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PUBLIC HEARING

before

ASSEMBLY HIGHER EDUCATION AND REGULATED PROFESSIONS COMMITTEE

on

ASSEMBLY BILL 1951

(Designated the "University of New Jersey Act of 1984,"
establishes the University of New Jersey)

Held:
October 5, 1984
Jersey City State College
Jersey City, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Joseph V. Doria, Jr., Chairman

ALSO PRESENT:

Assemblyman Nicholas LaRocca
District 33

Kathleen Fazzari, Research Associate
Office of Legislative Services
Aide, Assembly Higher Education and
Regulated Professions Committee

New Jersey State Library

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New Jersey State Library

ASSEMBLY, No. 1951

STATE OF NEW JERSEY

INTRODUCED MAY 14, 1984

By Assemblymen ROCCO, SHUSTED, DORIA and NAPLES

AN ACT concerning the State colleges, establishing the University of New Jersey, revising parts of the statutory law, supplementing chapter 64 of Title 18A of the New Jersey Statutes, and repealing N. J. S. 18A:64-7.

1 **BE IT ENACTED** *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. (New section) This act shall be known and may be cited as
2 the "University of New Jersey Act of 1984."

1 2. N. J. S. 18A:64-1 is amended to read as follows:

2 18A:64-1. Legislative finding; maintenance and location[
3 names]. The Legislature hereby finds that it is in the best interest
4 of the State that the State colleges shall be [and continue to be
5 given a high degree of self-government and that the government
6 and conduct of the colleges shall be free of partnership] *brought*
7 *together in a unified system to be known as the University of New*
8 *Jersey in order to establish a strong and effective system of higher*
9 *education. The Legislature finds further that a [decentralization]*
10 *centralization* of authority and decision-making [to the boards of
11 trustees and administrators of the State colleges] *in a president*
12 *and board of governors of the university* in the areas of personnel,
13 budget execution, purchasing and contracting will enhance the
14 [ideal of self-government] *ideals of educational quality and oper-*
15 *ational effectiveness at each institution. Such colleges shall be*
16 *maintained within the structure of a university* for the purpose of
17 providing higher education in the liberal arts and sciences and
18 various professional areas including the science of education and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics thus is new matter.

19 the art of teaching at such places as may be provided by law.
 20 **[The names of the colleges shall be designated by the board of**
 21 **higher education. The name of each of the existing State colleges**
 22 **shall continue the same unless a new name is so designated.]**

1 3. (New section) The University of New Jersey is established
 2 in the Department of Higher Education as a body corporate and
 3 politic and a government instrumentality comprising the nine
 4 existing State colleges and any other institutions created in the
 5 future, hereinafter referred to as "the university," which shall
 6 consist of the following:

7 Kean College of the University of New Jersey;
 8 University of New Jersey College at Trenton;
 9 William Paterson College of the University of New Jersey;
 10 University of New Jersey at Montclair;
 11 University of New Jersey at Glassboro;
 12 University of New Jersey at Jersey City;
 13 University of New Jersey at Ramapo;
 14 Richard Stockton College of the University of New Jersey;
 15 Thomas A. Edison College of the University of New Jersey.

1 4. (New section) It is declared to be the public policy of the
 2 State that the university shall be given a high degree of self-
 3 government and that the government and conduct of the university
 4 shall be free of partisanship.

1 5. N. J. S. 18A:64-2 is amended to read as follows:

2 18A:64-2. Control and management. The government, control,
 3 conduct, management and administration of each of the colleges
 4 shall be vested in the **[board of trustees of the college]** *board of*
 5 *governors of the university.*

1 6. (New section) a. The membership of the board of governors
 2 of the university hereinafter referred to as "the board" shall
 3 consist of the Chancellor of Higher Education and the President
 4 of the University of New Jersey, who shall serve ex officio, with-
 5 out vote, and 15 citizens of the State, who shall be voting members
 6 and each of whom shall be appointed by the Governor, with the
 7 advice and consent of the Senate for a term of five years and shall
 8 serve until his successor is appointed and has qualified, except
 9 that of the first appointments hereunder three shall be for one
 10 year, three shall be for two years, three shall be for three years,
 11 three shall be for four years and three shall be for five years. The
 12 first board shall include one person from each of the existing
 13 boards of trustees of the nine State colleges. Any vacancies in the
 14 voting membership of the board occurring other than by expira-
 15 tion of term shall be filled in the same manner as the original ap-

16 pointment but for the unexpired term only. Each voting member
 17 of the board of governors before entering upon his duties shall
 18 take and subscribe an oath to perform the duties of his office faith-
 19 fully, impartially and justly to the best of his ability. A record of
 20 the oath shall be filed in the office of the Secretary of State. Each
 21 voting member of the board may be removed from office by the
 22 Governor, for cause, after a public hearing.

23 b. The members of the board of governors shall meet at the call
 24 of the Governor for purposes of organizing. The board shall there-
 25 after meet at such time and places as it shall designate.

26 c. The Governor shall designate one of the voting members as
 27 chairman of the board. The board shall select such other officers
 28 from among its members as shall be deemed necessary.

29 d. The board shall have the power to appoint and regulate the
 30 duties, functions, powers and procedures of committees, standing
 31 or special, from its members and any advisory committees or bodies,
 32 as it may deem necessary or conducive to the efficient management
 33 and operation of the university, consistent with this act and other
 34 applicable statutes.

1 7. (New section) The board of governors of the university,
 2 within the general policies and guidelines set by the Board of
 3 Higher Education, shall have the general supervision over and be
 4 vested with the conduct of the university. It shall have the power
 5 and duties to:

6 a. Adopt and use a corporate seal;

7 b. Determine the educational curriculum and programs of the
 8 university;

9 c. Determine policies for the organization, administration, and
 10 development of the university;

11 d. Study the educational and financial needs of the university,
 12 annually acquaint the Governor and Legislature with the condi-
 13 tion of the university, and assist the president in the preparation,
 14 and submission of an annual request for appropriation to the
 15 State Board of Higher Education in accordance with law;

16 e. Disburse all moneys appropriated to the university by the
 17 Legislature and all moneys received from tuition, fees, auxiliary
 18 services and other sources:

19 f. Direct and control expenditures and transfers of funds ap-
 20 propriated to the university in accordance with the provisions of
 21 the State budget and appropriation acts of the Legislature, and,
 22 as to funds received from other sources, direct and control ex-
 23 penditures and transfers in accordance with the terms of any ap-
 24 plicable trusts, gifts, bequests, or other special provisions, report-

25 ing changes and additions thereto and transfers thereof to the
26 Director of the Division of Budget and Accounting in the State
27 Department of the Treasury and to the Chancellor of Higher Edu-
28 cation. All accounts of the university shall be subject to audit by
29 the State at any time;

30 g. In accordance with the provisions of the State budget and
31 appropriation acts of the Legislature, appoint and fix the com-
32 pensation and term of office of a president of the university who
33 shall be the executive officer of the university;

34 h. In accordance with the provisions of the State budget and
35 appropriation acts of the Legislature, appoint, upon nomination
36 of the president, such deans and other members of the academic,
37 administrative and teaching staffs as shall be required and fix
38 their compensation and terms of employment;

39 i. In accordance with the provisions of the State budget and
40 appropriation acts of the Legislature, appoint, remove, promote
41 and transfer any other officers, agents, or employees as may be
42 required to carry out the provisions of this act and assign their
43 duties, determine their salaries, and prescribe qualifications for
44 all positions and in accordance with the salary schedules of the
45 State Civil Service Commission wherever possible;

46 j. Fix and determine, after consultation with the Board of
47 Higher Education, tuition rates, and other fees to be paid by
48 students;

49 k. Grant diplomas, certificates or degrees;

50 l. Enter into contracts and agreements with the State or any of
51 its political subdivisions or with the United States, or with any
52 public body, department or other agency of the State or the United
53 States or with any individual, firm or corporation which are deemed
54 necessary or advisable by the board for carrying out the provi-
55 sions of this act. A contract or agreement pursuant to this sub-
56 section may require a municipality to undertake obligations and
57 duties to be performed subsequent to the expiration of the term
58 of office of the elected governing body of the municipality which
59 initially entered into or approved said contract or agreement, and
60 the obligations and duties so incurred by the municipality shall
61 be binding and of full force and effect, notwithstanding that the
62 term of office of the elected governing body of the municipality
63 which initially entered into or approved said contract or agree-
64 ment, shall have expired;

65 m. Accept from any government or governmental department,
66 agency or other public or private body or from any other source
67 grants or contributions of money or property which the board may
68 use for or in aid of any of its purposes;

69 n. (1) Acquire (by gift, purchase, condemnation or otherwise),
70 own, lease, dispose of, use and operate property, whether real,
71 personal or mixed, or any interest therein, which is necessary or
72 desirable for university purposes:

73 (2) Adopt standing operating rules and procedures for the pur-
74 chase of all equipment, materials, supplies and services; however,
75 no contract on behalf of the university shall be entered into for
76 the purchase of services, materials, equipment and supplies, for
77 doing of any work, or for the hiring of equipment or vehicles,
78 where the sum to be expended exceeds the sum established in
79 P. L. 1954, chapter 48 (C. 52:34-6 et seq.) and all amendments and
80 supplements thereto, unless the university shall first publicly ad-
81 vertise for bids and shall award the contract to that responsible bid-
82 der whose bid conforming to the invitation for bids, will be most ad-
83 vantageous to the university, price and other factors considered.
84 Advertising shall not be required in those exceptions created by
85 the board of trustees of the university, which shall be in substance
86 those exceptions contained in sections 4 and 5 of P. L. 1954, c. 48
87 (C. 52:34-9 and 10) or for the supplying of any product or the
88 rendering of any service by a public utility subject to the juris-
89 diction of the Board of Public Utilities of this State and tariffs
90 and schedules of the charges, made, charged, or exacted by the
91 public utility for any products to be supplied or services to be
92 rendered are filed with the said board.

93 This subsection shall not prevent the university from having
94 any work done by its own employees, nor shall it apply to repairs,
95 or to the furnishing of materials, supplies or labor, or the hiring
96 of equipment or vehicles, when the safety or protection of its or
97 other public property or the public convenience require, or the
98 exigency of the university's service will not admit of the advertise-
99 ment. In that case, the university shall, by resolution passed by
100 the affirmative vote of its board of trustees, declare the exigency
101 to exist, and set forth in the resolution the nature and approximate
102 amount to be expended; shall maintain appropriate records as to
103 the reason for the awards; and, shall report regularly to its board
104 of trustees on all purchases, the amounts and the reasons therefor;
105 (3) Employ architects to plan buildings; secure bids for the con-
106 struction of buildings and for the equipment thereof; make con-
107 tracts for the construction of buildings and for equipment; and
108 supervise the construction of buildings. All capital expenditures
109 in excess of \$500,000.00 shall be subject to the approval of the
110 Board of Higher Education; and

111 (4) Manage and maintain and provide for the payment of all

112 charges on and expenses in respect of, all properties utilized by
113 the university;

114 o. Borrow money for the needs of the university, as deemed
115 requisite by the board, in such amounts and for such time and
116 upon such terms as may be determined by the board, provided that
117 no borrowing shall be deemed or construed to create or constitute
118 a debt, liability, or a loan or pledge of the credit, or be payable out
119 of property or funds, other than moneys appropriated for that
120 purpose, of the State;

121 p. Exercise the right of eminent domain, pursuant to the pro-
122 visions of the "Eminent Domain Act of 1971," P. L. 1971, c. 361
123 (C. 20:3-1 et seq.), to acquire any property or interest therein;

124 q. Adopt bylaws and make and promulgate such rules, regula-
125 tions and orders, not inconsistent with the provisions of this act
126 as are necessary and proper for the administration and operation
127 of the university and to implement the provisions of this act;

128 r. Develop and authorize any new program, educational depart-
129 ment or school which will require, at the time of establishment or
130 thereafter, an additional expenditure of money, if the establish-
131 ment thereof is approved by the Board of Higher Education and
132 provisions is made therefor by law;

133 s. Function as a public employer under the "New Jersey Em-
134 ployer-Employee Relations Act," P. L. 1941, c. 100 (C. 34:13A-1
135 et seq.) and conduct all labor negotiations, and with the participa-
136 tion of the Chancellor's Office and the Governor's office of Employee
137 Relations act as the chief spokesperson with respect to all matters
138 under negotiation: and

139 t. Develop an overall academic plan for the university that will
140 guarantee the uniqueness of each campus and resolve the issues of
141 program duplication among the nine campuses.

1 8. (New section) The board of governors, in addition to the
2 other powers and duties provided herein, shall have and exercise
3 the powers, rights and privileges that are incident to the proper
4 government, conduct and management of the university and the
5 control of its properties and funds and any powers granted to the
6 university or the board or reasonably implied, may be exercised
7 without recourse or reference to any department or agency of the
8 State, except as otherwise provided by this act. In addition, the
9 board may retain independent counsel with the approval of the
10 Attorney General.

