MEETING OF THE BOARD OF TRUSTEES
MARCH 14, 2009

UNIVERSITY OF THE VIRGIN ISLANDS
GREAT HALL, NORTHWEST WING
CONFERENCE ROOM
ST. CROIX CAMPUS
9:00 A.M.

DRAFT CONSENT AGENDA
REGULAR SESSION

Committee Reports

Academic, Research & Student Affairs Committee………………Ms. Juanita Woods

A. Status Report on Enrollment – Setting the 2009-2010 Target

Provost Musah presented an overview of present enrollment, projected enrollment targets established in VISION 2012 (2,700 by Fall 2009 and 3,000 by 2012), and the impact increased enrollments will have on the University’s infrastructure: classroom, laboratory, and office space; numbers of full and part-time faculty and their credit/work loads; student and academic support services; residence halls and dining space. The Report also outlined several external factors that may impact enrollment and presented several strategies that may be deployed to address the challenges of enrollment growth. Because these challenges will affect all stakeholders, ARSA passed a motion for the Administration to forward the Report to the newly formed UVI Senate to provide faculty, staff and students input relative to the strategies and the opportunity to present new ideas. The Status Report on Enrollment-Setting the 2009-2010 Target, was originally presented to the Executive Committee which recommended that a Joint Committee of ARSA and the Planning Committee be formed to make recommendations pursuant to enrollment targets to the Executive Committee.

B. Faculty Satisfaction Survey

Copies of the Faculty Satisfaction Survey conducted in December 2008 and completed January 15, 2009 were provided to the ARSA Committee. The Provost indicated that the results will be used as part of the 2009 Faculty Institute and that the survey is a benchmark study. He expects to conduct additional studies every two years. Of the 23 statements surveyed, the highest statements of agreement were (1) Tuition Remission Policy- 95% (2) Credit hours taught - 58% (3) No consistency re Tenure-56% (4) Revised Tenure Process-55%, and (5) Performance Reviews. Lowest levels of satisfaction were (1) Transparency-12% (2) Compensation Satisfying-14%
(3) Compensation Practice Fair-21% (4) Communication Timely-22% and (5) Time to Conduct Research-25%.

C. Academic Renewal Policy

For informational purposes, Dr. Judith Edwin, Vice Provost for Access and Enrollment Services (ACES) provided an overview of an Academic Renewal Policy proposal which would allow undergraduate students who experienced severe academic difficulty to have an opportunity to make a fresh start after an absence of five or more consecutive calendar years. Also discussed were qualifications for renewal, renewal procedures, and implementation issues. It was favorably received by ARSA members and is pending further input from various University stakeholders.

D. Special Report on Tenure-in-Waiting

Tenure-in-Waiting was placed on the agenda by Trustee Woods as an outstanding issue that needed to be addressed. Although the tenure ceiling was removed from the 2008 Faculty Policy Manual to allow more flexibility in attracting and retaining faculty, it did not address how, going forward, the status of faculty who had been approved for tenure-in-waiting would be handled. The Provost presented three proposals to address the issue.

- Phased in approach to convert Tenure-in-Waiting Faculty over a three year period (Administration’s Proposal)
- Convert Tenure-in-Waiting faculty immediately (Faculty Proposal)
- Grandfather Tenure-in-Waiting faculty based on pre-existing conditions.

The Committee was provided comparative data on percentages of tenured faculty among UVI’s peer institutions (32-65%); UVI’s at 44%; the mean of 48.7% among four-year public institutions, and the mean of 47.5% among both public and private institutions. Also discussed were the number of faculty (12) approved for tenure-in-waiting, by gender, campus, and division, and by the date of approval. It was recommended that the Administration and Faculty follow through on discussions of proposals begun in Fall 2008 and that a final proposal be presented at the June 2008 Board of Trustees meeting.

Ad Hoc Hotel Committee…………………………………………..Attorney Henry C. Smock

At its meeting of January 28, 2009, the Ad Hoc Hotel Committee unanimously selected Attorney Henry C. Smock as the Chair of the Committee. It was reported that three entities responded to the REI on the proposed hotel project. Two of the three entities did not meet the criteria of experience and financial strength established by the committee at the August 13, 2008 meeting. GlobeVest Foundation appeared to be only entity prepared for the project. Members agreed that the current deterioration of the financial markets made the project advancement difficult.
The committee agreed, after the presentation, that the project should be tabled until favorable market conditions arise.

