

AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY; UNITARIAN UNIVERSALIST  
LEGISLATIVE MINISTRY OF NJ; GLORIA  
SCHOR ANDERSEN; PENNY POSTEL; and  
WILLIAM FLYNN,

*Plaintiffs-Appellants,*

v.

ROCHELLE HENDRICKS, Secretary  
of Higher Education for the  
State of New Jersey, in her  
official capacity; and ANDREW  
P. SIDAMON-ERISTOFF, State  
Treasurer, State of New  
Jersey, in his official  
capacity,

*Defendants-Respondents.*

IN THE SUPERIOR COURT OF  
NEW JERSEY  
APPELLATE DIVISION

No.: A-004399-13

ON APPEAL FROM FINAL  
ADMINISTRATIVE ACTION BY THE  
OFFICE OF THE SECRETARY OF  
HIGHER EDUCATION

SAT BELOW:  
ROCHELLE HENDRICKS, SECRETARY  
OF HIGHER EDUCATION

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 Certified List of Approved Projects - Spring 2013 Cycle

Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>NEW JERSEY INSTITUTE OF TECHNOLOGY</b>						
<b>035-01 Transforming NJIT's Central King Building: a Hub for STEM Education &amp; Research</b> Renovation / repurposing of Central King Bldg. into STEM teaching and learning hub w/: Ctr. for Innovation and Discovery ; auditorium upgrades; 3 floors of academic and research space for Biological Sciences Education and Research Complex; a new Math Engagement Center; a new Composition Engagement Center; a Teaching Effectiveness Institute; and centers for advising and pre-professional mentoring.	30,659,497	30,000,000	20,000,000	2,575,524	3,107,902	86,342,923
<b>035-03 Integrative Life Science and Engineering Laboratory Building</b> Renovation/updates to the York bldg. by adding 10,000 ft. of bio-wet laboratory space in Phase 1, supporting 50 additional researchers; and a second modular expansion with an open laboratory configuration for collaboration and investigative team work to increase opportunities w/ traditional life science and medical researchers - especially those in Newark's University Height's Science Park, NJ Hospitals and companies.	9,000,000			500,000	4,000,000	13,500,000

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Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ROWAN UNIVERSITY</b>						
<b>046-03 Rohrer College of Business Building</b> Construct new 110,000 sq. ft. academic bldg. for Roher College of Business, incl.: lecture halls, and auditorium, classrooms, seminar rooms, distance learning facilities, computer labs, study areas, financial trading room, and space to host the South Jersey Business Center with executive training classrooms.	40,393,881 (Application for \$47,393,881)					40,393,881
<b>046-04 College of Engineering Facility Expansion</b> Construct new 90,500 sq. ft. bldg. for the College of Engineering, incl.: classrooms, lab space, faculty offices, study areas, labs for Rowan's highly innovative Engineering clinics, a STEM Center for outreach to pre-college age students, and a high-performance computer cluster for research in Engineering and at Cooper Med. School, SOM, the College of Health Sciences and the College of Science and Mathematics.	45,958,106 (Application for \$52,958,106)					45,958,106
<b>046-05 Westby Hall and Bozorth Hall HVAC Renovation and Replacement</b> Replacing HVAC units in two buildings, Westby Hall and Bozorth Hall. Westby Hall houses classrooms, laboratories, a 110 person lecture hall, faculty offices, a large exhibit gallery, the graphics communication technology center and a darkroom. Bozorth Hall houses Communications offices, Rowan Radio, Rowan TV, a distance learning classroom, film-editing facilities, a computer equipped journalism newsroom, an advertising/PR client suite, a layout room and a computer equipped writing laboratory.		7,934,403				7,934,403



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Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ROWAN UNIVERSITY cont.</b>						
<b>046-07 Wilson Hall Window Replacement</b> Replace windows in Wilson Hall which is a 40 year old building that houses the College of Performing Arts. The replacement will remedy functional and security problems with the existing windows.		1,030,885				1,030,885
<b>046-09 Camden Bank Renovations - Phase II</b> Renovation of 37,000 sf of an historic bank building in Camden that will allow for the complete occupancy of the building and its annex. The building will be used as additional academic program space and will represent the non-health related presence for Rowan in Camden. The renovation has a significant community impact since it will eliminate a building that has been vacant and in need of development.		17,622,760				17,622,760
<b>046-10 Web Site Rebuild</b> The project consists of redesigning Rowan's web site to update content, make the website an enhanced marketing tool and improve management and navigation of the site.				350,000		350,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ROWAN UNIVERSITY cont.</b>						
<b>046-11 Data Storage</b> The project will increase the current data storage capacity to accommodate the needs created by the merger of Rutgers and the School of Osteopathic Medicine and the projected increase in enrollment through purchase of additional data storage servers.					750,000	750,000
<b>046-12 Data Warehouse</b> The project consists of the improvement and expansion of network infrastructure that will advance Rowan towards the next level in establishing an integrated data reporting system for the University.				260,859		260,859
<b>046-13 Voice Over Internet Protocol</b> The project consists of expanding the current Voice Over Internet Protocol (VOIP) telecommunications systems to accommodate the School of Osteopathic Medicine and projected additional enrollment.				106,250		106,250
<b>046-14 Upgrade of Technology Enhanced Classrooms</b> The project consists of upgrading the 38 learning spaced (of a total 168) to technology enhanced spaces through acquisition and installation of computers, projects, screens and audio computer speakers. The project is necessary in order to ensure that all students and faculty have the minimum resources for a 21st century learning environment.				101,060		101,060

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ROWAN UNIVERSITY cont.</b>						
<b>046-16 Banner Upgrade</b> The project consists of upgrading and expanding the university's Computer Information System which is Banner by Ellucian. The upgrade and expansion is necessary to accommodate the School of Osteopathic Medicine.				468,575		468,575
<b>046-17 Dark Fiber Network Upgrade</b> The project consists of improving and expanding Rowan's network infrastructure across its Glassboro, Camden and Stratford campuses through the addition of unused fiber optic network capacity in southern New Jersey.				578,986		578,986

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Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ROWAN UNIVERSITY cont.</b>						
<p><b>046-18 CAVE Technology</b>                      Acquisition of additional technology known as CAVE®, which is a room sized virtual reality (VR) environment in which users wear stereo glasses to visualize, navigate and interact with a 3-D virtual environment. It is a useful research too for science, technology, engineering and mathematics. Rowan needs this additional technology to accommodate the increased enrollment anticipated in STEM programs.</p>				978,161		978,161
<p><b>046-19 Swipe Card System</b>                      The RowanCard ID system is a photo identification system that is issued to every faculty, student and staff member at the University. It is a combination debit and access card. A system upgrade is necessitated to accommodate the School of Osteopathic Medicine and to make it adaptable to a multi-campus environment and add additional functions that will allow securing current and future research facilities, centrally granting customized access and tracking meal plan usage, classroom attendance and lab utilization as well as evaluating patters of student behavior attributed retention, and tracking transaction types.</p>				1,280,000		1,280,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RUTGERS UNIVERSITY</b>						
<p><b>047-03 Molecular Imaging and Control Facility for Brain Research</b>                      Creation of a shared facility (none currently exists in NJ) that incorporates the latest photonic technologies for imaging, monitoring and controlling neuronal activity in vitro and in the behaving animal and would benefit many scientists in several Rutgers-Newark units (Center for Molecular &amp; Behavioral Neuroscience - CMBN, Dept. of Biology, UMDNJ, NJIT). Equipment includes an endo-microscopic system, a laser scanning confocal microscope, and a Phasor system to control neuronal activity by delivery of light stimuli.</p>					1,500,000  (Application for \$1,593,290)	1,500,000
<p><b>047-04 Polymer and Nanomaterials Characterization Facility (PolyRU-N)</b>                      Purchase of equip. for a materials characterization facility at Rutgers Newark to advance science and technology of polymers and nanomaterials and improve capacity for research and training students on most advanced instrumentation in STEM fields. Equipment includes: a matrix-assisted laser desorption/ionization time-of-flight mass spectrometer, a 400 MHz solid-state NMR, a combination of differential scanning calorimeter, dynamic mechanical analyzer, and rheometer, a scanning probe microscope and a Raman microscope.</p>					2,075,000	2,075,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-05 A High Performance Computing Facility for a High Profile Campus</b>                      Purchase of a new supercomputer for the Newark campus to be shared campus-wide. It will be the first High Performance Computing (HPC) facility of Rutgers Newark; will transform research and education realities on campus; and feature computing nodes w. 32 cores each and 384 Gigabyte of RAM each, one head node and a fast storage Lustre utility. Will support research and teaching requiring input and access to Big Data.</p>					700,000	700,000
<p><b>047-10 Transforming Biology Lab for Undergraduate Students</b>                      Acquisition of new lab equipment for the general biology course, inc.: data collectors, probes, balances, pipetor, laptops, etc.</p>					513,173	513,173

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RUTGERS UNIVERSITY cont.</b>						
<b>047-12 Rutgers University Advanced Compute and Data Cloud</b> Establishment of Advanced Compute and Data Cloud (an advanced research computational and data environment with large computational and data capacity) that will be available to students and faculty and other NJ institutions and industry. It will be used in research particularly in STEM areas, train the workforce for large capacity computational jobs that are projected and encourage industry to stay in or come to NJ.					10,000,000  (Application for \$12,500,000)	10,000,000
<b>047-14 GE IN CELL Analyzer 6000 System</b> Purchase of GE IN CELL Analyzer 6000 System for research and teaching w/in the Department of Cell Biology and Neuroscience. An instrument that combines an automated, programmable confocal fluorescent microscopy w/ high-content culture systems and automated image analysis, It allows concurrent acquisition of high resolution images for multiple biological molecules with speed and high image quality (no similar imaging system currently exists at Rutgers or UMDNJ).					525,000 (Application for \$550,000)	525,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-15 A Mass Spectrometry System for Quantitative Proteomics</b>                      Purchase of a mass spectrometry system for quantitative proteomics used for research and teaching at the Biological Mass Spectrometry Facility of Rutgers and RWJMS. Proteomics is the study the sets of proteins encoded by the human genome in different cells and tissues and provides info. at the molecular level about normal processes such as growth, replication and senescence as well as pathological conditions.</p>					561,294	561,294
<p><b>047-18 Advanced Infrastructure for Computational Biomedicine, Informatics and Modeling</b>                      Equipment to support the Institute for Computational Biomedicine, Informatics and Modeling, that will offer the computational infrastructure currently lacking for big data analytics and multidisciplinary basic and translational research with medical schools in NJ, nearby states (Columbia, Harvard, UPENN) and worldwide, life sciences, biopharmaceuticals and other big data analytics research. Equip. incl: storage database for big data access; CPU cluster; communication and online course equip.; visualization equip., monitors human-computer/robot interaction equip., robots and force plates; and related software.</p>					5,000,000	5,000,000



Higher Education Capital Financing Grant Programs  
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Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RUTGERS UNIVERSITY cont.</b>						
<b>047-25 Chemistry and Chemical Biology Building</b> Construction of new Chemistry and Chemical Biology Building on the Busch Campus in Piscataway, incl.: new laboratory, teaching and collaboration space allowing faculty to expand and accelerate groundbreaking research in drug design, alternative energy, biomaterials, nanotechnology and molecular engineering. Will also house new core facilities to support broad range of scientists and engineers across campus and beyond.	82,000,000 (Application for \$86,250,000)					82,000,000
<b>047-26 305 Cooper, Writers House</b> Renovation of vacant University-owned historical property on Cooper Street ( known as the <i>Henry Genet Taylor House</i> - built in 1885 and now in disrepair) into the Camden Campus' Writers House, w/ 4,500 sq. ft. to house the English Department and program (one if the largest Departments on the Camden Campus.			4,250,000			4,250,000

Higher Education Capital Financing Grant Programs  
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Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-28 Camden Data Center Infrastructure Update</b>                      Replace aging server infrastructure on the Camden Campus to meet high availability requirements of students and faculty. Rutgers Camden is in early stages of transforming its server infrastructure model to the widespread industry standard of virtualization.</p>					900,000	900,000
<p><b>047-29 Camden Data Center Infrastructure Upgrades - Camden Back-up Generator</b>                      Acquisition of an emergency back-up generator to provide service to the building on the Camden Campus that houses the primary network uplink and servers.</p>				150,000		150,000
<p><b>047-30 RU Camden Computers and Printers</b>                      Replacement of 815 PC's and 50 printers at the Camden Campus.</p>					1,298,900	1,298,900

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Public Research Institutions

INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-31 Camden Data Center Infrastructure Upgrades - Camden Network 10GB/Sec Upgrade</b>                      Upgrading core network infrastructure to bring the Rutgers-Camden campus in line with Rutgers- New Brunswick to allow for both improvements to existing applications and addition of new implementations that would allow researchers at the Center for Computational and Integrative Biology to have the higher capacity computing necessary for research, the Law School to stream more data to students and faculty and the Fine Arts to store more digital content.</p>				250,000		250,000
<p><b>047-32 Transforming Education, Research, and Training in the Biological Science</b>                      New laboratory equipment for the Center for Computational and Integrative Biology and the Rutgers-Camden Department of Biology including general equipment, equipment for cell biology research and equipment for experiments in genomics/proteomics equipment to validate computational biology models through lab based experiments.</p>					3,025,000	3,025,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RUTGERS UNIVERSITY cont.</b>						
<b>047-33 RU Camden Nursing</b> Acquisition of additional patient simulation equipment for the School of Nursing, similar to and compatible with existing equipment that is being used to enhance student learning in a laboratory setting.					820,000	820,000
<b>047-34 RU Camden Enhanced Learning Space</b> Modernizing equipment of enhanced classroom services at 88 campus locations, incl. expanding enhanced learning space technology to 8 conference rooms and 18 group study rooms in the library. Equipment consists of high definition video projectors and cameras, Apple TVs to display content from laptops and iOS devices through the rooms' projectors, digital room signage and upgrades to some existing hardware and networking components.					1,977,608	1,977,608

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RUTGERS UNIVERSITY cont.</b>						
<p><b>047-35 Network Equipment Replacement and Refresh</b></p> <p>Replacement and upgrade of the University Date Network (RUNet) to provide new tools for higher learning and academics such as data bases and libraries, incl.: replacement of antiquated telecommunications hardware and associated software that is the backbone for university related administrative and academic services.</p>				2,250,000		2,250,000
<p><b>047-36 Ubiquitous Wireless Coverage</b></p> <p>Acquisition of equipment and upgrade of wireless network to provide campus-wide wireless coverage and to prepare network for additional 15,000 users that will be added as part of Rutgers/UMDNJ integration. It will provide coverage in all academic, administrative, residence and common areas. It will expand the RUWireless Network from the current 2,200 access points in 200 buildings to over 6,200 access points in over 400 buildings.</p>				650,000	5,000,000 (Application for \$7,200,000)	5,650,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-37 Commercial Tier III Data Center</b>                      Replacement of the University's Tier II data centers in the New Brunswick area with a Tier III data center near Piscataway to provide more protection against failures (Tier III has no single point of failure) and consolidate center in one location and renovate current centers to hold equipment that is necessary to be on site.</p>					7,000,000 (Application for \$9,600,000)	7,000,000
<p><b>047-38 Academic Building</b>                      Construction of a new 162,865 square foot academic facility that will serve as the first dedicated home for the Rutgers School of Arts and Sciences in New Brunswick. It will house lecture halls and classrooms with a total of 3000 seats of instructional spaces well as departmental offices and offices for the Dean of the School of Arts and Sciences.</p>			17,250,000 (Application for \$20,000,000)			17,250,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-39 15 Washington Street - Newark</b>                      Conversion of 15 Washington St. in Newark into a mixed use building. There will be over 39,000 square feet net assignable space on the building's lower levels including a restored main entrance, a 600 seat tiered large classroom, conference rooms, a new welcome center for alumni and office space for a variety of University departments. The upper levels will offer 350 beds for graduate students in a variety of unit types together with floor common areas. The apartments will take advantage of existing architectural assets and provide much needed graduate student housing in a form that will help Rutgers Newark attract and retain top candidates.</p>			10,750,000			10,750,000
<p><b>047-40 Institute for Food, Nutrition and Health - Cook Campus</b>                      Construction of a new 80,000 square foot building with 53,000 net assignable square footage on the G. H. Cook Campus facility for the Institute for Food Nutrition and Health (IFNH). IFNH's mission is to make NJ the "Healthy State" and a model for the nation. The Institute's defining goal is preventing childhood obesity. IFNH invites and unites faculty and staff for all the Rutgers's campuses to work on large, multidisciplinary projects of major social and health economic importance.</p>	35,000,000  (Application for \$41,250,000)					35,000,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-41 Pharmacy</b>                      Construction of a 48,000 square foot addition to William Levine Hall on the Busch Campus to expand the Pharmacy School. The addition will provide teaching and laboratory space, incl. 2,300 seat auditoriums, 2 collaborative practice simulation labs (community practice and hospital settings), classrooms, administrative pharmacy practice space, labs for basic research in the pharmaceutical and biomedical sciences and an IV admixture room for training students in the preparation of sterile intravenous medications.</p>			16,750,000 (Application for \$19,500,000)			16,750,000
<p><b>047-42 Academic Building</b>                      This is a CIF grant application for the same New Academic Building project identified in 047-38 for the School of Arts and Sciences. The project also calls for the removal of 100,000 sq. ft. of inefficient, outdated space that currently houses the various departments within the School of Arts and Sciences located throughout campus.</p>		38,300,000				38,300,000



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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-43 Nursing Science - Camden</b>                      Purchase of land and construction of an 119,741 sf facility for School of Nursing &amp; Science on a central Camden site owned by the Camden Redevelopment Agency. Facility will incl: case study lecture halls, "discovery labs", undergrad. &amp; grad. lounges, group study rooms, teaching labs for biology, chemistry and physics including AV and computer technology. Specialized nursing space will include clinical skills labs, patient simulation labs, a standardized patient health assessment, and advanced AV technology to record student performance.</p>	46,875,000					46,875,000
<p><b>047-45 Life Sciences Center - Phase II Building - Newark Campus</b>                      Phase I of the Life Sciences center was completed in 2005. This project is Phase II -- the construction of a 93,000 sf addition for instructional and research space for the biology, chemistry and neuroscience includes: research and teaching labs, expansion of the imaging suite, a greenhouse on the roof, a bridge to other facilities, and expansion and relocation of vivarium facilities, creating compliance with NIH's guidelines for research grants. A minimum LEED silver certification will be incorporated.</p>		59,000,000				59,000,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>RUTGERS UNIVERSITY cont.</b></p> <p><b>047-46 Camden Chemistry</b>                      Acquisition and installation of equipment leading to an enhanced spectroscopy facility.</p>					2,313,100	2,313,100
<p><b>047-47 Camden Access Switches</b>                      Acquisition and installation of access switches on the Camden campus.</p>					547,000	547,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>UMDNJ</b>						
<b>058-01 Oral Health Pavilion C Level</b> Compete Level C (currently shell space) of the NJ Dental School's Oral Health Pavilion which will complete the clinical teaching facility, increasing capacity by 96 clinical teaching operatories equipped for DMD and post-graduate dental students.	10,000,000 (Application for \$10,125,000)					10,000,000
<b>058-02 Clinical Laboratory Science and Interprofessional Health Laboratories at the UMDNJ-School of Health Related Professions</b> Renovation of 4,410 sq. ft. of existing lab and office space in the Stanley S. Bergen Bldg. at Newark campus to create cutting-edge lab facilities and a wellness research facility for undergrad/grad students in biomedical and health sciences. Includes: a large training lab for 24 students, additional lab space; a wellness research support area; and a wellness clinical research facility.			4,030,705			4,030,705
<b>058-03 Oral Health Sciences Laboratory Renovation</b> NJDS is seeking funding to renovate 22,800 sf of space to enabling the continued growth, development and expansion of the school's PhD, Masters and DMD education and research programs. Current laboratories built in the 1970's are disjointed, antiquated and do not support the teaching of or conduct of cutting-edge science.			16,000,000			16,000,000

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INSTITUTION	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>UMDNJ cont.</b></p> <p><b>058-04 UH Infrastructure Renewal and Upgrades</b>                      Acquisition and installation of a complete new emergency power system, expansion of fire sprinkler system, replacement and upgrades to air handling units and duct mains, vacuum pump and compressor replacement, steam condensate line replacement, water system upgrades, replacement of water mains, and water filtration system, medical gas system distribution upgrades, replacement of all roofing systems including membranes and insulation and replacement of window gaskets and internal blinds in all patient rooms.</p>			37,000,000 (Application for \$86,503,200)			37,000,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>KEAN UNIVERSITY</b>						
<p><b>027-01 North Avenue Multipurpose Academic Building</b></p> <p>A 125,000 sf, multi-purpose academic building on University owned land, adding 29 classrooms and expanding seat count by 2,068 supporting programs tied to at least four of the State's priority growth areas: health cares, financial services, logistics &amp; distribution, and technology &amp; entrepreneurship. More than 25% of new academic space will be for financial services related programs including accounting, international finance and global supply chain management. Another 25% will be for computer science and information technology programs.</p>	35,700,000			112,500	1,150,000	36,962,500
<p><b>027-02 East Campus Classroom</b></p> <p>The renovation of 9,100 sf of existing space for 3 additional classroom and clinical and support space for the Occupational Therapy Program to increase enrollment by 12 to 15 students (30%). The clinic space will enable enrolled students to complete fieldwork on-site. Clinic service will be made available to the public. The Project also includes equipment purchases for the OT clinic and pediatric therapy areas.</p>	1,987,500				100,000	2,087,500

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>KEAN UNIVERSITY cont.</b>						
<b>027-03 Performing Arts Instructional Facility Expansion and Renovation</b> The renovation and expansion of Vaughn Eames Hall to house scene shops and instructional space for the theatre arts program and to facilitate joint initiative with Union County Vo-Tech School district, incl.: a 14,500 sf addition; exterior renovations; a new performance studio; and equipment purchases for the performing arts center.	3,150,000		1,000,000		250,000	4,400,000
<b>027-05 Kean Highlands Environmental Sciences Education Center</b> Construct 58,000 sf academic research and training center in the Regional Highlands Center at St. Paul. This is a joint initiative between academia and the NJ Department of Environmental The facility will support research, marketing and ongoing coursework at the Highland center and increase capacity by 35 classrooms and more than 1,000 seats.		7,800,000	1,500,000 (Application for \$2,750,000)	125,000	937,500	10,362,500

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>MONTCLAIR STATE UNIVERSITY</b>						
<b>032-01 Center for Environmental and Life Sciences</b> Construct new 107,500 sq. ft. acad. bldg. w/ instructional and research space for environmental and life sciences, incl.: teaching and research labs, classrooms, seminar rooms, a 150 seat lecture hall, a vivarium, a microscopy suite and other science facilities.	39,284,018					39,284,018
<b>032-02 School of Business Building</b> Construct new 143,000 sq. ft. acad. bldg. for School of Business w/ 23 new classrooms, 4 seminar rooms, 150-seat lecture hall, breakout rooms, executive ed. space for collaboration w/ private sector partners, computer labs, a financial trading facility and research space.	46,878,894					46,878,894

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>MONTCLAIR STATE UNIVERSITY cont.</b></p> <p><b>032-07 Networking Equipment and Systems</b>                      Upgrade Networking Equipment and Systems including implementation of a high-capacity wired network paired with a high performance broadband wireless network. Project allows fully converged voice, video and data environment for the first time and full compatibility w/ NJEDge.net (MSU serves as a co-location facility for much of the NJEDge infrastructure.</p>				6,250,000		6,250,000
<p><b>032-10 Conversion to IP Telephone Operations</b>                      Replacement of outdated analogy landline desktop telephone system with a state-of-the art IP- based telephony operation constituting a unique assembly of hardware and desktop telephone sets. Replacement is imperative because the manufacturer of the system will discontinue support and service by the end of 2015.</p>					700,000	700,000



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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>MONTCLAIR STATE UNIVERSITY cont.</b>						
<b>032-11 Installation of High-Availability Uninterrupted Power Source Devices</b> Acquisition and installation of Uninterruptible Power Supplies (UPS) at all network distribution points throughout campus in order to protect information technology assets from power surges and maintain telecommunications services during power outages.					700,000	700,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>NEW JERSEY CITY UNIVERSITY</b>						
<b>034-02 Information Technology Infrastructure Improvements</b> Maintenance, enhancement and expansion of network infrastructure providing greater connectivity to Harborside and Wall Township locations inc.: network hardware upgrade. Load balancing appliance upgrade, spam firewall appliance expansion, fiber channel switch upgrade, storage area network expansion and wireless access point expansion.				866,789		866,789
<b>034-03 Science Building Addition and Renovation</b> A 22,000 sf renovation and expansion of the Science Building for biology, chemistry, physics and geoscience programs inc.: multi purpose classrooms, seminar and conference rooms, teaching and research laboratories, lab support, astronomy observatory, student interaction space, computer labs, storage space, equipment and instrumentation rooms, and faculty offices.			32,000,000 (Application for \$32,981,066)			32,000,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>NEW JERSEY CITY UNIVERSITY cont.</b></p> <p><b>034-04 Instructional Technology Upgrades</b>                      Upgrades to equipment in six categories: classroom technology, laboratory technology and equipment, Nursing technology, media arts technology, college of education pre-service teacher technology and video conferencing. These upgrades will affect all programs, but particularly the STEM, STEM education, media arts and professional securities studies programs.</p>					1,718,215	1,718,215

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RAMAPO COLLEGE OF NEW JERSEY</b>						
<b>042-01 STEM Building Upgrade</b> Renovation of first 2 floors of existing G-Wing academic bldg. that houses School of Theoretical and Applied Science to provide modern STEM labs for learning and research; technology classrooms w/ supporting infrastructure; and administrative areas.			16,912,000		750,000	17,662,000
<b>042-05 Technology Infrastructure Upgrade</b> Purchase of equipment to replace old and add new wireless infrastructure inc.: network switches, wireless access points and enhancement of the fiber network in the IT center, business school, all academic buildings and the sports and rec. center.				786,000	534,000	1,320,000
<b>042-06 Copy Center/ Public Safety Relocation</b> Relocation of the print shop to the Dept of Public Safety office which is centrally located and relocation of Public Safety dept. to location near student residences with more space and parking.		900,000				900,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>RICHARD STOCKTON COLLEGE OF NJ</b></p> <p><b>044-01 Arts and Science Renovation Project</b>                      Renovation of existing Arts and Sciences Bldg. incl., exterior and façade repair and energy efficiency improvements.</p>		4,200,000				4,200,000
<p><b>044-04 Education Technology Project</b>                      Upgrade and enhancement of equipment used by faculty for delivery of lectures in electronic classrooms and instructional computer labs; development of virtualized computer labs to support student owned mobile devices (tablets and notebooks) and desktop computers.</p>					1,195,000	1,195,000
<p><b>044-05 Science Building Addition</b>                      Construction of addition to the "soon to be completed" Unified Science Center for programs in Physics, Environ. Science, Marine Science, and Health Sciences, incl.: labs for teaching and research; a vivarium; a greenhouse; computer labs and faculty offices.</p>	21,465,000					21,465,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>RICHARD STOCKTON COLLEGE OF NJ cont.</b></p> <p><b>044-07 Science Building Teaching Laboratory Equip</b>                      Equipment and analytical instruments for teaching and research in Biology and Chemistry space that will be served in the new Unified Science Center.</p>					6,400,000	6,400,000
<p><b>044-08 Additional Classroom Building</b>                      Construction of new 60,000 sq. ft academic bldg. w/ 24 classrooms, 20 offices and teaching space for the Schools of Business, Education, Social and Behavioral Sciences, Arts &amp; Humanities, General Studies, Health Sciences and Natural Sciences and Mathematics.</p>	13,522,950					13,522,950

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>RICHARD STOCKTON COLLEGE OF NJ cont.</b></p> <p><b>044-09 Energy Management Project</b>                      Modernization of equipment and infrastructure associated with energy efficiency including upgrades to College's HVAC equipment/systems.</p>		6,400,000				6,400,000
<p><b>044-12 Educational Technology Infrastructure Project</b></p> <p>Network infrastructure improvements, incl.: intra-campus expansion of high-speed voice, video and data fiber backbone; high capacity internet access; core network upgrade with a high speed 10G network backbone; and wireless infrastructure upgrade.</p>				775,000		775,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>THE COLLEGE OF NEW JERSEY</b>						
<b>013-03 Project to Advance Systemic, Integrated Upgrade and Expansion of Equipment-Intensive, Science and Technology-Rich Programs</b> Upgrade and expand learning and research equipment in science and technology-rich programs in 3 areas: School of Science, School of Engineering, and School of Nursing & Health and Exercise Science. Equipment to be component parts of integrated laboratories and learning centers.					6,900,035	6,900,035
<b>013-04 Science Building Renovation</b> Renovation of Science Complex incl.: chemistry and biology areas; relocation of current space for Math and Statistics to Armstrong Hall and conversion of vacated space for increased area for physics and chemistry labs, support/study areas.			6,000,000			6,000,000



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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>THE COLLEGE OF NEW JERSEY cont.</b>						
<b>013-05 STEM Building</b> Demolition of Holman Hall and construction of new 76,000 sq. ft. STEM bldg for Science, Technology, Engineering, and Schools of Engineering, Nursing Health and Exercise Science, and School of Science. Bldg. to incl.: classroom and research space and labs for biomedical, electrical, mechanical, civil engineering, nursing, computer science, math and physical, natural and health sciences.	40,000,000			1,000,000		41,000,000
<b>013-06 Technology Plan</b> Series of technology infrastructure projects to expand and improve IT throughout campus, incl.: virtual desktop interface project, network security devices upgrade, data network enhancement and completion of redundant ring project, replacement of network core devices, edge network switches project, and telephone switch replacement.				3,550,000		3,550,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>THOMAS EDISON STATE COLLEGE</b>						
<b>056-01 Nursing Education Center</b> Construction of new 34,702 sq. ft. academic bldg. for a Nursing Education Ctr., incl.: faculty space, a patient simulation lab, an auditorium and lecture halls, and space for the College's testing/assessment ctr. and Continuing Studies Unit.	12,726,000					12,726,000
<b>056-02 Instructional Equipment Purchase for the W. Cary Edwards School of Nursing</b> Purchase of computing and instructional equipment for School of Nursing to support technology in patient simulation lab, smart classrooms and labs and to enhance School's staff resources, incl.: computers, printers, copy machines, videoconferencing equipment, smart boards, projectors, and simulator equipment.					585,000	585,000
<b>056-03 Capital Improvements at 102-104 West State St</b> Renovation/fit-out of 102-104 West State St. facility (formerly the NJBIA headquarters) to house a new Center for Learning Technology. This is a 12,528 sq. ft. facility that the College is under contract to purchase and is in the State House Historic District very near existing College buildings.		1,397,000				1,397,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>THOMAS EDISON STATE COLLEGE cont.</b>						
<b>056-04 Capital Improvements to the Kelsey/Townhouse Complex</b>		1,913,000				1,913,000
Renovation and upgrade of College's Kelsey/Townhouse Complex to reconfigure/remodel/consolidate administrative offices in order to free up space for additional use, including meeting rooms and classrooms; a new welcome center; new roof; and upgrade of HVAC systems.						

