

BOARD OF GOVERNORS
Rutgers, The State University of New Jersey

Tuesday, June 21, 2022

12:00 p.m. - open session / 12:05 p.m. - closed session / 1:00 p.m. - open session

Tentative Agenda

1. CALL TO ORDER
2. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
3. ROLL CALL
4. RESOLUTION TO CONDUCT CLOSED SESSION – June 21, 2022
5. CLOSED SESSION
6. RESUMPTION OF OPEN SESSION
7. MATTERS PRESENTED BY THE CHAIR
 - a. Resolution Recognizing Frank B. Hundley, Member of the Board of Governors
8. MATTERS PRESENTED BY THE PRESIDENT
9. EXECUTIVE COMMITTEE
 - a. Slate of Nominations
 - (1) Elections of Officers to the Board of Governors for 2022-2023
 - (2) Elections of Officers to the University Corporation for 2022-2023
 - (3) Elections of Board of Governors Member to the Camden Board of Directors
10. COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS – June 13, 2022
11. COMMITTEE ON FINANCE AND FACILITIES – June 7, 2022
 - a. Proposed Resolution on Fiscal Year 2022-23 Budget
 - b. Proposed Resolution on Tuition for Fiscal Year 2022-23
 - c. Proposed Resolution on Mandatory Student Fees for Fiscal Year 2022-23
 - d. Proposed Resolution on Room Rates, Board Rates, and Residence Education Fees for Fiscal Year 2022-23
12. COMMITTEE ON AUDIT – June 1, 2022
13. COMMITTEE ON HEALTH AFFAIRS – May 26, 2022
14. COMMITTEE ON INTERCOLLEGIATE ATHLETICS – April 21, 2022, May 23, 2022, and June 7, 2022
15. CONSENT AGENDA
 - a. Approval of Minutes of the Board of Governors – April 12, 2022 and April 22, 2022
 - b. Proposed Recommendation to Membership on the Board of Managers of the New Jersey Agricultural Experiment Station
 - c. Proposed Recommendation to Membership on the School of Management and Labor Relations State Advisory Council
 - d. Executive Committee – June 21, 2022
 - (1) Proposed Schedule of Meetings for 2022-2023
 - e. Committee on Academic and Student Affairs – June 13, 2022
 - (1) Academic Appointments with Tenure Recommendations
 - (2) Academic Promotions and Awards of Tenure Recommendations
 - (3) Administrative Appointments with Tenure Recommendations
 - (4) Administrative Promotion
 - (5) Proposed Resolution on the Appointment of Daniel Hart as a University Professor
 - (6) Proposed Resolution on the Appointment of a Board of Governors Professor of Business
 - (7) Proposed Resolution on the Appointment of a Board of Governors Professor of Molecular Biology and Biochemistry

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- (8) Proposed Resolution on the Appointment to the Gloria Steinem Endowed Chair in Media, Culture, and Feminist Studies
- (9) Proposed Resolution on the Appointment to the Hunterdon Endowed Professorship of Public Health and Health Equity
- (10) Proposed Resolution Establishing the Bachelor of Arts in ESL and Bilingual Urban Education Degree Program at the School of Arts and Sciences–Newark
- (11) Proposed Resolution Establishing the Bachelor of Arts in Urban Secondary Education Degree Program at the School of Arts and Sciences–Newark
- (12) Proposed Resolution Establishing the Department of Health Sciences in the Camden College of Arts and Sciences
- f. Committee on Finance and Facilities – June 7, 2022
 - (1) Proposed Resolution on the Creation of a Subsidiary Limited Liability Company of Rutgers, The State University
 - (2) Proposed Resolution Authorizing the Sole Source Contract with Explorance Corp. for the Blue All-In-One Evaluation Platform
 - (3) Proposed Resolution Authorizing the Sole Source Contract with Ginkgo Bioworks, Inc. for COVID-19 Testing for University Correctional Health Care
- g. Committee on Health Affairs – May 26, 2022
 - (1) Minutes of the University Behavioral Health Care Leadership Committee Meeting of January 18, 2022
 - (2) University Behavioral Health Care Staff Appointments, Reappointments, and Clinical Privileges of March 23, 2022
 - (3) University Behavioral Health Care’s Medical Staff Bylaws of March 2022
- 16. REPORT OF THE EXECUTIVE VICE PRESIDENT – CHIEF FINANCIAL OFFICER AND UNIVERSITY TREASURER
 - a. Joint Committee on Investments – June 9, 2022
- 17. REPORT OF THE UNIVERSITY SENATE
- 18. OLD BUSINESS
- 19. NEW BUSINESS
- 20. ADJOURNMENT



