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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 24, 1984
Glassboro State College
Glassboro, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman John A. Rocco, Acting Chairman

ALSO PRESENT:

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

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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

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, 1985 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:

- 10
- 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

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

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

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

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

2 18A:64-3. President; powers and duties. The president of a
 3 State college shall be responsible to **[its board of trustees]** *the*
 4 *President of the University of New Jersey* and shall have such
 5 powers as shall be requisite, for the executive management and
 6 conduct of the college in all departments, branches and divisions,
 7 and for the execution and enforcement of the bylaws, rules, regula-
 8 tions and orders governing the management, conduct and adminis-
 9 tration of the college. *The president of each college is the chief*
 10 *academic and administrative officer of the campus and has the*
 11 *responsibility for carrying out the following duties:*

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

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

2 18A:64-9. Existing State Colleges continued. The existing **[six]**
 3 *nine* State colleges presently maintained by the State of New Jersey
 4 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 JOHN A. ROCCO (Acting Chairman): Good morning.

I would like to call this public hearing on Assembly Bill 1951 to order. Before I begin, if I may, I would like to just take a moment-- I know we have one speaker who has a class very shortly, and we do want to get him on as quickly as possible. However, just briefly, this particular bill, designated the University of New Jersey Act of 1984, has received a great deal of discussion from the members of the Commission on the Future of State Colleges, the Chancellor, and the members of the Board of Higher Education, as well as members of the Legislature. Ultimately, I'm certain that when we conclude the hearings -- the legislative hearings, which are different than the hearings held by the Chancellor -- we will take all of the testimony into account and will move ahead from that point.

We are not locked into any one given position at this point. That is why the hearings are being held, to get as much input as possible from everyone concerned with this issue. We hope you will speak frankly and let us know exactly where you stand, so we can put together the type of legislation which will be in the best interest of the college students of the State of New Jersey. That is the bottom line. There will be no politics played in it; we are simply trying to come up with what is best for our New Jersey students.

My concern is that we are losing 40% of our students to colleges and universities outside of the State of New Jersey. In fact, our State is the State which has the greatest number leaving -- percentage-wise -- to go to other colleges and universities in other states. I think we have to find out the reason why that is occurring. One of the pieces of legislation that will ultimately come out of this, I'm certain, will be for a continuation of studies which have started going into greater depth in an attempt to find out why this is the case. If it is because of a title -- if the title "University" has some impact -- then we will have to take a careful look at that. In the long run, all of these questions will have to be decided.

There is one other point I would like to make. As I indicated, legislative hearings are much different than the Chancellor's hearings. Statutes and laws approved by the Legislature

and signed by the Governor, of course, will supersede any regulatory aspect which may come from any other regulatory board. So, we feel these are very critical and important hearings, especially in light of the fact that the Legislature has lost, through the Supreme Court, the oversight proviso that we had over boards in the past. Legislation at this point must be very carefully drafted, and we must make certain at all times that the regulatory boards are in line with the feelings and views of the public.

With that, we will now call Mr. John Jones, Assistant Professor, Department of Foreign Languages, Glassboro State College. I know Mr. Jones has a class shortly.

JOHN M. JONES: Mr. Chairman, my presentation is entitled "Why the New Jersey State Colleges Should Not Become the University of New Jersey." My name is John M. Jones; I am from the Department of Foreign Languages at Glassboro State College.

Mr. Chairman, ladies, and gentlemen: There is an old adage, "If it works, don't fix it." This proverb applies admirably to the present situation in New Jersey higher education. The eight State colleges -- I cannot speak for Thomas Edison College, as the question of external degrees is an unresolved one, still debated -- are doing a fine job of educating the middle-intellectual stratum of New Jersey youth, at a price the middle-income parent can afford. The brighter minds go to Rutgers or to out-of-State prestigious universities, which are not necessarily better than the State colleges in terms of qualified faculty or extensive offerings. Those with a bare minimum of aptitude for higher education go to the community colleges. Some of the latter eventually filter into the State colleges after two years at a county college, but alas, many of them are woefully inadequate in mental endowment and in preparation for the achievement demanded on the State-college level. Others with an A.A. degree go directly into the work force. The middle intellect normally goes to a New Jersey State college.

It has been the American practice to educate, on the higher level, about 50% of our high school graduates. In Europe, it is more like 10% of secondary school graduates who are accepted into university

programs. On the whole, our mass education system has worked well. Our standard of living is among the highest in the world. Our GNP is one of the highest. It is possible for bright graduates from middle-income American families to rise to the top of the entrepreneurial and corporate ladders. If one looks at the records of State college graduates since the inception of the system in the mid-1960s, he will see that many brilliant careers have followed graduation from a State college. A number of my own majors in Foreign Language have gone on to achieve outstanding careers in business, education, and the arts.

What the Chancellor of Higher Education is now proposing to do in this bill -- if I have made a mistake here, whoever is responsible for initiating this legislative proposal; you can substitute that person's name for Chancellor of Higher Education -- is to shut the door on higher education opportunities for many middle-intellect students who, nevertheless, have the potential to succeed, coming from middle-income families who can at present afford the tuition, books, and dormitory or commuting expenses, but who might not be able to do so should the tuition rise inordinately, or should the program they want be shifted to a campus in North Jersey, many miles away. For many of these families, it is the first time any of their generations are able to go to college, and it becomes a matter of family pride and satisfaction. The Chancellor wants to limit enrollment in the new University of New Jersey to those in the upper half of their high school class, and presumably numerous programs now at State colleges would be combined and consolidated. This means that lower-ability students with college potential will be shut out unless they go out of State or unless they join the ranks of the lowest intellectual echelons at the community colleges. The Chancellor is doing the State, as well as these potential students, a great disservice by shutting the educational door in their faces.

"Monkey see, monkey do," is another adage which applies in this situation. The Chancellor sees New York and Pennsylvania with a single university system, governed despotically by central boards and dictatorial chief administrators, and no doubt he covets the same

power. The ancient Hebrews, in the days of the tribal chieftains called "judges," saw their neighbors with powerful kings, and they decided they had to have a king for themselves. They lived to rue the day that they played the game called, "Monkey see, monkey do."

This proverb applies also to the so-called "industrial model," which some theorists in higher education have tried to impose in the last decade -- at least administrators have tried to impose it. The professoriate in general has vigorously opposed it, but this tug of war is not an equal contest. All the power lies with the administrators. The traditional European university, which contributed so much to civilization and progress in our Western society, was the antithesis of this "industrial model." The classical university -- Oxford, the Sorbonne, Padua -- was a corporation of professionals, not subject to the whims of a board of trustees. The American model, which subjects all education to the whims of such boards and turns the professor into a peon, has always been a great departure from the European model, but never so much as today, when the administration takes on the appearance of a group of big-business magnates, and the once autonomous professors are reduced to the role of assembly-line workers. Students become nothing more than nuts and bolts in such a system.

A college is not a factory. It is where learning and research take place. Many of the learning experiences are not in the classroom, but in extracurricular clubs, in the dormitory, at the student center, in counseling sessions with teachers, at the library, at programs sponsored by departments, and at fraternity or sorority houses, though more partying than learning takes place in those houses. To reduce classroom and extra-classroom learning to an assembly-line situation is an absurdity. Each student and each teacher is an individual. It is the interaction in informal classroom and informal extra-classroom situations that is education. Henry Ford made automobiles; he could not turn out a single educated alumnus. Aldous Huxley said, tongue in cheek, "Thank Ford for progress." This bill, if it is passed, will hasten the day when Huxley's nightmare will come true. Campus autonomy will be replaced by a monolithic centralized system run by "big brother."

