

BOARD OF GOVERNORS
Rutgers, The State University of New Jersey
April 6, 2006

A regular meeting of the Board of Governors of Rutgers, The State University of New Jersey, was held on Thursday, April 6, 2006 at 10:24 a.m. in the Board Room of Winants Hall, New Brunswick Campus. Mr. Gamper, Chairman of the Board, presided.

Present and constituting a quorum were Gamper, Goodman, Harris, MacMillan, Nachtigal, and Zoffinger.

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

Absent were Giaconia, Howard, O'Hara, Russo, and Ryan.

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, Manning-Lewis, McCormick, and Winterbauer.

Also attending as invited guests were Professor Sang-Wook Cheong, Dean Robert Goodman, and Sybil James.

CLOSED SESSION

Pursuant to a resolution passed on February 10, 2006 the Board met in closed session from 8:30 a.m. until approximately 10:10 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. Gamper opened the public session of the meeting at 10:24 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. Gamper drew the Board's attention to the minutes of the February 10, 2006 and March 10, 2006 meetings 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 CHAIRMAN

Mr. Gamper presented the following resolution recognizing the 2005-2006 Rutgers Women's Basketball Team:

WHEREAS, the Rutgers women's basketball team compiled a record of 27-5, including winning 15 of its last 17 games, and finished the season rated No. 9 in the final NCAA Division I Top 25 Poll; and

WHEREAS, the team completed the BIG EAST regular season with a 16-0 record, and won the Conference's regular season championship for the second consecutive year; and

WHEREAS, the team was selected as an at-large team to compete in the 2006 NCAA Women's Basketball Tournament and was seeded third in the Cleveland Regional, and won its first two games in the NCAA Tournament to advance to the Regional semifinal; and

WHEREAS, the Scarlet Knights were the second-most prolific defensive team in the country in 2005-06, allowing 51.9 points per game; and

WHEREAS, head coach C. Vivian Stringer won the 750th game of her career when the Scarlet Knights defeated Texas Christian University in the NCAA Tournament's second round to become only the third Division I coach to achieve 750 wins, and now has an overall record of 750-251; and

WHEREAS, senior guard Cappie Pondexter was the unanimous selection as BIG EAST Player of the Year, and earned All-BIG EAST first-team honors for the fourth consecutive year; and

WHEREAS, Cappie Pondexter became the first Scarlet Knight to ever be named to the Associated Press Women's Basketball All-America First Team, and was also named All-America by the United States Basketball Writers Association (USBWA), by ESPN.com, by Kodak/Women's Basketball Coaches Association (WBCA), by John R. Wooden Award Women's All-America Team, and was named National Player of the Year by the Women's Basketball News Service (WBNS); and

WHEREAS, sophomore guard Essence Carson was named BIG EAST Defensive Player of the Year, and sophomore guard Matee Ajavon was selected to the All-BIG EAST first team; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Governors of Rutgers, The State University of New Jersey, congratulate C. Vivian Stringer and the 2005-06 Rutgers University women's basketball team on an outstanding season.

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

Mr. Robert Mulcahy, Director of Intercollegiate Athletics, extended his appreciation to the Board and stated how proud he is of the job that this team has done in representing the University on a national level. Coach C. Vivian Stringer addressed the Board and expressed her gratitude to President McCormick for his constant display of support throughout the season. She commented on the extreme pleasure that

she and her staff have experienced this season with the successes and accomplishments that the team has brought to the University. In conclusion, Coach Stringer asked the Board to continue its support of the women's basketball program and she added that she, her staff, and the team will continue to work hard to bring pride to the University.

MATTERS PRESENTED BY THE PRESIDENT

President McCormick spoke briefly of the state budget cuts that the University along with other public universities in the state are facing. He noted that on March 21, 2006 Governor Corzine made some courageous proposals in an attempt to address the \$4-5 billion budget gap that the governor has inherited from his predecessors. The president stated that the governor's proposed plan includes a 1% increase in the sales tax, a much needed reinvestment in the state pension system, and budget reductions in many areas of the state including higher education. President McCormick informed the Board that the Administration will be implementing two strategies to combat these extremely challenging issues. The first strategy entails a thorough examination of all costs incurred by the University and to scrutinize as effectively as possible the question of where savings can be found. The president emphasized that Rutgers wants to be part of the solution. President McCormick stated that on March 27, 2006, he convened a budget advisory committee consisting of faculty, students, alumni, and staff to identify potential areas of savings, which along with all of the other strategies that are being formulated, will help the University develop solutions to combat this crisis. The second strategy introduced by President McCormick is to explain thoroughly and completely the implications of these cuts, specifically the impact on our students and educational programs. He pointed out that he and his administration are committed to working with Governor Corzine and the legislature to find a viable solution for all involved. The president expressed his gratitude to the Board for their continuing support in working through this process.

