

## MINUTES

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

April 21-22, 2005

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 21-22, 2005.

On Thursday, April 21, the Committee on Audit, the Committee on Financial Affairs, Richard Bland College Committee, the Committee on Buildings and Grounds and the Committee on Student Affairs met in the Board Room. The Nominating Committee and the Committee on Academic Affairs met in the Board Conference Room.

Those present were:

William P. Barr	Joseph J. Plumeri, II
Robert A. Blair	Anita O. Poston
Janet M. Brashear	Michael K. Powell
John W. Gerdelman	Barbara B. Ukrop
R. Philip Herget III	Henry C. Wolf
Susan Aheron Magill, Rector	Faculty representative: Robert B. Archibald
Jeffrey L. McWaters	Student representative: Edward J. Rice

Absent: Thomas E. Capps  
Lawrence S. Eagleburger  
Sarah I. Gore  
Suzann W. Matthews

Others present were:

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

Also present were members of the William and Mary Faculty and Student Liaison Committees; Dean Carl Strikwerda, Dean Virginia McLaughlin and Richard Bland College President James B. McNeer and Dean of Administration and Finance Russell E. Whitaker, Jr.

Rector Susan Magill convened the Board in the Board Room as a committee of the whole at 3:10 p.m.

Advising the Board that Suzann Matthews' father, Curtis Wilson, had died early this morning so she had left to join her family in North Carolina, the Rector asked for a moment of silence for the two students who had died since the last Board meeting and for Suzann Matthews.

In his opening remarks, President Sullivan commented on his last year as president and reported on significant progress made on the Campaign for William and Mary, restructuring, and movement of faculty salaries from the 23<sup>rd</sup> to the 27<sup>th</sup> percentile. He outlined challenges that were ahead and expressed his thanks to the Board for their support during his presidency. The Board responded

with a round of applause.

Mr. Powell introduced Provost P. Geoffrey Feiss, who reported recent accomplishments by members of the faculty. He introduced Professor of History Melvin P. Ely and Associate Professor of Music Sophia Serghi. Professor Ely briefly discussed his research on the Israel Hill community, located on the Appomatox River near Farmville. Professor Serghi discussed her musical interest, noting that she was now moving into film scoring and would be working at the Sundance Film Institute during the summer. On her return this fall, she expressed interest in developing a film scoring studio as part of the Film Studies program. At the conclusion of the presentation, Dean Strikwerda distributed copies of Professor Ely's book and Professor Serghi's CD to the members of the Board.

Provost Feiss introduced Professor of Sociology David P. Aday, Director of the Southern Association of Colleges and School's (SACS) Reaccreditation Project, who discussed strategic planning institutional effectiveness and SACS and provided a brief overview of the self-study process to date. Professor Aday outlined the schedule, which will culminate in the final decision by SACS in December 2005. Provost Feiss advised that although Board members are not required to participate in the process, it would be valuable if one or two were able to meet with the on site team. Mr. McWaters volunteered to participate.

At 4:12 p.m. the **Committee on Student Affairs** convened. In the absence of Ms. Matthews, the Rector called on Vice President for Student Affairs Sam Sadler.

Vice President Sadler commented briefly on the recent student deaths and what the College has been doing in response. Mr. Sadler advised that the WCWM-FM Annual Report for 2004-2005 was included in the agenda book at Enclosure I. He noted that Ms. Matthews has requested a discussion of the Office of Student Affairs and outlined briefly their organization and critical issues. Mr. Sadler reported on several student successes since the last meeting.

Student Liaisons George Srour and Allison Biggs reported on student activities and discussed the new Student Assembly Diversity Initiative which included the creation of a cabinet post to explore diversity and related issues. The recent Student Assembly elections had resulted in the election of Ryan Scofield as President and Amanda Norris as Vice President.

Matt Reamy, chair of the Bone Marrow Drive, reported briefly on the recent drive which raised \$50,000 with grants over \$78,000. He advised that this year a Sam Sadler Contribution Award was established to be presented to the individual or organization who made the largest contribution and the first award will be presented next year. He thanked Suzann Matthews for her help every year.

