

MEETING OF THE BOARD OF TRUSTEES  
JUNE 13, 2009

UNIVERSITY OF THE VIRGIN ISLANDS  
ADMINISTRATION AND CONFERENCE CENTER  
FIRST FLOOR CONFERENCE ROOM  
ST. THOMAS CAMPUS  
9:00 A.M.

UPDATED - June 10, 2009

DRAFT CONSENT AGENDA  
REGULAR SESSION

Committee Reports

Academic, Research, and Student Affairs.....Juanita M. Woods

A. Transition Enrollment Plan – 2009-2010

At the May 22<sup>nd</sup> meeting of the ARSA Committee, the Provost presented the *Transition Enrollment Plan*, which outlined strategies for achieving the enrollment target of 2,700 students by Fall 2009 and the resource requirements.

The committee members discussed some of the challenges presented in the plan and the recommendations that were made by the Joint Committee (ARSA and Planning) to the Executive Committee of the Board of Trustees.

A motion was made and carried unanimously that the ARSA Committee receive a report on the revenue generated from the Great Hall; that the funding requests in the **Transition Enrollment Plan** be forwarded to the UVI Budget Committee and subsequently to the Board's Finance Committee and then to the Executive Committee of the Board.

B. Provost's Report

Among the items highlighted in the Provost's Report were the following:

- i. 2008-2009 Graduation Report
- ii. Academic Program Review Update
- iii. Student Achievements
- iv. A Synopsis on National Trends in Nursing Education
- v. Athletics Update
- vi. Faculty Institute
- vii. Tenure-In-Waiting Status Report

In lieu of the Provost presenting each item of the report, the ARSA Committee Chair invited comments and questions regarding its content. Queries and discussion centered on the following topics:

- i. Downward trend in the number of St. Croix graduates, which Dr. Judith Edwin attributed to students moving to St. Thomas to complete their academic programs.
- ii. National trends in nursing education and the requirements for Doctorate of Nursing Practice (DNP); thus the ‘hold’ on the proposed MSN program.
- iii. The challenges faced by students in the Process Technology program seeking full-time employment upon program completion. Trustee Selkridge raised the issue that, initially, all process technology graduates were guaranteed employment by HOVENSA but that, in recent years, graduates have experienced difficulties in securing employment. President Ragster responded that there was a need to review the initial agreement between UVI and HOVENSA, specifically the language pertaining to the hiring of process technology graduates.
- iv. Tenure-In-Waiting Status Report

### **C. Tenure-In-Waiting**

Tenure-In-Waiting has been an ongoing topic of discussion by the ARSA Committee. Trustee Woods requested that the ARSA Committee take action on Tenure-In-Waiting in light of the fact that there were two candidates that the Provost wanted to present for moving from “Tenure-In-Waiting” to “Tenure” and two for Special Tenure consideration during Executive Session.

After extensive discussion, a motion was made and carried by majority vote to have the University’s Legal Counsel offer advice on how to proceed with Tenure-In-Waiting based on:

- Historical practices of the Board of Trustees
- The affect of the 2008 FPM, and
- Best practices in other institutions that have had comparable Tenure-In-Waiting situations.

### **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 was scheduled to 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. The Chair requested that the report to the Board be tabled until the Committee met with representatives of GlobeVest in response to a request made by that company.

The GlobeVest team made a presentation to the Committee on April 24, 2009 in support of their proposal to develop and operate a hotel resort on University property at John Brewers Bay.

At its meeting of May 29, 2009, the Committee agreed that the GlobeVest proposal did not comply with what was in the Requests for Expressions of Interest. The proposal did not meet the requirements in that it required the University to make an investment in the project for which the University was not prepared to do. The Committee agreed to review the concept and the Request for Expressions of Interest.

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

**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, Wellness Center Project, Library Faculty Resource Center and Student Computer Room, Science and Mathematics Building Renovations Phase I, John Brewer's Beach Restroom and Shower Facility. On the St. Croix Campus, projects reported on included the Campus Electrical Service Upgrade and Evans Center Electrical Upgrade.

