

**MEETING OF THE BOARD OF TRUSTEES  
MARCH 9, 2013**

**UNIVERSITY OF THE VIRGIN ISLANDS  
NORTH WEST WING, GREAT HALL  
ALBERT A. SHEEN 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  
Dr. David Hall, President  
Mr. Alexander A. Moorhead, Chair  
Mrs. Jennifer Nugent-Hill  
Mr. Oswin Sewer, Sr.  
Attorney Henry C. Smock, Vice Chair  
Ms. Patricia D. Steele  
Mrs. Luz Suarez de Highfield  
Mr. Edward Thomas  
Mr. Sinclair L. Wilkinson  
Rev. Wesley S. Williams, Jr. (by telephone)

**MEMBERS ABSENT**

Mrs. Carol Fulp (excused)  
Dr. Yvonne E. L. Thraen (excused)  
Dr. La Verne Terry (excused)

**OTHERS PRESENT**

Mrs. Dionne Jackson, VP Institutional Advancement  
Dr. Frank Mills, Vice Provost for Research and Public Service  
Mrs. Peggy Smith, Controller  
Dr. Noreen Michael, President's Chief of Staff  
Dr. Camille McKayle, Interim Provost  
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.

## **APPROVAL OF THE MINUTES**

A motion by Trustee Henry Smock, which was seconded by Trustee Aletha Baumann, was made to approve the Minutes of the October 27, 2012 Meeting of the Board. The vote on the motion was unanimous by the members present.

## **APPROVAL OF THE CONSENT AGENDA**

A motion by Trustee Edward Thomas, which was seconded by Trustee Henry Smock, was made to approve the Consent Agenda of March 9, 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
- Accreditation Update
- New Radio Station – WUVI 1090AM
- Medical School Feasibility Study
- University Bound Program
- Anti-Violence and Peace Initiative
- President for a Day

## **PRESIDENT'S AWARD**

For this reporting cycle, President Hall recognized the UVI Emergency Management Committee by presenting the President's Appreciation Award to the Committee. He noted that the scope of possible recipients of the Presidential Appreciation Awards has since expanded to include academic and administrative units, as well as other entities.

- The Emergency Management Committee led the University's efforts in preparedness for emergencies of all kinds and was responsible for reviewing and updating all hazard plans; preparing training curricula; serving as ex-officio members of the Preparedness Disaster Teams; training the Emergency Preparedness/Disaster Teams and Emergency Operations Area Representatives; selecting the Emergency Service Coordinators (ESCs) and alternates to VITEMA, annually, and sharing information with the University community.

President Hall made a presentation to the Board on Efforts to Address Challenges Specific to Admissions and Enrollment. Highlights from the presentation included:

- Overview of Admissions and Enrollment Challenges
- Approaches to Address Admission and Enrollment Challenges
- Retention Challenges
- Approaches to Addressing Retention Challenges
- Strategies Moving Forward

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.

### **CHAIRMAN'S COMMENTS**

Chairman Moorhead noted the excused absences of Trustees Fulp, Thraen, and Terry. He welcomed to the Board new Trustee Oswin Sewer, ex-officio trustee by virtue of being elected Chair of the V.I. Board of Education. He replaces former Board of Education Chair Winona Hendricks.

### **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. He reminded members that they received an update report with their board materials. He invited the trustees to posed questions on the report; no one posed a question. The Chair noted that the opening ceremony for the RTPark Building is scheduled for May 31, 2013.

### **COMMITTEE ACTION ITEMS**

#### **COMMITTEE ON TRUSTEES.....Ms. Jennifer Nugent- Hill**

##### **Draft Policy for Retention, Archival and Disposal of Documents**

Trustee Jennifer Nugent-Hill reported that the Committee on Trustees was recommending the adoption of the ***Policy for Retention, Archival and Disposal of Documents*** for the Office of the Board of Trustees. The purpose of the policy is to establish a standard for document retention to ensure that the Office of the Board of Trustees (BOT) retains documents in compliance with applicable laws, minimizes the cost of retaining important documents, protects the organization against potential allegations of self-serving destruction of documents, and provides for routine destruction of superfluous and outdated documents.