1 9. (New section) The president of the university shall be the
2 chief academic and executive officer of the university and shall be
3 responsible to the board of governors and shall have such powers

4 as shall be requisite, for the executive management and conduct
 5 of the university in all departments, branches and divisions, and
 6 for the execution and enforcement of the bylaws, rules, regulations
 7 and orders governing the management, conduct and administra-
 8 tion of the university. The president shall:

9 a. Provide academic and administrative leadership to the Uni-
 10 versity of New Jersey;

11 b. Act as the chief advocate and spokesperson for the university;

12 c. Prepare the budget of the university for annual submission
 13 to the Chancellor and Board of Higher Education after consulta-
 14 tion with the board of governors;

15 d. Act as general coordinator for the work of each of the nine
 16 campus presidents, and work with them to achieve their goals and
 17 objectives, consistent with overall academic and administrative
 18 policy of the university.

1 10. (New section) Subject to the provisions of P. L. 1969, c. 242
 2 (C. 18A:66-167 et seq.) and except as otherwise provided by law,
 3 the university shall be deemed to be an employer for the purposes
 4 of P. L. 1954, c. 84, the "Public Employees' Retirement System
 5 Act" (C. 43:15A-1 et seq.) and shall also be deemed to be a "public
 6 agency or organization" within the meaning of section 71 of P. L.
 7 1954, c. 84 (C. 43:15A-71). Prior service credit shall not be ex-
 8 tended to any officer or employee of the university who enrolls in
 9 the public employees' retirement system if he is entitled to a pen-
 10 sion or an annuity based on prior service under any other pension
 11 act or program.

1 11. (New section) No member of the board of governors or
 2 officer of the university shall be personally liable for any debt,
 3 obligation or other liability of the university or of or incurred by
 4 or on behalf of the university or any constituent unit thereof.

1 12. Section 1 of P. L. 1959, c. 40 (C. 52:27B-56.1) is amended to
 2 read as follows:

3 1. The Director of the Division of Purchase and Property may,
 4 by joint action, purchase any articles used or needed by the State
 5 and the Palisades Interstate Park Commission, the New Jersey
 6 Highway Authority, the New Jersey Turnpike Authority, the
 7 Delaware River Joint Toll Bridge Commission, the Port Authority
 8 of New York and New Jersey, the South Jersey Port Corporation,
 9 the Passaic Valley Sewerage Commission, the Delaware River
 10 Port Authority, Rutgers, The State University, the University of
 11 Medicine and Dentistry of New Jersey, the University of New
 12 Jersey, the New Jersey Sports and Exposition Authority, the New
 13 Jersey Housing Finance Agency, the New Jersey Mortgage Finance

14 Authority, the New Jersey Health Care Facilities Financing Au-
 15 thority, the New Jersey Education Facilities Authority, the New
 16 Jersey Economic Development Authority, the New Jersey Express-
 17 way Authority or any other agency, commission, board, authority
 18 or other such governmental entity which is established and is allo-
 19 cated to a State department or any bistate governmental entity
 20 which the State of New Jersey is a member.

1 13. (New section) Upon the establishment of the body corporate
 2 and politic known as the University of New Jersey:

3 a. All appropriations available and to become available to the
 4 State colleges shall be transferred to the university by the Director
 5 of the Division of Budget and Accounting in the Department of
 6 the Treasury and shall be available for the objects and purposes
 7 for which appropriated, subject to any terms, restrictions, limita-
 8 tions or other requirements imposed by the State budget;

9 b. All other grants, gifts, other moneys and property available
 10 and to become available to or for the State colleges shall be trans-
 11 ferred to the university and shall be available for the objects and
 12 purposes of the university, subject to any terms, restrictions, limi-
 13 tations or other requirements imposed by State and federal law
 14 or otherwise;

15 c. All employees of the State colleges shall become employees of
 16 the university. Nothing in this act shall be considered to deprive
 17 any person of any tenure rights or of any right or protection pro-
 18 vided by him under any pension law or retirement system or any
 19 other law of this State;

20 d. All files, papers, records, equipment and other personal prop-
 21 erty of the State colleges shall be transferred to the university:
 22 and

23 e. All orders, rules or regulations theretofore made or promul-
 24 gated by the State colleges shall continue with full force and effect
 25 as the orders, rules and regulations of the university until amended
 26 or repealed by the university.

1 14. (New section) This act shall not affect actions or proceed-
 2 ings, civil or criminal, brought by or against the State colleges,
 3 but any actions or proceedings may be prosecuted or defended in
 4 the same manner and to the same effect by the University of New
 5 Jersey as if the foregoing provisions had not taken effect; nor
 6 shall any of the foregoing provisions affect any order or regula-
 7 tion made by, or other matters or proceedings before, the State
 8 colleges, and all matters or proceedings pending before the State
 9 colleges on the effective date of this act shall be continued by the
 10 university, as if the foregoing provisions had not taken effect.

1 15. (New section) Whenever in any law, rule, regulation, con-
 2 tract, document, judicial or administrative proceeding or otherwise,
 3 reference is made to the State college or State colleges, the same
 4 shall mean and refer to the University of New Jersey.

1 16. (New section) The general powers of supervision and con-
 2 trol of the Board of Higher Education over the University of New
 3 Jersey include the power to visit the university to examine into
 4 its manner of conducting its affairs and to enforce an observance
 5 of its laws and regulations and the laws of the State.

1 17. (New section) Nothing in this act shall be construed to
 2 abrogate or derogate from the powers of the Board of Higher
 3 Education of supervision and control of the university in accor-
 4 dance with existing law.

1 18. N. J. S. 18A:64-3 is amended to read as follows:

2 18A:64-3. Board of Trustees; membership; term; removal. Each
 3 **[such]** board of trustees of a State college shall consist of nine
 4 citizens of the **[state]** State, not more than three of whom shall
 5 reside in any one county and of whom at least two shall be women
 6 who shall be appointed by the board of **[higher education]** gov-
 7 ernors, subject to the approval of the Governor. *The members*
 8 *appointed to the board are to be representative of the local ser-*
 9 *vice area of the respective State college.* The term of office of ap-
 10 pointed members shall be for six years beginning on July 1 and
 11 ending on June 30 except that **[of the members first appointed,**
 12 **two shall be appointed for terms expiring June 30, 1967; two for**
 13 **terms expiring June 30, 1968; two for terms expiring June 30,**
 14 **1969; one for a term expiring June 30, 1970; one for a term ex-**
 15 **piring June 30, 1971; and one for a term expiring June 30, 1972]**
 16 *any members appointed on or after July 1, 1965 shall be appointed*
 17 *for five year terms.* Each member shall serve until his successor
 18 shall have been appointed and qualified and vacancies shall be
 19 filled in the same manner as the original appointment for the re-
 20 mainder of the unexpired term. Any member of a board of trustees
 21 may be removed by the Governor for cause upon notice and op-
 22 portunity to be heard.

1 19. N. J. S. 18A:64-6 is amended to read as follows:

2 18A:64-6. Powers and duties. The board of trustees of a State
 3 college of the university shall, subject to the general policies, guide-
 4 lines, and procedures set by the Board of Higher Education *and*
 5 *the board of governors,* have **[general supervision over and shall**
 6 **be vested with the conduct of the college. It shall, subject to the**
 7 **general policies, guidelines, and procedures set by the Board of**
 8 **Higher Education, have the power and duty to:**

- 9 a. Adopt and use a corporate seal;
- 10 b. Determine the educational curriculum and program of the
11 college;
- 12 c. Determine policies for the organization, administration and
13 development of the college;
- 14 d. Study the educational and financial needs of the college;
15 annually acquaint the Governor and Legislature with the condition
16 of the college; and prepare, and after concurrence by and jointly
17 with the Board of Higher Education, present the annual budget
18 to the Governor and Legislature, subject to the rules and regula-
19 tions of the Department of the Treasury, Division of Budget and
20 Accounting, and in accordance with law;
- 21 e. Notwithstanding the provisions of P. L. 1944, c. 112:
- 22 (i) direct and control the expenditures of the college in ac-
23 cordance with the provisions of the budget, the quarterly allo-
24 cations of the Department of the Treasury, the appropriations
25 acts of the Legislature and the provisions of this act, and in
26 accordance with the terms, of any applicable trusts, gifts,
27 bequests, or other special provisions;
- 28 (ii) empower the president of the college or such other officer
29 as he may, with the approval of the board of trustees,
30 designate, to enter into contracts and agreements, create en-
31 cumbrances, incur obligations and execute instruments of
32 indebtedness all in accordance with the policies adopted by the
33 board of trustees, the provisions of the budget, the appropria-
34 tions acts of the Legislature, and subject to the provisions of
35 this act and any regulations, policies, guidelines and procedures
36 adopted pursuant thereto;
- 37 (iii) file with the Department of the Treasury, Division of
38 Budget and Accounting, the name of the fiscal officer or officers
39 approved by the trustees of the college pursuant to (ii) above:
40 who shall have the duty to ascertain that all contracts, agree-
41 ments, obligations, encumbrances, or instruments of indebted-
42 ness are made in accordance with (ii) above and that sufficient
43 funds are legally available for the expenditure; and
- 44 (iv) transmit statements of indebtedness to the Director of
45 the Division of Budget and Accounting who shall execute and
46 register warrant checks in settlement of those statements and
47 shall transmit them forthwith to the State Treasurer who shall
48 thereupon sign and deliver the same to the payees.
- 49 f. Transfer funds between the primary expenditure accounts only
50 after approval by the Department of Higher Education, the Divi-
51 sion of Budget and Accounting, and the Legislative Budget and
52 Finance Director.
- 53

54 g. With the approval of the Board of Higher Education appoint
55 and fix the compensation of a president of the college who shall be
56 the executive officer of the college and an ex officio member of the
57 board of trustees, without vote and shall serve at the pleasure of
58 the board of trustees;

59 h. Notwithstanding the provisions of Title 11, Civil Service, of
60 the Revised Statutes, upon nomination by the president appoint a
61 treasurer and such deans and other professional members of the
62 academic, administrative and teaching staffs as shall be required
63 and fix their compensation and terms of employment in accordance
64 with salary ranges and policies adopted by the Board of Higher
65 Education, and concurred in by the Governor which salary policies
66 shall prescribe qualifications for various classifications and shall
67 limit the percentage of the education staff that may be in any given
68 classification;

69 i. Appoint, remove, promote and transfer such other officers,
70 agents or employees as may be required for carrying out the pur-
71 poses of the college and assign their duties, determine their salaries
72 and prescribe qualifications for all positions, all in accordance with
73 the provisions of Title 11, Civil Service, of the Revised Statutes;

74 j. Grant diplomas, certificates and degrees;

75 k. Subject to the general policies, guidelines and procedures
76 established by the Board of Higher Education and concurred in by
77 the State Treasurer and the Director of the Division of Purchase
78 and Property, enter into contracts and agreements for the purchase
79 of lands, buildings, equipment, materials, supplies and services;
80 enter into contracts and agreements with the State or any of its
81 political subdivisions or with the United States, or with any public
82 body, department or other agency of the State or the United States
83 or with any individual, firm, or corporation which are deemed neces-
84 sary or advisable by the board for carrying out the purposes of the
85 college;

86 l. If necessary, take and condemn land and other property in the
87 manner provided by chapter 1 of Title 20, Eminent Domain, of the
88 Revised Statutes, whenever authorized by law to purchase land or
89 other property;

90 m. Adopt, after consultation with the president and faculty,
91 bylaws and make and promulgate such rules, regulations and
92 orders, not inconsistent with the provisions of this article that are
93 necessary and proper for the administration and operation of the
94 college and the carrying out of its purposes;

95 n. Establish fees for room and board sufficient for the operation,
96 maintenance, and rental of student housing and food service
97 facilities.] responsibility for.

98 *a. Monitoring the quality of academic programs and student*
 99 *life;*

100 *b. Advising the campus president on budget preparation and*
 101 *submission; and*

102 *c. Monitoring the responsiveness of the respective college to the*
 103 *needs and interests of its local service area.*

1 20. Section 6 of P. L. 1969, c. 145 (C. 18A:64-6.1) is amended
 2 to read as follows:

3 6. Every contract or agreement negotiated, awarded or made
 4 pursuant to this act shall contain a suitable warranty by the con-
 5 tractor that no person or selling agency has been employed or
 6 retained to solicit or secure such contract upon an agreement or
 7 understanding for a commission, percentage, brokerage or contin-
 8 gent fee, except bona fide employees or bona fide established com-
 9 mercial or selling agencies maintained by the contractor for the
 10 purpose of securing business, for the breach or violation of which
 11 warranty the **["State college"] university** shall have the right to
 12 annul such contract without liability or in its discretion to deduct
 13 from the contract price or consideration the full amount of such
 14 commission, percentage, brokerage or contingent fee.

