

Form 990

Return of Organization Exempt From Income Tax

OMB No 1545-0047

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

2005

Open to Public Inspection

The organization may have to use a copy of this return to satisfy state reporting requirements

A For the 2005 calendar year, or tax year beginning 09-01-2005 and ending 08-31-2006

- B Check if applicable: Address change, Name change, Initial return, Final return, Amended return, Application pending

Please use IRS label or print or type. See Specific Instructions.

C Name of organization: NEW YORK INSTITUTE OF TECHNOLOGY
Number and street (or P.O. box if mail is not delivered to street address): Northern Blvd Gerry House Rm 200
City or town, state or country, and ZIP + 4: Old Westbury, NY 11568

D Employer identification number: 11-1788788

E Telephone number: (516) 886-7533

F Accounting method: [ ] Cash [x] Accrual [ ] Other (specify)

Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

G Web site: N/A

J Organization type (check only one): [x] 501(c)(3) (insert no) [ ] 4947(a)(1) or [ ] 527

K Check here [ ] if the organization's gross receipts are normally not more than \$25,000. The organization need not file a return with the IRS, but if the organization received a Form 990 Package in the mail, it should file a return without financial data. Some states require a complete return.

L Gross receipts Add lines 6b, 8b, 9b, and 10b to line 12: 208,982,980

H and I are not applicable to section 527 organizations

H(a) Is this a group return for affiliates? [ ] Yes [x] No

H(b) If "Yes" enter number of affiliates

H(c) Are all affiliates included? [ ] Yes [ ] No (If "No," attach a list. See instructions.)

H(d) Is this a separate return filed by an organization covered by a group ruling? [ ] Yes [x] No

I Group Exemption Number

M Check [ ] if the organization is not required to attach Sch B (Form 990, 990-EZ, or 990-PF)

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See the instructions.)

Table with columns for Revenue, Expenses, and Net Assets. Rows include: 1 Contributions, gifts, grants, and similar amounts received; 2 Program service revenue including government fees and contracts; 3 Membership dues and assessments; 4 Interest on savings and temporary cash investments; 5 Dividends and interest from securities; 6a Gross rents; 6b Less rental expenses; 6c Net rental income or (loss); 7 Other investment income; 8a Gross amount from sales of assets; 8b Less cost or other basis and sales expenses; 8c Gain or (loss); 8d Net gain or (loss); 9 Special events and activities; 9a Gross revenue; 9b Less direct expenses; 9c Net income or (loss); 10a Gross sales of inventory; 10b Less cost of goods sold; 10c Gross profit or (loss); 11 Other revenue; 12 Total revenue; 13 Program services; 14 Management and general; 15 Fundraising; 16 Payments to affiliates; 17 Total expenses; 18 Excess or (deficit) for the year; 19 Net assets or fund balances at beginning of year; 20 Other changes in net assets or fund balances; 21 Net assets or fund balances at end of year.

**Part II Statement of Functional Expenses**

All organizations must complete column (A) Columns (B), (C), and (D) are required for section 501(c)(3) and (4) organizations and section 4947(a)(1) nonexempt charitable trusts but optional for others (See the instructions)

| <i>Do not include amounts reported on line 6b, 8b, 9b, 10b, or 16 of Part I.</i> |   | (A) Total             | (B) Program services | (C) Management and general | (D) Fundraising |
|--|---|-----------------------|----------------------|----------------------------|-----------------|
| <b>22</b>  | Grants and allocations (attach schedule) <input checked="" type="checkbox"/><br>(cash \$ <u>22,862,533</u> noncash \$ <u>0</u> )<br>If this amount includes foreign grants, check here <input type="checkbox"/> | <b>22</b> 22,862,533  | 22,862,533           |                            |                 |
| <b>23</b>  | Specific assistance to individuals (attach schedule)  | <b>23</b>             |                      |                            |                 |
| <b>24</b>  | Benefits paid to or for members (attach schedule)   | <b>24</b>             |                      |                            |                 |
| <b>25</b>  | Compensation of officers, directors, etc . . . . .  | <b>25</b> 903,725     | 867,576              | 36,149                     |                 |
| <b>26</b>  | Other salaries and wages . . . . .  | <b>26</b> 61,948,536  | 59,111,293           | 2,465,552                  | 371,691         |
| <b>27</b>  | Pension plan contributions . . . . .  | <b>27</b> 3,288,579   | 3,127,028            | 130,293                    | 31,258          |
| <b>28</b>  | Other employee benefits . . . . .   | <b>28</b> 14,497,057  | 13,894,537           | 578,942                    | 23,578          |
| <b>29</b>  | Payroll taxes . . . . .   | <b>29</b> 5,357,153   | 5,142,865            | 214,288                    |                 |
| <b>30</b>  | Professional fundraising fees . . . . .   | <b>30</b>             |                      |                            |                 |
| <b>31</b>  | Accounting fees . . . . .   | <b>31</b> 241,223     | 231,574              | 9,649                      |                 |
| <b>32</b>  | Legal fees . . . . .  | <b>32</b> 661,954     | 635,770              | 26,184                     |                 |
| <b>33</b>  | Supplies . . . . .  | <b>33</b> 2,898,415   | 2,782,191            | 115,925                    | 299             |
| <b>34</b>  | Telephone . . . . .   | <b>34</b> 730,360     | 701,147              | 29,213                     |                 |
| <b>35</b>  | Postage and shipping . . . . .  | <b>35</b> 798,677     | 747,151              | 31,132                     | 20,394          |
| <b>36</b>  | Occupancy . . . . .   | <b>36</b> 13,588,291  | 13,044,759           | 543,532                    |                 |
| <b>37</b>  | Equipment rental and maintenance . . . . .  | <b>37</b> 2,600,158   | 2,496,149            | 104,009                    |                 |
| <b>38</b>  | Printing and publications . . . . .   | <b>38</b> 1,489,946   | 1,288,895            | 53,696                     | 147,355         |
| <b>39</b>  | Travel . . . . .  | <b>39</b> 2,148,692   | 1,939,448            | 80,810                     | 128,434         |
| <b>40</b>  | Conferences, conventions, and meetings . . . . .  | <b>40</b> 1,338,499   | 1,208,153            | 50,340                     | 80,006          |
| <b>41</b>  | Interest . . . . .  | <b>41</b> 3,785,558   | 3,641,964            | 143,594                    |                 |
| <b>42</b>  | Depreciation, depletion, etc (attach schedule)  | <b>42</b> 8,886,999   | 8,531,048            | 355,951                    |                 |
| <b>43</b>  | Other expenses not covered above (itemize)  |                       |                      |                            |                 |
| <b>a</b>   | INSURANCE   | <b>43a</b> 2,399,686  | 2,399,686            |                            |                 |
| <b>b</b>   | CONTRACT SERVICES   | <b>43b</b> 10,767,090 | 10,767,090           |                            |                 |
| <b>c</b>   | FOOD SERVICE  | <b>43c</b> 1,146,737  | 1,146,737            |                            |                 |
| <b>d</b>   | BAD DEBT  | <b>43d</b> 1,295,731  | 1,243,902            | 51,829                     |                 |
| <b>e</b>   | CONSULTING  | <b>43e</b> 1,091,574  | 1,047,911            | 43,663                     |                 |
| <b>f</b>   | ADJUSTMENT FOR FASB 143   | <b>43f</b> 10,312,183 | 9,898,664            | 413,519                    |                 |
| <b>g</b>   | OTHER EXPENSES  | <b>43g</b> 8,587,044  | 5,476,820            | 173,453                    | 2,936,771       |
| <b>44</b>  | <b>Total functional expenses.</b> Add lines 22 through 43 (Organizations completing columns (B)-(D), carry these totals to lines 13-15)   | <b>44</b> 183,626,400 | 174,234,891          | 5,651,723                  | 3,739,786       |

**Joint Costs.** Check  if you are following SOP 98-2

Are any joint costs from a combined educational campaign and fundraising solicitation reported in (B) Program services?  Yes  No

If "Yes," enter (i) the aggregate amount of these joint costs \$ \_\_\_\_\_, (ii) the amount allocated to Program services \$ \_\_\_\_\_, (iii) the amount allocated to Management and general \$ \_\_\_\_\_, and (iv) the amount allocated to Fundraising \$ \_\_\_\_\_

**Part III Statement of Program Service Accomplishments** (See the instructions.)

Form 990 is available for public inspection and, for some people, serves as the primary or sole source of information about a particular organization. How the public perceives an organization in such cases may be determined by the information presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Part III, the organization's programs and accomplishments.

| What is the organization's primary exempt purpose? ► Education<br><br>All organizations must describe their exempt purpose achievements in a clear and concise manner. State the number of clients served, publications issued, etc. Discuss achievements that are not measurable. (Section 501(c)(3) and (4) organizations and 4947(a)(1) nonexempt charitable trusts must also enter the amount of grants and allocations to others.) | <b>Program Service Expenses</b><br>(Required for 501(c)(3) and (4) orgs, and 4947(a)(1) trusts, but optional for others.) |
|---|---|
| <b>a</b> NYIT provides undergraduate, graduate, and doctoral instructions to a diverse student population. Approximately 12,713 students that attended the institution and 2000 graduated last year.<br><br>(Grants and allocations \$ ) If this amount includes foreign grants, check here ► <input type="checkbox"/>  | 168,557,425   |
| <b>b</b> The conference center provides training for students and our medical outreach centers provide training to students and needed medical services to the community.<br><br>(Grants and allocations \$ ) If this amount includes foreign grants, check here ► <input type="checkbox"/>   | 3,483,505   |
| <b>c</b> The institution performs research for Federal, State, and Local Government as well as research for large Corporations.<br><br>(Grants and allocations \$ ) If this amount includes foreign grants, check here ► <input type="checkbox"/>   | 2,193,961   |
| <b>d</b> _____<br>_____<br>(Grants and allocations \$ ) If this amount includes foreign grants, check here ► <input type="checkbox"/>   |   |
| <b>e</b> Other program services (attach schedule)<br>(Grants and allocations \$ ) If this amount includes foreign grants, check here ► <input type="checkbox"/>   |   |
| <b>f Total of Program Service Expenses</b> (should equal line 44, column (B), Program services) . . . . ►   | 174,234,891   |