A motion was made by Trustee Nugent-Hill, which was seconded by Trustee Smock, to adopt a resolution approving the Policy for Retention, Archival and Disposal for the Office of the Board of

Trustees. In response to a question posed by Trustee Baumann, Attorney ThomasGriffith stated that the minutes of the meetings of the Board are the official record of the proceedings and the policy pending for approval specifies that the tape recording of a meeting is to be preserved only until the minutes of a meeting are approved by the Board. The vote on the motion was unanimous by the members present at the meeting. The resolution and policy are appended to the Minutes.

**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, which was on October 27, 2012.**

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

- The Committee adopted a resolution authorizing a loan to the Research and Technology Park Corporation.
- The Committee approved the updated Human Resources Policy Manual.
- The Committee adopted a resolution authorizing the execution of an agreement for the Solar Energy Project.

A motion was made by Trustee Thomas, which was seconded by Trustee Wilkinson, to adopt a resolution ratifying these actions taken by the Executive Committee of the Board of Trustees.

Trustee Smock noted for the record that he did not vote for the matter regarding the solar Energy Project when it was considered by the Executive Committee because of his concern about the placement of the solar panels and how they would look on the campus. At that meeting, he indicated that he would like to have a visual representation of how and where the panels would be placed in order to be satisfied that they would not detract from the beauty of the campus. He further indicated that he would support the matter at this time.

The vote on the resolution was unanimous by the members present at the meeting. The resolution is appended to the minutes.

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

**FY2013-2014 Appropriations Request**

The Finance and Budget Committee Chairman, Edward Thomas, reported that the University was requesting authorization from the Board of Trustees to submit an appropriation request of \$27,417,712 for Fiscal Year 2013-2014 to the Office of Management and Budget of the Government of the Virgin Islands. He stated that the Finance and Budget Committee had reviewed the matter. He added that the request was being submitted “reluctantly” and was adjusted to meet the expenditure ceiling set by the

VI Government's Office of Management and Budget. President Hall provided a brief overview of the matter.

After the President's overview, a motion was made by Trustee Thomas, which was seconded by Trustee Smock, to adopt a resolution authorizing submission of the FY 2014 appropriation request for operating expenses, debt service and mandated programs.

The vote on the motion was unanimous by the members present. The resolution is appended to the Minutes.

### **Memorandum of Understanding between FUVI and UVI**

Trustee Thomas reported that the University was requesting authorization to execute a Memorandum of Understanding with the Foundation for the University of the Virgin Islands (FUVI) in keeping with best practices between universities and their foundations and also for financial benefits to the institution.

He noted two reasons that the MOU would be beneficial to the University. The first was the ability to utilize the Foundation for scholarships and the second, to assist with the launching of the Capital Campaign.

After his presentation, a motion was made by Trustee Thomas, which was seconded by Trustee Smock, to adopt a resolution to approve a Memorandum of Understanding between the Foundation for the University of the Virgin Islands, Inc. (FUVI) and the University of the Virgin Islands (UVI) adopted by the Board of Directors of FUVI on February 19, 2013.

The vote on the motion was unanimous by the members present. The resolution is appended to the Minutes.

### **Amended Articles of Incorporation**

Trustee Thomas reported that the University was requesting approval of amendments to the Articles of Incorporation of the Foundation for the University of the Virgin Islands (FUVI) adopted by the FUVI Board of Directors on February 19, 2013. Attorney ThomasGriffith, UVI Legal Counsel, briefly outlined the changes to the Articles of Incorporation.

A motion was made by Trustee Thomas, which was seconded by Trustee Nugent-Hill, to adopt a resolution to approve Amendments to the Articles of Incorporation of the Foundation for the University of the Virgin Islands (FUVI) Adopted by the Board of Directors of FUVI on February 19, 2013.

The vote on the motion was unanimous by the members present. The resolution is appended to the Minutes.

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

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

At the invitation of the Chair of the Planning Committee, Provost Camille McKayle presented the Key Performance Indicators for spring 2013. Provost McKayle reported on the profile for entering freshman students. She highlighted those students by high schools as well as those who were receiving V.I. Department of Education grants and loans. She also provided information regarding those who were receiving College Access Challenge Grant scholarships. The report also identified student retention and continuation rates of the University compared to peer universities.

Also included in the report were research indicators, which showed a decline in externally funded grants and contracts. Financial indicators reported showed a decline in the total unrestricted operating revenues from FY 2011 to FY 2012.

Chairman Moorhead stated that this would be Mr. Clavier's last meeting as the Alumni Trustee due to the fact that his term was ending and his successor was expected to be elected before the next Board meeting. The Chairman thanked Trustee Clavier for his service noting that this was the second time he had served on the Board having served previously as a Student Trustee;

Trustee Clavier expressed his appreciation of the opportunity to serve as the alumni trustee and pledged his continued support of the University.

