

**New Jersey City University
Board of Trustees
September 12, 2022**

Public Session Minutes

ATTENDING:

Mr. Joseph Scott, Chair
Mr. Luke Visconti, Vice Chair
Dr. Steven Chang (Zoom)
Mr. Edward Fowlkes (Zoom)
Mr. James Jacobson
Mr. Jason Kroll, Acting President *ex officio*
Mr. Carlos Lejnieks
Ms. Alejandra Martinez, *student trustee voting*
Ms. Ashley Pottinger, *student trustee non-voting*
Dr. Irene Trowell-Harris (Zoom)
Dr. Edward Whittaker (Zoom)
Mr. Andrés Acebo, Executive Vice President and University Counsel

Absent – Mr. Rafael Perez

Mr. Acebo welcomed the public who joined at the NJCU Main Campus – Gothic Lounge.

The meeting was called to order at 5:35 PM by Mr. Acebo.

NOTICE OF MEETING

Mr. Acebo noted that the time, date, location and agenda for this meeting were mailed to the Jersey Journal, the Star-Ledger, Office of the Secretary of State, Senate Majority Office, Council of New Jersey State College Locals and the New Jersey Association of State Colleges and Universities on September 7, 2022. Notice of this meeting was also posted on the University's email system and website.

NEW STUDENT TRUSTEES

Mr. Acebo swore in new student trustees Alejandra Martinez, who will serve as a voting member for a 1-year term, and Ashley Pottinger, who will serve as a non-voting member.

MINUTES

Mr. Acebo requested a motion to approve the Minutes from the June 27, 2022 Board Meeting. The motion was moved by Mr. Visconti and seconded by Mr. Lejnieks. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- Ms. Martinez). The motion passed.

CHAIR'S REPORT

Mr. Scott thanked the members of the Board for their dedicated support of the University's mission, and welcomed the new Student Trustees. Mr. Scott addressed the financial challenges that the University is aggressively addressing and thanked Mr. Jason Kroll for his efforts on behalf of the university and for agreeing to serve to bridge the gap between the previous president and a future interim president.

ACTING PRESIDENT'S REPORT

Acting President Kroll thanked the Board of Trustees for their dedication and support to the students and announced the Board of Trustees has solicited the services of The Registry to identify candidates for an interim appointment.

FALL 2022 ENROLLMENT UPDATE

Mr. Ben Rohdin, Interim Vice President of Enrollment Management and Student Success, reported on the current enrollment data and trends and their impact on the university. NJCU will likely see another year of declining overall enrollment. The primary reasons are a compounding effect of this year's enrollment decline, continual impact of community college enrollment declines, and increasing competition due to state-wide enrollment declines. The university needs to be focused on retention efforts to make up for enrollment losses. To accomplish this, there must be sustained affordability programs and a concerted focus on the student experience inside and outside the classroom.

FY23 FINANCIAL UPDATE

Mr. Ben Durant, Vice President/Chief Financial Officer and Treasurer, and Mr. Andy Acebo, Executive Vice President and University Counsel presented an update. Mr. Durant provided a summary of income statements for FY 2017 to FY 2022 noting how NJCU has experienced multiple years of structural deficits, noting historical revenues, expenses, and changes in net position. Mr. Durant provided a summary of NJCU's net position since 2014 and supported a report by First Tryon Advisors, noting how the media has incorrectly referred to NJCU's net position as a surplus and clarified the Net Position is also being discussed without the necessary context, as media sources failed to mention GASB 68, a new pension-related accounting standard that was required by the governmental accounting standards boards, beginning in 2015. Mr. Durant reported that NJCU's Net Position is currently negative (\$61M), but only because of GASB 68. NJCU's Net Position would be \$84M without the 2015 change in accounting standards.

Mr. Durant discussed key performance indicators and notably how NJCU compares to other small, public universities. Notably, NJCU receives only **\$7,582** in government appropriations per student compared to an average of **\$9,180** for small, public universities.

