

**MEETING OF THE BOARD OF TRUSTEES  
JUNE 15, 2013**

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

**MINUTES  
REGULAR SESSION**

**MEMBERS PRESENT**

Dr. Aletha Baumann, Faculty Trustee  
Ms. Raydiance Clarke, Student Trustee  
Mr. Marthious Clavier, Alumni Trustee  
Mrs. Carol Fulp  
Dr. David Hall, President  
Mr. Alexander A. Moorhead, Chair  
Mrs. Jennifer Nugent-Hill  
Attorney Henry C. Smock, Vice Chair  
Ms. Patricia D. Steele  
Mr. Edward Thomas  
Mr. Sinclair L. Wilkinson  
Rev. Wesley S. Williams, Jr.

**MEMBERS ABSENT**

Mrs. Gwendolyn Adams Norton (excused)  
Mr. Oswin Sewer, Sr., Chair, Board of Education (excused)  
Mrs. Luz Suarez de Highfield (excused)  
Dr. Yvonne E.L. Thraen (excused)  
Ms. Donna Frett-Gregory, Acting Commissioner of Education (excused)

**OTHERS PRESENT**

Mrs. Dionne Jackson, Vice President, Institutional Advancement  
Dr. Frank Mills, Vice Provost for Research and Public Service  
Mrs. Peggy Smith, Controller  
Mrs. Pamela Richards Samuel, President's Interim Chief of Staff  
Attorney Marie ThomasGriffith, UVI Legal Counsel

## **CALL TO ORDER**

A quorum being present, the Chair, Mr. Alexander Moorhead, called the Regular Session of the meeting to order at 9:03 a.m.

Chairman Moorhead noted the excused absences of Trustees Thraen, Sewer, Highfield and new trustees Gwendolyn Norton and Acting Commissioner Donna Frett-Gregory.

## **APPROVAL OF THE MINUTES**

A motion was made by Trustee Henry Smock, which was seconded by Trustee Aletha Baumann, to approve the Minutes of the March 9, 2013 Meeting of the Board. The vote on the motion was unanimous by the members present.

## **ELECTION OF OFFICERS**

After the approval of the Minutes, the Chair appointed Trustee Wesley S. Williams, Jr., as chair pro temp pending the election of officers.

Trustee Nugent-Hill reported that the Committee on Trustees conducted its annual meeting for nominations as outlined in the Nomination Process adopted by the Board of Trustees in November 2009. She noted that nominations were received as required. Based on the nominations received, the Committee presented the slate of Alexander Moorhead and Henry Smock, for Chair and Vice Chair respectively, to the Board of Trustees for its deliberation and action.

A motion was made by Trustee Nugent-Hill, which was seconded by Trustee Baumann, to approve the slate of Moorhead for Chair and Smock for Vice Chair for 2013-2014. The vote on the slate was unanimous by the members present. Trustee Williams then yielded the chair back to Trustee Moorhead. Chairman Moorhead and Vice Chairman Smock successively thanked the members of the Board for re-electing them as Chair and Vice Chair, respectively.

## **APPROVAL OF THE CONSENT AGENDA**

A motion was made by Trustee Wesley Williams, which was seconded by Trustee Patricia Steele, to approve the Consent Agenda of June 15, 2013. The vote on the motion was unanimous by the members present.

## **PRESIDENT'S REPORT**

President Hall highlighted several items in his written report and updated the report based on occurrences since the report was issued. His oral report included the following:

- Student and faculty highlights
- Student achievements
- Faculty achievements
- Medical School Feasibility Study
- The Center for the Study of Spirituality and Professionalism

- VI EPSCoR 2013 Annual Conference and Rededication of the MacLean Marine Center
- Charter Day Celebration
- Commencement 2013
- 13D Entrepreneurial Student Competition
- UVI Chess Team
- Alfred O. Heath Lecture Series

The President also shared two new items that were not included in his written report.

- Certified Public Manager Program – a management development certificate program specifically for managers in federal, state and local government and non-profit organizations. The program is being presented in conjunction with the Government of the Virgin Islands' Division of Personnel.
- UVI Alumni Association - The success of the "50 for 50" Campaign resulted in the UVI Alumni Association being nominated for the HBCU National Alumni Association of the Year Award.

## **PRESIDENT'S AWARD**

For this reporting cycle, President Hall recognized the *Voices of Inspiration Community Choir* and the *WUVI Radio Station* by presenting the President's Appreciation Award to these two student-led activities. He noted that though prior Presidential Appreciation Awards have been presented to staff, faculty and administrative units, this time presentations were to two student-based groups which have provided exceptional achievement during this period.

President Hall stated that the *Voices of Inspiration Community Choir* and the *WUVI Radio Station* exceeded our expectations in a short period of time. He noted that at the June Board meeting in 2012 neither of these organizations existed. In less than a year, both have transformed the culture of the University in ways that could not be predicted. They have become defining features of UVI's present and its future. President Hall also recognized the leadership and supervision of Dr. Alex Randall and Ms. Josephine Thomas Lewis.

## **PRESENTATION OF HISTORICAL BOOK TO UVI BOARD CHAIR AND VICE CHAIR**

President Hall presented to Chairman Moorhead and Vice Chairman Smock copies of the UVI 50<sup>th</sup> Anniversary Historical Book entitled "Proud Are We." He noted that copies would be sent to all members of the board.

Chairman Moorhead thanked President Hall for his report and opened the floor for questions and comments on the report presented. Members congratulated the President and the administration on the efforts on recruitment.

**RESEARCH AND TECHNOLOGY PARK UPDATE REPORT**

Chairman Moorhead reported that Mr. David Zumwalt, Executive Director for the RTPark, was unable to make the meeting due to off-island travel. Chairman Moorhead recognized the presence of the RTPark Deputy Executive Director, Denise Kurg. He reminded members that they received an update report with their board materials. He opened the floor to questions regarding the written report; no questions were posed.