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>WILLIAM PATERSON UNIVERSITY</b>						
<b>061-01 Health Sciences Building</b> Construction of new academic bldg. for a Health Science Center for teaching/research facilities for well established programs in Nursing, Communication Disorders and Public Health, incl.: 15 active learning classrooms (560 seats) for 3 STEM programs and general academic instruction; 15 communication therapy suites and clinical observation rooms.	30,000,000					30,000,000
<b>061-04 Communicating in the 21st Century</b> Upgrade and expand Ethernet and Internet network facilities to combine voice, video and data over an Internet Protocol (IP) fiber backbone to expand the University's voice communications systems with innovative equipment, provide backup and reliability to the university's communications systems and to add high definition television studios to allow for interactive experiential learning.				244,000	1,739,521	1,983,521

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ATLANTIC CAPE COMMUNITY COLLEGE</b>						
<b>002-01 Student Success Center</b> Build Academic Success Ctr as entire 2nd flr of Student Success Ctr Bldg. (not funded by BOF funds), for support services incl. writing/math labs, study rooms, offices space, seminar rooms w/ computer and smart boards for use in writing and math labs.	2,676,394					2,676,394
<b>002-02 Simon Lake Hall (Bldg A) Renovation</b> Convert space vacated by science use in Bldg. A into general classrooms w/ student computer and math labs.	2,984,039					2,984,039

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>ATLANTIC CAPE COMM. COLLEGE cont.</b></p> <p><b>002-03 Enabled Technology Upgrades</b>                      Purchase of classroom, lab and faculty workstation equipment inc.: 681 desktops and 269 laptops and 16 printers.</p>					803,542	803,542
<p><b>002-04 Student Success Center - Worthington</b>                      Renovation of an existing 2,811 sf slots lab adjacent to the Library to create student success center for supplemental instructional support, student study rooms, staff offices and a small classroom/seminar room with smart boards. In addition, a career planning center and tutoring space and assistive technology resources for at-risk students is included.</p>	680,062					680,062

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>ATLANTIC CAPE COMM. COLLEGE cont.</b></p> <p><b>002-05 Technology Infrastructure Project</b>                      Total refresh of network infrastructure with improvements and enhancements, including: 1) Ethernet Layer 3 Switching, 2) Ubiquitous Wireless, and 3) Server Virtualization/VDI.</p>				567,000		567,000
<p><b>002-06 Student Success Center - Cape May</b>                      Renovation of an existing 1,749 sf storage space adjacent to the Library to create student success center for supplemental instructional support, student study rooms, staff offices and a small classroom/seminar room with smart boards. In addition, a career planning center and tutoring space and assistive technology resources for at-risk students is included.</p>	500,620					500,620

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BERGEN COMMUNITY COLLEGE</b>						
<b>004-01 Health Professions Integrated Teaching Center</b> New academic bldg. for High Tech. Health Professions Teaching Ctr incl. additional/upgraded equipment, smart classrooms, labs, simulation ctrs, computer facilities, student support, counseling and admin areas.	12,750,000					12,750,000
<b>004-03 Infrastructure Enhancement Project</b> Network infrastructure upgrade across its 3 campuses; Computer Workstation Lifecycle; purchase of Queue Management Solution hardware (software included in HETI app 004-04 below).					2,023,000	2,023,000



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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BERGEN COMM. COLLEGE cont.</b>						
<b>004-04 Institutional Improvement Project</b> Technology infra. incl.: Data Warehouse and Data Mining Solution; purchase/install Admissions Customer Relations Management (CRM) solution; purchase of Human Resources management package for Datatel; purchase One Card Student ID Mangmt System; Network Security Upgrade; purchase Queue Management Solution software.				1,071,000		1,071,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BROOKDALE COMMUNITY COLLEGE</b>						
<b>008-01 The Wall Project</b> Construction of a 41,000 sf academic facility at the Wall campus (the former Camp Evans base) for classroom space, nursing labs and prep rooms, computer labs, a video conferencing classroom, a learning commons for research, tutoring, counseling and collaboration spaces. Also included is network infrastructure, desktop virtualization and unified communication upgrades as well as the purchase of related furniture and equipment.	12,000,000			192,518	1,730,398	13,922,916
<b>008-02 Technology Upgrade</b> Upgrade of wired and wireless infrastructure, desktop virtualization (computers in classrooms to support multiple disciplines), unified communication (voice, text and video). Also includes equipment to be used in biology, chemistry and environmental sciences laboratories.				968,044	993,905	1,961,949

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BURLINGTON COUNTY COLLEGE</b>						
<b>009-01 Next Generation Enterprise Network</b> Upgrade network capability by replacing out-dated existing core and edge network switches to support network Mobility, Energy Management, Security, Application Performance and Multimedia.				506,029		506,029
<b>009-02 Next Generation Educational Technology Project (NGET)</b> Replacing existing classroom equip.; upgrades to computer labs, mobile technology labs, and video conferencing capability; installation of digital signage and digital voice recorder for the public safety dept.; installation of equipment and infrastructure for classrooms and labs in technology-intensive programs.					1,427,852	1,427,852

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BURLINGTON COUNTY COLLEGE cont.</b>						
<b>009-03 Center for the Advancement of Science and Technology</b> Interior renovation and expansion of 25,000 sf of the Lewis Parker Center on the Pemberton Campus inc. renovation of: large lecture halls, classrooms, labs, training facilities, HVAC system, interior and exterior windows, mechanical and electrical infrastructure, and facility support space to support STEM disciplines including electronics, energy management and sustainability and advanced manufacturing.			2,640,000			2,640,000

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>CAMDEN COUNTY COLLEGE</b>						
<b>011-02 The Instructional, Technology and Lab Equipment Modernization Project "INTEL"</b> Purchase of equipment for simulation for nursing, dental hygiene, dental assisting and surgical technology programs; advanced manufacturing equipment for job training in manufacturing, robotics, design and engineering; equipment for technology enhancements in developmental education; technology enhancements to classrooms in Blackwood, Rohrer and Camden; faculty training in multimedia center; technology enhancements to the student services center.					1,281,890	1,281,890
<b>011-03 Communications and Data Storage and Transmission Infrastructure Survival Project "CODIS"</b> Upgrades to data storage and transmission infrastructure inc.: upgraded switches, wireless expansion, virtual desktop infrastructure, three storage area network devices, and technology equipment for the Taft Hall renovations.				828,996		828,996

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>CAMDEN COUNTY COLLEGE cont.</b></p> <p><b>011-04 College Downtown City Classroom Development and Expansion Initiative "CCCamden Project"</b>                      Acquisition and renovation of the Settlement Music School – Camden Music School of the Arts located at 531-535 Market Street, in Camden, to expand programs in Healthcare, Life Sciences, Technology, Hospitality, Retail Job Training, and adult Basic Skills/GED and establish additional science labs.</p>	1,624,686					1,624,686
<p><b>011-05 Taft Hall Renovation and Classroom Expansion Project</b>                      Renovation of the first and third floors of Taft Hall which are academic and academic support floors. The second floor (administrative) will be renovated with Chapter 12 funds. The project includes equipping classrooms w/ up to date technology.</p>	4,577,724					4,577,724

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>COUNTY COLLEGE OF MORRIS</b>						
<b>015-01 CCM Music Technology Building</b> Construct new 16,000 sq. ft. Music Technology Bldg. for multiple science and technology programs, performing arts and general ed courses in Diversity and Humanities.	5,273,438					5,273,438
<b>015-02 CCM Engineering Renovations</b> Renovation of Engineering Program's academic/instructional space and labs.	2,226,562					2,226,562

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>COUNTY COLLEGE OF MORRIS cont.</b>						
<b>015-04 Biology, Chemistry and Physics Lab Renovations</b> Renovate 7 laboratories totaling 8, 170 sq. ft. for Biology, Chemistry & Physics Lab programs. These renovations will support multiple Associate in Science and Applied Science degree programs and increases capacity in STEM fields.			1,490,400			1,490,400
<b>015-06 Instruction Equipment Acquisition Project</b> Purchase of Equipment to support Mechanical Engineering Technologies, Advanced Manufacturing Training, Hospitality Management, Restaurant and Culinary Management, Culinary Arts and Sciences, Event Planning and Marketing, Design, Music Performance, Music Technology, Photography, Respiratory Therapy, Biotechnology, Biology, Chemistry, Exercise Science, Personal Trainer, Nursing, Media Studies, and Media Technology.					1,274,387	1,274,387



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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>COUNTY COLLEGE OF MORRIS cont.</b>						
<b>015-07 Technology Infrastructure Project</b> Technology upgrades inc.: removal of all single point of failures in the fiber network infrastructure, upgrade and completion of current wireless network, replacement of old switches, and an emergency power UPS system for server rooms.				172,725		172,725

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>CUMBERLAND COUNTY COLLEGE</b>						
<b>016-01 Phase 1 Facilities Master Plan Implementation</b> Renovate and expand Academic Bldg.; replace outdated fiber-optic cabling and equipment w/ new looped network for greater bandwidth and speed; renovate rear of library to create Network Operations Center to house IT Dept.			1,364,000	390,600		1,754,600
<b>016-02 Information Technology and Equipment Upgrades</b> Purchase of a new 10 gig fiber-optic cable throughout campus, a new network core, replacing computers for faculty, classrooms, academic support labs and the developmental math programs, equipment for criminal justice, chemistry, engineering and engineering technology, performing arts and TV production and digital media programs.					737,800	737,800

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ESSEX COUNTY COLLEGE</b>						
<b>021-01 First Year Success -Specialized Classrooms for Rapid Completion of Developmental Coursework</b> Construct 18,000 sq. ft. of new learning space for developmental Math and English by building new level on existing structure.	5,484,375					5,484,375
<b>021-02 Health Sciences Nursing Simulation Laboratory</b> Update and expand the Nursing and Allied Health Programs' Human Patient Simulator (HPS) Lab, including purchase of manikins and laboratory support equipment.			55,250		640,967	696,217

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>ESSEX COUNTY COLLEGE cont.</b></p> <p><b>021-03 Information Commons</b>                      Creation of an Information Commons w/in the MLK Library consisting of dedicated space for integrated digital environment and the technology that supports it including; 145 computers at Newark campus, 30 at West Essex and 20 at Police Academy.</p>	4,495,735			340,315		4,836,050
<p><b>021-04 West Essex Campus Restructuring</b>                      Renovate 12 classrooms into technology classrooms and add 6 new; 2 science labs and add one new lab for allied health fields; 5 computer labs; expand multi-purpose room, repurpose library/academic resource ctr into Information Commons; and redefine main entrance.</p>	5,013,628					5,013,628

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>ESSEX COUNTY COLLEGE cont.</b>						
<b>021-05 Foundation for Instructional Technologies (FIT)</b> Upgrade of academic computing infrastructure, including: core and intermediate network infrastructure and associated Main Distribution Frame/Intermediate Distribution Frame equipment, cabling and peripherals.				3,073,220		3,073,220

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>GLOUCESTER COUNTY COLLEGE</b>						
<b>025-01 Nursing and Allied Health Center</b> Construct new 41,418 sq. ft. Nursing and Allied Health Ctr. w/ smart classrooms, 8 simulation and nursing technologies labs and 2 computer labs.	8,573,526					8,573,526
<b>025-02 Business and Corporate Center</b> Repurpose existing Allied Health Ctr. into new Business and Corporate Ctr. for Business Studies Degree Programs.	532,575					532,575
<b>025-03 Law and Justice Education Center</b> Construct 7,244 sq. ft. addition to the existing Law and Justice Education Ctr., including: replacement of antiquated forensic lab w/ 2 state-of-the-art labs; convert existing lab to a classroom, create a resource room, and add another classroom.	1,499,508					1,499,508

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>GLOUCESTER COUNTY COLLEGE cont.</b>						
<b>025-04 Adult Center for Transition</b> Construct new 14,550 sq. ft. state-of-the-art facility to facilitate in the transition of care for more severely disabled students. Bldg. will be equipped with assistive technology, a computer room, small group classrooms and vocational workshops.			4,015,800			4,015,800
<b>025-05 Student Services &amp; College Readiness Now Ctr</b> A 16,300 sf renovation and 20,345 sf addition including 6 classrooms, a computer lab, 3 small group classrooms and a large group instructional space for the College Readiness Now Center focusing on transitional aspects of high school senior year and will target high risk students.	4,386,906					4,386,906

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>HUDSON COUNTY COMMUNITY COLLEGE</b>						
<b>026-01 Science Center</b> Construction and equipping of new science building in Jersey City w/ 39,540 sq. ft to consolidate science programs in one location and will incl.: 9 laboratories incl. a nursing and a medical assistants' lab, 9 classrooms and 5 offices for the science dept. Project is part of college's long range plant to develop 500,000 sq. ft. of space in the Journal Square area of Jersey City and in the North Hudson area and the college has completed or is in process of completing almost half of the planned space w/ the construction of 2 new academic buildings and a new library underway.	8,100,000		2,376,000	202,075	651,910	11,329,985
<b>026-04 HETI</b> Technology infrastructure to provide uninterrupted access to all of the academic labs, and wireless access points, including the smart classrooms and science labs inc. core and computer room switches.				286,000		286,000



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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>MERCER COUNTY COMMUNITY COLLEGE</b>						
<b>028 Renovating Labs and Instructional Space to Improve Teaching of STEM Disciplines</b> Renovation of labs and instructional spaces; remodeling of additional spaces for STEM, incl.: upgrade of video, voice and telecom. equip., wireless communications on both campuses, upgrade of the fiber and equip. on West Windsor campus, network cabling in computer labs on both campuses, and additional leased equip. to support STEM programs.	7,350,000			617,400	473,400	8,440,800
<b>028-02 Expanding Capabilities in Advanced Mfr</b> Construct a 1,900 sq. ft addition to Engineering Science Bldg. on West Windsor Campus for industrial laboratory space to provide training in advance manufacturing, including specialized equipment needed to conduct this type of training. The college has requested funding under HEFT and ELF for portions of this project.			855,000		401,250	1,256,250

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>MIDDLESEX COUNTY COLLEGE</b>						
<b>030-01 Academic Science Building</b> Construct new 22,400 sq. ft. acad. science bldg. for STEM and health sciences programs w/ 14 labs for Bio., Chem. and Microbio.; new science labs for Allied Health programs; repurpose existing labs to serve Allied Health and physics programs; create admin. office space for Natural Sciences faculty; and equipment for new facility.	10,200,000		2,992,000		1,618,400	14,810,400

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>OCEAN COUNTY COLLEGE</b>						
<b>036-01 Technology Infrastructure</b> Technology infrastructure improvements inc.: firewall and IPS upgrade, VOICE over IP upgrade and video conferencing solution, wireless network enhancements and upgrades, enhancements and addition to SCALA (mass alert notifications), virtual desktop infrastructure enhancements, classroom technology upgrades, data replication site solution, southern campus point to point link, and redundant internet link via second ISP link.				718,200		718,200
<b>036-02 Nursing Building Upgrade</b> Renovation and expansion of the 11,031 sf Health Sciences building in Toms River upgrade HVAC, structural, and mechanical systems, undertake asbestos abatement, make ADA and OSHA compliance renovations and to purchase furniture and lab equipment inc. smart boards, AV equip., and computers.			1,692,769			1,692,769
<b>036-03 Instructional Building Infrastructure Project</b> Renovation of the College's 61,650 sf primary instructional facility in Toms River to upgrade HVAC, structural, mechanical, electrical and plumbing systems, undertake asbestos abatement, make ADA compliance renovations and to purchase furniture and lab equipment inc.: smart boards, AV equip., and computers.	8,550,000					8,550,000

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>OCEAN COUNTY COLLEGE cont.</b>						
<b>036-04 Classroom Technology Project</b> Purchase of technology equipment to equip 43 classrooms, 37 labs and 3 lecture halls with update AV and computing instruments. 6 classrooms and 2 labs are in Manahawkin, all other facilities are located in Toms River.					1,549,603	1,549,603

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>PASSAIC COUNTY COMMUNITY COLLEGE</b>						
<b>037-01 Culinary Arts Facility</b> Renovation and repurpose of existing 4,200 sq. ft. space into a Culinary Arts facility w/ 4 teaching stations, a pastry/baking kitchen, hot and cold food kitchens, a culinary lab for teaching demonstration and special events.	900,000					900,000
<b>037-02 Center for Education and Workforce Development</b> 6,000 sf expansion to an existing building to relocate continuing education and workforce development area to building that houses the One Stop Career Center.	1,125,000					1,125,000

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>PASSAIC COUNTY COLLEGE cont.</b>						
<b>037-03 Center for STEM Innovation</b> Renovation to Hamilton Hall to create a 17,000 sf STEM facility to consolidate CIS, engineering, and health information technology into one facility inc.; lab space, 14 new classrooms, collaborative learning space, a new lobby and elevator.			2,068,000			2,068,000
<b>037-04 Extended Learning Beyond the Campus Walls</b> Upgrades to network infrastructure including the installation of a virtual desktop system and the installation of emergency generators (one in Wayne one in Passaic).	307,500			268,645	1,118,416	1,694,561
<b>037-05 Digital Tools for 21st Century Learners</b> Purchase and installation of video conferencing equipment, mobile learning laptops, smart classrooms and multimedia materials.				323,638		323,638

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RARITAN VALLEY COMMUNITY COLLEGE</b>						
<b>043-01 Science Center Addition</b> A 23,500 sf addition to the Science Center serving chemistry, anatomy and physiology, physics, environmental science, engineering and biology featuring 4 new labs and prep rooms, 4 standard-sized classrooms, an engineering lab, and an 80 seat lecture hall. Several faculty offices, smaller seminar rooms and an expanded lobby will also be included.	6,900,000					6,900,000
<b>043-02 Workforce Training Center</b> Construction of new 30,000 sq. ft. building for a Workforce Training Center to provide programs in automotive technology, advanced manufacturing, emergency management, entrepreneurship and health science programs and other high demand programs that will prepare students for the workforce.			8,000,000			8,000,000
<b>043-03 New Generation Tools for Instruction</b> Acquisition of 300 mobile tablets; 50 laptops; 300 desktop computers; 100 thin client devices and 33 printers to reequip classrooms and computer labs; replace projectors and other related media devices in 84 classrooms and labs; provide equip. to accommodate expected growth in network connectivity and systems. This equipment is essential in employing new educational delivery methods such as the "flipped classroom" which will be used in biology, math and computer gaming.				1,093,183		1,093,183

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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RARITAN VALLEY COMM. COLLEGE cont.</b>						
<b>043-06 Supporting Mobile Access and B.Y.O.D.</b> The College has experienced a 300% increase in the use of mobile devices by students, which are now limited to using 2 devices on the College's network and which are primarily B.Y.O.D. devices. The project will upgrade and expand the College's wireless network to accommodate the experienced and expected increase in use and will allow the college to explore the new "flipped classroom" methodology in Biology, Math and computer gaming projects.				425,611		425,611



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	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>SALEM COMMUNITY COLLEGE</b>						
<b>049-02 Improvements to STEM Classrooms and</b> State-of-the-art improvements and infrastructure upgrades to Contini Hall - the sole STEM building on campus, which houses science, computer science and math classrooms, physics lab/classroom, business and accounting classrooms, nursing classrooms, and a small Computer Graphic Art lab.	3,000,000					3,000,000

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>SUSSEX COUNTY COMMUNITY COLLEGE</b>						
<b>054-01 Dark Fiber Install</b> Installation of dark fiber network throughout Sussex County and to NJEdge.net in Newark in order to create more efficient and accessible telecommunications delivery to the college (increasing college bandwidth and connectivity) and to surrounding high schools w/in the County.			1,276,000			1,276,000
<b>054-02 Technology Infrastructure Advancement Initiative</b> Technology infrastructure upgrades to replace College's current system with a new core system (WebStudy LMS) and Learning Management System (LMS) with an upgraded tool set to improve operational efficiencies, incorporate more sophisticated technologies and increase connectivity and compatibility w/ NJ higher education community.				365,400	690,200	1,055,600

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>UNION COUNTY COLLEGE</b>						
<b>057-01 Elizabeth Science Labs Major Renovation Project</b> Build 4 new and upgraded science labs to replace existing office space with upgraded electrical, lighting, new science equipment and draft hood for ventilation. Project includes 2 new science "wet" labs and upgrade of existing biology labs in the Lessner Building on the Elizabeth campus.	1,405,848					1,405,848

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County Colleges

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>WARREN COUNTY COMMUNITY COLLEGE</b>						
<b>060-01 Technology Upgrade Project</b> Technology upgrades that include: ERP software replacement; computer lab expansion; Data Center infrastructure improvements; and classroom/instructional technology needs.				417,000	500,000	917,000

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BETH MEDRASH GOVOHA</b>						
<b>006-01 Construction of Library and Research Center</b> Construct new library/research ctr.; locate certain academic depts. on 3rd floor, incl.: writing resource ctr., Hebrew Studies, Adult and Continuing Ed., internship advisors, career and academic counseling.	5,118,000					5,118,000
<b>006-02 Princeton Avenue Academic Center Construction of Academic Space</b> Construct academic space through reconfigure of existing bldg. to incl.: 14 classrooms, ref. library, computer room, faculty offices and academic support space.	5,517,747					5,517,747

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>BLOOMFIELD COLLEGE</b>						
<b>007-01 Technology Infrastructure Project</b> Upgrade networking infrastructure for more bandwidth and speed, incl.: recabling fiber-optic layout between bldgs., purchase of related hardware, upgrade of edge connection to internet service provider.				317,500		317,500
<b>007-02 Center for Technology, Knowledge and Creativity</b> Construct new Center for College's Creative Arts and Technology Division by renovation/ upgrade of existing facility and new addition.	2,200,000					2,200,000

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>CALDWELL COLLEGE</b></p> <p><b>010-01 Science Building Renovation for the Nursing Department</b>                      Renovation and modernization of science lab and classrooms that support the nascent nursing program incl., main skills and health assessment labs, a simulation lab, and lecture classroom.</p>	952,975					952,975
<p><b>010-02 Strengthening Academic Capacity and Outcomes (SACO)</b>                      Renovations to the Jennings Library to house the learning commons; classroom, lab and technology upgrades; the creation of 2 new centers for teaching and learning for the faculty; and the renovation of a storage area in a residence hall to house a data communications center and equipment purchases associated therewith.</p>	731,297	239,715		171,477		1,142,489

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>Caldwell College cont.</b>						
<b>010-03 Capital Improvement Project</b> Renewal and Renovation to address deferred maintenance inc.: replacement of roofs on Library, Theatre, Science building and Arts building; upgrading of electrical and heating distribution systems in Science building; renovation of bathrooms in residence hall; and replacement of flooring and fitness equipment in the fitness center.		1,750,718				1,750,718



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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>CENTENARY COLLEGE</b>						
<b>012-01 Renovations of Science Labs at Trevorrow Hall and the Hackettstown Fish Hatchery</b> Renovation and improvement of existing science labs in Trevorrow Hall and Hackettstown Fish Hatchery inc.: 3 labs for biology, chemistry and physics, a lecture hall, lab prep space, faculty offices, and an elevator.	1,628,000			37,000	125,000	1,790,000
<b>012-03 Seay Building - Elevator Addition</b> Purchase and installation of an elevator to provide access to 6 classrooms in the building.	477,000					477,000

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>THE COLLEGE OF SAINT ELIZABETH</b>						
<b>014-01 Technology Infrastructure Upgrades</b> 1) expansion of the wireless network in all high population areas of campus, 2) implementation of a new IP/PBX phone system, 3) provision of highly available and back power for the College data center through installation of a natural gas fueled generator.				401,500		401,500
<b>014-02 Academic Laboratory Upgrades</b> The project consists of major renovations to all biology and chemistry labs and renovation of a Food and Nutrition Lab.	1,990,366					1,990,366

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>DREW UNIVERSITY</b>						
<b>018-01 Renovation and Expansion of the Hall of Sciences at Drew University</b> Renovation and expansion the Hall of Sciences which is Drew's primary facility for STEM disciplines and will increase designated research and teaching areas, upgrade the University's capacity to support research and teachings in areas of high demand, support developed of new and expanded STEM courses and research and update the building's overall technology infrastructure.	2,094,000	3,202,615	759,240	51,500	703,754	6,811,109

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>FAIRLEIGH DICKINSON UNIVERSITY</b>						
<b>022-01 Science Building Roof Replacement and Restroom Renovation</b> Replace Florham Science Building Roof, including East and West Cottage roofs, and renovate restrooms.		582,000				582,000
<b>022-03 Hennessy Hall Smart Seminar Room</b> Renovate Hennessy Hall using existing space to create 2 smart seminar rooms w/: lecture capture, archiving/retrieval capabilities, smart capture boards and other teaching technologies.	675,000					675,000

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<p style="text-align: center;"><b>FAIRLEIGH DICKINSON UNIVERSITY cont.</b></p> <p><b>022-04 Barn Theatre</b>                      Renovate and expand Black Box Theatre to include more flexible performance space w/ state-of-the-art lighting/sound technology; add dressing rooms, storage, restrooms and rehearsal area.</p>	825,000					825,000
<p><b>022-06 Network Infrastructure Enhancement</b>                      Network infrastructure upgrade of existing private dark fiber system including: new Edge Router and increased firewall functionality; intercampus-aggregation to support both; a new DNS server; and Optical electronics.</p>				806,188		806,188
<p><b>022-10 Stadler, Zenner, Hoffmann-La Roche Smart Classrooms</b>                      Renovation of 2 classrooms into smart classrooms w/ advanced teaching technologies. Bldg. serves the Colleges of Arts and Sciences and Business Administration.</p>	225,000					225,000

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>FAIRLEIGH DICKINSON UNIVERSITY cont.</b></p> <p><b>022-11 Monninger Smart Classrooms</b>                      Renovation of classrooms into 2 smart seminar rooms w/ lecture capture, dialog w/ off-site experts, smart capture boards and other teaching technologies. Bldg. serves the Coll. of Business.</p>	225,000					225,000
<p><b>022-13 Becton Hall Renovation</b>                      Convert general classroom space into engineering, computer science and media arts labs for use by Schools of Computer Science and Engineering and Art and Media Studies.</p>	4,553,250					4,553,250

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<p><b>FAIRLEIGH DICKINSON UNIVERSITY cont.</b></p> <p><b>022-16 Dreyfuss Film Studio</b>                      Conversion of unfinished storage area into a new Digital Cinema Sound Stage w/ LED lights, High-Def Super 35mm sensor cameras, dimmers and electrical distribution systems for Dept. of Visual and Performing Arts and Film Program.</p>	393,750					393,750
<p><b>022-19 Science Building Lab Renovation</b>                      Lab renovation including updated equipment, upgrade climate control, clean air circulating system and back-up power supply; construct conference room; refurbish lecture hall and install teaching technology; and add a computer lab for Depts. of Biology and Allied Health Sciences, Chemistry and Pharmaceutical Science.</p>	1,875,000					1,875,000

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Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>FELICIAN COLLEGE</b>						
<b>023-01 Education Commons</b> Renovation of existing vacant building (former FDU library) into Education Commons building to house nursing labs, student study area, high tech classrooms and library research center.	2,450,000	1,000,000		375,000	550,000	4,375,000



Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>GEORGIAN COURT UNIVERSITY</b>						
<b>024-01 Hamilton Hall: Innovations and Improvements for Nursing Education</b> Renovation for upgraded heating, electrical and fire suppression systems; window replacements; larger classrooms, increased skills lab space and simulation equipment; added technology and furniture for classrooms; ADA modifications; parking lot addition and reconfiguration.	1,031,696					1,031,696
<b>024-02 Raymond Hall: Enhancing the Educational Experience for Tomorrow's Teachers</b> Bldg. renovation (houses School of Education) including: paint and flooring upgrade; reconfigure of classroom space; classroom and building-wide technology enhancements; energy efficiency and safety improvements incl., ADA accessibility, upgrade of air/heating/electrical systems and installation of fire suppression system.	817,757					817,757
<b>024-05 Arts and Sciences Building: Innovations in STEM Education</b> Renovation of Arts and Sciences Bldg. including: teaching/classroom technology enhancements, modernize lab spaces, install fire suppression system, enhanced ventilation hoods, fits and finishes upgrades throughout, purchase equip. to support scientific research and analysis.	904,493		5,000,000  (Application for \$5,520,000)		686,040	6,590,533

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>PRINCETON THEOLOGICAL SEMINARY</b>						
<b>038-01 Enhanced IT Infrastructure for Renovated Luce Library</b> IT infrastructure upgrade for library for expanded historical and theological research incl.: creation of digital access; upgrade of underlying communications infrastructure; a redundant, diverse-pathway fiber backbone to the network; and extension of reach of fiber optic network.				241,722		241,722
<b>038-02 Learning Spaces: Training Room</b> Acquisition and installation of technology in a space to allow on-site and distance training to students and staff.				113,712		113,712
<b>038-03 Revamped Cooper Conference Room</b> Equipping the Cooper Conference Room with 21st century multimedia functionality to expand online education and strengthen its interaction with other universities and learning communities. PTS will continue existing online programs and transition its Spanish and Portuguese Certificate programs to online.				289,889		289,889

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>PRINCETON UNIVERSITY</b>						
<b>039-01 Andlinger Center Project/Andlinger Center Fit-out Project</b> Fit-out for new Ctr. for Energy and the Environment that supports research and teaching in sustainable energy development, conservation and environmental protection, incl.: 3 hi-tech clean room bays; 5 bays of imaging lab; an industrial collaboration lab; 2 experimental research labs; a micro/nano fabrication lab and other tools and facilities.		3,202,500				3,202,500
<b>039-02 20 Washington Road Fit-Out Project</b> Complete renovation of 20 Washington Road in order to consolidate the Department of Economics in one building. The building, the former Frick Laboratory, is an iconic building with 200,000 square feet of space which will be transformed into the hub of the Department of Economics and also provide space for the University's international initiatives. Construction inc. fit-out of a multi-purpose seminar room for up to 100 people, two 60-person tiered classroom/seminar rooms, seven multi-purpose classroom/seminar rooms for 20 to 50 people and ten seminar rooms.		3,250,000				3,250,000

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>RIDER UNIVERSITY</b>						
<b>045-01 Westminster Choir College New Academic Bldg</b>	4,200,000			355,000		4,555,000
Construct new 11,790 sq. ft. academic bldg. on Rider's Princeton campus, incl.: classrooms with integrated technology and multi-media systems, a 3,415 sq. ft. recital/rehearsal room, audiovisual and information technology room, a green room, lobby and ticket booth, for the West Minster Choir College and School of Fine and Performing Arts.						

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>SAINT PETER'S UNIVERSITY</b>						
<b>048-01 Dinneen Hall Renovations: Ground Floor/                      Interactive Learning Halls/ School of Business</b> Interior Renovation of 7,629 sf of Dinneen Hall (Business School) and 1,542 of outdoor space inc.: 2 smart interactive lecture halls (one includes a trading room), tech. enhanced seminar rooms, student/faculty research space, interactive digital display with financial market info., open forum for outdoor lectures, new windows, doors and hardware, new mechanical and electrical systems and new IT wiring.	2,766,000					2,766,000

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>SETON HALL UNIVERSITY</b>						
<b>050-01 Construction of Academic Building Stafford Hall</b> Construct new academic bldg. on campus to replace 19th century structure and will incl.: 12 technology equipped classrooms, one for 75 students, one for 50 students, nine for 35 students, and one for 25 students, and bldg. will be handicapped accessible.	6,336,000		1,200,000 (Application for \$2,439,000)			7,536,000
<b>050-02 Campus Connectivity Improvements</b> Upgrades to the core network switches on South Orange campus, replacement of fiber cable originally installed in 1996, addition of second fiber connection.				485,601	1,511,931	1,997,532
<b>050-03 Facility Improvements</b> HVAC improvements to the nursing building and the primary administration building and lighting improvements to the recreation center.		2,180,000				2,180,000

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>STEVENS INSTITUTE OF TECHNOLOGY</b>						
<b>052-01 Stevens Institute Virtualized Learning Env</b> Technology infrastructure upgrades and equipment leases for technology initiatives to launch a Virtualized Learning Environment (VLE) for students that provides access to high-compute graphic intensive educational software integral to STEM education and mirroring that used in hi-tech business and manufacturing.				1,000,000	2,500,000	3,500,000

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	GO	CIF	HEFT	HETI	ELF	TOTAL
<b>STEVENS INSTITUTE OF TECHNOLOGY cont.</b>						
<b>052-05 Using Integrative and Interactive Technologies to Enhance Student-Centered STEM Education: The Unified Communications and Collaboration Environment (UCCE) Project</b> Implementation of fully integrated video over IP, voice and data network including robust email, calendaring, and task management; personal journaling; knowledge capture and management; collaborative project and work product development; instant messaging, virtual discussion and chat; video lecture capture and redistribution; and web conferencing.			750,000	1,000,000	2,000,000	3,750,000



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**AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY; UNITARIAN  
UNIVERSALIST LEGISLATIVE  
MINISTRY OF NJ; and GLORIA SCHOR  
ANDERSEN,**

*Plaintiffs,*

v.

**ROCHELLE HENDRICKS, Secretary  
of Higher Education for the State of  
New Jersey, in her official capacity; and  
ANDREW P. SIDAMON-ERISTOFF,  
State Treasurer, State of New Jersey, in  
his official capacity,**

*Defendants.*

**CIVIL ACTION**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION, GENERAL  
EQUITY PART, MERCER COUNTY**

No. \_\_\_\_\_

**VERIFIED COMPLAINT FOR  
INJUNCTIVE AND DECLARATORY  
RELIEF**

This is an action seeking to (1) declare unconstitutional specific monetary grants to two higher education institutions that provide sectarian educations and ministerial training, in violation of Article I, Paragraphs 3 and 4, and Article VIII, Section 3, Paragraph 3, of the Constitution of the State of New Jersey, and in violation of the New Jersey Law Against Discrimination; and (2) enjoin the Treasurer of the State of New Jersey and the Secretary of Higher Education from disbursing the disputed funds to those schools.

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction because the action seeks to vindicate rights protected by the laws and Constitution of the State of New Jersey.
2. Venue is proper in the Mercer County Vicinage, pursuant to R. 4:3-2(a), because defendants are located in this county and the events giving rise to the claims herein occurred and will occur within this judicial district.

### **PLAINTIFFS**

3. Plaintiff AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY (“ACLU-NJ”) is a New Jersey not-for-profit corporation dedicated to preserving constitutional liberties, including ensuring religious freedom by keeping religion free from government involvement, interference, coercion, or favorable or unfavorable treatment. It has its offices in Newark, New Jersey. It sues on behalf of its approximately 15,000 members, most of whom are residents and taxpayers of New Jersey. It has members of various religious affiliations and faiths, as well as members of no affiliation or faith. It has both male and female members. It has members who attend or are employed by public, private non-sectarian, and private religiously-affiliated higher education institutions. It and its members object to the planned grants on many grounds, including because the grants will provide tax funding for the support of religion in general and for the support of religions that many of the members do not subscribe to, because the grants violate the separation of church and state and the state constitutional provisions that guarantee it, and because the

grants will support gender discrimination and will constitute a government-provided benefit which ACLU-NJ's female members will not be able to access.

4. Plaintiff UNITARIAN UNIVERSALIST LEGISLATIVE MINISTRY OF NJ (“UULMNJ”) represents the interests and principles of the Unitarian Universalist faith, focusing on being a voice for truth, justice and equality in New Jersey public policy. Its mission is to provide the comprehensive structure for New Jersey Unitarian Universalists’ non-partisan activism. It works for a socially just public policy through education, research, advocacy, witness, and service. Included among the Unitarian Universalist principles that UULMNJ seeks to support and promote (as adopted in 1982 by the General Assembly of the Unitarian Universalist Association) are “the constitutional principles of religious liberty, and the separation of church and state that safeguard liberty.” As was urged by the General Assembly’s 1982 Resolution, UULMNJ seeks to protect those principles by, in part, “opposing all forms of direct and indirect public aid to support sectarian private schools.” UULMNJ objects to the planned grants because they will violate the separation of church and state, undermine religious liberty, and support religious ministries.

5. Plaintiff GLORIA SCHOR ANDERSEN is a resident of Voorhees, New Jersey. She pays and will continue to pay income taxes to the State of New Jersey, as well as sales, motor fuel, insurance premium, alcoholic beverage, and telephone service (Emergency Preparedness and 9-1-1 System Assessment) taxes. She has worked as both a public-school and a Hebrew School teacher, and she currently works as a part-time Hebrew tutor. She is Jewish, regularly attends services at a conservative synagogue, and volunteers at the Goodwin Holocaust Museum and Education Center. She is a member and Speaker-at-Large of the Delaware Valley Chapter of Americans United for Separation of Church and State. She objects to the planned grants because

they will direct her tax funds to the support of religion in general, to the support of training in religious doctrines to which she does not subscribe, and to the support of gender discrimination; because the grants represent a stamp of state approval upon particular religious ministries; and because the grants violate the separation of church and state protected by the New Jersey Constitution.

### **DEFENDANTS**

6. Defendant ROCHELLE HENDRICKS is the Secretary of Higher Education for the State of New Jersey. She was responsible for approving or disapproving grant applications, as well as establishing the amounts of the grants, for the programs that resulted in the two grant awards challenged herein. Her offices are located at NJ Higher Education, 20 West State Street, 4th Floor, Trenton, New Jersey 08608-1206. She is sued in her official capacity.

7. Defendant ANDREW P. SIDAMON-ERISTOFF is the Treasurer for the State of New Jersey. Upon information and belief, Defendant SIDAMON-ERISTOFF is the official responsible for disbursing appropriated funds to named recipients. His offices are at the New Jersey Department of the Treasury, State House, P.O. Box 002, Trenton, New Jersey 08625-0002. He is sued in his official capacity.

### **FACTS**

8. On April 29, 2013, the Office of the Governor announced that Defendant HENDRICKS had sent to the Legislature a list of higher education construction project grants that had been awarded to various public and private New Jersey higher education institutions. *See* Exhibit 1. The list included grants awarded under five separate grant programs: (1) the \$750 million General Obligation construction bond authorization (also referred to as the “Building Our Future Bond Act,” hereinafter referred to as the “Bond Act”); (2) the Higher Education Facilities Trust

Fund; (3) the Higher Education Capital Improvement Fund; (4) the Higher Education Technology Infrastructure Fund; and (5) the Higher Education Equipment Leasing Fund.

9. Included on that list of grants were awards to 15 private institutions, including two sectarian institutions whose primary functions are to provide sectarian religious education and to train students for ministry pursuant to tenets of their respective faiths. Specifically, the list included (1) an award of \$10,635,747 in Bond Act funds for Beth Medrash Govoha yeshiva and (2) an award of \$645,323 in Higher Education Technology Infrastructure Act (HETIA) funds for Princeton Theological Seminary.

10. Plaintiffs' constitutional and statutory rights will be irreparably harmed if the funds to Beth Medrash Govoha and Princeton Theological Seminary described in Paragraph 9 above are disbursed, including because tax payments by Plaintiffs or Plaintiffs' members will be used to support religious instruction, training, and ministries; because such tax payments will be used to support religious ministries to which Plaintiffs or Plaintiffs' members do not subscribe; and because the grant funds will support discrimination against women. Plaintiffs have no adequate remedy at law.

*The Building Our Future Bond Act*

11. The Bond Act was approved by New Jersey voters on November 6, 2012. Of the \$750 million authorized to be awarded under the Act, \$52.5 million was designated for grants to private higher education institutions with an endowment of \$1 billion or less, with the rest designated for public universities or county colleges.

