

BOARD OF GOVERNORS
Rutgers, The State University of New Jersey
February 10, 2006

A regular meeting of the Board of Governors of Rutgers, The State University of New Jersey, was held on Friday, February 10, 2006 at 11:07 a.m. in the Multipurpose Room of the Paul Robeson Campus Center, Newark Campus. Mr. Giaconia, Chair *pro tempore* of the Board, presided.

Present and constituting a quorum were Giaconia, Harris, Howard, MacMillan, Nachtigal, Russo, Ryan, and Zoffinger.

Absent were Gamper, Goodman, and O'Hara.

Attending as an invited guest was Laudicina, Chair of the Board of Trustees.

Also present were Cotter and Leath, faculty representatives to the Board of Governors.

Absent was Farrell, student representative to the Board of Governors.

Attending for the University administration were Alger, Apfel, Cahill, Dennis, Diner, Fehrenbach, Furmanski, Kavanagh, McCormick, and Winterbauer.

CLOSED SESSION

Pursuant to a resolution passed on December 1, 2005 the Board met in closed session from 9:00 a.m. until approximately 11:00 a.m. to discuss contracts, litigation and matters falling within the attorney-client privilege, and personnel, including faculty promotions, appointments and reappointments with tenure, in accordance with Chapter 231, Public Law 1975, Section 7, Items (b)7 and (b)8.

ANNOUNCEMENT PURSUANT TO CHAPTER 231, PUBLIC LAW 1975
(OPEN PUBLIC MEETINGS ACT)

Mr. Giaconia opened the public session of the meeting at 11:07 a.m. and called upon Secretary Fehrenbach, who announced that "pursuant to Public law 1975, Chapter 231, (Open Public Meetings Act), public notice of this meeting was filed on June 17, 2005, with the Office of the Secretary of State of New Jersey and three newspapers, the Cherry Hill *Courier-Post*, the New Brunswick *Home News Tribune* and the Newark *Star-Ledger*. Public notice of the meeting was also posted in the following University libraries: the Alexander Library, New Brunswick; the Dana Library, Newark; and the Robeson Library, Camden. In addition, this meeting has been posted on the Rutgers Website, under Governing Boards."

APPROVAL OF MINUTES

Mr. Giaconia drew the Board's attention to the minutes of the December 1, 2005 meeting of the Board and asked if there were any additions or corrections to the minutes. There being none, on motion and duly seconded, the Board unanimously approved the minutes as distributed by the Secretary.

MATTERS PRESENTED BY THE PRESIDENT

President McCormick began his remarks by expressing his pleasure to be conducting today's meeting on the Newark campus. The president stated that all three campuses have been focusing on undergraduate education and that the most visible efforts have been made in New Brunswick over the past six months with the series of discussions on the Report of the Task Force on Undergraduate Education.

President McCormick informed the Board that the University Senate will present their recommendations to him on February 24, 2006 which will be followed by the president bringing his final recommendations to the Board of Governors for their review and action.

In other matters, President McCormick advised the Board of an agreement that has been reached by the presidents of all of the higher education institutions in New Jersey on a higher education facilities bond issue. The president noted that the state has not had a higher education facilities bond issue since 1988 and that he and a select group of college presidents recently had an extensive discussion with Governor Corzine on the bond issue. President McCormick is hopeful that the governor will lend his support on this proposal. The president also commended Governor Corzine on his ability to recognize the advancement of higher education and its correlation to economic development in the state. President McCormick pointed out to the Board that it will be a challenging budget year for the state and that the University will work closely with the legislature to minimize the impact on Rutgers. He reminded the Board of the contractually obligated staff and faculty salary increases that the University is faced with for the FY 2006-2007. He noted that the salary increases equate to \$32 million. President McCormick concluded his remarks by reiterating that the University community will need to continue its communication efforts to our state legislators to ensure that the bond issue proposal is achieved. The president further stated that clear and strong communications from the community can assist Rutgers with potentially securing funding from Governor Corzine's advanced proposal for the Edison Innovation Fund. He noted that this fund is being proposed to aid research universities in advancing their educational programs which address topics such as advanced materials and devices, nutrition, and biotechnology.