1 21. Section 7 of P. L. 1969, c. 145 (C. 18A:64-6.2) is amended
 2 to read as follows:

3 7. Any person willfully authorizing, consenting to, making or
 4 procuring to be made payment of **["State College"] university** funds
 5 for or on account of any purchase, contract or agreement known
 6 to him to have been made or entered into in violation of any of the
 7 provisions of this act shall be guilty of a **["misdemeanor"] crime of**
 8 *the fourth degree.*

1 22. Section 8 of P. L. 1969, c. 145 (C. 18A:64.3) is amended to
 2 read as follows:

3 8. The payment of any fee, commission or compensation of any
 4 kind or the granting of any gift or gratuity of any kind, either
 5 directly or indirectly, whether or not in connection with any pur-
 6 chase, sale or contract, to any person employed by the **["State col-**
 7 **lege"] university**, having any duties or responsibilities in connec-
 8 tion with the purchase or acquisition of any property or services
 9 by the **["State college"] university**, by or on behalf of any seller or
 10 supplier who has made, negotiated, solicited or offered to make
 11 and contract to sell or furnish real or personal property or ser-
 12 vices to the **["State college"] university** is hereby prohibited. Any
 13 person offering, paying, giving, soliciting or receiving any fee,
 14 commission, compensation, gift or gratuity in violation of this sec-
 15 tion shall be guilty of a **["misdemeanor"] crime of the fourth degree.**

1 23. Section 9 of P. L. 1969, c. 145 (C. 18A:64-6.4) is amended
2 to read as follows:

3 9. If the Director of the Division of Budget and Accounting
4 should find that the executive officer of the [college or the fiscal
5 officer appointed pursuant to New Jersey Statutes 18A:64-6 (e)
6 (ii)] *university or fiscal officer thereof*, willfully or negligently
7 fails or refuses to keep or have kept such accounts, render such
8 reports or perform such other duties as are prescribed by the fiscal
9 and accounting provisions of this act, or by regulation lawfully
10 made pursuant thereto, or refuses to conform to any of the provi-
11 sions of this act, he shall notify such officer in writing of such
12 failure or refusal, and the particulars thereof, and shall allow him
13 reasonable opportunity to be heard thereon. If such failure is not
14 explained to the satisfaction of the director, he shall prepare written
15 charges against such officer and submit the same to the board of
16 [trustees] *governors* forthwith, and serve a copy thereof upon
17 such officer charged with such failure or refusal. Thereupon the
18 board of [trustees] *governors* shall fix a time and place for hear-
19 ing such charges by giving not less than five days' notice thereof in
20 writing to such officer and to the director. After due hearing, the
21 board of [trustees] *governors* may take such action as may be
22 necessary, in its judgment, including the recommendation of re-
23 moval of such officer found guilty of such charges.

1 24. Section 10 of P. L. 1969, c. 145 (C. 18A:64-6.5) is amended
2 to read as follows:

3 10. The State Treasurer may prescribe a central payroll and
4 disbursing system for the [State colleges] *university* when he has
5 determined that such a system is more economical and efficient than
6 alternate systems.

1 25. Section 11 of P. L. 1969, c. 145 (C. 18A:64-6.6) is amended
2 to read as follows:

3 11. Whenever, in the case of extravagance, waste or mismanage-
4 ment, it appears to the satisfaction of the Governor that any ap-
5 propriation by *the university on behalf of a State college* is not in
6 the best interest of the State, he may prohibit and enjoin such
7 expenditure or any future expenditure under the appropriation
8 and prescribe the terms upon which the same may be made, if at
9 all, by making and signing an order to that effect and serving it
10 on the fiscal officer of [such State college] *the university*, and also
11 serving a certified copy of the order upon the State Treasurer and
12 upon the Director of Purchase and Property, whereupon the order
13 shall immediately become operative. Upon such service future ex-
14 penditures under the appropriation shall be limited according to

the terms of the executive order. The Governor, in such cases, may make other and further orders as may be necessary or advisable in his discretion which orders shall become operative upon such service.

26. Section 1 of P. L. 1980, c. 150 (C. 18A:64-6.7) is amended to read as follows:

1. The board of **[trustees of a State college]** *governors of the university* may, within the limits of funds appropriated or otherwise made available to the board, purchase the following *on behalf of the State colleges* without advertising for bids: library materials including books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microfilms, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, slides, films, filmstrips, video and magnetic tapes, other printed or published matter, and audiovisual and other materials of a similar nature and necessary binding or rebinding of library materials.

27. N. J. S. 18A:64-8 is amended to read as follows:

18A:64-8. President; powers and duties. The president of a State college shall be responsible to **[its board of trustees]** *the President of the University of New Jersey* and shall have such powers as shall be requisite, for the executive management and conduct of the college in all departments, branches and divisions, and for the execution and enforcement of the bylaws, rules, regulations and orders governing the management, conduct and administration of the college. *The president of each college is the chief academic and administrative officer of the campus and has the responsibility for carrying out the following duties:*

- a. Providing academic and administrative leadership to the campus;*
- b. Acting as the chief advocate and spokesperson of the campus;*
- c. Preparing and submitting the annual budget;*
- d. Overseeing and directing student life;*
- e. Managing the administration of funds;*
- f. Making campus personnel decisions, consistent with overall policy of the University of New Jersey;*
- g. Proposing new degree programs to the board of governors;*
- and*
- h. Reporting regularly to the President of the University of New Jersey concerning the discharge of his or her duties.*

28. N. J. S. 18A:64-9 is amended to read as follows:

18A:64-9. Existing State Colleges continued. The existing **[six]** *nine* State colleges presently maintained by the State of New Jersey and heretofore under the care, custody, control and administration

5 of the commissioner and the State board shall hereafter be operated
6 by **their respective boards of trustees** *the board of governors of*
7 *the university* pursuant to the provisions of this article.

1 29. N. J. S. 18A:64-11 is amended to read as follows:

2 18A:64-11. Conduct of extension courses, fees, etc. The board
3 of trustees of each State college is authorized and empowered to
4 conduct summer schools and extension courses through the **six**
5 *nine* State colleges for the purpose of giving further training to the
6 teachers in the public schools of this State and to charge fees
7 therefor to be fixed by the board of **higher education** *governors*
8 *of the university* and to be collected by the treasurers of the several
9 State colleges.

1 30. N. J. S. 18A:64-13 is amended to read as follows:

2 18A:64-13. Tuition fees~~[: agreement to teach]~~. Pupils in each
3 State college who are residents of New Jersey shall be required
4 to pay each year a minimum tuition fee of \$50.00, and nonresidents
5 of the State shall pay an additional fee. Such fees and any in-
6 crease of the minimum tuition fee shall be determined by the *board*
7 *of governors after consultation with the* board of higher education.

1 31. Section 1 of P. L. 1983, c. 469 (C. 18A:64-13.1) is amended
2 to read as follows:

3 1. As used in this act:

4 a. "Job training course" means any course of instruction which
5 will provide the individual with an identifiable job skill and will
6 assist him in gaining reemployment.

7 b. "Public college" means the State colleges *of the University*
8 *of New Jersey* and the New Jersey Institute of Technology.

1 32. N. J. S. 18A:64-14 is amended to read as follows:

2 18A:64-14. Furnishing of books and supplies by students: gen-
3 eral school fees. Each State college may require students to fur-
4 nish such textbooks and incidental supplies and to pay such gen-
5 eral school fees as may be fixed by the *board of governors after*
6 *consultation with the* board of higher education. The board of
7 trustees shall provide apparatus and such books and supplies as
8 are not required to be furnished by students as provided in this
9 section.

1 33. N. J. S. 18A:64-15 is amended to read as follows:

2 18A:64-15. Competitive examinations, eligibility; apportionment
3 of scholarships among counties; assignment of successful candi-
4 dates. Students shall be selected for scholarships in the order of
5 excellence as determined by a competitive examination. Only stu-
6 dents who have qualified for admission and demonstrate to the
7 satisfaction of the chancellor their need for financial assistance

8 are eligible to take this competitive examination. The total number
 9 of scholarships shall be awarded by counties in the ratio that the
 10 population of the county bears to the total population of the State.
 11 Assignment of successful candidates to the various State colleges
 12 of the university shall be made by the chancellor upon the basis of
 13 the courses of study selected under the regulations to be provided
 14 as set forth in section 18A:64-16 of this chapter.

1 34. N. J. S. 18A:64-18 is amended to read as follows:

2 18A:64-18. **Money from fees to be paid into treasury.** *Deposit*
 3 *and disposition of certain moneys.* All moneys received in connec-
 4 tion with the operation of the university and State colleges shall
 5 be deposited in a special account of the General State Fund and
 6 shall be available for use by the **[State college]** university subject
 7 to the provisions of its annual appropriation, except that:

8 a. Moneys which are derived by the State colleges as room and
 9 board revenues from student housing and food service facilities
 10 and which are not pledged for the payment of principal and interest
 11 on bonds of this State and which are in excess of sums required
 12 for the operation, maintenance, and rental of such facilities, shall
 13 be retained by the State Treasurer in a separate account for **[each**
 14 **college]** the university and may be expended by **[each college]**
 15 the university for the cost of operation, maintenance and rental of
 16 such facilities in subsequent years. The unexpended balance in any
 17 such account at the end of any fiscal year shall be retained in such
 18 account for the purposes of this act and shall not lapse into the
 19 General Treasury.

20 b. Moneys which are derived from student union building fees
 21 collected at a State college, which are in excess of the sums required
 22 for the operation, maintenance and rental of such a facility, shall
 23 be retained by the State Treasurer in a separate account for **[each**
 24 **college]** the university and may be expended by **[each college]** the
 25 university for the cost of operation, maintenance and rental of such
 26 facilities in subsequent years. The unexpended balance of any such
 27 account at the end of any fiscal year shall be retained in such
 28 account for the purposes of this act and shall not lapse into the
 29 General Treasury.

30 c. Moneys which are derived from the operation of parking
 31 facilities, which are in excess of sums required for the operation
 32 and maintenance of such facilities at a State college, shall, with
 33 the approval of the State Treasurer, be retained in a separate
 34 account for **[each college]** the university and may be expended by
 35 **[each college]** the university for the cost of operation, maintenance
 36 and rental of such facilities in subsequent years. The unexpended

37 balance of any such account at the end of any fiscal year shall be
 38 retained in such account for the purposes of this act and shall not
 39 lapse into the General Treasury.

1 35. N. J. S. 18A:64-19 is amended to read as follows:

2 18A:64-19. Repairs to buildings and furniture. The board of
 3 trustees of each State college shall have control and care of the
 4 building and **[ground]** *grounds* owned and used by the State for
 5 the college and shall, *with the permission of the president of the*
 6 *State college and the board of governors of the university,* order
 7 necessary repairs to the grounds, buildings, and furniture of the
 8 college.

1 36. N. J. S. 18A:64-22 is amended to read as follows:

2 18A:64-22. Council established. There is hereby established in
 3 the Department of Higher Education a council of State colleges
 4 *of the University of New Jersey.*

1 37. N. J. S. 18A:64-23 is amended to read as follows:

2 18A:64-23. Membership: compensation. The council shall con-
 3 sist of the *president and chairman of the board of governors of*
 4 *the university and* the presidents and chairmen of the board of
 5 trustees of the several State colleges. The chancellor shall *ex officio*
 6 be an additional member but shall be without vote.

7 Members shall serve without compensation but shall be entitled
 8 to be reimbursed for all reasonable and necessary expenses.

1 38. N. J. S. 18A:64-25 is amended to read as follows:

2 18A:64-25. Purpose. Under the guidance of the board of higher
 3 education and with assistance from its staff, the council will:

4 a. Foster communication and cooperation among the State col-
 5 leges and through its chairman, provide **[them]** *the university*
 6 collective representation on the board of higher education:

7 b. Guide and stimulate effective planning and program develop-
 8 ment, within the general policies and guidelines set by the board
 9 of higher education, by the several State colleges *of the university*:

10 c. Ensure diversity of development among the several State col-
 11 leges *of the university* in ways which will be responsive to partic-
 12 ular needs in the several parts of the State;

13 d. Seek to ensure acceptable and effective lines of development
 14 in admissions policy, academic standards, programs, financing, and
 15 community relations in the several State colleges *of the university*:

16 e. Act as an advisory body to the board of higher education in
 17 carrying out its duties and responsibilities with regard to the *uni-*
 18 *versity and its State colleges*; and

19 f. Study the need for, and recommend to the board of higher

20 education, when required, the establishment of new State colleges
 21 *within the framework of the university* and their location.

1 39. N. J. S. 18A:64-7 is repealed.

1 40. All acts and parts of acts inconsistent with any of the pro-
 2 visions of this act to the extent of the inconsistency are super-
 3 seded.

1 41. This act shall take effect on the 60th day following enactment.

STATEMENT

This bill establishes the University of New Jersey which is composed of the nine State colleges. This would solve the chronic problem of archaic purchasing and financing at the nine individual schools.