The Rector moved that, pursuant to Section 2.2-3711.A.1., of the Code of Virginia, the meeting be closed in order to discuss matters pertaining to specific personnel and the consideration of contracts. Motion was seconded by Mr. Gerdelman and approved by voice vote. The observers were asked to leave the room and the Board went into closed session at 4:59 p.m.

The Board reconvened in open session at 5:30 p.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 Ms. Brashear and approved by roll call vote of the Board members conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

At 5:30 p.m. the Rector called on Vice Rector Jeff McWaters. Mr. McWaters advised the Board that he would not be standing for re-election to the position of Vice Rector of the College. The Rector recessed the Board to the student reception in the Board Dining Room.

On Friday, April 22, the Executive Committee met in the Rector's Office while the Committees on Public Affairs and Economic Development, Development and Alumni Affairs and Athletics met in the Board Room, prior to the full Board meeting.

Those present were:

William P. Barr	
Robert A. Blair	Joseph J. Plumeri, II
Janet M. Brashear	Anita O. Poston
John W. Gerdelman	Michael K. Powell
R. Philip Herget III	Barbara B. Ukrop
Susan Aheron Magill, Rector	Faculty representative: Robert B. Archibald
Jeffrey L. McWaters	Student representative: Edward J. Rice

Absent: Thomas E. Capps  
Lawrence S. Eagleburger  
Sarah I. Gore  
Suzann W. Matthews  
Henry C. Wolf

Others present were:

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

Also present were Dean Lawrence B. Pulley and Richard Bland College President James B. McNeer.

At 9:15 a.m. Rector Susan Magill convened the Board in the Board Room as a committee of the whole for the meeting of the **Committee on Public Affairs and Economic Development**. Ms. Poston presided as chair and congratulated President Sullivan and Vice President Gamage for the success in Richmond this year.

Ms. Poston asked for a motion that, pursuant to Section 2.2-3711.A.8., of the Code of Virginia, the meeting be closed in order to discuss matters pertaining to contracts for services. Motion was made by Ms. Brashear, seconded by Mr. Blair and approved by voice vote. The observers were asked to leave the room and the Board went into closed session at 9:16 a.m.

The Board reconvened in open session at 10:10 a.m. Ms. Poston asked motion to adopt the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was made by Mr. McWaters, seconded by Mr. Gerdelman and approved by roll call vote

of the Board members conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

Vice President for Public Affairs Stewart Gamage reported that the Publications Office had recently won a CASE Gold National Award for the admissions publication and introduced Director of Publications Cindy Baker, Teri Edmundson from the Publications Office and Director of Admission Henry Broaddus. Ms. Gamage also introduced the Director of the DC Office Adam Anthony.

There being no further business, the Committee adjourned at 10:12 a.m. The Rector advised that, to accommodate the schedule of the Chair of the Nominating Committee, she was suspending the agenda and moved to the report of the Nominating Committee, chaired by Mr. Barr.

Mr. Barr reported that he had consulted with Professor Richard Williamson in his capacity as Coordinator of Legal Affairs and provided a brief review of the relevant sections of the *Bylaws* dealing with Board elections, noting there was a term length specified but no eligibility requirement. The election would be conducted as normal under the Bylaws and the officers would serve for two-year terms. Should any vacancy occur during that term, a special election would be held to elect a person to serve out the remainder to that term and keep the same two year schedule.

Mr. Barr reported that the Nominating Committee had met and recommended the following individuals to serve in the offices noted:

Susan Aheron Magill – Rector  
Michael K. Powell – Vice Rector  
Suzann W. Matthews – Secretary

Mr. Barr moved the nomination of all three names and asked for nominations from the floor. Hearing none, Mr. Barr moved that nominations be closed. Motion was seconded by Ms. Ukrop and approved by voice vote of the Board. Mr. Gerdelman moved adoption of the slate as presented. Motion was seconded by Ms. Ukrop and approved by voice vote of the Board. A round of applause was offered by the Board. Ms. Magill expressed her thanks to the members of the Board and to the members of the Nominating Committee.

At 10:44 a.m. the **Committee on Athletics** convened as a committee of the whole. Mr. Gerdelman presided as chair.