**PROPOSED RESOLUTION
ESTABLISHING THE BACHELOR OF ARTS IN
ESL & BILINGUAL URBAN EDUCATION DEGREE PROGRAM
AT THE SCHOOL OF ARTS AND SCIENCES–NEWARK**

WHEREAS, the School of Arts and Sciences–Newark at Rutgers, The State University of New Jersey, seeks to establish a Bachelor of Arts in ESL & Bilingual Urban Education degree program; and

WHEREAS, the proposed major will prepare future teachers to address the needs of diverse students and increase their professional employability; and

WHEREAS, the proposed degree program has been reviewed by an external consultant who has recommended its approval, and resources to launch the program are in place; and

WHEREAS, the proposed program has been approved by the Faculty and the Dean of the School of Arts and Sciences–Newark Jacqueline Mattis, Chancellor of Rutgers University–Newark Nancy Cantor, Executive Vice President for Academic Affairs Prabhas V. Moghe, and University President Jonathan Holloway; and

WHEREAS, on June 7, 2022, the Committee on Academic and Student Affairs reviewed the proposal establishing the Bachelor of Arts in ESL & Bilingual Urban Education degree program and recommended its approval by the 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 establishment of the Bachelor of Arts in ESL & Bilingual Urban Education degree program, to be offered by the School of Arts and Sciences–Newark; and

BE IT FURTHER RESOLVED that the Board of Governors affirms that the aforementioned degree 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 FURTHER RESOLVED that, upon approval by the Board of Governors of the Bachelor of Arts in ESL & Bilingual Urban Education degree program at the School of Arts and Sciences–Newark, notification will be forwarded to the New Jersey Office of the Secretary of Higher Education.

Board of Governors
Rutgers, The State University
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June 21, 2022



PROPOSED RESOLUTION
ESTABLISHING THE BACHELOR OF ARTS IN URBAN SECONDARY EDUCATION
DEGREE PROGRAM AT THE SCHOOL OF ARTS AND SCIENCES–NEWARK

WHEREAS, the School of Arts and Sciences–Newark at Rutgers, The State University of New Jersey, seeks to establish a Bachelor of Arts in Urban Secondary Education degree program; and

WHEREAS, the proposed major will position future teachers to address the needs of a diverse student population and increase their professional employability; and

WHEREAS, the proposed degree program has been reviewed by an external consultant who has recommended its approval, and resources to launch the program are in place; and

WHEREAS, the proposed program has been approved by the Faculty and the Dean of the School of Arts and Sciences–Newark Jacqueline Mattis, Chancellor of Rutgers University–Newark Nancy Cantor, Executive Vice President for Academic Affairs Prabhas V. Moghe, and University President Jonathan Holloway; and

WHEREAS, on June 7, 2022, the Committee on Academic and Student Affairs reviewed the proposal establishing the Bachelor of Arts in Urban Secondary Education degree program and recommended its approval by the 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 establishment of the Bachelor of Arts in Urban Secondary Education degree program, to be offered by the School of Arts and Sciences–Newark; and

BE IT FURTHER RESOLVED that the Board of Governors affirms that the aforementioned degree 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 FURTHER RESOLVED that, upon approval by the Board of Governors of the Bachelor of Arts in Urban Secondary Education degree program at the School of Arts and Sciences–Newark, notification will be forwarded to the New Jersey Office of the Secretary of Higher Education.