The Hotel Ad Hoc Committee will submit a report to the full board at the March 2009 meeting recommending that the proposed hotel project be tabled until the economy and tourism industry improves. After the Board acts on the report, a letter will be sent to the various entities notifying them that the project has been tabled until the financial market and tourism industry improves.

Ad Hoc Human Resources Committee………………………………Ms. Juanita M. Woods

A. Update on Status of Hiring a Human Resources Director

AHHRC member and Chair of the Human Resources (HR) Director Selection Committee, Dr. Henry Smith, reported that after the AHHRC September 17, 2008 meeting, permission from the Vice President for Administration and Finance was requested and received to extend the search for an HR Director. Sixty-five applications were reviewed as a result of the extended search and twelve candidates were interviewed. The majority did not meet the basic requirements of the job description, specifically experience in higher education personnel and preferred certifications in HR. The Search Committee concluded that the compensation and benefits package may not be attractive enough for the qualifications required. Hiring a consulting firm was discussed but deemed too expensive. All members concurred that human resources is one of the most important functions at the University and suggested that the issue be forwarded to President Ragster and the Cabinet for resolution.

B. Update on Revised UVI Employee Manual

President Ragster reported that the manual has been completed and forwarded to staff and faculty for feedback which has been integrated into the document and forwarded to Cabinet. The Cabinet’s consensus was that someone with more experience in Human Resources needs to review it and that recent changes which have occurred, i.e., the UVI Senate, need to be included. The UVI Senate also has to review the Tuition Remission Policy for inclusion in the manual. The Board can expect to receive the final document before November 1, 2009.

C. AHHRC Report and Continuation or Discontinuation of the AHHRC

Trustee Woods presented a report on the work of the Committee based on meeting minutes from March, 2007 (when the committee was formed) through February 18, 2009. By Board resolution, the Committee was created for two years which will end
March 2009. The following was presented in support of discontinuation of the AHHRC:

- A Human Resources Committee is not a standard committee of university boards and, therefore, not in keeping with “best practices;”
- The awkwardness of having non-Board members who are UVI employees on a committee of the Board;
- Limited capacity for Board committees;
- The non-accomplishment of the goals as stated in the Resolution creating the AHHRC because of the “operational” nature of HR versus “policy” oversight.
- Also taken into consideration was the approval of the 2008 Faculty Policy Manual, the development of the UVI Senate to address shared governance issues, and the pending approval of the Revised UVI Employee Policy Manual.

After some discussion, a motion was made to recommend to the Board of Trustees the discontinuation of the AHHRC; it was passed unanimously.

Buildings and Grounds Committee.................................................Attorney Henry C. Smock

A. Capital Projects Report

The Capital Projects Report addressed the progress of various projects on the two campuses. On the St. Thomas campus, these included the Wind Turbine Partnership Program, the Wellness Center Project, the Library Faculty Resource Center and Student Computer Lab, the Science and Mathematics Building Renovations, and the John Brewer’s Bay Beach Restroom Shower Facility. On the St. Croix campus, projects reported on included the Campus Electrical Service Upgrade, Evans Center Electrical Upgrade and Evans Center 100-ton Air Conditioning Chiller Replacement.

Wind Turbine Partnership Program

The Capital Projects Office is currently completing the process of checking with respondents to the Requests for Quotations (RFQs). The results of the inquiries will be provided to the University shortly and a recommendation will be submitted identifying the best qualified companies. Based on a set of criteria, the groups will be invited to submit a proposal to provide wind turbine energy to the University under a joint partnership agreement. The University will identify firms with whom it will negotiate to make a final selection. The process should be complete and a recommendation for selection made by the middle of April 2009.

The University addressed the two directives from the Board: namely, to find a partner for the Wind Turbine project and to address the Federal Aviation Administration’s (FAA) issues.

Wellness Center
A mandatory pre-bid meeting will be held with the selected general contractors. A copy of the construction documents and one set of plans in bid form will be issued to each vendor. There are approximately six (6) local vendors that are interested in this project. CZM and earth change approvals have been obtained.

February 26, 2009, is the anticipated date for the contract award. A ten (10) month construction schedule is anticipated for this project.