In other matters, President McCormick spoke of the March 10, 2006 meeting at which the Board passed a resolution approving the president's recommendations to transform undergraduate education on the New Brunswick/Piscataway campuses. The president described this plan as one of the most sweeping set of changes to take place at the University since the 1980's and he duly noted that we have before us the task of implementing the plan in preparation for the students who will be enrolling under this new structure in fall 2007. President McCormick informed the Board of his appointment of an implementation steering committee to be chaired by Professor Michael Beals and vice chaired by Professor Cheryl Wall. Professors Beals and Wall will preside over the implementation and the approximately 15 sub-committees charged with implementing the plan as approved by the Board at their March 10 meeting.

In continuing his remarks, President McCormick asked Dr. Philip Furmanski, Executive Vice President for Academic Affairs to introduce Ms. Sybil James, the newly appointed University Ombudsperson, following a national search. Dr. Furmanski provided the Board with a brief summary of the activities leading up to the creation of this position which included a series of focus groups consisting of students, faculty, and staff who were asked to assess the services and activities available to the students. He stated that large universities tend to be more complex and challenging for students to navigate and he noted that other AAU institutions have addressed this concern by bringing in an ombudsperson to deal with issues related to these complexities. Dr. Furmanski provided an overview of Ms. James' educational and professional background including the fact that she received her undergraduate degree from Rutgers College, a law degree from the University of Pennsylvania, and most recently served as the Dean of Students at Rutgers Law-Camden. He stated that the skills and experience attained by Ms. James over the years have helped her develop the expertise that made her an ideal match for this position.

President McCormick introduced Dr. Robert Goodman, Executive Dean of Agriculture and Natural Resources, Dean of Cook College, and Executive Director of the New Jersey Agricultural and Environmental Stations (NJAES). Dr. Goodman presented to the Board an overview of the planned restructuring of Cook College and the NJAES to be integrated into the School of Environmental and Biological Sciences. He reviewed the major initiatives and priorities of this plan including the reorganization of the Office of the Executive Dean. Dr. Goodman concluded his presentation by stating that the future of Cook College will focus on excellence, identify the right opportunities for research and outreach, and articulate and implement a vision of centrality within the broader missions of Rutgers University.

COMMITTEE ON EDUCATIONAL PLANNING AND POLICY

Faculty Appointments with Tenure Mr. Harris, Chair of the Committee on Educational Planning and Policy, began his report by recommending for approval to the Board of Governors certain faculty appointments with tenure.¹

Upon motion, duly seconded, the Board unanimously approved the appointments.

Faculty Promotion and Reappointment Recommendations Mr. Harris reported that the Committee agreed to recommend for approval to the Board of Governors certain faculty promotion and reappointment recommendations.²

Upon motion, duly seconded, the Board unanimously approved the recommendations.

Proposed Appointment to the Donald H. Jacobs Chair in Applied Physics Mr. Harris recommended for approval to the Board of Governors the appointment of Dr. Sang-Wook Cheong to the Donald H. Jacobs Chair in Applied Physics. Mr. Harris then presented the following resolution:

WHEREAS, the University is committed to the advancement and application of knowledge in the field of applied physics; and

WHEREAS, in 1990 the University established the Donald H. Jacobs Chair in Applied Physics with a generous gift from the estate of Rutgers alumnus Donald H. Jacobs; and

WHEREAS, Professor Sang-Wook Cheong, Department of Physics and Astronomy, Faculty of Arts and Sciences-New Brunswick, is an internationally recognized leader in condensed matter physics, in the area of strongly-correlated electrons, who has made innovative and wide-ranging contributions in the development of new, important electronic and magnetic materials and in the exploration of the physical properties of these materials;

WHEREAS, Professor Cheong has been recommended for the Donald H. Jacobs Chair in Applied Physics by his scientific peers and colleagues, by Dr. Holly M. Smith, Dean of the Faculty of Arts and Sciences-New Brunswick, by Dr. Philip Furmanski, Executive Vice President for Academic Affairs, and by Dr. Richard L. McCormick, the President of the University;

NOW, THEREFORE, BE IT RESOLVED that the Board of Governors of Rutgers, the State University of New Jersey appoints Professor Sang-Wook Cheong to the Donald H. Jacobs

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

Chair in Applied Physics for a three-year term, commencing January 1, 2006, and expiring December 31, 2008.

Upon motion, duly seconded, the Board unanimously approved the appointment.

Dr. Cheong extended his appreciation to the Board and President McCormick for this great honor. He spoke briefly on the topic of the development of the semi-conductor, noting that this technology originated in New Jersey. Dr. Cheong concluded by stating that his appointment to the Donald H. Jacobs Chair in Applied Physics is indicative of the University's support of continuing the development of these types of technologies in the state.