Mr. Durant presented NJCU's FY 2023 budget outlook and noted that due to current financial and enrollment trends, NJCU is projecting a structural budget deficit of **\$22.6 million** for FY 2023 on a modified-cash budgetary basis. The projected budget reflects an 8% decline in enrollment, partially offset by an overall 3% tuition rate increase. **NJCU is requesting accelerated allotments of its state appropriation.**

The proposed budget includes approximately **\$10M** in cost containment measures that have been identified within 60 days of the 90-day interim budget. The projected FY 2023 remains out of balance by \$12.8M, requiring a cash infusion from other financing sources and noted that the proposed FY 2023 budget does not fix the long-term structural deficit.

Mr. Durant provided an overview of NJCU's physical plant and infrastructure needs. Years of deferred maintenance have impacted the student, faculty, and staff, and a request has been made to the New Jersey State Legislature's Joint Budget Oversight Committee for at least \$35 million in capital expense funding. NJCU has identified at least **\$25.93M** in **critical** infrastructure needs. NJCU has identified another **\$479,500** in **basic** capital and infrastructure needs. Additionally, NJCU has identified another **\$8,595,500** in **strategic** capital and infrastructure needs.

Mr. Durant offered a summary of rightsizing progress to date.

- Immediate cost containment measures are being implemented that will generate approximately **\$10 million** in FY23 savings.
- NJCU has reduced its authorized employee headcount from **790 full-time positions to 752**, a 5% reduction in employee headcount within 60 days of the interim 90-day budget's adoption.
- Full-time positions were reduced through a managerial reduction-in-force, vacant position eliminations, and a "hard" freeze on other vacant positions.
- Additional cost containment measures implemented include pay-cuts to upper management, furloughs, and reductions to supplemental instruction costs (i.e., adjunct budgets).
- Operating budgets (non-personnel) are being reduced to approach base levels, generating approximately \$1.73 million of the \$10 million in savings identified to date.
- During Phase I of the rightsizing efforts, additional organizational consolidation and initial academic rightsizing review will be conducted.

FY 2023 Rightsizing Phase II will commence on October 1, 2022 after the adoption of the FY 2023 budget.

REQUEST TO SPEAK

The following individual requested to speak at the public session of the board and were called forward by Mr. Acebo:

Dr. William Calathes, Professor of Criminal Justice and AFT Local 1839 Chief Negotiator and Grievance Chair, addressed the challenges the university is facing and stressed his personal confidence in leaders like Mr. Acebo, to work in good faith with the Union.

Mr. Thyquel Haley, Student Government Association President, thanked Mr. Rohdin on his presentation regarding enrollment concerns and shared student perspectives.

Dr. Anne Mabry, Professor, addressed governance as it relates to the Board at a critical juncture, vote of no confidence must own up to mistakes and reposition for success. Dr. Mabry also stressed the importance of distinguishing new leaders from prior ones.

Dr. Fran Moran, University Senate President – Shared thoughts on moving the institution forward.

Ms. Madelynn Dela Rama CWA Branch Treasurer – Jersey City roots and continue collaboration.

Ms. Debra Davis AFT – addressed the negotiations over AFT/NJCU Memorandum of Agreement and commitment to cost saving measures and acknowledged Mr. Acebo's efforts to bring campus constituencies together.

AFT Local President Barbara Hildner addressed the Board highlighting the 83% vote to approve and the need to work collaboratively. Maintain quality academic programs and quality educators.

EXECUTIVE COMMITTEE

Mr. Acebo put forward the request to approve the action items, which included Faculty and Staff Personnel Actions: New Hires, Temporary Appointments, Temporary to Permanent, Salary Adjustments as of June 2022. The motion was moved by Mr. Visconti and seconded by Mr. Jacobson (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejniaks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- Ms. Martinez). The motion passed.

1. Personnel | Compensation Topics**Managerial Regular Appointments**

1. Andres Acebo, Executive Vice President & University Counsel
President's Office
Effective Date: 7/5/2022
2. Jeffrey Jordan, Senior Associate Director, External Operations & University Advancement
Athletics
Effective Date: 7/5/2022