COMMITTEE ON EDUCATIONAL PLANNING AND POLICY

Faculty Appointment with Tenure Mr. Harris, Chair of the Committee, drew the Board's attention to the minutes of the Committee's meeting of January 25, 2006. He reported that the Committee had agreed to recommend for approval to the Board of Governors a certain faculty tenure appointment recommendation.¹

There being no further discussion, on motion and duly seconded, the Board unanimously approved the appointment.

Faculty Promotion and Tenure Reappointment Mr. Harris, Chair of the Committee, recommended for approval to the Board of Governors certain faculty promotion and tenure reappointments.²

There being no further discussion, on motion and duly seconded, the Board unanimously approved the appointments.

Board of Governors Professor of Public Administration Mr. Harris reported that the Committee agreed to recommend for approval to the Board of Governors the following resolution naming Professor Marc Holzer as Board of Governors Professor of Public Administration:

WHEREAS, the nomination of Marc Holzer to be named Board of Governors Professor of Public Administration by the Department of Public Administration, Faculty of Arts and Sciences-Newark, has been endorsed by Edward G. Kirby, Dean of the Faculty of Arts and

¹ Available from the Office of the Secretary of the Boards of Governors and Trustees

² Available from the Office of the Secretary of the Boards of Governors and Trustees

Sciences-Newark, and Philip Furmanski, Executive Vice President for Academic Affairs, and approved by Richard L. McCormick, President of the University, and

WHEREAS, Professor Holzer has been acclaimed in the documented testimonies of internationally distinguished experts for his influential scholarship in public administration, for his development of the subfield of public productivity, and his influential contributions to performance measurement, public sector productivity, and public service; and

WHEREAS, Professor Holzer has been recognized as an international leader in his field, as evidenced by his many achievements, including his numerous scholarly publications; his editorship of major journals and book series; his leadership roles in the American Society of Public Administration, including his election as President; his selection as a Fellow of the National Academy of Public Administration; and his many national and international awards and honors, including the Mosher, Stone, and Levine Awards and his honorary membership in the Chinese Public Administration Society;

THEREFORE, BE IT RESOLVED that the Board of Governors of Rutgers, The State University of New Jersey, names Marc Holzer as Board of Governors Professor of Public Administration, effective February 10, 2006.

Upon motion by Mr. Giaconia, and duly seconded, the Board unanimously approved the resolution.

Provost Steven Diner commended the Board on its wisdom in appointing Dr. Holzer to receive this award. Dr. Holzer addressed the Board and expressed his appreciation to them for this great honor. Dr. Holzer also thanked his family for their continuing support in allowing him to pursue his passion in this field of study. He stated that this great honor could not have been possible without the assistance of his "Rutgers family" including faculty, staff, and students. Dr. Holzer also stated that the University has consistently demonstrated its commitment to represent the values of merit in the field of public administration.

Establishment of a Department of Childhood Studies (Faculty of Arts and Sciences-Camden), the Doctor of Philosophy, Master of Arts, and Bachelor of Arts in Childhood Studies (Graduate School-Camden, Camden College of Arts and Sciences/University College-Camden) Mr. Harris reported that the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, the Faculty of Arts and Sciences – Camden proposes the establishment of a Department of Childhood Studies to fully realize the potential for groundbreaking interdisciplinary scholarship and to maintain the university's leadership in this emerging field; and

WHEREAS, the Graduate School – Camden proposes Doctor of Philosophy and Master of Arts degree programs in Childhood Studies that will draw upon the existing graduate courses and research expertise of Rutgers – Camden faculty; and

WHEREAS, the Camden College of Arts and Sciences and University College – Camden propose a Bachelor of Arts degree program in Childhood Studies that will build upon existing undergraduate curricula; and

WHEREAS, the new Department and programs will provide greater opportunities for Rutgers to strengthen its bond with the state's leaders and public agencies in providing committed service to New Jersey's communities and children;