*Wind Turbine Partnership Program*

The University is attempting to identify a partner who will own and operate wind turbine technology on both campuses. The partner will then sell the University power at a lower rate than that offered at WAPA. The Request for Qualifications process has begun. The identification of qualified firms who would be interested in partnering with the University is in process. The Capital Projects office has received and reviewed submissions from six respondents. The Capital Projects Office has completed the verification of the information and references provided by each respondent. Of the six respondents, five are eligible to participate in the Request for Proposals (RFP) process. Once approved, and the Request for Proposal documents have been issued a recommendation will be made to invite each of the five respondents to submit bid proposals. The respondents will have thirty working days to complete a preliminary analysis and submit a proposal in accordance with the RFP documents. The next step would be to invite selected respondents to the campus for interviews. Dr. Ragster asked the Chair for the committee recommend or suggest a

trustee from the Building and Grounds Committee to serve on the selection committee for the wind turbine partnership. Dr. Ragster is also seeking that the Building and Grounds Committee authorize the final search committee to bring forward the recommendation to the executive committee or the full board as appropriate for final approval.

### Wellness Center Project

On February 6, 2009, the University invited six local qualified general contractors to submit proposals for general construction. Of the proposals received, two firms identified as most qualified for the project were Apex Construction and GEC, LLC. Apex Construction is based on St. Thomas and GEC has operations on both islands. The DeJongh Group and the Capital Projects Office held meetings, telephone and email discussions with both firms to discuss value engineer options and scope reduction items that would reduce costs, and allow for the construction of the Wellness Center within the existing budget without impacting the size or functionality of the facility. As a result of the discussions, one of the two firms (GEC, LLC) will complete the project for the \$1.5 million budget if a series of design clarifications, changes and scope reductions are accepted by UVI. Mr. Buggy will have a list of changes prepared and forward to Mr. Samuel. The changes involve how the building will be constructed. The largest savings will be switching from a structural steel building with steel walls to a poured reinforced concrete structure. This will allow for ninety percent reduction of the steel that is now specified for the project. This will result in a large saving in construction costs as well as design time that structural steel would require. With the proposed changes, the project will meet uniform building codes. GEC, LLC has made a commitment that a poured reinforced concrete structure would cost less than structural steel. The company owns all the forms and can erect the forms and prepare the concrete in a much quicker time than the steel erector. An independent structural engineer has verified that the building has not lost any structural integrity.

The issue was raised that the bidding process should be reviewed by an attorney to avoid potential problems in the future. Trustee Thraen asked for a chronological list of events to ensure that bidding process was conducted fairly. Committee members agreed that legal counsel should review the bidding process and ensure the bidding process was fair. There will be no additional architectural cost to the project at this time.

### St. Thomas Campus Project Report

The St. Thomas report addressed the progress of various projects. These included updates on the Student Housing Upgrades and Repairs, Recreation Center Renovations, Classroom Administration Building, Humanities Building Minor Renovation, Marine Science Minor Renovations, Upper Academic Buildings Exterior Painting and Refinishing, Dining Pavilion Main Kitchen Ceiling Replacement, Campus Main Water Distribution Valve Replacement, Eastern Caribbean Center (ECC) Roof Project and Executive Housing Renovations and Exterior Upgrades.

**St. Croix Campus Projects Report**

The St. Croix report addressed the progress of various projects. These included updates on the Replacement of Greenhouses, Hurricane Omar Damage Report, Sugden House, Air Conditioning 100-ton chiller, Building B-Restrooms and Electrical Installation – AES.

**Committee on Trustees.....Mrs. Jennifer Nugent-Hill**

**A. Proposed Nominating Process**

The Committee on Trustees met on April 22, 2009 and on May 26, 2009. There was discussion about the development and implementation of a process for the Committee on Trustees to serve as an annual Nominating Committee to provide the Board of Trustees with a slate of candidates to serve as officers of the Board. The Committee agreed that this would be the best approach to avoid changes in the bylaws; however discussion were not finalized as to the exact process. The activity was tabled until the next meeting. Chairman Moorhead appointed an Ad Hoc Nominating Committee to develop the slate of candidates for the June Board meeting, since the new process could not be implemented in time.