Resolution on Master of Arts in Psychology and B.A./M.A. Dual Degree Program in Psychology on the Camden Campus Mr. Harris reported that at the March 23, 2006 meeting, the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, the Graduate School–Camden proposes a Master of Arts degree program in Psychology that builds on existing research expertise in the Department of Psychology of the Faculty of Arts and Sciences–Camden; and

WHEREAS, the new program will expand opportunities for graduate study of Psychology in southern New Jersey and will provide an important service to the regional business and professional community; and

WHEREAS, resources to establish and maintain the program are in place; and

WHEREAS, the proposed program has been reviewed by an external consultant who has recommended its approval; and

WHEREAS, the proposed program has been approved by 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 Master of Arts degree in Psychology to be offered by the Graduate School–Camden; 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 Master of Arts degree in Psychology, the proposal be forwarded to the New Jersey Presidents' Council.

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

Mr. Harris continued his report by informing the Board that President McCormick and Dr. Nancy Winterbauer, Vice President for University Budgeting, addressed the Committee on the state budget that was introduced by Governor Corzine on March 21, 2006. Mr. Harris stated that the Committee was advised that a Bachelor of Science in Criminal Justice will be offered jointly by the

School of Criminal Justice and the Newark College of Arts and Sciences or University College–Newark. He concluded his report by noting the expansion of the Bachelor of Arts/Master of Public Health articulated program with the New Brunswick/Piscataway undergraduate colleges.

COMMITTEE ON BUILDINGS AND GROUNDS

Ms. Nachtigal, Chair of the Committee on Buildings and Grounds, drew the Board's attention to the minutes of the March 23, 2006 meeting of the Committee and reported on the following matters:

Proposed Resolution on the Rutgers University Building Aesthetics and Environmental Design Guidelines and Standards Ms. Nachtigal reported that at the March 23, 2006 meeting, the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, The University administration determined a need to evaluate the existing University design guidelines and standards that impact building aesthetics and environmental design, including campus beautification; and

WHEREAS, a Steering Committee was convened in November 2004 to identify a scope of work for developing new University Building Aesthetics and Environmental Design Guidelines and Standards ("Design Guidelines"); and

WHEREAS, a Request for Proposals was sent to 18 qualified architectural and landscape architectural firms on December 23, 2004 to assist the University in the development of the guidelines and standards; and

WHEREAS, an Advisory Committee comprised of university faculty, staff, and students interviewed six short-listed firms on January 21, 2005, and selected Ayers/Saint/Gross, Inc. of Baltimore; and

WHEREAS, to ensure university wide participation throughout this project, Ayers/Saint/Gross regularly met with the Steering and Advisory Committees and also conducted meetings and interviews with faculty, staff, and students to receive input into the development of the Design Guidelines; and

WHEREAS, a final draft of the Design Guidelines was presented to the Steering and Advisory Committees and the President's Cabinet, and their comments have been incorporated into the document; and

WHEREAS, on March 23, 2006 the Committee on Buildings and Grounds reviewed and approved the Design Guidelines;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors of Rutgers, The State University, upon the recommendation of the Committee on Buildings and Grounds, hereby approves the Rutgers University Building Aesthetics and Environmental Guidelines and Standards.

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

Ms. Nachtigal noted that the standards presented in this resolution are part of the implementation of the University's 2003 Physical Master Plan in creating a single Rutgers identity across the all three campuses.

Proposed Resolution on the Concept Document for the Wright-Rieman Chemistry Lab Renovation on the Busch Campus Ms. Nachtigal reported that the Committee, with the concurrence of the Budget and Finance Committee, agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, the Concept Document for the Wright-Rieman Chemistry Lab Renovation on the Busch campus was presented to the Committee on Buildings and Grounds on March 23, 2006; and

WHEREAS, the project estimate is \$2,700,000; and

WHEREAS, a total of \$2,700,000 is currently available for the project from University funds in-hand; and

WHEREAS, on March 23, 2006, the Committee on Buildings and Grounds has recommended that spending authority on this project be increased to \$3,000,000 if such additional funds are deemed necessary for completion of the project and such further available funds can be identified and such increase is approved by the Chairs of the Board of Governors, the Committee on Buildings and Grounds, and the Committee on Budget and Finance and a Board of Trustee representative from the Committee on Buildings and Grounds, to be appointed by the Chair of that Committee; and

WHEREAS, on March 23, 2006, the Committee on Buildings and Grounds, with the concurrence of the Committee on Budget and Finance, has recommended for approval to the Board of Governors of Rutgers, The State University of New Jersey, the Concept Document for the Wright-Rieman Chemistry Lab Renovation on the Busch campus, with spending authority up to the currently available funding limit of \$2,700,000 and to \$3,000,000 provided the aforementioned approval process is satisfactorily completed;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors of Rutgers, The State University of New Jersey approves the Concept Document describing the project outlined above, with spending authority up to the currently available funding limit of \$2,700,000 and to \$3,000,000 provided the aforementioned approval process is satisfactorily completed.

