

MONTCLAIR STATE UNIVERSITY
Montclair, New Jersey

BOARD OF TRUSTEES
July 15, 2020

Present: Ms. Fathia Balgahoom, Dr. Susan A. Cole, Ms. Mary Comito, Dr. Francis Cuss, Mr. Marc de Grandpre, Mr. George J. Hiltzik, Mr. Lawrence Inserra, Jr., Mr. Douglas Kennedy, Mr. Ralph LaRossa, Mr. Kent Sluyter, and Ms. Faith Victor

Absent: Ms. Rose Cali, Mr. John McGoldrick, Mr. William Mullen and Mr. Preston Pinkett,

Present by invitation: Dr. Joseph Brennan, Ms. Colleen Coppla, Ms. Candace Fleming, Hon. Mark Fleming, Dr. Willard Gingerich, Mr. David Josephson, Ms. Donna McMonagle, Dr. Karen Pennington, Mr. David Vernon, Ms. Maria Anderson, Mr. Keith Barrack, and Ms. Shante Palmer

Dr. Cuss called the meeting to order via video conference at 11:30 am. Over 250 members of the public attended the meeting by telephonic participations.

Statement regarding manner of public notice of meeting

Dr. Cuss read the following statement regarding the public notice of the meeting: “Please be advised that in compliance with the requirements of the Open Public Meetings Act, adequate notice of this meeting —July 15, 2020 — has been provided by distributing notices as required, properly posting 48-hour notice, and forwarding notices to designated newspapers and to persons requesting such notification.”

Roll call — As reported above.

Minutes from the meeting of June 3, 2020

Trustees approved the minutes from June 3, 2020 as distributed.

No. 3286

Matters Presented by the Chair – Dr. Francis Cuss

Dr. Cuss moved to amend the agenda to add consideration of the Fall 2020 Restart Plan under Matters Presented by the Chair. The motion was seconded and the matter was approved unanimously.

No. 3287

Union Report

Professor Richard Wolfson spoke on behalf of AFT Local 1904. Professor Wolfson commented on the proposed FY 2021 budget, the proposed FY 2021 tuition and fee rates, and the University’s Fall 2020 Restart Plan. Professor Wolfson criticized the University’s decision to hold 23 outdoor Commencement ceremonies on Sprague Field and urged the Board of Trustees to reduce managerial salaries 10%. Lastly, Professor Wolfson questioned how the 20% paycut President Cole announced she had taken would be calculated.

Matters Presented by the Chair – Dr. Francis Cuss (cont'd)

Dr. Cuss reported that in closed session the Trustees reviewed the minutes from June 3, 2020 and reviewed legal matters. Dr. Cuss also addressed a letter received by the Board from Faculty Representative Elizabeth Emery and read the following statement:

I would also like to address a letter received by the Board. The faculty representative to the Board of Trustees, Prof. Elizabeth Emery, has provided to the Board her sense of the comments which she received from members of the faculty. Those comments focus on two general themes: firstly, a desire by faculty to understand better the reasoning behind the decisions that the Board and University management are taking in response to the crisis; and, secondly, a view that senior leadership is not, but should be, sharing in the sacrifice that others are making. The Board thanks her for sharing those views, and, on behalf of the Board, I would like to respond.

President Cole noted in her message to the faculty and staff last week, that “the COVID-19 pandemic presents the most serious and most difficult challenge our University has ever faced.”

The Board of Trustees agrees with that assessment and faced with unprecedented times for our University, the Board’s executive committee has been meeting regularly and more often than usual, to stay abreast of the changing situation.

In these challenging circumstances, all of the decisions of the Board and the actions of the President and senior leadership are based on a couple of fundamental principles: namely to preserve the ability of our students, both current and future, to pursue their educational dreams, and, in the current context, to protect the health and safety of all the members of the University. The integration and implementation of these principles are reflected in the 2020 Restart plan, which I will mention in a minute.

The Board fully shares the view, as expressed by President Cole in her letter to employees, and I quote “Montclair State is more than a university. It is a lifeboat. We must do all in our power to keep that lifeboat afloat and to keep it heading safely towards shore. We must do this for the present passengers of the lifeboat and for all those who will ride in it in the decades to come.”