**B. Candidates to Fill Board Vacancies**

There was also discussion at both meetings about the nomination of candidates to fill current and future vacancies on the Board. These candidates would be recommended to the Governor. It was recommended by the Committee that all nominations and/or suggestions should be sent to Chairman Moorhead.

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

**Recommendation for Fiscal Year 2009**

The Development Committee discussed a recommendation to set the fundraising goal and alumni giving rate for the current fiscal year. The Committee gave unanimous consent to set the fundraising goal at \$1.1 million and the alumni giving rate at 6% for 2009. The Committee agreed to table discussions on setting the fiscal year 2010 fundraising goal so that the incoming President as well as the Vice President for Institutional Advancement will have the opportunity to provide input toward making a decision.

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

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

The University has received a total of \$19,915,870 in allotments from the V.I. Government as of May 8, 2009 for Fiscal Year 2009. This represents 88% of the amount of \$22,749,090 requested by the University through May 2009. (Post-Meeting: The

allotment for the month of May 2009 in the amount of \$2,874,885 was received May 15, 2009.)

Via a memorandum dated March 23, 2009, the University received notice from the Office of Management and Budget of the Government of the Virgin Islands that its Fiscal Year 2009 allotments were reduced by 4.2%.

**B. (a) Review of Unrestricted Operating Budget to Actual Performance through March 31, 2009**

Total actual revenues through the period ended March 31, 2009 was \$25,664,113 representing 103.7% of the budgeted amount of \$24,752,037. Actual expenditures of \$22,071,488 were less than the amount budgeted of \$24,110,875. Total actual revenues and total actual expenditures were \$20,118,247 and \$21,102,485, respectively, for the same period last year. Total revenues increased by 27.6% from last year and total expenditures increased by 4.6%.

**C. (b) Review of Restricted Current Funds Expenditures through March 31, 2009**

For the period October 1, 2008 through March 31, 2009, the University's restricted current funds performed as follows:

<b>Category</b>	<b>Budgeted Expenditures</b>	<b>Actual Expenditures</b>	<b>% of Budget Used</b>
Federal Grants	\$9,714,053.80	\$7,793,774.81	80.2%
Local Grants and Contracts	\$817,535.86	\$568,479.36	69.5%
VI Legislature	\$485,285.50	\$485,285.50	100.0%
Private Grants and Contracts	\$531,268.13	\$607,489.13	114.3%
Other	\$493,113.75	\$465,198.05	94.3%
<b>Total</b>	<b>\$12,041,257.04</b>	<b>\$9,920,226.85</b>	<b>82.4%</b>

**D. CELL Budget to Actual Performance through March 31, 2009**  
(Presentation/Discussion)

CELL's activity through March 31, 2009 shows actual tuition and fees collected were lower than the budgeted amount for the period in review. Homeland Security grants and contracts awarded to CELL for training were added during this quarter. During this quarter the program received other revenues which were not budgeted this year. The actual unrestricted funds expenditures were more than the amount budgeted. CELL has a Net Operating Position (NOP) of (\$161,063).

## **E. Reichhold Center Budget to Actual Performance through March 31, 2009**

(Presentation/Discussion)

During the first half of the year, Reichhold Center received \$432,285 of the budgeted amount of \$829,168 (50%) in ticket sales revenues, individual and corporate sponsorships, facility rentals, and other earned income. The expenditures of the Center for the first half of the year were \$1,057,606 compared to the budgeted amount of \$829,168. Reichhold Center's net operating position as of March 31, 2009 was -\$625,321. The management of Reichhold Center is projecting a net operating position of -\$358,447 for September 30, 2009.