Since I have been at Glassboro State College, I have seen the student body grow rapidly, then decline. I have seen the professoriate grow rapidly, then decline from attrition and nonrenewal of contracts. But, I have seen the administration grow, grow, and grow, like the beanstalk in the fairy tale. The purpose of the college has become "to administer," not "to teach." In a real college, the administration could disappear, and the essential work of teaching and learning would go on. Chancellor Hollander has done all in his power over the years to increase the size and power of the administrative function, and to centralize all power, all control of curriculum and instruction, in himself, his staff, and the Board of Higher Education, which he controls. This present bill is the ultimate step in that glorification of the administrator, that great power grab.

This bill, which simply adds a new bureaucratic layer to the existing one without achieving any benefits other than imitating New York and Pennsylvania, will add tremendously to the cost of higher education in New Jersey. A new super-president, a whole coterie of vice presidents, provosts, secretaries, aides -- all the paraphernalia of bureaucracy -- will not come cheap. The old college presidents and their aides, now downgraded to flunkies, will still remain in place and have to be paid. Any consolidation of programs will have to take place at the cost of disaccommodating commuting students and others who must find a college near home if they are to work toward a degree, so money now spent on quality education will give way to money spent on expensive bureaucrats.

The State colleges have done and are doing a magnificent job with the paltry funds at their disposal. We have suffered budget cut after budget cut in the last five years. In my department, we had to abandon an International Cinema series and much professional travel because of cuts in the department budget. Yet the college president has consistently received astronomical raises. Extend these practices to a so-called University of New Jersey, and the result will be a disaster -- a top-heavy system with an overload of administrators and an underload of teaching staff and students.

For several years, administrators in the State colleges have been nit-picking about class size. A quality college is one that has a full spectrum of courses and can offer the student a wide choice, even if enrollment in some classes is small. In music, instruction is often one-to-one, and no one complains; in French, if it drops to 10, the flak starts flying. To build a quality system, you should spend the money on instruction and on building a curriculum with a full spectrum of course offerings. To do less is to cheat the students of the State. To offer as a substitute a statewide system with curtailed offerings and a top-heavy bureaucracy is surely folly of the first magnitude.

The current wave of consolidation of State colleges into State universities is reminiscent of the wave of consolidations of public high schools in the 1960s. That was to be the panacea for all educational ills: a plethora of course offerings, higher student achievement, and fantastic savings on expenditures. We are now beginning to see disastrous results of this philosophy that "bigger is better": the breakdown of discipline, police patrolling the corridors, assaults on teachers in a blackboard jungle, drug trafficking and drug use on school grounds, an increase in costs -- not a decrease as predicted -- and, last but certainly not least in view of the recent findings of numerous commissions, the constant drop in student achievement as measured on SAT and other tests. We have seen a proliferation of Basketweaving I-type courses and a loss of communication between student and teacher.

What the Chancellor is proposing to do in this bill, gentlemen of the Committee, is precisely to repeat in the domain of higher education what Legislatures in the 1960s achieved in their high school consolidation efforts: total disintegration of the high quality system we have now, with eight autonomous, or nearly so, State colleges serving the families of New Jersey who wish to give their children a decent start in life at a modest cost they can afford, in favor of a system of unknown quality, with a curriculum excluding many lesser-endowed students from participation, and depriving many commuters from its benefits, at who knows what sky-rocketing cost, just

to satisfy some megalomaniac power grab, and just to be able to say to ourselves: "Israel now has a king like her neighbors. It matters little he is a tyrant."

Ladies and gentlemen, I leave you with this thought: "If it works, don't fix it. Just give it a little grease." Thank you very much.

ASSEMBLYMAN ROCCO: Thank you very much, Mr. Jones, for your statement. We certainly appreciate your comments. You were straightforward and direct, and in many areas I agree with you totally. We will certainly take everything you said into account in our final determination. Thank you.

May we have Dr. Nathan Weiss, President of Kean College? Is Dr. Weiss here? (Dr. Weiss not present) Okay, how about Dr. Vera King-Farris from Stockton State College? (no response) Dr. Haskell Rhett, Assistant Chancellor, Department of Higher Education?

DR. HASKELL RHETT: Assemblyman Rocco, I was asked to be here this morning to outline, not the Department's view on the Commission proposal or on this particular bill -- those views were presented to you at your Jersey City hearing, I believe by the Chancellor -- but to speak toward the public information activities that the Department now undertakes with regard to trying to attract New Jersey residents to attend New Jersey colleges.

That being so, I can't help but comment on the previous remarks that many of the things which were attributed to the power-seeking Chancellor of the Department were, in fact, the proposals of the Commission, which will be discussed at the public meeting of the Board of Higher Education two days from now, with the Chancellor's recommendations to the Board. It shouldn't come as any surprise to you after the Jersey City hearing that, of course, the Chancellor's recommendations may be at variance with some of the essential proposals made by the Commission.

I would like to start by reminding us all that the main activities of public information to attract students to New Jersey institutions take place at the institutions themselves. Every institution in New Jersey is actively involved in different levels of

admissions and financial aid activity, outreach activity, community services, public information, marketing, and recruitment. These all vary according to institutional missions. A county college has quite a different responsibility in what it calls "marketing and recruitment" than does, say, Princeton University. So, you have quite a bit of variance there.

The Department's activities are designed to complement these local institutional activities. We do that in several ways which I shall cover briefly; I will then see if you have any questions about anything on which I should go into more detail. Our financial aid programs themselves are set up to be incentives to attend New Jersey colleges. As you might recall, amendments to the main financial aid statutes in the last decade have restricted our grant programs to New Jersey colleges and universities. Thus, the approximate \$50 million available through the Tuition Aid Grant Program, the approximate \$4 million available through our Garden State Scholarship Programs, and the approximate \$9 or \$10 million in Educational Opportunity Fund Grants are all restricted to students who attend New Jersey colleges and universities.

When I first came into the Department some years ago, we were faced with the interesting phenomenon of the scholarship program which spent the major part of the State's financial aid money identifying the brightest students in the State and giving them grants which they could take to any institution in the country. The out migration rate at that time was 66% of the college bound population in the State. As you noted, it is now 40%. I think that some of the financial aid changes we have made are one of the variables which have effected that change.

Another kind of activity that the Department routinely undertakes includes sending Department staff to hold parent nights at secondary schools. Last year we talked directly to about 3,000 parents through these evenings. They center on the availability of financial aid and making parents realize that the eligibility criteria are not severe for some programs, and that they probably should apply and be considered for financial aid.

We also hold a series of statewide counselor workshops each year. We are just winding up our fall workshops for this year, in which we will talk to approximately 1,000 high school guidance counselors to bring them up to date on the opportunities available in New Jersey colleges and New Jersey financial aid programs. We also publish a monthly news bulletin to the guidance counselors in the State to keep them abreast of various changes in our programs and offerings.

Every two years we publish a significant publication called "Going to College in New Jersey." It contains factual data on each college and university in the State and general advice about financial aid and careers. Generally, these are printed at the 100,000 level of distribution and are distributed free to secondary school counselors and students. Our new edition will be available approximately November 1 of this year.

