

**BOARD OF GOVERNORS**  
Rutgers, The State University of New Jersey

**February 18, 2020**

12:00 p.m. - open session / 12:05 p.m. - closed session / 1:00 p.m. - open session  
Winants Hall, 7 College Avenue, New Brunswick, New Jersey

Tentative Agenda

1. CALL TO ORDER
2. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
3. ROLL CALL (taken while meeting continues)
4. RESOLUTION TO CONDUCT CLOSED SESSION – February 18, 2020
5. CLOSED SESSION
6. RESUMPTION OF OPEN SESSION
7. MATTERS PRESENTED BY THE PRESIDENT
8. COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS – January 28, 2020
  - a. Proposed Recommendation for Award of Honorary Degrees and Commencement Speakers at Rutgers University–Camden in May 2020
  - b. Proposed Recommendation for Award of Honorary Degrees and Commencement Speaker at Rutgers University–New Brunswick in May 2020
  - c. Proposed Recommendation for Award of Honorary Degree and Commencement Speaker at Rutgers University–Newark in May 2020
9. COMMITTEE ON FINANCE AND FACILITIES – January 28, 2020
  - a. Proposed Resolution Authorizing Rutgers, The State University, to Enter Into a Memorandum of Understanding with The Rutgers University Foundation to Memorialize and Clarify the Relationship Between the Two Organizations
10. COMMITTEE ON AUDIT – January 29, 2020
11. COMMITTEE ON HEALTH AFFAIRS – January 23, 2020
12. COMMITTEE ON INTERCOLLEGIATE ATHLETICS – January 22, 2020
13. JOINT COMMITTEE ON INVESTMENTS – January 16, 2020
14. CONSENT AGENDA
  - a. Approval of Minutes – December 17, 2019 and January 21, 2020
  - b. Proposed Recommendation to Membership on the Board of Managers of the New Jersey Agricultural Experiment Station
  - c. Committee on Academic and Student Affairs – January 28, 2020
    - (1) Faculty Tenure Appointment Recommendations
    - (2) Administrative Appointment Recommendation
    - (3) Proposed Resolution on Appointment to the Tepper Family Chair in Visual Arts
    - (4) Proposed Resolution on the Creation of the Dr. and Mrs. Stanley S. Bergen, Jr. Chair in Biomedical Ethics
  - d. Committee on Audit – January 29, 2020
    - (1) Proposed Resolution Reappointing KPMG as the University’s External Auditors and Engaging KPMG to Perform Audit Services for the Fiscal Year Ending June 30, 2020
  - e. Committee on Health Affairs – January 23, 2020
    - (1) Minutes of the University Behavioral Health Care Leadership Meetings of October 22, 2019 and November 19, 2019
    - (2) Proposed University Behavioral Health Care Staff Appointments, Reappointments and Clinical Privileges of November 19, 2019 and December 17, 2019
15. REPORT OF THE UNIVERSITY SENATE
16. OLD BUSINESS
17. NEW BUSINESS
18. ADJOURNMENT



**PROPOSED RESOLUTION  
APPOINTING PARK MCARTHUR  
TO THE TEPPER FAMILY CHAIR IN VISUAL ARTS**

**WHEREAS**, the quality of the faculty is the most enduring hallmark of a great institution, and an endowed chair provides a singular opportunity to recognize and sustain innovative intellectual work that embraces teaching, discovery, creativity, and public engagement; and

**WHEREAS**, the David A. Tepper Charitable Lead Annuity Trust and the David A. Tepper Charitable Lead Annuity Trust II pledged \$3 million to create an endowed chair in visual arts, which was the first such chair at the Mason Gross School of the Arts; and

**WHEREAS**, on October 12, 2011, the Board of Governors approved the establishment of the Tepper Family Chair in Visual Arts; and

**WHEREAS**, Park McArthur is a distinguished artist whose notable past solo exhibitions include those at the Museum of Modern Art (New York), San Francisco Museum of Modern Art, and Chisenhale Gallery (London), as well as group exhibitions at Secession (Vienna), Carnegie Museum of Art (Pittsburgh), Jewish Museum (New York), Whitney Museum of American Art (New York), and the Walker Art Center (Minneapolis), among others is widely acclaimed for using her sculptures and installations to question frameworks of dependency through the artistic form of the readymade; and whose talents have been recognized with the Louise Tiffany Comfort Foundation Award, Wynn Newhouse and Artadia Awards, and an Art Matters Grant; and

