

MINUTES

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

February 6-8, 2008

The Board of Visitors of The College of William and Mary in Virginia met on the campus in Williamsburg on Wednesday, Thursday and Friday, February 6-8, 2008.

On Wednesday, February 6, the Executive Committee met in the Rector's Office. At 6:15 p.m., the full Board convened for dinner in the Plumeri House at 119 Chandler Court.

Those present on Wednesday were:

Charles A. Banks III
Robert A. Blair
Janet M. Brashear
Thomas E. Capps
John W. Gerdelman
Sarah I. Gore
R. Philip Herget III
Kathy Y. Hornsby

Suzann W. Matthews
Anita O. Poston
Michael K. Powell, Rector
John Charles Thomas
Jeffrey B. Trammell
Barbara B. Ukrop
Henry C. Wolf

Absent: Jeffrey L. McWaters
Joseph J. Plumeri II

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 personnel matters involving identifiable college employees. Motion was seconded by Ms. Matthews and approved by voice vote. The Board went into closed session at 6:15 p.m.

The Board reconvened in open session at 9:20 p.m. Mr. Powell reviewed the topic discussed during closed session for the benefit of the observers, then moved adoption of the **Resolution** certifying that the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Ms. Matthews and approved by roll call vote of the Committee members conducted by Secretary of the Board Suzann Matthews. (Certification **Resolution** is appended).

There being no further business, the Board adjourned at 9:20 p.m.

On Thursday, February 7, the Richard Bland College Committee, the Committees on Buildings and Grounds, Athletics, Public Affairs, Development and Alumni Affairs, Student Affairs and Administration met in the Board Room, while the Committees on Audit and Academic Affairs met in the Board Conference Room.

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Those present on Thursday were:

Charles A. Banks III
Robert A. Blair
Janet M. Brashear
Thomas E. Capps
John W. Gerdelman
Sarah I. Gore
R. Philip Herget III
Kathy Y. Hornsby
Suzann W. Matthews

Joseph J. Plumeri II
Anita O. Poston
Michael K. Powell, Rector
John Charles Thomas
Jeffrey B. Trammell
Barbara B. Ukrop
Henry C. Wolf
Faculty representatives: Colleen Kennedy
Student representatives: Zachary B. Pilchen

Absent: Jeffrey L. McWaters

Others present were:

Gene R. Nichol
P. Geoffrey Feiss
Stewart H. Gamage
Samuel E. Jones
Anna B. Martin
Sean M. Pieri
Virginia M. Ambler
Michael J. Connolly
Karen R. Cottrell

Tammy H. Currie
John E. Donaldson
Edward C. Driscoll, Jr.
Michael J. Fox
W. Fanchon Glover
Jackson N. Sasser
Michael L. Stump
Brian W. Whitson
Sandra J. Wilms

Also present were Assistant Attorney General Deborah Love, ACE Fellow Josh Wyner, Dean of the University Libraries Connie K. McCarthy, and members of the William and Mary Faculty and Student Liaison Committees.

The **Committee on Athletics** convened at 10:30 a.m. Ms. Brashear presided as chair and called on Director of Athletics Terry Driscoll. Mr. Driscoll reported on the teams and discussed the student-athlete admission profile for 2007-2008. Mr. Driscoll advised that he was the new chair of the Logo/Mascot Committee and provided a brief update. A brief discussion ensued.

Mr. Driscoll presented a short quiz on athletics facts and discussed upcoming special events. There being no further business, the Committee adjourned at 10:48 a.m.

The **Committee on Public Affairs** convened at 12:35 p.m. Mr. Trammell presided as chair.

Vice President for Public Affairs Stewart Gamage reported that John Gerdelman, Kathy Hornsby, Anita Poston and Hank Wolf met earlier this morning with the members of the House of Delegates Privileges and Elections Committee. Ms. Gamage reported briefly on the status of the General Assembly, and discussed goals and strategies. Ms. Gamage reviewed current civic engagement projects and communication efforts. Provost Feiss announced that the College would host a national forum on service learning on March 10 and thanked ACE Fellow Josh Wyner for his help in bringing the Bridgeland group to campus for this event, which will lead up to a broader national initiative. A brief discussion ensued.