We also print hundreds of thousands of brochures describing financial aid opportunities and the applications for those programs, and we operate two hot lines on a five-day-a-week basis. The Education Hot Line, which answers any question about full secondary education, receives approximately 5,000 calls a year, and the Financial Aid Hot Line, which answers questions about financial aid applications and procedures, receives approximately 25,000 calls a year. Both of those numbers are 800 numbers for New Jersey residents only.

So, those are the ongoing activities in public information. Let me tell you about the new activities we are undertaking this year because they have drawn some attention in the press. First of all, Governor Kean has produced a public service announcement about higher education which is now appearing on radio and, within this week, will be on major Philadelphia, New York, and New Jersey television channels. It is a simple statement noting that we have 56 institutions that offer over 2,000 degree programs in the State. It gives an 800 number to call for more information.

At the same time, there is a process called Jersey Jubilee -- a name which I did not select -- that has State government agencies setting up exhibits in shopping malls, all the major malls in the

State, from this month to about next August. We have several higher education exhibits; there are publications available; and, we have people there at the exhibits to answer questions so we can be part of that effort.

In a more interesting technical field, we are producing video presentations on New Jersey colleges and universities which are being distributed to secondary schools up and down the East Coast and in New Jersey via lazar disks. The schools receive a free lazar disk player from a commercial corporation, and the same corporation will distribute what will be approximately 20 video presentations on New Jersey colleges, of which a dozen are now completed, with eight in production at New Jersey Network. These video presentations are also being used by the colleges themselves in their own marketing and recruitment efforts within New Jersey.

Last year, we also produced eight half-hour cable television shows on going to college in New Jersey. This year we have planned to produce another eight or nine for distribution through the Cable Interconnect System in New Jersey. Approximately half of those shows will be on college admissions and financial aid, the kinds of skills and abilities a student should bring to the admissions process, and the kinds of procedures a student should follow in admissions and financial aid. About half of the remaining shows will be on actual programs we feel are noteworthy in New Jersey colleges and universities, with visits to those campuses. These have proven to be rather popular television productions.

Also on television, this year we are sponsoring a high school quiz bowl called New Jersey Bowl. In the past, this was called The Rutgers Bowl. Through our sponsorship, we have broadened that into a statewide identity through which secondary schools from all over the State can compete with each other. It has a significant high school parent viewing audience, and at the half time of each quiz match, there will be video presentations on New Jersey college programs and campuses.

As you know, we have also started the Distinguished Scholars Program. Virtually all of the 550 secondary schools in the State have

nominated their best scholars over the summer from their junior class. This week we met with our Advisory Committee for that Program, and in November we will announce the winners, the first round of high school seniors who will be named distinguished scholars. They will have that honor whether they attend college in New Jersey or not, but if they do attend college in New Jersey, they will receive a \$1,000 cash award, renewable for four years. This will be the first year of that Program.

Finally, we have contracted with a professional agency to do a statewide public information program during this year which will feature nonpaid and paid media promotional activities, etc., to bring out the message that college in New Jersey can work for you. We will have recent graduates appearing in these messages telling how they went to college in New Jersey, what they are doing now, and how their college attendance made a real difference to them. Together we feel these are a significant group of activities that the Department is undertaking in cooperation with the institutions.

I would be glad to answer any questions you may have about any of these things.

ASSEMBLYMAN ROCCO: I am very glad to hear about these programs. I certainly feel they will help to cut the rate of students leaving the State. Hopefully, we will be able to do that. What I am going to attempt to do in the Legislature, of course, is to provide further increased funding and an increase in projects to further that movement. It sounds to me as if we are well underway, and I think that is to the credit of the Department.

DR. RHETT: Thank you. I know you have seen our research on the out migration of students. To us it showed that we had to undertake more than a laissez-faire attitude toward this situation. The data in that report showed that of the 27,000 students who went out of State, there were really two camps. There was a camp, or a group if you will, who went to highly selective institutions and received their information in rather structured objective ways by talking to counselors, reading handbooks, etc. I think of that as a rather built-in out migration from a State that is surrounded by attractive higher education opportunities in neighboring states.

The other group is the one which interests us. This is a group which went to institutions that by standard measures appear not to be as good or as selective as some of the ones in New Jersey. That group strikingly obtained their information through rather informal methods -- friends, brothers, sisters, aunts, uncles -- sort of a family network. It is that group we are trying to get better information to. It remains to be seen whether that will result in different choices, but I think it will result in better educational choices simply because they will have better information.

ASSEMBLYMAN ROCCO: I think it is money well spent as far as the State is concerned if we can keep our students here in the State to be productive. Too often people leave the State for other universities, and end up becoming residents of the state in which the university is located. So, it is certainly a wise investment on the part of the State. I thank you, Dr. Rhett.

DR. RHETT: Thank you, Mr. Chairman.

ASSEMBLYMAN ROCCO: Next we have Mr. Marcoantonio Lacatena from the AFT. Marco?

MARCOANTONIO LACATENA: Thank you for the opportunity to appear today. For the record, I am Marcoantonio Lacatena, President of the Council of New Jersey State College Locals, American Federation of Teachers. We represent the faculties of the nine State colleges of New Jersey which would be affected by the potential legislation under discussion.

The Union is committed to promoting excellence in the State colleges, but it does not agree that the proposals of either the Chancellor or the presidents will achieve that goal. The Chancellor's proposals are too vague and the presidents' proposals are too narrow.

To begin with, significant change cannot be made and will not be made unless there are clearly defined goals. There is a detailed program drawn up for their achievement, and a commitment to expend the substantial funds that will be needed. Reorganization or reshaping of governance, as I have heard bandied about, is simply an euphemism for a power struggle that is going on between the college presidents and the Board of Higher Education. As such, the power struggle will not win the support of the faculty, the Union, or the public.

The presidents have been claiming they would be able to operate their institutions more efficiently under the set of proposals that they have put forth. I fail to see how their program would have prevented William Paterson College from allowing \$210,000 in funds from lapsing this past June. Nor would another college have been prevented from pushing an unwanted garbage dump on a neighboring town -- an action which generated over five years of costly litigation, in which the town and the contractor won every step of the way and on which there still has to be a settlement reached. It will probably exceed \$1 million in costs. Nor would the presidents' program have saved that same college from making an error in judgment in selling its dormitory bonds, resulting in a mistake which cost the students a 50% increase in rental. Nor would it have prevented another college from having to make a \$240,000 settlement on an alleged sexual harassment lawsuit, alleged by a female faculty member against a vice president, a sex for tenure charge.

All of these things have occurred in the past few years. I would like to talk about one thing in particular. Let's talk about the dormitory bond situation. I would like to elaborate on that for this reason: The college, embarrassed by its error, attempted to go around the Board of Higher Education directly to Treasury to appeal for extra funds, to be held harmless. Needless to say, it failed and the 50% increase in cost was ultimately passed on to the students. But, from what I have been hearing from the college presidents, what they want is an autonomy act. Their program is not a program to seek funds for a better system, which is sorely needed because the Commission itself has said we are at the thirty-fifth percentile in funding. It is not a program that lays out academic programs that will lead the colleges to excellence. It strictly speaks to their power and authority, and makes it so expansive that it makes them almost without accountability to anyone or anything.