WHEREAS, resources to establish and maintain the Department and programs are in place, and the proposed programs have been reviewed by an external consultant who has recommended their approval; and

WHEREAS, the proposed Department and programs have been approved by the Childhood Studies program faculty, the faculties and the Dean of Arts and Sciences and the Graduate School – Camden, the Camden Campus Provost, and the Executive Vice President for Academic Affairs;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors of Rutgers, The State University of New Jersey, approves the establishment of the Department of Childhood Studies in the Faculty of Arts and Sciences – Camden; and

BE IT FURTHER RESOLVED, that the Board of Governors approves the establishment of the Doctor of Philosophy and Master of Arts degrees in Childhood Studies to be offered by the Graduate School – Camden, and the establishment of the Bachelor of Arts degree in Childhood Studies to be offered by the Camden College of Arts and Sciences and University College – Camden; and

BE IT FURTHER RESOLVED that the Board of Governors affirms that the programs, under the standards of the Higher Education Restructuring Act of 1994, do not exceed or change Rutgers' mission, do not require significant new resources, and do not raise significant issues of duplication with existing New Jersey programs; and

BE IT FINALLY RESOLVED that upon approval by the Board of Governors of the Ph.D., M.A., and B.A. degrees in Childhood Studies, the proposal be forwarded to the New Jersey Presidents' Council.

Upon motion by Mr. Giaconia, and duly seconded, the Board unanimously approved the resolution.

Establishment of a Master of Arts Degree in Education (Graduate School-New Brunswick)
Mr. Harris reported that the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, the Ph.D. in Education through the Graduate School – New Brunswick supports New Jersey's efforts to improve the educational system in the state through emphasis on core curriculum standards, state-wide assessments, and accountability; and

WHEREAS, one of the goals of the Ph.D. program in Education is to train students to assume roles as faculty members in the future; and

WHEREAS, the availability of a master's degree within the Ph.D. in Education program would help students gain teaching experience that will enhance their employability post-graduation; and

WHEREAS, the Graduate School – New Brunswick has proposed a Master of Arts degree in Education to be available only to students in the Ph.D. in Education program, that the M.A. in Education not be a stand-alone program, and that students not be admitted to the M.A. program; and

WHEREAS, the M.A. in Education requires no new courses or additional resources; and

WHEREAS, the proposed M.A. in Education has been approved by the faculty and Dean of the Graduate School of Education, the faculty and Executive Dean of the Graduate School–New Brunswick, and the Executive Vice President for Academic Affairs;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors of Rutgers, The State University of New Jersey, approves the establishment of the Master of Arts degree in Education to be offered through the Graduate School – New Brunswick; and

BE IT FURTHER RESOLVED that the Board of Governors affirms that the program, under the standards of the Higher Education Restructuring Act of 1994, does not exceed or change Rutgers’ mission, does not require significant new resources, and does not raise significant issues of duplication with existing New Jersey programs; and

BE IT FINALLY RESOLVED that upon approval by the Board of Governors of the M.A. degree in Education, the proposal be forwarded to the New Jersey Presidents’ Council.

Upon motion by Mr. Giaconia, and duly seconded, the Board unanimously approved the resolution.

COMMITTEE ON BUDGET AND FINANCE

Mr. Jeffrey Apfel, Senior Vice President and Chief Financial Officer, drew the Board’s attention to the minutes of the January 25, 2006 meeting of the Committee. He reported that the Committee had agreed to have Prager Sealy & Co., LLC draft a proposal which will address the “knock-out” swap feature of the 2002 swap. Mr. Apfel also reported that Mr. Cowen and Ms. Fan, of Prager Sealy, led discussions on the possibility of considering hedging interest rates in connection with upcoming bond issues. Ms. Fan and Mr. Cowen also provided the Committee with a recommended approach in structuring a team to provide both underwriting and swap services. Mr. Apfel concluded his report by informing the Board of a recommendation that the Committee agreed to regarding the University’s debt policy.