### **EXECUTIVE SESSION**

After the presentation of the KPIs, a motion was made by Trustee Highfield, which was seconded by Trustee Wilkinson, to go into Executive Session to address the following matters:

- Draft Minutes of the Executive Session of the October 27, 2012 Board Meeting
- 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. Trustee Williams who was participating by telephone was excused from the meeting. After some discussion, members agreed to recess and have lunch. The meeting recessed at 12:15pm.

The Executive Session was convened at 12:30pm.

### **RETURN TO REGULAR SESSION**

Upon return to the Regular Session of the meeting at 1:11pm, the Chairman reported the following took place during the Executive Session: The Board

- Approved the Minutes of the Executive Session of the October 27, 2012 meeting
- Adopted a resolution and noted that its contents would remain confidential pending delivery to the addressee.
- Received an update on the Comprehensive Presidential Assessment

- Received a report on personnel matters from the President
- Received an update from UVI Legal Counsel

## ADJOURNMENT

There being no other business, a motion was made by Trustee Wilkinson, which was seconded by Trustee Clavier, to adjourn the meeting. The vote on the motion was unanimous. The meeting adjourned at 1:20pm.

### Resolutions appear below:

UNIVERSITY OF THE VIRGIN ISLANDS  
BOARD OF TRUSTEES  
RESOLUTION ON POLICY FOR RETENTION, ARCHIVAL AND DISPOSAL  
OF DOCUMENTS OF THE BOARD OF TRUSTEES OFFICE

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Purpose: Approval of **Policy for Retention, Archival and Disposal of Documents of the Office of the Board of Trustees**

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WHEREAS, at its meeting on January 29, 2013, the Committee on Trustees of the Board of Trustees of the University of the Virgin Islands (the University) reviewed a draft **Policy for Retention, Archival and Disposal of Documents** for the Office of the Board of Trustees, the purpose of which is to establish a standard for documents-retention to ensure that the Office retains documents in compliance with applicable laws, minimizes the cost of retaining important documents, protects the organization against potential allegations of self-serving destruction of documents, and to provide for routine destruction of superfluous and outdated documents; and

WHEREAS, The Committee unanimously voted to submit the Policy to the Board of Trustees with the Committee's recommendation that the proposed policy be approved by the Board;

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

The Policy for Retention, Archival and Disposal of Documents for the Office of the Board of Trustees, submitted by the Committee on Trustees to the Board of Trustees, a copy of which is attached as Exhibit A, is hereby approved.

### 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 its meeting on Saturday, March 9, 2013, as recorded in the Minutes of the said meeting.

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Secretary of the Board

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Date

**EXHIBIT A**  
**UVI Board of Trustees Office**  
**DOCUMENT RETENTION, ARCHIVAL and DISPOSAL POLICY**

**PURPOSE**

To provide a system for complying with document retention laws; to ensure that the Office of the Board of Trustees (BOT) retains important documents in a systemic way and minimizes the cost of retaining such documents; to protect the organization against allegations of selective document destruction; and to provide for routine destruction of non-business related, superfluous and outdated documents. This policy applies to printed and electronic documents housed in the office of the BOT. If a document exists in both forms, only versions shared must be retained according to the schedule below. The Office of the BOT is committed to effective record management to meet legal standards, preserve its history, optimize the use of space, and minimize the cost of record retention.

**RETENTION**

It is prohibited for any employee of the University to knowingly destroy a document in the custody of the Board of Trustees, or remove it from the Office of the Board of Trustees with the intent to obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any university department or in relation to or contemplation of any such matter.

Employees in the Office of the BOT are required to comply with the documentation standards outlined in this policy. Failure to comply may result in disciplinary action, up to and including termination of employment. Employees with questions about this policy should consult with management or seek legal advice.

Documents that shall be retained for the period of time specified in the table below. Notwithstanding the retention period specified in the table below, no document shall be destroyed while it is the subject of a subpoena or a Demand for the Production of Document. In general, documents that are not subject to a retention requirement should be kept only long enough to accomplish the task for which they were generated. All employees in the Office of the BOT are responsible for adhering to this policy. Questions about specific documents or types of documents should be addressed to the staff member's supervisor.

The following table provides the minimum requirements.

