

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

**October 6, 2021**

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 – October 6, 2021
5. CLOSED SESSION
6. RESUMPTION OF OPEN SESSION
7. INDUCTION OF MEMBER TO THE BOARD OF GOVERNORS
8. MATTERS PRESENTED BY THE CHAIR
9. MATTERS PRESENTED BY THE PRESIDENT
10. REPORT OF THE RUTGERS UNIVERSITY–CAMDEN CHANCELLOR
11. COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS – September 27, 2021
12. COMMITTEE ON FINANCE AND FACILITIES – September 27, 2021
13. COMMITTEE ON AUDIT – September 22, 2021
14. COMMITTEE ON HEALTH AFFAIRS – September 15, 2021
15. COMMITTEE ON INTERCOLLEGIATE ATHLETICS – October 4, 2021
16. CONSENT AGENDA
  - a. Approval of Minutes of the Board of Governors – June 22, 2021 and September 13, 2021
  - b. Proposed Recommendation to Membership on the Board of Managers of the New Jersey Agricultural Experiment Station
  - c. Committee on Academic and Student Affairs – September 27, 2021
    - (1) Faculty Appointment with Tenure Recommendations
    - (2) Proposed Resolution Approving Revisions to University Policy 10.1.14: Establishment of and Appointment to Endowed Faculty Positions
    - (3) Proposed Resolution Approving Revisions to University Policy 60.5.5: Faculty Personnel Actions-Procedures
    - (4) Proposed Resolution Approving Revisions to University Policy 10.2.11: Code of Student Conduct
  - d. Committee on Finance and Facilities – September 27, 2021
    - (1) Proposed Resolution Ratifying Single Source Contract with Adobe, Inc. for Licenses for the Full Suite of Creative Cloud Applications
    - (2) Proposed Resolution Authorizing a Sole Source Contract with FEI Company to Provide a Tundra 100 kV, FEG Cryo-Transmission Electron Microscope
    - (3) Proposed Resolution Authorizing a Single Source Contract with Infinity BiologiX to Provide Bio Specimen Sample Collection and Processing, Storage and Analytical Service, and Scientific and Technical Support in Both Research and Clinical Areas
    - (4) Proposed Resolution Authorizing Single Source Contracts with Charles River, Taconic, Jackson Labs, and Envigo to Provide Research Animals in Support of Rutgers Research
    - (5) Proposed Resolution Authorizing a Two-Year Contract with Elsevier B.V. for the Purchase of ITS *ScienceDirect* Database of Scientific Journals and Electronic Books
    - (6) Proposed Resolution Approving the Removal of the Name Joseph P. Bradley from Bradley Hall on Newark Campus
  - e. Committee on Health Affairs – September 15, 2021
    - (1) Minutes of the University Behavioral Health Care Leadership Committee Meetings of April 20, 2021, May 18, 2021, and June 15, 2021
    - (2) University Behavioral Health Care Staff Appointments, Reappointments and Clinical Privileges of May 18, 2021, June 15, 2021, and July 27, 2021
    - (3) University Behavioral Health Care’s Quality Improvement Report for the Fourth Quarter of 2020

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17. REPORT OF THE EXECUTIVE VICE PRESIDENT – CHIEF FINANCIAL OFFICER AND UNIVERSITY TREASURER
  - a. Joint Committee on Investments – July 30, 2021 and September 23, 2021
18. REPORT OF THE UNIVERSITY SENATE
19. OLD BUSINESS
20. NEW BUSINESS
21. ADJOURNMENT



**PROPOSED RESOLUTION  
APPROVING REVISIONS TO UNIVERSITY POLICY 10.1.14:  
ESTABLISHMENT OF AND APPOINTMENT TO ENDOWED FACULTY POSITIONS**

**WHEREAS**, on June 16, 2020, Rutgers, The State University of New Jersey, established a procedure for submitting documentation to the Board of Governors for the establishment of and appointment to Endowed Faculty Positions; and