Mr. Trammell moved that, pursuant to Section 2.2-3711.A.8., of the Code of Virginia, the meeting be closed to discuss matters pertaining to contracts for services or work to be performed by the College. Motion was seconded by Ms. Brashear and approved by voice vote. Observers were asked to leave the room and the Board went into closed session at 12:45 p.m.

The Board reconvened in open session at 1:40 p.m. Mr. Trammell moved adoption of the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Ms. Ukrop and approved by roll call vote of the Board members by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

There being no further business, the Committee adjourned at 1:40 p.m.

At 1:50 p.m. the Rector convened the Board as a committee of the whole and welcomed Board members John W. Gerdelman, Kathy Y. Hornsby, Anita O. Poston, and Henry C. Wolf back from their appearance in Richmond before the House of Delegates Committee on Privileges and Elections, and thanked all of the Board members for being present to celebrate the College's charter this weekend.

In his welcoming remarks, President Nichol briefly updated the Board on the recovery from the automobile accident last fall of Spencer Butts and the fencing team. The President advised that two VIMS professors had recently been honored: Professor Carl Friedrichs was selected for an Outstanding Faculty Award by the State Council of Higher Education and Professor John Musick was recognized by Governor Kaine with a Lifetime Achievement Award. Reporting that admission applications were up 6.8%, the President commented on increased diversity in both faculty and applications. President Nichol stated that while the capital funding picture looks positive, the operations challenges caused by the budget situation were real and advised that the administration was continuing to explore alternative ways to continue to move forward. A brief discussion ensued.

Provost Feiss introduced Assistant Vice President for Student Affairs Ginger Ambler, and advised that she would be filling in for Vice President Sadler while he was on medical leave. The Provost briefly commented that the revisions to the *Faculty Handbook* were substantially completed and would be reviewed with the Committee on Academic Affairs for presentation to the full Board tomorrow. He expressed his thanks to Professor Colleen Kennedy and her colleagues for their efforts over the past two years. The Provost then introduced Professor Katherine Kulick, who presented an in-depth briefing on the results of the 2007 Faculty Survey. Discussion ensued.

Following the meeting of the Committee on Development and Alumni Affairs, the **Committee on Student Affairs** convened at 3:42 p.m. Mr. Thomas called the meeting to order, thanked Ms. Ambler for her service in Mr. Sadler's absence, and asked Vice Chair Barbara Ukrop to preside while he attended the meeting of the Committee on Academic Affairs. Assistant Vice President for Student Affairs Ginger Ambler reported on the hiring of several new staff physicians at the Student Health Center, and the second national award received by William and Mary for our sexual assault education and prevention website. Student liaisons Tina Ho and Joell Christodonte reported on recent student activities. There being no further business, the committee adjourned at 4:15 p.m.

Following the meeting of the Committee on Academic Affairs and the Committee on Administration, and there being no further business, the Board recessed at 5:17 p.m.

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On Friday, February 8, the Committee on Financial Affairs met in the Board Room, prior to the full Board meeting.

At 10:10 a.m. the Rector convened the Board in the Board Room.

Those present were:

Charles A. Banks III	Anita O. Poston
Robert A. Blair	Michael K. Powell, Rector
Janet M. Brashear	John Charles Thomas
Thomas E. Capps	Jeffrey B. Trammell
John W. Gerdelman	Barbara B. Ukrop
Sarah I. Gore	Henry C. Wolf
Kathy Y. Hornsby	Faculty representatives: Colleen Kennedy
Suzann W. Matthews	Roger E. Franklin, Jr.
Joseph J. Plumeri II	Student representatives: Zachary B. Pilchen

Absent: R. Philip Herget III
Jeffrey L. McWaters

Others present were:

Gene R. Nichol	Edward C. Driscoll, Jr.
Stewart H. Gamage	John E. Donaldson
Samuel E. Jones	Michael J. Fox
Anna B. Martin	W. Fanchon Glover
Sean M. Pieri	Jackson N. Sasser
Virginia M. Ambler	Michael L. Stump
Kiersten L. Boyce	Brian W. Whitson
Michael J. Connolly	Sandra J. Wilms
Karen Cottrell	

Also present was Assistant Attorney General Deborah Love; Richard Bland College President James B. McNeer, Provost Vernon R. Lindquist, Dean of Administration and Finance Russell E. Whitaker and Director of Institutional Advancement LeAnn Binger; Dean of University Libraries Connie K. McCarthy, and members of the William and Mary Faculty Liaison Committee.