12. Defendant HENDRICKS was, and remains, responsible for reviewing applications for funding under the Bond Act, and for approving projects and designating amounts of funding to be awarded. In evaluating the relative value of the grant applications and deciding the amounts

awarded, Defendant HENDRICKS and the advisory review committee she established consider, among other factors, numerous broad-based, subjective criteria, and they thus have significant discretion in their decision-making. For example, in evaluating which applications are most qualified to receive funding, Defendant HENDRICKS and the review committee assess relative worth based in significant part on subjective categories such as “Whether it serves the best interests of higher education in the State as a whole,” “Advancement of student education in the State of New Jersey,” “The cost-effectiveness of the project,” and “Consistency of the project with the State’s goals and priorities for development and redevelopment, including...promotion of access to opportunity for all New Jersey residents.” *See* N.J.A.C. 9A:18-1.6(b). Defendant HENDRICKS reviews recommendations of the review committee but has sole authority to approve or disapprove a project grant and establish the amount of the grant. *Id.*

13. Pursuant to *N.J.A.C. 9A:18-1.7(d)*, once the Secretary of Higher Education provides to the presiding officers of each house of the State Legislature a list of projects and amounts of grants she has approved under the Bond Act, the Legislature has 60 days to pass a concurrent resolution disapproving the list; if it fails to do so, the grants will be deemed authorized.

14. The list of projects and grant amounts that includes the grant to Beth Medrash Govoha disputed herein was presented to the Legislature on April 29, 2013. Therefore, if no action is taken, the list will be deemed approved and authorized on June 28, 2013, and Defendant SIDAMON-ERISTOFF may thereafter disburse the grant funds. However, the State Senate and Assembly currently have bills before them to authorize the Bond Act funds. Final action can be taken on those bills as early as Monday, June 24, 2013.

*The Higher Education Technology Infrastructure Act*

15. Pursuant to N.J.A.C. 9A:13-1.1 to -1.8, Defendant HENDRICKS likewise has authority and discretion to preliminarily approve grant applications and determine amounts of funding pursuant to the Higher Education Technology Infrastructure Act (N.J.S.A. 18A:72A-59 to -61).

16. The subjective criteria for determining which projects are most qualified to receive funds under the Higher Education Technology Infrastructure Act are the same as those considered under the Bond Act, described in Paragraph 12 above.

17. Once the list of projects proposed to receive funding under the Higher Education Technology Infrastructure Act is submitted to the Legislature's Joint Budget Oversight Committee, that committee has 10 days to approve or disapprove each grant or they shall be deemed approved. *See* N.J.A.C. 9A:13-1.6.

*The \$10,635,747 Grant to Beth Medrash Govoha*

18. The \$10,635,747 grant award to Beth Medrash Govoha (also known as "Beth Medrash Govoha of America, Inc.") is for two projects: \$5,118,000 for a library and research center, and \$5,517,747 for construction of academic space in an already existing building. *See* Higher Education Capital Financing Grant Programs, Certified List of Approved Projects (excerpted), Exhibit 2. Defendant HENDRICKS awarded both of these grants under the Bond Act.

19. Given that the Bond Act designated \$52,500,000 for grants to private higher education institutions, Beth Medrash Govoha was thus awarded over one-fifth of the total \$52,500,000 in funds available for private institutions under the Act, which is more than any other private institution is slated to receive from the Bond Act.

20. Beth Medrash Govoha is an all-male Orthodox Jewish yeshiva located in Lakewood, New Jersey.

21. The State of New Jersey, according to the New Jersey Secretary of Higher Education's website, describes Beth Medrash Govoha as a "Rabbinical School." *See* [http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/BethMedrash.htm](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/BethMedrash.htm) (Exhibit 3). The State further identifies Beth Medrash Govoha's categorization under the Carnegie Classification system as "Special Focus Institutions – Theological seminaries, Bible colleges, and other faith-related institutions," and notes that Beth Medrash Govoha is accredited by the Association of Advanced Rabbinical and Talmudic Schools. *Id.*

22. The State denotes the courses of study at Beth Medrash Govoha as "Talmudic Studies" and "Rabbinical and Talmudic Studies." *Id.* The State's site also sets forth the categorization of the courses of study pursuant to the U.S. Department of Education's *Classification of*

*Instructional Programs – 2010*. All courses of study at Beth Medrash Govoha yeshiva are classified as either "Theology/Theological Studies" or "Talmudic Studies."

"Theology/Theological Studies" is defined as "A program that focuses on the beliefs and doctrine of a particular religious faith *from the intramural point of view of that faith*. Includes instruction in systematic theology, historical theology, moral theology, doctrinal studies, dogmatics, apologetics, and applications to specific questions of ecclesiastical polity and religious life." *See*

[http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/CIPs.htm#390401](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/CIPs.htm#390401)

(emphasis added) (Exhibit 4). "Talmudic Studies" is defined as "A program that prepares individuals for advanced Talmudic scholarship and research *and for entry into a program leading to ordination as Rabbis*; students are also qualified to enter conventional graduate and professional schools. Includes instruction in Jewish Law and Jurisprudence, Philosophy, and Ethics, in addition to a major emphasis on Talmud." *Id.* (emphasis added).



23. The U.S. Department of Education's Institute of Education Sciences identifies the mission statement of Beth Medrash Govoha as "an institute for advanced Talmudic scholarship. Its primary objective is to produce Talmudic scholars." Its undergraduate studies program "is designed to provide the student with a thorough foundation in the basic areas of Talmudic knowledge according to the traditional model of Talmudic scholarship." The graduate studies program "aims to promote advanced Jewish scholarship and research in classical Talmudic and cognate studies. In addition, it is concerned with professional orientation by providing programs to prepare these scholars as teachers and administrators in secondary Torah schools and institutions of higher Talmudic studies, as practicing Rabbis and as experts in Rabbinical jurisprudence." See <http://nces.ed.gov/collegenavigator/?s=NJ&l=3%2b5&id=183804#accred> (Exhibit 5).

24. According to 2011 State records, Beth Medrash Govoha has 79 faculty members, all of whom are male. See <http://www.state.nj.us/highereducation/statistics/FacultyRaceSex2011.pdf> (Exhibit 6).

25. State records confirm that Beth Medrash Govoha's entire student body is also all-male. See <http://www.state.nj.us/highereducation/statistics/Enr2012Sex.pdf> (Exhibit 7). Its most recent enrollment (2012) is 2,696 students in its undergraduate program, all of whom are male (*id.*); its graduate studies program has 3,842 students, all of whom are male. *Id.*

26. Additionally, the U.S. Department of Education's Institute of Education Sciences confirms Beth Medrash Govoha is an institution that is "Single sex: Male." See <http://nces.ed.gov/collegenavigator/?s=NJ&l=3%2b5&id=183804#accred> (Exhibit 8).

*The \$645,323 Grant to Princeton Theological Seminary*

27. The \$645,323 grant awarded to Princeton Theological Seminary was for three projects: \$241,722 for “IT infrastructure upgrade for library for expanded historical and theological research...,” \$113,712 for “Learning Spaces: Training Room,” and \$289,889 for “Revamped Cooper Conference Room.” All awards were from Higher Education Technology Infrastructure Act funds. *See Exhibit 2.*

28. Princeton Theological Seminary is a Presbyterian Christian seminary located in Princeton, New Jersey.

29. According to its website, Princeton Theological Seminary’s mission is as follows:

**Mission Statement**

Princeton Theological Seminary prepares women and men to serve Jesus Christ in ministries marked by faith, integrity, scholarship, competence, compassion, and joy, equipping them for leadership worldwide in congregations and the larger church, in classrooms and the academy, and in the public arena.

A professional and graduate school of the Presbyterian Church (U.S.A.), the Seminary stands within the Reformed tradition, affirming the sovereignty of the triune God over all creation, the Gospel of Jesus Christ as God’s saving word for all people, the renewing power of the word and Spirit in all of life, and the unity of Christ’s servant church throughout the world. This tradition shapes the instruction, research, practical training, and continuing education provided by the Seminary, as well as the theological scholarship it promotes.

In response to Christ’s call for the unity of the church, the Seminary embraces in its life and work a rich racial and ethnic diversity and the breadth of communions represented in the worldwide church. In response to the transforming work of the Holy Spirit, the Seminary offers its theological scholarship in service to God’s renewal of the church’s life and mission. In response to God’s sovereign claim over all creation, the Seminary seeks to engage Christian faith with intellectual, political, and economic life in pursuit of truth, justice, compassion, and peace.

To these ends, the Seminary provides a residential community of worship and learning where a sense of calling is tested and defined, where Scripture and the Christian tradition are appropriated critically, where faith and intellect mature and life-long friendships begin, and where habits of discipleship are so nourished that members of the community may learn to proclaim with conviction, courage, wisdom, and love the good news that Jesus Christ is Lord.

*Adopted by the Board of Trustees, May 1996*

See [http://www.ptsem.edu/index.aspx?menu1\\_id=2030&menu2\\_id=2031&id=1237](http://www.ptsem.edu/index.aspx?menu1_id=2030&menu2_id=2031&id=1237) (Exhibit 9).

30. The State of New Jersey, according to the New Jersey Secretary of Higher Education's website, describes Princeton Theological Seminary as a "Theological Institution." See [http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/Princeton\\_S.htm](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/Princeton_S.htm) (Exhibit 10). The State further identifies Princeton Theological Seminary's categorization under the Carnegie Classification system as "Special Focus Institutions – Theological seminaries, Bible colleges, and other faith-related institutions," and notes that the Seminary is accredited by the Middle States Association of Colleges and Schools & Association of Theological Schools. *Id.*

31. The State also describes the courses of study at Princeton Theological Seminary as "Christian Education," "Theological Professions" and "Theology – First Professional." *Id.* The State's site also sets forth the categorization of the courses of study pursuant to the U.S. Department of Education's *Classification of Instructional Programs – 2010*. All courses of study at Princeton Theological Seminary are classified as either "Religious Education," "Theology/Theological Studies" or "Divinity/Ministry." "Religious Education" is defined as "A program that focuses on the theory and practice of providing educational services to members of faith communities, *within the context of a particular religion, and that prepares individuals to serve as religious educators....*"

[http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/CIPs.htm#390401](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/CIPs.htm#390401)

(emphasis added) (Exhibit 4). "Divinity/Ministry" is defined as "*A program that prepares individuals for ordination as ministers or priests in any of the Christian religious traditions. Includes instruction in the theology and polity of a particular church, church law, liturgy and ritual, principles of pastoral ministry, homiletics, evangelism, church/parish organization and*

management, Christian ethics, church history, and related studies.” *Id.* (emphasis added).

“Theology/Theological Studies,” as noted in Paragraph 22 above, is defined as “A program that focuses on the beliefs and doctrine of a particular religious faith *from the intramural point of view of that faith*. Includes instruction in systematic theology, historical theology, moral theology, doctrinal studies, dogmatics, apologetics, and applications to specific questions of ecclesiastical polity and religious life.” *Id.* (emphasis added).

**FIRST CAUSE OF ACTION  
VIOLATION OF ARTICLE I, PARAGRAPH 3  
OF THE NEW JERSEY CONSTITUTION**

32. Plaintiffs incorporate by reference paragraphs 1 through 31 as if fully set forth herein.

33. Article I, Paragraph 3 of the New Jersey Constitution states, in pertinent part: “nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately and voluntarily engaged to perform.”

34. Article I, Paragraph 3 of the New Jersey Constitution forbids any taxpayer funds, including funds appropriated through the Bond Act or the Higher Education Technology Infrastructure Act, to be provided to “any church or churches, place or places of worship, or for the maintenance of any minister or ministry.”

35. Because Beth Medrash Govoha and Princeton Theological Seminary provide sectarian religious instruction, because they provide a place for sectarian religious study and religious activity, and because each prepares students for the ministry of a particular sect, the awards of taxpayer funds to Beth Medrash Govoha and Princeton Theological Seminary violate the prohibition on utilizing public tax money for a “church or churches, place or places of worship, or for the maintenance of any minister or ministry.”

36. By awarding and imminently intending to provide taxpayer funds to Beth Medrash Govoha and Princeton Theological Seminary, Defendants have violated or are threatening to imminently violate Article 1, Paragraph 3 of the New Jersey Constitution.

**SECOND CAUSE OF ACTION  
VIOLATION OF THE LAW AGAINST DISCRIMINATION, N.J.S.A. 10:5-1 ET SEQ.**

37. Plaintiffs incorporate by reference paragraphs 1 through 36 as if fully set forth herein.

38. The Law Against Discrimination (hereinafter “LAD”) prohibits “public accommodations” as defined therein from discriminating in hiring or in the provision of services based on “race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, sex, gender identity or expression, disability or atypical hereditary cellular or blood trait of any individual, or because of the liability for service in the Armed Forces of the United States or the nationality of any individual....”

39. Education facilities “operated or maintained by a bona fide religious or sectarian institution” are specifically excluded from the definition of “public accommodation” and, therefore, such organizations are not prohibited by the LAD from discriminating in employment or in the provision of services.

40. However, the State of New Jersey and its agencies are “public accommodations” as defined in the Act. As such, they are prohibited from discriminating in hiring or in the provision of services.

41. Public accommodations such as the State of New Jersey and its agencies are also prohibited by the LAD from providing sponsorship of, or conferring of special benefits on, an organization that engages in discrimination.

42. By awarding and imminently intending to provide more than ten million dollars of Bond Act funds to an organization (Beth Medrash Govoha) that discriminates on the basis of sex, Defendants have violated or are threatening to imminently violate the Law Against Discrimination.

**THIRD CAUSE OF ACTION  
VIOLATION OF ARTICLE I, PARAGRAPH 4  
OF THE NEW JERSEY CONSTITUTION**

43. Plaintiffs incorporate by reference paragraphs 1 through 42 as if fully set forth herein.

44. Article I, Paragraph 4 of the New Jersey Constitution states, in pertinent part: “There shall be no establishment of one religious sect in preference to another.”

45. By awarding and imminently intending to provide public funding to institutions (specifically, Beth Medrash Govoha and the Princeton Theological Seminary) that provide sectarian educations and train students for the ministry of their respective religious sects, Defendants have violated or are threatening to imminently violate Article I, Paragraph 4 of the New Jersey Constitution.

**FOURTH CAUSE OF ACTION  
VIOLATION OF ARTICLE VIII, SECTION 3, PARAGRAPH 3  
OF THE NEW JERSEY CONSTITUTION**

46. Plaintiffs incorporate by reference Paragraphs 1 through 46 as if fully set forth herein.

47. Article VIII, Section 3, Paragraph 3 of the New Jersey Constitution precludes the use of taxpayer dollars “for the use of any society, association or corporation.”

48. Article VIII, Section 3, Paragraph 3 requires grants of public funds to serve a public purpose, in that they must benefit the community as a whole and be directly related to functions of government.

49. By awarding and imminently intending to provide public funding to institutions that primarily train ministers of and provide instruction in selected faiths, including one institution that only admits males, Defendants have violated or are threatening to imminently violate Article VIII, Section 3, Paragraph 3 of the New Jersey Constitution through the expenditure of public funds on private, not public, purposes.

### REQUEST FOR RELIEF

50. WHEREFORE, Plaintiffs request that this Court:

- (a) Declare that the award of the above-described grants under the Bond Act and HETIA to Beth Medrash Govoha and the Princeton Theological Seminary violates Article I, Paragraphs 3 and 4, and Article VIII, Section 3, Paragraph 3 of the New Jersey Constitution, and violates the New Jersey Law Against Discrimination;
- (b) Enjoin, preliminarily and permanently thereafter, Defendants, their employees, agents and assigns, from issuing any check or otherwise providing the above-described grant funding under the Bond Act and HETIA to Beth Medrash Govoha or the Princeton Theological Seminary;
- (c) Award Plaintiffs costs and attorneys' fees pursuant to the New Jersey Law Against Discrimination; and
- (d) Grant such other relief as the Court deems just and appropriate.



EDWARD BAROCAS  
AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY FOUNDATION  
P.O. Box 32159  
Newark, New Jersey 07102

Attorney for Plaintiff

Date: *June 21, 2013*

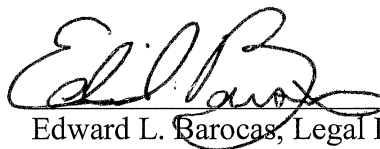
**NO JURY DEMAND**

Plaintiffs do not demand trial by jury in this action.

**DESIGNATION OF TRIAL COUNSEL**

Plaintiffs designate Edward L. Barocas as trial counsel.

Dated: June 21, 2013



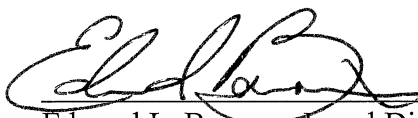
Edward L. Barocas, Legal Director  
ACLU-NJ Foundation  
P.O. Box 32159  
Newark, NJ 07102

**CERTIFICATION PURSUANT TO R. 4:5-1**

Plaintiffs, via counsel, hereby certify that there are no other proceedings or pending related cases arising from the same factual dispute described herein. The matter in controversy is not the subject of any other action pending in any other court or a pending arbitration proceeding, and no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, the undersigned knows of no other parties that should be made a part of this lawsuit. In addition, the undersigned recognizes the continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Dated: June 21, 2013

By:

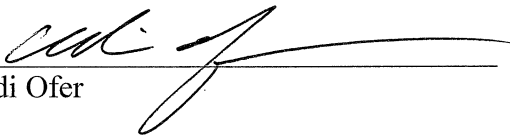


Edward L. Barocas, Legal Director  
ACLU-NJ Foundation  
P.O. Box 32159  
Newark, NJ 07102  
973-854-1717  
ebarocas@aclu-nj.org



**VERIFICATION**

I, Udi Ofer, Executive Director of Plaintiff AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY, hereby affirm under the penalty of perjury that the factual statements contained in the foregoing Verified Complaint, with the exception of Paragraphs 4 and 5, are, to the best of recollection and belief, true and accurate.

  
Udi Ofer

Date: 4/20/13

**VERIFICATION**

I, Rohn Hein, President of Plaintiff UNITARIAN UNIVERSALIST LEGISLATIVE MINISTRY OF NJ ("UULMNJ"), hereby affirm under the penalty of perjury that the factual statements contained in Paragraph 4 the foregoing Verified Complaint, are, to the best of recollection and belief, true and accurate.



---

Rohn Hein

Date: 6/20/13

**VERIFICATION**

I, Plaintiff GLORIA SCHOR ANDERSEN, hereby affirm under the penalty of perjury that the factual statements contained in Paragraph 5 of the foregoing Verified Complaint are, to the best of recollection and belief, true and accurate.

*Gloria Schor Andersen*  
Gloria Schor Andersen

Date: *June 19, 2013*

Edward Barocas, Esq.  
Jeanne LoCicero, Esq.  
AMERICAN CIVIL LIBERTIES UNION  
OF NEW JERSEY FOUNDATION  
P.O. Box 32159  
Newark, NJ 07101  
(973) 642-2086

*Counsel for Plaintiffs*

AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY; UNITARIAN  
UNIVERSALIST LEGISLATIVE  
MINISTRY OF NJ; and GLORIA SCHOR  
ANDERSEN;

*Plaintiffs,*

v.

ROCHELLE HENDRICKS, Secretary  
of Higher Education for the State of  
New Jersey, in her official capacity; and  
ANDREW P. SIDAMON-ERISTOFF,  
State Treasurer, State of New Jersey, in  
his official capacity,

*Defendants.*

CIVIL ACTION

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION, GENERAL  
EQUITY PART, MERCER COUNTY

No. \_\_\_\_\_

ORDER TO SHOW CAUSE  
WITH TEMPORARY RESTRAINTS

TO: Michael Walters  
Office of the Attorney General  
25 Market Street – PO Box 114  
Trenton, NJ 08625  
**Via hand delivery**

THIS MATTER having been opened to the Court on application of Plaintiffs for an order to show cause, seeking relief by way of temporary restraints pursuant to R. 4:52; and based upon the facts set forth in the verified complaint filed herewith; and it appearing therefrom that substantial and irreparable harm shall occur in the absence of such relief and before a formal Notice of Motion can be filed and heard; and notice having been given to counsel for Defendants; and for good cause shown;

IT IS, on this \_\_\_\_ day of June, 2013, hereby ordered that Defendants shall show cause on \_\_\_\_\_, 2013, at \_\_\_\_\_ before the Hon. Paul Innes, P.J.Ch., located at the Superior Court of New Jersey, Chancery Division, 175 South Broad Street, Trenton, New Jersey, why an Order should not be entered:

1. Preliminarily enjoining Defendants from in any manner disbursing funds to Beth Medrash Govoha or the Princeton Theological Seminary;

2. Granting such other relief as the court deems equitable and just.

And IT IS FURTHER ORDERED that:

3. Pending further hearing on this Order to Show Cause, Defendants shall immediately be enjoined from in any manner disbursing funds to Beth Medrash Govoha or the Princeton Theological Seminary;

And IT IS FURTHER ORDERED that:

4. Defendants may move to dissolve or modify the temporary restraints herein contained on two (2) days' notice to the plaintiffs' attorney.

5. A copy of this Order to Show Cause, complaint, legal memorandum and any supporting affidavits or certifications submitted in support of this application shall be served upon the defendants within \_\_\_\_ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4.

6. Defendant shall file and serve a written response to this Order to Show Cause and the request for entry of injunctive relief and proof of service by \_\_\_\_\_, 2013. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to Judge Paul Innes, P.J.Ch., located at the Superior Court of New Jersey, Chancery Division, 175 South

Broad Street, Trenton, New Jersey. You must also send a copy of your opposition papers to the plaintiffs' attorney, whose name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiffs are seeking.

7. The plaintiffs must file and serve any written reply to the Defendants' order to show cause opposition by \_\_\_\_\_, 2013. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge Innes.

8. If the Defendant does not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that Plaintiffs file a proof of service and a proposed form of Order at least three days prior to the return date.

9. If the Plaintiffs have not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

10. Defendants take notice that the Plaintiffs have filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this Order to Show Cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer to the complaint and proof of service within 35 days from the date of service of this Order to Show Cause, not counting the day you receive it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$135.00 filing fee payable to the "Treasurer,

State of New Jersey.” You must also send a copy of your Answer to the plaintiffs’ attorney whose name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment will be entered against you by default. Please note: Opposition to the Order to Show Cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief Plaintiff demands.

11. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

12. The Court will entertain argument, but not testimony, on the return date of the Order to Show Cause, unless the court and parties are advised to the contrary no later than 7 days before the return date.

Dated:

\_\_\_\_\_  
Hon. Paul Innes, P.J.Ch.

CLERK OF SUPERIOR COURT  
SUPERIOR COURT OF N.J.  
MERCER COUNTY  
RECORDED AND FILED

JUL 15 2013

AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY; UNITARIAN  
UNIVERSALIST LEGISLATIVE  
MINISTRY OF NJ; and GLORIA SCHOR  
ANDERSEN;

*Plaintiffs,*

v.

ROCHELLE HENDRICKS, Secretary  
of Higher Education for the State of  
New Jersey, in her official capacity; and  
ANDREW P. SIDAMON-ERISTOFF,  
State Treasurer, State of New Jersey, in  
his official capacity,

*Defendants.*

CIVIL ACTION

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION, GENERAL COURT  
EQUITY PART, MERCER COUNTY

No. C-82-13

CONSENT ORDER

**A True Copy**  
*Sue Regan*  
**SUE REGAN**  
County Clerk of Superior Court

This matter having been opened to the Court by Ed Barocas, attorney for Plaintiffs, seeking temporary and preliminary restraints against the disbursement of funds by Defendants to Beth Medrash Govoha and Princeton Theological Seminary; and counsel for all parties having amicably discussed and agreed upon a resolution to the motion before the Court; and for good cause shown;

IT IS on this 15<sup>th</sup> day of July, 2013, Ordered as follows:

1. Defendants will provide 14 days advance written notice to Plaintiffs' counsel prior to disbursing any funds under the two challenged grants to Beth Medrash Govoha or the Princeton Theological Seminary; and
2. Plaintiffs hereby agree to withdraw, without prejudice, their request for a temporary restraining order as well as for a preliminary injunction, with the understanding that plaintiffs intend to renew such requests before this Court to the extent needed to enable a ruling by the Court prior to the disbursement of the grants.

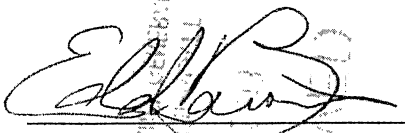


3. Defendants reserve the right to seek to transfer this matter to the Appellate Division.



Hon. Paul Innes, J.S.C.

I HEREBY CONSENT TO BOTH  
THE FORM AND ENTRY OF THE  
WITHIN ORDER

BY:  7/2/13  
EDWARD BAROCAS  
ATTORNEY FOR PLAINTIFFS

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY

BY:  7/2/13  
STUART M. FEINBLATT, ASSISTANT ATTORNEY GENERAL  
ATTORNEY FOR DEFENDANTS

Edward L. Barocas (026361992)  
American Civil Liberties Union of New Jersey Foundation  
Post Office Box 32159  
Newark, New Jersey 07102  
(973) 642-2086 ext. 1717

Frank Corrado (022221983)  
Barry, Corrado & Grassi, P.C.  
2700 Pacific Avenue  
Wildwood, NJ 08260  
(609) 729-1333

Daniel Mach (*pro hac vice* motion pending)  
American Civil Liberties Union Program on Freedom of Religion and Belief  
915 15th Street NW  
Washington, DC 20005  
(202) 675-2330

Lenora Lapidus (027951990)  
Mie Lewis (*pro hac vice* motion pending)  
American Civil Liberties Union – Women’s Rights Project  
125 Broad St.  
New York, NY 10004  
(212) 519-7848

Ayesha Khan (*khan@au.org*) (*pro hac vice* motion pending)  
Alex Luchenitser (*luchenitser@au.org*) (*pro hac vice* motion pending)  
Americans United for Separation of Church and State  
1301 K Street NW, Suite 850, East Tower  
Washington, DC 20005  
(202) 466-3234

**AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY; UNITARIAN UNIVERSALIST  
LEGISLATIVE MINISTRY OF NJ; GLORIA  
SCHOR ANDERSEN; PENNY POSTEL; and  
WILLIAM FLYNN**

*Plaintiffs,*

v.

**ROCHELLE HENDRICKS, Secretary of  
Higher Education for the State of New  
Jersey, in her official capacity; and  
ANDREW P. SIDAMON-ERISTOFF,  
State Treasurer, State of New Jersey, in  
his official capacity,**

*Defendants.*

**CIVIL ACTION**

**SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION, GENERAL  
EQUITY PART, MERCER COUNTY**

No. C-82-13

**AMENDED VERIFIED COMPLAINT  
FOR INJUNCTIVE AND  
DECLARATORY RELIEF**

This is an action seeking to (1) declare unconstitutional specific monetary grants to two higher education institutions that provide sectarian educations and ministerial training, in violation of Article I, Paragraphs 3 and 4, and Article VIII, Section 3, Paragraph 3, of the Constitution of the State of New Jersey, and in violation of the New Jersey Law Against Discrimination; and (2) enjoin the Treasurer of the State of New Jersey and the Secretary of Higher Education from disbursing the disputed funds to those schools.

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction because the action seeks to vindicate rights protected by the laws and Constitution of the State of New Jersey.

2. Venue is proper in the Mercer County Vicinage, pursuant to R. 4:3-2(a), because defendants are located in this county and the events giving rise to the claims herein occurred and will occur within this judicial district.

### **PLAINTIFFS**

3. Plaintiff AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY (“ACLU-NJ”) is a New Jersey not-for-profit corporation dedicated to preserving constitutional liberties, including ensuring religious freedom by keeping religion free from government involvement, interference, coercion, or favorable or unfavorable treatment. It has its offices in Newark, New Jersey. It sues on behalf of its approximately 15,000 members, most of whom are residents and taxpayers of New Jersey. It has members of various religious affiliations and faiths, as well as members of no affiliation or faith. It has both male and female members. It has members who attend or are employed by public, private non-sectarian, and private religiously-affiliated higher education institutions. It and its members object to the planned grants on many grounds, including because the grants will provide tax funding for the support of religion in general and for the support of religions that many of the members do not subscribe to, because the grants violate the separation of church and state and the state constitutional provisions that guarantee it, and because the

grants will support religious and gender discrimination and will constitute a government-provided benefit which ACLU-NJ's non-Jewish and female members will not be able to access.

4. Plaintiff UNITARIAN UNIVERSALIST LEGISLATIVE MINISTRY OF NJ (“UULMNJ”) represents the interests and principles of the Unitarian Universalist faith, focusing on being a voice for truth, justice and equality in New Jersey public policy. Its mission is to provide the comprehensive structure for New Jersey Unitarian Universalists’ non-partisan activism. It works for a socially just public policy through education, research, advocacy, witness, and service. Included among the Unitarian Universalist principles that UULMNJ seeks to support and promote (as adopted in 1982 by the General Assembly of the Unitarian Universalist Association) are “the constitutional principles of religious liberty, and the separation of church and state that safeguard liberty.” As was urged by the General Assembly’s 1982 Resolution, UULMNJ seeks to protect those principles by, in part, “opposing all forms of direct and indirect public aid to support sectarian private schools.” UULMNJ objects to the planned grants because they will violate the separation of church and state, undermine religious liberty, and support religious ministries.

5. Plaintiff GLORIA SCHOR ANDERSEN is a resident of Voorhees, New Jersey. She pays and will continue to pay income taxes to the State of New Jersey, as well as sales, motor fuel, insurance premium, alcoholic beverage, and telephone service (Emergency Preparedness and 9-1-1 System Assessment) taxes. She has worked as both a public-school and a Hebrew School teacher, and she currently works as a part-time Hebrew tutor. She is Jewish, regularly attends services at a conservative synagogue, and volunteers at the Goodwin Holocaust Museum and Education Center. She is a member and Speaker-at-Large of the Delaware Valley Chapter of Americans United for Separation of Church and State. She objects to the planned grants because

they will direct her tax funds to the support of religion in general, to the support of training in religious doctrines to which she does not subscribe, and to the support of gender discrimination; because the grants represent a stamp of state approval upon particular religious ministries; and because the grants violate the separation of church and state protected by the New Jersey Constitution.

6. Plaintiff PENNY POSTEL is a resident of Cherry Hill, New Jersey. She pays and will continue to pay income taxes to the State of New Jersey, as well as sales, motor fuel, and telephone service (Emergency Preparedness and 9-1-1 System Assessment) taxes. She has been a resident of New Jersey since 1955 and has worked as a public high-school teacher for 27 years. She is a member of Americans United for Separation of Church and State. She objects to the planned grants because they will direct her tax funds to the support of religious ministries and instruction, including training in religious doctrines to which she does not subscribe, and to the support of religious and gender discrimination.

7. Plaintiff WILLIAM FLYNN is a resident of Blackwood, New Jersey. He pays and will continue to pay income taxes to the State of New Jersey, as well as sales, motor fuel, and telephone service (Emergency Preparedness and 9-1-1 System Assessment) taxes. He has been a resident of New Jersey virtually all his life and is employed as an emergency medical technician. He is the founder and president of the Camden County Humanists, a member of the American Humanist Association, and an atheist. He objects to the planned grants because they will direct his tax funds to the support of religious ministries and instruction, violate the separation of church and state, and support religious and gender discrimination.

## **DEFENDANTS**

8. Defendant ROCHELLE HENDRICKS is the Secretary of Higher Education for the State of New Jersey. She was responsible for approving or disapproving grant applications, as well as establishing the amounts of the grants, for the programs that resulted in the two grant awards challenged herein. Her offices are located at NJ Higher Education, 20 West State Street, 4th Floor, Trenton, New Jersey 08608-1206. She is sued in her official capacity.

9. Defendant ANDREW P. SIDAMON-ERISTOFF is the Treasurer for the State of New Jersey. Upon information and belief, Defendant SIDAMON-ERISTOFF is the official responsible for disbursing appropriated funds to named recipients. His offices are at the New Jersey Department of the Treasury, State House, P.O. Box 002, Trenton, New Jersey 08625-0002. He is sued in his official capacity.

## **FACTS**

10. On April 29, 2013, the Office of the Governor announced that Defendant HENDRICKS had sent to the Legislature a list of higher education construction project grants that had been awarded to various public and private New Jersey higher education institutions. *See* Exhibit 1. The list included grants awarded under five separate grant programs: (1) the \$750 million General Obligation construction bond authorization (also referred to as the “Building Our Future Bond Act,” hereinafter referred to as the “Bond Act”); (2) the Higher Education Facilities Trust Fund; (3) the Higher Education Capital Improvement Fund; (4) the Higher Education Technology Infrastructure Fund; and (5) the Higher Education Equipment Leasing Fund.

11. Included on that list of grants were awards to 15 private institutions, including two sectarian institutions whose primary functions are to provide sectarian religious education and to train students for ministry pursuant to tenets of their respective faiths. Specifically, the list

included (1) an award of \$10,635,747 in Bond Act funds for Beth Medrash Govoha yeshiva and (2) an award of \$645,323 in Higher Education Technology Infrastructure Act (“HETIA”) funds for Princeton Theological Seminary.

12. Plaintiffs’ constitutional and statutory rights will be irreparably harmed if the funds to Beth Medrash Govoha and Princeton Theological Seminary described in Paragraph 11 above are disbursed, including because tax payments by Plaintiffs or Plaintiffs’ members will be used to support religious instruction, training, and ministries; because such tax payments will be used to support religious ministries to which Plaintiffs or Plaintiffs’ members do not subscribe; and because the grant funds will support discrimination on the basis of religion and gender. Plaintiffs have no adequate remedy at law.

*The Building Our Future Bond Act*

13. The Bond Act was approved by New Jersey voters on November 6, 2012. Of the \$750 million authorized to be awarded under the Act, \$52.5 million was designated for grants to private higher education institutions with an endowment of \$1 billion or less, with the rest designated for public universities or county colleges.

14. Defendant HENDRICKS was, and remains, responsible for reviewing applications for funding under the Bond Act, and for approving projects and designating amounts of funding to be awarded. In evaluating the relative value of the grant applications and deciding the amounts awarded, Defendant HENDRICKS and the advisory review committee she established consider, among other factors, numerous broad-based, subjective criteria, and they thus have significant discretion in their decision-making. For example, in evaluating which applications are most qualified to receive funding, Defendant HENDRICKS and the review committee assess relative worth based in significant part on subjective categories such as “Whether it serves the best

interests of higher education in the State as a whole,” “Advancement of student education in the State of New Jersey,” “The cost-effectiveness of the project,” and “Consistency of the project with the State’s goals and priorities for development and redevelopment, including...promotion of access to opportunity for all New Jersey residents.” *See* N.J.A.C. 9A:18-1.6(b). Defendant HENDRICKS reviews recommendations of the review committee but has sole authority to approve or disapprove a project grant and establish the amount of the grant. *Id.*

15. Defendant HENDRICKS approved both of Beth Medrash Govoha’s submitted applications for funding, while other institutions had applications for funding under the Building Our Future Bond Act rejected.

16. Pursuant to *N.J.A.C. 9A:18-1.7(d)*, once the Secretary of Higher Education provides to the presiding officers of each house of the State Legislature a list of projects and amounts of grants she has approved under the Bond Act, the Legislature has 60 days to pass a concurrent resolution disapproving the list; if it fails to do so, the grants will be deemed authorized.

17. The list of projects and grant amounts that includes the grant to Beth Medrash Govoha disputed herein was presented to the Legislature on April 29, 2013. No action to reject the list was taken. The list was therefore approved and authorized as of June 28, 2013, and therefore, absent court-imposed restraints, Defendant SIDAMON-ERISTOFF may at any time disburse the grant funds.