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

Proposed Resolution on the Concept Document for the Center for Integrative Proteomics Technologies on the Busch Campus Ms. Nachtigal also reported that the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, the Concept Document for the Center for Integrative Proteomics Technologies on the Busch campus was presented to the Committee on Buildings and Grounds on March 23, 2006; and

WHEREAS, the project estimate is \$55,000,000; and

WHEREAS, a total of \$55,000,000 is available for the project from the sale of University bonds and through fundraising efforts; and

WHEREAS, on March 23, 2006, the Committee on Buildings and Grounds has recommended for approval to the Board of Governors of Rutgers, The State University of New Jersey, the Concept Document for the Center for Integrative Proteomics Technologies on the Busch campus, with spending authority up to the currently available funding limit of \$55,000,000;

NOW, THEREFORE, BE IT RESOLVED that the Board of Governors of Rutgers, The State University of New Jersey approves the Concept Document for the Center for Integrative Proteomics Technologies on the Busch campus, with spending authority up to the currently available funding limit of \$55,000,000.

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

Proposed Resolution Authorizing the Negotiation and Execution of Agreement(s) and Other Related Documents in Connection with the Construction of the George Street Roundabout Project on the College Avenue Campus Ms. Nachtigal continued by reporting to the Board that this proposed resolution will allow the Administration to move forward with renegotiating one or more agreements with a number of governmental authorities and agencies necessary to implement this project. She then stated that the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, Rutgers, The State University (“*Rutgers*”) plans to construct a traffic rotary or roundabout along George Street (hereinafter referred to as the “*Project*”) in the area adjacent to Campbell Hall, Alexander Library and the College Avenue Parking Deck (such area, the “*Project Area*”) (*See Attachment A for the location of the Project*); and

WHEREAS, the Project provides major enhancements to the local and regional roadway circulation, and benefits the long term growth and development of the City of New Brunswick, the County and the University; and

WHEREAS, the Project provides additional benefits to Rutgers: (i) by facilitating the movement and routing of the intercampus bus system; (ii) by improving access to the northbound side of Route 18; (iii) by upgrading ingress and egress from the College Avenue parking deck; and (iv) by controlling traffic in this area to ensure greater safety to pedestrians on George Street; and

WHEREAS, George Street is a Middlesex County (the “*County*”) road and maintained right-of-way and thus, Rutgers anticipates engaging in discussions and negotiations with such State, County, City or other governmental authorities and agencies as may be necessary or desirable to implement the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Governors of Rutgers, The State University, upon recommendation of the Committee on Buildings and Grounds, that the Senior Vice President for Administration and Chief Financial Officer is authorized to negotiate and execute one or more agreements with the State, County, City or other governmental authorities and agencies as may be necessary or desirable to implement the Project.

SECTION 1: The Rutgers' Administration, acting through the Senior Vice President for Administration and Chief Financial Officer, is hereby authorized to negotiate with the State, County, City or other governmental authorities and agencies as may be necessary or desirable to implement the Project.

SECTION 2: The Senior Vice President for Administration and Chief Financial Officer is hereby authorized to execute such agreements, as applicable, and take any and all actions necessary or desirable in order to carry out the purpose and intent of this resolution.

SECTION 3: This Resolution shall take effect immediately.

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

Proposed Resolution on the Naming of the New Brunswick/Piscataway Baseball Field on the Livingston Campus as "Bainton Field" In addition, Ms. Nachtigal reported that the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, Ron and Pat Bainton have donated \$1.25 million to the Rutgers University Baseball Program to be used to enhance the baseball field by the installation of FieldTurf®, which is a synthetic surface similar to the one in use on the University's football field; and

WHEREAS, the Bainton gift will cover close to 100% of the cost associated with the purchase and installation of FieldTurf®; and

WHEREAS, the installation of FieldTurf® will make the field available for use year-round and significantly reduce the number of classes missed by our student-athletes due to weather-related postponed and cancelled events throughout the spring season; and

WHEREAS, this upgrade of the baseball field will allow Rutgers to keep pace with other BIG EAST schools in the quality of our facilities, thereby improving the University's ability to attract and retain top student-athletes; and

WHEREAS, in accordance with the University's Naming Policy 20.1.13, the University Naming Committee met on February 14, 2006 to review the naming proposal and recommends its approval; and

WHEREAS, the Committee on Buildings and Grounds met on March 23, 2006 and recommends approval of this naming proposal to the Rutgers Board of Governors;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors of Rutgers, The State University of New Jersey, upon the recommendation of the University Naming Committee and the Committee on Buildings and Grounds, approves the naming of the Rutgers New Brunswick/Piscataway Baseball Field, located on the Livingston campus, as "Bainton Field";

BE IT FURTHER RESOLVED, that the University wishes to express deep appreciation to Ron and Pat Bainton for this wonderful gift and their support of Rutgers athletics.