**COMMITTEE ACTION ITEMS**

**ACADEMIC, RESEARCH, AND STUDENT AFFAIRS.....Dr. Yvonne E. L. Thraen**

**Approval of Bachelor of Business Administration: Information Systems and Technology**

Chairman Moorhead stated that Committee Chair Thraen had designated President Hall to present the Committee’s report in her absence. The President deferred to Dr. Tonjia Coverdale, Assistant Professor of Computer Information Systems in the School of Business, to present the degree proposal in Information Systems and Technology to the members of the Board. Dr. Coverdale discussed the internal and external forces that drove the decision to offer the degree program. She highlighted several key elements of the proposal including the fact that no additional resources were required and that the curriculum was flexible and easily adjusted to reflect current and future computing trends.

After the presentation, members of the board congratulated Dr. Coverdale on the presentation and responded enthusiastically to the proposed degree.

A motion was made by Trustee Aletha Baumann, which was seconded by Trustee Williams, to approve the Bachelor of Business Administration in Information Systems and Technology. The vote on the motion was unanimous by all members present.

**EXECUTIVE COMMITTEE.....Mr. Alexander A. Moorhead**

**Ratification of action taken by the Executive Committee on behalf of the Board of Trustees since the last meeting of the Board of Trustees on March 9, 2013.**

A resolution was presented to ratify the following action taken by the Executive Committee of the Board since the last meeting of the UVI Board of Trustees:

Easements for Virgin Islands Next Generation Network (viNGN)

Three easements for viNGN, two on properties on the St. Thomas Campus and one on property on the Albert A. Sheen Campus, were discussed and approved/ratified by the Executive Committee at its meeting June 3, 2013.

- I. Perpetual Rt. of Way and Easement Agreement - FAP at Est. Golden Grove
- II. Perpetual Rt. of Way and Easement Agreement - FAP at Est. Lindbergh Bay
- III. Perpetual Rt. of Way and Easement Agreement - Fiber Optic Components, etc., at Est. John Brewers Bay

A motion was made by Trustee Williams, which was seconded by Trustee Smock, to approve the resolution ratifying the action taken by the Executive Committee on behalf of the Board of Trustees since its last meeting. The vote on the motion was unanimous by all members present.

The resolution is appended to the minutes.

**Parking Policy & Traffic Regulations**

President Hall reported that the Administration presented to the Executive Committee a proposed Campus Parking Plan, which included a Parking Policy and Traffic Regulations. President Hall briefly outlined the purpose of the Plan, reviewed the key concepts and provided an overview on matters related to the Plan, which included a parking assessment of both campuses, planning design, and fees to be assessed for violations of the parking policy and the traffic regulations. He noted that the Plan was reviewed through the Shared Governance process which included faculty, staff, and students. He noted that the Executive Committee also reviewed and approved the Plan and the Parking Policy and Traffic Regulations. With a favorable recommendation, both documents were submitted to the full Board for review and approval.

During the discussion, Trustee Baumann stated that she felt that there was not adequate time allowed for input by the faculty, noting that the plan was presented during early May, which was the exam period for faculty members.

President Hall outlined the steps taken in regards to the Shared Governance process and the presentation of the parking plan. The steps included presentations to constituents, feedback solicited from constituent leadership, and Town Hall meetings, which culminated in the presentation to the Executive Committee meeting so that that the matter could be brought forward to the June 2013 Meeting for possible implementation at the beginning of the academic year.

After his presentation, a motion was made by Trustee Steele, which was seconded by Trustee Nugent-Hill, to approve the Parking Plan and the Parking Policy and Traffic Regulations. The vote on the motion was as follows:

Trustees voting yes: Moorhead, Smock, Hall, Nugent-Hill, Thomas, Wilkinson, Williams, Fulp, Steele and Clavier

Trustee voting no: Baumann

Trustee Abstaining: Clarke

The policy was therefore approved.

**FINANCE AND BUDGET COMMITTEE.....Mr. Edward E. Thomas**

## **Fiscal Year 2014 Operating Budget**

Trustee Thomas reported that the Administration proposed (to the Finance and Budget Committee) an operating budget of total operating revenues of \$45,860,235 and expenditures and transfers of \$45,856,621 for Fiscal Year 2014. The Finance and Budget Committee reviewed the matter and voted to recommend, to the Board of Trustees, approval of the operating budget. A motion was made by Trustee Thomas, which was seconded by Trustee Williams, to adopt a resolution approving the Fiscal Year 2013-2014 Operating Budget for the University. The vote on the motion was unanimous by the members present.

The resolution is appended to the minutes.

## **Proposal to Transfer Quasi-Endowment and Certain Restricted Accounts to FUVI for Investment Purposes**

Trustee Thomas reported that the Administration proposed the transfer of the Quasi-Endowment, the National Guard Tuition Assistance Fund, the Veterans Tuition Assistance Fund and several annual scholarships to the Foundation for the University of the Virgin Islands for management and investment purposes.

President Hall commented that this was a way to create revenue and assist with the University's financial challenges. He thanked the Board for their support.

A motion was made by Trustee Thomas, which was seconded by Trustee Williams, to approve a resolution to the transfer of the Quasi-Endowment, the National Guard Tuition Assistance Fund, the Veterans Tuition Assistance Fund and several annual scholarships to the Foundation for the University of the Virgin Islands for the purpose of management and investment.

Chairman Moorhead offered the following amendment to the resolution under the Resolved section, paragraph A:

At the end of the sentence, insert the following to the last sentence after the word "appropriated" - *to the benefit of the University.*

The amendment was accepted without objection.

The vote on the motion to approve the resolution as amended was unanimous by the all members present.