*The Higher Education Technology Infrastructure Act*

18. Pursuant to N.J.A.C. 9A:13-1.1 to -1.8, Defendant HENDRICKS likewise has authority and discretion to preliminarily approve grant applications and determine amounts of funding pursuant to the Higher Education Technology Infrastructure Act (N.J.S.A. 18A:72A-59 to -61).



19. The subjective criteria for determining which projects are most qualified to receive funds under the Higher Education Technology Infrastructure Act are the same as those considered under the Bond Act, described in Paragraph 14 above.

20. While Princeton Theological Seminary had all three applications for funding under the Higher Education Technology Infrastructure Act approved by Defendant Hendricks, other institutions had applications for such funds rejected.

*The \$10,635,747 Grant to Beth Medrash Govoha*

21. The \$10,635,747 grant award to Beth Medrash Govoha (also known as “Beth Medrash Govoha of America, Inc.”) is for two projects: \$5,118,000 for a library and research center, and \$5,517,747 for construction of academic space in an already existing building. *See* Higher Education Capital Financing Grant Programs, Certified List of Approved Projects (excerpted), Exhibit 2. Defendant HENDRICKS awarded both of these grants under the Bond Act.

22. Given that the Bond Act designated \$52,500,000 for grants to private higher education institutions, Beth Medrash Govoha was thus awarded over one-fifth of the total \$52,500,000 in funds available for private institutions under the Act, which is more than any other private institution is slated to receive from the Bond Act.

23. Beth Medrash Govoha is an all-male Orthodox Jewish yeshiva located in Lakewood, New Jersey.

24. Beth Medrash Govoha was first incorporated in 1944. Its Certificate of Incorporation sets forth its purposes as follows: “(a) To provide a suitable place of divine worship for its members and others of the Jewish Orthodox faith[;] (b) To advance in every possible manner the religious, social and cultural welfare of its members[;] (c) To conduct a Yeshiva for the higher

education of those of the Jewish faith[; and] (d) To purchase, own and acquire cemetery plots for the burial of the members of the corporation.”

25. In 2000, Beth Medrash Govoha amended its Certificate of Incorporation. It omitted some of the purposes listed in the original Certificate and described its remaining purposes in general terms. It describes its purpose related to its yeshiva as: “to advance the cause of education, generally; to carry on a program for the advanced study of Talmud, in particular[.]”

26. Upon information and belief, Beth Medrash Govoha provides undergraduate and graduate degrees solely to males of the Jewish faith.

27. The State of New Jersey, according to the New Jersey Secretary of Higher Education’s website, describes Beth Medrash Govoha as a “Rabbinical School.” *See*

[http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/BethMedrash.htm](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/BethMedrash.htm)

(Exhibit 3). The State further identifies Beth Medrash Govoha’s categorization under the Carnegie Classification system as “Special Focus Institutions – Theological seminaries, Bible colleges, and other faith-related institutions,” and notes that Beth Medrash Govoha is accredited by the Association of Advanced Rabbinical and Talmudic Schools. *Id.*

28. The State denotes the courses of study at Beth Medrash Govoha as “Talmudic Studies” and “Rabbinical and Talmudic Studies.” *Id.* The State’s site also sets forth the categorization of the courses of study pursuant to the U.S. Department of Education’s *Classification of*

*Instructional Programs – 2010*. All courses of study at Beth Medrash Govoha yeshiva are classified thereunder as either “Theology/Theological Studies” or “Talmudic Studies.”

“Theology/Theological Studies” is defined as “A program that focuses on the beliefs and doctrine of a particular religious faith *from the intramural point of view of that faith*. Includes instruction in systematic theology, historical theology, moral theology, doctrinal studies,

dogmatics, apologetics, and applications to specific questions of ecclesiastical polity and religious life.” *See*

[http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/CIPs.htm#390401](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/CIPs.htm#390401)

(emphasis added) (Exhibit 4). “Talmudic Studies” is defined as “A program that prepares individuals for advanced Talmudic scholarship and research *and for entry into a program leading to ordination as Rabbis*; students are also qualified to enter conventional graduate and professional schools. Includes instruction in Jewish Law and Jurisprudence, Philosophy, and Ethics, in addition to a major emphasis on Talmud.” *Id.* (emphasis added).

29. The U.S. Department of Education’s Institute of Education Sciences identifies Beth Medrash Govoha as “an institute for advanced Talmudic scholarship. Its primary objective is to produce Talmudic scholars.” Its undergraduate studies program “is designed to provide the student with a thorough foundation in the basic areas of Talmudic knowledge according to the traditional model of Talmudic scholarship.” The graduate studies program “aims to promote advanced Jewish scholarship and research in classical Talmudic and cognate studies. In addition, it is concerned with professional orientation by providing programs to prepare these scholars as teachers and administrators in secondary Torah schools and institutions of higher Talmudic studies, as practicing Rabbis and as experts in Rabbinical jurisprudence.” *See*

<http://nces.ed.gov/collegenavigator/?s=NJ&l=3%2b5&id=183804#accred> (Exhibit 5).

30. The approved grant application by Beth Medrash Govoha (“BMG”) for Bond Act funds for construction of academic space states that “BMG is renowned for its rigorous Talmudic studies program” (BMG Academic Space Grant Application (excerpted) at 23, Exhibit 6); that it is “the college of choice for New Jersey residents seeking a degree in Talmudic studies” (*id.* at 24); that “[s]tudents come to BMG because they know that the breadth and scope of the topics

and levels in Talmudic studies offered at BMG cannot be found anywhere else in the United States” (*id.* at 24); that its mission statement in part provides that it strives to “offer the broadest Talmudic curriculum available in any such institute in the world, providing its students with the opportunity to study almost any area in the widest spectrum of Talmudic studies” (*id.* at 25); and that it “is dedicated to helping its students achieve the highest level of scholarship along with intensive commitment to academic excellence in every area of Talmudic studies” (*id.* at 33).

31. According to 2011 Office of the Secretary of Higher Education records, Beth Medrash Govoha has 79 faculty members, all of whom are male. *See*

<http://www.state.nj.us/highereducation/statistics/FacultyRaceSex2011.pdf> (Exhibit 7).

32. Office of the Secretary of Higher Education records confirm that Beth Medrash Govoha’s entire student body is also all-male. *See*

<http://www.state.nj.us/highereducation/statistics/Enr2012Sex.pdf> (Exhibit 8). Its 2012 enrollment is 2,696 students in its undergraduate program, all of whom are male (*id.*); its graduate studies program has 3,842 students, all of whom are male. *Id.*

33. Additionally, the U.S. Department of Education’s Institute of Education Sciences confirms Beth Medrash Govoha is an institution that is “Single sex: Men.” *See*

<http://nces.ed.gov/collegenavigator/?s=NJ&l=3%2b5&id=183804#accred> (Exhibit 5).

34. Further, while the Office of the Secretary of Higher Education does not disclose on its website the religious composition of institutes of higher education, it does disclose racial and ethnic composition. The Secretary of Higher Education’s records confirm that, in 2012, Beth Medrash Govoha’s entire undergraduate student body was white (96%) or non-resident alien (4%). *See* <http://www.state.nj.us/highereducation/statistics/Enr2012Race.pdf> (Exhibit 9). None

of the 2,696 undergraduate students were Black, Hispanic, Asian, Native American, Pacific Islander, or of multiple races. *Id.*

35. Beth Medrash Govoha's approved grant applications for Bond Act funds confirm that the grants will serve the institution's mission of providing theological education and training. The application for \$5,517,747 for construction of academic space reveals, among other facts, the following: "the project will significantly increase the capacity of BMG's academic programs" (BMG Academic Space Grant Application (excerpted) at 1, Ex. 6); the new facilities will include fourteen new classrooms, four new study halls, new faculty offices, a new library, and a computer workroom (*id.* at 5, 20); "[t]he proposed project will serve students at all levels of BMG's programs, including Undergraduates, Graduate Students, and Advanced Talmudic Fellows" (*id.* at 9, 33-34); the project "will increase the total student capacity of BMG's academic space by 1,130 students" (*id.* at 10); "100% of the gross square footage" of the academic space supported by the project "will be devoted to direct academic use or to facilities supporting the Academic Use" (*id.* at 23); and "[t]he proposed project also promotes *Innovation*, in setting new trends for tradition-steeped Talmudic studies programs" (*id.* at 32). The application for \$5,118,000 for Construction of Library and Research Center reveals, among other facts, the following: the project will "expand the academic capacity of the Institution" (BMG Library and Research Center Grant Application (excerpted) at 1, Exhibit 10); it "will significantly increase the capacity of BMG's academic programs and allow the Institution to offer increased access to its extensive research collections" (*id.*); the third floor of the building will contain "faculty and student meeting rooms, faculty offices, BMG's Department of Hebrew Studies and Student Writing Resource Center, the Department of Adult and Continuing Education, student internship advisors, BMG's Student Pathways to Success Advisement

Program, workrooms for Graduate Students and Academic Fellows, and larger rooms devoted to scholarly research and writing projects connected with the library” (*id.* at 6-7); the funding “is expected to decrease overall operating costs to the Institution” (*id.* at 10); it will “enabl[e] BMG to sustain and grow its academic program” (*id.* at 27); it will “provid[e] the infrastructure necessary for BMG to accommodate additional growth in enrollment” (*id.* at 29); the new library will make available “thousands of resources and texts in digital databases to directly support the academic research of Talmudic studies students at all levels of BMG’s programs” (*id.* at 32); the “proposed Library and Research Center also promotes Innovation, in setting new trends for tradition-steeped Talmudic studies programs” (*id.* at 37); the project “brings the Talmudic-studies program apace with technological advancements and academe’s increasing reliance on digital resources, while still ensuring that a full complement of traditional research texts is available” (*id.* at 38); and it will “provide the proper research materials, texts, and access to digital archives to support and advance the education of Undergraduates and Graduate students and Advanced Talmudic Fellows” (*id.*).

*The \$645,323 Grant to Princeton Theological Seminary*

36. The \$645,323 grant awarded to Princeton Theological Seminary was for three projects: \$241,722 for “IT infrastructure upgrade for library for expanded historical and theological research...,” \$113,712 for “Learning Spaces: Training Room,” and \$289,889 for “Revamped Cooper Conference Room.” All awards were from Higher Education Technology Infrastructure Act funds. *See* Exhibit 2.

37. Princeton Theological Seminary is a Presbyterian Christian seminary located in Princeton, New Jersey.

38. According to its website, Princeton Theological Seminary’s mission is as follows:

## Mission Statement

Princeton Theological Seminary prepares women and men to serve Jesus Christ in ministries marked by faith, integrity, scholarship, competence, compassion, and joy, equipping them for leadership worldwide in congregations and the larger church, in classrooms and the academy, and in the public arena.

A professional and graduate school of the Presbyterian Church (U.S.A.), the Seminary stands within the Reformed tradition, affirming the sovereignty of the triune God over all creation, the Gospel of Jesus Christ as God's saving word for all people, the renewing power of the word and Spirit in all of life, and the unity of Christ's servant church throughout the world. This tradition shapes the instruction, research, practical training, and continuing education provided by the Seminary, as well as the theological scholarship it promotes.

In response to Christ's call for the unity of the church, the Seminary embraces in its life and work a rich racial and ethnic diversity and the breadth of communions represented in the worldwide church. In response to the transforming work of the Holy Spirit, the Seminary offers its theological scholarship in service to God's renewal of the church's life and mission. In response to God's sovereign claim over all creation, the Seminary seeks to engage Christian faith with intellectual, political, and economic life in pursuit of truth, justice, compassion, and peace.

To these ends, the Seminary provides a residential community of worship and learning where a sense of calling is tested and defined, where Scripture and the Christian tradition are appropriated critically, where faith and intellect mature and life-long friendships begin, and where habits of discipleship are so nourished that members of the community may learn to proclaim with conviction, courage, wisdom, and love the good news that Jesus Christ is Lord.

*Adopted by the Board of Trustees, May 1996*

See [http://www.ptsem.edu/index.aspx?menu1\\_id=2030&menu2\\_id=2031&id=1237](http://www.ptsem.edu/index.aspx?menu1_id=2030&menu2_id=2031&id=1237) (Exhibit 11).

### 39. Princeton Theological Seminary's approved applications for Higher Education

Technology Infrastructure Act funding confirm that the grants will serve the institution's mission of providing theological education and training. In its application for Higher Education

Technology Infrastructure Act funding for a Revamped Cooper Conference Room, Princeton

Theological Seminary acknowledges that it is a "denominational school" (PTS Grant Application

for Revamped Cooper Conference Room (excerpted) at 1, Exhibit 12) and its "mission is the

preparation of men and women for theological leadership.” *Id.* at 4. The funding awarded for the Revamped Cooper Conference Room would benefit the institution’s School of Christian Vocation and Mission (SCVM). *Id.* at 1. Princeton Theological Seminary describes SCVM as striving “to cultivate more informed people of faith, who are also equipped with the mindset, mentors, and practical skills needed to lead congregations, nonprofit organizations and community groups in the 21<sup>st</sup> Century.” *Id.*

40. Similarly, in its application for Higher Education Technology Infrastructure Act funding for a new training room, Princeton Theological Seminary acknowledges that it provides “graduate theological education” (PTS Grant Application for Learning Spaces (excerpted) at 1, Exhibit 13); that it “educates men and women of the State of New Jersey for traditional church leadership” (*id.* at 1); and that it is “accredited by the Association of Theological Schools” (*id.* at 1). The grant application states that the new training room “will have an immediate impact on training at the Seminary from an academic perspective” (*id.* at 13); that the training room will aid the endeavors of both students and faculty (*id.* at 15); that the project “will multiply the impact of the Seminary’s mission” of “the preparation of men and women for theological leadership” (*id.* at 25); that the project “will allow Princeton Seminary to continue as a leader in theological education” (*id.* at 28); “that the [p]roposed project is essential to the Seminary’s education mission” of “the preparation of men and women for ministry to congregations and for Christian leadership in communities and professional environments” (*id.* at 31); and that the project “mirrors the guiding principles established in the technology plan . . . which articulates the need to prepare men and women, in accordance with the Seminary’s stated mission, for all the many forms and vocations in ministry, in service to the church and the world” (*id.* at 32).



41. In its application for funding for “Enhanced IT Infrastructure for Renovated Luce Library,” Princeton Theological Seminary reiterates that its mission “is the preparation of men and women for theological leadership” (PTS Grant Application for Luce Library (excerpted) at 3, Exhibit 14) and notes that the funds sought in this particular application would enable the Seminary “to advance its ‘digital’ reach to the next level, able to offer its unparalleled resources for historical and theological research and reference to a vastly broader community....” (*id.* at 2). It further notes that, “[b]y strengthening our converged technologies, the Seminary is better able to fulfill its core mission....” *Id.* at 6. It describes one of the projects that would be advanced by the funding as being “based on the premise that to truly understand Biblical texts, the reader must also grasp the historical setting....The ultimate objective is ‘to revolutionize the visual display of the biblical world.’” *Id.* at 31.

42. The State of New Jersey, according to the New Jersey Secretary of Higher Education’s website, describes Princeton Theological Seminary as a “Theological Institution.” *See* [http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/Princeton\\_S.htm](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/Princeton_S.htm) (Exhibit 15). The State further identifies Princeton Theological Seminary’s categorization under the Carnegie Classification system as “Special Focus Institutions – Theological seminaries, Bible colleges, and other faith-related institutions,” and notes that the Seminary is accredited by the Middle States Association of Colleges and Schools & Association of Theological Schools. *Id.*

43. The State also describes the courses of study at Princeton Theological Seminary as “Christian Education,” “Theological Professions” and “Theology – First Professional.” *Id.* The State’s site also sets forth the categorization of the courses of study pursuant to the U.S. Department of Education’s *Classification of Instructional Programs – 2010*. All courses of study at Princeton Theological Seminary are classified as either “Religious Education,”

“Theology/Theological Studies” or “Divinity/Ministry.” “Religious Education” is defined as “A program that focuses on the theory and practice of providing educational services to members of faith communities, *within the context of a particular religion, and that prepares individuals to serve as religious educators....*”

[http://www.nj.gov/highereducation/Program\\_Inventory/DegreeListings/CIPs.htm#390401](http://www.nj.gov/highereducation/Program_Inventory/DegreeListings/CIPs.htm#390401)

(emphasis added) (Exhibit 4). “Divinity/Ministry” is defined as “*A program that prepares individuals for ordination as ministers or priests in any of the Christian religious traditions.*

Includes instruction in the theology and polity of a particular church, church law, liturgy and ritual, principles of pastoral ministry, homiletics, evangelism, church/parish organization and management, Christian ethics, church history, and related studies.” *Id.* (emphasis added).

“Theology/Theological Studies,” as noted in Paragraph 28 above, is defined as “A program that focuses on the beliefs and doctrine of a particular religious faith *from the intramural point of view of that faith.* Includes instruction in systematic theology, historical theology, moral theology, doctrinal studies, dogmatics, apologetics, and applications to specific questions of ecclesiastical polity and religious life.” *Id.* (emphasis added).

**FIRST CAUSE OF ACTION  
VIOLATION OF ARTICLE I, PARAGRAPH 3  
OF THE NEW JERSEY CONSTITUTION**

44. Plaintiffs incorporate by reference paragraphs 1 through 43 as if fully set forth herein.

45. Article I, Paragraph 3 of the New Jersey Constitution states, in pertinent part: “nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately and voluntarily engaged to perform.”

46. Article I, Paragraph 3 of the New Jersey Constitution forbids any taxpayer funds, including funds appropriated through the Bond Act or the Higher Education Technology Infrastructure Act, to be provided to “any church or churches, place or places of worship, or for the maintenance of any minister or ministry.”

47. Because Beth Medrash Govoha and Princeton Theological Seminary provide sectarian religious instruction, because they provide a place for sectarian religious study and religious activity, and because each prepares students for the ministry of a particular sect, the awards of taxpayer funds to Beth Medrash Govoha and Princeton Theological Seminary violate the prohibition on utilizing public tax money for a “church or churches, place or places of worship, or for the maintenance of any minister or ministry.”

48. By awarding and imminently intending to provide taxpayer funds to Beth Medrash Govoha and Princeton Theological Seminary, Defendants have violated or are threatening to imminently violate Article 1, Paragraph 3 of the New Jersey Constitution.

**SECOND CAUSE OF ACTION  
VIOLATION OF THE LAW AGAINST DISCRIMINATION, N.J.S.A. 10:5-1 ET SEQ.**

49. Plaintiffs incorporate by reference paragraphs 1 through 48 as if fully set forth herein.

50. The Law Against Discrimination (hereinafter “LAD”) prohibits “public accommodations” as defined therein from discriminating in hiring or in the provision of services based on “race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, sex, gender identity or expression, disability or atypical hereditary cellular or blood trait of any individual, or because of the liability for service in the Armed Forces of the United States or the nationality of any individual....”

51. Education facilities “operated or maintained by a bona fide religious or sectarian institution” are specifically excluded from the definition of “public accommodation” and, therefore, such organizations are not prohibited by the LAD from discriminating in employment or in the provision of services.

52. However, the State of New Jersey and its agencies are “public accommodations” as defined in the Act. As such, they are prohibited from discriminating in hiring or in the provision of services.

53. Public accommodations such as the State of New Jersey and its agencies are also prohibited by the LAD from providing sponsorship of, or conferring of special benefits on, an organization that engages in discrimination.

54. By awarding and imminently intending to provide more than ten million dollars of Bond Act funds to an organization (Beth Medrash Govoha) that discriminates on the bases of creed and sex, Defendants have violated or are threatening to imminently violate the Law Against Discrimination.

**THIRD CAUSE OF ACTION  
VIOLATION OF ARTICLE I, PARAGRAPH 4  
OF THE NEW JERSEY CONSTITUTION**

55. Plaintiffs incorporate by reference paragraphs 1 through 54 as if fully set forth herein.

56. Article I, Paragraph 4 of the New Jersey Constitution states, in pertinent part: “There shall be no establishment of one religious sect in preference to another.”

57. By awarding and imminently intending to provide public funding to institutions (specifically, Beth Medrash Govoha and the Princeton Theological Seminary) that provide sectarian educations and train students for the ministry of their respective religious sects,

Defendants have violated or are threatening to imminently violate Article I, Paragraph 4 of the New Jersey Constitution.

**FOURTH CAUSE OF ACTION  
VIOLATION OF ARTICLE VIII, SECTION 3, PARAGRAPH 3  
OF THE NEW JERSEY CONSTITUTION**

58. Plaintiffs incorporate by reference Paragraphs 1 through 57 as if fully set forth herein.

59. Article VIII, Section 3, Paragraph 3 of the New Jersey Constitution precludes the use of taxpayer dollars “for the use of any society, association or corporation.”

60. Article VIII, Section 3, Paragraph 3 requires grants of public funds to serve a public purpose, in that they must benefit the community as a whole and be directly related to functions of government.

61. By awarding and imminently intending to provide public funding to institutions that primarily train ministers of and provide instruction in selected faiths, including one institution that only admits males of the Jewish faith, Defendants have violated or are threatening to imminently violate Article VIII, Section 3, Paragraph 3 of the New Jersey Constitution through the expenditure of public funds on private, not public, purposes.

**REQUEST FOR RELIEF**

62. WHEREFORE, Plaintiffs request that this Court:

- (a) Declare that the award of the above-described grants under the Bond Act and HETIA to Beth Medrash Govoha and the Princeton Theological Seminary violates Article I, Paragraphs 3 and 4, and Article VIII, Section 3, Paragraph 3 of the New Jersey Constitution, and violates the New Jersey Law Against Discrimination;

- (b) Enjoin, preliminarily and permanently thereafter, Defendants, their employees, agents and assigns, from issuing any check or otherwise providing the above-described grant funding under the Bond Act and HETIA to Beth Medrash Govoha or the Princeton Theological Seminary;
- (c) Award Plaintiffs costs and attorneys' fees pursuant to the New Jersey Law Against Discrimination; and
- (d) Grant such other relief as the Court deems just and appropriate.



EDWARD BAROCAS  
AMERICAN CIVIL LIBERTIES UNION OF  
NEW JERSEY FOUNDATION  
P.O. Box 32159  
Newark, New Jersey 07102

Attorney for Plaintiff

Date: Dec. 10, 2013

**NO JURY DEMAND**

Plaintiffs do not demand trial by jury in this action.

**DESIGNATION OF TRIAL COUNSEL**

Plaintiffs designate Edward L. Barocas as trial counsel.

Dated: Dec. 10, 2013

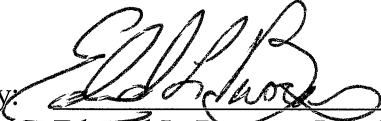


Edward L. Barocas, Legal Director  
ACLU-NJ Foundation  
P.O. Box 32159  
Newark, NJ 07102

**CERTIFICATION PURSUANT TO R. 4:5-1**

Plaintiffs, via counsel, hereby certify that there are no other proceedings or pending related cases arising from the same factual dispute described herein. The matter in controversy is not the subject of any other action pending in any other court or a pending arbitration proceeding, and no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, the undersigned knows of no other parties that should be made a part of this lawsuit. In addition, the undersigned recognizes the continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Dated: *Dec 10, 2013*

By:   
Edward L. Barocas, Legal Director  
ACLU-NJ Foundation  
P.O. Box 32159  
Newark, NJ 07102  
973-854-1717  
ebarocas@aclu-nj.org

**VERIFICATION**

I, Udi Ofer, Executive Director of Plaintiff AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY, hereby affirm under the penalty of perjury that the factual statements contained in the foregoing Verified Complaint, with the exception of Paragraphs 4 through 7, are, to the best of recollection and belief, true and accurate.

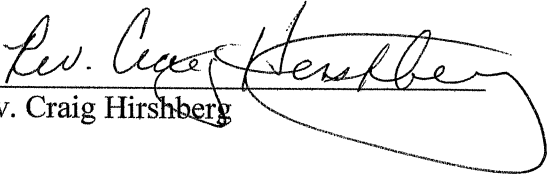
  
\_\_\_\_\_  
Udi Ofer

Date: 12/10/13



VERIFICATION

I, Rev. Craig Hirshberg, Executive Director of Plaintiff UNITARIAN UNIVERSALIST LEGISLATIVE MINISTRY OF NJ (“UULMNJ”), hereby affirm under the penalty of perjury that the factual statements describing me and the UULMNJ, contained in Paragraph 4 the foregoing Verified Complaint, are, to the best of recollection and belief, true and accurate.

  
\_\_\_\_\_  
Rev. Craig Hirshberg

Date: November 30, 2013

**VERIFICATION**

I, Plaintiff GLORIA SCHOR ANDERSEN, hereby affirm under the penalty of perjury that the factual statements describing me, contained in Paragraph 5 of the foregoing Verified Complaint are, to the best of recollection and belief, true and accurate.

*Gloria Schor Andersen*  
Gloria Schor Andersen

Date: *December 18, 2013*

**VERIFICATION**

I, Plaintiff PENNY POSTEL, hereby affirm under the penalty of perjury that the factual statements describing me, contained in Paragraph 6 the foregoing Verified Complaint, are, to the best of recollection and belief, true and accurate.

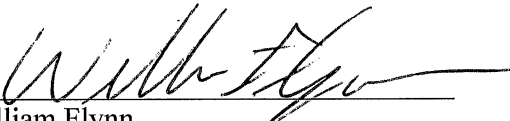
  
Penny Postel

Date:

4 DEC 2013

**VERIFICATION**

I, Plaintiff WILLIAM FLYNN, hereby affirm under the penalty of perjury that the factual statements describing me, contained in Paragraph 7 the foregoing Verified Complaint, are, to the best of recollection and belief, true and accurate.

  
\_\_\_\_\_  
William Flynn

Date: 12/5/2013

# **EXHIBIT 1**



# STATE OF NEW JERSEY OFFICE OF THE GOVERNOR

**Governor Christie Announces \$1.3 Billion for Higher Education Construction,  
Putting Thousands to Work and Improving Facilities for 350,000 Students**  
*176 Projects Sent to Legislature For First Statewide, Voter-Approved Higher Education and  
Other State-Led Capital Construction in 25 Years*

For Immediate Release  
Monday, April 29, 2013

Contact: Michael Drewniak  
Colin Reed  
609-777-2600

**Trenton, NJ** – Moving forward to ensure the future of higher education in the Garden State, Governor Christie today announced that Secretary of Higher Education Rochelle Hendricks has sent the Legislature a list of 176 higher education capital construction projects, the first concerted contribution to New Jersey's higher education infrastructure in decades. The projects, many of which are shovel-ready, include cutting edge research laboratories, the latest computerized classrooms, and cyber networks that will allow students and faculty to interact with colleagues around the world through long-overdue construction, maintenance and attention to the State's higher education community.

"Today, we begin a new era of opportunity for New Jersey's colleges and universities," Governor Christie said. "To keep more of our best students in the State and to make our colleges more attractive research partners for industries looking to bring good paying jobs and businesses here, we need modern facilities to remain competitive."

Last August, the Governor signed legislation placing a \$750 million General Obligation construction bond question on the ballot. Voters approved the bond authorization in November and Secretary Hendricks took swift action and proposed regulations in December. In addition, Secretary Hendricks announced that the State would also be making available bond proceeds from the reauthorization of four other higher education funding programs – the Higher Education Capital Improvement Fund (CIF); the Higher Education Facilities Trust Fund (HEFT); the Higher Education Technology Infrastructure Fund (HETI); and the Higher Education Equipment Leasing Fund (ELF). The combined capacity of these programs is more than \$1.3 billion. During the process, Secretary Hendricks sent out a solicitation package and hosted an information session in February, and by March 25, 2013, colleges and universities submitted more than 250 applications for funding.

A team of experts from the Educational Facilities Authority, the Economic Development Authority, the Schools Development Authority and the Department of Treasury reviewed and recommended the approval of projects to Secretary Hendricks, who then compiled the list that best reflects the State's higher education goals and priorities. Selected projects targeted academic programs, especially science, technology, engineering and math. Institutions were required to detail how projects served students and aligned with New Jersey's workforce needs.

"Our team looked for innovative projects that were in line with the missions of the colleges and New Jersey's needs. I'm proud that higher education institutions in every region of our state will benefit," Secretary Hendricks said. "We had 46 institutions submit applications for \$2.1 billion in funding, and I want to commend the higher education community for the impressive quality of the applications."

The full list of projects transmitted to the Legislature for consideration is attached and a breakdown of proposed awards by institution is below:

**HIGHER EDUCATION CAPITAL  
FINANCING GRANT PROGRAMS**  
*(by institution type)*

New Jersey Institute of Technology	\$99,842,923
Rowan University	\$117,813,926
Rutgers University <i>(all campuses)</i>	\$357,231,074
UMDNJ	\$67,030,705

Kean University	\$53,812,500
Montclair State University	\$93,812,912
New Jersey City University	\$34,585,004
Ramapo College of New Jersey	\$18,598,000
Richard Stockton College of NJ	\$53,957,950
The College of New Jersey	\$57,450,035
Thomas Edison State College	\$16,621,000
William Paterson University	\$31,983,521

Beth Medrash Govoha	\$10,635,747
Bloomfield College	\$2,517,500
Caldwell College	\$3,846,182
Centenary College	\$2,267,000
Drew University	\$6,811,109
Fairleigh Dickinson University	\$10,160,188
Felician College	\$4,375,000
Georgian Court University	\$8,439,985
Princeton Theological Seminary	\$645,323
Princeton University	\$6,452,500
Rider University	\$4,555,000
Saint Peter's University	\$2,766,000
Seton Hall University	\$11,713,532
Stevens Institute of Technology	\$7,250,000
The College of Saint Elizabeth	\$2,391,888

Atlantic Cape Community College	\$8,211,657
Bergen Community College	\$15,844,000
Brookdale Community College	\$15,884,865
Burlington Community College	\$4,573,881
Camden County College	\$8,313,296
County College of Morris	\$10,437,512
Cumberland County College	\$2,492,400

Essex County College	\$19,103,490
Gloucester County College	\$19,008,315
Hudson County Community College	\$11,615,985
Mercer County Community College	\$9,697,050
Middlesex County College	\$14,810,400
Ocean County College	\$12,510,572
Passaic County Community College	\$6,111,199
Raritan Valley Community College	\$16,418,794
Salem Community College	\$3,000,000
Sussex County Community College	\$2,331,600
Union County College	\$1,405,848
Warren County Community College	\$917,000



# EXHIBIT 3

[home](#) > [program inventory](#) > [degreelistings](#) > bethmedrash

## Beth Medrash Govoha - Rabbinical School

**Accredited by:** Association of Advanced Rabbinical and Talmudic Schools

**Carnegie Classification:** Special Focus Institutions--Theological seminaries, Bible colleges, and other faith-related institutions

Clicking on a CIP code will open another window with the description of a program assigned that code from the U.S. Department of Education's *Classification of Instructional Programs - 2010*.

<u>Degree Level</u>	<u>Degree</u>	<u>Program</u>	<u>CIP</u>
Bachelor's	B.T.S.	Talmudic Studies	<a href="#">390606</a>
Master's	M.R.T.S.	Rabbinic & Talmudic Studies	<a href="#">390601</a>
Prof. Post-Doc.	Grad.Cert.	Advanced Graduate Talmudic Diploma	<a href="#">390606</a>
	Grad.Cert.	Graduate Talmudic Diploma	<a href="#">390606</a>

**Source: NJ Higher Education Degree Program Inventory, 5/7/2013 10:20:45 AM**

# **EXHIBIT 4**

**380206 Jewish/Judaic Studies**

A program that focuses on the history, culture, and religion of the Jewish people Includes instruction in Jewish religious heritage, sacred texts, and law; Jewish philosophy and intellectual history; Jewish life and culture, both in Israel and the Jewish Diaspora; historical Jewish minority cultures such as the Yiddish, Sephardic, and other; anti-Semitism, gentile relations and Shoa; Zionism; and modern developments within Judaism

[Close Window](#)

**380299 Religion/Religious Studies, Other**

Any instructional program in religion/religious studies not listed above

[Close Window](#)

**389999 Philosophy and Religious Studies, Other**

Any instructional program in philosophy and religion not listed above

[Close Window](#)

**390201 Bible/Biblical Studies**

A program that focuses on the Christian and/or Jewish Bible and related literature, with an emphasis on understanding and interpreting the theological, doctrinal, and ethical messages contained therein May include preparation for applying these studies in various religious vocations

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**390301 Missions/Missionary Studies and Missiology**

A program that focuses on the theory and practice of religious outreach, social service and proselytization, and that prepares individuals for mission vocations Includes instruction in theology, evangelism, preaching, medical and social mission work, missionary education, missionary aviation, emergency services, legal and political aspects of working in other countries, and preparation for ordination as missionaries

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**390401 Religious Education**

A program that focuses on the theory and practice of providing educational services to members of faith communities, within the context of a particular religion, and that prepares individuals to serve as religious educators Includes instruction in planning and teaching lessons, organizing and supervising instructional activities, designing and developing instructional materials, and administering religious education programs and facilities

[Close Window](#)

**390501 Religious/Sacred Music**

A program that focuses on the history, theory, composition, and performance of music for religious or sacred purposes, and that prepares individuals for religious musical vocations such as choir directors, cantors, organists, and chanters

[Close Window](#)

**390601 Theology/Theological Studies**

A program that focuses on the beliefs and doctrine of a particular religious faith from the intramural point of view of that faith Includes instruction in systematic theology, historical theology, moral theology, doctrinal studies, dogmatics, apologetics, and applications to specific questions of ecclesiastical polity and religious life

[Close Window](#)

**390602 Divinity/Ministry**

A program that prepares individuals for ordination as ministers or priests in any of the Christian religious traditions Includes instruction in the theology and polity of a particular church, church law, liturgy and ritual, principles of pastoral ministry, homiletics, evangelism, church/parish organization and management, Christian ethics, church history, and related studies

[Close Window](#)

**390604 Pre-Theology/Pre-Ministerial Studies**

A program that prepares individuals to enter a seminary or other program leading to religious ordination, or a related religious vocation

[Close Window](#)

**390605 Rabbinical Studies**

A program that prepares individuals for ordination as Rabbis Includes instruction in Talmud, Halacha, Liturgy and Rituals, Rabbinical Thought, Jewish Ethics, Jewish Education, Pastoral Counseling and Homiletics

[Close Window](#)

**390606 Talmudic Studies**

A program that prepares individuals for advanced Talmudic scholarship and research and for entry into a program leading to ordination as Rabbis; students are also qualified to enter conventional graduate and professional schools Includes instruction in Jewish Law and Jurisprudence, Philosophy, and Ethics, in addition to a major emphasis on Talmud

[Close Window](#)

**390699 Theological and Ministerial Studies, Other**

JA1367

Any instructional program in theological and ministerial studies not listed above, including preparation for religious vocations in faiths other than Christianity and Judaism

**Close Window**

**390701 Pastoral Studies/Counseling**

A program that focuses on the theory and principles of pastoral care and prepares ordained clergy to provide non-clinical pastoral counseling to individuals and groups Includes instruction in pastoral leadership, counseling psychology; crisis intervention; individual and group procedures; theological and spiritual counseling; pastoral care; and applications to specific types of ministry

**Close Window**

**390702 Youth Ministry**

A program that prepares the ordained clergy and other religious professionals to provide spiritual, counseling, and leadership services to children, adolescents, and young adults Includes instruction in child and adolescent psychology, human growth and development, family studies, communication skills, religious education, youth counseling, small group leadership, planning and organizing youth activities, volunteer supervision, and youth evangelism and worship

**Close Window**

**390703 Urban Ministry**

A program that prepares the ordained clergy and other religious professionals to provide spiritual, counseling, and leadership services to individuals and groups in urban communities Includes instruction in bible study and theology, pastoral leadership and care, urban structure and context, inner city ministry, counseling ministries, family studies, homiletics, social ethics, and community organizing

**Close Window**

**390704 Women's Ministry**

A program that prepares non-ordained women to provide spiritual, counseling, and leadership services to other women in local churches, parachurch organizations, and other settings Includes instruction in foundations of women's ministry, women's ministry in the local church, spiritual formation, women's evangelism and discipleship, bible study and theology, homiletics, lay counseling, women's issues, and leadership training

**Close Window**

**390705 Lay Ministry**

A program that prepares non-ordained individuals to serve as lay pastors, religious educators, youth leaders, and other professional positions open to the laity in local churches and other settings Includes instruction in bible studies, theology, spirituality, pastoral counseling, foundations of ministry, effective communication, and church leadership

**Close Window**

**390799 Pastoral Counseling and Specialized Ministries, Other**

Any instructional program in pastoral counseling and specialized ministries not listed above

**Close Window**

**399999 Theology and Religious Vocations, Other**

Any instructional program in theological studies and religious vocations not listed above

**Close Window**

**400101 Physical Sciences**

A program that focuses on the major topics, concepts, processes, and interrelationships of physical phenomena as studied in any combination of physical science disciplines

**Close Window**

**400201 Astronomy**

A general program that focuses on the planetary, galactic, and stellar phenomena occurring in outer space Includes instruction in celestial mechanics, cosmology, stellar physics, galactic evolution, quasars, stellar distribution and motion, interstellar medium, atomic and molecular constituents of astronomical phenomena, planetary science, solar system evolution, and specific methodologies such as optical astronomy, radioastronomy, and theoretical astronomy

**Close Window**

**400202 Astrophysics**

A program that focuses on the theoretical and observational study of the structure, properties, and behavior of stars, star systems and clusters, stellar life cycles, and related phenomena Includes instruction in cosmology, plasma kinetics, stellar physics, convection and non-equilibrium radiation transfer theory, non-Euclidean geometries, mathematical modeling, galactic structure theory, and relativistic astronomy

**Close Window**

**400203 Planetary Astronomy and Science**

A program that focuses on the scientific study of planets, small objects, and related gravitational systems Includes instruction in the structure and composition of planetary surfaces and interiors, planetary atmospheres, satellites, orbital mechanics, asteroids and comets, solar system

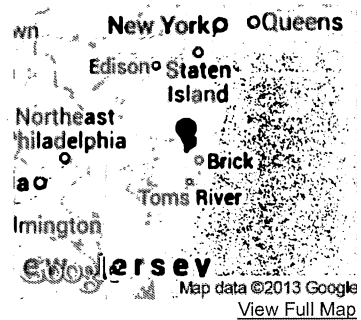
# **EXHIBIT 5**

# COLLEGE Navigator

## Beth Medrash Govoha

617 6th St, Lakewood, New Jersey 08701-2754

**General information:** (732) 367-1060  
**Type:** 4-year, Private not-for-profit  
**Awards offered:** Bachelor's degree  
Master's degree  
Post-master's certificate  
**Campus setting:** Suburb: Large  
**Campus housing:** Yes  
**Student population:** 6,374 (2,676 undergraduate)  
**Student-to-faculty ratio:** 24 to 1



IPEDS ID: 183804  
OPE ID: 00794700

## GENERAL INFORMATION

### Mission Statement

Beth Medrash Govoha is an institute for advanced Talmudic scholarship. Its primary objective is to produce Talmudic scholars. In the pursuit of this objective it also will provide a training ground for excellence in dedicated, highly educated, professional and lay community leadership.

