

MINUTES

Annual Meeting of the Board of Visitors
The College of William and Mary in Virginia

April 29-30, 2004

The Board of Visitors of The College of William and Mary in Virginia met in the Board Room in Blow Memorial Hall on the campus in Williamsburg on Thursday and Friday, April 29-30, 2004.

On Thursday, April 29, the Richard Bland College Committee and the Committee on Development and Alumni Affairs met in the Board Conference Room, and the Committees on Financial Affairs, Buildings and Grounds and Student Affairs met in the Board Room.

Those present were:

Hunter B. Andrews	Anita O. Poston
William P. Barr	Michael K. Powell
J. Peter Clements	L. Clifford Schroeder, Sr.
John W. Gerdelman	Barbara B. Ukrop
Paul C. Jost	Henry C. Wolf
Susan A. Magill, Rector	Student representative: Brian R. Cannon
Suzann W. Matthews	

Absent: Thomas E. Capps
Lawrence S. Eagleburger
Sarah I. Gore
Jeffrey L. McWaters
Joseph J. Plumeri, II

Others present were:

Timothy J. Sullivan	Edward C. Driscoll, Jr.
P. Geoffrey Feiss	Michael J. Fox
Dennis W. Cross	Michael L. Stump
Stewart H. Gamage	William T. Walker, Jr.
Samuel E. Jones	Sandra J. Wilms
Anna B. Martin	
W. Samuel Sadler	

Also present were Interim Dean of the Faculty of Arts and Sciences Barbara Watkinson, Dean of University Libraries Connie McCarthy and members of the William and Mary Faculty and Student Liaison Committees.

Rector Susan Magill convened the Board in the Board Room as a committee of the whole at 3:25 p.m.

Chair of the Committee on Academic Affairs Mr. Barr introduced Provost Geoffrey Feiss to report on the student satisfaction survey and provide an overview of course registration. The Provost expressed his appreciation to Barbara Watkinson for her service as Interim Dean of the Faculty of Arts and Sciences, and introduced Dean of Undergraduate Studies Edward Pratt, University Registrar Carolyn Boggs, Director of Institutional Research Lorne Kuffel and Director of Academic Advising John Charles. A brief discussion ensued.

Dean of Research and Graduate Studies David Finifter and Director of the Graduate Center Hans von Baeyer reported on Arts and Sciences graduate programs. A brief discussion ensued.

At 4:35 p.m. the **Committee on Student Affairs** convened. Ms. Matthews presided as chair.

Vice President for Student Affairs Sam Sadler introduced the new chief of Campus Police Don Challis. Mr. Sadler and Mr. Challis provided an overview of campus safety. A brief discussion ensued.

Mr. Sadler advised that the WCWM-FM Annual Report for 2003-2004 was included in the agenda book at Enclosure I.

Brian Cannon, Jacob Rooksby, Kirk Anderson and Lena Munasifi reported for the Student Liaison Committee.

Mr. Rooksby provided an update on the activities of the Student Assembly Office of Community Affairs. Mr. Cannon publicly acknowledged and thanked Mr. Rooksby for his community relations efforts. Mr. Anderson reported on philanthropies including the Bone Marrow Drive, Up >Til Dawn, Relay for Life and March of Dimes. Ms. Munasifi introduced the members of the new Student Assembly administration and on behalf of the Student Assembly thanked the members of the Board of Visitors for their work on behalf of the College.

Executive Director of the University Centers Activities Board (UCAB) Beth Marchessault and Ms. Munasifi provided a brief overview of UCAB and its efforts on behalf of the students. A brief discussion followed.

The Rector recognized Brian Cannon and thanked him for his service on the Board. At 5:43 p.m. the Rector recessed the Board to the student reception in the Board Dining Room.

On Friday, April 30, the Committee on Honorary Degrees met in the Rector's Office, the Committees on Audit and Academic Affairs met in the Board Conference Room, and the

Committees on Public Affairs and Economic Development and Athletics met in the Board Room, prior to the full Board meeting.

At 9:45 a.m. the Rector convened the Board as a committee of the whole.

