

The College of New Jersey
Board of Trustees / Annual Tuition Hearing
April 28, 2009
2:30 p.m.
106 Paul Loser Hall

Minutes

Present: Susanne Svizeny, Chair; Christopher Gibson, Vice Chair; Brad Brewster, Secretary; Poonam Alaigh; Robert Altman; Jorge Caballero; Barbara Pelson; Michael Strom, Student Trustee, Sana Fathima, Alternate Student Trustee; Tim Clydesdale, Faculty Representative; John Allison, Faculty Representative; Lisa McCarthy, Staff Representative; Phil Hernandez, Staff Representative

Not Present: Bob Kaye; Jimmy McAndrew; Anne McHugh; Miles Powell

I. Announcement of Compliance

Ms. Svizeny announced that the requirements of the Open Public Meetings Act concerning public notice of this meeting had been met.

II. Pledge of Allegiance

III. New Business

A. Report of the Finance and Investment Committee

Mr. Caballero reported for the committee.

1. Resolution Approving Waivers of Advertising for College Business Purposes – Finance and Investment - Attachment A

It was moved by Mr. Brewster, seconded by Mr. Gibson, that the resolution be approved. The motion carried unanimously.

2. Resolution Authorizing Participation for FY10 in the United States Department of Veterans Affairs Yellow Ribbon Program – Attachment B

It was moved by Mr. Altman, seconded by Mr. Brewster, that the resolution be approved. The motion carried unanimously.

B. Report of the Audit, Risk Management and Compliance Committee

Dr. Alaigh reported for the committee.

1. Resolution Approving Waivers of Advertising for College Business Purposes – Audit, Risk Management and Compliance – Attachment C

It was moved by Mr. Caballero, seconded by Mr. Gibson, that the resolution be approved. The motion carried unanimously.

2. Resolution Adopting a Policy on Identity Theft Prevention – Attachment D

It was moved by Mr. Brewster, seconded by Mr. Caballero, that the resolution be approved. The motion carried unanimously.

C. Building and Grounds Committee

Mr. Gibson reported for the committee.

1. Resolution Approving Waivers of Advertising for College Business Purposes (Buildings and Grounds) - Attachment E

It was moved by Mr. Brewster, seconded by Mr. Caballero, that the resolution be approved. The motion carried unanimously.

IV. Annual Tuition Hearing

Ms. Wineberg presented information regarding the Governor's proposed budget and the impact on the colleges FY10 budget planning.

V. Adjournment

The following resolution was moved by Mr. Gibson, seconded by Mr. Caballero. The motion carried unanimously.

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees will be held on Tuesday, July 7, 2009 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

Respectfully submitted,



Brad Brewster,
Secretary

**Resolution Approving Waivers
Of Advertising
For College Business Purposes
(Finance and Investments Committee)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$28,300, and

Whereas: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

Whereas: Waiver requests have been reviewed and are recommended by the Finance and Investments Committee, a subcommittee of The College of New Jersey Board of Trustees,

Therefore,
Be It

Resolved: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
Linett & Harrison \$90,000.00	Personnel advertising	College Operating
J & J Staffing \$200,000.00	Temporary personnel services	College Operating
Verizon Inc. \$138,250.00	Increase to original waiver for telephone services	Student Revenue – 10% College Operating – 90% with charge back to functional areas

April 28, 2009

**The College of New Jersey Board of Trustees
Resolution Authorizing Participation for FY10
in the United States Department of Veterans Affairs
Yellow Ribbon Program**

