

**NEW JERSEY INSTITUTE OF TECHNOLOGY  
BOARD OF TRUSTEES  
MINUTES - PUBLIC SESSION (DRAFT)  
(July 16, 2009)**

1. The meeting was called to order by Chairperson Wielkopolski, at 11:35 a.m. Other Trustees in attendance were Vice Chair DePalma (telephonically), and Board Members Beachem, Cistaro, Garcia, Knapp, Montalto, O'Brien and Sugla. 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 November 19, 2008. The Schedule was also mailed to the City Clerk of Newark on November 19, 2008, for filing with that office and posting in such public place as designated by said Clerk.”

2. BY A MOTION DULY MADE BY MR. KNAPP, SECONDED BY MR. BEACHEM AND UNANIMOUSLY PASSED, the minutes of the June 4, 2009 meeting of the Board of Trustees were approved.
3. Mr. Henry Schaier addressed the Board at the public comments portion of the meeting. He explained that he is the parent of a student in the School of Architecture. He presented a FERPA release signed by his son; however, it did not authorize discussion of his son's status at a public meeting. Accordingly, Ms. Stern advised him that the prepared handout, contained personally identifiable information about his son and his academic status, could not be accepted in the public session. He withdrew all copies and it was not presented to the Board. He stated that he is concerned about the quality of education at the School of Architecture. He objects to the movement to teachers acting as coaches, rather than teaches. He further stated that none of the School of Architecture faculty has an education degree or training as a teacher. He stated that many of the students in the SOA are floundering. He asserted that only 41% of architecture students complete their degrees, and that there is a high drop out rate due to the quality of teaching. Desk critiques are problematic. This is a violation of studio culture policy. Five classes in one course were eliminated, and a pre-final review was cancelled. He stated that the curriculum is a contract, which was broken. He further stated that there is an academic bias towards certain students who are

“pets” and gossip creates the bias. With respect to the student grade appeal process, a student is tried by the same jury twice, and the student has no chance to rebut the evidence. A direct appeal was denied. He summarized by stating that there is a disregard for the established curriculum and the illegalities in the appeals process.

4. The Board voted to go into closed session at 11:40 a.m. to discuss the confidential issues raised by Mr. Schaier. At the conclusion, the Board voted to return to the public session.
5. The Board next discussed the Resolution to set FY 2010 Schedule of Tuition and Fees for FY 2010. We need to reduce personnel expenditures by \$2.7 million. In FY 2011, if the across the board increases are delayed, the State pattern would reflect a 7% across the board increase, half of which would be effective at the start of the year, and the second half effective in January 2011. We’ve looked at various places to bank money, including professional services and credit card fees. The bills from the Schnader law firm for this year, projected to be \$600,000, should be completed with the litigation. There will be a delay in certain capital projects, including the finishing of the second floor of Fenster Hall, and the CAPE upper level renovation. There is a state imposed cap of 3% on tuition and fees. The out of state penalty that we have previously paid will not be a factor in 2011.
6. BY A MOTION DULY MADE BY MS. GARCIA, SECONDED BY MR. CISTARO AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO SET 2010 SCHEDULE OF TUITION AND FEES.
7. BY A MOTION DULY MADE BY MR. BEACHEM, SECONDED BY MS. GARCIA AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO ADOPT FY 2010 OPERATING AND CAPITAL BUDGETS.
8. BY A MOTION DULY MADE BY MR. CISTARO, SECONDED BY MR. KNAPP AND UNANIMOUSLY PASSED, the Board voted to approve the appointment of Board Officers and Committee Chairs as follows:

Chairperson – Kathleen Wielkopolski  
Vice Chairs - Stephen DePalma and Vincent DeCaprio  
Chair, Academic Affairs Committee – Vincent DeCaprio  
Chair, Advancement Committee – Peter Cistaro  
Chair, Audit and Finance Committee – Diane Montalto  
Chair, Buildings and Grounds Committee – Philip Beachem  
Chair, Nominating Committee – Elizabeth Garcia  
Treasurer – Henry A. Mauermeyer  
Secretary of the Board – Holly C. Stern

9. BY A MOTION DULY MADE BY MR. BEACHEM, SECONDED BY MS. GARCIA AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO AUTHORIZE EXECUTION OF REDEVELOPMENT AGREEMENT WITH THE CITY OF NEWARK, with amended language in Paragraph 7.2 (Remedies Upon Event of Default) to add the following sentence: “Provided that the Redeveloper is not in Default on any other Phase or sub-Phase of the Project, an Event of Default on a particular Phase or sub-Phase will not serve to terminate the Redeveloper’s rights as set forth in this Agreement as to any other Phase or sub-Phase unless, in the reasonable discretion of the Director, the Director determines that the Event of Default constitutes a Default on the entire Project.”
10. BY A MOTION DULY MADE BY MS. O’BRIEN, SECONDED BY MS. MONTALTO AND UNANIMOUSLY PASSED, the Board voted to approve the RESOLUTION TO AMEND BOND DOCUMENTS TO ALLOW FOR CELL PHONE TOWER INSTALLATION ON GITC.
11. Dr. Altenkirch reported on Middle States actions with respect to Beijing University of Technology and a program in Dubai. The Engineering Management program was successful in receiving an “alternate site” designation by Middle States, an accrediting body. There was additional mention of a program in Dubai as an alternate site; however, the university is not pursuing the Dubai program at this time.
12. Treasurer Mauermeyer reported upon the Operating Statement Year to Date and the Schedule of Short Term Investments. The May Statement was included in the mailing. The projected year-end results are reflected in the FY 10 budget proposal. The State has given us the remaining funds for FY 09 on June 30, 2009. Current funds are on target. Our short term cash went up slightly in June, as the faculty is not on the payroll, and we received June tuition.
13. Dr. Altenkirch reported on gifts and fund raising activities, as more specifically detailed in the material in the Board book. We are behind in our efforts from last year, but have achieved 104% of 2007 revenues. While it is somewhat unsettling that there is a drop in the number of donors, the overall money has not changed. Wachovia did a study on benchmarking for non-profit fundraising and concluded that fundraising is down about 30%; this is currently a tough environment, due to economic conditions. The average gift is approximately \$2000. The returns from our direct mail campaign are higher than the phone-a-thon. In terms of dollars per donor, we are doing well. We received a letter from Case; they won an award for our fundraising activities.
14. Chairperson Wiekopolski announced that the Board retreat will be held on the second half of the day, on September 17<sup>th</sup>, the date of the next regularly scheduled Board meeting. The Board meeting will be in the morning, after which time there will be a lunch, and an afternoon retreat.

15. The Chairperson announced that the next scheduled closed session would be convened on September 17, 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, September 17, 2009 at 9:30 AM, Eberhardt Hall Board Room.

The next Public Session of the Board will take place on Thursday, September 17, 2009 at 11:00 AM, Eberhardt Hall Board Room, following the Closed Session of the Board.

The meeting was adjourned at 12:20 pm.