

April 15, 2003

MEMORANDUM

TO: The Board of Visitors:

Gordon F. Rainey, Jr., Rector
Thomas F. Farrell, II, Vice Rector
Thomas J. Bliley, Jr. Don R. Pippin
William G. Crutchfield, Jr. Terence P. Ross
Susan Y. Dorsey Thomas A. Saunders, III
Charles L. Glazer Warren M. Thompson
William H. Goodwin, Jr. E. Darracott Vaughan, Jr., M.D.
Mark J. Kington Georgia M. Willis
Lewis F. Payne John O. Wynne
John R. M. Rodney

FROM: Alexander G. Gilliam, Jr.

SUBJECT: Correction to the Minutes of the Board of Visitors Meeting of
January 31, 2003

The Minutes of the Board of Visitors meeting of January 31,
2003, should be corrected as follows:

1. The text of the resolution establishing the Killgallon Ohio Art Professorship in Business Administration, which appears on page 6315 of the Minutes, should be corrected to delete "Jr." when referring to William C. Killgallon, son of the late William C. Killgallon, Sr. Thus, the first line of the resolution should read "WHEREAS, Martin L. Killgallon and William C. Killgallon...." etc.
2. On page 6318, after the resolution naming the C. Ray Smith Allumni Hall at the Darden School, the following paragraph should be inserted:

MEMORANDUM

April 15, 2003

Page 2

"The President reported that Room 7014 in Jordan Hall has been named the Wagner Conference Room in memory of Dr. Robert R. Wagner. Dr. Wagner, who died in September, 2001, was the founder of the modern Department of Microbiology. He was a most distinguished and beloved physician, teacher and researcher. Room 7014 was his office for many years.

"This naming does not require action by the Board of Visitors and is reported here as a matter of record."

AGG:lah

Copies to: Mr. John T. Casteen, III
Mr. Leonard W. Sandridge

RESOLUTIONS ADOPTED BY THE BOARD OF VISITORS

JANUARY 31-FEBRUARY 1, 2003

	<u>PAGE</u>
Resolution to Approve Additional Action Items	6308
Approval of Revisions to the Manual	6309
Resolution to Approve Additional Action Item	6312
Resolution Commending Ms. Elizabeth A. Twohy	6312
Establishment of the Killgallon Ohio Art Professorship in Business Administration	6315
Establishment of the Leslie E. Grayson Professorship in Business Administration	6315
Establishment of the David and Mary Harrison Distinguished Professorships in Law	6316
Renaming of the James Madison Professorship in Law; the John Barbee Minor Professorship in Law; and the James Monroe Professorship in Law	6317
Approval of the Naming of the Abbott Center at the Darden Graduate School of Business Administration	6317
Naming of the C. Ray Smith Alumni Hall at the Darden Graduate School of Business Administration	6318
Approval of the Disposition of the 10½ Street Right- of-Way Property from University of Virginia to Tenth and Main LLC	6319
Approval of the Disposition of the Norton Properties Acquired from the Estate of Ms. Virginia Irene Meador to the Norton United Methodist Church	6320
Approval to Offer a New Graduate Degree Program: Master of Public Health (MPH) in the College and Graduate School of Arts and Sciences	6321

	<u>PAGE</u>
Approval of a Permanent Easement for the University of Virginia Across Property Owned by University of Virginia Real Estate Foundation Located at the Cavalier Inn at the Intersection of Emmet Street and Ivy Road	6321
Approval of Edgar Allan Poe Historical Marker Installation	6321
Approval of Architectural Design Guidelines for Cocke Hall Renovation Project	6322
Approval of Architectural Design Guidelines for Rouss Hall Renovation and Commerce School Project	6322
Approval of Architectural Design Guidelines for Bice House Renovation Project	6322
Approval to Remove the Observatory Hill Dining Hall and the Tree House Dining Facility	6322
Approval to Remove the Dell Garden Structure	6323
Approval of Recommendation for Disposition of the Cole Memorial Fund	6324
Approval of Student Housing Rates for 2003-2004	6326
Resolution of the Rector and Visitors of the University of Virginia, Authorization of Issuance of Up to \$200,000,000 of General Revenue Pledge Bonds	6330
Resolution of the Rector and Visitors of the University of Virginia Authorization of Issuance of Up to \$100,000,000 of Commercial Paper	6334
Approval of a Revised Budget and Funding Plan for the South Lawn Project	6336
Memorial Resolution for Mr. Champ Clark	6337
Election of Mr. Eugene V. Fife to the Miller Center Governing Council	6337