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

Proposed Resolution on a Contract for Construction of the School of Law-Camden Expansion at the Camden Campus Ms. Nachtigal concluded her report by stating that the Committee agreed to recommend for approval to the Board of Governors the following resolution:

WHEREAS, Rutgers, The State University of New Jersey (Rutgers) received competitive bids from five prequalified bidders on February 2, 2006 for the School of Law-Camden Expansion at the Camden Campus; and

WHEREAS, the Board of Governors approved the Concept Document on April 8, 2004 and the amount of \$31 million was approved for the project; and

WHEREAS, the amount of \$24,712,000 is available for construction; and

WHEREAS, the construction firm Torcon, Inc. of Westfield, New Jersey submitted the resulting low bid of \$24,712,000 for the base bid and alternate number one only;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors of Rutgers, The State University, upon the recommendation of the Committee on Buildings and Grounds, approves the award of a construction contract to Torcon, Inc. in the amount of \$24,712,000 for the base bid and alternate number one for construction of the School of Law-Camden Expansion at the Camden Campus.

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

COMMITTEE ON BUDGET AND FINANCE

Mr. Goodman, Chair of the Committee on Budget and Finance, drew the Board's attention to the minutes of the March 23, 2006 meeting of the Committee. He continued by reporting that President McCormick and Dr. Nancy Winterbauer addressed the Committee on the state budget that was introduced by Governor Corzine on March 21, 2006. Mr. Goodman also stated that Provost Steven Diner provided updates on two proposed projects on the Newark campus. He concluded his report by informing the Board that Mr. Jeffrey Apfel and Mr. Chris Cowen, of Prager, Sealy & Co., LLC, discussed with the Committee the selection of an investment banking team that would offer the University an opportunity to bid on swaps in a timely fashion.

COMMITTEE ON UNIVERSITY RELATIONS AND HONORARY DEGREES

Mr. Gamper drew the Board's attention to the minutes of the March 7, 2006 meeting of the Committee. He reported that members of the Rutgers Foundation staff, including Ms. Carol Herring, President of the Foundation and Vice President of Development and Alumni Relations, presented an outline to the Committee on the upcoming capital campaign. Mr. Gamper also reported that Ms. Kim Manning-Lewis, Vice President for University Relations, provided an update to the Committee on the comprehensive communications program being developed in conjunction with Lipman Hearne.

Mr. Gamper continued by reporting to the Board that at their January 25, 2006 meeting, the Committee on Honorary Degrees agreed to recommend for approval to the Board of Governors the award of an honorary Doctor of Laws degree to Governor Jon S. Corzine.

**MATTERS PRESENTED BY THE SENIOR VICE PRESIDENT FOR ADMINISTRATION AND
CHIEF FINANCIAL OFFICER**

Mr. Jeffrey Apfel, Senior Vice President for Administration and Chief Financial Officer, reminded the Board that the Administration continues its ongoing efforts to codify and update a number of University policies to ensure they are current and that the appropriate processes are in place for signatory responsibilities. He then drew the attention of the Board to the following resolution approving revisions to University Policy 50.3.4, "Electoral Political Activities and the Use of University Resources":

WHEREAS, in January 1971, the Board of Governors of Rutgers, The State University of New Jersey approved the policy on "Political Activities and the Use of University Resources," (formerly Book 6.4.5 in the University Regulations and Procedures Manual); and

WHEREAS, in July 2005, a committee comprised of university administrators was convened, in consultation with the Office of the Vice President and General Counsel, to examine and recommend changes to the policy; and

WHEREAS, the committee has carefully evaluated the existing policy and determined it is now desirable to modify the policy to provide the University community with enhanced guidelines on participation in electoral political activities and the use of University resources; and

WHEREAS, this policy has been renumbered and renamed as Policy Section 50.3.4, "Electoral Political Activities and the Use of University Resources" in the University Policy Library; and

WHEREAS, on April 6, the Board of Governors has reviewed the policy revisions and determined them to be desirable, and upon the Board's approval, the policy will be communicated to members of the University community;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors approve the attached Policy Section 50.3.4, Electoral Political Activities and the Use of University Resources.