**Part IV Balance Sheets** (See the instructions.)

**Note:** Where required, attached schedules and amounts within the description column should be for end-of-year amounts only.

|   |  | <b>(A)</b>  |             | <b>(B)</b>  |             |             |
|---|--|---|-------------|-------------|-------------|-------------|
|   |  | Beginning of year   |             | End of year |             |             |
| Assets  | <b>45</b> Cash—non-interest-bearing . . . . .  |   | 39,954,703  | <b>45</b>   | 53,440,401  |             |
|   | <b>46</b> Savings and temporary cash investments . . . . .   |   | 12,923,790  | <b>46</b>   | 15,742,922  |             |
|   | <b>47a</b> Accounts receivable . . . . .   | <b>47a</b>  | 43,600,381  |             |             |             |
|   | <b>b</b> Less allowance for doubtful accounts . . . . .  | <b>47b</b>  | 11,502,052  | 13,428,769  | <b>47c</b>  | 32,098,329  |
|   | <b>48a</b> Pledges receivable . . . . .  | <b>48a</b>  |             |             |             |             |
|   | <b>b</b> Less allowance for doubtful accounts . . . . .  | <b>48b</b>  |             |             | <b>48c</b>  |             |
|   | <b>49</b> Grants receivable . . . . .  |   | 1,527,268   | <b>49</b>   | 1,200,740   |             |
|   | <b>50</b> Receivables from officers, directors, trustees, and key employees (attach schedule) . . . . .  |   |             | <b>50</b>   |             |             |
|   | <b>51a</b> Other notes and loans receivable (attach schedule) . . . . .  | <b>51a</b>  |             |             |             |             |
|   | <b>b</b> Less allowance for doubtful accounts . . . . .  | <b>51b</b>  |             |             | <b>51c</b>  |             |
|   | <b>52</b> Inventories for sale or use . . . . .  |   |             |             | <b>52</b>   |             |
|   | <b>53</b> Prepaid expenses and deferred charges . . . . .  |   |             |             | <b>53</b>   |             |
|   | <b>54</b> Investments—securities (attach schedule) . . . . .   | <input type="checkbox"/> Cost <input checked="" type="checkbox"/> FMV |             | 44,276,481  | <b>54</b>   | 46,758,365  |
|   | <b>55a</b> Investments—land, buildings, and equipment basis . . . . .  | <b>55a</b>  | 49,906,000  |             |             |             |
|   | <b>b</b> Less accumulated depreciation (attach schedule) . . . . .   | <b>55b</b>  |             | 53,103,329  | <b>55c</b>  | 49,906,000  |
| <b>56</b> Investments—other (attach schedule) . . . . .                       |  |   |             | <b>56</b>   |             |             |
| <b>57a</b> Land, buildings, and equipment basis . . . . .                     | <b>57a</b>   | 172,571,853   |             |             |             |             |
| <b>b</b> Less accumulated depreciation (attach schedule) . . . . .            | <b>57b</b>   | 75,166,945  | 94,920,004  | <b>57c</b>  | 97,404,908  |             |
| <b>58</b> Other assets (describe <input type="checkbox"/> _____)              |  |   | 12,994,844  | <b>58</b>   | 12,397,333  |             |
| <b>59 Total assets</b> (must equal line 74) Add lines 45 through 58 . . . . . |  |   | 273,129,188 | <b>59</b>   | 308,948,998 |             |
| Liabilities   | <b>60</b> Accounts payable and accrued expenses . . . . .  |   | 20,691,458  | <b>60</b>   | 32,143,833  |             |
|   | <b>61</b> Grants payable . . . . .   |   |             | <b>61</b>   |             |             |
|   | <b>62</b> Deferred revenue . . . . .   |   | 39,155,210  | <b>62</b>   | 46,874,537  |             |
|   | <b>63</b> Loans from officers, directors, trustees, and key employees (attach schedule) . . . . .  |   |             |             | <b>63</b>   |             |
|   | <b>64a</b> Tax-exempt bond liabilities (attach schedule) . . . . .   |   | 72,919,506  | <b>64a</b>  | 72,308,658  |             |
|   | <b>b</b> Mortgages and other notes payable (attach schedule) . . . . .   |   | 31,450,000  | <b>64b</b>  | 29,500,000  |             |
|   | <b>65</b> Other liabilities (describe <input type="checkbox"/> _____)  |   | 56,613,446  | <b>65</b>   | 67,072,826  |             |
| <b>66 Total liabilities</b> Add lines 60 through 65 . . . . .                 |  |   | 220,829,620 | <b>66</b>   | 247,899,854 |             |
| Net Assets or Fund Balances   | <b>Organizations that follow SFAS 117, check here <input checked="" type="checkbox"/> and complete lines 67 through 69 and lines 73 and 74</b>                                     |   |             |             |             |             |
|   | <b>67</b> Unrestricted . . . . .   |   | 51,147,185  | <b>67</b>   | 60,360,536  |             |
|   | <b>68</b> Temporarily restricted . . . . .   |   | 923,657     | <b>68</b>   | 405,530     |             |
|   | <b>69</b> Permanently restricted . . . . .   |   | 228,726     | <b>69</b>   | 283,078     |             |
|   | <b>Organizations that do not follow SFAS 117, check here <input type="checkbox"/> and complete lines 70 through 74</b>   |   |             |             |             |             |
|   | <b>70</b> Capital stock, trust principal, or current funds . . . . .   |   |             |             | <b>70</b>   |             |
|   | <b>71</b> Paid-in or capital surplus, or land, building, and equipment fund . . . . .  |   |             |             | <b>71</b>   |             |
|   | <b>72</b> Retained earnings, endowment, accumulated income, or other funds . . . . .   |   |             |             | <b>72</b>   |             |
|   | <b>73 Total net assets or fund balances</b> (add lines 67 through 69 or lines 70 through 72, column (A) <b>must</b> equal line 19, column (B) <b>must</b> equal line 21) . . . . . |   |             | 52,299,568  | <b>73</b>   | 61,049,144  |
|   | <b>74 Total liabilities and net assets / fund balances</b> Add lines 66 and 73 . . . . .   |   |             | 273,129,188 | <b>74</b>   | 308,948,998 |

**Part IV-A Reconciliation of Revenue per Audited Financial Statements With Revenue per Return** (See the instructions.)

|          |  |           |             |
|----------|--|-----------|-------------|
| <b>a</b> | Total revenue, gains, and other support per audited financial statements . . . . . | <b>a</b>  | 163,686,167 |
| <b>b</b> | Amounts included on line <b>a</b> but not on line 12                               |           |             |
| <b>1</b> | Net unrealized gains on investments . . . . .                                      | <b>b1</b> | -40,369     |
| <b>2</b> | Donated services and use of facilities . . . . .                                   | <b>b2</b> |             |
| <b>3</b> | Recoveries of prior year grants . . . . .  | <b>b3</b> |             |
| <b>4</b> | Other (specify) <input type="checkbox"/>   | <b>b4</b> | -22,592,318 |
|          | Add lines <b>b1</b> through <b>b4</b> . . . . .                                    | <b>b</b>  | -22,632,687 |
| <b>c</b> | Subtract line <b>b</b> from line <b>a</b> . . . . .                                | <b>c</b>  | 186,318,854 |
| <b>d</b> | Amounts included on line 12, but not on line <b>a</b>                              |           |             |
| <b>1</b> | Investment expenses not included on line 6b . . . . .                              | <b>d1</b> |             |
| <b>2</b> | Other (specify) _____  | <b>d2</b> |             |
|          | Add lines <b>d1</b> and <b>d2</b> . . . . .  | <b>d</b>  | -22,632,687 |
| <b>e</b> | <b>Total revenue</b> (line 12) Add lines <b>c</b> and <b>d</b> . . . . .           | <b>e</b>  | 186,318,854 |

**Part IV-B Reconciliation of Expenses per Audited Financial Statements With Expenses per Return**

|          |   |           |             |
|----------|---|-----------|-------------|
| <b>a</b> | Total expenses and losses per audited financial statements . . . . .      | <b>a</b>  | 150,721,899 |
| <b>b</b> | Amounts included on line <b>a</b> but not on line 17                      |           |             |
| <b>1</b> | Donated services and use of facilities . . . . .                          | <b>b1</b> |             |
| <b>2</b> | Prior year adjustments reported on line 20 . . . . .                      | <b>b2</b> |             |
| <b>3</b> | Losses reported on line 20 . . . . .                                      | <b>b3</b> |             |
| <b>4</b> | Other (specify) <input type="checkbox"/>                                  | <b>b4</b> | -32,904,501 |
|          | Add lines <b>b1</b> through <b>b4</b> . . . . .                           | <b>b</b>  | -32,904,501 |
| <b>c</b> | Subtract line <b>b</b> from line <b>a</b> . . . . .                       | <b>c</b>  | 183,626,400 |
| <b>d</b> | Amounts included on line 17, but not on line <b>a</b> :                   |           |             |
| <b>1</b> | Investment expenses not included on line 6b . . . . .                     | <b>d1</b> |             |
| <b>2</b> | Other (specify) _____   | <b>d2</b> |             |
|          | Add lines <b>d1</b> and <b>d2</b> . . . . .                               | <b>d</b>  |             |
| <b>e</b> | <b>Total expenses</b> (line 17) Add lines <b>c</b> and <b>d</b> . . . . . | <b>e</b>  | 183,626,400 |