The resolution is appended to the minutes.

## **TIAA-CREF Proposed Changes and Expansions**

Trustee Thomas reported that the Administration proposed the adoption of certain changes to the TIAA-CREF plan to enhance the opportunities for employees participating in the plan. President Hall gave a brief overview of the changes after which, a motion was made by Trustee Thomas which was seconded by Trustee Williams, to approve the resolution authorizing the

Administration to implement enhancements in the University of the Virgin Islands' Retirement Plan with the Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF).

During the discussion, Trustee Baumann asked if retirees were locked into investing in a specific group of funds or would there be an opportunity for retirees who are currently in an existing fund to change to another fund.

Acting Human Resources Director, Veda Richards stated that she was unable to respond at the present time but she would contact the University's TIAA-CREF manager and obtain a response to the question.

UVI Legal Counsel Marie ThomasGriffith added that the resolution under consideration, if approved, would benefit existing employees of the University inclusive of those who are defined in the bargaining unit. She noted that the University does have a pending legal case that involves former and retired persons who have sought to capture certain benefits and privileges that the Board passed after they separated from the University.

Chairman Moorhead stated that in the interest of full disclosure, he wanted everyone to know that the President would benefit from the 457B Plan but it would not impose any additional expense on the University because the university would not match his contribution and all he would be getting was an opportunity to contribute in this plan on a tax deferred contribution basis. Not tax exempt, tax deferred."

After the discussions and clarifications, the vote on the motion to approve the resolution was unanimous by the members present.

The resolution is appended to the minutes.

### **Acceptable Use Policy**

Trustee Thomas reported that the Administration proposed the adoption of an Acceptable Use Policy consistent with best and standard practices of institutions of higher education. President Hall gave a brief overview of the policy and outlined its purpose as a means to protect the University and its electronic resources.

A motion was made by Trustee Thomas, which was seconded by Trustee Williams, to adopt a resolution to approve the Acceptable Use Policy. The Chair opened the floor for questions.

Trustee Baumann questioned page 2 of the policy regarding the total amount of gigabits allowed per user. She stated that recently all employees had received an email noting that the amount would be increased to 25 gigabits. She asked if the number should match the communication that was sent out by Information Technology Services. After discussions regarding the sentence as written in the policy, it was agreed that the pertinent sentence in the Policy would be amended so that the sentence reads as follows:

Stakeholders shall manage shared data storage resources by limiting the amount of storage used for archived email to ten (10) gigabits per user or as may be adjusted from time to time by the University President;



Trustee Baumann made a motion, which was seconded by Trustee Steele, to accept the amendment to the policy as stated above. The vote on the amendment was unanimous by the members present.

A motion was made by Trustee Thomas, which was seconded by Trustee Williams, to approve the amended Acceptable Use Policy. The vote on the motion was unanimous by all members present.

The resolution and policy are amended to the minutes.

### **Renovations for Reichhold Center Funding**

Trustee Thomas stated that the Administration proposed the use of \$750,000 from the Plant Fund Reserves to fund the Reichhold Center Renovation Project as the University's share of the Project. The matter was presented to the Finance and Budget Committee and the Committee unanimously approved the funding. President Hall provided a brief overview of the matter. He stated that the University conducted a facilities assessment of the Reichhold Center. The assessment report was provided to the Reichhold Board of Directors. It was recommended that in-house ADA requirements and work on critical repairs of the Center, estimated at \$1.5 million, commence immediately. The Reichhold Foundation donated \$750,000 to assist with the immediate needs. President Hall indicated that he was requesting approval from the Board of Trustees for an additional \$750,000 to assist with the immediate repairs.

After the President's overview, a motion was made by Trustee Thomas, which was seconded by Trustee Steele, to approve the resolution authorizing \$750,000 from the UVI Plant Fund to fund the Reichhold Center Renovation Project. The vote on the motion was unanimous by all the members.

The resolution is appended to the minutes.

### **Memorandum of Understanding – St. Kitts and Nevis**

President Hall requested that the matter pertaining to the Memorandum of Understanding with St. Kitts and Nevis be placed on the agenda noting that information regarding the matter was not received until Thursday, June 13, 2013; hence, the matter was not vetted through the appropriate board committee. He also noted that the matter needed to be addressed by the Board at this meeting due to the implementation date of Fall 2013 for the proposed rates. He reminded members that the information was distributed at the Board Retreat for their review Friday evening in preparation for the meeting.

A motion was made by Trustee Thomas, which was seconded by Trustee Williams, to waive the rules to allow the meeting agenda to be amended to include the consideration of the matter. The vote on the motion was unanimous.

President Hall gave a brief overview of the resolution to approve the undergraduate and graduate tuition rates effective Fall 2013 for St. Kitts and Nevis students.



After the discussion and clarification, a motion was made by Trustee Thomas, which was seconded by Trustee Williams, to approve the resolution to approve undergraduate and graduate tuition rates effective Fall 2013 for St. Kitts and Nevis students under the terms of the Memorandum of Understanding.

Chairman Moorhead stated that the fifth “Whereas” clause be deleted since the document was not presented to the Finance and Budget Committee as stated therein. Members agreed. The vote on the motion to approve the resolution, as amended, was unanimous by the members present.

The resolution is appended to the minutes.

**PLANNING COMMITTEE.....Mr. Sinclair L. Wilkinson**

**Institutional Peers and Aspirational Peers**

Trustee Sinclair Wilkinson reported that the Committee received a report on UVI Peer Group Assessment in which the process for the development of a list of Institutional Peers and Aspirational Peers was described. A potential list of Aspirational Peers, which was presented to the Committee was discussed and reviewed and voted upon unanimously for recommendation to the full Board of Trustees for approval.