It is our shared responsibility, Board and President, faculty and staff, alumni and friends, to do all in our power to sustain this University and steer it safely through the unprecedented challenges facing it. In that regard, we have had to take very difficult decisions, cutting many types of expenditures and rapidly increasing others, delaying construction projects, eliminating programs and activities, and significantly reducing payroll costs. We have reduced the ranks of administrators by 10 percent, eliminated many temporary positions, and offered fewer contracts to contingent faculty. We have not, however, reduced the ranks of the tenured and tenure-track faculty, and have approved at the President’s urging and at the height of the pandemic, the hiring of 23 new tenure-track and tenured faculty, even as we have almost completely frozen hiring of every other category of employee.

On what basis did the Board make these decisions? We approved these actions because they were entirely consistent with the principle of preserving and protecting the ability of our students to earn a first-rate education both now and in the decades to come. We are, all of us, the short-term stewards of a very important long-term public asset. It is our duty and our responsibility not just to assure that

the University remains on sound financial footing, but that it continues to serve its mission, to grow in quality and stature, and to be strong for the future.

In negotiating an agreement for furloughs with the State, the labor unions made a similar type of decision. In return for protecting the jobs of the unionized workforce from what could have been a very large number of layoffs, they agreed to take 12 days of furlough. We acknowledge that decision and the responsible rationale for it.

The Board commends President Cole for sharing in this sacrifice by voluntarily reducing her own compensation by 20 percent, and we support her administrative decision not to reduce the salaries of her managerial team, but rather to diminish the size of the team itself. That was her administrative judgment, given the extraordinary challenges facing the University right now, of what would be in the best long-term interest of the University.

The Board acknowledges how hard everyone is working, staff, faculty, and administrators. All of us are sharing in the sacrifice in one way or another, in time and effort, in stress and anxiety, and in all of the many ways that the pandemic has touched our personal and working lives. But all of us also share in the responsibility to sustain this University, to meet the educational needs of our students, to enable the continuation of our important scholarly and research initiatives, and to support our community and each other. For example, following the recommendations of the 2020 restart plan will in a concrete way help keep ourselves and each other as safe as possible.

Specifically these efforts include preparations for reopening in the fall, assuming that the pandemic has abated to the degree that Governor Murphy will permit reopening of University campuses. In many ways, it would be easier to plan to be a fully online educational institution for the near future. However, we believe that it is not what will best serve our students. In some disciplines, it absolutely cannot serve them, and for some students, regardless of their major, it cannot serve them. So, we have chosen a more complex and difficult option; one that is being explored by many other similar universities. We will to a very significant degree continue with remote instruction and work, while also opening the University carefully and with close attention to the appropriate safety protocols, to enable some on-campus instruction, work, and activity in ways that are highly mindful of protecting our people. In the judgment of the Board, the University is following a prudent course of action. We have reviewed the Restart Plan for the fall, we have met with and spoken with the leaders of the President's Advisory Committee, and, in our judgment, their work has been thoughtful, responsible, and science based. It is important to reiterate though, that today NJ is in stage 2, and these start-up preparations can only be implemented if the NJ State restrictions are relaxed to the stage 3 level. The 2020 restart plan will be posted on the University website after this open meeting is concluded and all members of the University committee will be trained on its contents as appropriate. Everyone in the University community has a responsibility to follow its directions.

Professor Emery also conveyed the appreciation she heard from many faculty members for the leadership of the Board, the President and the administration during this crisis. I thank her and all of you for that, and, in turn and on behalf of the Board of Trustees, I commend the faculty and staff for their unwavering dedication to our students and to the important mission of this University.