The growth and diversity of its student body provide Beth Medrash Govoha with the ability to offer the broadest Talmudic curriculum available in any such institute in the world, providing its students with the opportunity to study almost any area in the widest spectrum of Talmudic study. Beth Medrash Govoha is dedicated to helping its students achieve the highest level of scholarship along with intensive commitment to academic excellence in every area of Talmudic Studies.

Beth Medrash Govoha carries out its objectives through its graduate and undergraduate divisions and through its community based programs. The Beth Medrash Govoha Undergraduate Division is a preparatory five-year college for the Rabbi Aaron Kotler Institute for Advanced Learning. The undergraduate program is designed to provide the student with a thorough foundation in the basic areas of Talmudic knowledge according to the traditional model of Talmudic scholarship. The program also prepares the student to integrate this scholarly training into his personal and professional life.

The Rabbi Aaron Kotler Institute for Advanced Learning, the Graduate Division of Beth Medrash Govoha, aims to promote advanced Jewish scholarship and research in classical Talmudic and cognate studies. In addition, it is concerned with professional orientation by providing programs to prepare these scholars as teachers and administrators in secondary Torah schools and institutions of higher Talmudic studies, as practicing Rabbis and as experts in Rabbinical jurisprudence.

### Special Learning Opportunities

None

### Student Services

Remedial services  
Academic/career counseling service  
Employment services for students

### Credit Accepted

Institution does not accept dual, credit for life, or AP credits

### Carnegie Classification

Special Focus Institutions--Theological seminaries, Bible colleges, and other faith-related institutions

### Religious Affiliation

Not applicable

### Federal Aid

Eligible students may receive Pell Grants and other federal aid (e.g. Direct Loans).

### Undergraduate students enrolled who are formally registered with office of disability services

3% or less

### Other Characteristics

Single-sex: Men

FACULTY AND GRADUATE ASSISTANTS BY PRIMARY FUNCTION, FALL 2011	FULL TIME	PART TIME
Total faculty	25	54
Instructional	25	53
Research and public service	0	1
Total graduate assistants	-	0
Instructional	-	0
Research and public service	-	0

## TUITION, FEES, AND ESTIMATED STUDENT EXPENSES

### FINANCIAL AID

### NET PRICE

### ENROLLMENT

#### FALL 2011

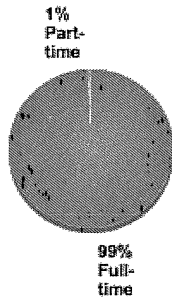
<b>TOTAL ENROLLMENT</b>	<b>6,374</b>
Undergraduate enrollment	2,676
Undergraduate transfer-in enrollment	398
Graduate enrollment	3,698

#### UNDERGRADUATE ATTENDANCE STATUS

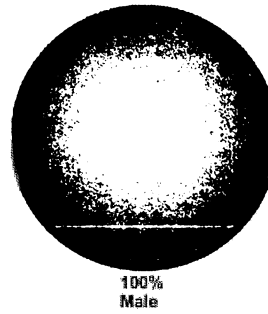
#### UNDERGRADUATE STUDENT GENDER



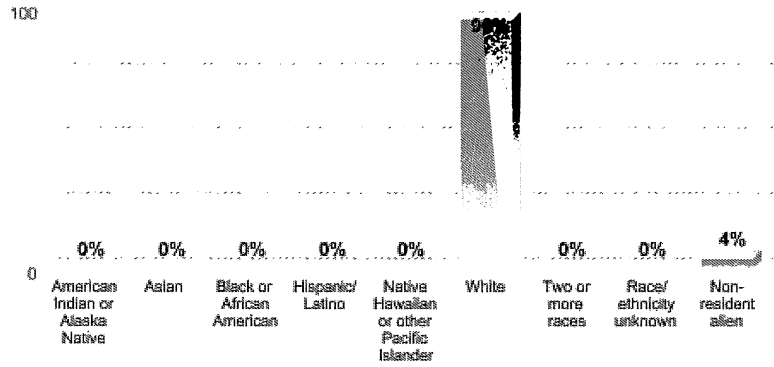
### UNDERGRADUATE ATTENDANCE STATUS



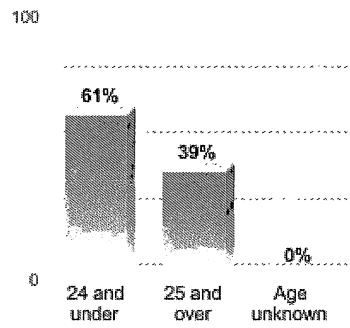
### UNDERGRADUATE STUDENT GENDER



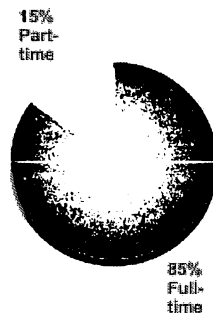
### UNDERGRADUATE RACE/ETHNICITY



### UNDERGRADUATE STUDENT AGE



### GRADUATE ATTENDANCE STATUS



- ⊕ ADMISSIONS
- ⊕ RETENTION AND GRADUATION RATES
- ⊕ PROGRAMS/MAJORS
- ⊕ VARSITY ATHLETIC TEAMS
- ⊕ ACCREDITATION

⊕ CAMPUS SECURITY

⊕ COHORT DEFAULT RATES

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National Center for Education Statistics - <http://nces.ed.gov>  
U.S. Department of Education

# **EXHIBIT 7**

**Faculty (Full-time & Part-time) - Employed at NJ Institutions by Gender, Fall 2011**

<b>N.J. INSTITUTIONS</b>	<b>Men</b>			<b>Women</b>			<b>Total</b>		
	<b>Full-Time</b>	<b>Part-Time</b>	<b>TOTAL</b>	<b>Full-Time</b>	<b>Part-Time</b>	<b>TOTAL</b>	<b>Full-Time</b>	<b>Part-Time</b>	<b>TOTAL</b>
Bloomfield College	29	82	111	41	78	119	70	160	230
Caldwell College	32	56	88	49	64	113	81	120	201
Centenary College	33	81	114	42	66	108	75	147	222
Drew University	81	44	125	88	60	148	169	104	273
Fairleigh Dickinson U-Florham	76	149	225	55	114	169	131	263	394
Fairleigh Dickinson U-Metro	108	315	423	83	265	348	191	580	771
Felician College	43	52	95	73	73	146	116	125	241
Georgian Court University	38	51	89	67	116	183	105	167	272
Monmouth University	119	134	253	140	178	318	259	312	571
Princeton University	1,068	155	1,223	400	106	506	1,468	261	1,729
Rider University	134	169	303	105	160	265	239	329	568
St. Elizabeth, College of	23	54	77	49	96	145	72	150	222
St. Peter's College	61	102	163	56	59	115	117	161	278
Seton Hall University	234	243	477	222	241	463	456	484	940
Stevens Institute of Technology	223	143	366	63	30	93	286	173	459
<b>TOTAL, AICUNJ</b>	<b>2,302</b>	<b>1,830</b>	<b>4,132</b>	<b>1,533</b>	<b>1,706</b>	<b>3,239</b>	<b>3,835</b>	<b>3,536</b>	<b>7,371</b>
Berkeley College	42	73	115	33	68	101	75	141	216
Devry University	26	82	108	13	78	91	39	160	199
Eastern International College	10	7	17	9	13	22	19	20	39
Eastwick College	9	22	31	20	47	67	29	69	98
Strayer University	4	22	26	4	13	17	8	35	43
University of Phoenix	14	26	40	10	26	36	24	52	76
<b>TOTAL, PROPRIETARY</b>	<b>105</b>	<b>232</b>	<b>337</b>	<b>89</b>	<b>245</b>	<b>334</b>	<b>194</b>	<b>477</b>	<b>671</b>
Assumption College	0	1	1	0	9	9	0	10	10
Bais Medrash Toras Chesed	7	4	11	0	0	0	7	4	11
Beth Medrash Govoha	25	54	79	0	0	0	25	54	79
New Brunswick Seminary	5	16	21	3	8	11	8	24	32
Princeton Seminary	30	8	38	11	5	16	41	13	54
Rabbi Jacob Joseph School	4	2	6	0	0	0	4	2	6
Rabbinical College of America	16	2	18	0	0	0	16	2	18
Somerset Christian College	4	19	23	2	12	14	6	31	37
Talmudcal Academy	4	0	4	0	0	0	4	0	4
Yeshivas Be'er Yitzchok	2	3	5	0	1	1	2	4	6
Yeshiva Toras Chaim	7	3	10	0	0	0	7	3	10
<b>TOTAL, RELIGIOUS</b>	<b>104</b>	<b>112</b>	<b>216</b>	<b>16</b>	<b>35</b>	<b>51</b>	<b>120</b>	<b>147</b>	<b>267</b>
<b>TOTAL, ALL N.J. INST.</b>	<b>8,147</b>	<b>9,945</b>	<b>18,092</b>	<b>6,360</b>	<b>9,914</b>	<b>16,274</b>	<b>14,507</b>	<b>19,859</b>	<b>34,366</b>

Source: Fall 2011 IPEDS Human Resources Survey (Downloaded March 8, 2012).

# **EXHIBIT 8**

Enrollment in N.J. Colleges by Gender and Level, Fall 2012

NJ Colleges and Universities	UNDERGRADUATE			POST-BACCALAUREATE			TOTAL ENROLLMENT		
	MEN	WOMEN	TOTAL	MEN	WOMEN	TOTAL	MEN	WOMEN	TOTAL
Bloomfield College	734	1,302	2,036	4	4	8	738	1,306	2,044
Caldwell College	521	1,070	1,591	138	484	622	659	1,554	2,213
Centenary College	752	1,139	1,891	249	436	685	1,001	1,575	2,576
Drew University	658	978	1,636	373	438	811	1,031	1,416	2,447
Fairleigh Dickinson University-Florham	1,073	1,323	2,396	260	411	671	1,333	1,734	3,067
Fairleigh Dickinson University-Metro	2,724	4,051	6,775	860	1,495	2,355	3,584	5,546	9,130
Felician College	489	1,306	1,775	48	286	334	517	1,592	2,109
Georgian Court University	190	1,429	1,619	119	575	694	309	2,004	2,313
Monmouth University	1,940	2,798	4,738	434	1,300	1,734	2,374	4,088	6,472
Princeton University	2,717	2,610	5,327	1,667	981	2,648	4,384	3,591	7,975
Rider University	1,921	2,657	4,578	315	592	907	2,236	3,249	5,485
Saint Elizabeth, College of	76	1,003	1,079	104	504	608	180	1,507	1,687
Saint Peter's University	926	1,391	2,317	282	446	728	1,208	1,837	3,045
Seton Hall University	2,260	3,237	5,497	1,850	2,483	4,333	4,110	5,720	9,830
Stevens Institute of Technology	1,882	693	2,575	2,328	746	3,074	4,210	1,439	5,649
<b>TOTAL, PUBLIC-MISSION INDEPS</b>	<b>18,843</b>	<b>26,987</b>	<b>45,830</b>	<b>9,031</b>	<b>11,181</b>	<b>20,212</b>	<b>27,874</b>	<b>38,168</b>	<b>66,042</b>
Berkeley College	949	1,929	2,878	0	0	0	949	1,929	2,878
Devry University	1,210	469	1,679	158	161	319	1,368	630	1,998
Eastern International College	54	385	439	0	0	0	54	385	439
Eastwick College	155	964	1,119	0	0	0	155	964	1,119
Strayer University	246	393	639	88	124	212	334	517	851
University of Phoenix	234	254	488	0	0	0	234	254	488
<b>TOTAL, PROPRIETARY INDEPS</b>	<b>2,848</b>	<b>4,394</b>	<b>7,242</b>	<b>246</b>	<b>285</b>	<b>531</b>	<b>3,094</b>	<b>4,679</b>	<b>7,773</b>
Assumption College	0	43	43	0	0	0	0	43	43
Bais Medrash Toras Chesed	126	0	126	0	0	0	126	0	126
Beth Medrash Govoah	2,696	0	2,696	3,842	0	3,842	6,538	0	6,538
Mesivta Keser Torah	39	0	39	0	0	0	39	0	39
New Brunswick Theological Seminary	0	0	0	86	100	186	86	100	186
Princeton Theological Seminary	0	0	0	299	215	514	299	215	514
Rabbi Jacob Joseph School	76	0	76	0	0	0	76	0	76
Rabbinical College	213	0	213	0	0	0	213	0	213
Somerset Christian College	131	229	360	0	0	0	131	229	360
Talmudical Academy	67	0	67	0	0	0	67	0	67
Yeshivas Be'er Yitzchok	59	0	59	0	0	0	59	0	59
Yeshiva Gedolah Zichron Leyma	26	0	26	0	0	0	26	0	26
Yeshiva Toras Chaim	145	0	145	0	0	0	145	0	145
<b>TOTAL, RELIGIOUS INDEPS</b>	<b>3,578</b>	<b>272</b>	<b>3,850</b>	<b>4,227</b>	<b>315</b>	<b>4,542</b>	<b>7,805</b>	<b>587</b>	<b>8,392</b>
<b>TOTAL, INDEPENDENT INSTITUTIONS</b>	<b>25,269</b>	<b>31,653</b>	<b>56,922</b>	<b>13,504</b>	<b>11,781</b>	<b>25,285</b>	<b>38,773</b>	<b>43,434</b>	<b>82,207</b>
<b>N.J. GRAND TOTAL</b>	<b>171,228</b>	<b>204,371</b>	<b>375,599</b>	<b>28,279</b>	<b>34,785</b>	<b>63,064</b>	<b>199,507</b>	<b>239,166</b>	<b>438,663</b>

SOURCE: Fall 2012 IPEDS Fall Enrollment Survey (Downloaded May 4, 2013).

# EXHIBIT 9

Full-time Undergraduate Enrollment in N.J. Colleges by Race/Ethnicity, Fall 2012

NJ Colleges and Universities	WHITE		BLACK		HISPANIC		ASIAN		AMERIND		PACIFIC		ALIEN		2 or MORE		RACE UNKNWN		TOTAL ENR
	ENR	PCT	ENR	PCT	ENR	PCT	ENR	PCT	ENR	PCT	ENR	PCT	ENR	PCT	ENR	PCT	ENR	PCT	
Bloomfield College	237	13.0%	929	51.0%	364	20.0%	55	3.0%	6	0.3%	4	0.2%	57	3.1%	7	0.4%	161	8.8%	1,820
Caldwell College	585	46.4%	184	14.6%	197	15.6%	36	2.9%	3	0.2%	2	0.2%	61	4.8%	20	1.6%	172	13.7%	1,260
Centenary College	1,071	60.1%	211	11.8%	162	9.1%	32	1.8%	0	0.0%	0	0.0%	42	2.4%	10	0.6%	253	14.2%	1,781
Drew University	891	56.8%	159	10.1%	226	14.4%	74	4.7%	1	0.1%	0	0.0%	36	2.3%	38	2.4%	143	9.1%	1,566
Fairleigh Dickinson Univ-Florhm	1,377	62.2%	245	11.1%	281	12.7%	81	3.7%	19	0.9%	0	0.0%	16	0.7%	19	0.9%	175	7.9%	2,213
Fairleigh Dickinson Univ-Metro	768	26.8%	476	16.5%	938	32.5%	167	5.8%	6	0.2%	5	0.2%	276	9.6%	27	0.9%	219	7.6%	2,882
Felician College	413	27.8%	250	16.8%	338	22.8%	110	7.4%	9	0.6%	6	0.4%	40	2.7%	11	0.7%	308	20.7%	1,485
Georgian Court University	711	57.2%	175	14.1%	134	10.8%	27	2.2%	2	0.2%	1	0.1%	4	0.3%	24	1.9%	166	13.3%	1,244
Monmouth University	3,516	79.2%	182	4.1%	388	8.7%	110	2.5%	4	0.1%	3	0.1%	30	0.7%	76	1.7%	128	2.9%	4,437
Princeton University	2,565	48.2%	392	7.4%	396	7.4%	1,015	19.1%	9	0.2%	3	0.1%	558	10.4%	219	4.1%	172	3.2%	5,327
Rider University	2,655	67.5%	367	9.3%	365	9.3%	201	5.1%	9	0.2%	7	0.2%	69	1.8%	77	2.0%	181	4.6%	3,931
Saint Elizabeth, College of	182	31.2%	205	35.2%	96	16.5%	13	2.2%	3	0.5%	1	0.2%	29	5.0%	5	0.9%	49	8.4%	582
Saint Peter's University	480	25.2%	573	30.1%	540	28.4%	186	9.8%	10	0.5%	6	0.3%	61	3.2%	39	2.1%	7	0.4%	1,902
Seton Hall University	2,562	51.0%	671	13.4%	809	16.1%	421	8.4%	17	0.3%	5	0.1%	106	2.1%	94	1.9%	338	6.7%	5,023
Stevens Institute of Technology	1,505	59.2%	62	2.4%	222	8.7%	275	10.8%	0	0.0%	0	0.0%	105	4.1%	0	0.0%	372	14.6%	2,541
<b>TOTAL, PUBLIC-MISSION IND</b>	<b>19,518</b>	<b>51.4%</b>	<b>5,081</b>	<b>13.4%</b>	<b>5,456</b>	<b>14.4%</b>	<b>2,803</b>	<b>7.4%</b>	<b>98</b>	<b>0.3%</b>	<b>43</b>	<b>0.1%</b>	<b>1,488</b>	<b>3.9%</b>	<b>666</b>	<b>1.8%</b>	<b>2,844</b>	<b>7.5%</b>	<b>37,997</b>
Berkeley College	496	20.8%	613	25.7%	975	40.8%	83	3.5%	13	0.5%	0	0.0%	27	1.1%	0	0.0%	180	7.5%	2,387
Devry University	250	33.4%	76	10.1%	196	26.2%	34	4.5%	1	0.1%	3	0.4%	10	1.3%	4	0.5%	175	23.4%	745
Eastern International College	30	9.6%	93	29.6%	145	46.2%	19	6.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	27	8.6%	314
Eastwick College	188	36.3%	166	32.0%	108	20.8%	36	6.9%	0	0.0%	4	0.8%	0	0.0%	3	0.6%	13	2.5%	515
Strayer University	24	34.3%	25	35.7%	9	12.9%	2	2.9%	1	1.4%	0	0.0%	1	1.4%	1	1.4%	7	10.0%	70
University of Phoenix	18	3.7%	135	27.7%	89	18.2%	10	2.0%	1	0.2%	0	0.0%	19	3.9%	13	2.7%	203	41.6%	485
<b>TOTAL, PROPRIETARY IND</b>	<b>1,006</b>	<b>22.2%</b>	<b>1,108</b>	<b>24.5%</b>	<b>1,522</b>	<b>33.6%</b>	<b>184</b>	<b>4.1%</b>	<b>16</b>	<b>0.4%</b>	<b>7</b>	<b>0.2%</b>	<b>57</b>	<b>1.3%</b>	<b>21</b>	<b>0.5%</b>	<b>605</b>	<b>13.4%</b>	<b>4,525</b>
Assumption College	2	7.7%	0	0.0%	0	0.0%	1	3.8%	0	0.0%	1	3.8%	22	84.6%	0	0.0%	0	0.0%	25
Bais Medrash Toras Chessed	125	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	125
Beth Medrash Govoha	2,549	95.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	110	4.1%	0	0.0%	0	0.0%	2,659
Mesivta Keser Torah	39	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	39
Rabbi Jacob Joseph School	76	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	76
Rabbinical College	152	71.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	61	28.6%	0	0.0%	0	0.0%	213
Somerset Christian College	32	11.1%	160	55.6%	82	28.5%	3	1.0%	0	0.0%	1	0.3%	0	0.0%	10	3.5%	0	0.0%	285
Talmudical Academy	67	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	67
Yeshivas Be'er Yitzchok	58	98.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	1.7%	0	0.0%	0	0.0%	59
Yeshiva Gedolah Zichron Leyman	25	96.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	3.8%	0	0.0%	0	0.0%	26
Yeshiva Toras Chaim	145	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	145
<b>TOTAL, RELIGIOUS INDEPS</b>	<b>3,270</b>	<b>87.8%</b>	<b>160</b>	<b>4.3%</b>	<b>82</b>	<b>2.2%</b>	<b>4</b>	<b>0.1%</b>	<b>0</b>	<b>0.0%</b>	<b>2</b>	<b>0.1%</b>	<b>195</b>	<b>5.2%</b>	<b>10</b>	<b>0.3%</b>	<b>0</b>	<b>0.0%</b>	<b>3,723</b>
<b>TOTAL, INDEPENDENT INSTS</b>	<b>23,794</b>	<b>51.5%</b>	<b>6,349</b>	<b>13.7%</b>	<b>7,060</b>	<b>15.3%</b>	<b>2,991</b>	<b>6.5%</b>	<b>114</b>	<b>0.2%</b>	<b>52</b>	<b>0.1%</b>	<b>1,740</b>	<b>3.8%</b>	<b>697</b>	<b>1.5%</b>	<b>3,449</b>	<b>7.5%</b>	<b>46,245</b>
<b>N.J. GRAND TOTAL</b>	<b>117,715</b>	<b>48.1%</b>	<b>32,055</b>	<b>13.1%</b>	<b>44,359</b>	<b>18.1%</b>	<b>21,700</b>	<b>8.9%</b>	<b>555</b>	<b>0.2%</b>	<b>696</b>	<b>0.3%</b>	<b>6,608</b>	<b>2.7%</b>	<b>4,779</b>	<b>2.0%</b>	<b>16,127</b>	<b>6.6%</b>	<b>244,594</b>

SOURCE: Fall 2012 IPEDS Fall Enrollment Survey (Downloaded May 4, 2013).



# **EXHIBIT 11**



## Mission Statement

Princeton Theological Seminary prepares women and men to serve Jesus Christ in ministries marked by faith, integrity, scholarship, competence, compassion, and joy, equipping them for leadership worldwide in congregations and the larger church, in classrooms and the academy, and in the public arena.

A professional and graduate school of the Presbyterian Church (U.S.A.), the Seminary stands within the Reformed tradition, affirming the sovereignty of the triune God over all creation, the Gospel of Jesus Christ as God's saving word for all people, the renewing power of the word and Spirit in all of life, and the unity of Christ's servant church throughout the world. This tradition shapes the instruction, research, practical training, and continuing education provided by the Seminary, as well as the theological scholarship it promotes.

In response to Christ's call for the unity of the church, the Seminary embraces in its life and work a rich racial and ethnic diversity and the breadth of communions represented in the worldwide church. In response to the transforming work of the Holy Spirit, the Seminary offers its theological scholarship in service to God's renewal of the church's life and mission. In response to God's sovereign claim over all creation, the Seminary seeks to engage Christian faith with intellectual, political, and economic life in pursuit of truth, justice, compassion, and peace.

To these ends, the Seminary provides a residential community of worship and learning where a sense of calling is tested and defined, where Scripture and the Christian tradition are appropriated critically, where faith and intellect mature and life-long friendships begin, and where habits of discipleship are so nourished that members of the community may learn to proclaim with conviction, courage, wisdom, and love the good news that Jesus Christ is Lord.

*Adopted by the Board of Trustees, May 1996*

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- [Graduation Announcement](#)
- [Photography](#)
- [Poster](#)
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- [Publishing](#)
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- [Wineskin](#)
- 

#### Logo and Identity Manual

- [Logo Construction](#)
- [The Role of Communications/Publications](#)
- [Campus Resources](#)
- [Use of Space](#)
- [Samples](#)
- [Acceptable and Unacceptable Uses](#)
- [Seal and Logo History](#)
- [Entire Manual \(as pdf\)](#)
- [Memo and Fax Sheet Templates](#)

#### FOR THE MEDIA

- [Faculty Experts](#)
- [President's Biography](#)
- [Statistics](#)
- [Web Photos for Download](#)

#### NEWS

- [Three Young Scholars Join Princeton Seminary Faculty](#)

# EXHIBIT 15

## Princeton Theological Seminary - Theological Institution

**Accredited by:** Middle States Association of Colleges and Schools & Association of Theological Schools

**Carnegie Classification:** Special Focus Institutions--Theological seminaries, Bible colleges, and other faith-related institutions

**Website**

---

Clicking on a CIP code will open another window with the description of a program assigned that code from the U.S. Department of Education's *Classification of Instructional Programs - 2010*.

---

<b><u>Degree Level</u></b>	<b><u>Degree</u></b>	<b><u>Program</u></b>	<b><u>CIP</u></b>
Master's	M.A.	Christian Education	<a href="#"><u>390401</u></a>
	Th.M.	Theological Professions	<a href="#"><u>390601</u></a>
Prof. Post-Mast.	M.Div.	Theology - First-Professional	<a href="#"><u>390602</u></a>
Doctoral	D.Min.	Theological Professions	<a href="#"><u>390601</u></a>
	Ph.D.	Theological Professions	<a href="#"><u>390601</u></a>

**Source: NJ Higher Education Degree Program Inventory, 5/7/2013 10:20:45 AM**

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
R.J. Hughes Justice Complex  
25 Market Street  
Trenton NJ 08625  
Attorney for Defendants

By: Jennifer J. McGruther (002312004)  
Deputy Attorney General  
(609) 633-8397

AMERICAN CIVIL LIBERTIES  
UNION OF NEW JERSEY, et al.,

Plaintiffs,

v.

ROCHELLE HENDRICKS, et al.,  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION: GENERAL EQUITY  
MERCER COUNTY  
DOCKET NO.: C-82-13

Civil Action

NOTICE OF MOTION TO DISMISS  
PURSUANT TO R. 4:6-2(a) OR,  
IN THE ALTERNATIVE, TO  
TRANSFER TO APPELLATE DIVISION

TO: Edward L. Barocas, Esq.  
ACLU of NJ Foundation  
89 Market Street, 7th Floor  
Newark NJ 07102

Frank Corrado, Esq.  
Barry, Corrado & Grassi, P.C.  
2700 Pacific Avenue  
Wildwood NJ 08260

C O U N S E L:

PLEASE TAKE NOTICE that at 9:30 a.m., or as soon thereafter as counsel may be heard, on March 28, 2014, at the Mercer County Courthouse, 175 South Broad Street, Trenton, New Jersey, defendants will move this Court pursuant to the New Jersey

Court Rules, R. 4:6-2(a), for an Order dismissing the Amended Complaint for lack of jurisdiction or, in the alternative, transferring this matter to the Appellate Division, pursuant to R. 1:13-4(a).

PLEASE TAKE FURTHER NOTICE that defendants shall reply on the brief and certification of Jennifer J. McGruther dated March 4, 2014, submitted herewith.

A proposed form of Order is enclosed.

Respectfully submitted,

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY

By:



\_\_\_\_\_  
Jennifer J. McGruther  
Deputy Attorney General

Dated: March 4, 2014

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
R.J. Hughes Justice Complex  
25 Market Street  
Trenton NJ 08625  
Attorney for Defendants

By: Jennifer J. McGruther (002312004)  
Deputy Attorney General  
(609) 633-8397

AMERICAN CIVIL LIBERTIES  
UNION OF NEW JERSEY, et al.,

Plaintiffs,

v.

ROCHELLE HENDRICKS, et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION: GENERAL EQUITY  
MERCER COUNTY  
DOCKET NO.: C-82-13

Civil Action

CERTIFICATION OF JENNIFER J.  
McGRUTHER IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS  
PURSUANT TO R. 4:6-2(a) OR, IN THE  
ALTERNATIVE, TRANSFER TO THE  
APPELLATE DIVISION

Jennifer J. McGruther, of full age, hereby certifies as follows:

1. I am a Deputy Attorney General for the State of New Jersey, counsel to defendants in this matter.

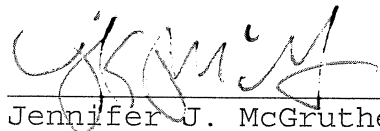
2. Attached as Exhibit A is a true and correct copy of a webpage showing the legislative action taken on New Jersey Senate Bill 2500, available at <http://legiscan.com/NJ/bill/S2500/2012> (last visited January 31, 2014).

3. Attached as Exhibit B is a true and correct copy of the Amended Verified Complaint for Injunctive and Declaratory Relief (without exhibits) filed in this matter.

4. Attached as Exhibit C is a true and correct copy of a Press Release issued by the New Jersey Governor's office on April 29, 2013, available at <http://nj.gov/governor/news/news/552013/approved/20130429i.html> (last visited January 31, 2014).

5. Attached as Exhibit D is a true and correct copy of the Consent Order entered in this matter on July 15, 2013.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
\_\_\_\_\_  
Jennifer J. McGruther

Dated: March 4, 2014



# **EXHIBIT A**



NJ S2500 | 2012-2013 | Regular Session  
 New Jersey Senate Bill 2500 (**Prior Session Legislation**)

**Status**

**Completed Legislative Action**

Status: Passed on August 7 2012 - 100% progress  
 Action: 2012-08-07 - Approved P.L.2012, c.41.  
 Text: Latest bill text (Introduced) [HTML]

**Summary**

"Building Our Future Bond Act"; authorizes the issuance of \$750,000,000 in general obligation bonds to finance higher educational capital projects for increasing of academic capacity; appropriates \$5,000.

**Title**

"Building Our Future Bond Act"; authorizes the issuance of \$750,000,000 in general obligation bonds to finance higher educational capital projects for increasing of academic capacity; appropriates \$5,000.

**Sponsors**

Sen Stephen M. Sweeney	Sen Thomas H. Kean, Jr.	Sen Joseph F. Vitale	Sen Sheila Y. Oliver
Sen Jon M. Bramnick	Sen Celeste M. Riley	Sen Singleton, Troy	Sen Albert Coutinho
Sen Thomas P. Giblin	Sen Diane B. Allen	Sen Christopher Bateman	Sen Robert M. Gordon
Sen M. Teresa Ruiz	Sen Brian P. Stack	Sen Shirley K. Turner	

**Roll Calls**

- 2012-06-28 - Assembly Third Reading - Final Passage (Y: 77 N: 1 NV: 2 Abs: 0) [PASS]
- 2012-06-28 - Assembly Table Motion (Voice Vote) (Y: 0 N: 0 NV: 0 Abs: 0) [PASS]
- 2012-06-28 - Assembly Substitute For A3139 Aca (Voice Vote) (Y: 0 N: 0 NV: 0 Abs: 0) [PASS]
- 2012-06-28 - Senate Third Reading - Final Passage (Y: 38 N: 1 NV: 1 Abs: 0) [PASS]
- 2012-06-21 - Senate Amend (Y: 34 N: 0 NV: 6 Abs: 0) [PASS]
- 2012-06-21 - Senate Second Reading (Voice Vote) (Y: 0 N: 0 NV: 0 Abs: 0) [PASS]

**History**

Date	Chamber	Action
2012-08-07	Assembly	Approved P.L.2012, c.41.
2012-06-28	Assembly	Passed Assembly (Passed Both Houses) (77-1-0)
2012-06-28	Assembly	Motion To Table (Wisniewski) (Voice)
2012-06-28	Assembly	Motion To Aa (Wolfe)
2012-06-28	Assembly	Substituted for A3139 (1R)
2012-06-28	Assembly	Received in the Assembly without Reference, 2nd Reading
2012-06-28	Senate	Passed by the Senate (38-1)
2012-06-21	Senate	Senate Amendment (34-0) (Sweeney)
2012-06-18	Senate	Reported from Senate Committee with Amendments, 2nd Reading
2012-06-14	Senate	Introduced in the Senate, Referred to Senate Budget and Appropriations Committee

**Same As/Similar To**

A3139 (Same As) 2012-06-28 - Substituted by S2500 (2R)

**Subjects**

Bills and Joint Resolutions Signed by the Governor

**New Jersey State Sources**

Type	Source
Summary	<a href="http://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=S2500">http://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=S2500</a>
Text	<a href="http://www.njleg.state.nj.us/2012/Bills/S2500/2500_11.HTM">http://www.njleg.state.nj.us/2012/Bills/S2500/2500_11.HTM</a>
Text	<a href="http://www.njleg.state.nj.us/2012/Bills/S2500/2500_R1.HTM">http://www.njleg.state.nj.us/2012/Bills/S2500/2500_R1.HTM</a>
Text	<a href="http://www.njleg.state.nj.us/2012/Bills/AL12/41_.HTM">http://www.njleg.state.nj.us/2012/Bills/AL12/41_.HTM</a>
Roll Call	<a href="http://www.njleg.state.nj.us/bills/BillView.asp">http://www.njleg.state.nj.us/bills/BillView.asp</a>

**Bill Comments**



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# **EXHIBIT B**

# **EXHIBIT C**

## Governor Christie Announces \$1.3 Billion for Higher Education Construction, Putting Thousands to Work and Improving Facilities for 350,000 Students

Monday, April 29, 2013 Tags: [Education](#)

### 176 Projects Sent to Legislature For First Statewide, Voter-Approved Higher Education and Other State-Led Capital Construction in 25 Years

Trenton, NJ – Moving forward to ensure the future of higher education in the Garden State, Governor Christie today announced that Secretary of Higher Education Rochelle Hendricks has sent the Legislature a list of 176 higher education capital construction projects, the first concerted contribution to New Jersey's higher education infrastructure in decades. The projects, many of which are shovel-ready, include cutting edge research laboratories, the latest computerized classrooms, and cyber networks that will allow students and faculty to interact with colleagues around the world through long-overdue construction, maintenance and attention to the State's higher education community.