**Part V-A Current Officers, Directors, Trustees, and Key Employees** (List each person who was an officer, director, trustee, or key employee at any time during the year even if they were not compensated.) (See the instructions.)

| (A) Name and address      | (B) Title and average hours per week devoted to position | (C) Compensation (If not paid, enter -0-.) | (D) Contributions to employee benefit plans & deferred compensation plans | (E) Expense account and other allowances |
|---------------------------|--|--|---|--|
| See Additional Data Table |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |
|                           |  |  |   |  |

**Part V-A Current Officers, Directors, Trustees, and Key Employees (continued)** Yes No

**75a** Enter the total number of officers, directors, and trustees permitted to vote on organization business at board meetings . . . . . 15

**b** Are any officers, directors, trustees, or key employees listed in Form 990, Part V-A, or highest compensated employees listed in Schedule A, Part I, or highest compensated professional and other independent contractors listed in Schedule A, Part II-A or II-B, related to each other through family or business relationships? If "Yes," attach a statement that identifies the individuals and explains the relationship(s) . . . . . **75b** No

**c** Do any officers, directors, trustees, or key employees listed in Form 990, Part V-A, or highest compensated employees listed in Schedule A, Part I, or highest compensated professional and other independent contractors listed in Schedule A, Part II-A or II-B, receive compensation from any other organizations, whether tax exempt or taxable, that are related to this organization through common supervision or common control? **75c** No

**Note.** Related organizations include section 509(a)(3) supporting organizations  
If "Yes," attach a statement that identifies the individuals, explains the relationship between this organization and the other organization(s), and describes the compensation arrangements, including amounts paid to each individual by each related organization

**d** Does the organization have a written conflict of interest policy? . . . . . **75d** Yes

**Part V-B Former Officers, Directors, Trustees, and Key Employees That Received Compensation or Other Benefits** (If any former officer, director, trustee, or key employee received compensation or other benefits (described below) during the year, list that person below and enter the amount of compensation or other benefits in the appropriate column. See the instructions.)

| (A) Name and address   | (B) Loans and Advances | (C) Compensation | (D) Contributions to employee benefit plans and deferred compensation plans | (E) Expense account and other allowances |
|--|------------------------|------------------|---|--|
| Alex Schure<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568       | 0                      | 175,000          | 0   | 0  |
| Stanley Schiowitz<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568 | 0                      | 50,000           | 0   | 0  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |
|  |                        |                  |   |  |

**Part VI Other Information (See the instructions.)** Yes No

**76** Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity **76** No

**77** Were any changes made in the organizing or governing documents but not reported to the IRS? . . . . . **77** No  
If "Yes," attach a conformed copy of the changes

**78a** Did the organization have unrelated business gross income of \$1,000 or more during the year covered by this return? . . . . . **78a** Yes

**b** If "Yes," has it filed a tax return on **Form 990-T** for this year? . . . . . **78b** Yes

**79** Was there a liquidation, dissolution, termination, or substantial contraction during the year? If "Yes," attach a statement . . . . . **79** No

**80a** Is the organization related (other than by association with a statewide or nationwide organization) through common membership, governing bodies, trustees, officers, etc , to any other exempt or nonexempt organization? . . . . . **80a** Yes

**b** If "Yes," enter the name of the organization **WHEATLEY ADVERTISING CORP**  
\_\_\_\_\_ and check whether it is  exempt or  nonexempt

**81a** Enter direct or indirect political expenditures (See line 81 instructions ) . . . . . **81a** \_\_\_\_\_

**b** Did the organization file **Form 1120-POL** for this year? . . . . . **81b** No

**Part VI Other Information** (continued)

|  | Yes | No |
|--|-----|----|
|--|-----|----|

|   |            |     |       |
|---|------------|-----|-------|
| <b>82a</b> Did the organization receive donated services or the use of materials, equipment, or facilities at no charge or at substantially less than fair rental value? . . . . .  | <b>82a</b> |     |       |
| <b>b</b> If "Yes," you may indicate the value of these items here. Do not include this amount as revenue in Part I or as an expense in Part II. (See instructions in Part III) . . . . .  | <b>82b</b> |     |       |
| <b>83a</b> Did the organization comply with the public inspection requirements for returns and exemption applications?  | <b>83a</b> | Yes |       |
| <b>b</b> Did the organization comply with the disclosure requirements relating to quid pro quo contributions? . . . . .   | <b>83b</b> | Yes |       |
| <b>84a</b> Did the organization solicit any contributions or gifts that were not tax deductible? . . . . .  | <b>84a</b> |     | No    |
| <b>b</b> If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible? . . . . .  | <b>84b</b> |     |       |
| <b>85 501(c)(4), (5), or (6) organizations. a</b> Were substantially all dues nondeductible by members? . . . . .   | <b>85a</b> |     |       |
| <b>b</b> Did the organization make only in-house lobbying expenditures of \$2,000 or less? . . . . .  | <b>85b</b> |     |       |
| If "Yes," was answered to either 85a or 85b, <b>do not</b> complete 85c through 85h below unless the organization received a waiver for proxy tax owed the prior year.  |            |     |       |
| <b>c</b> Dues assessments, and similar amounts from members . . . . .   | <b>85c</b> |     |       |
| <b>d</b> Section 162(e) lobbying and political expenditures . . . . .   | <b>85d</b> |     |       |
| <b>e</b> Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices . . . . .   | <b>85e</b> |     |       |
| <b>f</b> Taxable amount of lobbying and political expenditures (line 85d less 85e) . . . . .  | <b>85f</b> |     |       |
| <b>g</b> Does the organization elect to pay the section 6033(e) tax on the amount on line 85f? . . . . .  | <b>85g</b> |     |       |
| <b>h</b> If section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount on line 85f to its reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following tax year? . . . . .   | <b>85h</b> |     |       |
| <b>86 501(c)(7) orgs.</b> Enter <b>a</b> Initiation fees and capital contributions included on line 12  | <b>86a</b> |     | 0     |
| <b>b</b> Gross receipts, included on line 12, for public use of club facilities . . . . .   | <b>86b</b> |     | 0     |
| <b>87 501(c)(12) orgs.</b> Enter <b>a</b> Gross income from members or shareholders . . . . .   | <b>87a</b> |     | 0     |
| <b>b</b> Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them) . . . . .  | <b>87b</b> |     | 0     |
| <b>88</b> At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or partnership, or an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Part IX . . . . .  | <b>88</b>  | Yes |       |
| <b>89a 501(c)(3) organizations</b> Enter Amount of tax imposed on the organization during the year under section 4911 <input type="checkbox"/> _____ 0, section 4912 <input type="checkbox"/> _____ 0, section 4955 <input type="checkbox"/> _____  |            |     |       |
| <b>b 501(c)(3) and 501(c)(4) orgs.</b> Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach a statement explaining each transaction . . . . .   | <b>89b</b> |     | No    |
| <b>c</b> Enter Amount of tax imposed on the organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 . . . . . <input type="checkbox"/> _____  |            |     |       |
| <b>d</b> Enter Amount of tax on line 89c, above, reimbursed by the organization . . . . . <input type="checkbox"/> _____  |            |     |       |
| <b>90a</b> List the states with which a copy of this return is filed <input type="checkbox"/> _____   |            |     |       |
| <b>b</b> Number of employees employed in the pay period that includes March 12, 2005 (See instructions) . . . . .   | <b>90b</b> |     | 2,234 |
| <b>91a</b> The books are in care of <input type="checkbox"/> CONTROLLERS OFFICE Telephone no <input type="checkbox"/> (516) 686-7533<br>NORTHERN BLVD GERRY HOUSE ROOM 20<br>Located at <input type="checkbox"/> Old Westbury, NY ZIP + 4 <input type="checkbox"/> 11568  |            |     |       |
| <b>b</b> At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)?<br>If "Yes," enter the name of the foreign country <input type="checkbox"/> _____<br>See the instructions for exceptions and filing requirements for <b>Form TD F 90-22.1</b> , Report of Foreign Bank and Financial Accounts | <b>91b</b> | Yes | No    |
| <b>c</b> At any time during the calendar year, did the organization maintain an office outside of the United States?<br>If "Yes," enter the name of the foreign country <input type="checkbox"/> _____  | <b>91c</b> | Yes |       |
| <b>92 Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of Form 1041</b> —Check here <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the tax year . . . . . <input type="checkbox"/>   | <b>92</b>  |     |       |