COMMITTEE ON AUDIT

Mr. Zoffinger drew the Board’s attention to the minutes of the December 7, 2005 meeting of the Committee. He reported that the Committee was presented with an overview by Mr. Jonathan Alger, Vice President and General Counsel, of the University’s conflict of interest policy (that was adopted by the Board in 2005) and the disclosure forms that were filed thereunder. Mr. Zoffinger also reported that, at the request of the Committee, the University administration presented a review of the controls and due diligence procedures utilized in the University’s grant proposal and award process. He also noted that Mr. Merrill, of KPMG, reviewed the examination that his firm had conducted on the financial statements for the year ended June 30, 2005. Mr. Zoffinger concluded his report by stating that Mr. Sikora updated the Committee on recent internal audit reports issued to University management. Mr. Sikora also provided an update on the administration’s progress in contracting for hot-line services which are being implemented as a “confidential complaint mechanism” for accounting, control, and audit matters at the University.

COMMITTEE ON INTERCOLLEGIATE ATHLETICS

Mr. Giaconia drew the Board's attention to the minutes of the December 1, 2005 meeting of the Committee. He reported that the Committee was reminded that the National Collegiate Athletics Association (NCAA) adopted a reform package to improve academic success of student-athletes and developed a point system titled the Academic Progress Rate (APR) which monitors Division I scholarship student-athletes. Mr. Giaconia noted that Mr. Robert Mulcahy reported that the data for the University's APR report will contain statistics for academic years 2003-2004 and 2004-2005 and that the overall rankings show no risk of the university's athletic programs receiving considerable NCAA penalties. Mr. Giaconia stated that Dr. Furmanski reported on the progress of a committee that was formed to develop accountability measures for four goals set for Division I Athletics. Mr. Giaconia concluded his report by noting that the Committee was informed of the Scarlet Knights football team accepting an invitation to play Arizona State in the Insight Bowl, scheduled for December 27, 2005 in Phoenix, Arizona.

COMMITTEE ON UNIVERSITY RELATIONS AND HONORARY DEGREES

Mrs. Fehrenbach drew the Board's attention to the minutes of the November 9, 2005 and December 14, 2005 meetings of the Committee. She reported that Ms. Kim Manning-Lewis had provided an update to the Committee at the November 9, 2005 meeting on the next steps in the Constituency Research Project, which included the hiring of Lipman Hearne to develop a comprehensive communications program. Mrs. Fehrenbach also reported that the Committee met with representatives from Lipman Hearne at the December 14, 2005 meeting.

Mrs. Fehrenbach concluded the report by recommending to the Board of Governors, on behalf of the Committee, approval of the following candidates for the honorary doctoral degrees indicated to be awarded at Commencement 2006:

Morris Dees – Doctor of Laws
Bob Herbert – Doctor of Letters
Philip S. Schein – Doctor of Science
Shirley M. Tilghman Doctor of Science
A. Zachary Yamba – Doctor of Laws

There being no further discussion, on motion and duly seconded, the Board unanimously approved the candidates recommended by the Committee on Honorary Degrees.

JOINT COMMITTEE ON INVESTMENTS

Mr. Apfel drew the Board's attention to the minutes of the December 16, 2005 meeting of the Committee. He reported that the Committee had discussed a recommendation from Cambridge Associates to invest in the Wellington Trust Diversified Inflation Hedge portfolio. Mr. Apfel also reported that the Committee decided to invest \$3 million each with three fund managers, Millgate Partners, Viking Global Investors, and Liberty Square Asset Management, to complete the allocation to hedge funds.