This bill is also designed to improve the quality of education at the State colleges and to attract New Jersey students who are presently migrating to out of state institutions such as the University of Delaware and the University of Maryland.

The establishment of a University of New Jersey as a unified system of State colleges was a recommendation contained in "The Report of the Commission on the Future of the State Colleges in February of 1984."

This bill repeals N. J. S. 18A:64-7 pertaining to additional powers and duties of the board of trustees of a State college because those powers have been given to the board of governors of the university in section 8 of this legislation.

ASSEMBLYMAN JOSEPH V. DORIA, JR. (Chairman): Good afternoon, ladies and gentlemen. I want to begin by apologizing for being late. The problem was, I had to be at the Independent College Association meeting this morning -- I promised them I would stop there -- and the traffic coming back was atrocious. So, I am sorry we are starting an hour late, but we will try to get through this as quickly as possible. There are quite a few people who wish to make comments and, obviously, we want to hear their comments.

First, I am going to introduce the people here at the head table. To my right is Jeff Land, who is the aide to Assemblyman Rocco. Assemblyman Rocco is the chief sponsor of Assembly Bill 1951. However, he cannot be here today, so Jeff is here. To my left is Assemblyman LaRocca from District 33, who has been gracious enough to join us today. I want to thank him for being here. Then, of course, we have our Committee Aide, Kathleen Fazzari, without whom we couldn't get anything done, and our fine people from Legislative Services who will be working the recording machine and taking notes.

Let me just give you an introduction to where we are and why we are having these hearings. These hearings are basically a follow-up to the hearings that were held by the Board of Higher Education. The Legislature -- my Committee at least -- had an agreement with the Board that we would not get involved with the issue of the University of New Jersey until they held their public hearings and until they began to develop their own viewpoints on the matter.

The University of New Jersey bill is a starting point. It is a place from which we can move. The emphasis here is that that is not the final product; I think all of us agree with that. Rather, this is the point from which we will depart to come up with the best possible solution to the problems that are faced by the State colleges in the State of New Jersey. I think I would identify those problems as being in three specific areas of what the University of New Jersey is trying to address. I think a lot of the concepts in the University of New Jersey proposal are very worthwhile and, thus, we should take them into consideration.

The first of the three areas we are trying to address by this concept is the area of administrative structures. How can we more effectively allow the State colleges to administer themselves to cut down on bureaucracy, to cut down on time spent, and to cut down on money wasted in going through the State bureaucracy, to do things such as purchasing, hiring, payroll, and all those other things that can be better done on a local basis? So, the first is administrative.

I think the second area is coordination, or if you want to call it an external relationship, a need for an identity on the part of the State colleges, so they can better coordinate their activities, so they can better represent their positions in the State to the public at large, and so they can better work with the Legislature in trying to accomplish their goal -- some form of external relationship. That is very important.

The third area which I see as very important is the question of governance, the governance structure and how that can best be effectuated to allow the State colleges to continue in their mission, which is to serve the communities in which they exist, and then to serve the citizens of the State of New Jersey. How can the governance structures be changed to allow greater flexibility, while at the same time not creating a greater bureaucracy? I think that is a concern all of us have. We don't want to create more bureaucracy, more layers of institutions that would then force the colleges not to be as responsive as they should be to the needs of their constituents -- number one, the students, number two, the communities they exist in, and number three, the State of New Jersey, which they are responsible to.

So, those are the three major areas of concern I see, and that I think the members of the Committee see. I think Assemblyman Rocco's bill is a starting point, and from there the Committee will be working with -- and I want to emphasize this -- the Board of Higher Education. I just saw Tom Gassert, the Chairman of the Board, at the meeting this morning, and I met with the Chancellor yesterday. We felt that there should be a discussion between the Board and the legislators -- not only the Assemblymen, but also the Senators, Senator Feldman's Committee, which will be directly involved -- so we can come up with a

proposal which will be acceptable to everyone and we will be able to get through as quickly as possible.

Obviously, there are other constituencies which are involved, and those are the employees of the institutions. Their concerns should also be taken into consideration while we develop this proposal. Hopefully, this proposal will meet everyone's concerns and we will be able to solve a lot of the problems that have been in existence for a number of years, and come up with the best possible product. I am not Candide; I don't know if we can do the best possible things in the best of all possible worlds. We realize that sometimes compromise does not necessarily make everyone happy, but we will try to do the best we can.

So, from that original starting point, let us now begin. We will call the Chancellor first. Before I call the Chancellor, let me thank the people here at Jersey City State College, Dr. Maxwell, the President, and all the staff, for providing us with this very nice room and for being as cooperative as they are always in allowing us to hold our public hearing here. Let me begin by saying that.

Before we begin to hear testimony, would you like to say anything, Assemblyman LaRocca?

ASSEMBLYMAN LaROCCA: I, too, am very happy to be here. I have a lot of fond memories of Jersey City State College, although I did not go to school here. I had a nice little chat with Dr. Maxwell. It reminded me of my early days. I had my first contact here 50 years ago, and I am still interested in the academic process. We will elaborate on that some other time. Thank you.

ASSEMBLYMAN DORIA: Jeff, would you like to say a few words for Assemblyman Rocco?

MR. LAND: Yes. Assemblyman Rocco apologizes for not being able to be here, but he had some responsibilities at Rider College which precluded him from attending. I think Joe definitely hit on a lot of what Assemblyman Rocco feels as far as compromising is concerned. In effect, we really have two proposals ahead of us, the University of New Jersey, which is in bill form, and the Department of Higher Education's proposal, which I am sure the Chancellor will be elaborating on in his testimony.

I know that other states have gone through this. When I was in college in Pennsylvania, we went through it with what they called the Keystone University bill proposal. This process of public hearings should provide us with the input we need to get the right legislation for the improvement of State colleges in New Jersey, including their image and the way they operate.

Joe, I guess we have delayed long enough.

ASSEMBLYMAN DORIA: I would just like to mention that this is one of three hearings. There will be two others. Assemblyman Rocco will be chairing one at Glassboro State College, and he will be sharing one with me in Trenton. We are having three hearings so we can get opinions from people throughout the State.

At this point, we would like to call upon the Chancellor for his comments.

DR. T. EDWARD HOLLANDER: Thank you. Assemblyman Doria, Assemblyman LaRocca, and members of the staff: First, I would like to thank all of you on behalf of the Board of Higher Education for your courtesy in deferring these hearings until the Board was able to complete its own hearings. The members of the Board were very appreciative of the courtesy you extended to them. I would also like to express my appreciation to the members of the Committee for permitting me to speak here today. This legislative hearing is further evidence and further testimony to the concern you have about the well-being of New Jersey's colleges and universities. I know that the other members of the higher education community join me in my belief that we are lucky to have a Committee such as this which understands higher education so well and shares our commitment to quality in higher education.

We are also lucky to have a group such as the Commission on the Future of State Colleges. The Commission has provided us with a great service by taking an independent look at our State colleges and by concluding that the current governance patterns hinder their movement toward educational excellence. In order to provide the State colleges with autonomy and flexibility concomitant with the other colleges in the State, the Commission proposed to consolidate the nine State colleges into a University of New Jersey, with a single governing

board having extensive powers. I agree wholeheartedly with the Commission's vision of nine vital academically excellent campuses with the flexibility and/or autonomy that will permit them to become even better. However, as you know, I believe that the UNJ approach is not the best way to achieve this goal. Almost all of my colleagues in the higher education community share this view, and I am pleased that members of the Committee also agree with this position.

A local Board of Trustees, given appropriate authority, can make a major difference to the campus ambience. Focused on one institution, it can keep its fingertips on the campus pulse. Faculty and students can have access to the Board in a way that is not possible if the Board were to have responsibility for nine colleges. Similarly, local Boards can more readily hold the President accountable and can more readily take actions to promote the building of campus consensus around responses to campus problems, including the strengthening of academic programs.

A few weeks ago, I sent you a copy of a paper entitled "Strengthening Educational Excellence at the State Colleges." It provides my analysis of the Commission report and my recommendations to the Board of Higher Education. Permit me, if I might, to recall what I wrote in that paper:

"That proposal now before the Board of Higher Education seeks to grant to the State colleges the same authority in fiscal and personnel affairs as is accorded to the other senior public institutions. This would mean that the State colleges would be permitted to manage their own cash, do their own purchasing, oversee the construction and renovation of their own buildings, run their own payrolls, commit and expend their budgets as they deem appropriate, and, except in certain areas of concern to the Board of Higher Education, transfer funds from one budget category to another without external approval.

"The colleges would also be permitted to retain any unexpended funds at the end of the fiscal year, so that they could accumulate moneys to accomplish expensive capital and deferred maintenance projects. In return for this autonomy, the State

guarantees of the total budget would end and the colleges would receive funding on a net appropriation basis. Further, regular post-auditing would be required.

"In order to enhance the prospects for better coordination of the State colleges, the proposal before the Board would establish a New Jersey State College Coordinating Board that would be comprised of one trustee from each of the State colleges and four public members appointed by the Board of Higher Education. The Board of Higher Education would turn to the NJSCCB on matters of concern to the entire State college sector. For example, policies and procedures to be used by the State colleges in the exercise of their fiscal autonomy, personnel policies, coordinated academic program planning, and so forth, would generate from the NJSCCB to the Board of Higher Education for enactment. The proposal also includes a number of measures intended to improve the range and quality of State college programs. It includes recommendations for the development of new upper division degree programs that would serve as a capstone to the many new and exciting associate degree programs offered by the community colleges, and for the development of new professionally oriented graduate degree programs to meet the needs for further education among New Jersey's growing number of professionals.

"A feature of the proposal is a recommendation for the initiation of a major faculty development program to be planned jointly with the faculty. The proposal which is being advanced by the Board of Higher Education's Academic Affairs' Committee is scheduled for discussion at the October 26, 1984 Board of Higher Education meeting. The State colleges have undergone dramatic growth since their transformation to arts and science institutions some 18 years ago. They have grown both in terms of size and quality. The quality indicators in place since the adoption of the 1981 Statewide Plan for Higher Education all show that the State colleges have improved the quality of their entering freshman classes. They have built a first-rate faculty. They have been providing statewide leadership by engaging in a planned review of all existing degree programs to ensure that the curriculum is up to date and rigorous. They have been adding

new programs. What they need now is the flexibility and independence necessary to move up the next few rungs of the ladder of quality. I am confident that with your support they will be able to do so."

Thank you very much.

ASSEMBLYMAN DORIA: Thank you, Chancellor. I think we would all echo your sentiments about the improvements that have been made and the excellent job that the schools are doing. This is the next logical step. I just want to thank you, Chancellor, for your flexibility here and for coming up with this proposal. I think it is very worthwhile. I also thank you for trying now to sit down to come up with some type of a program that will be acceptable. The Chancellor and I had lunch yesterday -- and I think we had a very good lunch -- at which time we agreed that if all of us got together, and worked together, we could come up with the best possible solution, rather than working at cross-purposes. So, we are going to try to work together and I think we will be able to come up with something that will be educationally sound and administratively beneficial to all the institutions, while at the same time will have a good possibility of passage through the Legislature and signature by the Governor.

DR. HOLLANDER: I agree, and thank you.

ASSEMBLYMAN DORIA: Thank you, Chancellor. At this point, I would like to call Dr. Maxwell, but before I do, I would like to thank Dr. Maxwell and the members of the Commission, especially Anthony Cicatiello, who is the Chairman, for the excellent job they have done on this proposal on the future of the State colleges. I think they put a lot of work into it. I know that a number of the members here on the Commission, people like Al Burstein and Bill Maxwell, and a number of the other members, have worked very hard on the proposal. I think that was a starting point; it created a very valuable point for discussion. Only by doing that have we come to a point now where we are looking at something that will be feasible and will eventually have a possibility for passage. So, I just wanted to thank them all.

Dr. Maxwell, will you please come forward to give your comments?

DR. WILLIAM J. MAXWELL: Thank you. Assemblyman Doria, Assemblyman LaRocca, I am pleased to welcome you and the Committee to Jersey City State College. We are pleased to serve as your hosts for this public hearing.

As Assemblyman Doria was kind enough to point out, I had the privilege of serving on the Commission on the Future of the State Colleges, whose report, "Toward a University of New Jersey," made recommendations that have now been incorporated into A-1951, the University of New Jersey Act of 1984, sponsored by Assemblyman Rocco. Those of us who served on the Commission are gratified by the introduction of this legislation and by the Higher Education Committee's decision to hold public hearings on the bill.