Going back to the dormitory situation, if the college president at that time had had his way, if this legislation was in effect, I could see them keeping it a secret from both the faculty and the students, and then attempting to take it out of the salary account,

not just of the faculty, but of all the employees. Eventually the truth would have come out, and then the students and the employees of the college would have been pitted against each other, because they have done it before. They would have told the students it was the greed of the employees; of course, that greed consisting solely of not wanting a salary reduction. It was for that reason that these costs would be passed on to the students.

Each of these cases could have led to a similar situation which would have resulted in turmoil. Each of them occurred in the past three or four years; each of them would have resulted in possible turmoil, possibly leading to a job action or, at the very least, lengthy litigation, and in the meantime, low morale and much confusion.

Judging from their past behavior, were the individual colleges or college presidents responsible for collective bargaining in any of the above situations, they would have attempted to cover up their mistakes by transferring funds from salary accounts, resulting in several major crises over faculty salaries in the span, as I say, of three to four years.

It is obvious that were the college presidents to get the freedom they seek, for example, in the area of collective bargaining, constant turmoil would be the result. It was the intent of the Legislature, when they enacted the collective bargaining law, that it was to foster a stable and maturing relationship between employers and employees. It has taken 10 years to establish some modicum of stability and maturation between the parties as they now exist. What has delayed that maturation has been the college presidents. Whenever they have entered the scene, it has led to near job action and, in some cases, job action itself. Therefore, we would have to oppose institutional autonomy in that area.

The presidents have said they seek greater operating efficiency, constantly using the areas of purchasing and hiring as examples. Many of these things, such as the creation of a central purchasing authority for the colleges, for example, which would be free of the restrictions of Treasury, and which would be less complicated and less costly than that which is called for in their

proposal-- This could be enacted very simply by the Legislature. In fact, the College Autonomy Act of 1969 gives them a lot of the authority they seek. It has just never been enforced. The Legislature could, either by resolution or enactment of legislation, make clear its intent in the College Autonomy Act, thereby ordering the two agencies, Treasury and Civil Service, to obey the law in that regard.

Also, they are concerned, as am I, about oversight from the Vacancy Review Board and about hiring from the Civil Service Commission. Again, either a simple executive order or perhaps simple legislation could correct that.

We oppose the program, but I should not distinguish it by calling it a "program." Rather, we oppose the demands for power put forth by the presidents, because what they have put forth is narrow and lacks vision and substance, concentrating simply on the broadening of their powers, while remaining thunderously silent about the very serious issues of admissions and finance, and how the institutions are to achieve educational excellence.

The Chancellor's proposal, on the other hand, is very vague in those areas, and invites many interpretations. It even suggests that there might be an agenda which, if known, could not stand the test of scrutiny. It, too, lacks substance and well-defined goals.

For these reasons, the Union offers instead its position and, if I may summarize, Mr. Chairman, it is simply this: While the presidents' proposal and the Chancellor's proposal are different, they are both heavy on governance. We do not believe that governance is that crucial an issue at this time. Governance, perhaps, should be addressed at the proper time, but the proper time will be only after the questions of admissions and finance have been adequately addressed and a program formulated.

We have areas, for instance the area of admissions, where we are concerned about the Chancellor's position and, also, what we fear is the concurrence of the college presidents in those areas, because of their silence on the issues. One of these is the area which the Chancellor calls "program duplication." He claims there is unnecessary program duplication. We feel this is wrong for this reason: A student

living in Paterson could take a bus, which is a 10-minute ride up the Haledon Avenue hill, and go to William Paterson College. But, if that program did not exist, and that person had to go to Jersey City, Montclair, or Kean, that person would have to go to New York City first in order to be able to get to Jersey City, Montclair, or Kean. It would entail an additional \$10.00 a day or so in travel costs, plus the time. Our students cannot afford to spend four or five hours a day traveling because our students mainly work their way through college, as you are well aware. So, I believe the question of program duplication is over-emphasized and, in fact, while I wouldn't say there is none, there is a need for a healthy element of duplication in our colleges.

We are in agreement that faculty development is sorely needed, as it is needed in all institutions of higher learning today. Being a professor yourself, you are well aware of the rate at which new knowledge is being acquired, doubling now at every five to ten years, depending upon the field you are talking about. We need ongoing programs, programs that require resources, and we have suggestions to make in those areas. We believe most of these are subjects for collective bargaining, but, nevertheless, funds should be made available. Perhaps whatever legislation is developed should speak to the creation of faculty development kinds of programs.

In this area, we also need, not just a concentration on those things that are allied to high technology and business, the things we constantly hear about-- As you are well aware, this Monday the National Institute of Education released its Higher Education Report. It contained some startling statistics. For example, students majoring in liberal arts in the past decade dropped from 49% to 36%. The programs are much too narrow. In fact, they recommended that every student, regardless of his or her major, should have, at minimum, two years of liberal arts, aware of the fact that faculty salaries in the past decade have had about 20% of their purchasing power eroded. That has happened here in New Jersey as well. It is a fact that one out of eight, I believe, of our ablest students no longer sees a need for higher education and, in fact, does not intend to go on to college.

Also, faculty morale is low. All of these things so impact on the profession that where a decade ago 1.8% of entering students aspired to higher education, with teaching as a profession, that is now down to two-tenths of a percent, a drop of eight out of nine potential candidates, which can only be layed, not just at the door of low salaries, but at the door of low esteem, if you will. I believe this has been a result of what we have seen, for example, right here in this State, of the press, in collaboration -- and I have to use the term collaboration -- with a Department, and sometimes with politicians, who have seen it in their best interest to constantly attack and denigrate our institutions. Incidentally, I would like to say I am very glad, in fact, I commend the Governor-- This is the first Governor to have done something of this nature, to go on the air to point out the strength of the institutions in New Jersey. He is to be commended for that.

If we are to produce a kind of educational excellence in a State which aspires to be a world leader in high technology -- not a national leader, but a world leader in high technology -- we have to have excellence at all levels. We have a State college system, as the Commission has pointed out, which has been historically under-funded at the thirty-fifth percentile. The world leader should be on the top; at least that top should be defined as the top quartile in funding per FTE. This is something which should not be delayed over a long period of time, but something which should take place over a relatively short span of years.

Another area where we are concerned is the admission standards. To put admission standards into the code is to bring a degree of uniformity to the institutions which is unwarranted because, as I pointed out, the institutions serve local needs. These are regional institutions; they are not statewide. We could go to any one of our institutions, take a radius of about 20 miles, and we would find -- I'm guessing -- about 75% or 80% of the students within 20 miles of the institution. As we know, they serve different areas, and different areas have different needs. To put something into the administrative code gives it the force of law, and it might not be applicable.

In line with this, and with what I just said previously about reputations, the constant looking to a number, something like SATs, upon which to judge institutions-- It is not necessarily the quality of the entering student; it is the quality of what exits, what has been done with that student, as you are well aware. I believe that should be emphasized and should be one of the measures of the excellence of an institution, one which has been sorely neglected in the past.

Our colleges have very few out-of-State students, or other kinds of special admission students. Much of that is regulated, even prevented by regulation perhaps, which was not intended to constrict that kind of admission, but which nevertheless does. We know that a good mix of students enriches the college experience for everyone.