**WHEREAS**, it is now necessary to implement revisions to University Policy 10.1.14 to reflect recent changes to administrative titles, replacing Senior Vice President for Academic Affairs and Assistant Vice President for Academic Affairs with Executive Vice President for Academic Affairs and Associate Vice President for Academic Affairs respectively; and

**WHEREAS**, the appendix to University Policy 10.1.14, which states the deadline for submitting materials to the Office of the Executive Vice President for Academic Affairs will be six weeks prior to the Committee on Academic and Student Affairs meeting, needs to be amended to refer, and link, to the "EVPAA Submission Deadlines" document to better align with the changing schedules of the Board of Governors and its committees; and

**WHEREAS**, on September 27, 2021, the Committee on Academic and Student Affairs of the Board of Governors reviewed and endorsed the revisions to University Policy 10.1.14 and recommended 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 attached revisions to University Policy 10.1.14: Establishment of and Appointment to Endowed Faculty Positions, with deletions shown in ~~strikeout~~ and additions underlined; and

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

Attachments: Proposed Revisions to University Policy 10.1.14: Establishment of and Appointment to Endowed Faculty Positions

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**PROPOSED RESOLUTION  
APPROVING REVISIONS TO  
UNIVERSITY POLICY 60.5.5:  
FACULTY PERSONNEL ACTIONS-PROCEDURES**

**WHEREAS**, on November 9, 1962, the Board of Governors of Rutgers, The State University of New Jersey, approved the policy on “Faculty Personnel Actions-Procedures” (formerly Book 3.3.7 in the University Regulations and Procedures Manual); and

**WHEREAS**, this policy has been renumbered as Policy Section 60.5.5 in the University Policy Library and was last revised on June 19, 2014 by Resolution of the Board of Governors to include the process for appointments, reappointments, and promotions of non-tenure track faculty; and

**WHEREAS**, this policy also prescribes the composition of the University Promotion Review Committee, the function of which is to advise the President from a university-wide perspective on appointments, reappointments, and promotions involving the award of tenure and on promotions to or within the tenured ranks; and

**WHEREAS**, the University Promotion Review Committee in its present form was approved by the Board of Governors by resolution dated October 9, 2014, which added to the committee membership the Provost–New Brunswick; and

**WHEREAS**, it is now necessary to amend Policy 60.5.5 to remove the Senior Vice President for Research and Economic Development (now Senior Vice President for Research) from the committee membership; to replace the Provost–New Brunswick with the Chancellor–Provost–New Brunswick (or designee); and add an eighth tenured faculty member at the rank of Professor or higher to the membership of the University Promotion Review Committee; and

**WHEREAS**, on September 27, 2021, with the endorsement of Executive Vice President for Academic Affairs Prabhas V. Moghe and President Jonathan Holloway, the Committee on Academic and Student Affairs reviewed the attached proposed revisions to Policy Section 60.5.5 Faculty Personnel Actions-Procedures, and recommended 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 attached Policy Section 60.5.5 Faculty Personnel Actions-Procedures, that includes changes to the composition of the University Promotion Review Committee, effective July 1, 2021, with deletions shown in strikethrough and additions underlined; and

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

Attachment: Proposed Revisions to Policy 60.5.5

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**PROPOSED RESOLUTION  
APPROVING REVISIONS TO  
UNIVERSITY POLICY 10.2.11: CODE OF STUDENT CONDUCT**

**WHEREAS**, on July 7, 1972, the Board of Governors of Rutgers, The State University of New Jersey, approved the “Code of Student Conduct” policy (formerly Book 4.2.7 in the University Regulations and Procedures Manual); and

**WHEREAS**, this policy has been renumbered as University Policy 10.2.11 in the University Policy Library; and

**WHEREAS**, this University Policy 10.2.11 was last revised on December 17, 2020 by Resolution of the Board of Governors; and

**WHEREAS**, on August 11, 2021, University Policy 10.2.11 was revised and implemented on an interim basis to address recent changes in State law regarding recreational *Cannabis*; and