Those present were:

Hunter B. Andrews	Suzann W. Matthews
William P. Barr	Anita O. Poston
Thomas E. Capps	Michael K. Powell
J. Peter Clements	L. Clifford Schroeder, Sr.
Lawrence S. Eagleburger	Barbara B. Ukrop
John W. Gerdelman	Henry C. Wolf
Paul C. Jost	Student representative: Brian R. Cannon
Susan A. Magill, Rector	

Absent: Sarah I. Gore
Jeffrey L. McWaters
Joseph J. Plumeri, II

Others present were:

Timothy J. Sullivan	Edward C. Driscoll, Jr.
P. Geoffrey Feiss	Michael J. Fox
Stewart H. Gamage	David Frankel
Samuel E. Jones	Michael L. Stump
Anna B. Martin	William T. Walker, Jr.
W. Samuel Sadler	Sandra J. Wilms

Mr. Powell convened the **Committee on Public Affairs and Economic Development** and introduced Vice President for Public Affairs Stewart Gamage

Vice President Gamage provided an update on the 2004 General Assembly session and briefly discussed priorities and key messages. Ms. Gamage discussed the restructuring proposal and reviewed the restructuring proposal process and results to date regarding proposed budget language, General Assembly targets and time lines. Provost Feiss reported on the creation of a Campus Steering Committee which will work through the summer and bring an update to the Board in the fall. A brief discussion ensued.

Ms. Gamage reported on federal initiatives and results achieved in Fiscal Year 2004. Director of Government Relations Fran Bradford reported on grants, Congressional funding and Fiscal Year 2005 requests for six new projects. Ms. Gamage reported on recent publicity efforts achieved by Associate Vice President Bill Walker and his staff.

There being no further business, the committee adjourned at 10:11 a.m.

In the absence of Mr. Plumeri, Ms. Magill convened the **Committee on Athletics** at 10:12 a.m.

Director of Athletics Terry Driscoll reported on the activities of the teams for the semester. He introduced a special video presentation featuring sophomore Ramon Jackson who captured the gold on the parallel bars at the NCAA Division I Men's Championships on April 4, and became the school's second NCAA National Champion in gymnastics. Mr. Driscoll introduced recently retired Men's Soccer Coach Al Albert, noting that Coach Albert had moved into the Athletic Development Office. Coach Albert commented briefly on his 30 year coaching career.

Following Coach Albert's remarks, Mr. Driscoll briefly reviewed upcoming special events and presented a short quiz on athletics facts.

There being no further business the committee adjourned at 10:25 a.m.

Following a short break, Rector Susan Magill called the annual meeting of the full Board to order in the Board Room at 10:58 a.m.

Those present were:

Hunter B. Andrews	Suzann W. Matthews
William P. Barr	Anita O. Poston
Thomas E. Capps	Michael K. Powell
J. Peter Clements	L. Clifford Schroeder, Sr.
Lawrence S. Eagleburger	Barbara B. Ukrop
John W. Gerdelman	Henry C. Wolf
Paul C. Jost	Student representative: Brian R. Cannon
Susan A. Magill, Rector	

Absent: Sarah I. Gore
Jeffrey L. McWaters
Joseph J. Plumeri, II

Others present were:

Timothy J. Sullivan	Edward C. Driscoll, Jr.
P. Geoffrey Feiss	Michael J. Fox
Dennis W. Cross	David Frankel
Stewart H. Gamage	Michael L. Stump
Samuel E. Jones	William T. Walker, Jr.

Anna B. Martin
W. Samuel Sadler

Richard A. Williamson
Sandra J. Wilms

Also present were Richard Bland College President James B. McNeer, Provost Anne-Marie McCartan and Dean of Administration and Finance Russell E. Whitaker, Jr. and College of William and Mary Interim Dean of the Faculty of Arts and Sciences Barbara Watkinson.

The Rector asked for any corrections to the minutes of the meeting on February 5-6, 2004. Hearing none, the Rector asked for a motion to approve the minutes. Motion was made by Mr. Clements, seconded by Mr. Wolf and approved by voice vote.

The Rector moved that, pursuant to Section 2.2-3711.A.1., 7., 8. and 10., of the Code of Virginia, the meeting be closed in order to discuss matters pertaining to specific personnel, the consideration of contracts, promotions and tenure; to receive briefings by staff members pertaining to actual or probable litigation; to discuss matters pertaining to gifts, bequests and fund raising activities and contracts for services; and to discuss the consideration of honorary degrees. Motion was seconded by Mr. Eagleburger and approved by voice vote. The observers were asked to leave the room and the Board went into closed session at 10:59 a.m.

The Board reconvened in open session at 11:32 a.m. The Rector moved adoption of the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Powell and approved by roll call vote of the Board members by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

Mr. Clements reported for the Richard Bland College Committee, reminding the Board that Richard Bland is a full Board responsibility and encouraging the continuation of its good relationship with the Board. President McNeer expressed his thanks to the Board and especially Mr. Clements for building a better relationship with the Board. On behalf of the Richard Bland College community the President thanked Mr. Clements for chairing the Committee, noting that he will continue as President of the Richard Bland College Foundation.