Type of Document	Minimum Requirements
External Audit Reports commissioned by the BOT	7 years
Contracts, mortgages, and leases	The effective period thereof plus 7 years
Correspondence (general)	2 years
Correspondence ( legal matters)	7 years beyond the statute of limitations for litigation on the subject covered in the correspondence
Correspondence ( routine requests, vendors, customers)	2 years
Email and any files attached ( unless other provisions to this policy apply)	2 years
Internal Audit Reports	3 years
Minutes of Board meetings and attached documents	Permanently
Minutes – Committees	1 year after approval by committee and distribution for Board's approval
Bylaws and Charter and amendments adopted thereto	Permanently



Expense reports – Check requisitions	3 years
Year-end Financial statements	3 years
Audiotapes of meetings of the Board and its Committees	Until Minutes are approved.

## ARCHIVAL

Restricted information, executive session materials, in paper or electronic format, which is not being actively used, may be stored in a secured location outside the Office of the BOT until the retention period has expired. Printed documents may be converted into an electronic format for further storage.

- a. Primary records of the Board of Trustees will be archived.
- b. All records that contain restricted information must be stored in physically secured areas that are protected from unauthorized access, damage, (e.g., by fire, water, insects, and other pests), that are environmentally controlled for temperature and humidity.
- c. Records should be organized and store to facilitate easy retrieval by authorized BOT staff members.
- d. No one shall remove records from the custody of the BOT without the authorization of the liaison to the Board of Trustees.

## DISPOSAL

Primary records containing restricted information shall only be destroyed during scheduled destruction periods; no record shall be destroyed on an individual basis.

**Disposing of Non- Primary Records containing restricted information (i.e., duplicate, extra, or obsolete individual reports or data)**

- a. Destruction: paper records and records stored on electronic media must be either shredded, pulverized, or electronically purged, or placed in locked or otherwise secured storage pending such destruction. See Record Destruction Chart below.
- b. Recycling: Papers containing restricted information may be placed in secured bins pending recycling.

**Destroying Primary Records, containing restricted information, whose retention period has expired.**

- a. Maintain records that are scheduled for destruction in a secure location to guard against unauthorized or inappropriate access.
- b. Follow the record destruction protocol for carrying out the actual destruction.
- c. Maintain a log of record of destruction for the life of the institution.

Appropriate Record Destruction Methods	
Medium	Recommendation
Paper Records	Shred (preferably cross-shred), burn, or pulverize
Audiotapes	Recycle by recording over by the original user, or pulverize the tape and cassette
Computerized Data / Hard Disks/	Professionally purge by a certified, licensed, and bonded vendor and pulverize

Magnetic Media/ Memory Sticks, and other memory devices	
Computer Diskettes	Reformat and overwrite all data, pulverize, or magnetically degauss
Laser Diskettes / Compact Disks	Shred or pulverize in appropriate equipment, OR break, using layers of newspaper and a hammer, OR thoroughly scratch both sides with knife or key
Microfilm / Microfiche	Shred or pulverize only

### Acknowledgements and Credits

This proposed document retention policy draws on storage, retention, archiving and disposal policies and guidelines developed by various colleges and universities to the extent that research identified those policies as best practice.

The institutions from which policy guidance was drawn include the following:

- The George Washington University
- The University of North Carolina – Chapel Hill
- University of Michigan
- University of Florida
- Clark Atlanta University
- Pennsylvania State University
- Delaware State University
- Cornell University
- Rutgers University

### Submitted by:

Gail T. Steele

Liaison to the Board of Trustees

Approved by Committee on Trustees

January 29, 2013

**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 October 27, 2012; and

**WHEREAS**, during the Regular Session of a meeting on December 13, 2012, the Executive Committee (“the Committee”) acted for the Board as follows:

- A resolution was presented to the Executive Committee to authorize the University president and the Vice President for Administration and Finance to loan to the RTPark the amount of the payment due on or about December 5, 2012 to Aireko for construction of the RTPark Building. The Executive Committee unanimously approved the resolution. The action is being forwarded for ratification by the full Board.
- The draft Human Resources Policy Manual was presented to the Executive Committee of the Board for review and approval. President Hall noted that the document was vetted through the shared governance process at the University as well as through Cabinet. He also noted that the manual was reviewed and was being recommended by the Finance and Budget Committee, for review and approval by the Executive Committee, acting on behalf of the Board, due to the fact that the current manual was outdated and the Board was not scheduled to meet until March 2013. The Executive Committee approved the Human Resources Policy Manual. The action is being forwarded for ratification by the full board.
- President Hall reported that the Administration had reached an agreement on the basic terms with Caribbean Wind for the solar energy project. He added that UVI Legal Counsel, Attorney Samuel Hall, informed him that the full agreement will be ready for approval in two weeks. He stated that the Administration needed the Executive Committee’s approval of the agreement before Caribbean Wind can move to the design, permitting and construction stages. He noted that approval of the matter would realize the University possible monthly savings of approximately \$108,000, so each month’s delay was significant. The action is being forwarded for ratification by the full board.

