to amendments to section
RESOLUTION: Extension of Tuition Benefit for Students from Puerto Rico and the U.S. Virgin Islands Displaced by Hurricanes Maria and Irma

Resolved that the Chancellor or designee be, and hereby is, authorized to amend the University’s guidelines governing residency for tuition purposes to make undergraduate and graduate students from Puerto Rico and the U.S. Virgin Islands who have been displaced by either Hurricane Maria or Irma eligible for resident tuition rates for the 2019/20 academic year at SUNY State-operated institutions; and, be it further

Resolved that the boards of trustees of the 30 community colleges operating under the program of the State University of New York, and the boards of trustees of the statutory colleges at Cornell University and Alfred Ceramics, be, and hereby are, encouraged to take similar action or to otherwise provide assistance and support to facilitate the ability of these students to continue their academic studies at the State University of New York.

RESOLUTION: Update to College Fee Policy

Resolved that the Chancellor, or designee, be, and hereby is authorized and directed to prepare, in accordance with the provisions of the State Administrative Procedure Act, a Notice of Emergency Adoption and Proposed Rulemaking with Board Resolution -2- June 20, 2019 respect to amendments to section 302.3 of Title 8 of the Official Compilation of Codes, Rules, and Regulations of the State of New York, to read as set forth below; and, be it further

Resolved that the State University’s College Fee Policy, Document #7800, be revised and updated to reflect that the college fee at the four University Centers is $125.00 per year, and $50.00 per year at all other State-operated campuses, and the same is hereby approved. 302.3 College fees.

RESOLUTION: Non-Tuition Fees, Rentals, and Other Charges Policy

Resolved that the maximum ACES fee shall increase from $375 a year to $525 a year through the amendment and restatement of Policy No. 7804, Non-Tuition Fees, Rentals, and Other Charges, in the form attached to this Resolution.

RESOLUTION: Adoption of 2019/20 State-operated and Statutory Campus Core Instructional Budgets

Resolved that the appropriated core operational budget allocations by campus and program set forth in the attached documents be, and hereby are, approved for the State University for the 2019/20 University fiscal year beginning July 1, 2019, in a total amount of $2,939,726,100; and, be it further
Resolved that the $14,000,000 that was removed from the base support of the State-operated campuses in the 2011/12 year by the Board of Trustees continue to be used to support infrastructure needs for emerging strategic initiatives and risk mitigation activities with the approval of the Chancellor or the Chancellor’s designee and consultation of the Board of Trustees; and, be it further

Resolved that the $18,000,000 in lump sum direct state tax support be allocated in a manner that will best support the strategic direction of the State University system; and, be it further

Resolved that the $4,000,000 in direct state taxpayer support be utilized in the most efficient manner possible with the goal of providing $8,000,000 in textbook and other educational resources costs to students across the SUNY system; and, be it further

Resolved that the Chancellor, or designee, be, and hereby is, authorized to modify the allocations provided for herein (excepting the statutory colleges), in accordance with Resolution No. 86-48 adopted March 26, 1986, and to develop and transmit to the Director of the Budget and to the Chairs of the Senate Finance Committee and Assembly Ways and Means Committee a financial plan consistent with the allocations provided for in this resolution.

(2019-47)

Upon motion by Trustee Staller, Seconded by Trustee Litow
Trustee Ostro voted in the negative on resolutions 2, 4 and 5 (Amendments to 8 NYCRR Part 302.1(b): State-operated Tuition Rate Schedule, Update to College Fee Policy, and Non-Tuition Fees, Rentals, and Other Charges Policy)
Chairman declares that the motion caries

**Naming Policy and Procedure Review Committee**

Chairman turns the floor over to the chair of the Naming Policy and Procedure Review Committee, Trustee Spiro. He goes on to say report that the Chancellor is seeking action from the board today as circumstances unfortunately have changed and some of you may have read in May of this year a federal court jury in Boston convicted Mr Kapoor. The jury found that he had engaged in a racketeering conspiracy mail fraud conspiracy wire fraud conspiracy and conspiracy to violate the federal anti-kickback laws.
Trustee Spiro asks the secretary the university please read the resolution.