Board of Governors
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**PROPOSED RESOLUTION
ESTABLISHING THE DEPARTMENT OF HEALTH SCIENCES
IN THE CAMDEN COLLEGE OF ARTS AND SCIENCES**

WHEREAS, the Camden Faculty of Arts and Sciences at Rutgers, The State University of New Jersey, has proposed the establishment of a Department of Health Sciences; and

WHEREAS, the proposed Department of Health Sciences will serve as an administrative home to the Health Sciences major; and

WHEREAS, the proposed department will better serve the growing number of students and continue to prepare them for their future endeavors, and resources to establish the department are in place; and

WHEREAS, the proposed Department of Health Sciences has been approved by the Faculty and the Interim Dean of the Camden Faculty of Arts and Sciences Robert L. Atkins, Chancellor of Rutgers University–Camden Antonio D. Tillis, Executive Vice President for Academic Affairs Prabhas V. Moghe, and University President Jonathan Holloway; and

WHEREAS, on June 7, 2022, the Committee on Academic and Student Affairs reviewed the proposal establishing the Department of Health Sciences and recommended its approval by the 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 establishment of the Department of Health Sciences in the Camden College of Arts and Sciences; and

BE IT FURTHER RESOLVED that, upon approval by the Board of Governors of the establishment of the proposed Department of Health Sciences, notification will be forwarded to the New Jersey Office of the Secretary of Higher Education.

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PROPOSED RESOLUTION
APPROVING THE CREATION OF A SUBSIDIARY LIMITED LIABILITY COMPANY
OF RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

WHEREAS, the University has been investigating business structures to facilitate maximizing revenue generation derived from licensing the University's multimedia rights and other assets; and

WHEREAS, after review of practices among peer institutions, consultation with outside consultants, legal counsel, and internal stakeholders, the University believes that the operation of a corporate sponsorship program through a controlled affiliated entity is an optimal course of action; and

WHEREAS, such an entity may also serve as a platform for other revenue enhancing opportunities for the University generally, and for the reasons more fully set forth in the attached Concept Document, the University administration wishes to obtain authority to establish and operate an affiliated limited liability company to be known as "Scarlet Assets Management Company, LLC," referred to herein as "SAMCO"; and

WHEREAS, it is planned that SAMCO will be a single member New Jersey limited liability company with the University as the sole member; and

WHEREAS, SAMCO would be managed and operated by its own board of managers and committee structure, subject to direction and supervision by the University through the controls described hereinbelow; and

WHEREAS, the SAMCO Operating Agreement and one or more contribution agreements or affiliation agreements between the University and SAMCO will provide the University with the requisite controls over SAMCO to ensure that its operations and resources align with and support the University's objectives in a legally compliant fashion; and

WHEREAS, additional details of the governing structure of SAMCO, including the composition of its initial board of managers and the expected mechanics of its operations, were all presented to and discussed during the Committee on Finance and Facilities meeting on June 7, 2022.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the President of the University, the Executive Vice President – Chief Financial Officer and University Treasurer, and the Committee on Finance and Facilities, and in light of the benefits that Rutgers expects to experience as a result of having an affiliated but nimble revenue-generating entity, the Board of Governors of Rutgers, The State University of New Jersey does hereby authorize the establishment of a subsidiary single

member limited liability company to be called Scarlet Assets Management Company, LLC (a/k/a SAMCO) as more fully described herein; and

BE IT FURTHER RESOLVED that the President of the University, the Executive Vice President – Chief Financial Officer and University Treasurer (“EVPCFO”), and the Senior Vice President and General Counsel (“GC”) (collectively, the “Authorized Officers”), or their designees as appropriate, enter into all those documents, in the name of and on behalf of the University, as may be necessary and appropriate to carry out the intent and purpose of this Resolution, provided the forms of such documents are acceptable to EVPCFO and the GC including, but not limited to, a Certificate of Formation, an Operating Agreement, and any Contribution Agreements or Affiliation Agreements between the University and SAMCO; and

BE IT FURTHER RESOLVED that in addition to and without limiting the generality of the foregoing resolutions, the Authorized Officers and their designees, are, and each of them hereby is, authorized and directed to take such further actions and execute and deliver such further documents as such officers, with the advice of counsel, may deem appropriate, or are required by law, in order to carry out the intent and purpose of this Resolution; and