**Part VII Analysis of Income-Producing Activities** (See the instructions.)

**Note:** Enter gross amounts unless otherwise indicated.

|  | Unrelated business income |               | Excluded by section 512, 513, or 514 |               | (E)<br>Related or<br>exempt function<br>income |
|--|---------------------------|---------------|--------------------------------------|---------------|--|
|  | (A)<br>Business<br>code   | (B)<br>Amount | (C)<br>Exclusion<br>code             | (D)<br>Amount |  |
| <b>93</b> Program service revenue                                    |                           |               |                                      |               |  |
| <b>a</b> TUITION AND FEES  |                           |               |                                      |               | 162,370,408                                    |
| <b>b</b> EDUCATIONAL ACTIVI  |                           |               |                                      |               | 1,259,048                                      |
| <b>c</b> SALES & AUXILLARY   | 561439                    | 1,152,299     | 03                                   | 6,987,879     |  |
| <b>d</b> OTHER SOURCES   |                           |               |                                      |               | 2,898,878                                      |
| <b>e</b>   |                           |               |                                      |               |  |
| <b>f</b> Medicare/Medicaid payments . . . . .                        |                           |               |                                      |               |  |
| <b>g</b> Fees and contracts from government agencies                 |                           |               |                                      |               | 2,180,689                                      |
| <b>94</b> Membership dues and assessments . . . . .                  |                           |               |                                      |               |  |
| <b>95</b> Interest on savings and temporary cash investments         |                           |               | 14                                   | 1,621,930     |  |
| <b>96</b> Dividends and interest from securities . . . . .           |                           |               | 14                                   | 1,100,927     |  |
| <b>97</b> Net rental income or (loss) from real estate               |                           |               |                                      |               |  |
| <b>a</b> debt-financed property . . . . .                            |                           |               |                                      |               | 629,787  |
| <b>b</b> non debt-financed property . . . . .                        |                           |               |                                      |               |  |
| <b>98</b> Net rental income or (loss) from personal property         |                           |               |                                      |               |  |
| <b>99</b> Other investment income . . . . .                          | 525990                    | 179,428       | 14                                   | 1,053,145     |  |
| <b>100</b> Gain or (loss) from sales of assets other than inventory  |                           |               | 18                                   | 344,719       |  |
| <b>101</b> Net income or (loss) from special events . . . . .        |                           |               | 05                                   | 288,110       |  |
| <b>102</b> Gross profit or (loss) from sales of inventory            | 722320                    | 1,995,373     |                                      |               |  |
| <b>103</b> Other revenue <b>a</b> _____                              |                           |               |                                      |               |  |
| <b>b</b> _____   |                           |               |                                      |               |  |
| <b>c</b> _____   |                           |               |                                      |               |  |
| <b>d</b> _____   |                           |               |                                      |               |  |
| <b>e</b> _____   |                           |               |                                      |               |  |
| <b>104</b> Subtotal (add columns (B), (D), and (E)) . . . . .        |                           | 3,327,100     |                                      | 11,396,710    | 169,338,810                                    |
| <b>105 Total</b> (add line 104, columns (B), (D), and (E)) . . . . . |                           |               |                                      |               | 184,062,620                                    |

**Note:** Line 105 plus line 1d, Part I, should equal the amount on line 12, Part I.

**Part VIII Relationship of Activities to the Accomplishment of Exempt Purposes** (See the instructions.)

| Line No. | Explain how each activity for which income is reported in column (E) of Part VII contributed importantly to the accomplishment of the organization's exempt purposes (other than by providing funds for such purposes) |
|----------|--|
| 93A      | THE ACTIVITY CONTRIBUTES TO OUR INSTRUCTION PROGRAM WHICH  |
| 0        | ENABLES STUDENTS TO MEET THEIR EDUCATIONAL GOALS   |
| 93BC     | THESE ACTIVITIES FOSTER EDUCATION AND THE TAX EXEMPT PURPOSE   |

**Part IX Information Regarding Taxable Subsidiaries and Disregarded Entities** (See the instructions.)

| (A)<br>Name, address, and EIN of corporation, partnership, or disregarded entity | (B)<br>Percentage of ownership interest | (C)<br>Nature of activities | (D)<br>Total income | (E)<br>End-of-year assets |
|--|---|-----------------------------|---------------------|---------------------------|
| WHEATLEY ADVERTISING<br>NORTHERN BLVD<br>OLD WESTBURY, NY11568<br>11-2359770     | 10%                                     | ADVERTISING                 | 502,785             | 173,872                   |
|  | %                                       |                             |                     |                           |
|  | %                                       |                             |                     |                           |
|  | %                                       |                             |                     |                           |

**Part X Information Regarding Transfers Associated with Personal Benefit Contracts** (See the instructions.)

- (a) Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?  Yes  No
- (b) Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?  Yes  No
- NOTE:** If "Yes" to (b), file Form 8870 and Form 4720 (see instructions).

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

**Please Sign Here**

Signature of officer: \_\_\_\_\_ Date: 2007-07-11

Daniel McGovern Assistant Treasurer  
Type or print name and title

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**Paid Preparer's Use Only**

Preparer's signature: \_\_\_\_\_ Date: \_\_\_\_\_ Check if self-employed:

Firm's name (or yours if self-employed), address, and ZIP + 4: DELOITTE TAX LLP  
2 JERICHO PLAZA  
JERICHO, NY 11753

Preparer's SSN or PTIN (See Gen Inst W): \_\_\_\_\_  
EIN: \_\_\_\_\_  
Phone no: \_\_\_\_\_



SCHEDULE A (Form 990 or 990EZ)

Organization Exempt Under Section 501(c)(3)

(Except Private Foundation) and Section 501(e), 501(f), 501(k), 501(n), or 4947(a)(1) Nonexempt Charitable Trust

Supplementary Information—(See separate instructions.)

MUST be completed by the above organizations and attached to their Form 990 or 990-EZ

OMB No 1545-0047

2005

Department of the Treasury Internal Revenue Service

Name of the organization NEW YORK INSTITUTE OF TECHNOLOGY

Employer identification number 11-1788788

Part I Compensation of the Five Highest Paid Employees Other Than Officers, Directors, and Trustees (See page 1 of the instructions. List each one. If there are none, enter "None.")

Table with 5 columns: (a) Name and address of each employee paid more than \$50,000, (b) Title and average hours per week devoted to position, (c) Compensation, (d) Contributions to employee benefit plans & deferred compensation, (e) Expense account and other allowances. Rows include Barbara Ross-Lee, Robert Vogt, David Decker, Wolfgang Gilliar, and Thomas Scandalis.

Part II-A Compensation of the Five Highest Paid Independent Contractors for Professional Services (See page 2 of the instructions. List each one (whether individual or firms). If there are none, enter "None.")

Table with 3 columns: (a) Name and address of each independent contractor paid more than \$50,000, (b) Type of service, (c) Compensation. Rows include Fulbright Jaworski, PriceWater House Coopers, Cullen Dykman, Neal Nelson, and Washington Strategies.

Part II-B Compensation of the Five Highest Paid Independent Contractors for Other Services

(List each contractor who performed services other than professional services, whether individual or firms. If there are none, enter "None". See page X for instructions.)

Table with 3 columns: (a) Name and address of each independent contractor paid more than \$50,000, (b) Type of service, (c) Compensation. The first row contains 'None'.

| <b>Part III Statements About Activities</b> (See page 2 of the instructions.) |  | Yes          | No  |
|---|--|--------------|-----|
| <b>1</b>  | During the year, has the organization attempted to influence national, state, or local legislation, include any attempt to influence public opinion on a legislative matter or referendum? If "Yes," enter the total expenses paid or incurred in connection with the lobbying activities ▶ \$ <u>64,994</u> (Must equal amounts on line 38, Part VI-A, or line 1 of Part VI-B)<br>Organizations that made an election under section 501(h) by filing Form 5768 must complete Part VI-A. Other organizations checking "Yes" must complete Part VI-B AND attach a statement giving a detailed description of the lobbying activities. | <b>1</b> Yes |     |
| <b>2</b>  | During the year, has the organization, either directly or indirectly, engaged in any of the following acts with any substantial contributors, trustees, directors, officers, creators, key employees, or members of their families, or with any taxable organization with which any such person is affiliated as an officer, director, trustee, majority owner, or principal beneficiary? (If the answer to any question is "Yes," attach a detailed statement explaining the transactions.)   |              |     |
| <b>a</b>  | Sale, exchange, or leasing property?   | <b>2a</b>    | No  |
| <b>b</b>  | Lending of money or other extension of credit?   | <b>2b</b>    | No  |
| <b>c</b>  | Furnishing of goods, services, or facilities?  | <b>2c</b>    | No  |
| <b>d</b>  | Payment of compensation (or payment or reimbursement of expenses if more than \$1,000)?  | <b>2d</b>    | Yes |
| <b>e</b>  | Transfer of any part of its income or assets?  | <b>2e</b>    | No  |
| <b>3a</b>   | Do you make grants for scholarships, fellowships, student loans, etc.? (If "Yes," attach an explanation of how you determine that recipients qualify to receive payments.)   | <b>3a</b>    | Yes |
| <b>b</b>  | Do you have a section 403(b) annuity plan for your employees?  | <b>3b</b>    | Yes |
| <b>c</b>  | During the year, did the organization receive a contribution of qualified real property interest under section 170(h)?   | <b>3c</b>    | No  |
| <b>4a</b>   | Did you maintain any separate account for participating donors where donors have the right to provide advice on the use or distribution of funds?  | <b>4a</b>    | No  |
| <b>b</b>  | Do you provide credit counseling, debt management, credit repair, or debt negotiation services?  | <b>4b</b>    | No  |