"Today, we begin a new era of opportunity for New Jersey's colleges and universities," Governor Christie said. "To keep more of our best students in the State and to make our colleges more attractive research partners for industries looking to bring good paying jobs and businesses here, we need modern facilities to remain competitive."

Last August, the Governor signed legislation placing a \$750 million General Obligation construction bond question on the ballot. Voters approved the bond authorization in November and Secretary Hendricks took swift action and proposed regulations in December. In addition, Secretary Hendricks announced that the State would also be making available bond proceeds from the reauthorization of four other higher education funding programs – the Higher Education Capital Improvement Fund (CIF); the Higher Education Facilities Trust Fund (HEFT); the Higher Education Technology Infrastructure Fund (HETI); and the Higher Education Equipment Leasing Fund (ELF). The combined capacity of these programs is more than \$1.3 billion. During the process, Secretary Hendricks sent out a solicitation package and hosted an information session in February, and by March 25, 2013, colleges and universities submitted more than 250 applications for funding.

A team of experts from the Educational Facilities Authority, the Economic Development Authority, the Schools Development Authority and the Department of Treasury reviewed and recommended the approval of projects to Secretary Hendricks, who then compiled the list that best reflects the State's higher education goals and priorities. Selected projects targeted academic programs, especially science, technology, engineering and math. Institutions were required to detail how projects served students and aligned with New Jersey's workforce needs.

"Our team looked for innovative projects that were in line with the missions of the colleges and New Jersey's needs. I'm proud that higher education institutions in every region of our state will benefit," Secretary Hendricks said. "We had 46 institutions submit applications for \$2.1 billion in funding, and I want to commend the higher education community for the impressive quality of the applications."

The full list of projects transmitted to the Legislature for consideration is attached [pdf 4.6MB] and a breakdown of proposed awards by institution is below:

HIGHER EDUCATION CAPITAL  
FINANCING GRANT PROGRAMS  
(by institution type)

INSTITUTION NAME	PROPOSED AWARDS
<b>Public Research Universities</b>	
New Jersey Institute of Technology	\$99,842,923
Rowan University	\$117,813,926
Rutgers University (all campuses)	\$357,231,074
UMDNJ	\$67,030,705

JA1393

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### More Information

The list of projects transmitted to the Legislature [pdf 4.6MB]

**Senior Public Institutions**

Kean University	\$53,812,500
Montclair State University	\$93,812,912
New Jersey City University	\$34,585,004
Ramapo College of New Jersey	\$18,598,000
Richard Stockton College of NJ	\$53,957,950
The College of New Jersey	\$57,450,035
Thomas Edison State College	\$16,621,000
William Paterson University	\$31,983,521

**Private Institutions**

Beth Medrash Govoha	\$10,635,747
Bloomfield College	\$2,517,500
Caldwell College	\$3,846,182
Centenary College	\$2,267,000
Drew University	\$6,811,109
Fairleigh Dickinson University	\$10,160,188
Felician College	\$4,375,000
Georgian Court University	\$8,439,985
Princeton Theological Seminary	\$645,323
Princeton University	\$6,452,500
Rider University	\$4,555,000
Saint Peter's University	\$2,766,000
Seton Hall University	\$11,713,532
Stevens Institute of Technology	\$7,250,000
The College of Saint Elizabeth	\$2,391,888

**County Colleges**


Atlantic Cape Community College	\$8,211,657
Bergen Community College	\$15,844,000
Brookdale Community College	\$15,884,865

Burlington Community College	\$4,573,881
Camden County College	\$8,313,296
County College of Morris	\$10,437,512
Cumberland County College	\$2,492,400
Essex County College	\$19,103,490
Gloucester County College	\$19,008,315
Hudson County Community College	\$11,615,985
Mercer County Community College	\$9,697,050
Middlesex County College	\$14,810,400
Ocean County College	\$12,510,572
Passaic County Community College	\$6,111,199
Raritan Valley Community College	\$16,418,794
Salem Community College	\$3,000,000
Sussex County Community College	\$2,331,600
Union County College	\$1,405,848
Warren County Community College	\$917,000

###

**Press Contact:**  
Michael Drewniak  
Colin Reed  
609-777-2600



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Office of the Governor  
PO Box 001  
Trenton, NJ 08625  
609-292-6000



Edward L. Barocas, Esq.  
American Civil Liberties Union  
of New Jersey Foundation  
89 Market Street, 7<sup>th</sup> Floor  
P.O. Box 32159  
Newark, New Jersey 07102  
Tel: (973) 642-2086 Fax: (973) 642-6523

---

**AMERICAN CIVIL LIBERTIES UNION** :  
**OF NEW JERSEY, et al.,** : **CIVIL ACTION**  
 :  
Plaintiff, : **SUPERIOR COURT OF NEW JERSEY**  
 : **CHANCERY DIVISION, GENERAL**  
v. : **EQUITY PART, MERCER COUNTY**  
 :  
 : **No: C-82-13**  
**ROCHELLE HENDRICKS, et al.,** :  
 :  
Defendants. :  
 :  
 :  
 :  
 : **CERTIFICATION OF ARI ROSMARIN**  
 :  
 :  
 :

---

I, Ari Rosmarin, Esq., hereby certify as follows:

1. I am employed as the Public Policy Director of the American Civil Liberties Union of New Jersey.
2. Attached hereto as Exhibit 1 is an accurate copy of the bill allocating "Building Our Future" Bond Act funds "to institutions of higher education according to the list of eligible projects submitted by the Secretary of Higher Education on April 29, 2013 to the presiding officers of each House of the Legislature..." The bill was passed by

both houses of the Legislature and signed by Governor Christie.

3. Attached hereto as Exhibit 2 is an accurate copy of the letter sent by the New Jersey Education Facilities Authority to the Joint Budget Oversight Committee on June 28, 2013, informing them of proposed higher education grants. Also included is an excerpt of the attachments to that letter.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: March 28, 2014

  
Ari Rosmarin

# EXHIBIT 1

P.L.2013, CHAPTER 96, *approved August 7, 2013*  
Senate, No. 2884

1 AN ACT appropriating \$715,706,303 from the “Building Our Future  
2 Bond Act,” P.L.2012, c.41, for the purpose of capital project  
3 grants for New Jersey’s public and private institutions of higher  
4 education.

5  
6 **BE IT ENACTED** by the Senate and General Assembly of the State  
7 of New Jersey:

8  
9 1. There is appropriated to the Office of the Secretary of  
10 Higher Education in the Department of State from the “Building  
11 Our Future Fund,” established pursuant to section 14 of the  
12 “Building Our Future Bond Act,” P.L.2012, c.41, the sum of  
13 \$715,706,303 for the purpose of capital project grants for increasing  
14 academic capacity at New Jersey’s public and private institutions of  
15 higher education. This sum shall be allocated to institutions of  
16 higher education according to the list of eligible projects submitted  
17 by the Secretary of Higher Education on April 29, 2013 to the  
18 presiding officers of each House of the Legislature pursuant to the  
19 provisions of the “Building Our Future Bond Act,” P.L.2012, c.41.

20  
21 2. The expenditure of sums appropriated by this act are subject  
22 to the provisions and conditions of P.L.2012, c.41.

23  
24 3. This act shall take effect immediately.

25  
26  
27 STATEMENT

28  
29 This bill appropriates \$715,706,303 to the Office of the Secretary  
30 of Higher Education in the Department of State from the “Building  
31 Our Future Fund” established pursuant to the “Building Our Future  
32 Bond Act,” P.L.2012, c.41. These funds are for the purpose of  
33 capital project grants to increase academic capacity at New Jersey’s  
34 public and private institutions of higher education.

35 The “Building Our Future Bond Act” authorized a \$750,000,000  
36 bond issue. Enactment of this bill would represent the initial  
37 appropriation of bond funds to the Office of the Secretary of Higher  
38 Education for the State’s public and private institutions of higher  
39 education.

1  
2  
3  
4  
5

---

Appropriates \$715,706,303 from the “Building Our Future Bond Act” to the Office of the Secretary of Higher Education for public and private institutions of higher education.

# EXHIBIT 2




2013 JUN 28 P 4: 57  
103 COLLEGE ROAD EAST • PRINCETON, NEW JERSEY 08540  
PHONE 609-987-0880 • FAX 609-987-0850 • dhanscl@njeffa.com

LBFO

DEREK S. HANSEL  
*Executive Director*

**MEMORANDUM**

**TO:** Honorable Paul A. Sarlo, Chair, Joint Budget Oversight Committee  
Honorable Vincent Prieto, Co-Chair, Joint Budget Oversight Committee

**FROM:** Derek S. Hansel, Executive Director   
New Jersey Educational Facilities Authority

**DATE:** June 28, 2013

**RE:** Grant Information for Projects Approved for Funding Under the Higher Education Technology Infrastructure Fund

On April 29, 2013, the Secretary of Higher Education certified a list of approved projects and grant award amounts to institutions of higher education pursuant to a competitive solicitation. Pursuant to the Higher Education Technology Infrastructure Fund Act, N.J.S.A. 18A:72A-64.1, we hereby enclose the aforementioned list of projects along with the proposed form of Grant Agreement, which is subject to review by State bond counsel, to the Joint Budget Oversight Committee.

Absent a negative vote by the Joint Budget Oversight Committee in the next 10 days, pursuant to N.J.S.A. 18A:72A-45.1, the grants certified in the enclosed list shall be deemed approved.

Please let me know if you have any questions regarding this submission. Thank you.

Enclosures

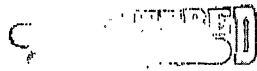
c: Honorable Stephen M. Sweeney, Senate President  
Honorable Sheila Y. Oliver, Assembly Speaker  
Rochelle Hendricks, Secretary of Higher Education  
Amy Herbold, Assistant Counsel, Governor's Authorities Unit  
Ernest Hagans, Secretary, Joint Budget Oversight Committee  
Roger Jacobs, Chair, New Jersey Educational Facilities Authority  
Honorable Anthony R. Bucco, Senator  
Honorable Declan J. O'Scanlon, Assemblyman

Higher Education Capital Financing Grant Programs  
 Certified List of Approved Projects - Spring 2013 Cycle

Private Institutions

	HETI
<b>PRINCETON THEOLOGICAL SEMINARY</b>	
<b>038-01 Enhanced IT Infrastructure for Renovated Luce Library</b> IT infrastructure upgrade for library for expanded historical and theological research incl.: creation of digital access; upgrade of underlying communications infrastructure; a redundant, diverse-pathway fiber backbone to the network; and extension of reach of fiber optic network.	241,722
<b>038-02 Learning Spaces: Training Room</b> Acquisition and installation of technology in a space to allow on-site and distance training to students and staff.	113,712
<b>038-03 Revamped Cooper Conference Room</b> Equipping the Cooper Conference Room with 21st century multimedia functionality to expand online education and strengthen its interaction with other universities and learning communities. PTS will continue existing online programs and transition its Spanish and Portuguese Certificate programs to online.	289,889





CLERK OF SUPERIOR COURT  
SUPERIOR COURT OF N.J.  
MERCER COUNTY  
RECEIVED AND FILED

MAY 08 2014

AMERICAN CIVIL LIBERTIES  
UNION OF NEW JERSEY, et al.,  
  
Plaintiffs,  
  
v.  
  
ROCHELLE HENDRICKS, et al.,  
  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION: ~~GENERAL~~  
MERCER COUNTY  
DOCKET NO.: C-82-13 **SUE REGAN**  
DEPUTY CLERK OF SUPERIOR COURT

Civil Action

ORDER ~~RECORDED~~  
~~FILED~~  
TRANSFERRING MATTER TO  
THE APPELLATE DIVISION

THIS MATTER having been opened to the Court on a motion of John J. Hoffman, Acting Attorney General of New Jersey, by Stuart M. Feinblatt, Assistant Attorney General, and Jennifer J. McGruther, Deputy Attorney General, appearing on behalf of defendants, seeking to dismiss the Amended Complaint pursuant to R. 4:6-2(a) for lack of jurisdiction or, in the alternative, to transfer this matter to the Appellate Division; and the Court having considered the written submissions and oral arguments, if any, of the parties, and for good cause show,

*and for the reasons placed upon the record on this date;*  
IT IS on this 8<sup>th</sup> day of May, 2014,

ORDERED as follows:

~~Defendants to file a written response to the motion on or before May 15, 2014.~~

~~GRANTED~~

~~THE UNDERTAKING COMPLAINT IN~~

1. Defendants' Motion to Transfer this Matter to the Appellate Division is GRANTED; and

2. This matter is hereby transferred to the Appellate Division pursuant to R. 1:13-4(a); and

3. Defendants' counsel will serve a copy of this Order on all counsel of record in this matter within 7 days of receipt of this Order.

*the clerk of the appellate division and*  
*Paul Innes*  
Hon. Paul Innes, V.S.C.

This motion was:

Opposed   X  

Unopposed

**PART B**  
**PROJECT DUE DILIGENCE REQUEST**  
**AND**  
**TAX QUESTIONNAIRE**

Each Institution must also provide a complete set of responses to Part B for each Project that was awarded a Grant (w/o regard to funding by each Program). Provide 1 original and copies on 4 CDs or flash drives.

**Information with Respect to the Project:**

- i. Name of the College and the Project, as shown in the chart accompanying the cover memo.
- ii. If there have been any changes in the proposed sources and uses of Grant amounts and other moneys for the Project since the submission of your application, please complete Schedule A . *N/A*
- iii. Other than as provided in your application, resolutions of the Board of Directors/Trustees of the Grantee (i) approving the Project, (ii) approving any reimbursements from Bond proceeds and (iii) authorizing any bridge or interim loans. NOTE: Should the Grantee wish to reimburse itself from Grant proceeds for expenditures incurred after April 29, 2013 and prior to the date the Bonds are issued, there must be a "reimbursement resolution" adopted by the Authority, the State or the Grantee reflecting such intent not later than 60 days after the date of the expenditures to be reimbursed. The Authority adopted such resolutions on July 23, 2013. Please provide any earlier ones adopted by the Grantee.
- iv. Provide any changes regarding applicable State and municipal approvals, permits, planning, zoning or environmental matters from those described in your application. *N/A*

## TAX QUESTIONNAIRE

This questionnaire attempts to address many of the issues relating to the tax exemption of bonds issued to finance facilities for Public Colleges and Private Colleges that are 501(c)(3) organizations. Some of the questions will apply to all Colleges and some will apply to only to Public Colleges or Private Colleges. The questionnaire is not exhaustive however, and further information may be required from you concerning areas covered by the questionnaire, issues raised by your responses to the questionnaire, or other matters relating to the tax exemption of the Bonds. Your responses in this questionnaire will form the basis of tax certificates which may be required by Bond Counsel.

The following general tax requirements apply in order for Projects of all Colleges to qualify:

- Certain private business use and payment limitations
- Management or service contracts may not result in "private business use" (described herein)
- Research contracts generally may not result in "private business use" (described herein)
- Average maturity of Bonds cannot exceed 120% of average life of financed assets
- Debt service cannot be Federally guaranteed.
- Arbitrage limitations, including yield restrictions and rebate requirements.
- IRS Reporting Requirements on Form 8038 or Form 8038-G

The following general tax requirements apply in order for Projects of Public Colleges to qualify:

- Grantee/user must be a governmental entity.
- Not more than 10% of the Grant financed Project may be used by non-State or local governmental, nonprofit or for-profit entities. If the use is unrelated or disproportionate to the College use, this limit is reduced to 5%. Thus use by for-profit entities, nonprofit or the US Government must be closely scrutinized.

The following general tax requirements apply in order for Projects of Private Colleges to qualify:

- Grantee/user must be a 501(c)(3) organization.
- All bond financed property must be owned by a governmental entity or 501(c)(3) organization.
- Not more than 5% of the Grant Financed Project) may be used by nongovernmental or for-profit entities. Thus use by for-profit entities or the US Government must be closely scrutinized.
- Costs of issuance financed by Bonds is limited to 2% of proceeds of the Bonds; balance must be paid by Grantee.
- \$150 million limit for tax exempt bonds for “test period beneficiaries” unless Project is a new capital project.
- TEFRA Approval required by Governor after public hearing, preceded by newspaper publication of a notice of hearing at least 14 days in advance.

In the event that additional space is needed for any responses, please feel free to elaborate on separate sheets which you attach to the questionnaire.

#### I. Use of Bond Proceeds

##### Private Business Use/Payments

###### Public Colleges

The Internal Revenue Code of 1986, as amended (the “Code”) includes numerous requirements relating to the tax exemption of bonds used to finance facilities for Public Colleges. One of the requirements necessary to establish that bonds are governmental bonds is that no more than 10% of the proceeds of the bonds are to be used for any “private business use.” Not more than 10% of the debt service on the Bonds can be payable by or secured by property used by private business users. If the private business use is unrelated or disproportionate to the governmental use, these limits are reduced to 5%.

“Private business use” includes any use directly or indirectly in a trade or business carried on by any person other than a governmental entity or use by the Public College in an activity that is unrelated to its educational activities. A private use can occur pursuant to a lease, a special arrangement, a management or services contract, certain research arrangements or by any arrangement where a private business is using the financed property in a manner different than the general public. For these purposes, any use by a person other than a natural person is treated as a use in trade or business. Use, however, as a member of the general public is not taken into account. “Governmental Unit” means any state or political subdivisions thereof (i.e., a state or

division of state with a substantial amount of sovereign powers) or instrumentality of a state and does not include the United States or any agency or instrumentality of the United States. Typical arrangements that may result in private business use for a college include food service and bookstore contracts, parking management contracts, research contracts, rental or lease of facilities and summer camp programs which are run by unaffiliated entities. Private business use can also arise in the case of a project that is a leasehold improvement on land owned by a nongovernmental entity.

### Private Colleges

Section 145 of the Code provides numerous additional requirements relating to the tax exemption of bonds used to finance facilities for Private Colleges. Bonds which satisfy the requirements of Section 145 of the Code shall be referred to as "Qualified 501(c)(3) Bonds". One of the requirements necessary to establish that bonds are Qualified 501(c)(3) Bonds is that no more than 5% of the "net proceeds" of the bonds are to be used for any "private business use."

In the context of Qualified 501(c)(3) Bonds, net proceeds used in any private business use includes costs of issuance of the bonds and any use directly or indirectly in a trade or business carried on by any person other than an "Exempt Person". Exempt Person means (i) a Governmental Unit, or (ii) a 501(c)(3) organization (to the extent used in an activity which does not constitute an "unrelated trade or business" ("Unrelated Trade or Business") determined by applying Section 512(a) of the Code). Private business use includes any lease, management or service contract and certain other rights given to a non-Exempt Person. For these purposes, any use by a person other than a natural person is treated as a use in trade or business. Use, however, as a member of the general public is not taken into account. "Governmental Unit" means any state or political subdivisions thereof (i.e., a state or division of state with a substantial amount of sovereign powers) or instrumentality of a state and does not include the United States or any agency or instrumentality of the United States. Typical uses that must be considered by a college include food service and bookstore contracts, parking management contracts and summer camp contracts.

The questions which follow in this section are designed to elicit information regarding compliance with the private use and certain related limitations.

**All Colleges**

1. Will there be any private business use of the Project or a direct or indirect loan or grant of the proceeds of the Grant to any other person or entity (including, in the case of Public Colleges, a nonprofit corporation) at any time while the Bonds are outstanding?

Yes       No

If yes, please explain (attach documents, if necessary). If there is any special entitlement (e.g., right to use any portion of the Project different from the general public) that "may" result in a private business use, please describe it.

2. Are the facilities being financed expected to be used by the College during the entire time period the Bonds may be outstanding? (CIF – 30 years, HEFT – 15 years, HETI – 15 years, ELF – 10 years and GO – 35 years)

Yes       No

If no, please explain.

We applied for the HETI grant to fund technology infrastructure. Most of the components of the project are electronics, and have a planned useful life of 5-8 years. Cabling (fiber and copper) is expected to last 10-15 years. The actual structures housing the equipment are expected to be in use well beyond 15 years. Refer to Schedule B, attached, for details on expected lifespan of project components.

3. To the extent any facilities will be made available on a rental basis or constitute a trade or business activity, please explain the scope of such activities and the amount of such uses by individuals or other entities. If any type of restaurant facilities, arenas, cafeterias or bookstores will be financed, please explain the anticipated use by employees, patrons and others.

4. Will the name of any private business be used in connection with any part of the Project (i.e., are naming rights being provided in exchange for any payment or contribution)?       Yes       No. If yes, describe in detail and provide any relevant agreements.

5. Will any portion of the Project be leased by the Public College or be the subject of a possessory interest or license, formal or informal, given by the Public College?  Yes  No.
6. Will there be any non-college summer uses of the Project (i.e, sports camps)?  Yes  No. If yes, please describe.
7. Are all those, who are or will be lessees, licensees, or persons with a possessory interest in the Project, a State or Local Governmental Unit (and in the case of Private Colleges, a 501(c)(3) corporation which is using the Project for its charitable purpose)?  Yes  No If no, please describe.
8. If the Project includes parking facilities, is the general public, not on College business, permitted to use the parking facility?  Yes  No  N/A
- Are long term parking licenses to be provided?  Yes  No  N/A. If yes, please explain the nature of the licenses and their permitted duration and terms
- Does the College manage the parking facilities?  Yes  No  N/A. Please provide a copy of any management contracts.
9. Will any portion of the Project serve persons other than students, visitors or employees of the College?  Yes  No. If yes, please discuss.
10. Will any portion of the Project include privately owned solar panels, cell towers or be subject to a power purchase agreement of any type?
- Yes  No. If yes, please discuss.
11. Will any portion of the Project (i.e., bookstore, food service, parking) (i) be managed by a person other than the College and its employees or (ii) be a subject to service contracts with a third party?  Yes  No. If no, please skip to question 12. Otherwise, please provide a copy of the contracts.



12. Are there or will there be any cooperative research agreements with, or funded by, non-Exempt Persons which will involve use of any portion of the Project?

Yes  No. If yes, describe in detail and attach a copy of any existing or proposed contract.

13. Will there be any research agreements if research is conducted on the premises of any portion of the Project facilities.  Yes  No. If no, skip to next question. If there are any research contracts with a nongovernmental entity, please provide copies thereof.

14. Is any portion of the Project an "output-type facility" (e.g., utility)?

Yes  No. If yes, please describe and provide copies of any contracts

Will any of the output from the facility be used to service facilities used in the trade or business of persons other than Exempt Person?

Yes  No *N/A*.

Will any of the output from such facility be sold?  Yes  No. If so, please identify the purchaser(s) and supply the purchase contract(s). *N/A*

In the event any output from such facility will be sold, were any other tax-exempt obligations used to finance such facility?  Yes  No. If so, please indicate the aggregate principal amount of such obligations and the issuer of such obligations. *N/A*

Was any of the property nongovernmental output property (i.e. previously owned by a nongovernmental person)  Yes  No. *N/A*

15. Will any of the proceeds of the Bonds be loaned or granted to any person or entity by the College?  Yes  No. If yes, please identify.

16. Is there or will there be any current or proposed fundraising activities expected with respect to any portion of the Project?  Yes  No. If yes, please provide copies of all solicitation materials, including a sample donor card/letter, and indicate the goals and expectations of the fundraising campaign.

**Private Colleges Only**

1. TEFRA - Please indicate the specific street address of the Project (or lots and blocks or near by streets, if there are no street addresses).

Princeton Theological Seminary Library, 25 Library Place,

Princeton, NJ 08540

2. Will any portion of the Project be used by the Grantee in any activity constituting an Unrelated Trade of Business?  Yes  No. If yes, please describe. (Note: the lack of "unrelated business" taxable income from an activity by virtue of the definitions or modifications to income contained in Section 512 of the Code is not determinative of whether an Unrelated Trade or Business activity is being carried on within the meaning of Section 513 of the Code).

3. Will any portion of the Grant be used to provide any airplane, sky box, or other luxury box, facility used primarily for gambling, or store the principal purpose of which is the sale of alcoholic beverages for consumption off premises?  
 Yes  No. If yes, describe in detail.

4. Will any portion of the Project be used to provide residential rental housing?  
Yes  No. If yes, please discuss in detail and describe the scope of facilities offered within such housing.

Will such housing be available to the general public?  Yes  No. *N/A*

Is the housing new or existing?  New  Existing *N/A*

5. Will there be any religious use of or religious instruction in any of the Project Facilities?  Yes  No. If yes, please explain.

6. \$150 Million Limitation

Another requirement imposed under Section 145 of the Code for certain bonds to be Qualified 501(c)(3) Bonds is compliance with the \$150 million limitation. The \$150 million limitation restricts the amount of tax-exempt bonds outstanding at any one time which may be issued for the benefit of any 501(c)(3) organization or related persons to \$150 million excluding bonds issued after August 5, 1997, as part of an issue 95% or more of the proceeds of which are used to finance capital expenditures incurred after such date.

Will 95% or more of the proceeds of the Grant be used to finance capital expenditures?

Yes       No.

7. What happens to the assets of the Grantee upon its dissolution?

As stated in the Grantee's Certificate of Incorporation, any assets of the Corporation dissolved shall be disposed of by the Board in a manner that it deems consistent with the purpose of the Corporation, which is to provide graduate, graduate professional, and continuing education programs in fields and disciplines of Christian ministry and theological scholarship.

8. Are the year-end excesses of revenues over expenses of the Grantee used for future operations?  Yes       No. If not, for what purpose are such funds used?

**II. Expected Economic Life of the Financed Projects and its Components**

Please provide the expected economic life of the components of the Project being financed with the proceeds of the Grant on Schedule B.

**III. Arbitrage Limitations**

**A. General**

1. Have binding contracts obligating the expenditure in excess of 5% of the Grant been entered into by the Grantee or will such contracts be entered into by the Grantee within 6 months of October 1, 2013, to commence

construction or acquisition of the portion of the Project financed with the Grant?

Yes     No. If yes, date met or expected to be met. January 1, 2014

2. Has or will construction or acquisition of the portion of the Project financed with the Grant commence by the date of funding?

Yes     No. If no, when will it occur?

3. When do you expect the portion of the Project funded with the proceeds of the Grant to be completed?

Project is expected to be fully completed by June 2014.

Please update the drawdown schedule of the proceeds of the Grant to reflect any changes from the schedule you previously provided in your application (please note that another updated schedule may be required in conjunction with the sale of EFA and/or state bonds in the future).

Yes     No.

We did not previously submit a drawdown schedule with our HETI grant application. However, we expect to request reimbursement for the full funded amount within 6 weeks after the completion of the project.

Drawdown Date Estimate	HETI Funded Amount
July 2014	\$113,711

4. Will all costs of the Project constitute capital expenditures for federal income tax purposes?

Yes     No. If no, please discuss.

5. Does any portion of the Project constitute "investment type" property, i.e. property held as a passive vehicle for the production of income?

Yes     No. If yes, please explain.

6. Will the proceeds of the Grant or investment earnings thereon be used as a substitute for (i) any donations which were raised for any portion of the Project, or (ii) any other funds which were earmarked for the construction or acquisition of any portion of the Project? Yes No. If yes, please discuss.

If the answer above was yes, will any of the replaced funds be invested?

Yes No. If yes, please discuss. *N/A*

7. Do you anticipate the sale of any governmental obligations for your institution between now and June 2014?

Yes No. If yes, please discuss.

#### **B. Reimbursement Bonds**

The Grantees may spend their own money on the Project from their own non bond financed funds (the "Costs of the Project") after adoption of a reimbursement resolution or some other declaration of intent but prior to the date of issue of the Bonds with the expectation of being reimbursed from the proceeds thereof.

Do you expect to be reimbursed from proceeds of the Bonds for expenditures previously paid by you from other moneys?

Yes No

If yes, please continue. If no, skip to the next category.

ALL OF THE FOLLOWING REQUIREMENTS MUST BE SATISFIED FOR THE PROCEEDS TO BE DEEMED SPENT ON THE DATE OF THE REIMBURSEMENT. REIMBURSEMENT INFORMATION MUST BE UPDATED AS OF EACH CLOSING DATE.

(a) All allocations of the proceeds of the Bonds to the reimbursement of expenditures for Costs of the Project incurred prior to the issuance of the Bonds must satisfy the criteria set forth in either or a

combination of clauses (i), (ii), or (iii) (Please check box next to criteria that apply):

- (i) The Costs of the Project to be reimbursed were incurred by the Grantee either after declarations of official intent by the Grantee on or after April 29, 2013 (the date that the Secretary of Higher Education of New Jersey (the "Secretary") certified the list of approved Projects and award amounts) or incurred after such date and paid by the Grantee after May 24, 2013 (the date that is 60 days before the date of the Authority's reimbursement resolutions).
- (ii) The Costs of the Project to be reimbursed were incurred on or after April 29, 2013 and paid by the Grantee for "preliminary expenditures", including architectural, engineering, surveying, soil testing, reimbursement bond issuance and similar costs that were incurred prior to commencement of construction, rehabilitation or acquisition of the Project, which do not exceed 20 percent of the issue price of the Bonds that finances the Project, other than land acquisition, site preparation and similar costs incident to the commencement of construction; or
- (iii) The Costs of the Project to be reimbursed were incurred on or after April 29, 2013 and represent (1) costs of issuance of any bond or note or (2) an amount not in excess of the lesser of \$100,000 or 5% of the proceeds of the issue.

(b) On the dates of the Declarations of Official Intent, such Declarations of Official Intent to reimburse expenditures were "reasonable".

(c) Except for those expenditures described in paragraph (a)(ii) and (iii) above (i.e, preliminary and de minimis expenditures), all allocations of the proceeds of the Bonds to the reimbursement of expenditures for Costs of the Project made prior to the issuance of the Bonds i.e., the closing for the Bonds and the reimbursement allocation reflected on the issuer's books and records will occur not later than 18 months after the later of (i) the date on which the expenditure was paid, or (ii) the date on which the property was placed in

service or abandoned, and in no event more than 3 years after the original expenditure was made.

(d) All allocations of the proceeds of the Bonds to the reimbursement of expenditures for Costs of the Project made prior to the issuance of the Bonds are expenditures which were capital expenditures.

(e) No action or inaction of the issuer with respect to any allocation of the proceeds of the Bonds to the reimbursement of expenditures for Costs of the Project is or will be an abusive arbitrage device or to avoid arbitrage restrictions or other restrictions of the Code.

(f) The proceeds of the Bonds allocated to the reimbursement of expenditures will not, but for the allocation, be used directly or indirectly within 1 year of the date of the reimbursement allocation, to create "replacement proceeds" with respect to any obligation (other than amounts deposited to a bona fide debt service fund).

The foregoing rules focus on the date of the prior expenditure from the Grantee's own funds, not from another financing. The official intent may be several years old, but if the expenditure was incurred subsequent to or no earlier than 60 days prior to the Declaration of Official Intent but within the 18 month or 3 year period, it may be reimbursable. An analysis of the expenditure date and placed in service date is needed. (Please use the Reimbursement Schedule on Schedule C attached to complete information necessary for us to make the determination.) Any expenditures that fall within any of the exceptions, such as preliminary expenditures (20% limitation), de minimis expenditures (maximum of \$100,000 per issue) and costs of issuance would be added to the expenditures that meet the rules. Any amounts that cannot be reimbursed under these rules will be considered to be unspent proceeds until they are otherwise allocated to an expenditure (i.e., spent on a future capital project) under the arbitrage rules.

If the allocation of Bonds is treated as a reimbursement under state law, but fails the tax requirements (i.e., the proceeds are not deemed spent), the College will still have unspent proceeds that will ultimately be subject to yield limitations and that may be subject to rebate until spent.

#### **Reimbursed Costs Paid with Funds Not Debt Financed**

1. Are Bond proceeds or projected investment earnings to be used to reimburse the Grantee or any related party for any costs of the Project

paid by the Grantee or an affiliate prior to the issuance of the proposed bonds? Yes No.

2. Were any such costs of the Project to be reimbursed paid with equity of the Grantee or an affiliate (and not financed with taxable debt)?

Yes No. If yes, please answer the questions below with respect to such costs.

(a) Was a declaration of official intent of the Grantee, in accordance with Treasury Regulations Section 1.150-2, made prior to or within 60 days following payment of such costs? Yes No. If yes, please attach it.

(b) How will the proceeds of the Bonds used to reimburse the Grantee or affiliate for Project costs be used?  
They will be deposited to the Grantee's operating account.

#### Financing of Taxable Debt Used to Reimburse Costs

(a) Are the proceeds of the Bonds to be used to repay any taxable debt of the Grantee? Yes No.

If yes, describe principal amount of loan, date of borrowing and purpose.

(b) Was a declaration of official intent of the Grantee, in accordance with Treasury Regulations Section 1.150-2, made prior to or within 60 days following payment of such costs? Yes No. If yes, please attach it. *N/A*

(c) Were all proceeds of the taxable debt used for solely for costs of the Project which were paid after issuance of the taxable debt and after April 29, 2013? Any amounts paid for interest or costs of issuance cannot be reimbursed. Yes No. *N/A*



If no, so that proceeds of the taxable debt were used in whole or in part to reimburse the Grantee for costs of the Project paid prior to the issuance of the taxable debt, please describe the date such costs were first paid and overall amounts.

(d) How were the reimbursed amounts used by the Grantee? *N/A*

#### **IV. Form 8038 Requirements – Private Colleges**

In order for governmental obligations to be tax-exempt, a Form 8038 or 8038-G must be completed by the issuer and filed with the Internal Revenue Service within the prescribed time period. The questions below are designed to facilitate the completion of Form 8038 with respect to the proposed Bonds for Private Colleges. Responses to the questions below should be completed prior to the issuance of the proposed bonds.

1. Please indicate below the North American Industrial Classification System Code(s) (previously Standard Industrial Classifications (SIC)) for the facilities financed with the proceeds of the Bonds.

NAICS Code 611310, Colleges & Universities

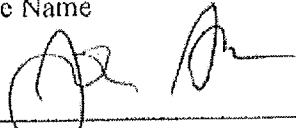
2. Please classify on Schedule D the costs of the portion of the Project financed with the proceeds of the Grant.