In the area of finance, I have already said this, but I will repeat it: We should be shooting for the top quartile, up from the thirty-fifth percentile. We are the sixth wealthiest state in the nation and we should be reaching the average, which is that recommended by the Commission, immediately. Then, in the period a few years beyond that, we should be striving for the seventy-fifth percentile. In fact, I have faced this in negotiations, and every time I have had them say "no," which is about the only thing they seem to know how to say. The excuse is always that the colleges are in need of repair, and so on and so forth. We now have a budget surplus in this State estimated between \$500 million and \$600 million. I am pretty well aware that while the Governor -- the Administration -- is rather frugal, they would entertain worthy programs for the expenditure of some of those funds.

Let me give you a case in point. In our last negotiations, we went to the brink of a strike. The college presidents petitioned the Governor to refrain from giving a salary increase because that money was sorely needed for repairs at the colleges. After going to the eleventh hour in negotiations beyond the deadline -- beyond the contract expiration date -- into the next semester, and ultimately setting a strike deadline with all of the energy that took from people, which could have been devoted to more profitable things, plus the confusion that that entailed, a settlement was reached to our satisfaction. Those repairs are still needed, and yet, knowing of

this surplus -- and it is not because this hasn't been suggested to them, it has -- the presidents have still not developed such a program. Yet, they seek autonomy in running their institutions. "Just give me power, and I will do it better." What power do you need to do what I have just said?

Regarding the salaries, the Chancellor has said he wants the State colleges to be competitive with other institutions of higher learning and with the corporate sector. By my count, we have been in collective bargaining five times. They had that opportunity five times. Each time we have been faced-- We have not recognized this attitude; we would certainly be willing, through the collective bargaining process, to accommodate the Chancellor at any time. He doesn't have to wait for contract expiration. If he called me now, I would leave now to do it.

The last item is, the Chancellor has suggested that a publicly-financed bond issue for educational facilities could not be passed. However, I think it could. I believe it could be passed if it got everyone aboard. I think the climate toward higher education in the State is beginning -- may be beginning -- to turn around, and a sincere effort with all parties aboard could prove successful. In any case, to build the facilities of the State, and to put that as an added cost on the students, would, in effect, be putting a user tax on the students. It would further raise tuition, making it that much more difficult for students to attend college. As I said, in any case, we are philosophically opposed to something that has the smell of a user tax.

Mr. Chairman, at this time, I would just like to summarize. What is needed is to more clearly define the mission -- the goals of the institutions, what we want them to do -- to develop a program for attaining those goals, and to develop a method of financing the colleges and how we are going to bring them up to par. Only when that work is done should the question of governance be dealt with. Until then, there are some measures I believe would need only relatively simple legislation. This could ease some of the operating problems and bring about greater efficiency. We should not undertake a major

overhaul if we do not know where we are going, just to achieve certain operational efficiencies.

ASSEMBLYMAN ROCCO: Thank you very much, Marco. Obviously that is one of the reasons why we are having the hearings, to get input from various groups within the State. Many of the points you mentioned have support from the Committee, and I am certain you will see some major changes with reference to some of the issues on collective bargaining and some of the issues on Civil Service. I think those are two areas, among others. I don't want to get into all of them at this point. However, they were brought to our attention prior to the hearing and they are certainly going to receive a great deal of attention before a final decision is made.

MR. LACATENA: I appreciate that, Assemblyman. However, I do not want to leave the impression that that is our sole concern. We are deeply concerned about all of the issues, and I hope the other issues will receive the same attention.

ASSEMBLYMAN ROCCO: They absolutely will. We will take the recommendations you have made into account. I am going to go through them very carefully.

MR. LACATENA: Thank you.

ASSEMBLYMAN ROCCO: Mr. Russ Walsh, Legislative Chairperson, New Jersey Reading Association.

RUSSELL W. WALSH: On behalf of the New Jersey Reading Association and its membership of 1,000 reading professionals statewide, I would like to thank this Committee for the opportunity to testify. It is clear that this Committee is committed to the continued excellence of higher education in New Jersey. By coming to Glassboro today, the Committee has afforded the opportunity to testify to many who might not have otherwise been able to do so. I compliment the Committee for providing this opportunity.

The New Jersey Reading Association opposes the University of New Jersey Act of 1984. With other educational organizations in the State, we fear that this bill will destroy the local autonomy of every State college and severely damage each institution's ability to serve the community of which it is a part. Specifically, we object to

Section 7, Subsection t., which states: "The Board of Governors of the University shall have the power to develop an overall academic plan for the University that will guarantee the uniqueness of each campus and resolve the issues of program duplication among the nine campuses."

We would contend, first of all, that the best way to preserve the uniqueness of each campus would be to allow each campus to make programmatic decisions that are responsive to the community that that campus serves. Historically, uniqueness has not been best served by a centralized authority.

Secondly, the issue of program duplication is more complex than may be immediately apparent. At first glance, it may seem fiscally responsible to centralize programs at one or two State campuses. Unfortunately, this first glance is not supported by closer scrutiny. Simply because Glassboro, Trenton, Kean, and Montclair have similar programs, clearly does not mean that the State colleges are guilty of needless duplication. Indeed, these programs fill very specific needs and provide an intellectual focal point for the local community.

The many State college reading programs provide an excellent case in point. Reading programs offer the community the following services:

1. Reading instruction training for prospective teachers, many of whom will teach in the public schools near the individual institution;
2. Graduate programs in reading which help the local teachers continue to develop their skills and keep up to date on the latest instructional practices;
3. Reading clinics which provide training for teachers and much needed specialized instruction for local children; and,
4. A staff of experts to provide in-service staff development for local school districts.

Robbing any community of such a broad-ranging program in the name of eliminating duplication would be a grave disservice to the people of New Jersey. In a time when we are all concerned about the quality of instruction and the quality of training for those going into

teaching, we must provide teachers in training and practicing professionals every opportunity to update their skills. This is the very special service that the reading programs at the State colleges are designed to provide. This is clearly not a case of duplication of services, but of response to local needs.

Would a centralized university be as responsive to these needs? We think not. Only through local autonomy can we ensure responsiveness to the community and the uniqueness of institutions. This is what a State college system should be about.

The New Jersey Reading Association urges the Committee to vote no on Assembly Bill 1951. Thank you for your attention.

ASSEMBLYMAN ROCCO: Thank you very much, Mr. Walsh. I agree with many of your comments and they will certainly be taken into consideration.

MR. WALSH: Thank you.

ASSEMBLYMAN ROCCO: Ms. Rose Glassberg, President of Glassboro State Federation of College Teachers.

ROSE GLASSBERG: Thank you, Dr. Rocco and members of the Committee, for having this hearing and for giving us an opportunity to speak. I was reminded this morning, as I was preparing to meet with you, of an analogy of a writer that I admire greatly, both as a writer and as a person, Isaac Singer. He became a vegetarian about 20 years ago. He was asked at the time whether he did so for his health, and he said, "No, I did it for the health of the chickens." Now I am not sure in my analogy whether the chickens are the State colleges or the students, and I am not convinced that the Commission proposal and the bill to put through a University of New Jersey structure of the State colleges is really for the health of the State colleges or the students. Rather, I think that someone is about to be plucked.

Let me deal primarily today with the question of admission, with the question of access, and with a very significant part of funding. The question of admissions seems to me to put emphasis on numbers, to give emphasis to placement and class rank in SAT scores that is disproportionate to what it should have. At the same time, there is a 10% figure for EOF students. It seems to me that if the

rationale for EOF students is appropriate for EOF students, that is, that there are students whose environment may have led them to perform less well than we could expect them to perform and who, nevertheless, have the potential to succeed in college, if that comment can extend beyond just the 10% figure-- How do we know that 10% is right? As Mr. Lacatena pointed out, I think the emphasis should be on what the students are like when they exit from college, not on setting up barriers to prevent students from getting into college.