Fall 2020 Restart Plan

Dr. Cuss moved that the Montclair State University Board of Trustees approve the University's Fall 2020 Restart Plan, and further authorized the President of the University to take all actions necessary to implement the Restart Plan in the event that Governor Murphy declares New Jersey to be at Stage 3 prior to the beginning of the Fall 2020 semester. Dr Cuss asked President Cole to speak on the motion. The President presented the following comments:

Given the many unknowns and continuing uncertainties attendant upon life in the COVID-19 era, any plan for the fall can only be based on our best assessment of what the next six months will bring. The Plan that the Board of Trustees has before it for adoption today is based on a set of certain principles and goals: that, as New Jersey's second largest university and as an important public asset of the people of New Jersey, our responsibility is to do our absolute best under the circumstances to provide our students with a rigorous and meaningful higher education and to enable them to continue to make good progress toward the acquisition of their degrees; that our responsibility is to enable the continuance of the important research and scholarly activities of the University; and that our responsibility to all our students and our fellow employees is to provide that education and research in a manner that is fully attentive to the health and safety of the University community during the changing conditions of the coronavirus pandemic.

Over recent weeks, we have seen an awakening across the nation about the injustices suffered by many, and the pandemic itself has turned attention to critical issues related to healthcare disparities in our society. Public universities, such as Montclair State University, have a critical role to play in addressing these issues. Through access to the educational opportunities that we provide, our students are given some of the essential tools they need to live constructive and healthy lives and to avoid becoming the victims of economic and social injustices and disparities. This is to say that the work of this University is very important to tens of thousands of people today, and to hundreds of thousands who will be seeking access to its benefits tomorrow.

The proposed Plan will help guide that important work, but we cannot expect it to be a perfect plan. We are traveling through uncharted territory, and we will be learning as we go. But learning, after all, is our area of expertise. I am very grateful to the many, many people who have been working diligently, putting in long hours over long days, to provide the information and ideas and to take the actions necessary to the production of this Plan. Literally, every single unit of the University was engaged in some aspect of Plan development, from faculty work on instructional plans to University Facilities work on physical plant modifications, cleaning, and PPE procurement. I brought to the task all the information gleaned from service as a member of the Secretary of Higher Education's New Jersey Higher Education Restart Advisory Group, and from participation in meetings with government officials and, through the Association of Public and Land-Grant Universities, with presidents of major public universities across the country.

In addition to all the critical content guidance from the various University units, the President's Advisory Committee on COVID-19 Related Planning provided scientific and professional advice to inform the development of this plan. Members included: Co-Chairs, Dean of the School of Nursing Dr. Janice Smolowitz and Dean of the College of Science and Mathematics Dr. Lora Billings, Associate University Counsel Maria Anderson, Assistant Director of Environmental Health and Safety Gena Coffey, Lt. Tim Fox of University Police, Vice Provost for Research and Dean of the Graduate School Dr. Scott Herness, Director of the University Health Center Dr. Patricia Ruiz, Associate Vice President for Enterprise Application Services Donna Sadlon, and Professor of Nursing and Director

of the Graduate Nursing Program Dr. Joan Valas. That group put in many hours and days in service to the University, reviewing the scientific literature, tracking the actions and planning at other universities around the country, analyzing governmental regulations and guidance and focusing on the application and relevancy of all that information to this particular University environment, and reviewing all the specific plans that form the body of the overall Restart Plan.

And most recently, over the last two weeks, teams of people from each of the colleges, schools, and administrative units, as well as the University Senate and the Student Government Association, in all well over 100 people across the University read the various elements of the Plan under the pressure of a short timeline and offered their suggestions to help assure that it would be clear and useful to members of the University community. Vice President Joe Brennan and his team in University Communications oversaw the process of getting the Plan articulated in a user-friendly format for all members of the University community.

I recommend the University's Restart Plan for adoption by the Board of Trustees. I do so knowing that this plan is necessary to our success in achieving our goals for the fall 2020 semester, but also knowing that our success will depend not just on this Plan, but, to a much greater degree, will depend on the constructive will of all of the members of the University community to work together to meet our responsibility for the education of our students and to do all the things (the wearing of face coverings, the washing of hands, and all the tasks outlined in the Plan) that will help us keep each other safe. Our success will depend on our communal will to be the guardians of the mission of this University whose future rests in our hands.

The motion was seconded and approved unanimously.