B. St. Thomas Campus Project Report

The St. Thomas report addressed the progress of various projects. These included updates on the Upper Academic Door & Hardware Replacement project, the Dining Pavilion project, the Sports & Fitness Center Room 210 Classroom Conversion project, the Classroom Administration Building Room 209-Laboratory Expansion project, the CATS/Freshman Center Mold Remediation project, the Residence Hall Conversion project, Fuel Storage Tanks Upgrade, Campus Roads and Driveway Repairs, Hurricane Omar update and Miscellaneous Physical Plant Cycle Maintenance and Fleet Maintenance projects.

C. St. Croix Campus Projects Report

The St. Croix report addressed the progress of various projects. These included updates on the Security Central Office project, the Farm Store Road project, Ceiling Repairs-Receiving Area, the Greenhouses Replacement project, Evans Center Level 9 Railings project, the Palm Drive project, Hurricane Omar, Residence Hall Mini-Paint project, the Outdoor Tennis & Basketball Courts project, the Evans Center Classroom Wall Refresh Project, Sudgen House (Update) and the Air Conditioning 100-ton Chiller project.

Development Committee…………………………Rev. Dr. Wesley S. Williams, Jr.

Status Report on Annual Fund

Total Contributions Fiscal Year (Oct 1, 2008 – February 6, 2009) $314,894.15.

Many of the major gifts not collected in Fiscal Year 2008 were among the first gifts received in Fiscal Year 2009. Discussions focused on identifying the capacity for the University to raise funds within the Virgin Islands community. Additional prospects will be approached over the next few months to determine the level of funding the University can achieve in the current economic environment. The goal for Fiscal Year 2009 will be set at the next Committee meeting. The Committee also received a report from the Foundation for the University of the Virgin Islands. The report cited substantial gains compared to what was reported during the previous quarter.
Executive Committee

A. Change in the membership of the Ad Hoc Hotel Committee

Chairman Moorhead reminded members that the Ad Hoc Hotel Committee was established through a resolution adopted by the Executive Committee in May 2008. The resolution outlined the membership to comprise of the Chair of the Board of Trustees, the Chair of the Buildings and Grounds Committee, the Chair of the Finance and Budget Committee, the Chair of the Development Committee and the President. He stated that unfortunately the Chair of the Development Committee had declined to serve on the Committee because of a potential conflict and therefore there needed to be an adjustment to the composition of the Committee.

The Chair suggested that Section 2 of the resolution be amended to change the designation of the Chair of the Development Committee to a member of the Development Committee selected by the Chair of the Board of Trustees. He added that it was important and valuable to have input from the Development Committee on the project. Members agreed.

Trustee Smock made a motion which was seconded by Trustee Williams to amend Section 2 of the resolution to reflect the above suggested change. The vote was unanimous by all members present.

B. Consideration of Enrollment Goal for Goal for 2009-2010 Academic Year

Based on discussions at the January 31, 2009 Board meeting relative to the issue of enrollment targets, the issue of an enrollment goal for 2009-2010 was referred to the Executive Committee for a recommendation. The Executive Committee was presented with a background paper on UVI Enrollment Targets for 2009-2010 which was prepared by the Provost for use during the discussion on enrollment.

President Ragster stated that the issue, essentially, is whether or not the Board should make a formal or official statement regarding enrollment goals or a cap on enrollment.

The Committee discussed the issue and at the end of discussions, members agreed that the issue be referred to a joint meeting of the Planning Committee and the Academic, Research, and Student Affairs Committee for the development of a guide.

C. Amendment to RTPark Resolution

President Ragster stated that the RTPark Board through its Executive Committee was requesting an amendment to the previous resolution collateralizing, for the benefit of the RTPark, the Parcel 12 "ridge" property of approximately 93 acres east of the St. Croix campus, for which an appraisal in the amount of approximately $4.4 million was obtained.
in December 2008, to permit the property to serve as collateral for a commercial loan for RTPark operating purposes.

Since Mr. David Zumwalt was unavailable to attend the meeting due to travel to a previously scheduled conference, the matter was tabled until such time Mr. Zumwalt was available to address concerns posed by the members of the Committee.