Director of Athletics Terry Driscoll reported on the teams. Mr. Driscoll asked Vice President Sadler to provide an update on the NCAA Certification process, noting that a site visit was scheduled from May 2 to 4. Mr. Sadler reported that in a preliminary review of the report four minor questions were addressed and the report was approved with no deficiencies. Mr. Driscoll reported on the NCAA Academic Progress Rate report. Mr. Driscoll briefly reviewed upcoming special events and presented a short quiz on athletics facts.

There being no further business, the committee of the whole adjourned at 11:14 a.m.

Following a short break, Rector Susan Magill called the annual meeting of the full Board to order in the Board Room at 11:25 a.m.

Board of Visitors  
MINUTES  
Page 5

Those present were:

Robert A. Blair	Joseph J. Plumeri, II
Janet M. Brashear	Anita O. Poston
John W. Gerdelman	Michael K. Powell
R. Philip Herget III	Barbara B. Ukrop
Susan Aheron Magill, Rector	Faculty representative: Robert B. Archibald
Jeffrey L. McWaters	Student representative: Edward J. Rice

Absent: William P. Barr  
Thomas E. Capps  
Lawrence S. Eagleburger  
Sarah I. Gore  
Suzann W. Matthews  
Henry C. Wolf

Others present were:

Timothy J. Sullivan	Edward C. Driscoll, Jr.
James B. McNeer	Michael J. Fox
P. Geoffrey Feiss	Fanchon Glover
Vernon R. Lindquist	Jackson N. Sasser
Stewart H. Gamage	Michael L. Stump
Samuel E. Jones	William T. Walker, Jr
Anna B. Martin	Richard A. Williamson
Susan H. Pettyjohn	Sandra J. Wilms
W. Samuel Sadler	.

Also present were Assistant Attorney General Deborah Love and Dean Lawrence B. Pulley.

The Rector asked for any corrections to the minutes of the meetings on February 3-4, 2005, and March 13-14, 2005. Hearing none, the Rector asked for a motion to approve the minutes. Motion was made by Ms. Poston, seconded by Mr. Gerdelman and approved by voice vote of the Board.

The Rector asked for a motion that, pursuant to Section 2.2-3711.A.1., 3., 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, tenure and leaves; consultation with legal counsel and 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 matters pertaining to the consideration of honorary degrees. Motion was made by Mr. Blair, seconded by Mr. Powell and approved by voice vote. The observers were asked to leave the room and the Board went into closed session at 11:26 a.m.

The Board reconvened in open session at 11:50 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 conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

In the absence of Mr. Capps, Mr. Blair reported for the Committee on Audit, noting that the Committee had met jointly with the Committee on Financial Affairs to receive the report of the

Auditor of Public Accounts on FY2004. Deputy Auditor of Public Accounts Bill Cole reported a clean audit. Mr. Blair noted that this report was responsive to the Committee's request for a timely report. Mr. Blair advised that the Committee had also heard a report from the Director, reviewed the audit activities and noted no problems.

In the absence of Mr. Wolf, Mr. Powell reported for the Committee on Financial Affairs. Mr. Powell called attention to the revision in Resolution 40 relating to the change in tuition for the School of Business. Vice President Sam Jones briefly reviewed specific highlights of the budget discussion relating to student financial assistance. Mr. Blair suggested that the Board provide additional funding from private funds under their control to bridge the gap a bit more. Resolution 45 was amended to provide an additional \$100,000 for student financial assistance. Mr. Powell moved the adoption of **Resolution 39**, FY2005-06 Operating Budget for Educational and General Program; **Resolution 40(R)**, FY2005-06 Tuition and Fee Structure for Full- and Part-Time Students; **Resolution 41**, FY2005-06 Auxiliary Enterprise Operating Budgets; **Resolution 42**, FY2005-06 Sponsored Programs Operating Budget; **Resolution 43**, FY2005-06 State Appropriated Student Financial Assistance; and **Resolution 44**, FY2005-06 Applied Music Fee Motion was seconded by Mr. Blair and approved by voice vote of the Board. (**Resolution 40(R)** is appended.)