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

COMMITTEE ON AUDIT

Mr. Zoffinger drew the Board's attention to the minutes of the March 23, 2006 meeting of the Committee on Audit. He continued by reporting to the Board that Mr. Merrill, of the audit firm of KPMG, reviewed the status of several reports that have been rendered since the examination of the University's financial statements for the year ended June 30, 2005. Mr. Zoffinger also reported that Mr. Mezzina, KPMG's National Industry Director for Higher Education, briefed the Committee on issues relating to the Sarbanes/Oxley Act of 2002. Mr. Zoffinger concluded his report by stating that Mr. Joseph Sikora, Director of Internal Audit, reviewed the year end report that summarizes the activities of the Internal Audit Department for 2005.

COMMITTEE ON INTERCOLLEGIATE ATHLETICS

Mr. Gamper drew the Board's attention to the minutes of the March 22, 2006 meeting of the Committee on Intercollegiate Athletics. He continued by reporting to the Board that Mr. Robert Mulcahy, and members of his staff reviewed the activities surrounding the football team's participation in the Insight Bowl held in Phoenix, Arizona on December 27, 2005. Mr. Gamper also reported that the Committee heard from three student athletes who discussed the importance of balancing their academic coursework and their multiple team practices on a daily basis. He concluded by reporting that Dean Carl Kirschner reported on the new NCAA Academic Progress Rates for the athletic programs and that Mr. Mulcahy informed the Committee that Mr. Fred Hill has accepted the position of the men's head basketball coach.

JOINT COMMITTEE ON INVESTMENTS

Mr. Apfel drew the Board's attention to the minutes of the February 8, 2006 meeting of the Joint Committee on Investments. He continued by reporting that Mr. Wilson of Cambridge Associates discussed the investment environment and the asset allocations of the University's investment pools. In addition, Mr. Apfel reported that the Committee heard a presentation from Northgate Venture Partners and decided to make a \$10 million commitment to the firm. He concluded his report by stating that in executive session, the Committee approved the 2006 fees for Cambridge Associates.

REPORT OF THE UNIVERSITY SENATE

Professor Cotter reported that the University Senate has met twice since the last report presented to the Board. She noted that at the February 24, 2006 meeting the Senate approved a total of 29 recommendations in seven broad categories including: 1) Collegiate Structure, 2) Administrative Structure and Responsibilities, 3) Admissions and Recruitment, 4) Faculty Incentives, 5) Advising and Curriculum, 6) The Student Experience, and 7) Implementation. Professor Cotter continued by reporting that the major items on the March 24, 2006 Senate agenda included the Newark campus report by Provost Steven Diner and a report on the University Instructional Technology Report presented by Mr. Michael McKay, Vice President for Information Technologies. She concluded her report by informing the Board that the Senate unanimously approved a resolution entitled "Resolution Urging Governor Jon Corzine and the New Jersey State Legislature to Save Higher Education Funding for Rutgers University."

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

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 June 15, 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.

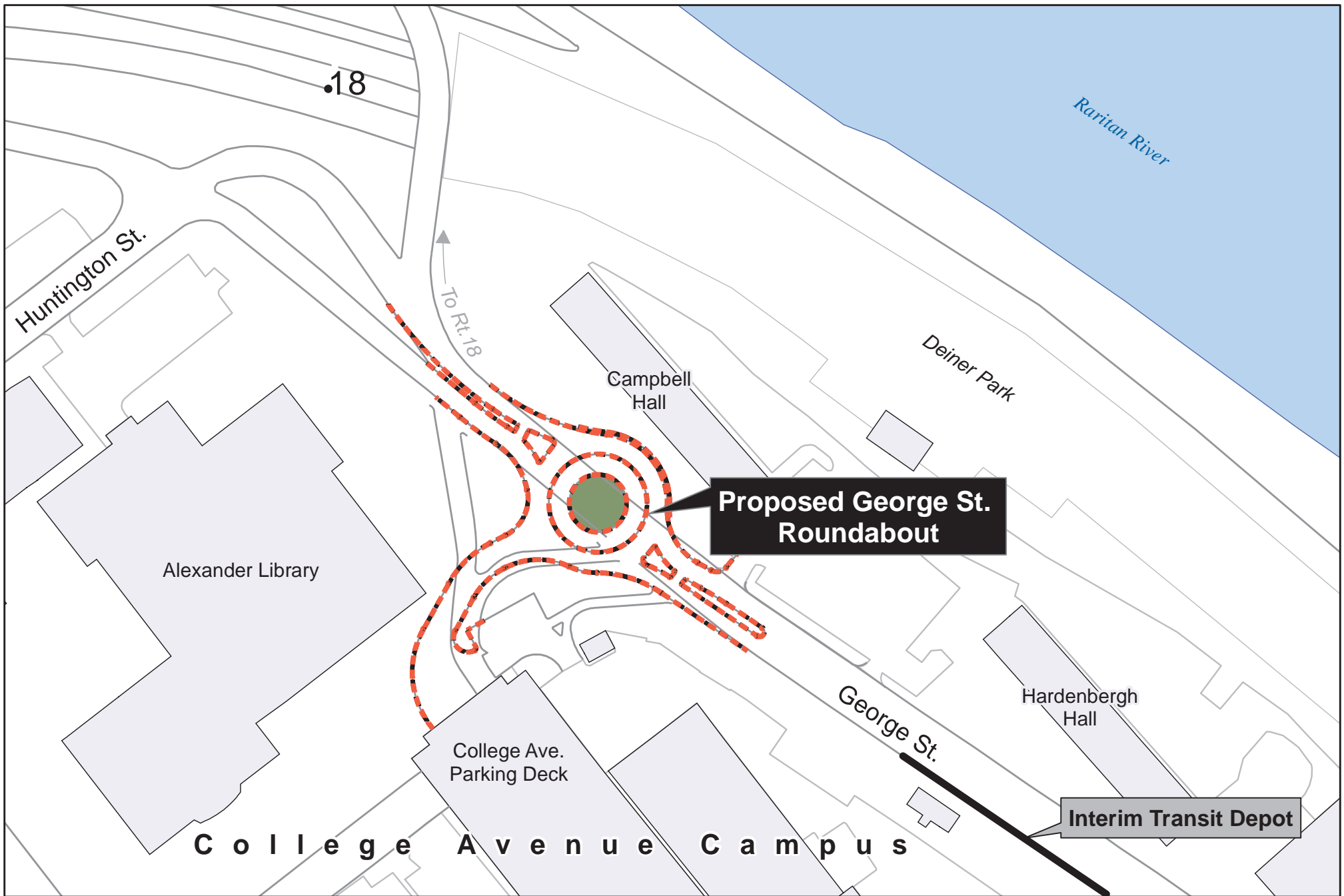
Any necessary action will be taken at the earliest possible public meeting of the Board.