We were told by one speaker in response to the first speaker, who described this legislation as deriving from the Chancellor, that the report was the work of the Commission. I did not serve on the Commission, but I did have an opportunity, as part of a committee of the faculty here, to meet with the Director of the Commission who, I believe, was appointed by the Chancellor, or recommended by the Chancellor. We found in the discussion that he kept trying to get us to identify things that could be cut, programs that could be cut. The faculty was not being responsive; instead of talking about cutting they were saying, "You know, if we had more support, our students who do very well with what we have, could really do tremendously better." Finally, in what seemed to me to be exasperation, he said, "Well, haven't you heard the expression 'We are going to get smaller and better'?" When we suggested that a place they might start would be the Department of Higher Education, he seemed somewhat miffed. We suggested we thought it could get better, and we certainly thought it could get smaller.

What I am concerned with here is the setting up of a bureaucracy that would have the appearance of university status, with none of the necessary accouterments. We note, as I pointed out, the attempt to restrict admissions. I believe our estimate is that 34% of those admitted in 1981 would not be accepted under the new standards.

The emphasis is also on avoiding duplication of programs. This is something we have been hearing from many Chancellors. This Chancellor calls it "flagshipping." What it really means is cutting out access to higher education opportunities for the bulk of our students who are either commuters or who live, probably 80% of them --

as Marco pointed out -- within a 20-mile radius of the college. The State colleges were designed primarily for commuters. That is why they were scattered over the State; that is why we had additional colleges put in in Stockton and up north. Any attempt to cut programs is going to be to the detriment of the students we have, and will certainly discourage students from attending college, or will perhaps socially engineer them into programs which they really do not want. We are going to say, "No, this is what you must do if you are going to get a public higher education degree."

In 1966, when the State changed the State colleges to multi-purpose institutions, many of us cheered, because up to that time, the State colleges were teacher-training institutions. The effect of that was to say to the citizens who wanted an education, "If you want a college education at low cost, you must be a teacher; otherwise we will not help you." We felt, when the 1966 legislation came through, that the State was now saying, "We recognize our obligation to provide all of our citizens with an opportunity for a college education that they can afford, regardless of the field they want to enter into." We cheered that. The "flagshipping" approach of the Chancellor, which is contained in this report, would renege on that 1966 commitment.

Another aspect of concern with the proposal is, it seems to me that if we are going to make this truly a university, then there should be a necessary commitment of funds to reduce the regular faculty load, which is now 24 credits per year, to what is the normal university load, which is anywhere from 15 to 18 credits per year. I do not see that kind of emphasis; I do not see any suggestion of that kind of massive infusion of funds to call us a university, but then to lay on the faculty the same load of teaching, committee work, and counseling and advising their students, with no diminution of responsibilities, is not to make us a university at all. You know, Al Shanker says, "If it looks like a duck and it talks like a duck and it walks like a duck, it's a duck." If you are going to make us a university, then you are going to have to provide a massive infusion of funds, and I do not see any intent in that area.

I would point out also that under teacher education and graduate education, it is very clear that the intent is to keep the State colleges where they have been. There are to be no new masters degrees in the arts and sciences unless "they match the criteria of the universities." Clearly, the intent is not to permit any increase in graduate education, to keep the few programs we have, and there is even a statement that there will not be any doctorate level programs.

In summary, the effect of the legislation to turn us into a university would be to limit access, to reduce program offerings, and to restrict our opportunity to grow in graduate areas, yet also to keep the faculty held to the same undergraduate load assignment, which makes research and faculty growth very difficult. Both the original Commission proposal and the Chancellor's alternate route to university status seem to me -- and to many of my colleagues -- to be a dodge and an attempt to substitute the appearance of structure for what must be some other purpose. I agree with Mr. Jones' comment, "If it works, don't fix it." If it needs fixing, fix the part that needs fixing; don't tinker with the rest.

Thank you for the opportunity to speak.

ASSEMBLYMAN ROCCO: Thank you, Rose. Before you leave, do you know where the 34% figure came from?

MS. GLASSBERG: That is an analysis that the Council of New Jersey State College Locals' publication did of the figures that were provided in the charts.

ASSEMBLYMAN ROCCO: Thirty-four percent presently enrolled would--

MS. GLASSBERG: (interrupting) Thirty-four percent of the students admitted in 1981 would not be admitted under the standards that are outlined in the Commission's report.

ASSEMBLYMAN ROCCO: There are members of our Committee who have a great deal of difficulty with some of the admissions points you have discussed and, also, with the duplication question. Again, these things will be looked at very carefully. I guess the analogy that has been used about State college students could very well apply to my own experience of being the first to ever attend college. I was from a

poor family and was not necessarily academically oriented in my youth. State colleges provided me, and millions of others, with an opportunity to achieve. I don't think we would, in any way, shape, or form, in my estimation and to whatever degree I could control it, limit the opportunities of anyone to accessibility to our colleges.

MS. GLASSBERG: Thank you. If I may follow up, I am aware that your background and mine are similar, and that we are first-generation college students. Many of our students still are first-generation college students and, in addition, we have an increasing number of what are called "non-traditional students," people, either men or women, coming to college who are working. Either they are working at home, homemakers, or they are holding jobs, and they must have colleges they can commute to.

ASSEMBLYMAN ROCCO: We thank you. May we have Rick Kramer and Susan Guggenheim from the Student Government Association here at Glassboro? Are you going to come up together? (affirmative response) Thank you for coming; we appreciate your attendance here. I think you are the first student group to appear at any of the three hearings and we appreciate it.

RICK KRAMER: Thank you. We represent the Statewide Team on Educational Issues at Glassboro State College. The Statewide Team on Educational Issues was formed by the Student Government Association to study and make recommendations on educational issues. After analyzing Assembly Bill 1951, we have arrived at the following conclusion:

A university system in the State of New Jersey would be beneficial to the average person seeking an education through the public system of higher education. The reason we believe that is, the original Commission set out to solve problems they saw in the State of New Jersey, those problems being the prestige of the schools, the quality of academics, students leaving the State to go to other institutions out of State, and the lack of students coming into the State from other states. We believe this bill would solve these problems.

I would like to concentrate on two areas of the bill, the first being the change of sufficient local demand, where the schools

would be transformed to specialized schools. We believe if you bring together the resources from all the State colleges to one campus, that this can only better the quality of education. I do not believe it is stated anywhere that programs will be eliminated from other State colleges. We believe that if you pool resources, it can only better the quality of education.

Next is the recommendation on the governance. We feel if you stick with the original plan, which is to have the nine State colleges' Board of Trustees' members on that Board of Governance, plus six members from the State of New Jersey, that this will eliminate the line of bureaucracy that everyone talked about before. In this way, each college will have equal representation. We also feel that the structure in the local Board of Trustees-- This Board should be appointed by the Board of Higher Education. This way, the Board of Governance and the Board of Trustees would be separate entities.

Susan is going to talk about why we feel this bill is important and why we disagree with the recommendations from the Chancellor and the presidents. Susan?

SUSAN GUGGENHEIM: I would like to speak this morning on why we are opposing the current recommendations of the Chancellor and the Council of State College Presidents and why they continue to support A-1951.