## **F. Quarterly Grants and Contracts Report through March 31, 2009**

(Presentation/Discussion)

In the second quarter of FY2009, fifteen proposals were submitted requesting \$2,818,126 in funding. This represents a decline of 84% in the dollar volume of proposals, when compared to the corresponding quarter of the previous fiscal year. Twelve awards totaling \$2,703,422 were received during the second quarter of Fiscal Year 2009; this shows an increase of 276% when compared to the corresponding quarter of the previous fiscal year.

## **G. Wind Turbine Financing Arrangement**

The University is issuing Requests for Qualifications to qualified firms that would be interested in partnering with the University to install wind turbine technology on both campuses. The selected partner would then sell the electricity generated back to the University at rates lower than those offered by WAPA.

## **H. Fiscal Year 2009 Operating Budget Update**

The University's administration has been meeting with Governor John deJongh, Jr. and his representatives regarding the portion of the funding appropriated through the American Recovery and Reinvestment Act (ARRA) of 2009 that would be allotted to the University. In addition to funding for Capital Projects, the University would be receiving funds to keep the University whole from any reductions in funding for FY09, FY10 and FY11 below the greater of FY08 and FY09 funding levels.

## **I. Draft Audited Financial Statements for the Year Ended September 30, 2008**

A summary report will be presented on the University's Audited Financial Statements for the year ended September 30, 2008.

**A. Consultancies**

A presentation on the use of consultancies at UVI was given by Mr. Vincent Samuel and Mr. Eric Christian. Consultancies take the form of Professional Service Agreements (PSA), Temporary Appointments (TA) and contracts. Generally, PSAs are used. TAs are used primarily when the services engaged are for a period less than one year and for special situations when someone already employed by the university is being engaged to undertake a separate task. Contracts are often used when the entity proposing to do the required work presents the University with an instrument outlining the terms and conditions under which they will perform the work. A written summary of the presentation will be submitted to the Planning Committee. Mr. Samuel was also asked to distribute copies of the updated purchasing manual to Planning Committee Members. This updated manual will include more current practices. Mr. Samuel expected the updated manual to be ready within one month.

**B. Enrollment**

Dr. Ragster reported on short term efforts by the University over the past semester to address the impact of increasing enrollments. These include increasing classroom, laboratory and dormitory space. The Committee requested a written or summary or outline of these efforts.

Committee members had earlier asked about increasing the use of existing resources, in particular increasing the number of 100-level (freshman classes) offered at the 8:00 a.m. and 9:00 a.m. time slots for improved space utilization.

Dr. Musah responded that there are plans to send this through the ARSA Committee. He also said that they are trying to schedule classes as per suggestion to take advantage of the 8-2 o'clock by increasing it by 25% and if it can be done that can have a significant impact on whatever is needed.

The request for information on the impact of increasing enrollment and use of resources comes from the Planning Committee but the answer appears to be going to the ARSA Committee. Consequently, the Planning Committee might not receive the information directly and the ARSA Committee might not know the origin of the question nor the nature and context of the request that prompted the answer they hear when they are briefed by the Provost.

**C. VISION 2012**

The Committee reviewed the 2007-2008 Close-out Report and received an update on progress being made with the 2008-2009 objectives for VISION 2012.

Specifically, Dr. Davies reported the following amendments with respect to the closeout report 2007-2008 as follows:

**1A4** – Division chair titles have been changed from administrative chair to Dean

**1C6** – All references to Val and Sal scholarships have been deleted as requested



**2B6C** – Comprehensive grants management system to defer from Vision 2012 this strategic objective to the end of 2011 instead of 2008.

**4B2** –The division of business members will be approved and appointed by the president and should read October 2008 instead of “this October”.

### **VISION 2012 Update 2008-2009 Objectives**

**1E1** – The construction contract for the Wellness Center has been awarded April 2009, with expected completion by April 2010.

**1D4** – Trustee Woods indicated that instead of reporting the university retention rate this could be changed to the freshmen or sophomore retention rate. This measure would be more appropriate for the KPI report.

**1E3** – The update says the university continues to work on implementing a UVI BUC one card debit system which comes on stream with the assistance of TITLE III funds.