	<u>PAGE</u>
Replacement of Highway Historical Marker	6337
Commending Student Accomplishments	6338
Process for Approving Medical Center Market-Based Compensation Adjustments	6338
Faculty Personnel Actions	
Elections	6339
Actions Relating to Chairholders	
Elections of Chairholders	6343
Change of Title of Chairholders	6344
Special Salary Actions of Chairholders	6344
Retirement of Chairholder	6345
Resignation of Chairholder	6345
Promotions	6346
Special Salary Actions	6346
Resignations	6352
Change in the Hire Date in the Retirement of Ms. Linda R. Davies	6353
Change in the Date of the Retirement of Mr. Albert R. Turnbull	6354
Appointments	6354
Change in the Appointment of Mr. Jeffrey Plank	6354
Re-Appointments	6355
Election of Ms. Patricia M. Lampkin as Vice President for Student Affairs	6356
Re-election of Mr. Leonard W. Sandridge, Jr., as Executive Vice President and Chief Operating Officer	6356
Election of Professor Emeritus	6356
Change in the Date of the Emeritus Election for Mr. Albert R. Turnbull	6356
Deaths	6356
The University of Virginia's College at Wise	
Elections	6357
Special Salary Actions	6358
Appointment of Non-Voting Student Member to the Board of Visitors	6359
Resolution Commending Mrs. Elsie Goodwyn Holland	6359
Resolution Commending Mr. T. Keister Greer	6360

	<u>PAGE</u>
Resolution Commending the Rector	6361
Report on Actions of the Executive Committee	6363

TENTATIVE MINUTES
SUBJECT TO THE
APPROVAL OF THE
BOARD OF VISITORS

January 31-February 1, 2003

The Board of Visitors of the University of Virginia met, in Open Session, at 8:35 a.m., Friday, January 31, 2003, in the East Oval Room of the Rotunda; John P. Ackerly, III, Rector, presided. Thomas J. Bliley, Jr., William G. Crutchfield, Jr., Thomas F. Farrell, II, William H. Goodwin, Jr., T. Keister Greer, Mrs. Elsie Goodwyn Holland, Mark J. Kington, Don R. Pippin, Gordon F. Rainey, Jr., Warren M. Thompson, Ms. Elizabeth A. Twohy, E. Darracott Vaughan, Jr., and H. Timothy Lovelace, Jr., were present.

Also present were John T. Casteen, III, Leonard W. Sandridge, Alexander G. Gilliam, Jr., Paul J. Forch, Gene D. Block, Ms. Colette Sheehy, Robert D. Sweeney, Ms. Patricia M. Lampkin, Robert E. Reynolds, M.D., Ms. Yoke San Reynolds, R. Ariel Gomez, M.D., Arthur Garson, Jr., M.D., William W. Harmon, and Ms. Jeanne Flippo Bailes.

The Rector asked for a motion approving the Minutes of the October meeting of the Board. A resolution of approval was moved, seconded, and adopted.

The Rector reported on actions taken by the Executive Committee at its meetings of October 18, November 26, and December 9, 2002, (the resolutions adopted at those meetings are listed at the end of these Minutes; see also the separate Minutes of those meetings of the Executive Committee).

The Rector asked for approval to consider the addition of three items to the Agenda: one to be considered by the Buildings and Grounds Committee, one by the Educational Policy Committee and one by the full Board. By the following resolution, the Board approved the consideration of these items.