Although we feel that fiscal and operational autonomy of the State college campuses will benefit us in the short run as far as acquiring new materials and developing our facilities are concerned, we feel that by placing the nine State colleges in competition, we will be in the same position as far as our funding from the State is concerned 10 years down the road. The problem in New Jersey is that we are sorely under-funded. I believe Mr. Lacatena quoted the thirty-fifth percentile in the nation. As a divided entity, the State campuses will be vying to get funds for their individual programs from the State, and I don't see that this is going to advance our commitment, fiscally or financially, to education down the road.

We also feel that the division and competitive aspect of granting fiscal autonomy and operational autonomy will not help to advance the academic interests of the students. We feel that

duplication of the programs -- although it could not be eliminated quickly; it would have to be a very gradual reduction -- could, in the long run, provide top quality programs for all of the students of New Jersey, rather than scatter recognition of individual campuses for individual programs.

The third and final thing is, we feel that although competition is healthy, most of the students seeking an education at the State colleges are seeking the same goals. We feel that by working together to create a university system, all the students throughout the State would be best served. Thank you.

MR. KRAMER: Assemblyman Rocco, I would like to state in conclusion that the Statewide Team was in Jersey City and spoke before the Board of Higher Education, Chancellor Hollander. After I spoke, I received a round of applause. What I stated at the end was that this bill, A-1951, is for the students. I think we should recognize this and make this a priority. It is the students who go to the colleges; it is the students who receive the education; and, the quality of that education should be the number one priority. Thank you.

ASSEMBLYMAN ROCCO: Rick, I applaud you and Susan for being here. Certainly in my mind, and I know in the minds of the other members of the Committee, who are not here, but who will receive the transcript of today's activities, the bottom line is, in fact, exactly that, the welfare of the students of the State of New Jersey. They are our number one concern, and our decisions will be made based on that concern. So, we thank you.

MR. KRAMER: Okay. Thank you very much.

ASSEMBLYMAN ROCCO: I believe we now have Dr. Philip Tumminia.

DR. PHILIP TUMMINIA: My name is Phil Tumminia; I am the Vice President for Institutional Advancement at Glassboro State College. I have just left a meeting in which a joint statement was developed by Dr. Vera King-Farris, President of Stockton State College, and Dr. Herman James, President of Glassboro State College. As I am certain the Committee members are aware, there has been a great deal of interest in the report, "Future of the State Colleges," the Chancellor's proposal, and Assembly Bill 1951.

Drs. King-Farris and James appreciate the interest expressed by the Assembly Higher Education and Regulated Professions Committee on this issue. There are many benefits included in the proposed legislation. However, there are some areas of concern, for example, the inclusion of a centralized governance structure.

Both Presidents have considered your proposed legislation carefully and believe that Chancellor Hollander's proposal, which is expected to be submitted to the Board of Higher Education on October 26, more clearly meets the needs of the State colleges. For that reason, Dr. King-Farris and Dr. James are supporting Chancellor Hollander's proposal. It is their belief that the Chancellor's proposal will achieve the same objectives as Assembly Bill 1951, without any of the problems created by the bill.

ASSEMBLYMAN ROCCO: Okay. We thank you very much for your testimony. We certainly will take that into consideration.

As far as the general public is concerned, as I stated at the beginning of the session, legislation always supersedes regulation and ultimately that final legislation may be similar to, or maybe somewhat different, than what may be adopted by the Board of Higher Education. We have been working with the Board of Higher Education and hopefully we will reach some kind of agreement as to what the best form of legislation might be.

Dr. Tumminia, we thank you, and please thank both Presidents for us.

Is there anyone else here who wishes to speak on this issue? (no response) If not, we will close this hearing. I would like to thank Kathy Fazzari, who is always with us, as well as our legislative team and the ladies from Legislative Services who have recorded this hearing. Thank you all for being here.

(HEARING CONCLUDED)

APPENDIX



State of New Jersey
GLASSBORO STATE COLLEGE
GLASSBORO, NEW JERSEY 08028

SCHOOL OF BUSINESS ADMINISTRATION
(609) 863-6025

October 17, 1984

Ms. Kathleen Fazzari
Office of Legislative Services
State House Annex - Rm 309B
Trenton, New Jersey 08625


Dear Ms. Fazzari:

As I mentioned on the phone, I will be unable to attend the public hearing at Glassboro State College. I would like the following statement entered into the record:

"With all the discussion centering on the local autonomy issues, a larger issue is being overlooked. New Jersey competes with surrounding states for students. All of these states have now transformed their state colleges to state universities, which certainly is more attractive from a marketing standpoint. It should be possible to reconcile governance points of view within the context of a University of New Jersey. To do otherwise would continue to leave the state colleges in a poor competitive position. About 40% of New Jersey's graduating high school seniors who choose to continue their education leave the state to do so. This is about twice as many as any other state. New Jersey is planning to spend \$500,000 in advertising to retain these students. Changing the state colleges to a state university will support this retention effort. Governance issues can be resolved without abandoning the important change to a State University of New Jersey."

Thank you.

Sincerely,



Dr. William L. Enslin

WLE/meh

New Jersey Is An Equal Opportunity Employer

October 23, 1984

COUNCIL OF NEW JERSEY STATE COLLEGE LOCALS

POSITION PAPER ON

Strengthening Educational Excellence at the State Colleges

An Alternative to a UNJ

The Union is committed to promoting excellence in the state colleges, both as a matter of principle and as a matter of enlightened self-interest. However, we find many of the Chancellor's proposals to be entirely too vague to be acceptable as they stand; the governance structure so sketchily outlined raises far more questions than it answers. We are particularly disturbed, aside from the specific points raised here, with the haste with which such a vague proposal is being pushed. The Union is cognizant of the fact that many of the details will emerge in the legislation being developed to implement the intent of the Chancellor's proposals. But those proposals are so vague as to permit many possible interpretations.

The Union must point out that quality does not come without substantial real investment. New Jersey is embarking on a course to become a world leader in high-technology in research, development, and industry. To achieve this goal requires nothing short of academic excellence. The State Colleges have a central role to play in this effort, in providing New Jersey citizens with a first-class education not only in the technical areas involved but also in all areas, to provide versatile, well-rounded graduates who can adapt to these new industries and professions. A first-class educational support system at all levels and in all areas will be required to provide this education. The N.I.E. report on higher education which

was released on October 22, 1984 details the problems which afflict our nation's higher education system--students majoring in narrow specialties, only 36% of all degrees are arts and sciences; a 20% drop in faculty purchasing power in the past decade; increased use of adjuncts, now teaching over 40% of the courses; and the declining interest in academic careers by our ablest and brightest students.

These problems are compounded in the state colleges. The Commission on the Future of the State Colleges points out that funding per F.T.E. student is fifteen percent below the national average. The educational facilities suffer from more than a decade of neglect. Low salaries and an unholy alliance of higher education "leaders," politicians, and the press have taken their toll on the reputations of the institutions and on faculty morale.

It will take more than just reorganization to repair this accumulation of injuries.

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To facilitate discussion, the following detailed proposals are keyed to the Chancellor's "Summary of Recommendations" in his proposal submitted to the Board of Higher Education.

UNION PROPOSALS

A: Governance

The present governance structure should not be changed at this time.