Mr. Powell moved the adoption of **Resolution 45**, FY2005-06 Board of Visitors Private Funds Budget, as amended. Motion was seconded by Mr. Blair and approved by voice vote of the Board. (**Resolution 45(R)** is appended.)

Mr. Powell moved the adoption of **Resolution 46**, Higher Education Financial and Administrative Operations Act and **Resolution 47**, Higher Education Financial and Administrative Operations Act, Alternative Authority for Covered Institutions. Motion was seconded by Ms. Poston and approved by voice vote of the Board.

Mr. Powell moved the adoption of **Resolution 48**, Resolution Authorizing Executive and Delivery of a Memorandum of Understanding with the William and Mary Business School Foundation Relating to the Development, Financing and Construction of the School of Business Building. Motion was seconded by Mr. Blair and approved by voice vote of the Board.

Mr. Powell moved the adoption of **Resolution 49**, Virginia Institute of Marine Science FY2005-06 Operating Budget. Motion was seconded by Mr. Blair and approved by voice vote of the Board.

Ms. Ukrop reported for the Richard Bland College Committee, noting that the Committee had received an update on the residential student housing proposal and anticipated an opening in the fall of 2008.

At the late Hunter Andrews' suggestion, plans for a capital campaign were being explored. The Sheridan Group was being hired to do a feasibility study for the campaign with the goal of raising \$5 million to be used for housing and scholarship.

Ms. Ukrop reported that nineteen Richard Bland students were accepted at William and Mary and advised that the Committee had heard an update on the transfer concerns, noting that both Provost Lindquist and Provost Feiss have been working to address the concerns.

Ms. Ukrop reported that Richard Bland's Commencement would be held on Friday, May 13, and the speaker would be Michael Powell. She encouraged Board members to attend.

In his remarks, President McNeer stated that no one has had a more positive influence on higher education than Tim Sullivan, noting that he had changed the shape of higher education not only at William and Mary but in Virginia. On behalf of Richard Bland, President McNeer presented President Sullivan with a small gift as a token of appreciation.

Ms. Ukrop moved adoption of **Resolution 1**, Restructuring Legislation; **Resolution 2**, Tuition and Fees for 2005-2006; **Resolution 3**, 2005-2006 Operating Budget Proposal; **Resolution 4**, Feasibility Study and Capital/Endowment Campaign, **Resolution 5**, Six Year Capital Outlay Plan; and **Resolution 6**, Lease of Land to Richard Bland College Foundation, as a block. Motion was seconded by Mr. McWaters and approved by voice vote of the Board.

Mr. McWaters reported for the Committee on Buildings and Grounds, noting that the Committee had received updates on William and Mary's six year capital outlay plan, which was revised in Committee, on Project MAST and on VIMS six year capital outlay plan, which was revised to reflect a higher figure in the bid on the bond project. Mr. McWaters advised that, with the retirement of Professor Gary Kreps, Associate Provost for Information Technology Courtney Carpenter will become Director of Project MAST and continue to provide updates to the Committee.

Mr. McWaters advised that the Committee had discussed the naming opportunities of two buildings at VIMS.

Mr. McWaters moved the adoption of **Resolution 7(R)**, College of William and Mary 2006-2012 Capital Outlay Plan; **Resolution 8(R)**, Virginia Institute of Marine Science 2006-2012 Capital Outlay Plan; **Resolution 9**, Naming of Hunter and Cynthia Andrews Hall; and **Resolution 10**, Naming of the Catlett-Burruss Research and Education Laboratory. Motion was seconded by Mr. Gerdelman and approved by voice vote of the Board. (**Resolution 7(R)** and **Resolution 8(R)** are appended.)

