

**NEW JERSEY INSTITUTE OF TECHNOLOGY
BOARD OF TRUSTEES
MINUTES - PUBLIC SESSION (DRAFT)
(April 9, 2009)**

1. The meeting was called to order by Acting Chairperson DeCaprio, at 11:20 a.m. Other Trustees in attendance were Vice Chair DePalma (telephonically), and Board Members Bone, Beachem, Cistaro, Garcia, and Knapp. Also in attendance were President Altenkirch, Mr. Mauermeyer, Board Treasurer, and Ms. Holly Stern, Board Secretary.

In accordance with the New Jersey Open Public Meeting Act, the Chairperson read the following statement:

“Notice of this meeting was provided to the public as required by the New Jersey Meeting Act, in the schedule of meeting dates of the Board of Trustees of New Jersey Institute of Technology which was mailed to the Star Ledger, The Herald News and Vector on March 16, 2007. The Schedule was also mailed to the City Clerk of Newark on March 16, 2007, for filing with that office and posting in such public place as designated by said Clerk.”

2. The Board meeting was opened to public comments. Dr. Eugene Golub, President of the NJIT PSA/AAUP made a presentation to the Board. He introduced two guests present at the open session, Ernie Benjamin, Chief Executive of the National AAUP, and Lucy Millerand, President of the Union of Rutgers Administrators and former NJIT employee. Dr. Golub discussed his objection to transitioning the across-the-board increases for faculty to zero percent over the life of the contract, and the removal of salary caps. He stated that currently an average of 10.43 faculty members per year receive the maximum amount of merit steps. He further stated that the administration’s proposal was not required to rewarding outstanding faculty, asserting that there were other means with which to reward outstanding faculty, such as summer pay, and maximizing the award of merit steps. He presented slides comparing faculty member salaries with and without the addition of the maximum amount of steps, and the full amount of allowable summer pay. He concluded that outstanding faculty can be adequately rewarded under the current system. He expressed that there were other means to deal with problem faculty, which he felt to be few in number, but cutting off salary increases to them was not the answer and would make them more bitter. He added that the PSA would work with the administration if there were issues of problem faculty. Faculty perform in a variety of areas, and excellence in all areas should be rewarded, not just research.

He asked why the PSA was the only public union facing the elimination of "COLA."

Dr. Golub further stated that in the past the union agreed to convert increments into merit, and claimed that during the same time period senior public administrators' salaries increased 13% per year. He further stated that moving to a merit system adds increasing amounts to outstanding faculty, and that COLA must be there or you run into serious problems. Teaching loads are increasing. With respect to the professional administrators, he stated the PSA feels that professional staff deserve just cause protection. He also indicated that the university budget for Division I athletics cost \$6 million per year. Finally, he handed out a petition that contained no signatures, but he indicated that 500 members of the PSA had signed it, and their signatures were available in the PSA office. He also handed out a copy of his remarks to the Board.

3. BY A MOTION DULY MADE BY MR. BONE, SECONDED BY MR. CISTARO, AND UNANIMOUSLY PASSED, the Board moved to go into closed session to discuss matters related to Personnel.
4. BY A MOTION DULY MADE BY MR. CISTARO, SECOND BY MR. BEACHEM AND UNANIMOUSLY PASSED, the Board moved to continue with the public session.
5. BY A MOTION DULY MADE BY MR. BONE, SECONDED BY MS. GARCIA AND UNANIMOUSLY PASSED, the minutes of the February 12, 2009 meeting were approved.
6. BY A MOTION DULY MADE BY MR. CISTARO, SECONDED BY MR. BEACHEM AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO CHANGE THE NAME OF THE BS IN INFORMATION SYSTEMS TO BS IN WEB AND INFORMATION SYSTEMS.
7. BY A MOTION DULY MADE BY MR. KNAPP, SECONDED BY MS. GARCIA, AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO ESTABLISH THE MS IN PHARMACEUTICAL BIOPROCESSING and the RESOLUTION TO ESTABLISH THE BFA (Bachelor of Fine Arts).
8. BY A MOTION DULY MADE BY MS. GARCIA, SECONDED BY MR. KNAPP AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO ADOPT IDENTIFY THEFT PROGRAM.
9. BY A MOTION DULY MADE BY MR. BEACHEM, SECONDED BY MR. BONE AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO ESTABLISH AN ONLINE TUITION RATE.

