

June 12, 2012

To: Honorable Members
New Jersey State Legislature

The Barer Committee was charged with “examining the delivery of graduate medical education in the State.” But this circumscribed mission has metastasized into a plan to dismember Rutgers, The State University of New Jersey. Unfortunately, the bill introduced into the legislature on June 7 fails to strengthen education. Instead it threatens the integrity and independence of Rutgers, and throws open the door to patronage, cronyism, and corruption—the very problems that plagued UMDNJ.

New Jersey citizens, as well as a number of legislators, have expressed grave concerns about the costs of the proposed reorganization, which have not yet been disclosed. Estimates suggest that these costs—which seem to mushroom daily—could exceed a billion dollars, diverting much-needed resources from an already chronically underfunded system. New Jersey has long ranked at or near the bottom among states in funding for higher education. Taking on significant new debt would pass this financial burden on to students pursuing degrees at every State institution of higher education, forcing them to cope with increased tuition, larger classes, and impaired academic programs, and in the process would actually drive college students out of New Jersey.

The current bill before the legislature would only exacerbate the problems it was meant to address. The original proposal for a takeover the Camden campus was deeply unpopular: a majority of registered voters in every region of the state opposed it. A careful reading of the newly proposed legislation shows that it would:

- implement a takeover of *all three* campuses of Rutgers, and Rowan University as well, by a large number of new gubernatorial appointees on five political-appointee-dominated boards;
- through separate campus boards, allow disparities in standards for degrees and tenure, calling into question the meaning of a Rutgers degree and reducing its value for current students and alumni; and
- necessitate increases in tuition and state taxes.

It is clear, therefore, that New Jersey voters will be opposed to the current bill as well, and are watching to see what positions are taken by their representatives. Citizens, taxpayers, students, faculty, alumni, and their families throughout the state want to know whether you will hear and act on their concerns.

Memoranda prepared by legal experts make it clear that no reorganization of higher education can be undertaken without the active participation and consent of the two governing Boards of Rutgers University. Failing to obtain the Boards’ agreement would violate contractual and constitutional rights, and waste taxpayers’ money by attempting to defend defective legislation in expensive legal proceedings.

On June 6, the two Boards affirmed a statement of “Principles Regarding Higher Education Restructuring” to provide a framework for successfully improving higher education in New Jersey. In applying these principles to the proposed legislation, it is clear that:

- In accord with the Rutgers Act of 1956, Rutgers’ two governing bodies—the Board of Trustees and Board of Governors—must continue to have sole oversight responsibility over fiduciary matters, academic standards, degree programs, curricula, employment, tenure, and promotion, free from outside interference.
- The composition of the Rutgers Board of Governors must not be altered by the addition of any more political appointees, which could dramatically change the carefully worked out balance of interests on the board, and subject the entire University to excessive political interference.
- No governing body unaffiliated with Rutgers should have authority over any Rutgers campus.
- An education and degree from Rutgers, The State University of New Jersey must remain available and accessible to residents in every region of the state. All Rutgers campuses must maintain a uniform standard of excellence for faculty and students.
- All the Rutgers campuses—in Camden, in New Brunswick/Piscataway, and in Newark—are integral parts of Rutgers, essential to its mission of serving the people of New Jersey.
- No reorganization of higher education should be undertaken until all the costs have been specified, made publicly available, and carefully evaluated by the Rutgers Boards and committees of the Legislature.
- No reorganization of higher education should be permitted to interfere with Rutgers’ missions of teaching, research, and service to the community, or to increase the financial burden on students in the form of increased tuition and fees, by requiring that the university assume unreasonable debt or other costs, creating separate line items in the budget, or by compromising fiduciary control of any portion of the university from the Board of Governors.

Within Rutgers, new institutional arrangements detailed in the Principles will provide greater transparency and equity in the distribution of resources and more effective representation of all three campuses. The Principles address concerns about equity by recommending a Chancellor for the New Brunswick campus and by having all three Chancellors report to the President on an equal footing. They also recommend permanent subcommittees of the Boards of Trustees and Governors specifically to inquire into and represent the needs of Camden and Newark. Advisory groups on each campus would provide valuable public input from the local community without ceding academic or budgetary control to political appointees. The Principles also commit to “growth plans for the Camden Campus and for the Newark Campus that are measured both by enrollment and facilities.” Finally, the Principles support the integration of the New Brunswick/Piscataway portions of UMDNJ into Rutgers and a willingness to assume “a fair share of the costs,” but not ones that are “unreasonable or unfair.”

We believe that these Principles provide a strong framework for improving medical and higher education without inflicting the cataclysmic damage on the State University that would result from the pending legislation. As the Rutgers Boards maintain, all further negotiations must be guided by these Principles.