Over the past 18 months, I have testified before the Board of Higher Education in support of the recommendations of the Commission, and I have been a strong public advocate for the unification of our nine State colleges into a University of New Jersey. However, over these same past months, I have also come to fully appreciate the arguments of my colleagues, most of whom have sincere and strongly-held reservations about the wisdom of such a unification. They argue, and to me persuasively, that one of the major goals -- perhaps the major goal -- of the new structure would be that of granting operational autonomy to the nine State colleges. Further, they argued that this can be readily accomplished by following the example set by the University of Medicine and Dentistry of New Jersey. UMDNJ successfully established its institutional autonomy through legislation designed to free the school from the excessive bureaucratic rules and regulations which inhibited its proper growth and development. The State colleges would do well, I believe, to emulate the UMDNJ success. I am convinced that legislation to bring this change about can be accomplished now without the unification of the State colleges and the creation of a university structure. The goal for each State college should be to achieve, through new legislation and revision of existing legislation, operational autonomy and administrative authority equivalent to that now enjoyed by the University of Medicine and Dentistry.

Of course, I would be less than candid if I did not admit that I cannot read the bill now before you without feeling a bit of regret from time to time about what might have been. However, I am convinced that the time is not ripe for the changes that A-1951 is designed to bring about. Moreover, and more importantly, I am also convinced that most of the important goals that the Commission on the Future of the State Colleges envisioned being accomplished by a University of New Jersey can be achieved by the nine State colleges individually if we are given the authority needed to carry out the increased responsibilities recommended by the Commission and by the bill now before you.

I guess, like all converts, I am even more zealous on the subject of local autonomy now than some who originally proposed this approach as an alternative to the University of New Jersey. Under the general guidelines of the Board of Higher Education, each college requires the kind of autonomous powers that A-1951 proposed to grant to a University of New Jersey. To make maximum use of the resources granted to us by the State, and to be fully accountable for the use of those resources, we must have the authority to act and to manage them effectively.

I will not burden the Committee by reading a long list of the specific elements needed in legislation to ensure the kind of operational autonomy and accountability that can guarantee prudent and effective fiscal and personnel management. Instead, at the Chair's request, I will forward those specifics in writing to the Committee for its consideration.

I believe that our State has before it now a rare opportunity to greatly enhance the quality and operational effectiveness of each of the nine State colleges. It would be unfortunate indeed if such an opportunity were lost because of our inability to compromise and to reach a consensus on the issues before us. I trust that this will not be the case. I trust further that you will recognize the sincere effort to achieve that consensus on the part of those of us who were the strongest advocates of the university concept.

I hope you will agree that the real and immediate prospect of legislative change that would produce nine vastly improved public colleges better serving the varied educational needs of the citizens of the State is infinitely more important now than any grand design for the future, even the one envisioned by the Commission and the legislation now before you.

Thank you, Mr. Chairman.

ASSEMBLYMAN DORIA: Thank you very much, Dr. Maxwell. I think it is important that you were one of the first advocates of the University of New Jersey, that you are so strongly supportive of the concept, and that you have been involved in the process. That is the good thing that has taken place here. We have had a process; we have had an open discussion. Now we are coming to a point where everyone can come together to try to develop a proposal that will be acceptable. Obviously, not everyone is going to like every feature of it, but we are going to do the best we can. I thank you for your cooperation and help. I know we can count on you in the future.

Are there any other questions or comments from the Committee? (negative response) Thank you, Dr. Maxwell.

DR. MAXWELL: Thank you very much.

ASSEMBLYMAN DORIA: Our next witness will be Dr. Erna Hoover, Chairperson, Council of State Colleges.

DR. ERNA S. HOOVER: Assemblyman Doria, thank you for this opportunity to meet with you to express the views of the Council. Let me just take a minute to lay the groundwork that I think we can all agree on. We all know that the State has always thought it was a good idea to have educated citizens, but now it is absolutely essential because our economic growth depends upon it. These State colleges educate 70,000 of our citizens.

The reason the Commission was called was that our colleges labor under difficulties unlike any of the others administratively. To give you some examples, the chemistry department orders chemicals for the labs for the following year, but the State purchasing agent lets the contracts lapse, so that in the summer when you are trying to order chemicals, you don't know whether you are dealing with the same vendor

as you did the year before or not, and you don't know whether they are going to show up in September. They go through the dorms to check out which mattresses need to be replaced, and you are not sure that those purchase orders will go through. The State is also very slow in paying, and then the vendor is mad at the college. There are certain kinds of equipment, such as personal computers, where the manufacturers give us a special educational discount. In fact, we can get a better educational discount than the State can.

So, in serving these students we are not able to use our moneys to the best advantage. One of the most upsetting things right now is something over in Civil Service called the Vacancy Review Board. With the Vacancy Review Board, every time someone retires, including professors, someone comes around and asks how many students there were in those classes and how many more courses of this kind do you intend to teach? These are the sorts of things that a college administration should use judgment on as to whether or not the person should be replaced. However, in practice, right now we have to justify that to Civil Service. Our college administration is under Civil Service, and the titles of those jobs don't always match what we want to do. If we use the catchall way out of that, called a Civil Service Specialist, then those people do not get their annual increments as other people in Civil Service do.

So, we have been very hampered, and it was for that reason that the Commission was put together. Now, the Council took the position, having heard all the reasoning of the Commission, which I would like to express for you today-- This was passed this summer, not quite unanimously, but overwhelmingly, by the members of the Council who are the Presidents of all the State colleges and the chairs of the Boards of Trustees.

The Council of State Colleges wishes to commend the Commission on the Future of State Colleges for its most thoughtful and comprehensive report. The Commission has done an excellent job in its identification of the future problems and challenges confronting the State colleges. The Council supports strongly the Commission's recommendations as enumerated in the sections on Mission and Finance

and believes their adoption would enhance the ability of the colleges to deliver quality education to New Jersey's citizenry. By the way, our goal has always been quality education, but also access, both geographical access and financial access. We want people to be able to attend, irrespective of financial constraints.

In the area of governance, the Council applauds the Commission's conclusion that fundamental to the fulfillment of the intent of the Higher Education Act of 1966 is a transfer of power from the State's bureaucracy to the State colleges. Accordingly, the State colleges should no longer be categorized as "State agencies" nor treated in common with "State agencies." While the members of the Council are in agreement on many of the goals for the State colleges enumerated in the sections on governance, they are not in agreement on the recommendation that these should be achieved through the establishment of a University of New Jersey. Therefore, we offer the following suggestions on governance which we believe would result in these institutions having better programs, stronger administrations, and heightened prestige.

Factors which require attention relevant to the issue of governance are:

The fact that the State colleges do not enjoy the fiscal autonomy accorded the rest of higher education in the State;

The fact that State colleges have not been permitted the same control over the collective bargaining processes as do the administrations of other State public colleges;

The need for control over personnel with regard to recruitment, selection, development, and compensation; and,

The need for a stronger common effort on issues of common interest and on statewide advocacy.

The educational missions of the institutions can more easily be attained if they have flexibility to improve academic quality and plan for program diversity and enhancement.

The Council concurs that these issues require appropriate attention and offers the following proposal for a system of colleges designed to respond to the needs expressed by the Commission for

greater institutional autonomy, enhanced sectorwide coordination, and improved advocacy.

To insure that the State colleges enjoy the same fiscal autonomy exercised by the other public colleges and universities in New Jersey, it is essential that authority over such matters as cash management, purchasing, personnel, and related fiscal operational matters be transferred from the State's bureaucracy to the nine individual State college trustee boards.

College presidents should be appointed by and serve at the pleasure of local boards of trustees as they do today.

While each State college implements its own locally determined approach to educational initiatives, the State college sector operates within the broad mission established for it by prevailing statutes and the Board of Higher Education. Nevertheless, coordination is required to insure that sectorwide planning goals and interinstitutional issues are adequately resolved. Thus, we propose a modification in the role and composition of the Council of State Colleges. We further propose the establishment of a State College Presidents' Council. At the present time, I believe the terminology that would be advocated would be the Council of State Colleges Coordinating Board.

Under this model, the Council of State Colleges would be comprised of one representative from each of the nine State college Boards of Trustees, as well as several public members. The Chancellor of Higher Education would be an ex officio, non-voting member, as would the chair of the Presidents' Council.

The new Council would have appropriate coordinating responsibilities for the State college sector. It would deliberate on matters of sectorwide policy, establish appropriate guidelines for purchasing, payroll, and personnel systems, in addition to preparing and periodically updating the sector's master plan.

It would have as one of its foremost priorities the responsibility for State college advocacy before all appropriate governmental bodies and for promotion of the State colleges to the citizens of New Jersey. The Coordinating Board would be supported by an executive director and a small staff.

This proposal addresses the need to preserve the distinction between overall coordination of the State college system and the governance and administration of its constituent institutions. It gives appropriate attention to the most vital elements of sectorwide advocacy and coordination and supports the Commission's recommendation to grant a more significant degree of local autonomy to the nine institutions. Council's proposal attempts to provide an appropriate balance between the requirement for improved advocacy and coordination at the statewide level and the preservation of local autonomy and initiative.

ASSEMBLYMAN DORIA: Thank you very much, Dr. Hoover. Are there any comments or questions? (no response) I would just like to say I think it is important that the Council of State Colleges take an active role in working on this process. In the end, they may well become the coordinating body, under a different aegis obviously, and maybe with different representation of what will eventually come out of this legislation. Again, I want to thank you for your interest and concern.

DR. HOOVER: Well, I thank you for your interest. As I said before, I really believe that the Legislature in this State is interested in education. It has to be because it is so vitally important. I really do not need to tell you that, because I know you are in the academic community too, as is Assemblyman Rocco. However, the rest of us who are not directly in the academic community have an equally important concern for it. I think this is a way to serve the citizens and get more "bang for the buck" in what we do.

ASSEMBLYMAN DORIA: Thank you. At this point, I would like to call Dr. Seymour Hyman, President of The William Paterson College. Dr. Hyman has been very active in the discussions concerning the whole concept of a University of New Jersey. He has been very helpful to me by providing various and sundry information in the past. So, I want to welcome Dr. Hyman here and thank him for his interest and for waiting so patiently.

DR. SEYMOUR C. HYMAN: Thank you, Assemblyman Doria and Assemblyman LaRocca, for the opportunity to address this Committee.

My name is Seymour Hyman. I am the President of The William Paterson College of New Jersey.

During my tenure as President of The William Paterson College of New Jersey, I have felt continuously the need for more complete authority and responsibility to be placed in the college's Board of Trustees. Every day I experienced the dragging restraint of the Trenton bureaus that prevented the build-up of momentum and limited the growth toward excellence of our colleges. It has been clear to me for a long time that the legislation of 1969 which called for local autonomy has been diluted and perverted to an extent where the clear legislative intent has been defeated.

I awaited with great eagerness the report of the Commission on the Future of the State Colleges. This report appeared in February, 1984, and it proposed the dramatic idea of the creation of the University of New Jersey. The Commission fastened upon that as the organizational device to set free the State colleges from their red tape entanglements and to encourage their growth.

I supported the idea as proposed by the Commission for the creation of the University of New Jersey. However, after much discussion with my colleagues and further study of the pros and cons and the implications of that report, I have come to realize that the creation of the University of New Jersey at this time is too radical a change in view of the current level of support for higher education in the State of New Jersey.

I now believe that the proper way to reach our goals is via legislation. I think that the legislation being commented on this afternoon represents a bold initiative, and I am grateful to those members of the Assembly who introduced it. However, I believe the evolution of ideas has been such that this legislation, which was modeled on the Commission Report, should be modified in several important ways.

The appropriate form of legislation, in my judgment, would be such that the existing Council of State Colleges would be replaced by a New Jersey State College Coordinating Board. The membership of this Coordinating Board would be composed of a representative from each of

the nine State college Boards, plus several lay members to be appointed by the Governor with the consent of the Legislature. The Chancellor of Higher Education and the Executive Director of the Coordinating Board would be members ex officio without vote.

The legislation should give to the Coordinating Board the authority to set such policies, guidelines, and procedures as would pertain to matters that are limited in applicability to the State college sector. This is not intended to conflict with Board of Higher Education powers now in the law and broadly defined as to coordination of statewide higher education.

Each State college should be given the authority and the responsibility for conducting its own affairs -- fiscal, personnel, purchasing, maintenance and construction, etc. This legislation should be patterned on the law describing the functions of the University of Medicine and Dentistry of New Jersey.

The status of the colleges as "State agencies" should be terminated on June 30, 1985. During the ensuing 12 to 18 months, the Department of Higher Education should mediate and expedite the transfer of functions from State offices to the colleges.

I believe the above principles incorporated into legislation would establish a continuing road to educational excellence, the road that was initially laid out by the Legislature in the Act of 1969.

Healthy and prestigious State colleges are an essential component and a major basis for economic development in the State of New Jersey. I believe that jobs will move into New Jersey if there are educated and trained personnel available to fill the jobs. I believe that more effective and more prestigious State colleges would do a great deal to retain in New Jersey those young people who now leave the State for college educations and then work and pay taxes elsewhere.

We now have an opportunity to do as much for our young people via the State colleges as we have had at any other time. Hopefully, we will not confuse the moment or lose the opportunity.

Thank you very much.