**RESOLUTION: Revocation of Honorary Degree Awarded to John N. Kapoor and Revocation of Naming of the Pharmacy Building at the State University of New York at Buffalo**

Resolved that Resolution 2018-16 naming UB’s Pharmacy building “John and Editha Kapoor Hall” shall be revoked, as the criminal conduct with which Mr. Kapoor has been convicted is wholly antithetical to the University’s professional standards and ethical
principles, and is injurious to the reputation of the State University of New York and its students.  

(2019-48)

Upon motion by Trustee Litow, Seconded by Trustee Lewin
Chairman declares that the motion caries and the degree has been revoked.

Research and Economic Development

The Chairman turns the floor over to Acting Chair of the Research and Economic Development, Trustee Litow. He reported on the committee meeting that was held earlier in the day highlighting the presentation that was given by Heather Hogg vice president of industry and external affairs at SUNY Research Foundation and Matt Watson the Director of Science Technology and Innovation also called NY star at Empire State Development. He also reported on the committee’s discussion with SPDC director, Brian Goldstein regarding a partnership with SUNY. And another presentation by Dr Wang was mentioned. The committee was presented with a resolution on SUNY’s statement on foreign disclosure and export controls to achieve full transparency.

Trustee Litow asks the secretary the university please read the resolution.

RESOLUTION: Foreign Disclosure Export Controls

Resolved that the Chancellor, or designee, release a Statement on Foreign Disclosure and Export Controls, which shall address applicable requirements under state and federal law, and provide advice and resources with regard to making necessary disclosures and managing foreign relationships related to University research and education; and, be it further

Resolved that SUNY state-operated campuses will provide training and/or resources regarding foreign interest disclosure and export control laws and regulations.  

(2019-49)

Upon motion by Trustee Corngold, Seconded by Trustee Litow
Chairman declares that the motion caries

Student Life Committee

The Chairman turns the floor over to the Co-Chair of the Student Life Committee, Trustee Lewin and she reported on the committee’s last meeting in May. The proposed policy relates to standards needed to meet the accessibility requirements and establish best practices for EIT compliance to support our university’s communities. She noted the recent provision in the resolution, that if necessary and with permission of the Provost campus this may share an EIT officer.

Chairman accepted the motion
Trustee Lewin asks the secretary the university please read the resolution.
RESOLUTION: Electronic Information Technology policy

Resolved that the recommendations set forth in the Final Report and Recommendations (on file with the Office of the Secretary and summarized below) which comprise the SUNY EIT Accessibility Policy, be, and hereby are, approved for both SUNY State-operated campuses and community college colleges:

The SUNY Chancellor will designate an EIT Accessibility Officer for System Administration no later than December 31, 2019 with responsibilities as outlined in the attached report;

- Each campus president will designate an EIT Accessibility Officer for their respective campus no later than December 31, 2019 with responsibilities as outlined in the attached report;
- System Administration and each campus will develop and adopt—via a consultative process that includes local faculty governance procedures—an EIT Accessibility Plan, to be developed no later than June 30, 2020, which includes, at a minimum, the key program elements described in the attached report;
- System Administration and each campus will use the standards created by the EIT Accessibility Committee as a baseline for EIT compliance and inclusion, and nothing shall preclude System Administration and each campus from adopting standards that are more inclusive than those created by the EIT Accessibility Committee;
- EIT Accessibility Plans shall be modified and updated over time in response to evolving technology and new requirements, user feedback, and the regular review of outcomes and effectiveness; and, be it further
- Resolved that the University Provost and Chief Information Officer are jointly charged with identifying shared services or System-wide procurement opportunities in support of this work; and, be it further

Resolved that the University Provost will establish a short-term implementation committee to support campus and System Administration development and implementation of their respective Accessibility Plans and to develop a model for assessing and evaluating policy implementation; and, be it further

Resolved the campus presidents will report annually to the Chancellor on their progress.