A motion was made by Trustee Wilkinson, which was seconded by Trustee Thomas, to approve the resolution approving the selection of a new set of Institutional Peers and Aspirational Peers for the University of the Virgin Islands.

Chairman Moorhead suggested the following editorial amendment to the resolution:

The fifth Whereas clause, 4<sup>th</sup> line after the word “others”, remove the period, place a comma and replace capital letter “A” with a lowercase “a”.

The vote on the motion to adopt the resolution, inclusive of the amendment, was approved by the members present.

**Key Performance Indicators: Mid-Year Report Spring 2013**

An overview of the mid-year report for Spring 2013 key performance indicators was presented. The report highlighted financial aid, graduates, and development. The report also showed that the total number of students receiving UVI scholarships had increased and that total financial aid had also increased. Total contributions increased significantly; and, the level of contributions from trustees and cabinet members also improved.

The preliminary number of graduates showed a slight decline between FY 2011-2012 and FY 2012-2013.

## **OTHER BUSINESS**

### **Board Goals 2013-2014**

Chairman Moorhead reported that the board discussed and developed draft goals for review and approval. Board members received a draft of the suggested goals for review and approval. Members discussed the goals and made editorial changes. After the discussion and review, a motion was made by Trustee Baumann, which was seconded by Trustee Nugent-Hill, to approve the edited Board Goals for 2013-2014. The vote on the motion was unanimous by the members present.

The approved goals are appended to the minutes.

## **EXECUTIVE SESSION**

A motion was made by Trustee Nugent-Hill, which was seconded by Trustee Williams, to go into Executive Session to address the following matters:

- Draft Minutes of the Executive Session of the March 9, 2013 Board Meeting
- Review of Candidates for Tenure
- Gift Acceptance Policy
- Update on Comprehensive Presidential Assessment
- A report from President Hall on personnel issues
- Update on Legal Matters

The vote was unanimous by the members present at the meeting. Members agreed to recess and have lunch. The meeting recessed at 12:30pm.

## **RETURN TO REGULAR SESSION**

Upon return to the Regular Session of the meeting at 2:05 p.m., the Chairman reported the following.

In the Executive Session, the Board:

- Approved the Executive Session Minutes of March 9, 2013;
- Approved two candidates for tenure: Dr. Kimarie Engerman and Dr. Karen Cooper;
- Approved a resolution adopting the UVI Gift Acceptance Policy;

- Accepted the report on the Presidential Comprehensive review and gave notice to the President that his service since his term began in 2009 has been exceptional;
- Approved a resolution ratifying actions taken by the Executive Committee of the Board in Executive Session since the last meeting of the Board of Trustees regarding the Solar Power Purchase Agreement;
- Approved a Risk Assessment Priority List; and,
- Received a briefing on Legal matters.

## ADJOURNMENT

The Chairman thanked outgoing Faculty and Student trustees for their service on the Board this past year.

There being no other business, a motion was made by Trustee Steele, which was seconded by Trustee Clarke, to adjourn the meeting. The vote on the motion was unanimous. The meeting adjourned at 2:40pm.

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Resolutions follow:

### RESOLUTION OF THE BOARD OF TRUSTEES UNIVERSITY OF THE VIRGIN ISLANDS

Purpose: To approve a Bachelor of Business Administration program in Information Systems and Technology.

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**WHEREAS**, the University of the Virgin Islands is committed to supporting the intellectual and professional development of the workforce in the Virgin Islands as part of the University's mission; and

**WHEREAS**, the establishment of a Bachelor of Business Administration program in Information Systems and Technology would be in concert with the objectives of *Strategic Plan 2017: Pathways to Greatness*; and

**WHEREAS**, the establishment of the Bachelor of Business Administration program in Information Systems and Technology would provide undergraduate students with a flexible curriculum that is easily adjusted to reflect current and future computing trends; and

**WHEREAS**, on March 14, 2013, the Curriculum Committee approved the establishment of the Bachelor of Business Administration program in Information Systems and Technology at the University; and

**WHEREAS**, on April 4, 2013 the faculty of the University approved the Bachelor of Business Administration program in Information Systems and Technology; and

**WHEREAS**, on April 16, 2013 the Cabinet approved the Bachelor of Business Administration program in Information Systems and Technology; and

**WHEREAS**, on May 7, 2013 the Academic Research and Student Affairs Committee of the Board of Trustees voted to recommend to the Board of Trustees the establishment of the Business Administration program in Information Systems and Technology.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY THAT:**

1. The establishment of the Bachelor of Business Administration program in Information Systems and Technology is hereby approved.
2. The President is authorized to take such action as is necessary to implement this resolution.
3. This resolution shall become effective June 15, 2013.

### **CERTIFICATION**

The undersigned hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands and adopted at its meeting on Saturday, June 15, 2013, as recorded in the minutes of the said meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

### **UNIVERSITY OF THE VIRGIN ISLANDS RESOLUTION OF THE BOARD OF TRUSTEES**

**To ratify the actions taken in Regular Session by the Executive Committee of the Board of Trustees (“the Board”) of the University of the Virgin Islands for the Board**

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**WHEREAS**, Article VI, Section 1 (a), of the Bylaws of the University of the Virgin Islands states in part, “The Executive Committee may act for the Board between Board meetings, in the event of emergencies requiring Board action;” and

**WHEREAS**, that section of the Bylaws further states, “The Executive Committee shall report to the Board at its next meeting on all actions taken by it, and the Board shall ratify or revoke such actions,” and

**WHEREAS**, the last meeting of the Board was on March 9, 2013; and

**WHEREAS**, during the Regular Session of a meeting on June 3, 2013, the Executive Committee (“the Committee”) acted for the Board as follows:

- An Agreement was presented to the Executive Committee to grant, to Virgin Islands Next Generation Network (viNGN), a Perpetual Right of Way and Easement for Fiber Access Point (FAP) on property owned by the University at Estate Golden Grove on St. Croix. The Executive Committee unanimously adopted a motion authorizing the President to execute the Agreement.
- An agreement was presented to the Executive Committee to grant, to Virgin Islands Next Generation Network (viNGN), a Perpetual Right of Way and Easement for a Fiber Access Point

(FAP) on property owned by the University at Estate Lindberg Bay on St. Thomas. The Executive Committee unanimously adopted a motion authorizing the President to execute the Agreement.