ASSEMBLYMAN DORIA: Thank you very much for those insightful comments, Dr. Hyman. They will be taken into consideration, obviously,

as we go along with this process. I want to thank you for coming. Are there any comments? Jeff?

MR. LAND: Yes, Joe. Dr. Hyman, I notice that a lot of the recommendations you made concerning the State College Coordinating Board were pretty much identical to what was put out in the "Strengthening Educational Excellence of the State Colleges" report of the Chancellor.

DR. HYMAN: Yes, there is a great similarity.

MR. LAND: I notice one difference, though. With the public members of the Board, you recommended gubernatorial appointments and the Chancellor recommended Board appointments. Is there any reason for that?

DR. HYMAN: Yes, I have a specific reason for that. I think that the Coordinating Board has to be a body which is designed to serve the State college sector and serve the local boards of trustees. I think that any implication that that Board is intended to be a controlling factor, or a policing factor, in the State college sector should be avoided. I don't believe that that is the intent of the Chancellor or the Board of Higher Education, but the appointment of four additional members to that Board by the Board of Higher Education could give some people now, or even in the future after we have all stopped talking about it, the idea that they had some Board of Higher Education control or oversight function. On the other hand, I believe that the appointment of additional interested lay citizens would be of great assistance.

MR. LAND: Thank you.

ASSEMBLYMAN DORIA: Thank you very much. Are there any questions? (negative response) Next we will have Abbey Demel, President, CWA Local 1031.

ABBEY DEMEL: Assemblymen Doria and LaRocca, members of the Committee: I do not have a formal speech to present to you, and I do not have a formal statement. However, I would like to speak to you extemporaneously.

As President of Communications Workers Local 1031, representing close to 2,000 support staff at the nine State colleges, I

feel I have a responsibility to be here today to speak for these employees. We are very much in favor of enhancing the quality of higher education in the State of New Jersey. We are very much in favor of fairness for all concerned in the educational process, whether it be faculty, employees, management positions, or, of course, students. It is not, however, our responsibility to find out what the problems are in higher education among the nine State colleges.

I am familiar with the Commission's report on the future of the State colleges and Chancellor Hollander's alternative plan. There may or may not be certain aspects in both of these proposals that we agree with or do not agree with. However, there is one area that we are very concerned with. We are also very concerned with Assembly Bill 1951 if it implies what I think it implies, that is, taking away the Civil Service status of the people in the CWA bargaining units. They are very upset with this idea. They are very disturbed with this idea. They very much want to keep their Civil Service status.

My understanding of the Chancellor's alternative plan is that only new hires would have Civil Service status taken away from them. Well, it sounds very much to me like an attempt to do what Merck tried to do to its employees in the private sector, and that was to create a two-tier system of having employee against employee, one set of employees having Civil Service status, and another set of employees not having it, working alongside of each other, but not having the same protection.

We cannot support a bill that would do this to our people. I would like you to consider this when you consider all of the proposals which have been brought to you. Thank you for your time.

ASSEMBLYMAN DORIA: Thank you very much. I would like to make a comment, and I think I will be speaking for the Committee members and for the legislators. We do not foresee that any changes will take place in the status of the employees under Civil Service in any piece of legislation that will go through this Committee. Obviously, the purpose is not to take anything away from the employees at the State colleges; the purpose is to try to improve the operation of the State colleges. Speaking for myself, and I think I can speak

for Assemblyman LaRocca in this instance, and the other members-- I know that Assemblyman LaRocca is a very strong advocate of unions. There should be no difficulty in coming up with a piece of legislation that will be more effective for the administration of the colleges, but that will not take away the rights of the employees.

So, I want to assure you of that. Obviously, we will work together with you on that matter. I just don't want you to go back to your membership and say that there is still a problem. We are going to work it out to see what we can do there.

MS. DEMEL: Okay, because you see, even if it isn't in black and white that Civil Service is being taken away from our employees, the implication is there if you are using as your role model Rutgers University or the University of Medicine and Dentistry. You know, I just want to point out that those employees do not have Civil Service status.

ASSEMBLYMAN DORIA: We are aware of that, but, again, the model is an administrative model; it is not a labor/management model. I mean, there is a difference, a big difference. A labor/management model is one thing and a model for administrative purposes is another. The only way it could be taken away is through legislation being passed which says it is taken away. No matter what happens after that point, unless legislation passes, it does not get taken away. That is the law. The colleges on their own could not take away Civil Service status if the Legislature did not give them the authority to do so. Okay?

MS. DEMEL: We understand that.

ASSEMBLYMAN DORIA: It is important to realize that you can't be afraid of change because of the fact that the model may have a different type of labor/management system, because unless the legislation is specific about Civil Service, there is no way it can be changed. Okay?

MS. DEMEL: We wanted you to know our position with regard to any contemplated legislation. We appreciate the Committee's -- the Assemblymen's -- sensitivity to our needs. Thank you.

ASSEMBLYMAN DORIA: You're welcome. Our next speaker will be Mr. Mark Antonio Lacatena from the American Federation of Teachers. I always like to call Mark, Mark Antonio, because I love the name.

MARCO ANTONIO LACATENA: If you like Mark Antonio, I think you would like Marco Antonio even better.

ASSEMBLYMAN DORIA: Is it Marco Antonio, or Mark Antonio?

MR. LACATENA: It's Marco Antonio. Thanks, Joe.

I see from what has transpired -- from the speakers before me -- that the debate is apparently shifting from the bill that you and Assemblyman Rocco have proposed to perhaps a different kind of model, which is currently known as the Chancellor's model, I guess, or his proposal.

I did not come here prepared to speak on that, and I think it would be a waste of time to speak on the other, since it appears that that is, if not dead, a dying issue. For that reason, I am going to ask that I be permitted to make some extemporaneous remarks now, and I would like to come back to one of your other two sessions. At that time I could have a more thorough analysis.

I have here a copy of the union publication -- hot off the press this week -- which we have republished for the entire faculty, of the Chancellor's proposal, with a short commentary. Let me say what my concerns are, if I could characterize the proposal. What I see -- talking about the proposal overall -- is that it grants the State college sector a certain degree of autonomy, that is if one were to buy the proposal as it is being promulgated. However, it places the authority and gives that autonomy-- It takes away the autonomy from the individual colleges and places that autonomy at the Department and Board of Higher Education level. It does give a degree of autonomy to the individual institutions, but only in a very narrow area. I would like to differentiate between improving the efficiency of the institutions in terms of running them-- All of the problems that Dr. Hoover indicated do exist in the areas of purchasing and, admittedly, everyone has frustrations with bureaucracies, no matter where they are. I would be the least to complain about frustrations with bureaucracies. However, there is another side of the autonomy coin,

and that has to do with the academic side, the question of programs, the questions of the governance of the academic community as a whole, and the role of what I consider to be the major players, the faculty and the students.

It appears to me that in the name of efficiency, a certain kind of autonomy is being granted but in exchange for that other side of the coin, in that, in reality there is a lesser degree of autonomy for the institutions. The Chancellor talked about the local boards of trustees as being a good thing because they are closer to the people and there is a responsiveness. However, in the model I see as it is currently being promulgated, there is an insulation, that is, there will be a lack of responsiveness between the campus community and the place where the real policymaking is being done. Let's make no mistake about it, this is strengthening the policy-making hand of the Board of Higher Education, and thereby really the Department of Higher Education and its chief executive officer, who, after all, formulates the policy, sends it to the Board for their approval and modification, and executes it. I mean, let's not kid ourselves. We know the function of boards. They take a degree of leadership, but they depend -- they have to because it is not their full-time job -- a great deal on staffs, on the people who work for them.

So, those are the concerns we have. We have a multitude of other concerns about some of the particulars, the mechanics, that are involved. I am not so sure that taking away "State agency" status and having labor relations conducted on a level with the Board, or with the Department, is such a good idea. I predict a much greater degree of labor unrest, of disconcertment on the part of everyone involved; I predict that because they would have their eyes on the faculty salary, on the whole salary account, as a solution to their problems. It has been attempted in the past, and it has led to labor unrest and near job actions. This would only accelerate that.

We have problems in terms of accepting some of the Commission's recommendations. I just rattled some of them off -- their admissions policies, and things of that nature. The whole concept of program duplication-- You know, if a student lives in Paterson, he can

take the bus up the Haledon Avenue hill and get off in front of The William Paterson College. However, if a program was not available there and he had to go to Montclair, he would have to take a bus or a train into New York City to get to Montclair State College. We all know the public transportation problems in the State of New Jersey. It may sound good; here are two colleges eight miles apart, why should they have the same program, until one looks at that. Now, if you are talking about a kid in the suburbs, you can say the kid is likely to have a car, but I don't think you can say that about kids in Jersey City, kids in Paterson, or kids in some of our other urban communities.

There are a lot of problems involved here, and to just talk about program duplication in terms of efficiency can lead to grave errors, to grave problems. I am taking a lot more time than I had planned to. As I said, I have a lot more to say, a lot more to put down on paper, but I wanted to give you an idea of where we are headed.

One last thing, and that is, I would like to express my thanks to the Committee, but on the other hand, at the same time express my disappointment with the academic community that I am a part of. This alternate program was under development throughout the entire summer and it was given to me about a week and a half or so before it was given to the Board of Higher Education. Therefore, it puts me, as the representative of that academic community out there, in the position of having to react, rather than participate in the development of a program, and this makes it that much more difficult.

So, I want you to understand that if there is a degree of aggravation in my voice, that aggravation is not with the Committee, but with the process which has taken place. I would hope that the Committee would afford the faculty and its representatives a greater degree of courtesy than has been extended by the academic community itself.

ASSEMBLYMAN DORIA: Marco, I agree with you on that. I also want to emphasize that neither the bill, nor the proposal from the Commission, nor the Chancellor's proposal at the present time is the final proposal that will be reviewed by this Committee and will become law. What I am asking for -- and what I have asked the Chancellor for

-- is an opportunity to participate in discussions. I would appreciate it if you, as a representative of the faculty members, would provide me with your comments, those ideas that you like, and those that you don't like, so that we can include them in the discussion and then bring you into that discussion with these groups. Then we could come up with something that would be acceptable. I think all of us know there are problems. I don't think anyone intends -- and I do not intend -- to take away autonomy from the local boards. I think the Coordinating Board, to my mind, as I have said before, is there more to function as a PR external relations type of group. There is, as you know, a dearth of ability on the part of the State colleges to represent themselves on a statewide basis to the Legislature or to anyone else. They have a hard time getting their act together. That is the reason why, unfortunately for too long -- and you will have to agree with me -- that they have been ignored and have not gotten their just share of a lot of the programs and a lot of the commitment that has existed in higher education in this State.

Obviously, that is a concern. What I am saying is, what we have here are two proposals, the Chancellor's proposal and the Commission's proposal. What the final product will look like, that piece of legislation, will be something, hopefully, where everyone can come together. You know I believe in that. I get as angry as you do when I feel there is not enough input. That is the reason why I felt it was necessary for us, as legislators, to get involved now. Assemblyman Rocco and the other Committee members felt the same way. Assemblyman LaRocca is always concerned about involvement. We get everyone involved, and that is why it is good for you to be here. I want your input; I want your ideas; I want you to come up with those suggestions that would be most beneficial so we can come up with a program that everyone feels will benefit the State colleges, all of their employees, and all of the citizens of the State.

MR. LACATENA: Okay. I will take you up on that.

ASSEMBLYMAN DORIA: Definitely. As soon as you can, please provide me with your ideas. I will give them to the staff and we will start working on them. If we have a meeting, which I am hoping we will, we will call you in.

MR. LACATENA: Thank you.

ASSEMBLYMAN DORIA: Our next speaker will be Dr. Donald Silberman. Dr. Silberman is President of the Jersey City State College AFT Local 1839. I have worked with him in the past. Dr. Silberman?

DR. DONALD J. SILBERMAN: I came here, I guess, to beat a dead horse, that is, the University of New Jersey concept. I sense that there is a movement away from that proposal, which is the proposal that the bill was designed to provide legislation for. However, contained within the Commission Report, and also contained within the Chancellor of Higher Education's proposals -- it is the Chancellor's proposals which are now the rallying point for those seeking consensus -- are a couple of measures which were contained in the Trojan Horse of the University of New Jersey. The University of New Jersey concept was very appealing because it held out to students the possibility that their degrees would be enhanced and the institutions, therefore, would become more attractive. It held out to faculty the possibility that their status would be enhanced as members of a university, rather than a college. However, contained within this sugar-coating was a bitter pill for both faculty and the citizens of New Jersey. For the citizens of New Jersey, there are recommendations for a further restriction of access to our State colleges, a restriction of access that takes two forms: a continuing attempt to bring enrollments down artificially through managed enrollment declinations by raising admissions requirements first of all, under the Chancellor's direction, and by centering on SAT scores, an attempt to raise the academic profile of the entering class, the regularly admitted students, by pressing for higher and higher SAT scores. I mention that because even though the new proposal before you refers to high school class rank, you must recognize that that is going to be on top of the continuing pressures for higher SAT's.