10. BY A MOTION DULY MADE BY MR. BONE, SECONDED BY MR. BEACHEM AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO AUTHORIZE EXCLUSIONS OF CERTAIN NJIT PERSONNEL FROM REQUIRED FILING.
11. Dr. Sebastian discussed research growth strategies, and presented a midyear review with respect to research growth. He reviewed the highlights of the past year, which include the completion of construction of the world's largest ground based solar telescope at Big Bear Solar Observatory; renewed support by the FHA of TELUS (Transportation and Economic Land Use System) project; being part of the team that was awarded a Center of Excellence for Border and Immigration Security; ACE (Nano Advanced Cluster Energetics) technology that was transitioned to production, NSF-funded Industry University Cooperative Research Center in its third year review, and our Mathematical Sciences Research and Development rated 37th in the United States. With respect to the research expenditure summary, we will probably be in excess of \$90 million by the end of the fiscal year. Our FY 10 priorities include securing new Department of Defense appropriations, building upon the NSF-ERC relations, expanding funding through DHS, the Center for NJ Business Force Partnership at Picatinny Arsenal, the Center for Building and Architecture Science program in sustainable design, and the BBSO suite of projects. With respect to federal stimulus funds, there is little available for higher education, though there are some prospects under the American Recovery and Reinvestment Act. Specifically we are looking at the NSF for new funding proposals, new research related to infrastructure grants, NIH supplements to existing grantees, and Newark infrastructure initiatives including water infrastructure, sustainable building, academic infrastructure and healthcare information systems.
12. Vice President Bloom summarized the previous discussion and board materials on FY 09 enrollment and FY 10 enrollment projections, noting that we expect a 6% growth in enrollment.
13. Dr. Altenkirch discussed issues relative to the FY 10 Budget. The Governor's full proposed budget document is now available, and currently it shows that no funds are allocated for FY'10 salary program money. We need to see how that plays out.
14. Dr. Altenkirch also reported that we successfully completed the NCAA Certification process for Division I Athletics. The certification process is analogous to an accreditation process, in that there is a self-study step, and receipt of certification. We met all the NCAA requirements. Next fall we will be fully vested. With respect to Dr. Golub's remarks to the Board, we do not in any way spend \$6 million per year on athletics. Of the funds that go to Division I athletics, the biggest amount is in athletics scholarships (\$1.6 million). These are dedicated funds, and they bring in Federal and state aid. As well, the athletics program has helped our enrollment growth, diversity and visibility for the university. Dr.

Altenkirch acknowledged Dr. Johnson as leading the effort with respect to successful completion of the NCAA self-study team.

15. Dr. Altenkirch updated the Board on the status of the university's purchase of Central High School. Currently the plans of the NPS to build a new West Side High School may have an impact on the timing of the closing, and there needs to be a conversation with NPS. The School Development Authority needs to resolve this within 60 days, so we will have an update for the June meeting.
16. Dr. Altenkirch also updated the Board on the status of the NJIT campus Gateway plan. Currently, there is a draft redevelopment agreement prepared that is under consideration by the City legal department.
17. Dr. Altenkirch further discussed the Facilities Plan, which he described as well thought out, and available on the university website.
18. Senior Vice President Mauermeyer reported on the Operating Statement for the Eight months ended February 28, 2009, and the Schedule of Short Term Investments. At this time we are two-thirds of the way through the fiscal year and the results are generally on track with the budget. A few points should be noted. The variance in the State Appropriations income reflects the mid-year cuts by the State. Our financial aid awards are essentially completed. On the Expense Report he noted that at this time we watch the encumbrances shown in the far right column to see that commitments do not exceed the budget. We are holding a number of positions vacant to cover this year's state cut and are reviewing personnel, and other budgets, for FY 10. With respect to the Schedule of Investments, the \$44 million reflects the tuition receipts for the spring semester. There will no further significant cash receipts beyond the appropriations until June. Cash flow will be monitored and there are no anticipated difficulties in meeting payroll and accounts payable through the end of the fiscal year.
19. Dr. Dees reported on gifts and fundraising activities. While we are running behind last year in the number of alumni donors, by the end of the year, we will be about where we were last year. Dr. Dees also noted that last year was a record breaking year in terms of donations. The Athletics Hall of Fame dinner is set for May 9th, and the invitations are out. This year's Celebration dinner will be on November 11th at the Pleasantdale Chateau.
20. The Chairperson announced that the next scheduled closed session would be convened on Thursday, June 4, 2009, at 9:30 AM, at Eberhardt Hall Alumni Center Board Room, to discuss personnel, real estate and contract matters. The following resolution was read and approved by all Trustees present.

WHEREAS, there are matters that require consideration by the Board of Trustees that qualify under the Open Public Meetings Act for discussion at a Closed Session;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees shall have a Closed Session to discuss such matters as personnel, real estate and contract matters on Thursday, June 4, 2009 at 9:30 AM, Eberhardt Hall Board Room.

The next Public Session of the Board will take place on Thursday, June 4, 2009 at 11:00 AM, Eberhardt Hall Board Room, following the Closed Session of the Board.

The meeting was adjourned at 12:50 pm.