- An agreement was presented to the Executive Committee, which was previously executed by the President of the University, granting, to Virgin Islands Next Generation (viNGN), a Perpetual Right of Way and Easement for Fiber Optic Components, etc. on property owned by the University at Estate John Brewers Bay on St. Thomas. The Executive Committee unanimously adopted a motion ratifying the action taken by the President.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD,**

The actions taken by the Executive Committee of the Board during the Regular Session of its meeting on June 3, 2013, which are detailed above, are hereby ratified.

**CERTIFICATION**

The undersigned hereby certifies that the foregoing is a true and exact copy of a resolution approved by the Board of Trustees of the University of the Virgin Islands at a meeting on Saturday, June 15, 2013, as recorded in the minutes of that meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

**BOARD OF TRUSTEES  
UNIVERSITY OF THE VIRGIN ISLANDS  
OPERATING BUDGET RESOLUTION  
FISCAL YEAR 2013-2014**

Resolution approving the Fiscal Year 2013-2014 Operating Budget for the University of the Virgin Islands

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WHEREAS, via letter dated February 21, 2013, from the Office of Management and Budget (OMB) of the Government of the Virgin Islands, the University of the Virgin Islands (University) was informed that the Fiscal Year 2014 expenditure ceiling would be \$27,417,712, \$1,443,037 less than the amount appropriated for Fiscal Year 2013; and

WHEREAS, on March 27, 2013, the University Budget Committee (UBC) voted to recommend to the President of the University an operating budget consisting of revenues of \$43,496,851 and expenditures and transfers of \$43,493,237 for Fiscal Year 2014 based on the assumption that the University total operating appropriations would be reduced by \$1,443,037 from the Government of the Virgin Islands for operations in that fiscal year; and

WHEREAS, on March 22, 2013, the President of the University met with the Governor of the US Virgin Islands, John P. deJongh, Jr., to discuss the impact of the proposed \$1.4M reduction on the University; and

WHEREAS, on March 28, 2013, the Director of OMB advised the University that the University's FY2014 expenditure ceiling would be restored to the FY2013 appropriation level of \$28,860,749 as discussed with the Governor on March 22, 2013; and

WHEREAS, on May 6, 2013, the Finance and Budget Committee of the Board of Trustees voted to recommend to the Board of Trustees the approval of an operating budget consisting of revenues of \$45,860,235 and expenditures and transfers of \$45,856,621 for Fiscal Year 2014, which is incorporated into this resolution as "Exhibit A."

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

- A. That, for the purpose of carrying out the operations of the University for the fiscal year, which begins October 1, 2013 and ends September 30, 2014, the operating budget proposed by the Administration, a copy of which is incorporated into this resolution as Exhibit "A", is hereby approved. The total projected operating revenues and expenditures in the Fiscal Year 2013-2014 Operating Budget are as follows:
  - i) Total revenues of \$45,860,235; and
  - ii) Total expenditures and transfers of \$45,856,621 and a residual balance of \$3,614.
- B. That the President and Vice-President for Administration and Finance are authorized to take such actions as are necessary and proper to implement this resolution.

**CERTIFICATION**

The Undersigned does hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at a meeting on June 15, 2013 as recorded in the minutes of said meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

**EXHIBIT A  
UNIVERSITY OF THE VIRGIN ISLANDS  
FISCAL YEAR 2013-2014**

REVENUES	FY2013 Approved Budget	Adjustment Total	FY2014 Proposed Budget
Tuition & Fees	\$12,954,604	\$520,080	\$13,474,684
Appropriations	\$22,908,637	\$400,267	\$23,308,904
Government Grants & Contracts	\$970,000	\$0	\$970,000
Private Grants & Contracts	\$1,040,447	\$0	\$1,040,447
Investments	\$250,000	\$0	\$250,000
Sales & Services Education	\$4,000	\$0	\$4,000
Sales & Services Auxiliary	\$6,507,948	\$0	\$6,507,948
Other Revenues	\$304,252	\$0	\$304,252
<b>Total Revenues</b>	<b>\$44,939,888</b>	<b>\$920,347</b>	<b>\$45,860,235</b>
EXPENDITURES	FY2013 Approved	Adjustment Total	FY2014 Approved

	<b>Budget</b>		<b>Budget</b>
Instruction	\$11,493,349	\$48,481	\$11,541,830
Research	\$555,202	\$89,542	\$644,744
Public Service	\$946,443	\$2,221	\$948,664
Academic Support	\$3,172,179	\$11,310	\$3,183,489
Student Services	\$3,449,288	\$10,662	\$3,459,950
Institutional Support	\$10,269,016	\$33,805	\$10,302,821
Operations/Maintenance of Plant	\$6,803,503	\$924,956	\$7,728,459
Student Aid	\$557,475		\$557,475
Auxiliary Enterprises	\$6,240,464		\$6,240,464
Transfers	\$1,449,355	-\$200,000	\$1,249,355
<b>Total Expenditures &amp; Transfers</b>	<b>\$44,936,274</b>	\$920,347	<b>\$45,856,621</b>
<b>Net Operating Position</b>	<b>\$3,614</b>	<b>\$0</b>	<b>\$3,614</b>