The Chancellor has never acknowledged the relationship between SAT scores and income levels, as has the Educational Testing Service in Princeton. In its own publications, ETS has consistently acknowledged that as income levels go up, SAT scores go up. Now, I come to you as the President of the Faculty and Professional Staff Union at Jersey City State College. Our college admits students with

lower average SAT scores because they are urban, blue collar, working-class people. That doesn't mean that they have less ability, or less potential to succeed. ETS shows that SAT scores are inappropriate for lower-income ranges as a predictor of academic success, and that is all they are. They predict academic success. They are really useless as predictors of success in life after graduation because there is little correlation between the score that an urban person of a blue-collar background or a minority urban person gets on the SAT test and his or her success in college or in life.

The new proposal would further restrict access, and the Commission Report indicates that tens of hundreds of students would be closed out of the State colleges. The Commission Report goes on to estimate the amount of money that would be saved, close to the cost of the new layer of bureaucracy, the central board, that is proposed for the UNJ. The Union is for continued access for the citizens of New Jersey to the State colleges. My Union at Jersey City State College is in favor of keeping the golden door of educational opportunity open, rather than moving to close it on the students of Hudson County. Our college is made up largely of students from a blue-collar background, first generation college students. We have a significant level of minority enrollment at Jersey City State College, and the Chancellor's proposals and the Commission proposals would close down educational opportunities at the State college level for many of our students.

Inside this sugar-coated pill of the UNJ -- or the Trojan Horse, pardon me for mixing metaphors -- is another recommendation that is continued in the Chancellor's new proposals. Marco Antonio Lacatena spoke to this. It is called unification of the system, or consolidation of the system. It results in: "Elimination of duplication of programs." It is a false model. Most of our students are commuters. Many of our students are low- and moderate-income people who cannot afford to travel great distances or to pay for room and board. There would be restriction of access of another kind for those students. They would be denied an opportunity to enroll in programs for which they were talented or in which they were interested because they could not afford to travel to the college where the

program was being maintained as it was being shut down at the college to which they had access.

The elimination of duplication has ramifications for the faculty. They are proposing to terminate senior tenured faculty in the programs curtailed or closed down while they eliminate duplication to pay for faculty needed in new programs in high technology and business. What we need in the State colleges of New Jersey are policies, and the funding to match those policies, to achieve academic excellence. The Chancellor and the Commission prate hypocritically of academic excellence, but how is academic excellence defined in the policies they recommend? It becomes an euphemism for cuts, cuts in the size of the student body through restriction of access to the State colleges, largely falling upon low- and moderate-income people, such as the students who are served by Jersey City State College. Elimination of duplication is the closing down of departments and programs, which means further cuts, and the termination of senior tenured faculty with long years of dedicated service to higher education in New Jersey. What we need is adequate funding, substantial increases in funding, to pay for the new programs in high technology, which require considerable expenditures for equipment, such as computers, and considerable expenditures to pay for competitive faculty salaries, and, again, I cite the area of computer science, where there is tremendous competition for faculty. But, we also need continued funding for the current programs. We should not be laying off historians, philosophers, and sociologists in order to hire computer scientists. We should be adequately funding the existing programs in the arts and sciences which provide the faculty for the general studies, or general education programs of the State colleges. We should be building up and improving the quality of those programs, instead of tearing them down by terminating the faculty in them.

The proposal to terminate senior tenured faculty will result in a considerable loss of academic freedom because tenure provides the protection in which academic freedom flourishes. I don't think we can say we will have achieved academic excellence if we erode academic freedom in the State colleges.

Now, again, as Marco Antonio Lacatena indicated, there is an edge of anger to what I am saying because we have not been consulted. The Chancellor has developed his alternate proposals. Those who originally favored the University of New Jersey are meeting and are arriving at a consensus without consulting the representatives of the faculty and the professional staff, and without consulting the representatives of the students at the State colleges.

I welcome this opportunity to speak before you. I know that Assemblyman Doria and Assemblyman LaRocca have served the interests of the citizens of Hudson County and of New Jersey, and have the best interests of higher education in the State of New Jersey in mind. I don't think those interests are served by the Chancellor's proposals, which would restrict access to the State colleges, close down programs, terminate tenured faculty, and erode academic freedom. I think that such policies are in the interest of fiscal conservatives who want to save money by closing students out, terminating faculty, and shutting down programs. We should not rob Peter to pay Paul; in order to set up computer programs, we should not close down programs in the arts and sciences.

Now, I would like to end with some comments about schools of education, because I see schools of education as the primary target. Although I have been talking about arts and sciences, the schools of education are where the terminations are going to occur. Now, look at the situation in New Jersey. As in other states, there is a need, a growing need for teachers. The need appeared first in the areas of math, science, and special education, but now there is a growing need for teachers in elementary certification and in secondary certification. So, what do they propose to do to meet this need? They shut down the schools of education, throw out faculty that have ably served the educational system of New Jersey for many years, and come up with a hairbrained scheme, a crackpot scheme to take untrained teachers and throw them in front of classrooms, classrooms that they will be in charge of. They will be observed once a week by a harried principal, and possibly consulted with by a master teacher, although that is doubtful at this time. It is an alternate certification route to

provide new teachers who will be certified in an experimental system to meet the growing need for teachers, instead of looking at the existing programs that have served us ably in the past and improving those programs, modernizing those programs, and strengthening those programs; but that costs money. What the fiscal conservatives want to do is save money, and in order to save money they cut down on the services that are available to working people, both the children in the public schools and the citizens who attend the public colleges.

I have more to say but I know you do not have enough time to listen to me. However, I would like the opportunity to convey to you, along with my President, Marco Antonio Lacatena, our proposals for the strengthening of local autonomy and the improvement of higher education in the State colleges. Thank you very much for this opportunity to talk to you.

ASSEMBLYMAN DORIA: Thank you very much, Dr. Silberman. I just want to emphasize the fact that Committee members and legislators, as a whole, definitely do not feel that the admission standards that are being proposed are necessarily those that will be in the final proposal. I think a lot of us have expressed the same concern you have, that we must have equal educational opportunity and open access. One of the greatest men I know who was a college president once said, "It doesn't matter who you accept into a college and what their level of ability is; it matters who you graduate from the college and what their level of ability is." If, during the four years in college, or five years in college, you bring them up to the level of where they should be and you graduate them, then you are doing your job. In many instances, the young people, especially those from our urban areas, such as Hudson County, don't come with the skills, but they should be given the opportunity.

So, I agree wholeheartedly with that. I have always felt that; I have always believed in that. I know the members of my Committee do, too. In the past, on other issues, they have been very strong on that. In the area of admissions, I think you are going to see some discussion and some changes that will allow for greater local autonomy, greater control by local boards, and the ability of the local

boards to meet the needs of the communities they serve, because every community that a college is in is different. So, that is important. Every community should be serving the needs of the students in that community. I think that is the first thing I want to say, that I agree with you on that.

The second thing I would say is that obviously we do not intend by the proposal-- We do not intend to make this a proposal which will allow us to fire faculty; no one wants that. We realize there is a great deal of expertise and ability there. There is a need, of course, for accountability; there is a need for, you know, financial restraint, but we should not use one to take advantage of the other. We are going to try, as much as possible, to work with the various communities involved in the process to come up with the best possible program.

I would just like to thank you again for coming out today to participate.

DR. SILBERMAN: Thank you very much.

ASSEMBLYMAN DORIA: You're welcome. Is there anyone else in the audience who would like to testify at this point? (affirmative response) Yes? Why don't both of you come up front and identify yourselves? We will be happy to hear from you.

DOMINICK D. CRITELLI: Assemblyman Doria, Assemblyman LaRocca: My name is Dominick Critelli. I am the President of Local 195 and, also, the Atlantic Area Vice President of our International Union. Alongside me is Pepi Suarez -- Joseph "Pepi" Suarez -- who is the Chapter President of Local 195 at Jersey City State College.

ASSEMBLYMAN DORIA: Is that the CWA?

MR. CRITELLI: No, Local 195, IFPT.

ASSEMBLYMAN DORIA: IFPT, okay. I just wanted to get the union straight. I'm never sure.

MR. CRITELLI: You mentioned the CWA, and as representatives of the people in the areas of maintenance, crafts and security within the college systems, we do share most of the concerns that Abbey just mentioned to you.

We have some concerns regarding the reports and recommendations we have heard discussed here today. I listened to the Chancellor. He mentioned some aspects of the feelings he has and the recommendations he has made. I have read the reports, and I have prepared a statement; I have it here and I will give it to you after the hearing. But basically, for the purpose of simplicity, I have referred back to the report of August 21, which is essentially the same as the September 19 report. Our concerns are about the same as those mentioned by Abbey Demel. One thing is the removal of people in our bargaining units from Civil Service status into unclassified positions. We are most concerned about that. We feel there are hints of this possibly happening. Even in the legislation, I think that some parts may be mute in this area. It does not fully spell out that this will not happen.

In reviewing the sections of the report containing the grandfather clause, we see it as an eventual phase-out of the Civil Service system. For example, if a title change were to take place, would that be within Civil Service status or would it be within the unclassified positions? That is our main concern about the grandfather clause. We see the possibility of a promotion of title being placed into an unclassified position. How would that affect new hires? We don't think that has really been spelled out clearly.

Regarding questions of payroll disabuse, pension status, and health benefits, we feel they also could possibly be affected. We do not see anything that really spells out or clarifies how these areas will be handled.

We have a set of policies in the Department of Higher Education. Our concerns are, if each State college were to be considered a separate State department, in a sense, would that mean that each college would have a different set of policies? If that were the problem, it would be almost impossible to deal with, especially within the bargaining units that we represent. We are statewide; we have 193 odd titles.

At this time, we feel we have listened to the reports and recommendations that have been presented to you. We feel that our

concerns are mainly with the status of the employees. We realize that the importance of the process of education in the colleges is dependent upon support services, such as our maintenance, crafts, and security personnel. At the same time, we do not want to lose sight of the single most important goal, which is to provide students with the best possible education they can receive. Whether or not the recommendations in any of the reports provide for that entirely is something that will have to be looked at very closely. I think what we are trying to do is satisfy the support services and those who represent the academic area, and to do what is best for the colleges in the State of New Jersey.

Assemblyman Doria, we would like to thank you for being here. I have a letter here containing information, and we have questions which we would appreciate having answered, if you could possibly do that for us. I will leave a copy of this letter with you, and perhaps you will want to talk about it later on. We are open to discussion, and would be happy to sit with you or anyone else on this matter. Thank you.

ASSEMBLYMAN DORIA: Would you like to say anything, Mr. Suarez?

JOSEPH "PEPI" SUAREZ: I would just like to echo what Dominick said. I agree with him wholeheartedly. Our main concern, and the concern of our people, is that the Civil Service status will be abolished. That is something we are very, very concerned about, because when the people took the jobs, they took the jobs with the idea that Civil Service would be there. If it were to be abolished, it would be something that would be very, very drastic.

However, hearing you, Assemblyman Doria, I have been encouraged by your saying -- and I hope I understood you correctly -- that that is not the Committee's recommendation. I just want to put on the record that we feel as the CWA does. What happened with the relationship we had with Civil Service and, also, with the benefits we saw with the State and everybody else? Technically that is where we want to negotiate.

I would like to thank you for--

MR. CRITELLI: (interrupting) Excuse me, there is one last thing I would like to mention. I think we all share the same problem -- all of the bargaining representatives here -- in that we find that positions are not being filled within the colleges. We have people who retire, who are out sick, who go on a leave of absence, or whatever, and mainly those positions that people retire from, or people are promoted from, are not being filled. We request that you look at that phase of our problem also, because without those positions, whether it be in the academic area or the support services area, I do not think we can survive properly.

ASSEMBLYMAN DORIA: I would like to thank both of you again. I have worked with both of you in the past, and I know Pepi very well. I assure you, again, that it is not the intention of the Legislature to, in any piece of legislation-- There has not been a piece of legislation drawn that will accomplish the goals we have discussed here today. We are now taking the University of New Jersey legislation which has been introduced as a starting point. We have the Chancellor's recommendation, which is not legislation. It is just a report, and it would have to be drawn up into legislation. What we are saying is, the new piece of legislation that will be drawn up will obviously have a lot of different components. Some of them you will be concerned with, and others you may not be concerned with. All of them, of course, you will be interested in.

I think I can say at this point, after my discussions with the college presidents and with the Chancellor, that the question of Civil Service as presented in all of the reports now will not be changed. The status you presently have will be the status you will have in the future. I think I can say that, right now, that is almost for sure.

Some of the questions you just brought up, Dominick, dealing with replacing positions, might be solved by the new plan. For example, now you have to go through the Vacancy Board, which is part of the problem in filling positions. You know that.

MR. CRITELLI: That is most of the problem.