RESOLUTION TO APPROVE ADDITIONAL ACTION ITEMS

RESOLVED that the Board of Visitors approves the addition of items to the Agenda, for consideration by the Board.

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The Rector then asked for consideration of two resolutions passed by the Executive Committee the day before. The first resolution shortened the term of the Rector from four years to two years, creating the position of Vice Rector who would automatically succeed the Rector, and except for the election to be held at the next Board meeting in April, would begin the Rector's term on July 1st. The Vice Rector would serve on the Executive Committee with the Rector, thus increasing the total membership of that committee to six. All of these changes to the Manual would require changes to the Code of Virginia by the General Assembly. The resolution suggested by the Executive Committee also makes minor adjustments to the Manual which do not call for changes to the Code.

A companion resolution authorizes the University to seek emergency legislation at this Session of the General Assembly in order that the changes to the Manual might be in effect by the April meeting of the Board, the meeting at which the Rector and Vice Rector would be elected.

On motion, the two resolutions were approved.

APPROVAL OF REVISIONS TO THE MANUAL

RESOLVED, the Executive Committee of the Board of Visitors approves changes to the Manual of the Board to shorten the term of Rector to two years; to create the office of Vice Rector who would serve for two years, concurrent with the term of the Rector, and who would succeed the Rector after two years; to set the date of the first election of the Rector and Vice Rector, under these terms, for the April 2003 meeting of the Board of Visitors; to set subsequent elections, beginning in 2005, for that meeting of the full Board held closest to June 30th; and to establish the term of office for both positions to commence in April 2003, and to end on June 30, 2005, with terms after that date to run from July 1, for two years to June 30.

RESOLVED FURTHER, the Executive Committee approves conforming changes to the Manual to reflect the changes hereinabove authorized.

FURTHER, all changes to the Manual enumerated in this Resolution are shown in Attachment A.

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RESOLVED, the University is authorized to take such other and further action as may be necessary or appropriate to seek in the current session of the General Assembly an amendment to Chapter 9, Sections 23-74 and 23-75 of the Code of Virginia, consistent with the changes approved in the attached Resolution.

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The Rector then asked the President to give his customary report.

The President told the Board about meetings with alumni groups around the country in preparation for the next Capital Campaign, as well as meetings with alumni groups in the state to discuss the University's budget situation. He mentioned several honors and awards that have come to members of the University community: a Mitchell Scholarship, the first awarded to a student or alumnus of the University, to Mr. John Kiess, who took a B.A. from the College in 2001; the Public Service Group Achievement Award (from NASA) to Mr. Swap and his research team in the Department of Environmental Sciences; the appointment of Mr. Zelikow, Director of the Miller Center, as Executive Director of the federal 9/11 Commission; and the Mellon Distinguished Achievement Award to Mr. McGann of the English Department.

The President noted the death, on December 21, 2002, of Mr. Champ Clark, former Member of the Board of Visitors and former member of the faculty, and he paid special recognition to the four Members of the Board whose terms expire this winter - Ms. Twohy and Mrs. Holland and Messrs. Ackerly and Greer.

Turning to his usual report on gifts and grants, the President summarized gifts made between the beginning of the current fiscal year in July and November 30, 2002. Private giving in this period was \$140.7million, an increase of \$57.4 million or over 68% from the same period last year. Pledges and other commitments bring the total to \$160.9 million.

The President noted the bequest of \$111 million of the late David A. Harrison, III, of Prince George County, who died on June 8, 2002. The bequest is allocated as a \$47.2 million deferred gift, to be realized in 25 years; \$34.8 million to the School of Law; \$20.3 million to the School of Medicine; \$5.8 million to the Athletics Department; and \$3.1 million to fulfill a pledge to the University Library. He noted other gifts and pledges, including an anonymous \$10 million pledge to the McIntire School of Commerce Foundation for its building campaign.

On motion, the Gifts and Grants Report was accepted by the Board.

The meeting of the full Board was recessed at 9:10 a.m., for the meeting of the Audit Committee.