**UNIVERSITY OF THE VIRGIN ISLANDS  
RESOLUTION OF THE BOARD OF TRUSTEES**

Resolution approving the transfer of the Quasi-Endowment, the National Guard Tuition Assistance Fund, the Veterans Tuition Assistance Fund, and several annual scholarships to the Foundation for the University of the Virgin Islands

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WHEREAS, over a period of many years, the University of the Virgin Islands (“University”) has reinvested interest earned on an initial federal grant (hereinafter “the Quasi-endowment”) the University received by virtue of its status as a land grant institution; and

WHEREAS, through Fiscal Year 2010 the Legislature of the Virgin Islands appropriated monies annually to the University for tuition assistance to students who are active members of the V.I. National Guard and to students who are V.I. residents and veterans of the Armed Services; and

WHEREAS, the University receives contributions in the form of annual scholarships that are currently separate and apart from the endowed scholarships and the term-endowed scholarships, and which are currently administered by the University’s Scholarship Committee; and



WHEREAS, the Quasi-endowment is currently invested by the University with Merrill Lynch and yielded a consolidated quarterly performance of .77% as of March 31, 2013 and its projected one year consolidated performance is 3.65%; and

WHEREAS, in comparison, funds invested with FUVI through its fund manager – Commonfund, yielded a consolidated quarterly performance of 6.28% as of March 31, 2013 with a projected one year consolidated performance of 10.51%; and

WHEREAS, the National Guard Tuition Assistance Fund, the Veterans Tuition Assistance Fund, and the Annual Scholarship funds are currently held in low or no interest bearing accounts; and

WHEREAS, the University is currently experiencing serious financial challenges due to significant reductions in appropriations from the local government together with a decline in student enrollment; and

WHEREAS, the provisions of the Memorandum of Understanding between the University and the Foundation for the University of the Virgin Islands (FUVI) dated February 19, 2013 provides for the University to transfer funds to FUVI for management and investment purposes; and

WHEREAS, the University desires to consolidate the funds from the Quasi-endowment, the National Guard Tuition Assistance Fund, the Veterans Tuition Assistance Fund and the Annual Scholarship Fund (herein referred to as the “the UVI FUNDS”) and place them with FUVI in order to maximize the benefits of the aggregate earnings yield that is potentially derived from their investment together with the \$24.4M corpus of the FUVI Endowment; and

WHEREAS, funds transferred from the University to FUVI will be held in separate accounts which are bundled by FUVI’s Investment Managers for investment purposes only in order to specifically manage the growth of each individual fund and the appreciation in value of each of the Funds will be accounted for separately; and

WHEREAS, the accumulative investments of the University through FUVI increases the amount of the annual grant from FUVI; and

WHEREAS, the interest earned on these UVI FUNDS, exclusive of the endowed and term-endowed scholarships can also be used for any purpose authorized by the Board of Trustees of the University and the endowed and term-endowed scholarships can be used to provide scholarships to assist students in their academic pursuits; and

WHEREAS, the FUVI is the primary manager of the University’s endowed funds; and

WHEREAS, on May 6, 2013, the Finance and Budget Committee of the University’s Board of Trustees voted to recommend to the Board of Trustees that the Quasi-endowment, the National Guard Tuition Assistance fund, the Veterans Tuition Assistance fund, and the annual scholarships with an aggregate corpus and interest earned of \$9,726,459.03 as of March 31, 2013, be transferred from the UVI to FUVI for management and investment purposes and in keeping with the provisions of the MOU between the University and FUVI for the handling of such funds.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY OF THE VIRGIN ISLANDS:**

**A.** The Quasi-endowment, the National Guard Tuition Assistance fund, the Veterans Tuition Assistance fund, and several annual scholarships, with an aggregate corpus of \$9,726,459.03 as of March 31, 2013, a listing of which endowment, funds and scholarships is incorporated into this resolution as "Exhibit A", are hereby authorized to be transferred from the University to FUVI, effective June 15, 2013, in order for FUVI to invest them on behalf of the University for so long as and until the Board of Trustees determines otherwise. These funds are to be invested and managed by FUVI on behalf of University as their beneficial owner, in accordance with FUVI's investment policy; provided however, the investment of the of the portion of the quasi-endowment fund that originated from the federal grant noted above, and interest earned thereon, must be specifically handled in conformity with Title 7 U.S.C. §301, et. seq. Specifically, Sections 304 and 305 mandate that the latter funds be invested and managed by FUVI such that all such funds are invested in bonds of the United States or of the States or some other safe bonds and that the principal thereof shall forever remain unimpaired and the interest earned thereon shall be inviolably appropriated to the benefit of the University.

**B.** The University is entitled to receive one hundred percent of the interest earnings from the Quasi-endowment without limitations on an annual basis; any prior resolutions which limited the disbursements from the Quasi-endowment are hereby rescinded.

**C.** The corpus of the Quasi-endowment, the National Guard Tuition fund, the Veterans Tuition fund, and the annual scholarships shall each be placed in separate accounts within the investment portfolio of FUVI at Commonfund upon their transfer to FUVI. The current and future income earned on these funds shall be provided on a periodic basis to the University for its use in accordance with the purposes for each fund subject to any restrictions that were expressed by their respective donors, which are known to UVI.

**D.** The President and Vice-President for Administration and Finance are authorized to take such actions as are necessary and proper to implement this resolution.

**CERTIFICATION**

The undersigned hereby certifies that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at a meeting on June 15, 2013 as recorded in the minutes of said meeting.