Professional Staff Regular Appointments

1. Michael Arbitblit, Transfer & Articulation Analyst (Professional Services Specialist IV)
Enrollment Management
Effective Date: 8/1/2022
2. Tylra Cummings, Career Coach (Professional Services Specialist IV)
Dean School of Business
Effective Date: 8/3/2022
3. Barry Hart, Women's Head Wrestling Coach (Professional Services Specialist III)
Athletics
Effective Date: 7/5/2022
4. Jessica Oudhmarine, Associate Director, Development (Professional Services Specialist II)
Development-School of Business
Effective Date: 7/5/2022
5. Maglinda Perez, Associate Director, Advancement Services (Professional Services Specialist II)
Development Office
Effective Date: 4/25/22
6. Mabel Sanchez, Financial Aid Counselor (Professional Services Specialist III)
Financial Aid
Effective Date: 8/29/22
7. Silvia Serrano, Preschool Teacher (Professional Services Specialist IV)
Child Care Center

Effective Date: 6/6/2022

Managerial Temporary Appointments

1. Robert Cole, Acting Director of Athletics
Athletics
Effective Date: 6/20/22
2. Theta Pavis-Weil, Director of Student Media
Campus Life
Effective Date: 7/1/2022
3. Marvin Walker, Acting Dean, College of Professional Studies
Dean of Professional Studies
Effective Date: 7/1/2022

Professional Staff Temporary Appointments

1. Barbara Ruggieri, Director, Social Services (Professional Services Specialist II)
Residence Life
Effective Date: 7/1/2022

Managerial Temporary to Permanent Appointments

1. Faith Jackson, Associate Vice President, Marketing & Communications
University Advancement-Marketing
Effective Date: 8/8/2022
2. Ira Thor, Senior Director, University Communications & Media Relations
University Advancement-Marketing
Effective Date: 8/8/2022

Managerial Salary Adjustments

1. Alice Blount-Feeney, Director, Internal Auditor & Chief Ethics Officer
Internal Auditor
Effective Date: 7/8/2022

Note:

1. As of the last Board meeting held on June 2022
List is sorted alphabetically by last name

Mr. Acebo put forward the request to approve the Resolution Ratifying Acting President Jason Kroll. The motion was moved by Mr. Jacobson and seconded by Mr. Visconti. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; Ms. Martinez; No-None; No-Abstention). The motion passed.

NEW JERSEY CITY UNIVERSITY

RESOLUTION OF THE BOARD OF TRUSTEES OF NEW JERSEY CITY UNIVERSITY APPOINTING ACTING PRESIDENT JASON KROLL

WHEREAS: The Board of Trustees (Board) of New Jersey City University (University) has general supervision over the University, which includes the responsibility of supervision of the University's President, pursuant to N.J.S.A. 18A:64-6 and -8; and

WHEREAS: The Board has established in its bylaws that the President of the University is the chief executive officer of the University; and

WHEREAS: The Board accepted the resignation of Dr. Sue Henderson, effective July 1, 2022, from her position as University President, pursuant to the terms of her 2017 employment agreement with the University and the Notice Waiver and Release Agreement dated June 23, 2022; and

WHEREAS: Effective June 28, 2022, the Board appointed Jason Kroll as Acting President of the University; and

WHEREAS: Mr. Kroll will serve as Acting President of the University until an Interim President or permanent successor to the role of President is appointed; and

RESOLVED: That the Board of Trustees of New Jersey City University on September 12, 2022 hereby ratifies and accepts the resignation of Dr. Sue Henderson from her position as University President and ratifies and accepts the appointment of Jason Kroll as Acting President until an Interim President or permanent successor to the role of President is appointed.



Executive Vice President and University Counsel

September 12, 2022

Mr. Acebo put forward the request to approve the Resolution for Professor Emeritus designations. The motion was moved by Mr. Jacobson and seconded by Mr. Visconti. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; Ms. Martinez; No-None; No-Abstention). The motion passed.

NEW JERSEY CITY UNIVERSITY

RESOLUTION GRANTING PROFESSORS EMERTI STATUS

WHEREAS: Pursuant to New Jersey City University personnel policies, board bylaws, and prevailing statutory authority, the Board of Trustees upon recommendation of the Senior Vice President and Provost and President, may provide emeritus/emerita status for a retired professor should it desire to recognize meritorious performance; and

WHEREAS: Professors Frances Levin and Winnifred McNeill have retired from New Jersey City University after more than 25 years of distinguished service to the institution's mission and its students; and