No. 3288

Matters Presented by the President – Dr. Susan A. Cole

Dr. Cole stated that the University would be holding 23 commencement ceremonies on Sprague Field between July 18th and 23rd. The ceremonies were being held in response to the students' requests for in-person graduation ceremonies. There will be approximately 2,000 students attending and each ceremony's attendance will not surpass the 500 person limit instituted by Governor Murphy. Many of the students who will be attending the commencements will be the first in their families to graduate college. The University will be taking significant measures to maintain social distancing and disinfecting the stadium between events. The faculty have been invited, but attendance is strictly optional for them and for staff.

Personnel, Compensation, Nominations and Governance Committee

Dr. Cuss reported that the Personnel, Compensation, Nominations and Governance Committee reviewed the minutes from its June 3, 2020, meeting, proposed personnel actions and a list of new hires anticipated before the Board's next meeting.

Personnel Actions

Dr. moved that the Board of Trustees approve the following personnel actions:

- 1 - Faculty appointment
- 2 - Professional/managerial staff appointments
- 1 - Leave of absence without pay

Faculty Appointment: Non Tenure Track (FY21)

Non-tenure track appointment

<i>Name</i>	<i>Department</i>	<i>Title</i>	<i>Effective</i>	<i>Degrees</i>
Xiang Yu	Cali School of Music	Artist in Residence	7/1/20	MM New England Conservatory of Music

Professional/Managerial Staff Appointment (AY 2021)

Academic Affairs

<u><i>Diane Cavagnaro</i></u>	Off-Site/Special Programs	P-3 MAR Coordinator, Southern NJ, 70% time	07/06/2020	BA Nova Southeastern University MA Glassboro State College
<i>Johyara Diaz</i>	School of Communication /Media	Academic Advisor, School of Communication/ Media	07/20/2020	BS Ithaca College MA Montclair State University

Leave of Absence Without Pay

<u>Name</u>	<u>Department</u>	<u>Term</u>
Meredyth Krych Applebaum	Psychology	9/1/2020-8/31/2021

The motion was seconded and approved unanimously.

No. 3289

Academic Affairs and Facilities Committee

Mr. LaRossa reported that the Academic Affairs and Facilities Committee reviewed the minutes from its June 3, 2020 meeting, received a capital project report, reviewed the Clery report, and received a report regarding the University Police Department's training and emergency preparedness.

Audit, Finance and Investment Committee

Mr. Kennedy reported that the Audit, Finance and Investment Committee reviewed the minutes from its meeting on June 3, 2020, reviewed contract awards, and discussed the financial impacts of the coronavirus pandemic and the University's response.

Mr. Kennedy moved that the Board of Trustees approve the following contract awards:

- Early Intervention and Special Education (Various) - \$1,050,000

The motion was seconded and approved unanimously with the noted recusals.

No. 3290

FY 2021 Tuition and Fees

Mr. Kennedy moved that the Board of Trustees approve the tuition and fee rates for Fall 2020 through Summer 2021. The motion was seconded and approved unanimously.

No. 3291

FY 2021 Meal plan and room rates

Mr. Kennedy moved that the Board of Trustees approve the room and meal plan rates for Fall 2020 and Spring 2021. The motion was seconded and approved unanimously.

No. 3292

FY2021 Operating budget

Mr. Kennedy moved that the Board of Trustees approve the fiscal year 2021 operating budget for Montclair State University. The motion was seconded and approved unanimously.

No. 3293

Motion to enter closed session: Dr. Cuss made the following motion, which was seconded and approved unanimously:

Be it hereby further moved pursuant to N.J.S.A. 10:4-13 that the Montclair State University Board of Trustees shall enter into Closed Session prior to the next scheduled Public Session to discuss the following pursuant to N.J.S.A. 10:4-12.b: 1) pending litigation filed against the University; 2) personnel matters; and 3) other matters which may arise consistent with N.J.S.A. 10:4-12.b.

The meeting adjourned at 12:35 p.m.

A handwritten signature in black ink, appearing to read 'KDB', with a long horizontal flourish extending to the right.

Keith D. Barrack