ASSEMBLYMAN DORIA: Okay. Under the new legislation, if the colleges gain greater autonomy, they will not have to go through that. That, in itself, would be a benefit you would want. I mean, that is something you would gain from this autonomy situation, because then the colleges would be able to fill the jobs without having to go through the Vacancy Board. That is an example -- you just brought it up -- where benefits would come from greater autonomy to the local colleges.

I do not think that all of the questions you brought up concerning health benefits, and all those things-- I suspect, knowing how it is done, that they are in the contract. The bill will just reaffirm that the contracts stand, that nothing has changed. I mean, if a contract has been negotiated, that is the contract. The bill and the changes will not interfere with any contract which exists between the locals and the colleges. At the same time, I do not think we are talking about each college negotiating for itself. I don't think the colleges want that. I think we are talking about everyone working together in the same way that they have in the past.

I appreciate your concerns, but I think we can work these things out because, again, with your input and the involvement we have, no one -- at least from what I can see -- wants to take the rights of the working man away from him. I am definitely against that, and I know that most of my colleagues are too. I think we will be able to work out something that will be beneficial to the colleges, while at the same time will benefit you, and which in the end may solve a lot of the problems you have mentioned, such as the vacancy problem.

I want to thank you for your input. We will continue to work together to try to come up with the best possible solution.

MR. SUAREZ: We want to thank you, and we will be happy to work with you also.

ASSEMBLYMAN DORIA: Thank you. Is there anyone else who would like to testify at this point? (no response)

I would like to take this opportunity to thank everyone who came to testify today. I want to thank Assemblyman LaRocca for his presence here and for his input, and Jeff Land, who represented Assemblyman Rocco. A number of members of my Committee could not be

here today. Assemblywoman Garvin has been ill, and has not really gotten back to a full schedule, so she could not be here. I know that Assemblyman Bocchini had a court date today and could not be present. Assemblywoman Muhler would have liked to have been here, but she had a conflict. Hopefully, we will have the other members of the Committee at the other hearings, since we are going to have three of them.

We ask you to please spread the word to those individuals who are interested, because we want to get everyone's input on the process. We want to get them to the next two hearings. I think that all of the college presidents should get involved and make presentations so we can get an idea of what they feel. We had two college presidents here today, and I want to thank them for coming. We had representation from the various unions and various constituency groups, but I didn't see any students here. I would have liked to have seen some students. I think students should also get involved because it will impact upon them. They were not here today, but hopefully they will attend the other two hearings we plan to have in Trenton and Glassboro. I think it is essential that the students become concerned and involved, and at least give us some of their input, because they will be impacted.

I want to thank the ladies who are here from Legislative Services for their hard work. They travel all around the State and put up with these hearings. I want to thank Kathy Fazzari for her work in putting this together, and the people at Jersey City State College for setting up the room today and for all the help they have given us.

Thank you all very much. Hopefully, we will come up with something that everyone will find acceptable. I think we had a lot of various ideas today, all of them good. I think we can work with them to try to come up with something that is acceptable to all parties. This will be one of the first attempts in higher education where we will have a bill in that we will have agreed upon before it came in, rather than have everyone tearing himself apart once it is introduced. As I said, the Board of Higher Education seems to be very cooperative on this, and the Chancellor seems to be willing. I know that the Chancellor has already agreed with me on the Civil Service question, so

there is no conflict. The presidents have also agreed. I mean, that is why I feel confident to say certain things, because we have begun discussions and we have begun to work on these things. Okay?

Thank you all very much. This hearing is now adjourned.

(HEARING CONCLUDED)

APPENDIX

FOR IMMEDIATE RELEASE

Testimony of Dr. Donald J. Silberman, President, Local 1839, AFT (AFL-CIO)
on Assembly Bill to Establish the University of New Jersey--Hearing at
Jersey City State College, 10/5/84

As you know, the Council of N.J. State College Locals, AFT (AFL-CIO) is on record as opposed to this bill. We are also on record as opposed to the principal recommendations of the Report of the Commission on the Future of the State Colleges, Toward a University of New Jersey, which this bill is designed to implement. We believe that the UNJ proposal would result in an unnecessary and costly new layer of bureaucracy. Its central governing board would be far removed from the problems and concerns of the students who attend each of the state colleges and inaccessible to the faculty who teach in the state colleges. The UNJ poses a false model for the ~~nine~~ colleges of our state, each with its own special mission, each with its own unique sending area of the state. The UNJ would create a consolidated, unified system. The result would be a considerable loss of local autonomy for each institution. The Commission Report calls for the elimination of "duplication" of academic programs in the state college system. Most of our students commute to college. Many of them are low and moderate income students who cannot afford to travel long distances or pay for room and board. Such students would be denied educational opportunities by such a consolidated system in which "duplicate" programs would be eliminated.

The Commission Report calls for further restriction of access to the state colleges in another way. Students who do not finish in the top half of their graduating class would be denied admission to the state colleges. This restriction on top of the current policy of increasing SAT score requirements would mean denial of opportunity to tens of hundreds of citizens. For these reasons, the Council of N.J. State College Locals is opposed to the recommendations of the Commission and the Rocco-Doria Bill designed to implement those recommendations.

Why are we so negative, you might ask? The Union attacks the Commission Report and opposes your bill. But the Union is not the party that is taking a negative approach. We are in fact attacking the negativism either declared or implicit in the report and your bill to implement the report.

The Commission and Chancellor of Higher Education T. Edward Hollander, who while rejecting the UNJ concept has embraced many of the other Commission recommendations, both hypocritically prate of academic excellence. How is academic excellence defined by them? Negatively. This fashionable new catch-phrase has become a euphemism for cuts. Cuts in the size of the student body. Cuts in the number and variety of the academic programs at the various campuses. Cuts in senior tenured faculty of the colleges. Through these cuts, they propose to achieve "academic excellence." We oppose such a negative approach to academic excellence. Our Union stands for a positive approach. We don't propose to deny admission to the state colleges to thousands of N.J. residents and call that excellence. We say open the golden door of educational opportunity; don't close it. We say provide adequate funding to create new programs in high technology while preserving and strengthening programs in the arts and sciences and professional education. Don't lay off senior tenured faculty with years of dedicated service to

higher education in New Jersey in order to hire new faculty in computer and business programs. Don't rob Peter to pay Paul. Don't attack tenure and undermine academic freedom in the state colleges and call that academic excellence. We must hire new faculty in new areas. But we should not do so by terminating philosophers, historians, physicists, and sociologists. There is a growing shortage of qualified teachers. And Chancellor Hollander and Commissioner Cooperman are closing down the schools of education at the college and replacing them with untried experimental programs in the school districts that will put untrained teachers in charge of public school classes to free up lines in the colleges for new programs. We do not consider such policies in the interests of academic excellence. Thank you.

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October 5, 1984

TO: Chapter Presidents--State Colleges

FROM: Dominick Critelli *DC*

Attached please find the material that I have prepared
for presentation before the Assembly Committee on Higher
Education--Chairman Joseph Doria.

The hearings are at Jersey City State College.

I am forwarding this material to you for your information.

dss
Attach.

LEGISLATIVE COMMITTEE HEARINGS
JERSEY CITY STATE COLLEGE
FRIDAY, OCTOBER 5, 1984

AN ELEVEN-MEMBER STUDY PANEL RECOMMENDED THE CREATION OF A UNIFIED COLLEGE SYSTEM TO BE KNOWN AS THE UNIVERSITY OF NEW JERSEY, TO REPRESENT THE NINE STATE COLLEGES.

AS THE REPORT MENTIONS, WE MUST NOT LOSE SIGHT OF THE SINGLE, MOST IMPORTANT GOAL—TO PROVIDE STUDENTS WITH THE BEST POSSIBLE EDUCATION THEY CAN RECEIVE. WHETHER OR NOT THE RECOMMENDATIONS IN THE REPORTS PROVIDE FOR THAT LEAVES SOME DOUBT.

THE PROCESS OF EDUCATION IN THE COLLEGES IS DEPENDENT UPON THE SUPPORT SERVICES, SUCH AS MAINTENANCE, CRAFTS, AND SECURITY PERSONNEL THAT FALL WITHIN THE BARGAINING UNITS WHICH LOCAL 195 REPRESENTS. FOR THIS REASON WE HAVE THE FOLLOWING CONCERNS.

IN REFERENCE TO THE REPORT DATED AUGUST 21, 1984, WHICH IS BASICALLY THE SAME AS THE SEPTEMBER 19, 1984, REPORT, I HAVE A LETTER I CAN READ FROM OR PRESENT TO THE COMMITTEE CHAIRMAN. THIS LETTER LISTS SOME OF OUR CONCERNS AND A REQUEST FOR CLARIFICATION.

IN ESSENCE, OUR GENERAL CONCERNS ARE AS FOLLOWS:

- (1) THE REMOVAL OF PEOPLE WITHIN OUR BARGAINING UNITS FROM CIVIL SERVICE INTO THE UNCLASSIFIED POSITIONS
- (2) IN REVIEWING THE SECTION OF THE REPORT WITH THE GRANDFATHER CLAUSE, WE SEE IT AS AN EVENTUAL PHASE-OUT OF THE CIVIL SERVICE SYSTEM.

- (3) WE SEE THE POSSIBILITY OF PROMOTIONS AND/OR NEW TITLES BEING PLACED INTO THE UNCLASSIFIED POSITIONS, ALONG WITH ANY NEW HIRES.
- (4) THE QUESTION OF PAYROLL DISTRIBUTION, PENSION STATUS, AND HEALTH BENEFITS COULD POSSIBLY BE AFFECTED.

WE NOW HAVE ONE SET OF POLICIES (DEPARTMENT OF HIGHER EDUCATION). IF EACH STATE COLLEGE WOULD BE CONSIDERED A SEPARATE STATE DEPARTMENT, THAT MEANS EACH STATE COLLEGE WOULD, OR COULD, WRITE ITS OWN STANDARD OF POLICIES WHICH MAY CONFLICT WITH EACH OTHER AND MAKE IT ALMOST IMPOSSIBLE TO DEAL WITH AS REPRESENTATIVES OF OUR BARGAINING UNITS. /

AT THIS TIME WE FIND IT DIFFICULT TO SUPPORT ANY CONCEPT OF THE UNIVERSITY OF NEW JERSEY, BASED ON THE PROBLEMS AND CONCERNS MENTIONED. LOCAL 195 WILL AVAIL ITSELF OF ANY FURTHER DISCUSSIONS OR RECOMMENDATIONS WHICH WE FEEL WOULD CORRECT OUR MATTERS OF CONCERN.

positions not being filled -

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October 5, 1984

Assemblyman Joseph Doria
Chairman of Higher Education
Legislative Committee

RE: Draft of recommendations to the Board of Higher
Education Committee on academic affairs regarding
the report of the Commission on the future of Colleges.

To Whom It May Concern:

Please be advised that Local 195 has concerns in reference to the final
draft of Chancellor Hollanders' recommendations to the Board of Higher
Education, dated September 19, 1984.

Below, please find questions that are of concern to the Chapters and
Membership of Local 195, IFPTE. For the purpose of simplicity, I am
going to refer to the report of August 21, 1984 which is basically
the same as the September 19, 1984 report, which we previously outlined.

1. Question #1-Will the entire change-over from the Colleges, as per
the report recommendations, require entire legislation.
2. Request answers to page four (4) from A to E.
3. Clarification of Page twenty-two (22) and twenty-three (23)
4. What is the intent on handling promotions and new hires-Local 195 objects
to any persons in the bargaining units being placed in any unclassified
status. Does the University of Colleges plan an eventual phaseout of the
Civil Service positions?
5. Are the Governor and Chancellor in agreement to the entire plan on the
University of Colleges?-Does the Governor have an additional task force
report to be presented, beyond what we received?

Assemblyman Joseph Doria
Chairman of Higher Education
Legislative Committee

October 5, 1984
Page #2

6. Exactly what is meant when they are referring to the "Grandfather Clause" within the report.
7. What is the exact interpretation on the page of introduction--there seems to be some controversy with the Task Force Commission--Is the reference to the Task Force Commission, the same as the Governor's Task Force Commission? Can we obtain a copy of the Task Force Recommendations, if a report exists.

Also, we would like clarification on negotiation statements mentioned in the Chancellor's report--are they referring to College negotiations or Bargaining Unit representation negotiations?

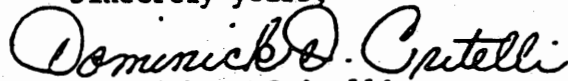
Local 195 would be willing to review and possibly support a University of Colleges concept, if it were in the best interest, and workable within the Bargaining Units that Local 195 represents.

Local 195 will appear before Assemblyman Doria's Committee Meetings to express its concerns whenever necessary.

If there are any questions, please feel free to contact Joseph Suarez or myself.

With best wishes, I remain

Sincerely yours,


Dominick D. Critelli
President, Local 195
Atlantic Area Vice-President

DDC/cal

cc: Chapter Presidents of Colleges