The Rector asked for any corrections to the minutes of the meeting held on December 5-7, 2007. Hearing none, the Rector asked for a motion to approve the minutes as distributed. Motion was made by Mr. Thomas, seconded by Ms. Ukrop and approved by voice vote.

The Rector moved 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 personnel matters involving identifiable college employees, the consideration of contracts, tenure, promotions and leaves; acquisition of real property for public purposes; consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation or specific legal matters requiring legal advice; to discuss matters pertaining to gifts, bequests and fund raising activities and contracts for services or work to be performed by the College; and to discuss matters pertaining to the consideration of honorary degrees. Motion was seconded by Mr. Gerdelman and approved by voice vote. The Board went into

closed session at 10:11 a.m. At 10:15 a.m. Ms. Poston recused herself from the closed session due to potential legal conflicts. At 10:20 a.m. Ms. Poston returned to the closed session.

The Board reconvened in open session at 10:32 a.m. Mr. Powell reviewed the topics discussed during closed session for the benefit of the observers, then moved adoption of the **Resolution** certifying that the closed session was held in compliance with the Freedom of Information Act. Motion was 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.)

Ms. Ukrop reported for the Richard Bland College Committee. President McNeer provided an update on the capital campaign, reminded the Board that Mr. Plumeri would be the Commencement speaker on May 9 and reported that the library renovation was complete and residence hall construction was on schedule, with a ribbon cutting scheduled for July 30. Ms. Ukrop reminded Board members to consider 100% participation in the campaign

Ms. Ukrop moved adoption as a block of **Resolution 1**, Appointment of Director of Residence Life; **Resolution 2**, Changes to the College's Faculty Handbook and the Adjunct Policies and Procedures Manual; **Resolution 3**, Resolution to Approve the Establishment of a Campus Police Department for Richard Bland College of The College of William and Mary in Virginia; **Resolution 4**, Resolution to Approve the Service Agreement for Training of Law Enforcement Officers at Crater Criminal Justice Academy; **Resolution 5**, Appointment of Chief of Police; and **Resolution 6**, 2008-2010 Operating Budget Amendment. Motion was seconded by Mr. Wolf and approved by voice vote.

Mr. Gerdelman reported for the Committee on Administration. Noting that the Committee had not had a quorum when it met, Mr. Gerdelman moved adoption of the minutes of the meeting of December 6, 2007. Motion was seconded by Mr. Wolf and approved by voice vote. Mr. Gerdelman reported that the committee had heard reports on restructuring and emergency preparedness and had received an information technology update. There were no action items.

Ms. Poston reported for the Committee on Academic Affairs, noting that the committee had heard a report from the Dean of the Faculty of Arts and Sciences Carl Strikwerda and Director of the Charles Center Joel Schwartz on civic engagement through service learning activities, and two freshman students had discussed their projects under the Sharpe Community Partnerships Program. Ms. Poston noted that the committee had heard a report from Professor Colleen Kennedy regarding the Faculty Handbook revision, noting the committee was recommending the revisions be effective as of July 1 to give the Legal Affairs Coordinator and the Attorney General's Office time to review the changes. Professor Kennedy distributed a copy of the Table of Contents and briefly commented on the changes.

Ms. Poston moved adoption of **Resolution 14**, Faculty Handbook Revision, effective July 1, 2008. Motion was seconded by Mr. Wolf and approved by voice vote.

Ms. Poston moved adoption as a block of **Resolution 7**, Appointments to Fill Vacancies in the Instructional Faculty; **Resolution 8**, Appointments to Fill Vacancies in the Administrative and Professional Faculty; **Resolution 9**, Award of Academic Tenure; **Resolution 10**, Faculty Promotions; **Resolution 11**, Designated Professorships; **Resolution 12**, Term Distinguished Professorship for Associate Professors and **Resolution 13**, Faculty Leaves of Absence. Motion was seconded by Mr. Thomas and approved by voice vote.

The Rector noted the commitment, dedication and hard work of the faculty on the Handbook revisions and led a round of applause in appreciation.