- Whereas: The Post-9/11 Veterans Educational Assistance Act of 2008 (“Post-9/11 GI Bill”) provides eligible veterans with education benefits that include a tuition and fee benefit up to the lower of the tuition and fees charged to the student or the highest tuition per credit hour and the highest fees that can be charged an undergraduate student at a public institution in the State of attendance (“Base Benefits”); and
- Whereas: The cost of the College’s standard tuition and fees for out of state students exceeds the Base Benefits amount and the amount of such excess for out of state students may be referred to as the “Excess Amount”; and
- Whereas: The Yellow Ribbon Program is an optional program of the Post-9/11 GI Bill in which institutions of higher learning (“IHL”) may elect to participate by agreement with the U.S. Department of Veterans Affairs (the “VA”); and
- Whereas: If the College chooses to participate in the Yellow Ribbon Program, it must agree to waive (or provide a scholarship or grant to cover) a portion of the Excess Amount (the “IHL Yellow Ribbon Contribution”) in which event the VA would match the IHL Contribution in the form of a payment to the College (the “VA Yellow Ribbon Contribution”); and
- Whereas: If the IHL Yellow Ribbon Contribution is set at fifty percent (50%) of the Excess Amount, then the Base Benefits and VA Yellow Ribbon Contribution paid to the College along with the IHL Yellow Ribbon Contribution would cover the full cost of tuition and fee charges to eligible out of state students; and
- Whereas: Participation in this program requires that the College authorize participation annually and establish the amount of the IHL Contribution and the maximum number of students permitted to participate per year; and
- Whereas: Participation in the Yellow Ribbon Program honors the valuable service of our brave veterans and is consistent with The College of New Jersey’s mission to educate leaders of New Jersey and the nation.
- Therefore,
Be It
Resolved: The College of New Jersey Board of Trustees authorizes the College’s participation for FY2010 in the U.S. Department of Veterans Affairs Yellow Ribbon Program with IHL Contributions set at an amount approximating fifty percent (50%) of the Excess Amount for a maximum of ten (10) students.

April 28, 2009

**Resolution Approving Waivers
Of Advertising
For College Business Purposes
(Audit, Risk Management and Compliance Committee)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$28,300, and

Whereas: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

Whereas: Waiver requests have been reviewed and are recommended by the Audit, Risk Management and Compliance Committee, a subcommittee of The College of New Jersey Board of Trustees,

Therefore,
Be It

Resolved: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
KPMG LLP \$122,000.00	Audit Engagement	College Operating with Charge-Backs to Functional Units

April 28, 2009

**The College of New Jersey Resolution
Adopting a Policy on Identity Theft Prevention**

- Whereas: The Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required that rules regarding identity theft protection to be promulgated; and
- Whereas: The Federal Trade Commission recently issued such rules (the “Red Flags Rule” 16 CFR 681) with an effective date of May 1, 2009, and
- Whereas: The Red Flags Rule requires financial institutions and creditors to implement an identity theft prevention program designed to detect, prevent and mitigate identity theft; and
- Whereas: The College of New Jersey is considered a creditor when it holds accounts for which a person makes repeat payments; and
- Whereas: The Board of Trustees has determined that the following policy is in the best interest of The College of New Jersey and its students;
- Therefore,
Be It
Resolved: That the attached policy is hereby approved.

April 28, 2009

Policy on Identity Theft Prevention

I. INTRODUCTION

The purpose of this policy is to establish an Identity Theft Prevention Program (the “Program”) designed to detect, prevent and mitigate identity theft in connection with an existing covered account or the opening of a covered account and to provide for continued administration of the Program. This policy was developed pursuant to the Federal Trade Commission’s Red Flags Rule (the “Red Flags Rule” 16 CFR 681), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003.

II. DEFINITIONS

The terms set forth in this policy that are defined in the Red Flags Rule shall take the meaning provided therein. The supplementary definitions provided below serve to further clarify the use of these terms within the Program.

“Identity Theft” is a “fraud committed or attempted using the identifying information of another person without authority.”

A “Red Flag” is a “pattern, practice, or specific activity that indicates the possible existence of Identity Theft.”

A “Covered Account” means an account that The College of New Jersey “offers or maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions” and “for which there is a reasonably foreseeable risk” from identity theft.

“Program Administrator” is the individual designated with primary responsibility for oversight of the Program.

“Identifying information” is “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, social security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, student identification number, computer’s Internet Protocol address, or routing code.

III. POLICY

A. Program Scope

1. In extending credit, which includes any operation in which The College of New Jersey allows for the deferment of payment, or arranges for the extension of credit, the College shall follow procedures to identify, detect, and respond to Red Flags in accordance with applicable law.