| <b>Part IV Reason for Non-Private Foundation Status</b> (See pages 3 through 6 of the instructions.)  |   |  |                            |  |  |  |  |  |  |
|---|---|--|----------------------------|--|--|--|--|--|--|
| The organization is not a private foundation because it is (Please check only <b>ONE</b> applicable box.)   |   |  |                            |  |  |  |  |  |  |
| <b>5</b>  | <input type="checkbox"/> A church, convention of churches, or association of churches. Section 170(b)(1)(A)(i)  |  |                            |  |  |  |  |  |  |
| <b>6</b>  | <input checked="" type="checkbox"/> A school. Section 170(b)(1)(A)(ii). (Also complete Part V.)   |  |                            |  |  |  |  |  |  |
| <b>7</b>  | <input type="checkbox"/> A hospital or a cooperative hospital service organization. Section 170(b)(1)(A)(iii).  |  |                            |  |  |  |  |  |  |
| <b>8</b>  | <input type="checkbox"/> A Federal, state, or local government or governmental unit. Section 170(b)(1)(A)(v).   |  |                            |  |  |  |  |  |  |
| <b>9</b>  | <input type="checkbox"/> A medical research organization operated in conjunction with a hospital. Section 170(b)(1)(A)(iii). Enter the hospital's name, city, and state ▶ _____   |  |                            |  |  |  |  |  |  |
| <b>10</b>   | <input type="checkbox"/> An organization operated for the benefit of a college or university owned or operated by a governmental unit. Section 170(b)(1)(A)(iv). (Also complete the <b>Support Schedule</b> in Part IV-A.)  |  |                            |  |  |  |  |  |  |
| <b>11a</b>  | <input type="checkbox"/> An organization that normally receives a substantial part of its support from a governmental unit or from the general public. Section 170(b)(1)(A)(vi). (Also complete the <b>Support Schedule</b> in Part IV-A.)  |  |                            |  |  |  |  |  |  |
| <b>11b</b>  | <input type="checkbox"/> A community trust. Section 170(b)(1)(A)(vi). (Also complete the <b>Support Schedule</b> in Part IV-A.)   |  |                            |  |  |  |  |  |  |
| <b>12</b>   | <input type="checkbox"/> An organization that normally receives <b>(1) more than 33 1/3%</b> of its support from contributions, membership fees, and gross receipts from activities related to its charitable, etc., functions—subject to certain exceptions, and <b>(2) no more than 33 1/3%</b> of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Also complete the <b>Support Schedule</b> in Part IV-A.) |  |                            |  |  |  |  |  |  |
| <b>13</b>   | <input type="checkbox"/> An organization that is not controlled by any disqualified persons (other than foundation managers) and supports organizations described in <b>(1)</b> lines 5 through 12 above, or <b>(2)</b> sections 501(c)(4), (5), or (6), if they meet the test of section 509(a)(2). Check the box that describes the type of supporting organization ▶ <input type="checkbox"/> Type 1 <input type="checkbox"/> Type 2 <input type="checkbox"/> Type 3   |  |                            |  |  |  |  |  |  |
| Provide the following information about the supported organizations (see page 5 of the instructions.)   |   |  |                            |  |  |  |  |  |  |
| <table border="1"> <thead> <tr> <th>(a) Name(s) of supported organization(s)</th> <th>(b) Line number from above</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table> |   | (a) Name(s) of supported organization(s) | (b) Line number from above |  |  |  |  |  |  |
| (a) Name(s) of supported organization(s)  | (b) Line number from above  |  |                            |  |  |  |  |  |  |
|   |   |  |                            |  |  |  |  |  |  |
|   |   |  |                            |  |  |  |  |  |  |
|   |   |  |                            |  |  |  |  |  |  |
| <b>14</b>   | <input type="checkbox"/> An organization organized and operated to test for public safety. Section 509(a)(4). (See page 5 of the instructions.)   |  |                            |  |  |  |  |  |  |

**Part IV-A Support Schedule** (Complete only if you checked a box on line 10, 11, or 12 ) **Use cash method of accounting.****Note:** You may use the worksheet in the instructions for converting from the accrual to the cash method of accounting.

| Calendar year (or fiscal year beginning in)  | (a) 2004  | (b) 2003 | (c) 2002 | (d) 2001 | (e) Total  |
|--|---|----------|----------|----------|------------|
| <b>15</b> Gifts, grants, and contributions received (Do not include unusual grants See line 28 )   |   |          |          |          |            |
| <b>16</b> Membership fees received   |   |          |          |          |            |
| <b>17</b> Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to the organization's charitable, etc , purpose  |   |          |          |          |            |
| <b>18</b> Gross income from interest, dividends, amounts received from payments on securities loans (section 512(a)(5)), rents, royalties, and unrelated business taxable income (less section 511 taxes) from businesses acquired by the organization after June 30, 1975   |   |          |          |          |            |
| <b>19</b> Net income from unrelated business activities not included in line 18  |   |          |          |          |            |
| <b>20</b> Tax revenues levied for the organization's benefit and either paid to it or expended on its behalf   |   |          |          |          |            |
| <b>21</b> The value of services or facilities furnished to the organization by a governmental unit without charge Do not include the value of services or facilities generally furnished to the public without charge  |   |          |          |          |            |
| <b>22</b> Other income Attach a schedule Do not include gain or (loss) from sale of capital assets   |   |          |          |          |            |
| <b>23</b> Total of lines 15 through 22   |   |          |          |          |            |
| <b>24</b> Line 23 minus line 17  |   |          |          |          |            |
| <b>25</b> Enter 1% of line 23  |   |          |          |          |            |
| <b>26 Organizations described on lines 10 or 11:</b>   | <b>a</b> Enter 2% of amount in column (e), line 24  |          |          |          | <b>26a</b> |
| <b>b</b> Prepare a list for your records to show the name of and amount contributed by each person (other than a governmental unit or publicly supported organization) whose total gifts for 2001 through 2004 exceeded the amount shown in line 26a <b>Do not file this list with your return.</b> Enter the total of all these excess amounts  |   |          |          |          | <b>26b</b> |
| <b>c</b> Total support for section 509(a)(1) test Enter line 24, column (e)  |   |          |          |          | <b>26c</b> |
| <b>d</b> Add Amounts from column (e) for lines   | 18  | 19       |          |          | <b>26d</b> |
|  | 22  | 26b      |          |          | <b>26e</b> |
| <b>e</b> Public support (line 26c minus line 26d total)  |   |          |          |          | <b>26e</b> |
| <b>f</b> Public support percentage (line 26e (numerator) divided by line 26c (denominator))  |   |          |          |          | <b>26f</b> |
| <b>27 Organizations described on line 12:</b>  | <b>a</b> For amounts included in lines 15, 16, and 17 that were received from a "disqualified person," prepare a list for your records to show the name of, and total amounts received in each year from, each "disqualified person " |          |          |          |            |
|  | <b>Do not file this list with your return.</b> Enter the sum of such amounts for each year  |          |          |          |            |
|  | (2004)  | (2003)   | (2002)   | (2001)   |            |
| <b>b</b> For any amount included in line 17 that was received from each person (other than "disqualified persons"), prepare a list for your records to show the name of, and amount received for each year, that was more than the <b>larger</b> of <b>(1)</b> the amount on line 25 for the year or <b>(2)</b> \$5,000 (Include in the list organizations described in lines 5 through 11, as well as individuals ) <b>Do not file this list with your return.</b> After computing the difference between the amount received and the larger amount described in <b>(1)</b> or <b>(2)</b> , enter the sum of these differences (the excess amounts) for each year |   |          |          |          |            |
|  | (2004)  | (2003)   | (2002)   | (2001)   |            |
| <b>c</b> Add Amounts from column (e) for lines   | 15  | 16       |          |          | <b>27c</b> |
|  | 17  | 20       | 21       |          | <b>27d</b> |
| <b>d</b> Add Line 27a total  | and line 27b total  |          |          |          | <b>27e</b> |
| <b>e</b> Public support (line 27c total minus line 27d total)  |   |          |          |          | <b>27e</b> |
| <b>f</b> Total support for section 509(a)(2) test Enter amount from line 23, column (e)  |   |          |          |          | <b>27f</b> |
| <b>g</b> Public support percentage (line 27e (numerator) divided by line 27f (denominator))  |   |          |          |          | <b>27g</b> |
| <b>h</b> Investment income percentage (line 18, column (e) (numerator) divided by line 27f (denominator))  |   |          |          |          | <b>27h</b> |
| <b>28 Unusual Grants:</b> For an organization described in line 10, 11, or 12 that received any unusual grants during 2001 through 2004, prepare a list for your records to show, for each year, the name of the contributor, the date and amount of the grant, and a brief description of the nature of the grant <b>Do not file this list with your return.</b> Do not include these grants in line 15   |   |          |          |          |            |