Mr. Blair reported for the Committee on Buildings and Grounds, noting that all projects were on schedule. Director of the Historic Campus Louise Kale will have a report at the next meeting on preservation of the historic campus. There were no action items.

Mr. Capps reported for the Committee on Audit, noting that the committee had heard a good report from the Director of Internal Audit.

Mr. Capps moved adoption of **Resolution 15**, Office of Internal Audit Charter. Motion was seconded by Ms. Ukrop and approved by voice vote.

Mr. Plumeri reported for the Committee on Development and Alumni Affairs, noting that the committee had heard a report from the Vice President for Development on gift recognition and an update on alumni activities, including the New York Auction, from the Executive Vice President of the Alumni Association. There were no action items.

Mr. Plumeri advised that this would be his last meeting, as his term expires in June and he would be unable to attend the April meeting. Mr. Plumeri expressed his appreciation for being able to serve with such a wonderful group of people and thanked the Board for the privilege and honor of working for and serving the College. The Rector led the Board in a standing ovation and thanked Mr. Plumeri for his service.

Mr. Wolf reported for the Committee on Financial Affairs, noting that the committee had received an update from the Vice President for Finance and the VIMS Director of Planning and Budget on the Governor's operating and capital budgets and their effect on the College and VIMS. Mr. Wolf stated that the committee will continue to monitor the General Assembly deliberations. The committee also heard a report from Wachovia Securities on investment performance. There were no action items.

Mr. Powell moved adoption of the report of the Executive Committee as given in closed session; namely, to confer the following honorary degrees at Charter Day 2008:

James B. Comey, Jr. - Doctor of Laws
Harriet M. Fulbright - Doctor of Public Service
James C. Rees IV - Doctor of Humane Letters

Motion was seconded by Mr. Wolf and approved by voice vote.

Under old business, Ms. Matthews provided a brief update on the Board Manual project, and introduced Brad Potter, student intern in the President's Office, who was working closely with her on this project, noting that they hoped to have it concluded in April.

There was no new business

The Rector moved that, pursuant to Section 2.2-3711.A.1. and 7., of the Code of Virginia, the meeting be closed in order to discuss personnel matters involving identifiable college employees, and for consultation with legal counsel and briefings by staff members pertaining to actual or

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probable litigation or specific legal matters requiring legal advice. Motion was seconded by Mr. Wolf and approved by voice vote. The observers were asked to leave the room and the Board went into closed executive session at 11:05 a.m.

The Board reconvened in open session at 11:45 a.m. The Rector reviewed the topics discussed during the closed session for the benefit of the observers, then moved adoption of the **Resolution** certifying that the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Wolf and approved by roll call vote of the Board members conducted by Secretary to the Board Michael Fox. (Certification Resolution is appended).

There being no further business, the Board adjourned at 11:45 a.m.

Board of Visitors

February 6, 2008

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 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: **15**

NAYS: **0**

ABSENT DURING CLOSED SESSION:

A handwritten signature in black ink, appearing to read 'M. Powell', written over a horizontal line.

Michael K. Powell
Rector of the College

February 7, 2008

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors' Committee on Public Affairs 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 Committee that such closed session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, That the Committee on Public Affairs, 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 Committee on Public Affairs.

VOTE

AYES: 16

NAYS: 0

ABSENT DURING CLOSED SESSION:

/s/ Jeffrey B. Trammell
Jeffrey B. Trammell
Chair, Committee on Public Affairs

Board of Visitors

February 8, 2008

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 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: **15**

NAYS: **0**

ABSENT DURING CLOSED SESSION:

A handwritten signature in black ink, appearing to read 'M. Powell', is written over a horizontal line.

Michael K. Powell
Rector of the College

Board of Visitors

February 8, 2008

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 that such closed session was conducted in conformity with Virginia law;

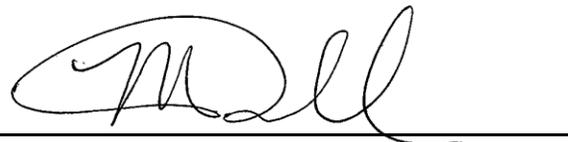
NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this 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: **15**

NAYS: **0**

ABSENT DURING CLOSED SESSION:

A handwritten signature in black ink, appearing to read 'M. Powell', written over a horizontal line.

Michael K. Powell
Rector of the College