Mr. Clements reported that the Committee had discussed **Resolution 1**, Faculty Appointment to Fill Existing Vacancy; **Resolution 2**, Faculty Promotion; **Resolution 3**, Computer Center Relocation; **Resolution 4 (R)**, Tuition and Fees for 2004-2005; and **Resolution 5**, 2004-2005 Operating Budget. Mr. Clements advised that the Committee had revised Resolution 4 to increase the Outstanding Check fee to \$35; he commented that the 6% increase in tuition and fees was a very moderate number and noted that the Committee appreciated the effort of the administration in doing so.

Mr. Clements moved adoption of Resolutions 1, 2, 3, 4 (R), and 5. Motion was seconded by Ms. Poston and approved by voice vote of the Board.

Commenting on the housing feasibility study, Mr. Clements stated the College still needs support in the Senate to lease the property. President McNeer reported they would be asking the Governor and General Assembly for permission to lease the property to the Foundation to build dormitories. The feasibility study showed a conservative estimate of between 5,000 and 6,000 students who would benefit from a residential two-year college. The College had recently surveyed the current 1350 Richard Bland students and found 31% expressed some interest in on-campus housing. The President noted that this would be a tremendous opportunity for Richard Bland to add to programs and instruction. The idea had been very well received in the House of Delegates but they had met some resistance on the Senate side, and he encouraged members of the Board to help where possible. The Rector commented that this was a great thing for the Commonwealth and not just Richard Bland. A brief discussion ensued.

In the absence of Mr. McWaters, Ms. Ukrop reported for the Committee on Buildings and Grounds. She advised that the Committee had received an update on construction projects, noting that Swem would be done in early fall, ground had been broken for the Magnet building, an architectural firm had been selected for Millington and Rogers, the parking deck should break ground in early fall, the Committee had looked at preliminary drawings for the dormitory and Recreational Sports should begin this fall. The construction program website should be open in August.

Ms. Ukrop asked for a motion to adopt **Resolution 6**, Naming of the Virginia Institute of Marine Science Library, and **Resolution 7**, Naming of the Aquaculture Center of the School of Marine Science in Topping, Virginia. Motion was made by Mr. Clements, seconded by Mr. Gerdelman and approved by voice vote.

Mr. Schroeder reported for the Committee on Development and Alumni Affairs, noting that the Committee had heard a campaign update by Vice President for Development Dennis Cross, who stressed the need for continued momentum in large gifts. Mr. Schroeder advised that a new development officer had been hired to focus on grandparents. Vice President for Finance Sam Jones reported on the importance of private funds on the budget. Mr. Schroeder expressed best wishes to Barry Adams as he departed the College and noted that the Alumni Association reported on the 50th reunion activities, the importance of connecting to the College and the new tradition of pining seniors as alumni.

Mr. Barr reported for the Committee on Academic Affairs, noting that the resolutions had been discussed in closed session.

Mr. Barr asked for a motion to adopt **Resolution 8**, Appointments to Fill Vacancies in the Instructional Faculty; **Resolution 9**, Appointments to Fill Vacancies in the Administrative and Professional Faculty; **Resolution 10**, Confirmation of Academic Tenure;

Resolution 11, Faculty Promotions; **Resolution 12**, Designated Professorships; **Resolution 13**, Term Distinguished Professorships for Associate Professors; **Resolution 14**, Faculty Leaves of Absence; **Resolution 15**, Retirement of Norman F. Barka, Department of Anthropology; **Resolution 16**, Retirement of Jesse Pieter Bohl, Department of Philosophy; **Resolution 17**, Retirement of Edward P. Crapol, Department of History; **Resolution 18**, Retirement of Morton Eckhause, Department of Physics; **Resolution 19**, Retirement of Judith Ewell, Department of History; **Resolution 20**, Retirement of Stefan Feyock, Department of Computer Science; **Resolution 21**, Retirement of Edward A. Remler, Department of Physics; **Resolution 22**, Retirement of Sylvia Shirley, Department of Kinesiology; **Resolution 23**, Retirement of Gary A. Smith, Department of Modern Languages and Literatures; and **Resolution 24**, Retirement of Lawrence L. Wiseman, Department of Biology. Motion was made by Mr. Eagleburger, seconded by Ms. Ukrop and approved by voice vote.