**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 December 13, 2012, which is detailed above, is 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, March 9, 2013, as recorded in the minutes of that meeting.

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

\_\_\_\_\_  
Date

**UNIVERSITY OF THE VIRGIN ISLANDS  
BOARD OF TRUSTEES  
RESOLUTION ON APPROPRIATION REQUEST  
FOR FISCAL YEAR 2013-2014**

Authorizing submission of the FY 2014 appropriation-request for operating expenses, debt service and mandated programs.

**WHEREAS**, the Government of Virgin Islands’ appropriation to the University of the Virgin Islands (“the University”) for Fiscal Year (FY) 2012-2013 was as follows:

Regular Operating Appropriation .....	\$22,908,637
SBDC Appropriation .....	300,000
Senior Citizens Tuition .....	87,773
Valedictorian and Salutatorian Scholarships.....	400,966
Community Engagement and Lifelong Learning (CELL) .....	100,000
Green Technology Program .....	200,000
Hotel Management Program .....	100,000
John Brewers Beach Bathroom Maintenance .....	\$15,000
Restoration of 8% Salary Reduction (Act 7261).....	\$400,267
Upward Bound Program .....	<u>\$355,901</u>
Total.....	<u>\$24,868,544</u>

**WHEREAS**, the University was advised by the Office of Management and Budget (OMB) via letter dated February 15, 2013 that the Fiscal Year 2013 General Fund allotment level for the University was set at \$23,742,936, which effectively reduced the expected allotment by \$725,341 and eliminated \$400,267 for the restoration of the 8% salary reduction as authorized by Act 7261; and

**WHEREAS**, the reduced allotment level of \$23,742,936 does not include \$3,992,205 for debt service which was appropriated to the Department of Finance for the payment of debt service costs of the University of the Virgin Islands; and

**WHEREAS**, the reduced allotment level will enable the University to fund the following:

- (a) The cost of employee-salaries and benefits, equipment, supplies, incidental expenses, and other expenses related to the operations of the University;
- (b) The cost of servicing the University’s debt for capital projects;
- (c) The cost to provide legislatively mandated programs for senior citizens, valedictorians, salutatorians, SBDC local match, and CELL;
- (d) Operating expenses for the Green Technology Program pursuant to Act No. 7222;
- (e) The implementation of the Hotel Management Program;
- (f) Maintenance of the bathroom facility at John Brewers Beach; and

(g) Upward Bound<sup>1</sup> program.

**WHEREAS**, the Finance and Budget Committee of the Board of Trustees of the University has recommended an appropriation-request of \$27,417,712 for FY2013-2014 based on the General Fund Expenditure Ceiling set by the Office of Management and Budget of the Government of the Virgin Islands, which ceiling was communicated to the University by the Director of the Office of Management and Budget in a letter dated February 15, 2013, and **WHEREAS**, the Board of Trustees of the University believes that implementation of this General Fund Expenditure Ceiling amount of \$27,417,712, after two consecutive years of reduction in funding from the Government of the Virgin Islands, will result in a severe adverse impact on the University, its academic programs, and its students.

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

**Section 1.** The University is hereby reluctantly authorized to request from the Government of the Virgin Islands an appropriation of only \$27,417,712 for FY 2013-2014 to fund the operations of the University, including salaries, benefits, equipment, supplies, incidental expenses, debt service requirements, Legislatively Mandated Programs, and for other purposes, as detailed in Exhibit “A”.