College Princeton Theological Seminary  
Project Learning Spaces: Training Room

The answers and information provided in response to this questionnaire are, to the best of my knowledge and belief, true, correct, and complete. I understand that Bond Counsel, the Authority and the State will rely on the answers and information provided herein for the purposes set forth above.

Princeton Theological Seminary  
College Name

Date: October 25, 2013

By:   
Name: John Gilmore  
Title: Senior Vice President, COO, Treasurer

SCHEDULE A -

*N/A No changes since original submission.*

SOURCES:

BOND PROCEEDS FROM THE PROGRAM	\$ _____
OTHER BONDS (EFA or otherwise)	\$ _____
EQUITY CONTRIBUTION	\$ _____
TOTAL	\$ _____

USES:

CONSTRUCTION OR RENOVATION	\$ _____
PURCHASE OF EQUIPMENT	\$ _____
OTHER (LIST)	\$ _____
TOTAL	\$ _____

**SCHEDULE B**

**Certificate with Respect to Economic  
 Life of the Project**

The reasonably expected economic life of the Project financed with the proceeds of the Bonds equals at least 6.00 years, determined as follows:

Asset Financed	Amount of grant	Est useful life	Period from-to in service date (+/-)	Life from Issue date	Cost-years
Equipment	83,211.30	5	1	6	499,268.80
Installation	30,500.00	5	1	6	183,000.00
<b>Total</b>	<b>113,711.30</b>				<b>682,268.80</b>

Average life (Cost Years / Costs Financed) 6.00

Economic Life of an asset is the longer of (a) the reasonably expected economic life of the asset, based on facts and circumstances; or (b) the "midpoint life of the asset under the Asset Depreciation Rename ("ADR") system, as established under Rev. Proc. 83-35, 83-1 C.B. 745, where applicable, or the guideline life for the asset under Rev. Proc. 62-21, 1962-2 C.B. 418, in the case of structures. Land shall not be taken into account for purposes of this certificate unless 25 percent or more of the net proceeds of the Bonds (including investment earnings) is to be used to finance land. Land taken into account pursuant to the preceding sentence shall be treated as having an economic life of 30 years. Interest during construction financed with the Bonds (chargeable to capital account with a proper election under Section 266 of the Code) shall be treated as having an economic life equal to that of the asset to which it relates. Any interest subsequent to construction financed with the Bonds shall be assigned a zero economic life.

If the asset has previously been placed in service by the Grantee or a Related Person, the period of time (expressed in years or portion thereof, as applicable) from the date the asset was placed in service to the date hereof.

If the asset has not yet been placed in service by the Grantee or a Related Person, the period of time (expressed in years or portion thereof, as applicable) from the date hereof to the date such asset is expected to be placed in service. For purposes hereof, the term "placed in condition or state of readiness and availability for a specifically assigned function within the meaning of Treasury Regulation Section 1.46-3(d).

The Adjusted Economic Life of the asset shall be its Economic Life reduced by the Period Since In-Service Date or increased by the Period to In-Service Date, as the case may be.

SCHEDULE C

Reimbursement Schedule

A	B	C	D	E	F	G
Form of Official intent and date adopted (EFA or College Reso)	Projects financed	Amount	Date each expenditure paid	Date project placed in service	18 months after later of D or E	Preliminary expense (y/n)
PTS Resolution 3/8/2013	Learning Spaces: Training Room	\$113,712	<i>No expenditures to date.</i>			

REIMBURSEMENT INFORMATION MUST BE UPDATED AS OF EACH CLOSING DATE.

**SCHEDULE D**  
**Form 8038 Allocation Schedule**  
**Private Colleges only**

	<u>Item Financed</u>	<u>Amount</u>
a.	Land.	<i>N/A</i>
b.	Buildings and structures (including equipment which for federal income tax purposes is regarded as part of a building or structure.)	<i>N/A</i>
c.	Equipment with an Accelerated Cost Recovery System (ACRS) life of more than 5 years.	\$28,119.00
d.	Equipment with an ACRS life of 5 years or less.	\$85,592.30
e.	Other:	<i>N/A</i>



**State of New Jersey  
Office of the Secretary of Higher Education**

**Higher Education Capital Facilities Programs**

**Solicitation for Grant Applications  
For the following Programs:**

Building Our Future Bond Act  
Higher Education Capital Improvement Fund  
Higher Education Facilities Trust Fund  
Higher Education Technology Infrastructure Fund  
Higher Education Equipment Leasing Fund

**Spring 2013 Cycle**

Applications Accepted  
March 1, 2013 through March 25, 2013 at 3 p.m. EST

Office of the Secretary of Higher Education  
20 West State Street, 4<sup>th</sup> Floor  
P.O. Box 542  
Trenton, NJ 08625-0542  
Attention: Rochelle R. Hendricks  
Subject: Higher Education Capital Facilities Programs Application



## **Solicitation Contents**

Part I	General Information and Guidance
Part II	Building Our Future Bond Act Eligibility, Selection Criteria and Award Process
Part III	Higher Education Capital Improvement Fund Eligibility, Selection Criteria and Award Process
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Part VII	Grant Application Content
Appendix A	Form of Cover Page
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## **Part I – GENERAL INFORMATION AND GUIDANCE**

### **1.1 BACKGROUND**

In May 2010, Governor Christie established the New Jersey Higher Education Task Force (“Task Force”), which studied how New Jersey might successfully improve higher education throughout the State, in all sectors and for the benefit of all who seek access to it. That Task Force’s report, issued in December 2010, declared that, among other important steps, New Jersey must recommitment itself to sustaining its colleges and universities and helping those institutions achieve greater success through capital investment.

Signaling his concurrence, Governor Christie immediately sought to end a long period of inadequate State capital investment in New Jersey’s institutions of higher education by developing a capital investment program that strategically reinvests in those institutions so that the needs of the State, its industries and its residents are met.

On August 7, 2012, the Governor signed into law the “Building Our Future Bond Act” (the “GO Bond Act”), the first such bonds dedicated to capital improvement projects for higher education since 1988. In November 2012, New Jersey voters approved a \$750 million public referendum, which authorized the State to issue and direct bond proceeds for capital improvements to the State’s various higher education sectors. In addition, the Governor’s signature authorized the Secretary of Higher Education (“Secretary”) to promulgate rules and approve grants to make use of four State-supported bond programs administered by the New Jersey Educational Facilities Authority (“NJEFA”). These State-supported bond programs (together with the Go Bond Act, hereinafter collectively referred to as the “Programs”) include:

- the Higher Education Capital Improvement Fund (“CIF”);
- the Higher Education Facilities Trust Fund (“HEFT”);
- the Higher Education Technology Infrastructure Fund (“HETI”); and
- the Higher Education Equipment Leasing Fund (“ELF”).

The Governor’s commitment to capital investment in New Jersey’s system of higher education totals \$1,316,905,000, which is comprised of:

- \$750 million under the GO Bond Act;
- \$191,905,000 under CIF;
- \$220 million under HEFT;
- \$55 million under HETI; and
- \$100 million under ELF.

This Solicitation consists of Seven Parts. Part I provides general information and guidance. Parts II-VI describes each of the Programs. Part VII sets forth the requirements for the Application.

## **1.2 OVERVIEW OF THE PROGRAMS**

This Solicitation (the “Solicitation”) is seeking applications for grants under the Programs for this Spring 2013 Cycle. Funding shall be made available under the Programs. Proposed Rules (the “Proposed Rules”) implementing the Programs were published in the New Jersey Register on January 22, 2013 and are currently available at <http://www.state.nj.us/highereducation/>.

### **1.2.1 THE BUILDING OUR FUTURE BOND ACT (P.L. 2012, c.41 - Proposed Rules N.J.A.C. 9A:18)**

- Purpose is to increase capacity at New Jersey’s institutions of higher education by authorizing the State to issue a maximum of \$750 million in general obligation bonds to provide grants to institutions for Projects to construct and equip academic facilities.
- Auxiliary facilities are not eligible for grant funding.
- All four-year public institutions of higher education, all county colleges and private nonprofit institutions of higher education authorized to grant degrees, organized under the New Jersey nonprofit corporation law and having an endowment valued at less than \$1 billion are eligible for this Program.
- Maximum amount available is \$750 million allocated by sector as follows:
  - \$300,000,000 for the public research universities;
  - \$247,500,000 for the State colleges and universities;
  - \$150,000,000 for county colleges; and
  - \$52,500,000 for eligible private nonprofit institutions.
- Institutions must provide matching funds equal to 25 percent of the cost of the project. If an institution fails to pay the matching funds, the Secretary may terminate the grant agreement.
- Funding of approved grants is dependent upon the issuance of bonds by the State of New Jersey.

### **1.2.2 State-Supported Bond Programs**

Under the four State-supported bond programs listed below, grants are funded by bonds issued through the NJEFA on which debt service is paid by the State Treasurer pursuant to a contract between the Authority and the Treasurer, subject to annual appropriation by the Legislature where appropriate. The statutes authorizing each of these Programs set forth a maximum principal amount of bonds that may be outstanding at any one time. As bonds are paid off, new capacity is made available. The amount of grant funding available under these State-supported bond programs is limited to the amount of new capacity available and is listed below. Funding of approved grants under any of the State-supported bond Programs is dependent on the issuance of bonds by the NJEFA at the direction of the Treasurer of the State of New Jersey.

A. HIGHER EDUCATION CAPITAL IMPROVEMENT FUND (N.J.S.A. 18A:72A-72 et seq. - Proposed Rules N.J.A.C. 9A:12 et seq.)

- Purpose is to provide grants for the cost of renewal, renovation, improvement, expansion, construction and reconstruction of facilities and technology infrastructure. The following are the authorized uses:
  - Existing renewal or renovation needs at instructional, laboratory, communication, research and administrative facilities. Existing renewal and renovation needs are defined as those needs necessary to address deferred capital maintenance, to meet all State and federal health, safety, fire and building code standards, or to provide a safe and appropriate educational or working environment.
  - Up to 20 percent of a grant may be used for renewal and renovation or improvement, expansion, construction and reconstruction within student resident halls, student dining facilities, student activity centers, and student health centers.
  - Funds may be used for improvement, expansion, construction and reconstruction of instructional, laboratory, communication and research facilities, or technology infrastructure provided that:
    1. The institution establishes that all renewal and renovation is completed or is accounted for through other funding sources;
    2. The institution is granted an exemption by the Secretary for purposes of maximizing Federal grant fund recoveries; or
    3. The institution proposes to replace a building where the projected renewal and renovation exceed the projected cost of replacement.

- Four-year public and private nonprofit institutions of higher education that are eligible to receive State aid may apply for grants. County colleges are not eligible.
- Maximum principal amount of bonds authorized under CIF is \$550 million; maximum funding available for new grants is \$191,905,000.
- A public institution must pay one-third of debt service on bonds issued to finance its projects; a private nonprofit institution must pay one-half of debt service on bonds issued to finance its projects.
- If an institution fails to pay its obligations when due, the State may retain an amount necessary to satisfy the deficiency from State appropriations for that institution.

B. HIGHER EDUCATION FACILITIES TRUST FUND (N.J.S.A. 18A:72A-49 et seq. - Proposed Rules N.J.A.C. 9A:15 et seq.)

- Purpose is to make grants for construction, reconstruction, development, extension and improvement of instructional, laboratory, communication, and research facilities.
- Public or private nonprofit institutions that are eligible to receive State aid may apply for a grant.
- Maximum principal amount of bonds under HEFT is \$220,000,000; maximum funding available for new grants is \$220,000,000.
- No institutional match or contribution to debt service is required.

C. HIGHER EDUCATION TECHNOLOGY INFRASTRUCTURE FUND (N.J.S.A.18A:72A-59 et seq. - Proposed Rules N.J.A.C. 9A:13 et seq.)

- Purpose is to develop technology infrastructure within and among New Jersey's institutions of higher education. Funds may also be used to enhance the connectivity of higher education institutions to libraries and elementary schools.
- Maximum principal amount of bonds under HETI is \$55,000,000; maximum funding available for new grants is \$55,000,000.

- Public or private nonprofit institutions of higher education that are eligible to receive State aid may apply for a grant.
- Institutions must provide a matching amount at least equal to the amount of the grant.
- If an institution fails to satisfy its matching obligation, the Treasurer may retain an amount from appropriations for the institution sufficient to satisfy the deficiency for that institution.

D. HIGHER EDUCATION EQUIPMENT LEASING FUND (N.J.S.A.18A:72A-40 et seq. - Proposed Rules N.J.A.C. 9A:14 et seq.)

- Purpose is to finance purchase of equipment for lease to public and private nonprofit institutions of higher education.
- Maximum principal amount of bonds under ELF is \$100,000,000; maximum funding available for new grants is \$100,000,000.
- Institutions are required to pay 25 percent of debt service on the bonds issued to purchase equipment for the institution.
- If an institution fails to pay its obligations when due, the State may retain an amount necessary to satisfy the deficiency from State appropriations, if any, for that institution.

### **1.3. APPLICATION PROCESS AND TIMELINE – SPRING 2013 CYCLE**

- 1.3.1 An institution which wishes to obtain funding for a project (the “Project”) under one or more of the Programs described above must submit a grant application (the “Application”).
- 1.3.2 The Secretary will host a Technical Assistance Session (“TAS”) for the Application process on February 8, 2013. The workshop will be held at the Mildred & Ernest E. Mayo Concert Hall at The College of New Jersey. Check-in will begin at 1:30 p.m., and the Session will run from 2:00 p.m. until 4:00 p.m. Preregistration by email at [RSVP@NJFEA.com](mailto:RSVP@NJFEA.com) is required. Attendance at the Session will be limited to five members of the administrative staffs of New Jersey’s colleges and universities and their associations. Attendance is optional.
- 1.3.3 The Secretary will host a webinar with respect to the Solicitation on February 19, 2013, if sufficient interest is shown. Register for the webinar by emailing [RSVP@NJFEA.com](mailto:RSVP@NJFEA.com) no later than February 12, 2013. Further details will be sent to those who RSVP by such date, providing details for accessing the webinar or in the case that there is not sufficient interest, notification that there will not be a webinar.

- 1.3.4 The Secretary will gather the questions raised at the TAS and at the webinar, if held. In addition, questions regarding the Application process may be submitted via email, on or before February 21, 2013, to the following email address: [QandA@NJFEFA.com](mailto:QandA@NJFEFA.com). **Phone calls/faxes will not be accepted.** Questions that are timely submitted may be answered in one or more posts on the NJFEFA website at [www.NJFEFA.com](http://www.NJFEFA.com). Questions and Answers posted on the website are referred to herein as the “Question and Answer Documentation.” In addition to responses to questions, one or more Addenda to this Solicitation may be posted on the NJFEFA’s website at the following address: [www.NJFEFA.com](http://www.NJFEFA.com).

There are no designated dates for release of Addenda or posting of Solicitation Question and Answer Documentation on the NJFEFA’s website, provided however, that the final date for posting of such shall be no later than February 25, 2013. Interested parties should check the NJFEFA’s website frequently, from the date that this Solicitation is issued. It is the sole responsibility of Applicants to be familiar with and review the Question and Answer Documentation and all Addenda related to this Solicitation prior to submission of an Application by an institution. Institutions must acknowledge that they are familiar with and have reviewed all Solicitation Question and Answer Documentation and Addenda posted before an Application is submitted. Executed acknowledgements substantially in the forms attached hereto as Appendix H (Question and Answer Certification) and Appendix I (Addenda Certification) must be submitted with the Application.

- 1.3.5 Applications for the Spring 2013 Cycle may be submitted beginning March 1, 2013, and **must** be received both in hard copy at the Secretary’s Office and via email on or before 3:00 p.m. March 25, 2013, (the “Submission Deadline”) for consideration in this cycle. Applications submitted before March 11, 2013, will be reviewed for completeness and will be provided the opportunity to submit a completed application consistent with the rules of this Solicitation by the Submission Deadline.
- 1.3.6 The Secretary will not accept or evaluate for funding consideration during the Spring 2013 Cycle any Application received after 3:00 p.m. March 25, 2013, and an institution will lose the opportunity to be considered eligible for an award during the Spring 2013 Cycle if the Application is received after that date, is missing required information or if the requisite number of copies are not submitted in the manner set forth in this Solicitation.
- 1.3.7 Communications with representatives of the State by the institution or the institution’s representatives concerning this Solicitation are not permitted during the term of the submission and evaluation process, except as specified above.

## **1.4 SUBMISSION OF APPLICATIONS**

- 1.4.1 One (1) original, six (6) copies and one (1) electronic copy (CD, DVD or flash drive) of the Application must be submitted to:

Mailing Address:

The Secretary of Higher Education  
P.O. Box 542  
Trenton, NJ 08625  
Attention: Rochelle Hendricks  
Subject: Higher Education Capital Facilities Programs Application

Delivery Address:

The Secretary of Higher Education  
20 West State Street, 4<sup>th</sup> Floor  
Trenton, NJ 08625-0542

In addition, one (1) additional electronic copy must be emailed to [JLamarsh@NJEFA.com](mailto:JLamarsh@NJEFA.com), no later than 3:00 p.m., EST, on March 25, 2013.

- 1.4.2 One (and only one) Application should be submitted for each Project for which an institution is applying for grant funding. If the institution is applying for grants from multiple Programs for such Project, the appropriate documentation and information requested for each specific Program requested in Part VII must be provided in the Application. Separate Applications should be submitted for any additional Projects for which the institution is applying for grant funding. All Applications must comply with the following formatting requirements:

- Each page of the application must include the name of the applicant.
- Each page of the application must be labeled with a page number and reference to the section of this Solicitation to which it is responding.
- All narrative portions must be typed in Times New Roman 12 point font and double spaced. However, any appendices, tables, figures, footnotes and/or endnotes may be single spaced.
- The State will not duplicate any portion of the application, including missing pages or documents. The applicant is to ensure that the submission includes the requisite number of copies and that every copy of a submitted Application is complete.
- Applications must be received by the Submission Deadline in order to be considered. Proof of mailing will not be accepted. If the Application is mailed, please call the NJEFA at (609) 987-0880 to confirm receipt prior to



the Submission Deadline. If the application is delivered via courier, a signed receipt should be requested upon delivery.

- 1.4.3 Institutions may withdraw their Applications at any time prior to the final filing date and time, as indicated above, by written notification signed by an authorized agent of the institution. Applications may thereafter be resubmitted, but only up to the final filing date and time.
- 1.4.4 The institution assumes the sole responsibility for the complete effort required to submit an Application. The State is not responsible for any expenses in the preparation and/or presentation of the Applications or for the disclosure of any information or material submitted in connection with the Application, whether by negligence or otherwise. No special consideration shall be given after the Applications are opened because of an institution's failure to be knowledgeable about all requirements of this Solicitation, except for those Applications submitted prior to March 11, 2013, and reviewed for completeness as set forth in Section 1.3.5. By submitting an Application in response to this Solicitation, the institution represents that it has satisfied itself, from its own investigation of all of the requirements of this Solicitation.
- 1.4.5 All Applications will be subject to disclosure, including but not limited to, a request pursuant to the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1, et seq., the New Jersey Open Public Meetings Act ("OPMA"), N.J.S.A. 10:4-6, et seq., and common law right to know. If an applicant believes that information contained in its Application merits confidential treatment pursuant to OPRA, OPMA and/or common law right to know, any such purportedly confidential information submitted in an Application may be specifically identified and marked by the applicant. Notwithstanding any such designation, the State reserves the right in its sole discretion to disclose all of the Application.
- 1.4.6 The Secretary reserves the right to request additional information or clarification if necessary, or to reject all Applications with or without cause, and waive any irregularities or informalities in the Applications submitted. The Secretary further reserves the right, in her sole and absolute discretion, to make such investigations as she deems necessary as to the qualifications of any institutions submitting Applications. In the event that all Applications are rejected, the Secretary reserves the right to re-solicit Applications through an additional cycle of grant funding.

## **1.5 APPLICATION REVIEW AND EVALUATION PROCESS**

- 1.5.1 Each Application will be reviewed by the Secretary for completeness. If the Application is incomplete, it will be rejected for the Spring 2013 Cycle, except for those Applications submitted prior to March 11, 2013, and reviewed for completeness as set forth in Section 1.3.5.

- 1.5.2 Each Application will be reviewed to determine if the institution and Project meet the requirements for the specific Program or Programs for which it is applying. If the institution and/or the Project do not meet all eligibility requirements, the Application will be rejected for the Spring 2013 Cycle.
- 1.5.3 Applications that are complete and that meet the eligibility criteria will be reviewed by a review committee consisting of representatives from the Office of the Secretary, the NJEFA, the New Jersey Schools Development Authority (“NJSDA”) and the New Jersey Economic Development Authority (“NJEDA”), (collectively, the “Review Committee”). In addition, an external advisor with technical expertise in evaluating grant applications will provide technical assistance to the Review Committee.
- 1.5.4 Applications that are complete and that meet the eligibility criteria will be scored pursuant to the selection criteria set forth in Parts II through VI below.
- 1.5.5 The Review Committee will make its recommendations to the Secretary on the approval, disapproval, or in the instance of an application that contains severable components, approval in part and disapproval in part of each Application and the amount of funding to be provided to the Project covered by such Application under the various Programs.
- 1.5.6 After consideration of the Review Committee recommendations, and upon the adoption of the final Rules for the Programs by the Secretary, the Secretary shall, via written certification (the “Certification”), approve, disapprove, or in the instance of an application that contains severable components, approve in part and disapprove in part an Application and the amount of funding under the applicable Program(s). The Secretary may approve project funding sources from different than those specified by an institution in its Application. Additionally, the Secretary has the discretion to approve funding amounts that are different than those provided by the institution in its Application, upon verification from the institution that it will be able to move forward with a project or severable components of a project at the altered funding level.
- 1.5.7 The Certification does not guarantee funding of the Project. Each Program has its own Legislative review process that is summarized in Parts II through VI as applicable.
- 1.5.8 The awarding of the grants is subject to the applicable Legislative review process, appropriation by the Legislature, if required, for the particular grant, and issuance of bonds by the State (for the GO Bond Act) and by the EFA (for the State-supported Bond Acts) .

## **Part II – BUILDING OUR FUTURE BOND ACT ELIGIBILITY, SELECTION CRITERIA AND AWARD PROCESS**

### **2.1 ELIGIBILITY**

To be eligible to receive a grant pursuant to the GO Bond Act, the Application must demonstrate:

- A. The institution is a public or private nonprofit institution of higher education.

A public institution of higher education is defined as: Rutgers, the State University of New Jersey, the State colleges and universities established pursuant to chapter 64 of Title 18A of the New Jersey Statutes, the New Jersey Institute of Technology, the county colleges, and any other public university or college now or hereinafter established or authorized by law.

A private nonprofit institution of higher education is defined as: institutions of higher education organized as nonprofit corporations under N.J.S.A. 15A:1-1, et seq. with an endowment less than \$1,000,000,000 and acting under the authority of and licensed by the State to confer degrees pursuant to N.J.S.A. 18A-68-1 et seq.

- B. The Project is a “Project” as defined in the GO Bond Act;

Project is defined as: the establishment and construction of higher education buildings and the expansion and construction of additional facilities at, and the acquisition and installation of additional and upgraded equipment for, existing higher education buildings for the purpose of increasing academic capacity, which shall include, but not be limited to, classrooms, laboratories, libraries, computer facilities, and other academic buildings and all property appurtenant thereto, but shall not include dormitories, administrative buildings, athletic facilities or other revenue-producing facilities.

- C. The costs to be funded by the grant are “Costs” as defined in the GO Bond Act;

Costs are defined as: the expenses incurred in connection with the acquisition by purchase, lease or otherwise, the development, and the construction of any Project authorized by the bond act; the acquisition by purchase, lease, or otherwise, and the development of any real or personal property for use in connection with a Project authorized by the GO Bond Act, including any rights of interest therein; the execution of any agreements and franchises deemed by the Secretary to be necessary or

useful and convenient in connection with any Project; the procurement or provision of engineering, architectural design, surveying, inspection, planning, legal, financial, or other professional services, estimates, studies, reports or advice, including the services of a bond registrar or an authenticating agent, and feasibility studies; the issuance of bonds, or any interest or discount thereon; the administrative, organizational, operating or other expenses incident to the financing and completing of any Project authorized by this act; establishment of a reserve fund or funds for working capital, operating, maintenance, or replacement expenses and for the payment or security of principal and the interest on bonds, as the Director of the Division of Budget and Accounting in the Department of Treasury may determine; and reimbursement to any fund of the State of moneys which may have been transferred or advanced therefrom to any fund created by the bond act, or of any moneys which may have been expended therefrom for, or in connection with any Project authorized by the bond act.

- D. The Project is “construction ready”;

Construction ready is defined as: the extent to which the planning and design work have been completed and construction is able to begin, and the degree to which a Project shall be completed expeditiously once begun. An evaluation of whether a Project is construction ready shall include the status of the design work, Project site readiness, zoning and permitting approvals, as well as the anticipated timeframe during which the Project will be completed and the pacing of related construction.

- E. A commitment to provide matching funds to support 25 percent of the Project;

Matching Funds are defined as: funds that are allocated by the institution for a specific Project for which grant funds are used, which are equal to 25 percent of the total cost of such Project and which are generated from institutional sources, other grants, institutional borrowings, or other sources as permitted in the grant approval process. Notwithstanding anything herein to the contrary, grants from State of New Jersey sources may not be used to satisfy the matching requirement.

- F. A commitment to use the grant for the purposes described above; and

- G. A commitment, by resolution of the institution’s governing board, to operate and maintain the Project funded by the grant.

## **2.2 SELECTION CRITERIA**

Applications shall be reviewed and evaluated as set forth in Section 1.5 above to determine which Applications are the most qualified to receive funding in the Spring 2013 Cycle. As discussed in Section 1.2.2 above, there are four sector allocations for funding under the GO Bond Act. Applications will be reviewed and compared with each other within each sector pursuant to the following criteria:

1. the advancement of student education in the State of New Jersey;
2. the improvement and expansion of educational opportunities for students;
3. the promotion of academic research excellence, workforce readiness and the enhancement of the State's academic and economic competitiveness and prosperity by assisting in the production of a highly skilled workforce;
4. the promotion of innovation and improvement in the delivery of higher education;
5. the advancement of study at all levels in science, technology, engineering and mathematics education;
6. consistency with the institution's educational mission;
7. consistency with the institution's long-range facilities plan;
8. the cost-effectiveness of the Project;
9. consistency of the Project with the State's goals and priorities for development and redevelopment, including the promotion of industry clusters, job and business opportunities in areas designated by the State for growth, transportation choice and efficient mobility of goods and people, and promotion of access to opportunity for all New Jersey residents;
10. the demonstrated commitment of the institution over the past ten years to appropriate maintenance of facilities previously funded by State of New Jersey grant programs; and
11. serving the best interests of higher education in the State as a whole.

## **2.3 AWARD PROCESS**

- 2.3.1 The Secretary shall prepare a list of Projects that have been approved for funding as set forth under Section 1.5 above. This list shall be presented to the presiding officers of each House of the Legislature on a date that both Houses are in session. If the Legislature does not disapprove the list of projects by the

adoption of a concurrent resolution within sixty (60) days of receipt of the list of approved projects, the grants will be deemed to be authorized.

- 2.3.2 Any Project on the list approved by the Legislature must receive a specific appropriation.
- 2.3.3 Funding for such appropriations shall be made through the issuance by the State of New Jersey of general obligation bonds authorized under the GO Bond Act. Funding of approved grants is contingent upon the issuance of such bonds and upon the execution of a grant agreement with the Secretary that will set forth the terms and conditions for funding. Continued compliance with the grant agreement shall be required to ensure continued funding of the grant.

## **Part III – HIGHER EDUCATION CAPITAL IMPROVEMENT FUND ELIGIBILITY, SELECTION CRITERIA AND AWARD PROCESS**

### **3.1 ELIGIBILITY**

To be eligible to receive a grant under the CIF, the Application must demonstrate:

- A. The institution is a public or private nonprofit **four-year** institution of higher education that is eligible to receive State aid.

A public institution of higher education is defined as: Rutgers, The State University, the State colleges, the New Jersey Institute of Technology and any other public university or college now or hereafter established or authorized by law.

A private nonprofit institution of higher education is a four year independent college or university incorporated and located in New Jersey, which by virtue of law or character or license, is a nonprofit educational institution authorized to grant academic degrees and which provides a level of education which is equivalent to the education provided by the State's public institutions of higher education as attested by the receipt of and continuation of regional accreditation by the Middle States Association of Colleges and Schools, and which is eligible to receive State aid.

- B. The Project is the renewal, renovation, improvement, expansion, construction and reconstruction of facilities and technology infrastructure as follows:
1. For existing renewal or renovations needs at instructional, laboratory, communication, research and administrative facilities.
  2. Up to 20 percent of a grant within student resident halls, student dining facilities, student activity centers, and student health centers for renewal and renovation or improvement, expansion, construction and reconstruction.
  3. For improvement, expansion, construction, and reconstruction of instructional, laboratory, communication and research facilities, or technology infrastructure provided that:
    - i. The institution establishes that all renewal and renovation is completed or is accounted for through other funding sources;
    - ii. The institution is granted an exemption by the Secretary for purposes of maximizing Federal grant fund recoveries; or

- iii. The institution proposes to replace a building where the projected renewal and renovation exceed the projected cost of replacement.
- C. If the institution is a public institution, commit to paying one-third of the debt service on the bonds issued to fund the grant.
- D. If the institution is a private nonprofit institution, commit to paying one-half of the debt service on the bonds issued to fund the grant.
- E. Commit, by resolution of the governing board, to use the grant for the purposes set forth above and to operate and maintain the Project funded by the grant.

### **3.2 SELECTION CRITERIA**

Applications shall be reviewed and evaluated as set forth in Section 1.5 above, to determine which Applications are the most qualified to receive funding in this Spring 2013 Cycle pursuant to the following criteria:

1. the advancement of student education in the State of New Jersey;
2. the improvement and expansion of educational opportunities for students;
3. the promotion of academic research excellence, workforce readiness and the enhancement of the State's academic and economic competitiveness and prosperity by assisting in the production of a highly skilled workforce;
4. the promotion of innovation and improvement in the delivery of higher education;
5. the advancement of study at all levels in science, technology, engineering and mathematics education;
6. consistency with the institution's educational mission;
7. consistency with the institution's long-range facilities plan;
8. the cost-effectiveness of the Project;
9. the degree to which the Project is construction ready;
10. consistency of the Project with the State's goals and priorities for development and redevelopment, including the promotion of industry clusters, job and business opportunities in areas designated by the State for



growth, transportation choice and efficient mobility of goods and people, and promotion of access to opportunity for all New Jersey residents;

11. the demonstrated commitment of the institution over the past ten years to appropriate maintenance of facilities previously funded by State of New Jersey grant programs; and
12. serving the best interests of higher education in the State as a whole.

### **3.3 AWARD PROCESS**

- 3.3.1 The Secretary shall submit to the Legislature a copy of the Certification for approved projects as described in Section 1.5 above. If the Legislature does not disapprove the grant within forty-five (45) days of receipt, the grant shall be deemed to be authorized.
- 3.3.2 Funding for approved grants shall be made through the issuance by the NJEFA of bonds under CIF. Funding of approved grants is contingent upon the issuance of such bonds and upon the execution of a grant agreement with the NJEFA that will set forth the terms and conditions for funding, which will include, among other terms the requirement that the institution enter into a contract or contracts to construct the Project within one (1) year of the date on which grant funds are made available. Continued compliance with the grant agreement shall be required to ensure continued funding of the grant.

## **Part IV – HIGHER EDUCATION FACILITIES TRUST FUND ELIGIBILITY, SELECTION CRITERIA AND AWARD PROCESS**

### **4.1 ELIGIBILITY**

To be eligible to receive a grant under the HEFT, the Application must demonstrate:

- A. The institution is a public or private nonprofit institution of higher education that is eligible to receive State aid.

A public institution of higher education is defined as: Rutgers, The State University, the State colleges, the New Jersey Institute of Technology, the county colleges and any other public university or college now or hereafter established or authorized by law.

A private nonprofit institution of higher education is an independent college or university incorporated and located in New Jersey, which by virtue of law or character or license, is a nonprofit educational institution authorized to grant academic degrees and which provide a level of education which is equivalent to the education provided by the State's public institutions of higher education as attested by the receipt of and continuation of regional accreditation by the Middle States Association of Colleges and Schools, and which are eligible to receive State aid.

- B. The Project consists of the construction, reconstruction, development, extension, or improvement of instructional, laboratory, communication and research facilities.
- C. Commit, by resolution of the institution's governing board, to operate and maintain the Project funded by the grant.

### **4.2 SELECTION CRITERIA**

Applications shall be reviewed and evaluated as set forth in Section 1.5 above to determine which Applications are the most qualified to receive funding in this Spring 2013 Cycle. Applications will be reviewed and compared with each other pursuant to the following criteria :

1. the advancement of student education in the State of New Jersey;
2. the improvement and expansion of educational opportunities for students;

3. the promotion of academic research excellence, workforce readiness and the enhancement of the State's academic and economic competitiveness and prosperity by assisting in the production of a highly skilled workforce;
4. the promotion of innovation and improvement in the delivery of higher education;
5. the advancement of study at all levels in science, technology, engineering and mathematics education;
6. consistency with the institution's educational mission;
7. consistency with the institution's long-range facilities plan;
8. the cost-effectiveness of the Project;
9. the degree to which the Project is construction ready;
10. consistency of the Project with the State's goals and priorities for development and redevelopment, including the promotion of industry clusters, job and business opportunities in areas designated by the State for growth, transportation choice and efficient mobility of goods and people, and promotion of access to opportunity for all New Jersey residents;
11. the demonstrated commitment of the institution over the past ten years to appropriate maintenance of facilities previously funded by State of New Jersey grant programs; and
12. serving the best interests of higher education in the State as a whole.

### **4.3 AWARD PROCESS**

- 4.3.1 The Secretary shall submit to the Legislature a copy of the Certification for approved projects as described in Section 1.5 above. If the Legislature does not disapprove the grant within sixty (60) days of receipt, the grant shall be deemed to be authorized.
- 4.3.2 Funding for approved grants shall be made through the issuance by the NJEFA of bonds under HEFT. Funding of approved grants is contingent upon the issuance of such bonds and upon the execution of a grant agreement with the NJEFA which will set forth the terms and conditions for funding, which will include, among other terms the requirement that the institution enter into a contract or contracts to construct the Project within one (1) year of the date on which grant funds are made available. Continued compliance with the grant agreement shall be required to ensure continued funding of the grant.

## **Part V – HIGHER EDUCATION TECHNOLOGY INFRASTRUCTURE FUND ELIGIBILITY, SELECTION CRITERIA AND AWARD PROCESS**

### **5.1 ELIGIBILITY**

To be eligible to receive a grant under the HETI, the Application must demonstrate:

- A. The institution is a public or private nonprofit institution of higher education that is eligible to receive State aid.

A public institution of higher education is defined as: Rutgers, The State University, the State colleges, the New Jersey Institute of Technology, the county colleges and any other public university or college now or hereafter established or authorized by law.

A private nonprofit institution of higher education is an independent college or university incorporated and located in New Jersey, that by virtue of law or character or license, is a nonprofit educational institution authorized to grant academic degrees and that provides a level of education that is equivalent to the education provided by the State's public institutions of higher education as attested by the receipt of and continuation of regional accreditation by the Middle States Association of Colleges and Schools, and which is eligible to receive State aid.

- B. The Project consists of technology infrastructure.