**Part V Private School Questionnaire** (See page 7 of the instructions.)  
**(To be completed ONLY by schools that checked the box on line 6 in Part IV)**

|  | Yes            | No |
|--|----------------|----|
| <b>29</b> Does the organization have a racially nondiscriminatory policy toward students by statement in its charter, bylaws, other governing instrument, or in a resolution of its governing body?  | <b>29</b> Yes  |    |
| <b>30</b> Does the organization include a statement of its racially nondiscriminatory policy toward students in all its brochures, catalogues, and other written communications with the public dealing with student admissions, programs, and scholarships?   | <b>30</b> Yes  |    |
| <b>31</b> Has the organization publicized its racially nondiscriminatory policy through newspaper or broadcast media during the period of solicitation for students, or during the registration period if it has no solicitation program, in a way that makes the policy known to all parts of the general community it serves?<br>If "Yes," please describe, if "No," please explain (If you need more space, attach a separate statement )<br>NYIT CUSTOMARILY DRAWS A SUBSTANTIAL PERCENTAGE OF ITS STUDENTS FROM A NATIONAL AND WORLDWIDE POPULATION NYIT FOLLOWS A RACIALLY NON-DISCRIMINATORY POLICY IN THE STUDENT HANDBOOK THERE IS A STATEMENT OF OUR NON-DISCRIMINATORY POLICIES | <b>31</b> Yes  |    |
| <b>32</b> Does the organization maintain the following   | <b>32a</b> Yes |    |
| <b>a</b> Records indicating the racial composition of the student body, faculty, and administrative staff?   |                |    |
| <b>b</b> Records documenting that scholarships and other financial assistance are awarded on racially nondiscriminatory basis?   | <b>32b</b> Yes |    |
| <b>c</b> Copies of all catalogues, brochures, announcements, and other written communications to the public dealing with student admissions, programs, and scholarships?   | <b>32c</b> Yes |    |
| <b>d</b> Copies of all material used by the organization or on its behalf to solicit contributions?<br><br>If you answered "No" to any of the above, please explain (If you need more space, attach a separate statement )<br>_____<br>_____   | <b>32d</b> Yes |    |
| <b>33</b> Does the organization discriminate by race in any way with respect to  |                |    |
| <b>a</b> Students' rights or privileges?   | <b>33a</b>     | No |
| <b>b</b> Admissions policies?  | <b>33b</b>     | No |
| <b>c</b> Employment of faculty or administrative staff?  | <b>33c</b>     | No |
| <b>d</b> Scholarships or other financial assistance?   | <b>33d</b>     | No |
| <b>e</b> Educational policies?   | <b>33e</b>     | No |
| <b>f</b> Use of facilities?  | <b>33f</b>     | No |
| <b>g</b> Athletic programs?  | <b>33g</b>     | No |
| <b>h</b> Other extracurricular activities?<br><br>If you answered "Yes" to any of the above, please explain (If you need more space, attach a separate statement )<br>_____<br>_____   | <b>33h</b>     | No |
| <b>34a</b> Does the organization receive any financial aid or assistance from a governmental agency? <input checked="" type="checkbox"/>   | <b>34a</b> Yes |    |
| <b>b</b> Has the organization's right to such aid ever been revoked or suspended?<br>If you answered "Yes" to either 34a or b, please explain using an attached statement  | <b>34b</b>     | No |
| <b>35</b> Does the organization certify that it has complied with the applicable requirements of sections 4 01 through 4 05 of Rev Proc 75-50, 1975-2 C B 587, covering racial nondiscrimination? If "No," attach an explanation   | <b>35</b> Yes  |    |

**Part VI-A Lobbying Expenditures by Electing Public Charities** (See page 9 of the instructions.)  
**(To be completed ONLY by an eligible organization that filed Form 5768)**

Check **a**  if the organization belongs to an affiliated group Check **b**  if you checked "a" and "limited control" provisions apply

**Limits on Lobbying Expenditures**

(The term "expenditures" means amounts paid or incurred )

|  |  | (a)<br>Affiliated group<br>totals   | (b)<br>To be completed<br>for ALL electing<br>organizations |                    |                              |   |   |   |   |  |  |                   |             |  |  |
|--|--|-------------------------------------|---|--------------------|------------------------------|---|---|---|---|--|--|-------------------|-------------|--|--|
| <b>36</b>                                  | Total lobbying expenditures to influence public opinion (grassroots lobbying)  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>37</b>                                  | Total lobbying expenditures to influence a legislative body (direct lobbying)  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>38</b>                                  | Total lobbying expenditures (add lines 36 and 37)  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>39</b>                                  | Other exempt purpose expenditures  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>40</b>                                  | Total exempt purpose expenditures (add lines 38 and 39)  |                                     | 0   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>41</b>                                  | Lobbying nontaxable amount Enter the amount from the following table—<br><table border="0" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 50%;"><b>If the amount on line 40 is—</b></td> <td style="width: 50%;"><b>The lobbying nontaxable amount is—</b></td> </tr> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 40</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000</td> </tr> </table> | <b>If the amount on line 40 is—</b> | <b>The lobbying nontaxable amount is—</b>                   | Not over \$500,000 | 20% of the amount on line 40 | Over \$500,000 but not over \$1,000,000 | \$100,000 plus 15% of the excess over \$500,000 | Over \$1,000,000 but not over \$1,500,000 | \$175,000 plus 10% of the excess over \$1,000,000 | Over \$1,500,000 but not over \$17,000,000 | \$225,000 plus 5% of the excess over \$1,500,000 | Over \$17,000,000 | \$1,000,000 |  |  |
| <b>If the amount on line 40 is—</b>        | <b>The lobbying nontaxable amount is—</b>  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| Not over \$500,000                         | 20% of the amount on line 40   |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| Over \$500,000 but not over \$1,000,000    | \$100,000 plus 15% of the excess over \$500,000  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| Over \$1,000,000 but not over \$1,500,000  | \$175,000 plus 10% of the excess over \$1,000,000  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| Over \$1,500,000 but not over \$17,000,000 | \$225,000 plus 5% of the excess over \$1,500,000   |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| Over \$17,000,000                          | \$1,000,000  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>42</b>                                  | Grassroots nontaxable amount (enter 25% of line 41)  |                                     |   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>43</b>                                  | Subtract line 42 from line 36 Enter -0- if line 42 is more than line 36  |                                     | 0   |                    |                              |   |   |   |   |  |  |                   |             |  |  |
| <b>44</b>                                  | Subtract line 41 from line 38 Enter -0- if line 41 is more than line 38  |                                     | 0   |                    |                              |   |   |   |   |  |  |                   |             |  |  |

**Caution:** If there is an amount on either line 43 or line 44, you must file Form 4720.

**4-Year Averaging Period Under Section 501(h)**

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below  
 See the instructions for lines 45 through 50 on page 11 of the instructions )

| Calendar year (or<br>fiscal year beginning in) <b>▶</b>  | Lobbying Expenditures During 4-Year Averaging Period |             |             |             |              |
|--|--|-------------|-------------|-------------|--------------|
|  | (a)<br>2005  | (b)<br>2004 | (c)<br>2003 | (d)<br>2002 | (e)<br>Total |
| <b>45</b> Lobbying nontaxable amount                     |  |             |             |             |              |
| <b>46</b> Lobbying ceiling amount (150% of line 45(e))   |  |             |             |             |              |
| <b>47</b> Total lobbying expenditures                    |  |             |             |             |              |
| <b>48</b> Grassroots nontaxable amount                   |  |             |             |             |              |
| <b>49</b> Grassroots ceiling amount (150% of line 48(e)) |  |             |             |             |              |
| <b>50</b> Grassroots lobbying expenditures               |  |             |             |             |              |

**Part VI-B Lobbying Activity by Nonelecting Public Charities**

(For reporting only by organizations that did not complete Part VI-A) (See page 11 of the instructions.)

During the year, did the organization attempt to influence national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of

- a** Volunteers
- b** Paid staff or management (Include compensation in expenses reported on lines **c** through **h**.)
- c** Media advertisements
- d** Mailings to members, legislators, or the public
- e** Publications, or published or broadcast statements
- f** Grants to other organizations for lobbying purposes
- g** Direct contact with legislators, their staffs, government officials, or a legislative body
- h** Rallies, demonstrations, seminars, conventions, speeches, lectures, or any other means
- i** Total lobbying expenditures (Add lines **c** through **h**.)

|  | Yes | No | Amount |
|--|-----|----|--------|
|  |     | No |        |
|  |     | No |        |
|  |     | No |        |
|  |     | No |        |
|  |     | No |        |
|  | Yes |    | 64,994 |
|  |     | No |        |
|  |     |    | 64,994 |

If "Yes" to any of the above, also attach a statement giving a detailed description of the lobbying activities

**Part VII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations** (See page 11 of the instructions.)

**51** Did the reporting organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

**a** Transfers from the reporting organization to a noncharitable exempt organization of

- (i) Cash
- (ii) Other assets

**b** Other transactions

- (i) Sales or exchanges of assets with a noncharitable exempt organization
- (ii) Purchases of assets from a noncharitable exempt organization
- (iii) Rental of facilities, equipment, or other assets
- (iv) Reimbursement arrangements
- (v) Loans or loan guarantees
- (vi) Performance of services or membership or fundraising solicitations

**c** Sharing of facilities, equipment, mailing lists, other assets, or paid employees

**d** If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting organization. If the organization received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

|               | Yes | No |
|---------------|-----|----|
| <b>51a(i)</b> |     | No |
| <b>a(ii)</b>  |     | No |
| <b>b(i)</b>   |     | No |
| <b>b(ii)</b>  |     | No |
| <b>b(iii)</b> |     | No |
| <b>b(iv)</b>  |     | No |
| <b>b(v)</b>   |     | No |
| <b>b(vi)</b>  |     | No |
| <b>c</b>      |     | No |

| (a)<br>Line no | (b)<br>Amount involved | (c)<br>Name of noncharitable exempt organization | (d)<br>Description of transfers, transactions, and sharing arrangements |
|----------------|------------------------|--|---|
|                |                        |  |   |
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|                |                        |  |   |

**52a** Is the organization directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527?  Yes  No

**b** If "Yes," complete the following schedule

| (a)<br>Name of organization | (b)<br>Type of organization | (c)<br>Description of relationship |
|-----------------------------|-----------------------------|------------------------------------|
|                             |                             |                                    |
|                             |                             |                                    |
|                             |                             |                                    |
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|                             |                             |                                    |
|                             |                             |                                    |