**Section 2.** The President and the Vice President for Administration and Finance of the University are authorized to submit for Legislative consideration, the following appropriation-request:

Regular Operating Appropriation .....	\$21,865,867
Debt Service Appropriation .....	3,992,205
SBDC Appropriation .....	300,000
Senior Citizens Tuition .....	87,773
Valedictorian and Salutatorian Scholarships.....	400,966
Community Engagement and Lifelong Learning .....	100,000
Green Technology Program .....	200,000
Hotel Management Program .....	100,000
John Brewers Beach Bathroom Maintenance .....	\$15,000
University Bound Program .....	<u>355,901</u>
Total.....	<u>\$27,417,712</u>

CERTIFICATION

The undersigned does hereby certify 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, March 9, 2013 as recorded in the minutes of that meeting.

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Secretary of the Board

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Date

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<sup>1</sup> Because the program is no longer funded by the federal government, the name “Upward Bound” can no longer be used. The University is now offering the program “University Bound” to high school students who would traditionally be served through the “University Bound” program.

**UNIVERSITY OF THE VIRGIN ISLANDS**  
**FY2014 PROPOSED APPROPRIATION REQUEST**

Appropriation Requirements	FY2013 Appropriation - Act No. 7434	FY2013 Appropriation - Act No. 7457	FY2013 Reduced Allotment	Proposed FY2014 Appropriation	Variance (FY2014- 2013)
General Operating Requirements	\$22,908,637	\$0	\$22,183,296	\$21,865,867	(\$317,429)
Debt Service	\$0	\$3,992,205*	\$0	\$3,992,205	\$0
SBDC Local Matching Requirements	\$0	\$300,000	\$300,000	\$300,000	\$0
Veterans Tuition Requirements	\$0	\$0	\$0	\$0	\$0
Senior Citizens Tuition Requirements	\$0	\$87,773	\$87,773	\$87,773	\$0
National Guard Tuition Requirements	\$0	\$0	\$0	\$0	\$0
Valedictorian & Salutatorian Scholarships	\$0	\$400,966	\$400,966	\$400,966	\$0
Academic & Cultural Awards Endowment	\$0	\$0	\$0	\$0	\$0
Community Engagement and Lifelong Learning	\$0	\$100,000	\$100,000	\$100,000	\$0
Green Technology	\$0	\$200,000	\$200,000	\$200,000	\$0
Hotel Management Program	\$0	\$100,000	\$100,000	\$100,000	\$0
John Brewers Beach Bathroom Maintenance	\$0	\$15,000	\$15,000	\$15,000	\$0
Restoration of 8% Salary Reduction (Act 7261)		\$400,267	\$0	\$0	\$0
Upward Bound Program/University Bound Program	\$0	\$355,901	\$355,901	\$355,901	\$0
<b>Total Operating Requirements</b>	<b>\$22,908,637</b>	<b>\$5,952,112</b>	<b>\$23,742,936</b>	<b>\$27,417,712</b>	<b>(\$317,429)</b>

\*FY2013 Debt Service in the amount of \$3,992,205 appropriated through Department of Finance and not subjected to reduction in FY2013.

## Assumptions for Fiscal Year 2013-2014 Appropriation Request

1. The University's Fiscal Year 2013-2014 appropriation request is \$27,417,712 based on the ceiling established by the Director of the Office of Management and Budget of the Government of the Virgin Islands as communicated via letter dated February 15, 2013.
2. The General Operating Requirements amount of \$21,865,867 is \$317,429 less than the amount allotted in Fiscal Year 2013.
3. The amount for debt service will remain at \$3,992,205 as appropriated in Fiscal Year 2013.
4. The matching requirement for SBDC will remain at \$300,000 as appropriated in Fiscal Year 2013.
5. The University will use the Veterans Tuition Requirements fund balance for the Veterans Tuition Requirements in Fiscal Year 2014.
6. The Senior Citizens Tuition Requirements of \$87,773 will remain as appropriated in Fiscal Year 2013.
7. The University will use the National Guard Tuition Requirements fund balance for the National Guard Tuition Requirements in Fiscal Year 2014.
8. The Valedictorian and Salutatorian Scholarships amount of \$400,966 will remain the same as appropriated in Fiscal Year 2013.
9. The University will use the Academic & Cultural Awards Endowment fund balance for the Academic and Cultural awards in Fiscal Year 2014.
10. The Community Engagement and Lifelong Learning amount will remain at \$100,000 as appropriated in Fiscal Year 2013.
11. The amount for the Green Technology program will remain at \$200,000 as appropriated in Fiscal Year 2013.
12. The amount for the Hotel Management program will remain at \$100,000 as appropriated in Fiscal Year 2013.
13. The amount for the maintenance of the John Brewers Beach bathroom will remain at \$15,000 as appropriated in Fiscal Year 2013.
14. The amount for the University Bound program will be \$355,901, the same amount as was appropriated for the Upward Bound program in Fiscal Year 2013. The Program can no longer be referred to as the Upward Bound Program because it is no longer funded by the U.S. Department of Education.