\_\_\_\_\_  
Secretary of the Board \_\_\_\_\_  
Date

**Exhibit A**

<u>Fund Name</u>	<u>Fund Balance (March 31, 2013)</u>
Quasi-endowment	\$7,777,647.58

National Guard	\$ 921,025.37
Veterans Fund	\$ 683,607.65
Annual Scholarships	\$ 344,178.43
<b>Total</b>	<b>\$ 9,726,459.00</b>

**RESOLUTION OF THE BOARD OF TRUSTEES  
UNIVERSITY OF THE VIRGIN ISLANDS**

Resolution authorizing plan enhancement opportunities in the University of the Virgin Islands' Retirement Plan with Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF)

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WHEREAS, the University of the Virgin Islands (the University) has an adoption agreement with Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF) setting forth the terms of the retirement plan provided by TIAA-CREF for eligible employees of the University; and

WHEREAS, it is the intention of the University to maximize financial flexibility for its employees as well as provide for their long-term income security; and

WHEREAS, several options are available through the TIAA-CREF program that would allow employees to make the most of their retirement plan; and

WHEREAS, on May 6, 2013, the Finance and Budget Committee of the Board of Trustees voted to recommend to the Board of Trustees that the Administration of the University be authorized to adopt TIAA-CREF options that would enhance the opportunities for employees participating in the plan.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES:**

- A. That the current retirement plan adoption agreement between the University and TIAA-CREF be modified to allow participating employees to access funds for hardship withdrawals and loans.
- B. That additional non-proprietary investment fund options be made available to participants under the TIAA-CREF program to provide them with maximum choice and flexibility. That the Administration is hereby authorized, after careful analysis and consultation with TIAA-CREF, to select additional investment fund options and report to the Board at its October meeting on the options that were selected and implemented.
- C. That an additional retirement plan, the 457b Public Plan, be made available to employees, which would allow them to reduce taxable income through pre-tax contributions.
- D. That the President and Vice-President for Administration and Finance are authorized to take such actions as are necessary and proper to implement this resolution.

## **CERTIFICATION**

The Undersigned does hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at a meeting on June 15, 2013 as recorded in the minutes of said meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

### **RESOLUTION OF THE BOARD OF TRUSTEES UNIVERSITY OF THE VIRGIN ISLANDS**

Resolution approving an Acceptable Use Policy for the University of the Virgin Islands

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WHEREAS, it is the intention of the Board of Trustees (Board) of the University of the Virgin Islands (University) to ensure the University and its stakeholders are protected from illegal or damaging actions by individuals either knowingly or unknowingly through the use of the University's electronic resources; and

WHEREAS, the University has invested institutional resources, both monetary and human, to provide the electronic resources needed for University stakeholders to perform the business of the University and the very nature of these resources make them both valuable and limited and a privilege granted to University stakeholders; and

WHEREAS, with this privilege, the University imposes the necessary obligations and responsibilities upon its stakeholders and the University is endowing all of the stakeholders with the overall responsibility to maximize the resources and use them in an ethical and efficient way consistent with University policies and contracts, and territorial and federal laws; and

WHEREAS, on August 2, 2011, the Cabinet of the President of the University voted to recommend for consideration and approval a draft Acceptable Use Policy; and

WHEREAS, on October 12, 2012, the University Senate voted to recommend for consideration and approval by the Board the draft Acceptable Use Policy; and

WHEREAS, on May 6, 2013, the Finance and Budget Committee of the Board of Trustees voted to recommend to the Board of Trustees the approval of the Acceptable Use Policy incorporated into this resolution as "Exhibit A."

#### **NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

- A. That, for the purpose of ensuring the University and its stakeholders are protected from illegal or damaging actions by individuals either knowingly or unknowingly through the use of the University's electronic resources, the Acceptable Use Policy which is incorporated into this resolution as "Exhibit A", is hereby approved.
- B. That the President and Chief Information Officer are authorized to take such actions as are necessary and proper to implement this resolution.

**CERTIFICATION**

The Undersigned does hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at a meeting on June 15, 2013 as recorded in the minutes of said meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

**RESOLUTION OF THE BOARD OF TRUSTEES  
UNIVERSITY OF THE VIRGIN ISLANDS**

Resolution authorizing \$750,000 from the UVI Plant Fund to fund the Reichhold Center Renovation Project

WHEREAS, a comprehensive assessment of the Reichhold Center for the Arts facility was conducted December 2012, and said assessment indicated an urgent need for substantial and serious repairs to the facility amounting to approximately \$4.5M; and

WHEREAS, due to limited funding, the University identified \$1.5M of priority projects; and

WHEREAS, the Reichhold Center Board has agreed to fund \$750,000 through the Reichhold endowment; and

WHEREAS, the University is recommending that the remaining \$750,000 be funded through the University's Plant Fund; and

WHEREAS, the Finance and Budget Committee voted unanimously via electronic medium to fund the Reichhold Center Renovation Project with \$750,000 from the University of the Virgin Islands Plant Fund as the University's share of the project.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

- A. That, for the purpose of providing funding to support the Reichhold Center Renovation Project, the amount of \$750,000 from the UVI Plant Fund as the University's share of the project is hereby approved.
- B. That the President and Vice President for Administration and Finance/CFO are authorized to take such actions as are necessary and proper to implement this resolution.

**CERTIFICATION**

The Undersigned does hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at a meeting on June 15, 2013 as recorded in the minutes of said meeting.

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Secretary of the Board

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Date

**RESOLUTION OF THE BOARD OF TRUSTEES  
UNIVERSITY OF THE VIRGIN ISLANDS**

Purpose: To approve undergraduate and graduate tuition rates effective Fall 2013 for St. Kitts and Nevis students under the terms of a Memorandum of Understanding.