B. Identification of Red Flags

1. In order to identify relevant Red Flags, the College of New Jersey shall consider the types of accounts that it offers and maintains, methods it provides to open its accounts, methods it provides to access its accounts, and its previous experiences with Identity Theft. Due to the sensitive nature of this topic, specific internal procedures are not described herein.
2. Five broad categories of Red Flags provided by the Red Flags Rule include the following:
 - a. Alerts, notifications, or warnings from a consumer reporting agencies or service providers, such as fraud detection services;
 - b. The presentation of suspicious documents;
 - c. The presentation of suspicious personal identifying information, such as a suspicious address change;
 - d. The unusual use of, or other suspicious activity related to, a covered account; and
 - e. Notice from others indicating possible identify theft such as the College's receiving notice from a victim of identity theft, law enforcement, or another account holder reports that a fraudulent account was opened.

C. Detection of Red Flags

1. Detection of Red Flags in connection with the opening of covered accounts as well as with existing covered accounts can be made through such methods as:
 - a. Obtaining and verifying identity;
 - b. Authenticating students; or
 - c. Monitoring transactions.
2. A data security incident that results in unauthorized access to a student's account record or a notice that a student has provided information related to a covered account to someone fraudulently claiming to represent the College or to a fraudulent web site may heighten the risk of Identity Theft and should be considered Red Flags.

D. Response to Red Flags

1. The College of New Jersey shall respond to Red Flags it has detected, commensurate with the degree of risk posed. In determining an appropriate response to prevent and mitigate identity theft, the College may consider the following:
 - a. Monitoring a covered account for evidence of identity theft;

- b. Contacting the student;
- c. Changing any passwords, security codes, or other security devices that permit access to a covered account;
- d. Not opening a new covered account or closing an existing covered account;
- e. Notifying law enforcement; or
- f. Determining that no response is warranted under the particular circumstances.

E. Oversight of the Program

1. Responsibility for developing, implementing and updating this Program lies with The College of New Jersey's Compliance Officer or his/her designee (the "Program Administrator"). The Program Administrator will be responsible for the Program administration, for ensuring appropriate training of College's staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, for determining which steps of prevention and mitigation should be taken in particular circumstances and for considering periodic changes to the Program.
2. This Program will be periodically reviewed and updated to reflect changes in risks to students from Identity Theft. At least once per year, the Program Administrator will consider the College's experiences with Identity Theft, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the College maintains and changes in the College's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Program Administrator will update the Program.
3. College staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected.

F. Oversight of Service Provider Arrangements

1. The College shall take steps to ensure that the activity of service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of Identity Theft whenever the College engages a service provider to perform an activity in connection with one or more covered accounts.

**Resolution Approving Waivers
Of Advertising
(Buildings and Grounds)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$28,300, and

Whereas: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

Whereas: Waiver requests have been reviewed and are recommended by the Buildings and Grounds Committee, a subcommittee of The College of New Jersey Board of Trustees,

Therefore,
Be It

Resolved: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
Colonial Energy \$2,113,705	Natural gas marketing services for fiscal year 2009	College Operating – 55% Housing Operating – 36% BSC Operating – 9%
Clearwater Technology \$43,900	Recycled Water System	College Operating – 55% Housing Operating – 36% BSC Operating – 9%
State of New Jersey, Department of Community Affairs \$42,787	Plan review and permit fees	Housing Capital Reserves - 22% E&G Capital Asset Renewal Reserves - 88%
Honeywell, Inc. \$74,900	Enterprise Building Integrator and Andover Building Management Controls system tie-in for the Student Apartments	2008D Bond
Paulus, Sokolowski and Sartor Engineering \$32,450	Design services for the Ely-Allen-Brewster thermostat and shower stall replacement project	Housing Capital Asset Renewal Reserves
TBS Services, Inc. \$37,500	Additional design services for the Bliss water infiltration project	E&G Capital Asset Renewal Reserves
TBS Services, Inc. \$24,100	Additional design services for the Lions Stadium President's Press Box project	E&G Capital Asset Renewal Reserves
TBS Services, Inc. \$28,500	Additional design services for the Student Recreation Center water infiltration and roof replacement project	E&G Capital Asset Renewal Reserves

April 28, 2009

Trenton Waterworks
\$116,140

Water services

College Operating – 55%
Housing Operating – 36%
BSC Operating – 9%

USA Environmental
Management
\$16,582

Additional design services for the
asbestos removal for the 68 Swing
Renovation project

E&G Capital Reserves to be
reimbursed from State
Hazardous Materials Fund

April 28, 2009