**WHEREAS**, a subsequent review of the revised interim policy by the Advisory Committee on Rutgers’ Response to Sexual Harassment and Sexual Violence, Policies and Procedures Subcommittee, as well as by senior members of Campus Conduct, Title IX, and Student Affairs offices across the University, resulted in necessary adjustments to the policy to address all forms of sexual harassment and sexual misconduct that fall outside the scope of Title IX, as well as for alignment with changes to New Jersey State law related to recreational *Cannabis*; and

**WHEREAS**, on September 27, 2021, with the endorsement of Executive Vice President for Academic Affairs Prabhas V. Moghe; Vice Chancellor for Student Affairs, Rutgers University–New Brunswick, Salvador Mena; Vice Chancellor for Student Affairs, Rutgers University–Newark, Corlisse Thomas; and Vice Chancellor for Student Affairs, Rutgers University–Camden, Mary Beth Daisey, the Board of Governors Committee on Academic and Student Affairs reviewed the proposed revisions to University Policy 10.2.11: Code of Student Conduct, and recommended 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 attached University Policy 10.2.11: Code of Student Conduct, with deletions shown in ~~strikeout~~ and additions underlined; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effective immediately.

Attachment: Proposed Revisions to University Policy 10.2.11: Code of Student Conduct

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**PROPOSED RESOLUTION  
RATIFYING SINGLE SOURCE CONTRACT WITH ADOBE, INC. FOR LICENSES FOR THE  
FULL SUITE OF CREATIVE CLOUD APPLICATIONS**

**WHEREAS**, in its ongoing effort to address faculty and student needs supporting instruction, research, and publication, Rutgers Office of Information Technology (“OIT”) routinely reviews available software products to assess what should be made available to the Rutgers community; and

**WHEREAS**, Rutgers has observed that Adobe, Inc. offers a convenient and popular suite of products, called the Adobe Creative Cloud suite, to help students prepare for industry standards in digital editing, to help faculty create and enhance scholarship and publication, and to help achieve more effective digital design techniques in instruction, marketing, and communications; and

**WHEREAS**, during June 2021 Rutgers OIT was able to negotiate a proposed three-year contract with Adobe at an enterprise level for 18,500 faculty/staff licenses and over 70,700 student licenses at an annual cost not to exceed \$1,784,360 – which equates to \$20.00 per license per year and results in a considerable savings compared to fees otherwise paid by faculty, staff, and students for similar applications; and

**WHEREAS**, although this proposed contract exceeded the delegated authority granted to University Procurement Services (“UPS”) in the University’s Procurement and Payment Policy for Waiver of Bids, UPS determined it was time sensitive and squarely supported the University’s missions, and, as a result sought emergency approval to enter the proposed contract with Adobe; and

**WHEREAS**, J. Michael Gower, Executive Vice President–Chief Financial Officer and University Treasurer, followed the emergency procedure for time-sensitive waivers of bid contracts by obtaining approval to proceed with this contract from the Chair of the Committee on Finance and Facilities and from the Chair of the Board of Governors; and

**WHEREAS**, Rutgers did execute and enter the contract with Adobe for an annual cost not to exceed \$1,784,360 and for term running from July 1, 2021 through June 30, 2024; and

**WHEREAS**, on September 27, 2021 the Committee on Finance and Facilities reviewed the background information concerning the above mentioned contract and the process that was undertaken to enter into it, and recommended that the Board of Governors of Rutgers, The State University of New Jersey ratify the contract.

**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, ratifies the contract between the University and Adobe as described herein.

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**PROPOSED RESOLUTION  
AUTHORIZING A SOLE SOURCE CONTRACT WITH FEI COMPANY  
TO PROVIDE A TUNDRA 100 KV, FEG CRYO-TRANSMISSION  
ELECTRON MICROSCOPE**

**WHEREAS**, the University seeks to enter into a sole source bid waived contract with FEI Company (“FEI”), to purchase a Tundra 100 kV, FEG Cryo-Transmission Electron Microscope; and

**WHEREAS**, the Tundra 100 kV, FEG Cryo-Transmission Electron Microscope, manufactured exclusively by FEI, is a high-resolution cryo-transmission electron microscope dedicated for single particle analysis data acquisition and protein structure determination, will aid in research undertaken at New Jersey Medical School, and uses software and equipment compatible with existing equipment used at the University; and