**WHEREAS**, Park McArthur has been recommended for the Tepper Family Chair in Visual Arts by Dr. George B. Stauffer, former Dean of the Mason Gross School of the Arts; by Dr. Christopher J. Molloy, Chancellor, Rutgers University–New Brunswick; by Dr. Barbara A. Lee, Senior Vice President for Academic Affairs; and by Dr. Robert L. Barchi, the President of the University; and

**WHEREAS**, on January 28, 2020, the Committee on Academic and Student Affairs endorsed the naming of Park McArthur as the holder of the Tepper Family Chair in Visual Arts and recommended approval by the Board of Governors.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Governors of Rutgers, The State University of New Jersey, approves the appointment of Park McArthur to the Tepper Family Chair in Visual Arts for a two-year term, commencing September 1, 2019.

Board of Governors  
Rutgers, The State University  
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**PROPOSED RESOLUTION  
CREATING THE DR. AND MRS. STANLEY S. BERGEN, JR.  
CHAIR IN BIOMEDICAL ETHICS**

**WHEREAS**, the quality of the faculty is the most enduring hallmark of a great institution, and an endowed chair provides a singular opportunity to recognize and sustain innovative intellectual work; and

**WHEREAS**, proceeds from a life insurance policy that the University of Medicine and Dentistry of New Jersey ("UMDNJ"), now a part of Rutgers, The State University of New Jersey, had taken out on Dr. Stanley S. Bergen, Jr. when he was president of UMDNJ are being used to create a chair in biomedical ethics; and

**WHEREAS**, the Dr. and Mrs. Stanley S. Bergen, Jr. Chair in Biomedical Ethics is designed to honor, retain, or recruit eminent scholars in the field of biomedical ethics for service on the faculty of the University; and

**WHEREAS**, the creation of the Dr. and Mrs. Stanley S. Bergen, Jr. Chair in Biomedical Ethics has been recommended by Dr. Brian L. Strom, Chancellor of Rutgers Biomedical and Health Sciences; Dr. Barbara A. Lee, Senior Vice President for Academic Affairs; and Dr. Robert L. Barchi, the President of the University; and

**WHEREAS**, on January 28, 2020, the Committee on Academic and Student Affairs of the Board of Governors endorsed the establishment of the Dr. and Mrs. Stanley S. Bergen, Jr. Chair in Biomedical Ethics and recommended approval by the full Board of Governors.

**NOW, THEREFORE, BE IT RESOLVED** that, upon the recommendation of the Committee on Academic and Student Affairs, the Board of Governors of Rutgers, The State University of New Jersey, approves the creation of the Dr. and Mrs. Stanley S. Bergen, Jr. Chair in Biomedical Ethics.

Board of Governors  
Rutgers, The State University  
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**PROPOSED RESOLUTION  
AUTHORIZING RUTGERS, THE STATE UNIVERSITY, TO ENTER INTO A  
MEMORANDUM OF UNDERSTANDING WITH THE RUTGERS UNIVERSITY  
FOUNDATION TO MEMORIALIZE AND CLARIFY THE RELATIONSHIP  
BETWEEN THE TWO ORGANIZATIONS**

**WHEREAS**, the Rutgers University Foundation (“Foundation”) was incorporated in 1973 as an independent 501(c)(3) entity organized to provide support to Rutgers; and

**WHEREAS**, the Foundation is responsible for alumni engagement, identifying potential donors, soliciting and receiving donations on Rutgers’ behalf, acknowledging such gifts, and transferring donations to Rutgers; and

**WHEREAS**, Rutgers has and continues to support the mission of the Foundation to enable it to carry out its mission to support Rutgers; and

**WHEREAS**, it is a widely recognized practice for institutions and their supporting foundations to enter into agreements to describe the nature of the relationship, clarify their respective obligations, and to develop areas of cooperation between the organizations; and

**WHEREAS**, the Rutgers administration recommends that Rutgers enter into a Memorandum of Understanding (“MOU”) with the Foundation to memorialize their existing cooperation, their respective responsibilities, clarify their respective obligations, and provide principles of shared governance between Rutgers and the Foundation; and