Technology Infrastructure means video, voice, and data telecommunications equipment and linkages with a life expectancy of at least 10 years, including transport services and network interconnections, as well as future developments in multimedia equipment and linkages. Only computer software that is part of the operating or data base management systems is considered part of technology infrastructure for the purpose of the Act; application software, for purposes such as word processing, spreadsheets, desktop publishing, and email, does not qualify as technology infrastructure.

- C. The Project will advance the institution toward the next level in establishing integrated voice, video and data networks.
- D. The Project will enhance interinstitutional or intrainstitutional connectivity and information technology as it relates to advancing the instructional, research, or service/economic development missions of the institution.

- E. The interinstitutional networking enhancements are compatible with the recommended technology infrastructure for New Jersey higher education.
- F. The institution will address training, staffing and other indirect costs related to the Project.
- G. Commit to provide matching funds equal to the amount of the grant requested. "Matching Funds" are defined as: funds equal to or greater than the HETI grant, and which are generated from institutional sources, other grants, institutional borrowings, or other sources as permitted in the grant approval process. Notwithstanding anything herein to the contrary, grants from State of New Jersey sources may not be used to satisfy the matching requirement.
- H. Commit, by resolution of the institution's governing board, to maintain the Project funded by the grant.

## **5.2 SELECTION CRITERIA**

Applications shall be reviewed and evaluated as set forth in Section 1.5 above to determine which Applications are the most qualified to receive funding in this Spring 2013 Cycle. Applications will be reviewed and compared with each other pursuant to the following criteria:

1. the advancement of student education in the State of New Jersey;
2. the improvement and expansion of educational opportunities for students;
3. the promotion of academic research excellence, workforce readiness and the enhancement of the State's academic and economic competitiveness and prosperity by assisting in the production of a highly skilled workforce;
4. the promotion of innovation and improvement in the delivery of higher education;
5. the advancement of study at all levels in science, technology, engineering and mathematics education;
6. consistency with the institution's educational mission;
7. consistency with the institution's long-range facilities plan for technology;
8. the cost-effectiveness of the proposed infrastructure Project;

9. consistency of the proposed infrastructure Project with the State's goals and priorities for development and redevelopment, including the promotion of industry clusters, job and business opportunities in areas designated by the State for growth, transportation choice and efficient mobility of goods and people, and promotion of access to opportunity for all New Jersey residents; and
10. serving the best interests of higher education in the State as a whole.

### **5.3 AWARD PROCESS**

- 5.3.1 The Secretary shall forward to the NJEFA the Certification for each Project approved together with the Application. The NJEFA shall submit a copy of the proposed grant agreement to the Joint Budget Oversight Committee for review. The Joint Budget Oversight Committee shall approve or disapprove each agreement within ten (10) days of receipt or the grant agreement shall be deemed approved by the Joint Budget Oversight Committee.
- 5.3.2 Funding for approved grants is contingent upon the issuance of bonds by the NJEFA and upon the execution of a grant agreement with the NJEFA that will set forth the terms and conditions for funding, which will include, among other terms, the requirement that the institution enter into a contract or contracts to complete the Project within one (1) year of the date on which grant funds are made available. Continued compliance with the grant agreement shall be required to ensure continued funding of the grant.

## **Part VI – HIGHER EDUCATION EQUIPMENT LEASING FUND ELIGIBILITY, SELECTION CRITERIA AND AWARD PROCESS**

### **6.1 ELIGIBILITY**

To be eligible to lease equipment pursuant to the ELF, the Application must demonstrate:

- A. The institution is a public or private nonprofit institution of higher education that is eligible to receive State aid.

A public institution of higher education is defined as: Rutgers, The State University, the State colleges, the New Jersey Institute of Technology, the county colleges and any other public university or college now or hereafter established or authorized by law.

A private nonprofit institution of higher education is an independent college or university incorporated and located in New Jersey, which by virtue of law or character or license, is a nonprofit educational institution authorized to grant academic degrees and which provides a level of education which is equivalent to the education provided by the State's public institutions of higher education as attested by the receipt of and continuation of regional accreditation by the Middle States Association of Colleges and Schools, and which is eligible to receive State aid.

- B. The funds will be used to purchase Equipment, which will be held in the name of the NJEFA and leased to the institution.

Equipment is defined as: any property consisting of, or relating to, scientific, engineering, technical, computer, communications or instructional equipment for use by institutions.

- C. Commit to paying 25 percent of the debt service on the bonds issued to fund the equipment purchase.
- D. No grant shall be for an amount totaling less than \$500,000, unless the submission of a request for a smaller amount has been authorized by the Secretary.

### **6.2 SELECTION CRITERIA**

Applications shall be reviewed and evaluated as set forth in Section 1.5 above to determine what Applications are the most qualified to receive funding in this Spring 2013 Cycle. Applications will be reviewed and compared with each other pursuant to the following selection criteria:

1. the advancement of student education in the State of New Jersey;
2. the improvement and expansion of educational opportunities for students;
3. the promotion of academic research excellence, workforce readiness and the enhancement of the State's academic and economic competitiveness and prosperity by assisting in the production of a highly skilled workforce;
4. the promotion of innovation and improvement in the delivery of higher education;
5. the advancement of study at all levels in science, technology, engineering and mathematics education;
6. consistency with the institution's educational mission;
7. the cost-effectiveness of the proposed infrastructure Project;
8. consistency of the proposed infrastructure Project with the State's goals and priorities for development and redevelopment, including the promotion of industry clusters, job and business opportunities in areas designated by the State for growth, transportation choice and efficient mobility of goods and people, and promotion of access to opportunity for all New Jersey residents; and
9. serving the best interests of higher education in the State as a whole.

### **6.3 AWARD PROCESS**

- 6.3.1 The Secretary shall forward to the NJEFA a Certification for each Project that has been approved together with a copy of the Application.
- 6.3.2 The funding of the Project shall not occur until the issuance of bonds by the NJEFA for that purpose and the entering into a lease agreement with the EFA for the Equipment, which shall set forth the terms and conditions upon which the Equipment will be leased to the institution.



## Part VII - GRANT APPLICATION CONTENT

### 7.1 GENERAL INSTRUCTIONS

- 7.1.1 An institution may apply for funding under each of the Programs for which the Project or portion of the Project is eligible if the institution is eligible for funding under the particular Program and the Project is eligible for funding under the particular Program. One Application should be submitted for each Project. The institution must submit only one Application for a Project and such Application must indicate from which of the five Programs listed above the institution is seeking funding. **An Application may request funding under one or more of the five Programs and must specify the amount of funding requested under each of the Programs.** In no event shall the amount requested from all Programs exceed the financial need of the Project.
- 7.1.2 All Applications must include all documents and information set forth in Section 7.2 – “Grant Application Requirements for All Programs,” as well as those requested in Sections 7.3 through 7.7 relevant to each specific grant Program from which funding is being sought.
- 7.1.3 Any Application that fails to provide all required documents and information will not be considered for a grant for the Spring 2013 Cycle, except for those Applications submitted prior to March 11, 2013, and reviewed for completeness as set forth in Section 1.3.5.

### 7.2 GRANT APPLICATION REQUIREMENTS FOR ALL PROGRAMS

- 7.2.1 Applications for funds from any or all of the Programs must include the following materials and information (please label responses to correspond to the numbering used in this Application):
1. A **cover page**, the form of which is attached as Appendix A to this Solicitation. Please submit only one cover page for each Application regardless of the number of Programs for which the Application is applying.
  2. A **completed checklist**, the form of which is attached as Appendix B to this Solicitation. Please note that the checklist applies to all five Grant Programs so that only one completed checklist is required for each Application.
  3. A maximum **four-page summary** describing the Project and each Program for which the Application is applying. This summary should specify the amount of funding sought from each Program for which the Application is applying.

4. A copy of the institution's governing board's resolution approving the Application and committing to support the operating costs of and maintenance requirements for the Project.
5. A detailed description of the Project, including:
  - a. any design information related to the Project, including, but not limited to, conceptual site plans, elevations and schematics for construction projects;
  - b. the institution's general project development/construction/acquisition/installation budget (as the case may be) including a detail of costs for each component of the Project and the sources of revenue, including the requested grant funding, to be used for such costs;
  - c. if there are incremental operating costs to the institution, the institution's project operating budgets and identification of the sources of revenue, including the requested grant funding, to be used for such costs; and
  - d. the estimated useful life of the Project and each of its components.
6. Identification of the academic and/or research programs to be served by the Project and a description of how the Project enhances the academic capacity of the institution. If the Project is associated with a particular program of the institution, please provide operating budget(s) for the program to the extent that there are incremental costs to the institution associated with the Project or the program.
7. An executed Question and Answer Documentation Certification in the form attached as Appendix H and an executed Addenda Certification in the form attached as Appendix I.

### **7.3 GRANT APPLICATION REQUIREMENTS FOR BUILDING OUR FUTURE BOND ACT GRANTS**

7.3.1 An institution applying for a grant pursuant to the GO Bond Act must, in addition to the requirements of Section 7.2, include the materials and information listed in Section 7.3.2 below. Please label responses to correspond to the numbering used in this Solicitation.

7.3.2 To apply for a GO Bond Act grant, an institution's Application must provide:

1. Information that establishes the degree to which a Project is “construction ready” as defined and described in Section 2.1 including (please label each section accordingly):
  - a. Status of land acquisition necessary for Project development.
  - b. A description of key site and environmental risk factors that could affect construction readiness, including, but not limited to:

Status of demolition on site.

    - (i) Past usage of site.
    - (ii) Environmental issues such as the status of Preliminary Assessment/Site Investigation; a Remedial Action Work Plan; property restrictions; land use conflicts, including wetlands and/or endangered species; and historical preservation requirements.
    - (iii) Costs of any necessary environmental remediation.
    - (iv) Site readiness concerns including utilities impacts; drainage concerns; offsite improvements; geo-technical concerns; ground water concerns; foundation concerns; and any third party concerns.
    - (v) Any pending or, to the respondent’s knowledge, threatened litigation relating to the undertaking, construction or operation of the Project.
  - c. Status of design and/or construction documents.
  - d. Estimated timing for acquisition of site plan approvals and building permits.
  - e. An estimated Project development schedule including key milestones and estimate pre-construction/construction draws by month for the entire project development period.
2. Information that documents the cost-effectiveness with which the Project meets the identified academic need, including (please label each section accordingly):

- a. All cost data for the Project including Project cost/square foot and estimated cost per student utilizing the proposed facility (by headcount and FTE).
  - b. The ratio of program space to the gross square footage of the building.
  - c. A discussion of whether alternate and/or more efficient approaches to addressing the academic need have been considered.
3. A copy of the institution's long-range facilities plan and the resolution of its board approving said plan. In lieu of the plan, submit a certification indicating previous submittal of such plan to the Secretary and the date on which it was provided.
  4. A detailed listing and discussion of other institutional facilities that have been funded by State of New Jersey grant programs and the status of maintenance of such facilities over the past ten years.
  5. Identification of the source(s) of funding for the institution's required matching funds. If the source of funding for an institution will be funds other than funds currently on hand, please provide detailed documentation of the source of such funding (e.g., a grant/gift letter, a bank commitment letter, etc.). **Please note the definition of "matching funds" set forth in Section 2.1 (E).**
  6. A detailed list of any costs incurred for which reimbursement is sought or that could count toward any applicable matching requirements and the dates on which those costs were incurred.
  7. A narrative describing how the Project satisfies each of the Selection Criteria for the Program identified in Section 2.2. The narrative should include subsection headings that correspond to each selection criteria and should be as specific as possible. To support the narrative, an Application may cross reference other materials that are being submitted.
  8. An executed Certification in the form attached hereto as Appendix C.

#### **7.4 GRANT APPLICATION REQUIREMENTS FOR HIGHER EDUCATION CAPITAL IMPROVEMENT FUND GRANTS**

- 7.4.1 An institution applying for a grant pursuant to CIF must, in addition to the requirements of Section 7.2, include the materials and information listed in Section 7.4.2 below. Please label responses to correspond to the numbering used in this Solicitation. If the Application has applied for funding from the GO Bond Act Program and the Application has already provided responses to Questions 1 through 4 in Section 7.3.2 above, the Application may respond to Questions 1

through 4 below by indicating that it has previously responded to the corresponding items in Section 7.3.2.

7.4.2 To apply for a CIF grant, an institution's Application must provide:

1. Information which documents the degree to that a Project is construction ready as defined and described in Section 2.1. This information should include, as applicable (please label each section accordingly):
  - a. Status of land acquisition necessary for Project development.
  - b. A description of key site and environmental risk factors that could affect construction readiness, including, but not limited to:
    - (i) Status of demolition on site.
    - (ii) Past usage of site.
    - (iii) Environmental issues such as the status of Preliminary Assessment/Site Investigation; a Remedial Action Work Plan; property restrictions; land use conflicts, including wetlands and/or endangered species; and historical preservation requirements.
    - (iv) Costs of any necessary environmental remediation.
    - (v) Site readiness concerns including utilities impacts; drainage concerns; offsite improvements; geo-technical concerns; ground water concerns; foundation concerns; and any third party concerns.
    - (vi) Any pending or, to the respondent's knowledge, threatened litigation relating to the undertaking, construction or operation of the Project.
  - c. Status of design and/or construction documents.
  - d. Estimated timing for acquisition of site plan approvals and building permits.
  - e. An estimated Project development schedule including key milestones and estimate pre-construction/construction draws by month for the entire project development period.

2. Information that documents the cost-effectiveness with which the Project meets the identified academic need, including (please label each section accordingly):
  - a. All cost data for the Project including Project cost/square foot and estimated cost per student utilizing the proposed facility (by headcount and FTE).
  - b. The ratio of program space to the gross square footage of the building.
  - c. A discussion of whether alternate and more efficient approaches to addressing the academic need have been considered.
3. A copy of the institution's long-range facilities plan and the resolution of the board approving said plan. In lieu of the plan, submit a certification indicating previous submittal of such plan to the Secretary and the date on which it was provided.
4. A detailed listing and discussion of institutional facilities that have been funded by State of New Jersey grant programs and the status of maintenance of such facilities over the past ten years.
5. An acknowledgement by an institution of its obligation to pay one-half (by private nonprofit institutions) or one-third (by public institutions) of allocable debt service on NJEFA Bonds issued to fund the Program and a description of the source(s) of funding for the institution's required share of debt service. If the source of funding for an institution will be funds other than funds currently on hand, please provide detailed documentation of the source of such funding (e.g., a grant/gift letter, a bank commitment letter, etc.).
6. A detailed list of any costs incurred for which reimbursement is sought or that could count toward any applicable matching requirements and the dates on which those costs were incurred.
7. A detailed description of any renewal and renovation to be undertaken pursuant to the Project and a detailed description of how the Project will advance the goals of the long range facilities plan and addresses the institution's estimated need for renewal and renovation.
8. If a portion of the CIF grant will be used within student resident halls, student dining facilities, student activity centers, or student health centers for renewal and renovation or improvement, expansion, construction and reconstruction, please provide budget and cost information that establishes that no more than 20 percent of the CIF grant will be used for such purpose;

9. If the Project includes improvement, expansion, construction, and reconstruction of instructional, laboratory, communication and research facilities, or technology infrastructure, the institution must provide evidence that:
  - a. All renewal and renovation at the institution is completed or is accounted for through other funding sources;
  - b. The institution proposes to replace a building where the projected renewal and renovation costs exceed the projected cost of replacement;  
or
  - c. Such use will maximize federal grant fund recoveries and the institution is requesting the Secretary to grant an exemption allowing such use of the CIF grant.
10. A narrative describing how the Project satisfies each of the Selection Criteria for the Program identified in Section 3.2. The narrative should include subsection headings that correspond to each selection criteria and should be as specific as possible. To support the narrative, an Application may cross reference other materials that are being submitted. To the extent the Application seeks funding under other Programs and the Selection Criteria overlap to any degree, the Application may refer to the narrative provided for the other Program and add support for any additional criteria in this portion of the Application.
11. An executed Certification in the form attached as Appendix D.

## **7.5 GRANT APPLICATION REQUIREMENTS FOR HIGHER EDUCATION FACILITIES TRUST FUND GRANTS**

- 7.5.1 An institution applying for a grant pursuant to HEFT must, in addition to the requirements of Section 7.2, include the materials and information listed in Section 7.5.2 below. The Application should label responses to correspond to the numbering used in this Solicitation. If the Application has already provided responses to Questions 1 through 4 in Section 7.3.2 or 7.4.3 above, the Application may respond to Questions 1 through 4 in Section 7.5.2 below by so indicating.
- 7.5.2 To apply for a HEFT grant, an institution's Application must provide:
  1. Information that documents the degree to which a Project is construction ready. This information should include, as applicable (please label each section accordingly):

- a. Status of land acquisition necessary for Project development.
  - b. A description of key site and environmental risk factors that could affect construction readiness, including, but not limited to:
    - (i) Status of demolition on site.
    - (ii) Past usage of site.
    - (iii) Environmental issues such as the status of Preliminary Assessment/Site Investigation; a Remedial Action Work Plan; property restrictions; land use conflicts, including wetlands and/or endangered species; and historical preservation requirements.
    - (iv) Costs of any necessary environmental remediation.
    - (v) Site readiness concerns including utilities impacts; drainage concerns; offsite improvements; geo-technical concerns; ground water concerns; foundation concerns; and any third party concerns.
    - (vi) Any pending or, to the respondent's knowledge, threatened litigation relating to the undertaking, construction or operation of the Project.
  - c. Status of design and/or construction documents.
  - d. Estimated timing for acquisition of site plan approvals and building permits.
  - e. An estimated Project development schedule including key milestones and estimate pre-construction/construction draws by month for the entire project development period.
2. Information that documents the cost-effectiveness with which the Project meets the identified academic need, including (please label each section accordingly):
- a. All cost data for the Project including Project cost/square foot and estimated cost per student utilizing the proposed facility (by headcount and FTE).
  - b. The ratio of program space to the gross square footage of the building.



- c. A discussion of whether alternate and more efficient approaches to addressing the academic need have been considered.
3. A copy of the institution's long-range facilities plan and the resolution of the board approving said plan. In lieu of the plan, submit a certification indicating previous submittal of such plan to the Secretary and the date on which it was provided.
  4. A detailed listing and discussion of institutional facilities that have been funded by State of New Jersey grant programs and the status of maintenance of such facilities over the past ten years.
  5. A detailed list of any costs incurred for which reimbursement is sought or that could count toward any applicable matching requirements and the dates on which those costs were incurred.
  6. A narrative describing how the Project satisfies each of the Selection Criteria for the Program identified in Section 4.2. The narrative should include subsection headings that correspond to each selection criteria and should be as specific as possible. To support the narrative, an Application may cross reference other materials that are being submitted. To the extent the Application seeks funding under other Programs and the Selection Criteria overlap to any degree, the Application may refer to the narrative provided for the other Program and add support for any additional criteria in this portion of the Application.
  7. An executed Certification in the form attached as Appendix E.

**7.6 GRANT APPLICATION REQUIREMENTS FOR HIGHER EDUCATION TECHNOLOGY INFRASTRUCTURE FUND GRANTS**

7.6.1 An institution applying for a grant pursuant to HETI must, in addition to the requirements of Section 7.2, include the materials and information listed in Section 7.6.2 below. Please label responses to correspond to the numbering used in this Solicitation. If the Application has already provided responses to Questions 1 through 4 in Section 7.3.2 , 7.4.2 or 7.5.2 above, the Application may respond to Questions 1 through 4 in Section 7.6.2 below by so indicating.

7.6.2 To apply for a HETI grant, an institution's Application must provide:

1. Information that documents the estimated schedule for acquisition and installation of the Project.
2. Information that documents the cost-effectiveness with which the Project meets the identified academic need, including:

- a. All cost data for the Project including an itemization of the proposed expenditure of the grant and matching funds, including all telecommunications equipment and linkages, transport services, network interconnections, and associated expenditures, with associated costs. Associated expenditures may only be included up to an amount equal to 10 percent of the institution's matching funds.
  - b. A discussion of whether alternate and more efficient approaches to addressing the academic need have been considered.
3. A copy of the institution's long-range facilities plan for technology and a description of how the Project enhances interinstitutional or intrainstitutional connectivity and information technology as these relate to advancing the instructional, research or service/economic development missions of the institution
4. A description of how the Project advances the institution toward the next level of establishing integrated voice, video and data networks for the institution.
5. A description of how the interinstitutional networking enhancements are compatible with the technology infrastructure plan for New Jersey higher education originally established.
6. Acknowledgement of the requirement for the institution to provide funds in an amount equal to 100 percent of the grant and identification of all revenue source(s) for funding the proposed Project, including specific sources of revenue for matching funds. If the source of funding for an institution will be funds other than funds currently on hand, please provide detailed documentation of the source of such funding (e.g., a grant/gift letter, a bank commitment letter, etc.). **Please note the definition of matching funds set forth in Section 5.1 (G).**
7. A narrative describing how the Project satisfies each of the Selection Criteria for the Program identified in Section 5.2. The narrative should include subsection headings that correspond to each selection criteria and should be as specific as possible. To support the narrative, an Application may cross reference other materials that are being submitted. To the extent the Application seeks funding under other Programs and the Selection Criteria overlap to any degree, the Application may refer to the narrative provided for the other Program and add support for any additional criteria in this portion of the Application.
8. An executed Certification in the form attached as Appendix F.

## **7.7 GRANT APPLICATION REQUIREMENTS FOR HIGHER EDUCATION EQUIPMENT LEASING FUND GRANTS**

7.7.1 An institution applying for a grant pursuant to ELF must, in addition to the requirements of Section 7.2, include the materials and information listed in Section 7.6.2 below. Please label responses to correspond to the numbering used in this Application.

7.7.2 To apply for an ELF grant, an institution's Application must provide:

1. A complete description of the proposed equipment purchase, including the type of equipment and number of units to be purchased (the "ELF Project"), the estimated cost of the equipment and the useful life of the equipment.
2. An estimated schedule of acquisition and installation of the equipment.
3. A description of how the proposed purchase relates to the current institutional mission and plans.
4. A description of the process used to generate the application for approval of the proposed purchase.
5. Information that documents the cost-effectiveness with which the Project meets the identified academic need, including a discussion of whether alternate and more efficient approaches to addressing the academic need have been considered.
6. An acknowledgement of the obligation to contribute to 25 percent of debt service on NJEFA bonds issued to fund the ELF grant a description of the source(s) of funding for the institution's required share of debt service. If the source of funding for an institution will be funds other than funds currently on hand, please provide detailed documentation of the source of such funding (e.g., a grant/gift letter, a bank commitment letter, etc.).
7. A narrative describing how the Project satisfies each of the Selection Criteria for the Program identified in Section 6.2 under "Selection Criteria." The narrative should include subsection headings that correspond to each selection criteria. The narrative should as specific as possible, especially with respect to selection criteria 2, 4, 5, 6, 9, and 10. To support the narrative, the Application may cross reference other materials that are being submitted. To the extent the Application has applied for funding under other Programs and the Selection Criteria overlap to any degree, the Application may refer to the narrative provided for the other Program and add support for any additional criteria in this portion of the Application.

8. An executed Certification in the form attached as Appendix G

**APPENDIX A**  
**COVER PAGE**

Name of Institution: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Included herein is an Application for a Project that seeks funding from the following grant programs in the amounts indicated below:

\$\_\_\_\_\_ Building Our Future Bond Act

\$\_\_\_\_\_ Higher Education Capital Improvement Fund

\$\_\_\_\_\_ Higher Education Facilities Trust Fund

\$\_\_\_\_\_ Higher Education Technology Infrastructure Fund

\$\_\_\_\_\_ Higher Education Equipment Leasing Fund

\$\_\_\_\_\_ TOTAL AMOUNT OF GRANT REQUESTED FOR PROJECT

**APPENDIX B**

**CHECKLIST**

	<b>Bond Act</b>	<b>CIF</b>	<b>HEFT</b>	<b>HETI</b>	<b>ELF</b>
<b>All Programs:</b>					
Checklist (Appendix B)					
2 Page Summary					
Institution Resolution					
Project Description					
Programs to be Served					
Q&A Documentation Cert					
Addenda Cert					
<b>Program Specific:</b>					
Construction Ready				N/A	N/A
Cost Effective (Different for Each Program)					
Long Range Facilities Plan				N/A	N/A
Long Range Technology Plan	N/A	N/A	N/A		N/A
State Funded Facilities & Maintenance				N/A	N/A
Narrative re: Selection Criteria (Different for Each Program)					
Source of Matching Funds		N/A	N/A		N/A
Source of Debt Service Match	N/A		N/A	N/A	
Reimbursement					
How Addressed Needs of LRP		N/A	N/A	N/A	N/A
How Increases Capacity & Direct Benefit to Students		N/A	N/A	N/A	N/A
Description of Renewal & Renovation & How Advances LRP	N/A		N/A	N/A	N/A
If Support Facilities, Demonstrate No More than 20%	N/A		N/A	N/A	N/A
If Not Renewal & Renovation, Evidence of 7.4.2 #9 (a),(b) or (c)	N/A		N/A	N/A	N/A
Schedule for Acquisition of Equipment	N/A	N/A	N/A		
How Enhances Interinstitutional Interconnectivity	N/A	N/A	N/A		N/A
How Advances to Next Level of Technology Integration	N/A	N/A	N/A		N/A
How Compatible with State Technology Plan	N/A	N/A	N/A		N/A
How Relates to Mission & Plan			N/A	N/A	

Process to Generate Application	N/A	N/A	N.A	N/A	
<b>Program Specific Certifications:</b>					
Certificate C		N/A	N/A	N/A	N/A
Certificate D	N/A		N/A	N/A	N/A
Certificate E	N/A	N/A		N/A	N/A
Certificate F	N/A	N/A	N/A		N/A
Certificate G	N/A	N/A	N/A	N/A	

## APPENDIX C

### **EXAMPLE OF BUILDING OUR FUTURE BOND ACT CERTIFICATION**

*Although the Application relates to one Project, an institution may apply for funding from one or more Programs for each Project. This certification is drafted on the assumption that funding for the entire Project is requested from the GO Bond Act. If funding is requested from multiple Programs, multiple certifications may be submitted.*

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the Institution duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding pursuant to the Building Our Future Bond Act, P.L. 2012, c. 41 (the “GO Bond Act”) for the Project described in the Application.
3. The Project and the Institution satisfy the eligibility requirements for funding pursuant to the GO Bond Act. [Private nonprofit institutions please add – The Institution is a nonprofit incorporated under N.J.S.A. 15A:1-1, et seq. with an endowment less than \$1,000,000,000 and is acting under the authority of and licensed by the State to confer degrees pursuant to N.J.S.A. 18A-68-1 et seq.]
4. The Institution acknowledges and agrees that it is obligated to contribute matching funds to the cost of the Project and is authorized by the Resolution duly adopted by the governing body of the Institution dated \_\_\_\_\_ and submitted with the Application (the “Resolution”) to provide matching funds from the sources described in the Application in the amount of 25 percent of the costs of the Project (the “Matching Funds”).
5. The Institution has or will have the Matching Funds as required by the GO Bond Act.
6. The Institution acknowledges and agrees that it is obligated to maintain the Project and is authorized by the Resolution to fulfill this obligation.
7. The information provided in the Application regarding the Institution, the Project and the cost and uses thereof, and the benefit to and the effect of the Project on, the Institution, its students and the State of New Jersey is correct and complete.



8. The Project and the construction, operation and maintenance thereof will, at all times comply with all applicable State and federal laws, regulations, codes, statutes, and government guidelines, including the principles of affirmative action and equal employment opportunity where applicable.

[Institution]

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By:  
Name:  
Title:

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Date

## APPENDIX D

### **EXAMPLE OF HIGHER EDUCATION CAPITAL IMPROVEMENT FUND CERTIFICATION**

*Although the Application relates to one Project, an institution may apply for funding from one or more Programs for each Project. This certification is drafted on the assumption that funding for the entire Project is requested from CIF. If funding is requested from multiple Programs, multiple certifications may be submitted.*

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the “Institution” duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding pursuant to the Higher Education Capital Improvement Fund Act, N.J.S.A 18A: 72A-72 et seq. (“CIF”) for the Project described in the Application.
3. The Project and the Institution satisfy the eligibility requirements for funding pursuant to CIF. [Private nonprofit institutions please add – The Institution is a four-year independent college or university incorporated and located in New Jersey, which is a nonprofit educational institution authorized to grant academic degrees and is accredited by the Middle States Association of Colleges and Schools and which is eligible to receive State aid.]
4. The Institution acknowledges and agrees that it will be obligated to pay the portion of the debt service on bonds issued by the New Jersey Educational Facilities Authority to fund a grant approved for [a public institution] [a private nonprofit institution] pursuant to CIF (the “Debt Service Contribution”) and is authorized by the Resolution duly adopted by the governing body of the Institution dated \_\_\_\_\_ and submitted with the Application (the “Resolution”) to satisfy such obligation.
5. The Institution will use the sources specified in the Application to satisfy its obligations to pay the Debt Service Contribution.
6. The Institution acknowledges and agrees that it is obligated to maintain the Project and is authorized by the Resolution to fulfill this obligation.
7. The information provided in the Application regarding the Institution, the Project and the cost and uses thereof, and the benefit to and the effect of the

Project on, the Institution, its students and the State of New Jersey is correct and complete.

8. The Project and the construction, operation and maintenance thereof will, at all times comply with all State and federal laws, regulations, codes, statutes, and government guidelines, including the principles of affirmative action and equal employment opportunity where applicable.

[Institution]

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By:  
Name:  
Title:

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Date

**APPENDIX E**

**EXAMPLE OF HIGHER EDUCATION FACILITIES TRUST FUND  
CERTIFICATION**

*Although the Application relates to one Project, an institution may apply for funding from one or more Programs for each Project. This certification is drafted on the assumption that funding for the entire Project is requested from HEFT. If funding is requested from multiple Programs, multiple certifications may be submitted.*

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the Institution duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding pursuant to the Higher Education Facilities Trust Fund Act, N.J.S.A 18A: 72A-49 et seq. (“HEFT”) for the Project described in the Application.
3. The Project and the Institution satisfy the eligibility requirements for funding pursuant to HEFT.
4. The Institution acknowledges and agrees that it is obligated to maintain the Project and is authorized by the Resolution duly adopted by the governing body of the Institution dated \_\_\_\_\_ and submitted with the Application (the “Resolution”) to fulfill this obligation.
5. The information provided in the Application regarding the Institution, the Project and the cost and uses thereof, and the benefit to and the effect of the Project on, the Institution, its students and the State of New Jersey is correct and complete.
6. The Project and the construction, operation and maintenance thereof will, at all times comply with all State and federal laws, regulations, codes, statutes, and government guidelines, including the principles of affirmative action and equal employment opportunity where applicable.

[Institution]

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By:  
Name:  
Title:

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Date

## APPENDIX F

### **EXAMPLE OF HIGHER EDUCATION TECHNOLOGY INFRASTRUCTURE ACT CERTIFICATION**

*Although the Application relates to one Project, an institution may apply for funding from one or more Programs for each Project. This certification is drafted on the assumption that funding for the entire Project is requested from HETI. If funding is requested from multiple Programs, multiple certifications may be submitted.*

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the Institution duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding pursuant to the Higher Education Technology Infrastructure Act, N.J.S.A. 18S: 72A-59 et seq. (“HETI”) for the Project described in the Application.
3. The Project and the Institution satisfy the eligibility requirements for funding pursuant to HETI.
4. The Institution acknowledges and agrees that it is obligated to contribute matching funds to the cost of the Project and is authorized by the Resolution duly adopted by the governing body of the Institution dated \_\_\_\_\_ and submitted with the Application (the “Resolution”) to provide matching funds from the sources described in the Application in an amount equal to 100 percent of the amount of the grant (the “Matching Funds”).
5. The Institution has or will have the Matching Funds as required by HETI.
6. The Institution acknowledges and agrees that it is obligated to maintain the Project and is authorized by the Resolution to fulfill this obligation.
7. The Institution will use the HETI grant to advance the institution toward the next level in establishing integrated voice, video and data networks.
8. The Institution will use the HETI grant to enhance interinstitutional or intrainstitutional connectivity and information technology as it relates to advancing the instructional, research, or service/economic development missions of the institution.

9. The information provided in the Application regarding the Institution, the Project and the cost and uses thereof, and the benefit to and the effect of the Project on, the Institution, its students and the State of New Jersey is correct and complete.
  
10. The Project and the construction, operation and maintenance thereof will, at all times comply with all State and federal laws, regulations, codes, statutes, and government guidelines, including the principles of affirmative action and equal employment opportunity where applicable.

[Institution]

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By:  
Name:  
Title:

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Date

## APPENDIX G

### **EXAMPLE OF HIGHER EDUCATION EQUIPMENT LEASING FUND CERTIFICATION**

*Although the Application relates to one Project, an institution may apply for funding from one or more Programs for each Project. This certification is drafted on the assumption that funding for the entire Project is requested from ELF. If funding is requested from multiple Programs, multiple certifications may be submitted.*

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the “Institution” duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding pursuant to the Higher Education Equipment Leasing Fund Act, N.J.S.A 18A: 72A-40 et seq. (“ELF”) for the Project described in the Application.
3. The Project and the Institution satisfy the eligibility requirements for funding pursuant to ELF
4. The Institution acknowledges and agrees that it will be obligated to pay 25 percent of the debt service on bonds issued by the New Jersey Educational Facilities Authority to fund a grant approved for [a public institution] [a private nonprofit institution] pursuant to ELF (the “Debt Service Contribution”) and is authorized by the Resolution duly adopted by the governing body of the Institution dated \_\_\_\_\_ and submitted with the Application (the “Resolution”) to satisfy such obligation.
5. The Institution will use the sources specified in the Application to satisfy its obligations to pay the Debt Service Contribution.
6. The Institution acknowledges and agrees that it is obligated to maintain the Project and is authorized by the Resolution to fulfill this obligation.
7. The information provided in the Application regarding the Institution, the Project and the cost and uses thereof, and the benefit to and the effect of the Project on, the Institution, its students and the State of New Jersey is correct and complete.
8. The Project and the construction, operation and maintenance thereof will, at all times comply with all State and federal laws, regulations, codes, statutes,

and government guidelines, including the principles of affirmative action and equal employment opportunity where applicable.

[Institution]

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By:  
Name:  
Title:

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Date



**APPENDIX H**

**CERTIFICATION RELATING TO QUESTIONS AND ANSWERS**

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the Institution duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding from one or more of the five New Jersey Higher Education Capital Funding Grant Programs (the “Programs”) to which the Application relates.
3. As of the date of this Application, the Institution has reviewed and understands the posted questions and answers and has taken such questions and answers into account in completing and submitting the Application.

[Institution]

\_\_\_\_\_  
By:  
Name:  
Title:

\_\_\_\_\_  
Date

**APPENDIX I**

**CERTIFICATION RELATING TO ADDENDA**

The undersigned officer of [insert institution] (the “Institution”) hereby certifies the following:

1. I am an officer of the Institution duly authorized to make this Certification and to submit to the Secretary of Higher Education, the Application dated \_\_\_\_\_, 2013 (the “Application”) to which this Certification is attached.
2. The Application requests funding from one or more of the five New Jersey Higher Education Capital Funding Grant Programs (the “Programs”) to which the Application relates.
3. As of the date of this Application, the Institution understands that Addenda to this Solicitation may be posted by the Secretary. The Institution has reviewed any Addenda, if any have been posted by the Secretary, and has taken such Addenda into account in completing and submitting the Application.

[Institution]

\_\_\_\_\_  
By:  
Name:  
Title:

\_\_\_\_\_  
Date