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The Board resumed meeting, in Open Session, as the full Board at 9:50 a.m.; all Members present at the earlier session were present.

The Rector introduced Mr. William de Jong, Director of the Higher Education Center for Alcohol and Other Drug Prevention in Boston; Mr. de Jong presented Mr. Casteen with the Center's first Presidents Leadership Grant Award. The award was made to commend, as Mr. de Jong said, the approach taken to addressing high-risk drinking at the University.

The Board recessed its meeting as the full Board at 10:05 a.m., for the meeting of the Finance Committee.

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The Board resumed meeting, in Open Session, as the full Board at 11:40 a.m., to hear a report from the President and Mr. Farrell on the progress of the University's legislative initiatives in the current Session of the General Assembly. The Board recessed at 12:00 noon for lunch.

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The Board resumed meeting, in Open Session, as the full Board at 1:20 p.m.; all Members present in the morning, with the addition of Messrs. Glazer and Ross, were present.

The Rector asked for a vote to consider an additional item not on the published Agenda. On motion, the following resolution was adopted.

RESOLUTION TO APPROVE ADDITIONAL ACTION ITEM

RESOLVED that the Board of Visitors approves the addition of item to the Agenda, for consideration by the Board.

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The Rector then proposed a resolution commending Ms. Elizabeth A. Twohy whose second term as a Member expires at the end of February. On motion, the following resolution was approved:

RESOLUTION COMMENDING MS. ELIZABETH A. TWOHY

WHEREAS, Elizabeth Addington Twohy of Virginia Beach, a member of the first undergraduate class of the University to which women were admitted without restriction, took a B.S. in Commerce from the McIntire School in 1974; and

WHEREAS, Ms. Twohy, after a year as a banker in Atlanta, returned to Virginia Beach and went to work for her family's company, Capital Concrete, Inc.; and

WHEREAS, Ms. Twohy very quickly proved her worth and became President and General Manager of the company, as well as principal officer in several state and national trade associations; and

WHEREAS, Ms. Twohy married Kevin Michaels, an alumnus of the Curry School, in 1977 and their oldest daughter, Merrick, took a B.A. from the College in 2002; and

WHEREAS, Ms. Twohy's abilities as a competitive surfer are a matter of record and community pride in Virginia Beach; and

WHEREAS, Ms. Twohy was appointed to the Board of Visitors by Governor Allen in 1995 and reappointed by Governor Gilmore in 1999; and

WHEREAS, Ms. Twohy has been an invaluable Member of the Board, respected and admired by her colleagues who have valued her wisdom and advice; and

WHEREAS, Ms. Twohy has served as Chair of the Educational Policy Committee and as Chair of the Audit Committee, as well as a Member of the Executive Committee; and

WHEREAS, Ms. Twohy's second term on the Board expires on February 28, 2003;

RESOLVED that the Board of Visitors thanks its friend and valued colleague, Elizabeth Addington Twohy, for her devoted service to the Board and to the University of Virginia.

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The Board recessed at 1:25 p.m., for the meeting of the Buildings and Grounds Committee.

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The Board resumed its meeting as the full Board at 1:40 p.m., in Open Session; all Members present at the earlier afternoon session were present. After adopting the following motions, the Board went into Executive Session:

That the Educational Policy Committee of the Board of Visitors of the University of Virginia go into Executive Session for the purpose of discussing personnel matters pertaining to the appointment, assignment, reappointment, promotion, performance, compensation, discipline, separation and resignation of specific employees of the University of Virginia; as provided for in Section 2.2-3711 (A) (1) of the Code of Virginia.

That the Board of Visitors of the University of Virginia go into Executive Session to review and discuss with General Counsel his confidential litigation report and to receive the

advice of legal counsel with respect to pending and probable litigation, as provided for in Section 2.2-3711 (A) (7) of the Code of Virginia.

That the Board of Visitors of the University of Virginia go into Executive Session to consider the appointment of a student member to the Board of Visitors in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia.

