

**American Association of University Professors
at the New York Institute of Technology, Inc.**

P.O. Box 321 - Greenvale, NY 11548-0321
Phone: (516) 626-6340 Fax: (516) 626-6341

October 11, 2005

Dr. Edward Guiliano, President
New York Institute of Technology
Old Westbury, NY 11568

Re: AAUP-NYIT Collective Bargaining Agreement (CBA), 2002-2007

Dear Dr. Guiliano:

We are writing to confirm our agreement with respect to the ability of our members to withdraw accumulated funds in their TIAA-CREF investment retirement accounts.

The current contract language in Article IX.16.g. (page 15, lines 10-13) reads as follows:

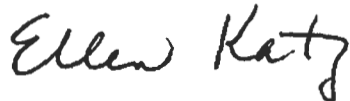
"NYIT shall allow members to withdraw accumulated money in a TIAA/CREF account, in accordance with NYIT and TIAA/CREF policies, if they retire or leave NYIT. In addition, cash withdrawals shall be available before separation from service for participants **of age 70-1/2 or older** to the extent permitted by law." (Emphasis added)

We have agreed that the phrase "of age 70-1/2 or older" in the last sentence of the above paragraph (shown in bold face text) should be replaced by the phrase "of age 65 or older," effective immediately.

Please sign on the signature line indicated below to reflect your consent to these terms.

Thank you for your cooperation.

Yours truly,



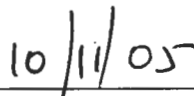
Ellen Katz
President, Manhattan Chapter



Yael Roitberg
President, Old Westbury/Central Islip Chapter



Edward Guiliano



Date