There should not be any change in governance until the goals of the state colleges are more clearly defined, and a program which includes financing has been more thoroughly worked out. We do not agree with either the proposals of the Chancellor or the college presidents in the area of governance. There are few, if any, clearly defined educational goals in either document. We see their proposals mainly as a struggle for power, without any clear direction or indication as to how that power is to be used, except perhaps, to diminish the ability of the faculty to protect itself from abuse via the Union-State Agreement reached in collective bargaining.

Current collective bargaining practices should not be altered. The Union believes that the present collective bargaining pattern has worked well for all parties and that no change whatsoever should be considered. The negotiating process is, among other things, a sensitive task which requires considerable expertise. The Office of Employee Relations has that expertise.

The most recent round of negotiations is a case in point; the Chancellor and the presidents, citing court decisions such as Ridgefield Park as a cover, made a determined effort to take over direction of the negotiations. As a result, the Union was forced to the very brink of a strike by the unreasonable and unacceptable demands being pushed across the table. The poor relations generated then remain to this day.

During the last round of negotiations, the presidents asked that the faculties not be given a salary increase but that the money be used instead to repair neglected facilities. This brought us to the brink of strike which was ultimately averted when the Union negotiated the salary increases.

Those repairs are still needed. Yet, even though there is a 600 million dollar state budget surplus and it is well known that state government is receptive to proposals as to its use, no such proposals have come from our college presidents. In fact, this July, William Paterson College allowed \$210,000 to lapse by not taking the necessary steps to carry forward the funds.

Are we to be forced to the streets in some future negotiation because some presidents want to cover up their inefficiency by taking money from employees' salaries?

For this reason alone, collective bargaining should not be changed.

B: Mission

While the Union agrees that state colleges should be free to develop new upper division and graduate degree programs where desirable, we are completely opposed to the implications of the Chancellor's proposals concerning so-called unnecessary program duplication. The implication that there is any unnecessary duplication is rejected, as are the suggestions of wholesale movement of programs from one college to another, and the proposal for wholesale dismissal of faculty, with the best being hired--not transferred-- at another college.

The state colleges are in the main regional institutions. Without a degree of program duplication, unnecessary hardships will be imposed on those students who must commute. Each college must offer a broad range of programs to meet the needs of its particular service area; to suggest that programs should be eliminated is to

suggest that residents of a particular area of the state will not be able to get a well-rounded liberal education. This suggestion is simply unacceptable.

Faculty development in the state colleges is a matter for negotiations between the state and the Union, as a part of our collective bargaining agreement. There must be a detailed program, developed through negotiations by the State and the Union, with guaranteed funding at a meaningful level.

A comprehensive program should include the following:

- (1) Development of procedures to identify growing and declining areas or programs;
- (2) Development of retraining programs, including an increase in the tuition reimbursement program and the inclusion of an allowance for books, supplies, and equipment;
- (3) Development of an early retirement program with meaningful incentives such as terminal sabbatical leaves (over and above the leaves provided for other purposes in the sabbatical leave clause in the Agreement), a minimum of one year's salary, and continuation of medical coverage in some meaningful form. Lines freed through early retirement must be retained by the college, and used to provide promotions for faculty without regard to artificial quotas on rank.
- (4) Provision of released time to faculty for research and development to strengthen programs in the arts and sciences.

Faculty development programs should not be solely in the areas of high-tech, business, and other areas of high student demand. Faculty development programs should also include a substantial component which would enhance the other curricular areas as well. The goals of this program (of released time) should be to enhance the programs of the institution and to move toward educational excellence in all areas of the curriculum. The Union has specific proposals to make for a **Scholars Program to Foster Educational Excellence in General Education at the State Colleges.**

Public school education programs need strengthening as well. Resources should also be committed to establishment of partnerships between schools of education in the state colleges and local school districts.

(5) Approval of the graduate program proposals currently in the approval process;

(6) Restoration of the 4/3 graduate teaching load formula.

This comprehensive program of faculty development will do much to produce educational excellence and make the state colleges more attractive to the citizens of the state. There will have to be a commitment of resources to fund and support the program at a level sufficient to make a significant amount of training and development possible.

4. The Union opposes the idea of centralized admissions, as placing too much power in the hands of a centralized bureaucracy which will not be responsive to the needs of each individual campus. While we can see the value of a carefully circumscribed central information service for the state colleges, admission decisions must be left to the local campuses, with those who are most familiar with the community it serves and with their needs.

Minimum standards for admission should not be put into the Administrative Code, where they would have the force of law. These standards should be considered as guidelines, and not be made mandatory on each of the colleges with their different situations and different service areas.

The Union opposes any increased admission standards which are designed to restrict access to the state colleges. As long as students are coming to our colleges with needs which have not been met, the colleges must provide an opportunity for education. The quality of a college cannot be judged on the SAT scores of entering students, but on the quality of its graduates.

"Special admission" students should, given the purpose of the program, be entirely under the control of each college so that these students can be selected with due regard for the mission and nature of each college. Similarly, the proper mix of out-of-state students and adult or non-traditional students can best be determined locally by each college. A good mix of students enriches the college experience for everyone.

C: Finance

1. The recommendations of the Commission on the Future of the State Colleges in the area of finance do not go nearly far enough. New Jersey is one of the wealthiest states in the nation. The development of hi-tech business will require larger numbers of people with advanced education, both baccalaureate and graduate. A funding goal per F.T.E. of the national average for comparable institutions is wholly inadequate given the needs, the wealth, and the goals of the state. A more realistic funding goal would be to reach the top quartile of comparable institutions. The state must provide adequate funding to achieve educational excellence, with sufficient funding to move to the median level recommended by the Commission ~~immediately~~, rather than in the five years the Commission recommends, with five years as a reasonable goal to reach the top quartile.

This goal should be attained as soon as possible, but certainly within the the time frame projected by the Commission.

For more than ten years, the State Colleges have forgone needed repairs, improvements, and updating of equipment, library material, and other teaching materials. Therefore, each college should immediately establish a task force to survey the needs of the college in these areas, setting a target date of December 15, 1984 for completion of the survey. A supplemental appropriation should be sought within this fiscal year as a one time appropriation to meet the needs identified in the survey, with a carry forward provision so that the monies need not be spent in haste.

3. Salaries are a matter for collective bargaining. If the Chancellor truly wishes the state colleges to be competitive with "other institutions of higher

learning and the corporate sector," then consideration of raising salaries, via collective bargaining, through range changes, removal of artificial and restrictive promotion quotas, and restoration of the traditional teaching load differential for graduate courses are among the topics which should be discussed at those negotiations. The Union would be willing to reopen negotiations on these items at any time.

4. The Union does not agree with the Chancellor that a publicly financed bond issue for educational facilities cannot be passed, if all sectors of the education and labor communities join with other interested constituencies in campaigning for the issue. The climate toward higher education in the State is undergoing rapid change, and a sincere effort with all parties aboard could prove successful. In any case, the Union opposes the idea of using student tuition funds to pay off Educational Facilities Authority bonds; given the capital needs of the colleges, setting tuition rates at a sufficiently high level to provide such funds would place an unfair burden on students and would further restrict access to the colleges; the alternative would be an inadequate level of funding for the needs of the colleges. In any case, the Union is philosophically opposed to such a "user tax," on the grounds that the entire society benefits when each citizen is educated to the highest level of his or her ability. Since everyone benefits, no single group should be singled out to pay.