**MATTERS PRESENTED BY THE EXECUTIVE VICE PRESIDENT
FOR ACADEMIC AFFAIRS**

Dr. Philip Furmanski, Executive Vice President for Academic Affairs, provided an update to the Board on the academic initiatives that are being implemented by the University. Dr. Furmanski recalled for the Board that he, President McCormick, Provost Diner, and Provost Dennis continue to look throughout the University for areas that possess strong potential to be developed into “signature programs.” He noted that the characteristics they seek out for these programs include building on existing excellence and the ability to create new, multi-disciplinary collaborations. Dr. Furmanski also pointed out to the Board that these initiatives should relate to our core missions, including programs that emphasize the role of the University as an engine of economic development and offer major, new educational training opportunities for our students. Nanotechnology and advanced materials and devices, Dr. Furmanski noted, are the areas being considered for the next signature program. He stated that the University has established an institute for nanotechnology, advanced materials and devices whose mission will be to advance interdisciplinary research related to the creation of new materials and their applications. The institute consists of 75 faculty members from across the University and Dr. Furmanski informed the Board that the administration has recruited Dr. Alex Jen, a highly respected scientist, to serve as director of the institute. Dr. Jen, who currently serves as a professor of material science and chemistry at the University of Washington in Seattle, oversees research in nanomedicine, electronics, photonics, and genetically engineered materials. He has helped secure more than \$60 million in funding for the University of Washington and is a co-principal investigator on two major National Science Foundation initiatives funded at \$24 million over five years. Dr. Furmanski emphasized that this appointment, which is effective July 15, 2006, will help the University move to the forefront of the nanotechnology and advanced materials and devices field.

In other matters, Dr. Furmanski informed the Board that this year’s selection of programs to receive awards from the Academic Excellence Fund, which was established by President McCormick two years ago, has been completed. He pointed out that this is a competitive process that is open to faculty members across the University to encourage the continuation of academic initiatives. A review committee consisting of Dr. Furmanski, deans, department chairs, and provosts received 100 proposals of which 37 were selected to receive a percentage of grants that total \$3 million. Dr. Furmanski continued by providing a brief overview of two programs on the New Brunswick campus that were awarded grants from the fund. One of the programs, based in the Graduate School-New Brunswick, will provide funding to undergraduate students who are studying in the areas of science, technology, engineering and mathematics. Two other recipients of the fund include the Molecular Biology department to assist in the development of a treatment for malaria and a program based at the Jane Voorhees Zimmerli Art Museum which consists of a collaboration between the Art History department, Mason Gross School of the Arts, and the University Libraries, which has established the Institute for Women and Arts. Dr. Furmanski spoke of one additional new project that was created to bring together professionals from a variety of disciplines to work on improving the security of the marine and coastal installations in New Jersey. Provost Steven Diner informed the Board that the East Asia Business Center in Newark has been selected as a recipient of the fund which will enable many of the faculty to travel between here and East Asia with the intent of building a broader research focus around Asian business. Provost Roger Dennis informed the Board of three recipients on the Camden campus which include a new program at the Law School-Camden focusing on juvenile justice; the development of a Ph.D. in the Public Policy and Administration department to advance planning around the concept of community, regional, and international development, and the third grant was awarded to the School of Business-Camden to develop a tie between the activities of the very successful business incubator in Camden and the academic and teaching missions of the business school.

**MATTERS PRESENTED BY THE EXECUTIVE VICE PRESIDENT
FOR ADMINISTRATIVE AFFAIRS**

Mrs. Karen Kavanagh, Executive Vice President for Administrative Affairs, provided an update on the College Avenue design competition. Mrs. Kavanagh informed the Board that the University hosted the five selected design teams over a three day period in January. Between January 22 and January 24 the firms were given a tour of the campus, and attended meetings with advisory committees consisting of alumni, faculty, students, and staff. Mrs. Kavanagh also noted that meetings were conducted to introduce the design teams to the Administrative Council, and members of the Board of Governors, Board of Trustees, the Board of Overseers, and members of the New Brunswick community. Additional informational meetings were facilitated by Dr. Gregory Blimling, Vice President for Student Affairs, on the topics of student life and river connections. The final series of meetings, Mrs. Kavanagh noted, focused on the impact that this project will have on the regional and local parking and transportation issues. She stated that the intent of these events was to assist the design teams in gaining a deeper understanding of the feeling, history, and architecture of the University. Mrs. Kavanagh informed the Board that the next phase begins on March 22, 2006 at which time the design firms will be delivering their design proposals to be displayed at the Jane Voorhees Zimmerli Art Museum. Mrs. Kavanagh concluded her remarks by noting that a series of educational events will be conducted around this next phase and that she will provide the Board with that information as the events are confirmed.