**WHEREAS**, the Committee on Finance and Facilities reviewed and discussed this MOU at its meeting on January 28, 2020 and recommended approval by the 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 Committee on Finance and Facilities, does hereby approve entering into the MOU with the Foundation on terms satisfactory to Rutgers administration; and

**BE IT FURTHER RESOLVED** that the Rutgers administration, acting through the Executive Vice President for Finance and Administration and University Treasurer, and the Senior Vice President and General Counsel, is hereby authorized to negotiate, execute, and perform such other acts to implement the MOU between Rutgers and the Foundation; and

**BE IT FINALLY RESOLVED** that this Resolution shall take effect immediately.

Attachment: Draft Memorandum of Understanding

Board of Governors  
Rutgers, The State University  
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**PROPOSED RESOLUTION  
REAPPOINTING KPMG LLP  
AS THE UNIVERSITY'S EXTERNAL AUDITORS  
AND ENGAGING KPMG TO PERFORM AUDIT SERVICES  
FOR THE FISCAL YEAR ENDING JUNE 30, 2020**

**WHEREAS**, on January 29, 2020, the members of Rutgers, The State University of New Jersey's Board of Governors' Committee on Audit were provided with the KPMG LLP letters of engagement dated January 29, 2020 (attached); and

**WHEREAS**, these engagement letters describe the proposed scope and fee structure for KPMG's audit services to perform the following audits of Rutgers University: (i) the examination of the University's financial statements for the fiscal year ending June 30, 2020, (ii) audits in accordance with the provisions of the single audit policies for recipients of federal grants, state grants and state aid, more particularly Title 2 U.S. Code of Federal Regulations Part 200 ("Federal Uniform Guidance") and New Jersey OMB Circular 15-08, and (iii) for the fiscal year ending June 30, 2020, agreed upon procedures to evaluate Rutgers' compliance with the National Collegiate Athletic Association (NCAA) Constitution 3.2.4.15 and the Division of Intercollegiate Athletics' internal control over financial reporting as well as Rutgers' compliance with the financial test of self-insurance under CFR Title 40, Part 280, Section 95(c)(5) of the United States Environmental Protection Agency in accordance with the applicable NCAA and EPA regulations; and

**WHEREAS**, these engagement letters describe the proposed scope and fee structure for KPMG to perform the following non-audit services for Rutgers University: (i) assisting management in preparing the financial statements and related notes in accordance with U.S. generally accepted accounting principles; and

**WHEREAS**, on January 29, 2020, the Committee on Audit met and discussed the proposed engagement letters and audit fees of KPMG as described in the aforementioned engagement letters, and the Committee agreed to accept the proposed scope and fee structure for their audit services as set forth in these letters; and

**WHEREAS**, the Committee members also agreed to authorize Ms. Heather Taylor, in her capacity as Chair of the Committee on Audit, and J. Michael Gower, Executive Vice President for Finance and Administration and University Treasurer, to sign the letters of engagement appointing KPMG as the University's external auditors and engaging KPMG to perform both audit and non-audit services for the fiscal year ending June 30, 2020 and recommended that the Board of Governors approve the engagement awards of KPMG as described above.

**NOW, THEREFORE, BE IT RESOLVED** that, upon the recommendation of the Committee on Audit, the Board of Governors of Rutgers, The State University of New Jersey, accepts KPMG's proposals as described above and in the attached engagement letters dated January 29, 2020 and approves KPMG's reappointment as the external audit firm to perform the examination of Rutgers University's financial statements, audits in accordance with Federal Uniform Guidance and New Jersey OMB Circular 15-08, and the agreed upon procedures for Rutgers' Intercollegiate Athletics Program and the United States Environmental Protection Agency's Letter for the fiscal year ending June 30, 2020; and

**BE IT FURTHER RESOLVED** that the Board of Governors authorizes Ms. Taylor and Mr. Gower to sign the letters of engagement appointing KPMG as the University's external auditors as described above and engaging KPMG to perform audit services and non-audit services for the fiscal year ending June 30, 2020.

Attachment: KPMG Engagement Letters Dated January 29, 2020

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