That the Board of Visitors convene in closed session to review with legal counsel and the University administration purchase of real estate and related funding for road construction, and to evaluate negotiations concerning the disposition of University real estate for site development; where disclosure of these discussions at this time would adversely affect the University's bargaining position and negotiation strategy, in accordance with Section 2.2-3711 (A) (3), (5), (7) and (8) of the Code of Virginia.

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The Board resumed in Open Session at 3:25 p.m., and after adopting the following motion certifying the legality of matters discussed in Executive Session, recessed for the meeting of the Committee on The University of Virginia's College at Wise:

Mr. Rector, I move that we vote on and record our certification that, to the best of each Board member's knowledge, only public business matters lawfully exempted from open meeting requirements and which were identified in the motion(s) authorizing the closed session, were heard, discussed or considered in closed session.

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The Board resumed its meeting as the full Board, in Open Session, at 4:00 p.m., in the Dome Room of the Rotunda. All Members present at the sessions earlier in the afternoon were present, save Ms. Twohy.

The Board adopted the following resolutions:

ESTABLISHMENT OF THE KILLGALLON OHIO ART
PROFESSORSHIP IN BUSINESS ADMINISTRATION

WHEREAS, Martin L. Killgallon and William C. Killgallon, Jr., alumni of the Darden School, have been generous benefactors of the University and of the Darden School; and

WHEREAS, William Killgallon, Jr., and Martin Killgallon are, respectively, Chairman and Chief Executive Officer and President and Chief Operating Officer of the Ohio Art Company in Bryan, Ohio; and

WHEREAS, the late William C. Killgallon, Sr., and the Ohio Art Company began the manufacture of the popular toy, "Etch a Sketch," in 1960; and

WHEREAS, William Killgallon, Jr., and Martin Killgallon have made a generous gift to establish a professorship at the Darden School in memory of their father;

RESOLVED that the Board of Visitors establishes the Killgallon Ohio Art Professorship of Business Administration, to be held in the Darden Graduate School of Business Administration, and expresses its appreciation to Mr. William Killgallon, Jr., and Mr. Martin Killgallon for their generosity.

ESTABLISHMENT OF THE LESLIE E. GRAYSON PROFESSORSHIP
IN BUSINESS ADMINISTRATION

WHEREAS, Leslie E. Grayson, a native of Hungary and an alumnus of Oberlin College and the University of Michigan, joined the faculty of the Darden Graduate School of Business Administration in 1971; and

WHEREAS, Mr. Grayson has been interested particularly in international business, holding teaching and consulting positions abroad and in so doing, establishing the reputation of the University overseas; and

WHEREAS, Mr. Grayson helped establish and was the first director of the Darden School's joint MBA/MA degree program in East Asian studies and was the founding faculty advisor of the International Business Society; and

WHEREAS, Mr. Grayson is known among his students as a superb teacher, one mark of which is the generosity of former students who have contributed to the establishment of a professorship in his honor; and

WHEREAS, Mr. Grayson retired in 1998 as the Isidore Horween Research Professor of Business Administration and was elected Emeritus;

RESOLVED that the Board of Visitors establishes the Leslie E. Grayson Professorship in Business Administration, to be held in the Darden Graduate School of Business Administration, and thanks Mr. Grayson for his service to the University and the generous donors who made this chair possible.

ESTABLISHMENT OF THE DAVID AND MARY HARRISON
DISTINGUISHED PROFESSORSHIPS IN LAW

WHEREAS, David A. Harrison, III, of Prince George County, an alumnus of the College and of the Law School, was an extraordinarily wise and generous benefactor of the University; and

WHEREAS, Mr. Harrison died on June 8, 2002, leaving \$34.8million to the School of Law for the establishment of professorships; and

WHEREAS, Mr. Harrison expressed the hope that the persons selected for these professorships not only be eminent in their fields but have "a demonstrated interest in and talent for the teaching of students;"

RESOLVED that the Board of Visitors establishes five chairs in the School of Law to be known as the David and Mary Harrison Distinguished Professorships in Law. The remainder of the Harrison gift is to be used to augment the endowments supporting three existing professorships in the School of Law; and

RESOLVED FURTHER that the Board, in taking these actions, pays tribute to the magnificent generosity of Mr. Harrison to the University of Virginia.