Mr. Capps reported for the Committee on Audit, noting that the Committee had heard a report from the Director and reviewed the audit activities. He noted that no audited financial statements from the state for Fiscal Year 2003 had been received. Mr. Capps commented that the American Express program could be done better, noting this was the fault of the state and reported the Committee had discussed the Food Service RFP. He reported the College was on schedule with the Audit Plan.

Mr. Andrews reported for the Committee on Financial Affairs, noting that most Board members were present to hear the report. Mr. Andrews moved adoption of **Resolution 26**, College of William and Mary FY2004-05 Operating Budget for Educational and General Programs; **Resolution 27**, College of William and Mary FY2004-05 Tuition and Fee Structure for Full- and Part-Time Students; **Resolution 28**, College of William and Mary FY2004-2005 Auxiliary Enterprise Operating Budgets; **Resolution 29**, College of William and Mary FY2004-05 Sponsored Programs Operating Budget; **Resolution 30**, College of William and Mary FY2004-2005 State Appropriated Student Financial Assistance; **Resolution 31**, College of William and Mary FY2004-05 Applied Music Fee; and **Resolution 32**, The College of William and Mary Fiscal Year 2004-2005 Board of Visitors Private Funds Budget. Motion was seconded by Mr. Schroeder and approved by voice vote.

Mr. Andrews moved adoption of **Resolution 33**, Virginia Institute of Marine Science FY2004-05 Operating Budget. Motion was seconded by Ms. Matthews and approved by voice vote.

Under old business, Mr. Barr reported for the ad hoc Bylaws/Meeting Review Committee, and reviewed the procedure to be followed; namely, the first vote taken would be to waive the Bylaws and the second vote taken would be to adopt the revised Bylaws. Mr. Barr summarized the proposed changes:

pages 1 and 2: appointment of faculty members from William and Mary and Richard Bland
page 3: changes address lead time for resolutions
page 4: keep existing mechanism but clarify language
page 5-6: add Rector as ex officio member of all committees and count toward a quorum;
permits all committees to function as committees of the whole
page 21: Audit language change
page 24: technical clarification of schools

A brief discussion ensued. Mr. Barr asked for a motion to suspend the Bylaws, in accordance with Article VII., Section 4. Motion was made by Mr. Eagleburger, seconded by Ms. Poston and unanimously approved by roll call vote conducted by Secretary to the Board Michael Fox.

Mr. Barr asked for a motion to adopt **Resolution 34**, Amendments to the Bylaws of the Board of Visitors. Motion was made by Ms. Poston and seconded by Mr. Eagleburger. In accordance with the Bylaws, a roll call vote was conducted by Secretary to the Board Michael Fox and the motion was unanimously approved. The Rector thanked Mr. Barr, Ms. Poston and Mr. Powell for their work on the Bylaws. (Resolution 34 is appended.)

Under new business, noting that the Director of the Virginia Institute of Marine Science, Don Wright, was returning to teaching, the Rector asked Mr. Schroeder to read **Resolution 35**, Resolution Honoring L. Donelson Wright, Dean and Director, School of Marine Science/Virginia Institute of Marine Science, into the record. Mr. Schroeder read the resolution and moved its adoption. Motion was seconded by Mr. Clements and approved by voice vote. (Resolution 35 is appended.)

Noting that Executive Vice President of the Alumni Association Barry Adams was leaving the College, the Rector asked Ms. Ukrop to read into the record **Resolution 36**, Resolution Honoring W. Barry Adams, Executive Vice President, William and Mary Alumni Association. Ms. Ukrop read the resolution and moved its adoption. Motion was seconded by Mr. Jost and approved by voice vote. (Resolution 36 is appended.)

Noting that Richard Bland Provost Anne-Marie McCartan was leaving the College, the Rector asked Mr. Clements to read **Resolution 25**, A Resolution Honoring Anne-Marie McCartan, Provost and Dean of Faculty, Richard Bland College, into the record. Mr. Clements read the resolution and moved its adoption. Motion was seconded by Ms. Poston and approved by voice vote. (Resolution 25 is appended.)

Following closing announcements, and there being no further business, the Board adjourned at 12:12 p.m.

Board of Visitors

April 30, 2004

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors of The College of William and Mary in Virginia has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, ' 2.2-3712.D. of the Code of Virginia requires a certification by this Board of Visitors that such closed session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board of Visitors.

VOTE

AYES: 14

NAYS: 0

ABSENT DURING CLOSED SESSION:

/s/ Susan Aheron Magill
Susan Aheron Magill
Rector of the College