**TY 2005 Cash Grants Paid Schedule****Name:** NEW YORK INSTITUTE OF TECHNOLOGY**EIN:** 11-1788788

| <b>Class of Activity</b> | <b>Recipient's name</b> | <b>Address</b>  | <b>Amount</b> | <b>Relationship</b> |
|--------------------------|-------------------------|---|---------------|---------------------|
|                          | Various Recipients      | c/o NYIT<br>Northern Boulevard<br>Old Westbury, NY<br>11567 | 22,862,533    | NONE                |

**TY 2005 Gain/Loss from Sale of Public Securities Schedule****Name:** NEW YORK INSTITUTE OF TECHNOLOGY**EIN:** 11-1788788**Gross Sales Price:** 22,740,780**Basis:** 22,396,061**Sales Expenses:****Total (net):** 344,719



## TY 2005 General Explanation Attachment

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Identifier                               | Return Reference                   | Explanation  |
|--|------------------------------------|--|
| Schedule of Land, Buildings, & Equipment | Form 990, Page 4, Part IV, Line 57 | Property Cost Basis Acc Depr End of Year Value Land 4,798,837 4,798,837 Building Improvements 113,758,709 51,233,929 62,524,780 Machinery & Equipment 42,382,422 22,069,303 20,313,119 Library Books 10,318,531 1,863,713 8,454,818 Work in progress 1,313,354 1,313,354 |

| Identifier                  | Return Reference                   | Explanation   |
|-----------------------------|------------------------------------|---|
| Depreciation & Amortization | Form 990, Page 2, Part II, Line 42 | Property Accum Depr Curr Depr Accum Depr as of 8/31/05 Expense as of 8/31/06 Buildings & Improvements 44,757,390 4,038,616 48,796,006 Machinery & Equipment 15,683,951 3,221,456 18,905,407 Furniture & Fixtures 2,584,541 579,355 3,163,896 Library books 1,539,721 323,992 1,863,713 Total Depr 64,565,603 8,163,419 72,729,022 Amortization 723,580 Total Depr & Amort 8,886,999 |

**TY 2005 Investments - Land Schedule**

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Category/Item | Cost/Other Basis | Accumulated Depreciation | Book Value |
|---------------|------------------|--------------------------|------------|
|---------------|------------------|--------------------------|------------|

## TY 2005 Investments - Securities Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Description               | Book Value | Cost/FMV |
|---------------------------|------------|----------|
| MONEY MARKET              | 10,828,349 | F        |
| COMMON STOCK              | 17,792,962 | F        |
| U.S. GOV'T SECURITIES     | 8,038,100  | F        |
| LTD PARTNERSHIP INTERESTS | 8,796,326  | F        |
| OTHER DEBT SECURITIES     | 1,302,628  | F        |

## TY 2005 Mortgages and Notes Payable Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

**Total Mortgage Amount:** 29500000

|  |                    |
|--|--------------------|
| <b>Item No.</b>                            | 1                  |
| <b>Lender's Name</b>                       | NYIT TAXABLE BONDS |
| <b>Lender's Title</b>                      |                    |
| <b>Relationship to Insider</b>             |                    |
| <b>Original Amount of Loan</b>             |                    |
| <b>Balance Due</b>                         | 29500000           |
| <b>Date of Note</b>                        |                    |
| <b>Maturity Date</b>                       | 2016-03            |
| <b>Repayment Terms</b>                     |                    |
| <b>Interest Rate</b>                       | 4.644              |
| <b>Security Provided by Borrower</b>       |                    |
| <b>Purpose of Loan</b>                     |                    |
| <b>Description of Lender Consideration</b> |                    |
| <b>Consideration FMV</b>                   |                    |

## TY 2005 Officer Compensation Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

**Edward Guiliano**

|                           | <b>Compensation</b> | <b>EE Benefit Plans</b> | <b>Expense Acct</b> |
|---------------------------|---------------------|-------------------------|---------------------|
| <b>Program Services</b>   | 343,964             | 14,784                  | 45,535              |
| <b>Mgmt &amp; General</b> | 14,332              | 616                     | 1,897               |
| <b>Fundraising</b>        |                     |                         |                     |

**Leonard Aubrey**

|                           | <b>Compensation</b> | <b>EE Benefit Plans</b> | <b>Expense Acct</b> |
|---------------------------|---------------------|-------------------------|---------------------|
| <b>Program Services</b>   | 208,756             | 14,554                  | 6,351               |
| <b>Mgmt &amp; General</b> | 8,698               | 606                     | 265                 |
| <b>Fundraising</b>        |                     |                         |                     |

**Daniel McGovern**

|                           | <b>Compensation</b> | <b>EE Benefit Plans</b> | <b>Expense Acct</b> |
|---------------------------|---------------------|-------------------------|---------------------|
| <b>Program Services</b>   | 126,158             | 8,334                   |                     |
| <b>Mgmt &amp; General</b> | 5,257               | 346                     |                     |
| <b>Fundraising</b>        |                     |                         |                     |



**Stephen Kloepher**

|                           | <b>Compensation</b> | <b>EE Benefit Plans</b> | <b>Expense Acct</b> |
|---------------------------|---------------------|-------------------------|---------------------|
| <b>Program Services</b>   | 188,698             | 13,209                  | 5,760               |
| <b>Mgmt &amp; General</b> | 7,862               | 550                     | 240                 |
| <b>Fundraising</b>        |                     |                         |                     |

**TY 2005 Other Assets Schedule****Name:** NEW YORK INSTITUTE OF TECHNOLOGY**EIN:** 11-1788788

| <b>Description</b>           | <b>Beginning of Year Amount</b> | <b>End of Year Amount</b> |
|------------------------------|---------------------------------|---------------------------|
| OTHER ASSETS                 | 12,994,844                      | 159,730                   |
| DEFERRED SCHOLARSHIPS        |                                 | 407,588                   |
| DEFERRED BOND ISSUANCE COSTS |                                 | 9,979,057                 |
| PREPAID EXPENSES             |                                 | 1,490,668                 |
| SECURITY DEPOSITS            |                                 | 360,290                   |

## TY 2005 Other Changes in Net Assets Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Description                            | Amount    |
|--|-----------|
| NET UNREAL GAINS/LOSSES-MARKETABLE SEC | 1,359,631 |
| LAND DISP & OTHER GEN EXPENSES         | 98,371    |
| GAIN ON SWAP HEDGING ACTIVITIES        | 4,599,120 |

**TY 2005 Other Expenses Included Schedule****Name:** NEW YORK INSTITUTE OF TECHNOLOGY**EIN:** 11-1788788

| <b>Description</b>  | <b>Amount</b> |
|---------------------|---------------|
| GOLD COAST EXPENSES | 268,065       |
| SCHOLARSHIPS        | -22,860,383   |
| ASBESTOS ABATEMENT  | -10,312,183   |

**TY 2005 Other Investment Income Schedule**

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Description        | Amount    |
|--------------------|-----------|
| Partnership Income | 1,232,573 |

**TY 2005 Other Liabilities Schedule****Name:** NEW YORK INSTITUTE OF TECHNOLOGY**EIN:** 11-1788788

| <b>Description</b>             | <b>Beginning of Year Amount</b> | <b>End of Year Amount</b> |
|--------------------------------|---------------------------------|---------------------------|
| POST RETIREMENT                | 14,062,427                      | 15,949,414                |
| REFUNDABLE GRANTS AND US LOAN  | 16,345,952                      | 16,026,059                |
| LEND LOANS PAYABLE & OTHER LIA |                                 | 16,403,315                |
| CAPITAL LEASE OBLIGATIONS      | 2,727,794                       | 2,259,789                 |
| FAIR VALUE OF INT. RATE SWAPS  | 23,477,273                      | 16,434,249                |

**TY 2005 Other Revenues Included Schedule****Name:** NEW YORK INSTITUTE OF TECHNOLOGY**EIN:** 11-1788788

| <b>Description</b>  | <b>Amount</b> |
|---------------------|---------------|
| SCHOLARSHIPS        | -22,860,383   |
| GOLD COAST EXPENSES | 268,065       |

## TY 2005 Sales Of Inventory Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Category   | Gross Sales | Cost of Goods Sold | Net (Gross Sales Minus<br>Cost of Goods Sold) |
|------------|-------------|--------------------|---|
| DESEVERSKY | 1,995,373   |                    | 1,995,373                                     |



## TY 2005 Special Events Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Event Name              | Gross Receipts | Contributions | Gross Revenue | Direct Expense | Net Income (Loss) |
|-------------------------|----------------|---------------|---------------|----------------|-------------------|
| GOLD COAST WINE AUCTION | 556,175        |               | 556,175       | 268,065        | 288,110           |