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

Attachment: SAMCO Concept Document

Board of Governors
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**PROPOSED RESOLUTION
AUTHORIZING SOLE SOURCE CONTRACT WITH
EXPLORANCE CORP. FOR THE
BLUE ALL-IN-ONE EVALUATION PLATFORM**

WHEREAS, the Division of Continuing Studies, Center for Teaching Advancement & Assessment Research is requesting approval for a five-year proprietary sole-source software subscription with Explorance Corp. ("Explorance") to continue its access to the Blue All-In-One Evaluation Platform; and

WHEREAS, this contract will support the University-wide Student Instructional Rating System ("SIRS") and will provide the ability to receive anonymous course assessments and survey responses from up to 70,000 students for up to 750,000 survey responses annually; and

WHEREAS, Explorance Blue Platform is a mobile friendly software that provides student feedback on classroom experiences and the data from these assessments is used to improve the learning experience for students and for promotion and tenure decisions for faculty; and

WHEREAS, the Explorance Blue Platform is the only survey tool of its kind that permits integration with multiple systems and when implemented in 2018, was integrated with the University's CSS, HRM, REGIS, Canvas and Ellucian Banner systems to facilitate the feeds of course offerings, instructor information, and student information directly into the platform; and

WHEREAS, the new proposed five-year contract is valued at \$1,141,963.00 and will include all of the modules of the Blue All-In-One Evaluation Platform previously contracted as well as the installation of the Blue Feedback Dashboard which includes unlimited instructor access to the feedback received and 105 licenses for departmental administrators to review and report on the information provided in the responses; and

WHEREAS, on June 7, 2022, the Committee on Finance and Facilities reviewed the documentation supporting the sole source purchase with Explorance Corp. as described above and agreed to recommend its approval by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Committee on Finance and Facilities, the Board of Governors of Rutgers, The State University of New Jersey, approves the purchase of the Explorance Blue All-In-One Evaluation Platform as described herein.

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**PROPOSED RESOLUTION
AUTHORIZING SOLE SOURCE CONTRACT
WITH GINKGO BIOWORKS, INC. FOR COVID-19 TESTING
FOR UNIVERSITY CORRECTIONAL HEALTH CARE**

WHEREAS, the University, on behalf of University Correctional Health Care (“UCHC”), executed a sole source bid waived contract with Ginkgo Bioworks, Inc. (“Ginkgo”) for COVID-19 testing services, that was approved by the Rutgers Health Group Board of Trustees on January 6, 2021; and

WHEREAS, the COVID-19 testing services are provided in connection with the comprehensive agreement between UCHC and the New Jersey Department of Corrections (“NJDOC”) which provides health care services for inmates and residents of the NJDOC and the cost for this testing service will be paid by NJDOC; and

WHEREAS, UCHC and Ginkgo collaborated to implement the testing portal and process to provide these services, which included the creation of accounts for authorized persons, mutually agreed data security practices, and the specific onboarding process for the participants; and

WHEREAS, the contracted fee for all services provided and the test itself is \$81.25 for each completed test and purchase orders totaling \$55,000,000 were issued under the initial term of the contract which extends through June 30, 2022; and

WHEREAS, UCHC is now requesting an amendment extending the contract through June 30, 2023, and authorization to issue additional purchase orders for a total not-to-exceed amount of \$150,000,000, for COVID-19 testing services that will be paid by NJDOC; and

WHEREAS, on June 7, 2022, the Board of Governors' Committee on Finance and Facilities reviewed the documentation supporting the proposed modification to the public exigency contract with Ginkgo as described above and agreed to recommend approval of such contract by the Board of Governors.

NOW, THEREFORE, BE IT RESOLVED that, upon the recommendation of the Committee on Finance and Facilities, the Board of Governors of Rutgers, The State University of New Jersey, hereby approves the waiver of bid procurement with Ginkgo and authorizes Rutgers to extend and increase its contract with Ginkgo through June 30, 2023, at a total contract cost not to exceed \$150,000,000.

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