**WHEREAS**, Rutgers University Procurement Services, on behalf of the New Jersey Medical School, Department of Microbiology, Biochemistry and Molecular Genetics, seeks approval of this sole source bid waived contract with FEI as described herein in the amount of \$1,265,000; and

**WHEREAS**, on September 27, 2021, the Board of Governors' Committee on Finance and Facilities reviewed the documentation supporting the proposed sole source contract with FEI 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 FEI and authorizes Rutgers to execute a contract with FEI, at a total contract cost not to exceed \$1,265,000.

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**PROPOSED RESOLUTION  
AUTHORIZING A SINGLE SOURCE CONTRACT WITH INFINITY BIOLOGIX  
TO PROVIDE BIO SPECIMEN SAMPLE COLLECTION AND PROCESSING, STORAGE  
AND ANALYTICAL SERVICE, AND SCIENTIFIC AND TECHNICAL SUPPORT IN BOTH  
RESEARCH AND CLINICAL AREAS**

**WHEREAS**, prior to 2020, Rutgers, The State University of New Jersey, utilized Rutgers University's RUCDR Infinite Biologics lab for various bio specimen and genetic material sample collection, storage, and processing; and

**WHEREAS**, the RUCDR Infinite Biologics lab was sold to a newly created company called Infinity BiologiX LLC ("IBX") by approval of the Rutgers University Board of Governors on June 16, 2020; and

**WHEREAS**, Rutgers seeks to enter into a Master Service Agreement with IBX for the provision of all ranges of genetic, biomedical, lab solutions, and other research support services offered by IBX for use by multiple departments and researchers across the entire Rutgers University community; and

**WHEREAS**, Rutgers and IBX have negotiated a proposed contract that will obligate IBX to provide these services to Rutgers units for a five-year term and with an estimated annual spend (based on Fiscal Year 2021) of at least \$7 million subject, however, to actual spending amounts that are expected to exceed such amount because of the receipt of research grant funding and otherwise approved University budgets covering the type of research and operations that utilize the services provided by IBX; and

**WHEREAS**, Rutgers University Procurement Services seeks approval to enter into this single source contract with IBX as described herein and to authorize two one-year renewals of the contract as necessary for ongoing Rutgers operations in amounts covered by research grant funding and pursuant to approved University budgets; and

**WHEREAS**, on September 27, 2021, the Board of Governors' Committee on Finance and Facilities discussed the proposed single source contract with IBX 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 process with IBX and authorizes Rutgers to execute a single source contract with IBX as described above for an initial term of five years with two one-year renewals as necessary to support ongoing research and operations and with an annual spending amount to be based on available research grant funding and approved University budgets.

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**PROPOSED RESOLUTION  
AUTHORIZING SINGLE SOURCE CONTRACTS WITH  
CHARLES RIVER, TACONIC, JACKSON LABS, AND ENVIGO  
TO PROVIDE RESEARCH ANIMALS IN SUPPORT OF RUTGERS RESEARCH**

**WHEREAS**, Rutgers, The State University of New Jersey, seeks to enter into individual Master Service Agreements with four animal breeders, Charles River Laboratories, Inc (Charles River), Taconic Biosciences, Inc. (Taconic), The Jackson Laboratory (Jackson Labs), and Envigo for the provision of live animals for research purposes to support universitywide Rutgers Research; and

**WHEREAS**, Rutgers University and Charles River, Taconic, Jackson Labs, and Envigo have each negotiated a proposed contract that will allow for the purchase of animal breeds by Rutgers Research each for a five-year term commencing October 1, 2021 and ending September 30, 2026 and each with a onetime five-year term renewal option; and

**WHEREAS**, Rutgers University Procurement Services seeks approval to enter into a single source contract with each of Charles River, Taconic, Jackson Labs, and Envigo for an estimated five year spend of \$2.5 million, \$1.25 million, \$2.5 million, and \$1.25 million, respectively, as described herein, and to authorize a one-time renewal on each contract as necessary for ongoing Rutgers operations; and