Finance Committee................................................................. Mr. Roy D. Jackson

A. Update on the Local Government Appropriation – Fiscal Year 2009

The University received a total of $11,332,880 in allotments from the V.I. Government as of February 5, 2009 for Fiscal Year 2009. This represents 100% of the amount of $11,332,880 requested by the University through January 2009. The University is awaiting the receipt of allotments for February 2009.

B. Review of Budget to Actual Performance through December 31, 2008

Total actual revenues through the period ending December 31, 2008 was $16,091,407, representing 113.4% of the budgeted amount of $14,187,167. Actual expenditures of $10,321,448 were less than the amount budgeted of $12,243,160. Total actual revenues and total actual expenditures were $11,488,365 and $9,923,468, respectively, for the same period last year. Total revenues increased by 40.1% from last year and total expenditures increased by 4.0%.

C. Quarterly Grants and Contracts Report for the FY09 First Quarter Ended December 31, 2008

In the first quarter of FY2009, thirteen proposals were submitted requesting $2,180,982 in funding. This represents a decline of 19%, when compared to the corresponding quarter of the previous fiscal year. Eight awards totaling $1,193,401 were received during the first quarter of Fiscal Year 2009; this shows a decline of 66% when compared to the corresponding quarter of the previous fiscal year.


A verbal report was presented on the status of the audited financial statements for the year ended September 30, 2008. The audit is presently being conducted by Ernst & Young.
E. Discussion of Possible Financing Options for the New Residence Hall

A presentation was made regarding the potential sources of funds for a residence hall to address the growing demand for on-campus housing for students attending UVI on the St. Thomas campus.

F. Other Business
   a. Follow-up Report regarding the Audited Financial Statements for the Year ended September 30, 2007

   A verbal report was given on the status of the Audited Financial Statements for the year ended September 30, 2007.

Planning Committee ................................................ Dr. Bernard Paiewonsky

A. Framework for Consultancies

The Planning Committee discussed draft recommendations for the Board of Trustees on a policy for a framework for consultancies. This policy would set out reporting requirement for consultancies in general and would address specific concerns about timely reporting to the Board of Trustees on potential sole-source contract awards and possible conflicts of interest. These policy proposals would also consider setting cost thresholds as triggers for special reviews of consultancies. There was no consensus on the draft proposed by the Administration as their suggested annual review was considered insufficient in terms of visibility and transparency regarding the special concerns. There is a need to provide the Board with timely information for the exercise of due diligence regarding their fiduciary responsibilities.

The Committee discussion will continue in an effort to define a balance in terms of timely notice to the Board regarding consultancies while providing management flexibility for the Administration.

The role that the internal auditor and the Board’s audit committee could play regarding consultancies was considered and the proposal for their involvement had merit and will be taken up again. The Planning Committee will continue to examine this issue by reviewing consultancies awarded between January 2008 and January 2009 as a prerequisite to preparing recommendations for the Board of Trustees.

B. Enrollment

Matters on the meeting’s agenda having to do with enrollment were deferred for a later discussion at a joint meeting of the Planning Committee and the Academic
Research and Student Affairs Committee scheduled for February 26, 2008. This joint meeting is a task assigned by the Executive Committee of the Board.

The task is in response to a proposal by the Administration to the Executive Committee on Feb. 9th, 2009 regarding a possible cap on enrollment in Fall 2009 due to perceived infra-structure shortfalls in facilities, faculty, class scheduling, registration and other factors in the face of a prospect of increasing enrollment in the current and coming years.

C. Key Performance Indicators

A mid-year report was presented consisting of financial, research and development performance indicators. This overview concluded that UVI remains competitive with its peer institutions in appropriations, tuition, fees, and federal/local grants and contracts. Institutional Advancement’s role will become critical in assisting the University in the challenging times ahead.

D. VISION 2012

A revised version of the VISION 2012 close-out report for FY 2008 was presented. Some changes were recommended and it was agreed that a new revised report would be circulated for final approval by the Planning Committee. A detailed progress report was made on the 2008 – 2009 objectives. Objectives already achieved include the establishment of a collaborative Center for Excellence in Teaching, increasing the retention rate for first-time full-time freshmen, establishment of a University-wide athletic program connecting both campuses, redesign of the UVI website and expansion of the scope and capacity of CELL. Progress made in the development of objectives for 2009 – 2012 was summarized. The report covered the outlined the process and timeline being followed. Objectives not achieved or rescheduled were also noted.