WHEREAS: Professor Levin joined the Literacy Education Department in 1996 after completing her Ph.D. from Rutgers University Graduate School of Education. Among her many achievements, as Co-Chair of the Literacy Education Department, she wrote the degree program for Interdisciplinary Studies/Literacy Studies. She also served as lead on a \$330,000 grant creating the Common Core Academy at New Jersey City University, a series of professional development workshops accompanied by in-class support and a summer institute. Throughout her remarkable career, Dr. Levin believed that effective curriculum and good teaching leads school-aged students to success. Dr. Levin continues to serve the community as a docent at the Center for Holocaust, Human Rights, and Genocide in Monmouth County. Her dedication to service and academic success personifies the University's commitment to excellence; and

WHEREAS: Professor Winifred McNeill joined the University's Art Department in 1995, where for more than a quarter century she made a particularly invaluable impact on the University's Art Teacher Certification Program. Nothing underscores that impact more than the NJCU art educator alumni network she helped establish and nurture. This network continues to bear fruit as it has helped engender a new NJCU dual enrollment program for Jersey City high school students. Professor McNeill is a former chair of the Art Department whose expertise in accreditation and assessment was instrumental in making the University one of only nine (9) accredited National Association of Schools of Arts and Design (NASAD) institutions in New Jersey; and

RESOLVED: That the Board of Trustees of New Jersey City University on September 12, 2022, designates Dr. Frances Levin and Winifred McNeill as professor emeritus/emeraita of New Jersey City University with all the rights, duties, and privileges thereunto appertaining.



Executive Vice President and University Counsel

September 12, 2022

Mr. Acebo put forward the request to approve the Resolution Dissolving the Department of Elementary and Secondary Education and Renaming it the Department of Teaching, Learning, and Literacy. The motion was moved by Mr. Visconti and seconded by Mr. Jacobson. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; Ms. Martinez; No-None; No-Abstention). The motion passed.

NEW JERSEY CITY UNIVERSITY RESOLUTION

Dissolving the Department of Elementary and Secondary Education and Renaming it the Department of Teaching, Learning, and Literacy

WHEREAS: The Board of Trustees of New Jersey City University has general supervision over New Jersey City University (University) and has authority in matters involving the programs and degree levels to be offered by the University consistent with the University's programmatic mission and institutional plan, N.J.S.A. 18A:64-1 and -6; and

WHEREAS: Consistent with the mission of the University to provide a diverse population with an excellent university education and the institutional strategic plan which provides for the development of academic programs of the highest quality; and

WHEREAS: Each academic department is responsible for designing, creating, and scheduling courses, recommendation of staffing, monitoring the quality of instruction, recruiting students, encouraging professional development activities, evaluating faculty, and revising course offerings as needed; and

WHEREAS: The University recommends the dissolution of the Department of Elementary and Secondary Education within the College of Education; and

WHEREAS: The University recommends the consolidation of programs from the Department of Elementary and Secondary Education into the Department of Literacy and the renaming of that department as the Department of Teaching, Learning and Literacy; and

WHEREAS: The University Senate has considered and, on March 24, 2022, approved the dissolution of the Department of Elementary and Secondary Education and the composition of the new Department of Teaching, Learning, and Literacy.

RESOLVED: That the Board of Trustees of New Jersey City University on September 12, 2022 hereby approves the dissolution of the Department of Elementary and Secondary Education and the consolidation of programs within and the renaming of the Department of Literacy to the Department of Teaching, Learning, and Literacy.



Executive Vice President and University Counsel
September 12, 2022

OLD BUSINESS

Nothing to report

NEW BUSINESS

Nothing to report

NEXT MEETING

The next Board meeting will be held on February 21, 2023. Mr. Acebo requested a motion for the board to move into executive session prior to the public session in order to discuss confidential personnel matters and contractual matters. The motion was moved by Mr. Visconti and seconded by Mr. Jacobson. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; Ms. Martinez; No-None; No-Abstention). The motion passed.

The minutes of the executive session will become available to the public when there is no longer a need for confidentiality regarding these matters.

ADJOURNMENT

There being no further business to come before the Board, Mr. Acebo requested a motion for the board to adjourn the meeting. The motion was moved by Mr. Scott and seconded by Mr. Visconti. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; Ms. Martinez; No-None; No-Abstention). The motion passed and the meeting was adjourned.

Respectfully submitted,

Andrés Acebo
Executive Vice President & University Counsel