**WHEREAS**, on September 27, 2021, the Board of Governors' Committee on Finance and Facilities reviewed the documentation supporting the proposed single source contracts with Charles River, Taconic, Jackson Labs, and Envigo as described above and agreed to recommend approval of such contracts 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 process with Charles River, Taconic, Jackson Labs, and Envigo, and authorizes Rutgers to execute single source contracts with each of Charles River, Taconic, Jackson Labs, and Envigo, as described above, for an initial term of five years including a one-time five-year renewal to support ongoing operations, in the estimated amounts noted above and with the actual contract spend amounts to be authorized pursuant to approved University budgets annually.

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**PROPOSED RESOLUTION  
AUTHORIZING A TWO - YEAR CONTRACT WITH  
ELSEVIER B.V. FOR THE PURCHASE OF  
ITS *ScienceDirect* DATABASE  
OF SCIENTIFIC JOURNALS AND ELECTRONIC BOOKS**

**WHEREAS**, the Libraries of Rutgers, The State University of New Jersey, are responsible for acquiring access to a broad range of scientific journals to support the research and education mission of the University; and

**WHEREAS**, the *ScienceDirect* database is a unique online republication of high-quality journals and electronic books, which are published by and only available from the publisher Elsevier B.V.; and

**WHEREAS**, the *ScienceDirect* database is a searchable compilation of electronic journals and electronic books primarily in the fields of science, technology, and medicine, but also in some social science and humanities areas; and

**WHEREAS**, Elsevier has offered Rutgers a two-year contract extension totaling \$6,081,238.53 for the purchase of a continuing subscription to its *ScienceDirect* database, which price is based, in part, on the number of users within the University community who will have access and the number of journals that will be made available; and

**WHEREAS**, on September 27, 2021, the Committee on Finance and Facilities reviewed the sole source purchase with Elsevier 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 *ScienceDirect* database subscription as described herein.

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**PROPOSED RESOLUTION**  
**APPROVING THE REMOVAL OF THE NAME JOSEPH P. BRADLEY**  
**FROM BRADLEY HALL ON NEWARK CAMPUS**

**WHEREAS**, in 1971, Rutgers University acquired a prominent, seven-story building at 110 Warren Street, Newark, New Jersey for the purposes of accommodating and expanding the academic and administrative operations of the Rutgers - Newark campus; and

**WHEREAS**, on October 8, 1971, the Board of Governors approved naming the building after Joseph P. Bradley, a member of Rutgers College - Class of 1836, an Associate Justice of the United States Supreme Court from 1870 to 1892, and a Trustee of Rutgers from 1858 to 1892; and

**WHEREAS**, the long-prevailing popular narrative about Justice Bradley was believed to incorrectly laud him as an advocate for civil rights, and has caused grave concerns among members of the Rutgers Law School, Newark community for decades; and

**WHEREAS**, in Fall 2020, a committee of faculty, staff, and students appointed by Chancellor Nancy Cantor to research and study this issue intensively has determined that contrary to the contemporary record, Justice Bradley played a role in perpetuating systemic racism and ushering in legalized discrimination in the period after the Civil War; and

**WHEREAS**, Chancellor Cantor has endorsed the recommendations of the Committee on the Naming of Bradley Hall, and on August 18, 2021 formally requested the University Naming Committee to consider the removal of the name from Bradley Hall; and

**WHEREAS**, on September 3, 2021, the University Naming Committee approved the proposal to remove the name from Bradley Hall, and thereafter recommended approval to Rutgers President Jonathan Holloway who also approved the action; and

**WHEREAS**, on September 27, 2021, the Committee on Finance and Facilities reviewed the proposed action and recommended approval by the Board of Governors.

**NOW, THEREFORE, BE IT RESOLVED** that, upon the recommendation of the President, the University Naming Committee, and the Committee on Finance and Facilities, the Board of Governors of Rutgers, The State University of New Jersey, approves the removal of the name Joseph P. Bradley from the building at 110 Warren Street, and that the building now be known by its address of 110 Warren Street.

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