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

Resolution to Approve a Memorandum of Understanding  
between the Foundation for the University of the Virgin Islands, Inc. (FUVI)  
and the University of the Virgin Islands (UVI) adopted by the Board of Directors of FUVI on February 19,  
2013

**WHEREAS**, the Foundation for the University of the Virgin Islands was organized and incorporated in 1986 for the sole purpose of assisting and supporting the University in accomplishing its charitable and educational mission within the meaning of the provision of Section 501(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any subsequent federal tax law); and

**WHEREAS**, the University of the Virgin Islands was established in 1962 to provide educational programming, training and supporting activities for the Territory of the Virgin Islands and the wider Caribbean; and

**WHEREAS**, it is generally accepted best practice in higher education and institutionally related foundations that a memorandum of understanding be enacted between the university and the foundation; and

**WHEREAS**, In consideration of the mutual commitments herein contained, and other good and valuable consideration, the parties agree to establish a Memorandum of Understanding (MOU), by and between the University of the Virgin Islands and the Foundation for the University of the Virgin Islands, Inc., which is intended to set forth policies and procedures that will contribute to the coordination of their respective activities; and

**WHEREAS**, by a majority vote of all of its members on February 19, 2013, the Board of Directors of the Foundation for the University of the Virgin Islands adopted the Memorandum of Understanding between the University and the Foundation.

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

The Memorandum of Understanding adopted by the Board of Directors of the Foundation for the University of the Virgin Islands, Inc., on February 19, 2013 is hereby approved:

CERTIFICATION

The undersigned does hereby certify 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, March 9, 2013 as recorded in the minutes of that meeting.

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Secretary of the Board

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Date

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

Resolution to Approve Amendments to the Articles of Incorporation of  
the Foundation for the University of the Virgin Islands (FUVI) Adopted  
by the Board of Directors of FUVI on February 19, 2013

**WHEREAS**, Article X of the Articles of Incorporation of the Foundation for the University of the Virgin Islands, which is captioned "Amendments To Articles Of Incorporation", states, "Amendments to the Articles of Incorporation shall be adopted by a two-thirds vote of all of the members of the Board of Directors, and with the advice and consent of the Board of Trustees of the [University] of the Virgin Islands"; and

**WHEREAS**, by a two-thirds vote of all of its members on February 19, 2013, the Board of Directors of the Foundation for the University of the Virgin Islands adopted amendments to its Articles of Incorporation.

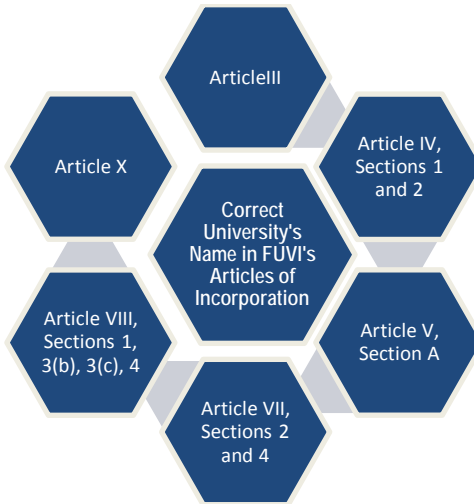
**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES:**

The following amendments adopted by the Board of Directors of the Foundation for the University of the Virgin Islands on February 19, 2013 are hereby approved:

1. Section 2 of Article VIII, REGULATION OF INTERNAL AFFAIRS, is amended to read as follows:
  2. The annual operating budget of the Corporation shall be subject to approval of the Board of Trustees of the University of the Virgin Islands, and shall arise from funds provided by the Foundation for the University of the Virgin Islands and from other sources.
2. Throughout the Articles of Incorporation, the name "College of the Virgin Islands" is amended to read "University of the Virgin Islands".<sup>2</sup>

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<sup>2</sup> The proposed change to the name of the University within the body of the Articles of Incorporation would affect the following sections of the Articles of Incorporation:



CERTIFICATION

The undersigned does hereby certify 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, March 9, 2013 as recorded in the minutes of that meeting.

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Secretary of the Board

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Date