Mr. Powell reported for the Committee on Academic Affairs and moved adoption as a block of **Resolution 11**, Appointments to Fill Vacancies in the Instructional Faculty; **Resolution 12**, Appointments to Fill Vacancies in the Administrative and Professional Faculty; **Resolution 13**, Faculty Promotions; **Resolution 14**, Designated Professorships; **Resolution 15**, Term Designated Professorships for Associate Professors; **Resolution 16**, William and Mary Student Professorship; **Resolution 17**, Faculty Leaves of Absence; **Resolution 18**, Amendments to the Constitution and Bylaws of the Faculty Assembly; **Resolution 19**, Retirement of Herbert M. Austin, School of Marine Science; **Resolution 20**, Retirement of Thomas A. Barnard, Jr., School of Marine Science; **Resolution 21**, Retirement of James R. Baron, Department of Classical Studies; **Resolution 22**, Retirement of Lawrence S. Beckhouse, Department of Sociology; **Resolution 23**, Retirement of James A. Bill, Department of Government; **Resolution 24**, Retirement of Miles L. Chappell, Department of Art and Art History; **Resolution 25**, Retirement of David A. Evans, School of Marine Science; **Resolution 26**, Retirement of William H. Hawthorne, School of Business; **Resolution 27**, Retirement of Steven N. Haynie, Department of Kinesiology; **Resolution 28**, Retirement of Gary A. Kreps, Department of Sociology; **Resolution 29**, Retirement of Robert P. Maccubbin, Department of English; **Resolution 30**, Retirement of James N. McCord, Jr., Department of History; **Resolution 31**, Retirement of William E. O'Connell, Jr., School of Business; **Resolution 32**, Retirement of Roy L. Pearson, School of Business; **Resolution 33**, Retirement of Hans O. Tiefel, Department of Religious Studies; **Resolution 34**, Retirement of Franco Triolo, Department of Modern Languages and Literatures; **Resolution 35**, Retirement of Wanda A. Wallace, School of Business; **Resolution 36**, Retirement of Richard L. Wetzel, School of Marine Science; **Resolution 37**, Retirement of

Ronald C. Wheeler, School of Education; **Resolution 38**, Retirement of Edgar W. Williams, Jr., Department of Music. Motion was seconded by Mr. Blair and approved by voice vote of the Board.

Ms. Magill reported for the Executive Committee and moved the adoption of the report as given in closed session; namely to confer the following degrees at Commencement:

Sir John Elliott - Doctor of Humane Letters  
Margaret McKane Mauldin - Doctor of Humane Letters

Motion was seconded by Mr. McWaters and approved by voice vote of the Board.

There was no old business.

Under new business, the Rector thanked Ned Rice for his service as the William and Mary student representative on the Board and as a valuable member of the Presidential Search Committee. She also thanked Professor Bob Archibald for his participation as the first William and Mary faculty representative to the Board. The Rector presented gifts of appreciation on behalf of the Board to both the Administrative Assistant to the Board Sandy Wilms and the Secretary to the Board Michael Fox. The Rector thanked the Nominating Committee for their work and Mr. Blair for his constructive assistance during the process.

The Rector asked Secretary of the Board Michael Powell to read into the record **Resolution 50**, A Resolution in Honor of Anne Klare Sullivan '66 and Timothy J. Sullivan '66. Mr. Powell read the resolution and moved its adoption. Motion was seconded by Mr. McWaters and approved by voice vote of the Board. The Rector presented a copy of the resolution to President Sullivan. (**Resolution 50** is appended.)

The Rector moved that, pursuant to Section 2.2-3711.A.1., of the Code of Virginia, the meeting will be closed in order to discuss matters pertaining to specific personnel. Motion was seconded by Ms. Ukrop and approved by voice vote. The observers were asked to leave the room and the Board went into Executive Session at 12:20 p.m.

The Board reconvened in open session at 12:50 p.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 conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

Ms. Magill moved adoption of **Resolution 51**, Approval of Contract of Employment, noting that the contract includes an appointment to the Law School faculty with tenure. Motion was seconded by Mr. McWaters and approved by voice vote of the Board. (**Resolution 51** is appended.)

The Rector and President Sullivan took part in a brief ceremony to unveil the portrait of former Secretary to the Board and Assistant to the President James S. Kelly. The Rector welcomed Mr. Kelly, members of his family and friends. President Sullivan briefly commented on the artist, Nelson Shanks, noting that he had also painted the portrait of Chancellor Margaret Thatcher. Following Mr. Kelly's brief response, the Board gave him a round of applause.

There being no further business, the Board adjourned at 1:00 p.m.