ADJOURNMENT

The meeting was adjourned at 11:50 a.m.

A handwritten signature in black ink that reads "Kate Cahill". The signature is written in a cursive, flowing style.

Kate Cahill
Assistant Secretary of the University



Title: Proposed George St. Roundabout

Date: March 2006

Scale: 0 150 300 Feet

THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS





RUTGERS POLICY

Section: 50.3.4

Section Title: Legal Matters

Policy Name: Electoral Political Activities and the Use of University Resources

Formerly Book: 6.4.5, Political Activities and the Use of University Resources

Approval Authority: Board of Governors

Responsible Executive: Executive Vice President for Academic Affairs and the Senior Vice President and Chief Financial Officer

Responsible Office: Office of Academic Affairs and the Office of the Senior Vice President and Chief Financial Officer

Originally Issued: January 1971

Revisions: April 6, 2006 (BOG Meeting)

Errors or changes? oevpada@oldqueens.rutgers.edu

1. **Policy Statement**

Every member of the university community has a right to participate or not, as he or she sees fit, in the election process. However, as an institution, Rutgers University shall be free of partisanship in its governance and conduct. The university shall not participate or intervene in any political campaign for public office. No member of the university community shall speak or act in the name of the university in a political campaign. Those who in their official capacity speak for the university should make it clear when expressing individual views that they are not stating a university position.

2. **Reason for Policy**

The Rutgers Law of 1956 provides that the governance and conduct of the university shall be free of partisanship. Federal tax law also requires that Rutgers not participate or intervene in any political campaign for public office.

3. **Who Should Read Policy**

All members of the university community

4. **Related Documents**

Rutgers Law of 1956, N.J.S.A. 18A:65-27 (I) (a)
Various tax and election laws
State conflicts of interest law
50.3.8, Lobbying Policy
Frequently Asked Questions (FAQ) promulgated as interpretive guidance

5. **Contacts**

Academic Affairs: english@oldqueens.rutgers.edu or 732/932-7821
Administrative Affairs: oevpada@oldqueens.rutgers.edu or 732/932-5661

6. Policy

50.3.4 ELECTORAL POLITICAL ACTIVITIES AND THE USE OF UNIVERSITY RESOURCES

I. Statement of Policy: The University Does Not Participate in Campaigns for Public Office

Every member of the university community has a right to participate or not, as he or she sees fit, in the election process. However, as an institution, Rutgers University shall be free of partisanship in its governance and conduct. The university shall not participate or intervene in any political campaign for public office. No member of the university community shall speak or act in the name of the university in a political campaign. Those who in their official capacity speak for the university should make it clear when expressing individual views that they are not stating a university position.