**WHEREAS**, UVI is committed to supporting the intellectual and professional development of the workforce in the Virgin Islands and wider Caribbean as part of the University's mission; and

**WHEREAS**, UVI and the Government of St. Kitts and Nevis (GSKN), acting also for the Clarence Fitzroy Bryant College (CFBC) have agreed to enter into a Memorandum of Understanding (MOU) which would establish areas of functional cooperation and the tuition rates to be charged to the undergraduate and graduate students from St. Kitts and Nevis including those graduating from CFBC as per the terms of the MOU; and

**WHEREAS**, UVI is desirous of establishing parameters of functional cooperation and tuition rates for the MOU that would be directly tied to future increases in the University's tuition rates; and

**WHEREAS**, GSKN is committed to providing twenty-five (25) scholarships and or financial assistance of not less than USD\$7,500.00 annually and six (6) study leave scholarships at four fifths of annual salary annually, with a view to granting an additional five (5) study leave scholarships in the next three to five years, to St. Kitts and Nevis students to pursue undergraduate and graduate programs respectively at UVI; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE  
UNIVERSITY AS FOLLOWS:**

1. Under the terms of the Memorandum of Understanding with the Government of St. Kitts and Nevis, undergraduate students will be charged a tuition rate equivalent to 1.75 times that of the undergraduate resident rate of \$133.00, or \$232.75 per credit, and

graduate students will be charged a tuition rate equivalent to 1.75 times of the graduate resident rate of \$330.00, or \$577.50 per credit, effective Fall 2013.

2. Future increases in the tuition rates charged to students from St. Kitts and Nevis will be directly tied to the tuition rates charged by the University of the Virgin Islands.
3. The President and Vice President for Administration and Finance are hereby authorized to take the necessary action to implement this resolution.
4. This resolution shall become effective June 15, 2013.



**CERTIFICATION**

The undersigned does hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at its meeting on Saturday, June 15, 2013, as recorded in the minutes of the said meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

**RESOLUTION OF THE BOARD OF TRUSTEES  
UNIVERSITY OF THE VIRGIN ISLANDS**

Resolution approving the selection of a new set of Institutional Peers and Aspirational Peers for the University of the Virgin Islands

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WHEREAS, over a period of many years, the University of the Virgin Islands (“University”) has used a set of institutional peers to make comparisons between the University and other similar institutions on matters pertaining to enrollment, SAT scores, appropriations as percentages of core revenues, and tuition and fees as percentages of core revenues, among others; and

WHEREAS, the existing set of institutional peers have been in use for an extended period and has not been revised for more than five years; and

WHEREAS, on January 25, 2013, the President appointed and charged a team of faculty, staff, administrators, and students to work collaboratively with Institutional Research and Institutional Effectiveness and Assessment to guide the process of identifying and selecting a new set of institutional and aspirational peers; and

WHEREAS, the team was asked to determine whether there should be one list of institutional peers and a second list of aspirational peers or one combined list of institutional and aspirational peers; as well as to determine the number of peers that are manageable and would best suit the University’s needs; and

WHEREAS, an initial list of 565 institutions (peer/aspirational) was generated using the Integrated Postsecondary Education Data System (IPEDS) data, where criteria for selection included miscellaneous indicators, degree-granting status, highest degree offered, Carnegie Classification 2010, institution size, and full-time first-time undergraduates, among others, and more than fifty variables including academic offerings, institutional control or affiliation, SAT/ACT test scores, enrollment, retention rate, graduation rate, core revenues and core expenses, among others; and

WHEREAS, deans of the University’s colleges and schools submitted a separate list of institutions that they viewed, from their perspective, as peers and/or aspirational peers based on their approach to improving their school/college, from which institutional overlaps were identified; and

WHEREAS, educational data from the Organization for Economic Cooperation and Development (OECD) was also used (with similar criteria and variables) to identify institutions outside of the United States that may serve as peers and aspirational peers; and

WHEREAS, Caribbean institutions together with institutions from among the consortium of Small Islands Developing States (SIDS) were also identified and added to the list; and

WHEREAS, a measure order analysis was used to score the institutions and the scores were transformed to ensure that linear measures were produced to provide an objective basis for comparison and ranking; which list was further culled to identify 84 of the institutions that may potentially serve as peers and aspirational peers for the University; and

WHEREAS, the list of 84 institutions including a further refined (with input from internal stakeholders) list of 10 institutional peers and 10 aspirational peers was submitted to the University’s shared governance process for purposes of review, input, and suggestions; and

WHEREAS, the Planning Committee of the Board of Trustees has voted to recommend to the full Board of Trustees that the following lists of new Institutional Peers and Aspirational Peers for the University be approved:

**Institutional Peers**

Alabama A&M University  
Clark Atlanta University  
Langston University  
Albany State University  
University of Guam  
University of Turabo, Puerto Rico  
University of the West Indies – Cave Hill  
Western New Mexico University  
Savannah State University  
Ohio State University - Lima Campus

**Aspirational Peers**

SUNY at Purchase College  
Wayne State College  
Oregon Institute of Technology  
Delaware State University  
University of Hawaii at Hilo  
Alfred University  
Andrews University  
University of Wisconsin - Superior  
University of Montevallo  
The University of Texas of the Permian Basin

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY OF THE VIRGIN ISLANDS:**

The new list of Institutional Peers and Aspirational Peers as appears below are hereby approved.

**Institutional Peers**

Alabama A&M University  
Clark Atlanta University  
Langston University  
Albany State University  
University of Guam  
University of Turabo, Puerto Rico  
University of the West Indies – Cave Hill  
Western New Mexico University  
Savannah State University  
Ohio State University - Lima Campus

**Aspirational Peers**

SUNY at Purchase College  
Wayne State College  
Oregon Institute of Technology  
Delaware State University  
University of Hawaii at Hilo  
Alfred University  
Andrews University  
University of Wisconsin - Superior

University of Montevallo  
The University of Texas of the Permian Basin

The President and Provost are authorized to take such actions as are necessary and proper to implement this resolution.

**CERTIFICATION**

The undersigned hereby certifies that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands adopted at a meeting on June 15, 2013 as recorded in the minutes of said meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date