(2019-50)

Upon motion by Trustee Lewin, Seconded by Trustee Ostro
Chairman declares that the motion caries

APPROVAL OF MINUTES
Approval of Minutes of the Board of Trustees Meetings Held on May 8, 2019.
Secretary of the University asks the board if there are any changes or amendments to the minutes.
Chairman asks for a motion to approve

Upon motion by Trustee Spielvogel, Seconded by Trustee Lewin
Chairman declares that the minutes are approved.

**Faculty Council of Community Colleges Report**

The floor is turned over to Trustee Tamrowski to give the report on the Faculty Council of Community Colleges. She spoke on the resolutions that were previously passed through a working group, revision plans for Gen Ed, and her retirement and her 80’s themed party. Trustee Tamrowski acknowledged Chairman McCall received the Distinguished Service Award from the Faculty Council of Community Colleges in 2015.

Turned over to the Chairman.

**Chairman H. Carl McCall’s Recognition**
Chairman McCall address the board with his farewell address:

“It's really been a pleasure to listen to you and to be with you today. I would like to begin by thanking my colleagues around this table and members of the board and members of the executive staff and others for celebrating my retirement last night. I cannot begin to express how much my time at the State University of New York has meant to me and how much each of you have enriched my life. I will always think of SUNY as a tremendous place because it has managed to bring so many phenomenal people together to provide invaluable opportunities to New York State citizens. The State University of New York. There's never been about our buildings and about books It's true worth has always come from the individuals that have collectively strive to educate and empower all New Yorkers. Your diligence and ingenuity are why Sunnis stands as the most exemplary system of higher education in our nation. Together we have really moved mountains. Thank you for allowing the esteemed privilege of leading such an unparalleled team. We have done some incredible things during our time together in the midst of a regressive political climate and in top and tolerant society and turbulent economic forecasts. We have consistently and unapologetically expanded the levels of access and opportunity that the State University of New York has offered to students from all over the world. As I bid goodbye to my post as the chairman of this great institution I encourage all of you to continue the fight. Keep the faith. It will most assuredly be challenges that appear obstacles that obstruct. And disappointments that disheartening. However if SUNY is the service society's lighthouse it must be immersed in hope as opposed to drowning in pessimism and cynicism. We must maintain our belief that the education and opportunities we provide that we provide are transforming hundreds of thousands of students every year into citizens who will safeguard and promote the progression of our society. We must also just transmit this hope to our students and ensure that the faith that they have in themselves outweighs the fear they encounter in society. SUNY exists to learn search and serve I've dedicated my life to those missions in every capacity that I've held. I leave SUNY with great joy knowing that you will continue to work with a commitment to these high ideals. Working with you has been one of the greatest pleasures of my life. From the depths of my heart I thank you.”
Standing ovation from the full board, staff and audience.

Chancellor Johnson introduces a recording of Governor Cuomo when he appeared on the WAMC Roundtable and he applauded the chairman McCall’ accomplishments. She then introduces a video of colleagues and staff in honor of Chairman MCCall. Chancellor Johnson asks the secretary the university please read the resolution.

**RESOLUTION: Appointment of H. Carl McCall as Chairman Emeritus**

Resolved that the Board of Trustees hereby bestows upon H. Carl McCall the honorary title of “Chairman Emeritus” for his past service and continued partnership with the State University of New York.

(2019-51)

Upon motion by Trustee Lewin, Seconded by Trustee Staller
Chairman declares that the minutes are approved.

**ADJOURNMENT**
Chairman McCall asks for a motion to adjourn if there being no further business

Upon motion by Trustee Litow, Seconded by Trustee Spielvogel
Chairman declares meeting adjourned at 2:29 p.m.