**2B5** – There is a comprehensive review of all employee related manuals to be completed by September 30, 2010.

**2E1** –There has been an article on medicinal trees by UVI Faculty member Dr. Robert Nicholls published by the journal of the American Botanical Council.

The Committee noted that there is a need for a clearer definition of an activity being an event by the Public Relations office and a clearer description of the role of the PR Office in various kinds of events for which they wish to receive credit.

**3C1** – Additional work on the Institutional Advancement strategic plan has been deferred until the UVI presidential transition has been completed.

**4C3** – The hotel and conference center has been deferred in light of the prevailing economic circumstances. Dr. Ragster indicated a wish to change this in view of a recent meeting of the ad-hoc hotel committee for the purpose of receiving a briefing from one of the groups expressing interest in the project.

**3B1** –The audit committee has not yet been put in place. In the interim the Executive Committee will review the internal auditor candidates that have been brought forward through the internal process. Two candidates have been presented to the Executive Committee and action is pending.

**4B2** – Establishing Advisory Councils linked to academic programs offering professional degrees by fall 2008 depends upon creation of Division Advisory Boards. Trustee Woods noted that as it is now past March 2009 this should be moved to October 2009. She then made a motion to move this item to October 2009, Trustee Baumann seconded all voted in favor and the motion passed.

**1D2** - Pg 4, this Item will be reformatted to delete a duplicate paragraph.

### **VISION 2012 – 2009-2012 – Goals, Objectives and Measures of Accomplishments**

Dr. Ragster presented an informational document that is the outcome of a planning meeting held recently with a cross section of the university. The incoming president was invited to this planning activity.

Dr. Ragster thanked Dr. Paiewonsky and the members of the Planning Committee for their role in insuring that the university continues to take strategic planning as a serious and very important undertaking.

#### **D. Key Performance Indicators**

The sixth year of reporting KPIs to the Board will begin in June 2009. The report presented at this Planning Committee meeting was the 2008 – 2009 year-in Review report and considered year over year comparisons, progress towards strategic goals and compared UVI's progress in certain areas with that of identified benchmark universities. The KPIs presented included enrollment, undergraduate student characteristics, financial aid, student retention, continuation and graduation rates, community engagement, crime statistics, financial indicators, development and the status of capital projects.

Student characteristics do change and the way students are served by UVI continues to change. Financial aid to students continues to increase, low tuition and financial aid continue to be among the main reasons students come to UVI, compared with peers. UVI's retention rate is good. Financial support and strong academic preparation appear to be keys to continued progress to graduation.

Data required to be reported under **The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** and also non-Clery crime data show an increase in crime on campus.

The VI government support of UVI has remained stable to date and its contributions to UVI on all levels increased over last year.

#### **E. Joint Planning/Academic, Research and Student Affairs Committee on Enrollment Report**

The report by the *Joint Planning and Academic, Research and Student Affairs Committee on Enrollment* is still in preparation. This report will be circulated to the members of the Joint Committee to review and approve before submittal to the Board of Trustees. It is not likely to be ready for the June 2009 Board meeting as originally planned.

#### **F. Documents for Distribution**

The Committee noted that many trustees have not seen recent important documents and requested the Administration to distribute completed documents such as the Academic Master Plan, Faculty Satisfaction Survey, Faculty Policy Manual and the Shared Governance document to the Board. Dr Ragster asked if electronic distribution could be used in view of the large volume of paper documents involved. The Committee agreed to receive electronic distribution provided that the file formats, e.g., Word doc. , PDF, are acceptable to all recipients and files are not so large as to burden the e-mail systems or be rejected as spam. Large documents might have to be transmitted in sections. In addition, the committee specified that hard copies of the reports would be distributed to any trustee requesting paper documents.

## **G. Posting of Board of Trustees Policies and Actions**

The Planning Committee suggests to the Board that Board of Trustees' policies and actions taken at Board Meetings be posted on the UVI website. The Committee also suggests that this be a discussion topic for the upcoming retreat.