REPORT OF THE PROVOST

Provost Steven Diner began his report by informing the Board that this year marks the 26th anniversary of the Marion Thompson Wright Lecture Series scheduled to take place on February 18, 2006. Provost Diner then invited two faculty members from the Center for Molecular and Behavioral Neuroscience to address the Board on the work they are doing in the field of neuroscience. Professor Esther Nimchinsky provided an overview of the synaptic morphology and physiology of the human brain cells and its relation to blood supply throughout the body. Professor Kenneth Harris provided an overview of the studies and research that he has conducted involving the cerebral cortex of the brain and the multitude of "cell assemblies" that comprise the brain.

REPORT OF THE UNIVERSITY SENATE

Professor Martha Cotter reported that the University Senate met on two occasions since the last Board of Governors meeting. The December 9, 2005 meeting was devoted entirely to the Senate's ongoing consideration of the Report of the Task Force on Undergraduate Education. She reported that the New Brunswick Faculty Council presented its recommendations on the report to the Senate. In addition, the Senate was also presented with resolutions, relating to the report, which were written by a number of the student governing associations. Professor Cotter continued by reporting on the January 20, 2006 meeting of the Senate which included a report from Dr. Furmanski on the New Brunswick campus. She also noted that Professor Rudy Bell gave a eulogy honoring the passing of Dr. Richard P. McCormick. Professor Cotter noted that the main focus of the meeting was considering and determining what action could be taken on the Report of the Task Force on Undergraduate Education. She stated that the Senate approved nine of the first phase preliminary recommendations of the report which she noted is listed on the University Senate's website. Professor Cotter concluded her report by stating that the Senate is preparing to determine its final recommendations at the next meeting which is scheduled for February 24, 2006.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mr. Zoffinger addressed the Board on the issue of the high cost of textbooks and stated that he would like to be involved in addressing the solution to this growing problem. Following discussion by members of the Board, it was concluded that this is an issue of concern among all members of the University community. Mr. Giaconia suggested that Mr. Harris, as chair of the Committee on Educational Planning and Policy, and Dr. Furmanski be directly involved with a further investigation of the concerns brought to the table by Mr. Zoffinger.

RESOLUTION TO CONDUCT CLOSED SESSION

Ms. Nachtigal presented the following resolution which, being duly seconded, was unanimously approved by the Board:

BE IT RESOLVED, that the Board meet in closed session preceding the April 6, 2006 meeting to discuss contracts, litigation and matters falling within the attorney-client privilege, and personnel, including faculty promotions, appointments and reappointments with tenure, in accordance with Chapter 231, Public Law 1975, Section 7, Items (b)7 and (b)8.

Any necessary action will be taken at the earliest possible public meeting of the Board.

OPPORTUNITY FOR PUBLIC COMMENT

Mr. Mubarek S. Guy, President of the Newark-University College Student Government Association (SGA), addressed the Board on his concern for the future generations of students, specifically the future of urban youth. Mr. Guy made a verbal proposal that the Board look further into what the University is doing to address this issue. Mr. Guy continued by bringing forth the concern that Newark does not have a graduate program on African American studies. He feels that a program on African American studies would create greater ties to the Newark community. Mr. Guy concluded his remarks by noting that Newark-University College SGA just passed a resolution addressing the issue of the high cost of textbooks.

Mr. Thomas Dunn, a student at the Graduate School-New Brunswick, addressed the Board on the topic of the Report of the Task Force on Undergraduate Education. He stated that he feels that the same services should be available to men and women across the campus and believes that it is discriminatory to have a single sex college at a public university.

ADJOURNMENT

The meeting was adjourned at 12:45 p.m.



Kate Cahill
Assistant Secretary of the Boards of
Governors and Trustees