### TY 2005 Tax-Exempt Bond Liabilities Schedule

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

|                                 |                          |
|---------------------------------|--------------------------|
| <b>Item No.</b>                 | 1                        |
| <b>Name of Issue</b>            |                          |
| <b>Purpose</b>                  | Suffolk County IDA Bonds |
| <b>Amount Outstanding</b>       | 41000000                 |
| <b>Unexpended Bond Proceeds</b> |                          |
| <b>Third Party Use</b>          |                          |
| <b>Space Percentage</b>         |                          |
| <b>Maturity Date</b>            |                          |
| <b>Repayment Terms</b>          |                          |
| <b>Interest Rate</b>            |                          |
| <b>Security</b>                 |                          |

|                                 |                         |
|---------------------------------|-------------------------|
| <b>Item No.</b>                 | 2                       |
| <b>Name of Issue</b>            |                         |
| <b>Purpose</b>                  | Nassau County IDA Bonds |
| <b>Amount Outstanding</b>       | 20550000                |
| <b>Unexpended Bond Proceeds</b> |                         |
| <b>Third Party Use</b>          |                         |
| <b>Space Percentage</b>         |                         |
| <b>Maturity Date</b>            |                         |
| <b>Repayment Terms</b>          |                         |
| <b>Interest Rate</b>            |                         |
| <b>Security</b>                 |                         |

|                                 |                         |
|---------------------------------|-------------------------|
| <b>Item No.</b>                 | 3                       |
| <b>Name of Issue</b>            |                         |
| <b>Purpose</b>                  | New York City IDA Bonds |
| <b>Amount Outstanding</b>       | 10758658                |
| <b>Unexpended Bond Proceeds</b> |                         |
| <b>Third Party Use</b>          |                         |
| <b>Space Percentage</b>         |                         |
| <b>Maturity Date</b>            |                         |
| <b>Repayment Terms</b>          |                         |
| <b>Interest Rate</b>            |                         |
| <b>Security</b>                 |                         |

## TY 2005 Non Electing Public Charities Statement

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

**Statement:** Lobbying for our tax exempt purpose.

**TY 2005 Explanation of Receipt or  
Revocation of Government Financial Aid**

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

**Statement:**

## TY 2005 Scholarship Award Statement

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

**Statement:** SCHOLARSHIPS AND GRANTS ARE AWARDED BASED ON NEED AND ACADEMIC ACHIEVEMENT.

# TY 2005 Self Dealing Statement

**Name:** NEW YORK INSTITUTE OF TECHNOLOGY

**EIN:** 11-1788788

| Line Number | Explanation   |
|-------------|---------------|
| 2d          | FORM 990 PT V |

Form **8453-EO**

### Exempt Organization Declaration and Signature for Electronic Filing

OMB No 1545-1879

For calendar year 2006, or tax year beginning 09/01, 2006, and ending 08/31, 2006  
For use with Forms 990, 990-EZ, 990-PF, 1120-POL, and 8868  
▶ See instructions on back.

# 2005

Department of the Treasury  
Internal Revenue Service

Name of exempt organization

Employer identification number

**NEW YORK INSTITUTE OF TECHNOLOGY**

**11-1788788**

#### Part I Type of Return and Return Information (Whole Dollars Only)

Check the box for the return for which you are using this Form 8453-EO and enter the applicable amount from the return if any. If you check the box on line 1a, 2a, 3a, 4a, or 5a below and the amount on that line for the return for which you are filing this form was blank, then leave line 1b, 2b, 3b, 4b, or 5b whichever is applicable, blank (i.e. do not enter -0-). But, if you entered -0- on the return, then enter -0- on the applicable line below. Do not complete more than 1 line in Part I.

|  |   |    |                   |
|--|---|----|-------------------|
| 1a Form 990 check here ▶ <input checked="" type="checkbox"/> | b Total revenue, if any (Form 990, line 12) . . . . .                     | 1b | <u>186318854.</u> |
| 2a Form 990-EZ check here ▶ <input type="checkbox"/>         | b Total revenue, if any (Form 990-EZ, line 9) . . . . .                   | 2b |                   |
| 3a Form 1120-POL check here ▶ <input type="checkbox"/>       | b Total tax (Form 1120-POL, line 22) . . . . .                            | 3b |                   |
| 4a Form 990-PF check here ▶ <input type="checkbox"/>         | b Tax based on investment income (Form 990-PF, Part VI, line 5) . . . . . | 4b |                   |
| 5a Form 8868 check here ▶ <input type="checkbox"/>           | b Balance Due (Form 8868, line 3c) . . . . .                              | 5b |                   |

#### Part II Declaration of Officer

6  I authorize the U.S. Treasury and its designated Financial Agent to initiate an ACH electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the organization's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment.

If a copy of this return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I certify that I executed the electronic disclosure consent contained within this return allowing disclosure by the IRS of this Form 990/990-EZ/990-PF (as specifically identified in Part I above) to the selected state agency(ies).

Under penalties of perjury, I declare that I am an officer of the above named organization and that I have examined a copy of the organization's 2005 electronic return and accompanying schedules and statements and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that the amount in Part I above is the amount shown on the copy of the organization's electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the organization's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) an indication of any refund offset, (c) the reason for any delay in processing the return or refund, and (d) the date of any refund.

Sign Here ▶ *Daniel M. [Signature]* ▶ 07/11/2007 ▶ ASSISTANT TREASURER  
 Signature of officer Date Title

#### Part III Declaration of Electronic Return Originator (ERO) and Paid Preparer (see instructions)

I declare that I have reviewed the above organization's return and that the entries on Form 8453-EO are complete and correct to the best of my knowledge. If I am only a collector, I am not responsible for reviewing the return and only declare that this form accurately reflects the data on the return. The organization officer will have signed this form before I submit the return. I will give the officer a copy of all forms and information to be filed with the IRS, and have followed all other requirements in Publication 4208, Information for Authorized IRS e-file Providers for Exempt Organization Filings. If I am also the Paid Preparer, under penalties of perjury I declare that I have examined the above organization's return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. This Paid Preparer declaration is based on all information of which I have any knowledge.

ERO's Use Only  
 ERO's signature ▶ *Lawrence [Signature]* Date 7/10/07 Check if also paid preparer  Check if self-employed  ERO's SSN or PTIN P 00 741 534  
 Firm's name (or yours if self-employed), address, and ZIP code ▶ DELOITTE TAX LLP EIN 86-1065772  
2 JERICHO PLAZA  
JERICHO, NY 11753 Phone no. 516-918-7000

Under penalties of perjury, I declare that I have examined the above return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer is based on all information of which the preparer has any knowledge.

Paid Preparer's Use Only  
 Preparer's signature ▶ *Lawrence [Signature]* Date 7/10/07 Check if self-employed  Preparer's SSN or PTIN P 00 741 534  
 Firm's name (or yours if self-employed), address, and ZIP code ▶ DELOITTE TAX LLP EIN 86-1065772  
2 JERICHO PLAZA  
JERICHO, NY 11753 Phone no. 516-918-7000

For Privacy Act and Paperwork Reduction Act Notice, see back of form. Form 8453-EO (2005)

**Additional Data****Software ID:****Software Version:****EIN:** 11-1788788**Name:** NEW YORK INSTITUTE OF TECHNOLOGY**Form 990, Part V-A - Current Officers, Directors, Trustees, and Key Employees:**

| <b>(A) Name and address</b>   | <b>(B) Title and average hours per week devoted to position</b> | <b>(C) Compensation (If not paid, enter -0-.)</b> | <b>(D) Contributions to employee benefit plans &amp; deferred compensation plans</b> | <b>(E) Expense account and other allowances</b> |
|---|---|---|--|---|
| Edward Guiliano<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568  | President<br>40   | 358,296   | 15,400   | 47,432  |
| Leonard Aubrey<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568   | Vice President<br>40  | 217,454   | 15,160   | 6,616   |
| Daniel McGovern<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568  | Assistant Treasurer<br>40                                       | 131,415   | 8,680  | 0   |
| Stephen Kloepfer<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568 | Assistant Secretary<br>40                                       | 196,560   | 13,759   | 6,000   |
| Linda Davila<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568     | Chair of the Board<br>10  | 0   | 0  | 0   |
| Bharat Bhatt<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568     | Trustee<br>5  | 0   | 0  | 0   |
| Paul Amoruso<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568     | Trustee<br>5  | 0   | 0  | 0   |
| Richard Daly<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568     | Trustee<br>5  | 0   | 0  | 0   |
| Robert Evanson<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568   | Trustee<br>5  | 0   | 0  | 0   |
| Peter Ferentinos<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568 | Trustee<br>5  | 0   | 0  | 0   |



**Form 990, Part V-A - Current Officers, Directors, Trustees, and Key Employees:**

| <b>(A) Name and address</b>   | <b>(B) Title and average hours per week devoted to position</b> | <b>(C) Compensation (If not paid, enter -0-.)</b> | <b>(D) Contributions to employee benefit plans &amp; deferred compensation plans</b> | <b>(E) Expense account and other allowances</b> |
|---|---|---|--|---|
| Bruce Leib<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568           | Trustee<br>5  | 0   | 0  | 0   |
| Frank Liguori<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568        | Secretary<br>5  | 0   | 0  | 0   |
| Deborah Marciano<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568     | Trustee<br>5  | 0   | 0  | 0   |
| Cristina Mendoza Esq<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568 | Trustee<br>5  | 0   | 0  | 0   |
| Michael Merlo<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568        | Trustee<br>5  | 0   | 0  | 0   |
| Robert Rose<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568          | Trustee<br>5  | 0   | 0  | 0   |
| Richard Torrenzano<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568   | Trustee<br>5  | 0   | 0  | 0   |
| Eli Wachtel<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568          | Trustee<br>5  | 0   | 0  | 0   |
| Alex Schure<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568          | 0<br>0  | 175,000   | 0  | 0   |
| Stanley Schiowitz<br>NORTHERN BLVD<br>GERRY HOUSE RM 200<br>OLD WESTBURY, NY 11568    | 0<br>0  | 50,000  | 0  | 0   |