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| IN THE MATTER OF | : | STATE ETHICS COMMISSION |
| MARK ANGELSON, | : | |
| BOARD OF GOVERNORS MEMBER, | : | |
| RUTGERS, THE STATE COLLEGE | : | Commission Case No. 17-17 |
| OF NEW JERSEY | : | |
| | : | DECISION |

BACKGROUND

Rutgers, The State College of New Jersey (“Rutgers”) requests an exception to Executive Order 14 (Corzine 2006) (“EO 14”) on behalf of Rutgers Board of Governors Member Mark Angelson (“Angelson”), who also serves on the Board of Directors for Quad/Graphics, for which he receives compensation in the form of stock in the company.

EO 14 prohibits a member of a State college or university governing board from being employed by or deriving or receiving any compensation from a firm, association, or partnership that does business with the institution that the board member governs. The term “doing business with” is defined to mean “providing or receiving any goods or services or otherwise engaging in a transaction involving the exchange of anything of value.” Pursuant to paragraph 5 of EO 14, however, the State Ethics Commission is authorized to grant exceptions from this prohibition if “in the judgment of the Executive Director, the entity that is doing business with the institution is doing so pursuant to a contract awarded in accordance with the competitive bidding laws applicable to that institution or the public interest requires an exception to be made.”

APPLICATION

According to the information provided, Quad/Graphics provides print and media solutions to its clients. Since 2014, Rutgers has used Quad/Graphics for work at the Rutgers Dental School. The Rutgers contract with Quad/Graphics was awarded in accordance with the competitive bidding process applicable to Rutgers. The decision to use Quad/Graphics was made by Rutgers prior to Angelson’s appointment to the Rutgers Board of Governors and did not require consideration or approval by the Rutgers Board of Governors.

In this situation, an EO 14 exception is appropriate because Quad/Graphics was selected to provide services to Rutgers pursuant to a process which met the competitive bidding requirements applicable to Rutgers. Moreover, Quad/Graphics was selected prior to Angelson’s appointment to the Rutgers Board of Governors, so there is no risk that the selection of Quad/Graphics was influenced by Angelson’s position on the Rutgers Board. Granting the exception also serves the public interest because it will allow Rutgers to continue to do business with Quad/Graphics under circumstances where there is no discernible risk that Quad/Graphics received any improper favorable treatment from Rutgers due to Angelson’s position on the Board of Governors.

DECISION

The Commission grants Angelson an exception to the provisions of EO 14. In his official State capacity, however, Angelson must recuse himself from any matters involving Quad/Graphics.

DECISION RENDERED BY THE
STATE ETHICS COMMISSION ON
THE 12th DAY OF JULY, 2017