II. Principle of Institutional Neutrality Must Always Be Observed During Educational and Campaign Related Activities

Political issues may be an important subject of classroom education and research. The university supports programs which encourage participation in the political process (such as non-partisan voter registration drives). Speakers with experience in various matters of government are invited to campus, and students express their viewpoints individually and through student controlled organizations and newspapers. It is appropriate for the university as an educational institution to facilitate discussion and research on political activities generally. The guiding principle, however, is institutional neutrality in political electoral campaigns. No activity should give the impression that the university takes sides in a political campaign. This principle underlies the guidelines below on specific issues.

III. No University Endorsement of Candidates

No individual may act on behalf of the university to support or oppose any candidate for public office.

The name, seal, stationery and other identifying marks of the university, or of any of its departments, may not be used in any way that implies the individual or group is speaking or acting for the university in political matters (e.g., in correspondence pertaining to partisan political purposes such as soliciting funds or carrying on a campaign).

No university funds or resources shall be contributed to any political campaign for public office (or regulated candidate-related groups such as political action committees).

No university employee may, as part of his or her job, be requested or pressured to raise or contribute funds, or to perform tasks in any way related to partisan, political or electoral purposes, either on or off regular duty. No political campaigning activities shall be engaged in during hours when an employee is expected to be performing his or her regularly scheduled university duties.

IV. Use of Facilities

A. Use of University Facilities for Politically-Related Events

Educational institutions traditionally provide facilities on an impartial basis to members of the university community, even when those activities may be ideological, partisan or political in nature (such as, for example, Democratic, Republican, and other clubs with an interest in politics). The following general rules apply:

1. Payment for Use of Facilities and/or Services Provided
The individual, group or organization reserving the facility must adhere to the facility use policy in effect at the campus where the event is scheduled, and must pay all requisite charges for use of the facility and any equipment, services or supplies provided (e.g., catering, security, audiovisual equipment, etc.), if applicable.
2. No Political Fundraising and Soliciting Permitted
No political fundraising is allowed.
3. Disclaimer of University Sponsorship or Endorsement
The university may not be identified as sponsoring or endorsing a particular candidate, partisan political program or activity held on campus or in a university building in the literature or announcements of the program.

B. Candidates as Speakers

Candidates and current officeholders who engage in any political activities, including campaigning for themselves or on behalf of others, shall comply with the university policy and legal limitations regarding the appropriate use of university facilities.

1. Speaking as a Candidate
Candidates may speak at the university. All legally qualified candidates for public office, or for the nomination of a particular party, shall be given equal access and opportunity to speak. If a single candidate is invited to an event to speak in his or her capacity as a candidate then the university shall assure that the opportunity for equivalent access is provided to all other candidates.
2. Speaking as an Individual
Candidates may sometimes speak as individuals on noncampaign matters that do not require that other candidates be given an equivalent opportunity.

V. Responsibility for Interpretation

The Offices of the Executive Vice President for Academic Affairs and Senior Vice President and Chief Financial Officer, in consultation with the Office of the Vice President and General Counsel, shall interpret and apply these policies and guidelines. At the Newark and Camden campuses, the Office of the Provost, in consultation with the Office of the Vice President and General Counsel, shall interpret and apply these policies and guidelines.

All questions on whether planned activities are consistent with the university's obligations should be addressed directly to the executive vice president and the senior vice president and chief financial officer or the provosts in Newark and Camden, or their designees.

FAQs: PERMISSIBLE ELECTORAL POLITICAL ACTIVITIES

What are some examples of activities in which members of the university community may properly engage in official university functions or settings when consistent with this policy?

The following are examples of such permissible activities that are consistent with this policy:

- Discuss ideological or political issues or teach about political issues or techniques
- Engage in academic endeavors which address public policy
- Conduct scholarly research on the effects of a campaign proposal on the university, state, economy, etc.
- Compile and assemble data and other factual information on the effects of a campaign proposal
- Disseminate factual material and/or the results of scholarly research to news organizations, academic journals, etc.
- Post factual material and/or the results of research to a university web site
- Plan conferences, forums, symposia or panel discussions -- or invite guest speakers to campus -- to discuss campaign-related issues

What are some examples of activities in which members of the university community may properly engage in on their own time (provided they do not use university resources and do not say or imply they are acting on behalf of the university)?

The following are some examples of such permissible activities that are consistent with this policy:

- Contribute money to a political campaign
- Act as a campaign volunteer by writing letters, making phone calls, knocking on doors or distributing flyers in support of or opposition to a political campaign
- Organize or attend rallies in support of or opposition to a political campaign
- Write letters to the editor or op-ed pieces for publication
- Give speeches or participate in debates
- Write to elected officials to express their opinion

Are employees allowed to campaign as political candidates?

Employees campaigning as political candidates for local, state or federal offices shall do so only on their own time.

May candidates for public office speak at commencement or convocation ceremonies?

No. It is longstanding university practice not to invite declared candidates to speak at any of the commencement or convocation ceremonies in order to avoid any appearance of showing favoritism in a political campaign.