RENAMING OF THE JAMES MADISON PROFESSORSHIP IN LAW;
THE JOHN BARBEE MINOR PROFESSORSHIP IN LAW; AND THE
JAMES MONROE PROFESSORSHIP IN LAW

WHEREAS, the James Madison Professorship in Law, the John Barbee Minor Professorship in Law, and the James Monroe Professorship in Law, are the oldest endowed professorships in the School of Law; and

WHEREAS, the incomes from the endowments established to support these professorships are inadequate for the purposes for which they were set up; and

WHEREAS, the late David A. Harrison, III, of Prince George County made a generous bequest to the School of Law for the support of professorships in the School;

RESOLVED that the Board of Visitors directs that \$4.8 million of the Harrison bequest be divided equally and applied to the support of the James Madison Professorship in Law, the John Barbee Minor Professorship in Law, and the James Monroe Professorship in Law, thus providing 1.6 million for each chair; and

RESOLVED FURTHER that the three professorships be renamed, respectively, the James Madison Distinguished Professorship in Law, the John Barbee Minor Distinguished Professorship in Law, and the James Monroe Distinguished Professorship in Law, with all of these professorships to continue to be held in the School of Law. In taking these actions, the Board expresses its profound gratitude for the generosity of David A. Harrison, III.

APPROVAL OF THE NAMING OF THE ABBOTT CENTER AT THE
DARDEN GRADUATE SCHOOL OF BUSINESS ADMINISTRATION

WHEREAS, Charles Cortez Abbott was the first Dean, and before that the principal organizer, of the Darden Graduate School of Business Administration; and

WHEREAS, Mr. Abbott was Dean when the Darden School opened in 1955 and continued in that position until his retirement in 1972; and

WHEREAS, Mr. Abbott died in 1986;

RESOLVED that the Board of Visitors names the new Center at the Darden School the Charles C. Abbott Center, and in so doing pays tribute to the memory and service to the University of Charles Cortez Abbott, and to the generosity of Mr. George David and the other donors who made the Center possible.

NAMING OF THE C. RAY SMITH ALUMNI HALL AT THE
DARDEN GRADUATE SCHOOL OF BUSINESS ADMINISTRATION

WHEREAS, C. Ray Smith, a member of the second Darden class, joined the faculty of the Darden Graduate School of Business Administration in 1961; and

WHEREAS, Mr. Smith is the longest serving faculty member at the School and has taught virtually every living Darden alumnus; and

WHEREAS, Mr. Smith has given distinguished service to the Darden School and to the University, having been Chair of the University's Faculty Senate, Interim Dean of the Darden School three times, Executive Director of the Darden Foundation, and Tipton R. Snavely Professor of Business Administration, among many other positions; and

WHEREAS, the Darden School proposes to name the new wing east of the Darden Library, which houses a number of functions associated with alumni activities, in honor of Mr. Smith;

RESOLVED that the Board of Visitors names the new wing east of the Darden Library the C. Ray Smith Alumni Hall and expresses its profound appreciation to Mr. Smith for his service to the University.

The Board recessed at 4:30 p.m., for the day.

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The Board resumed its meeting as the full Board, in Open Session, at 10:40 a.m., on Saturday, February 1, 2003, in the East Oval Room of the Rotunda. All Members present at the last afternoon session of January 31st, were present, save Mr. Ross, Dr. Vaughan and Mr. Lovelace.

The Board approved the following resolutions:

APPROVAL OF THE DISPOSITION OF THE 10½ STREET RIGHT-OF-WAY PROPERTY FROM UNIVERSITY OF VIRGINIA TO TENTH AND MAIN LLC

WHEREAS, certain property and improvements ("10½ Street right-of-way") containing approximately 1,800 square feet, located adjacent to the east property line of the Stacey Hall property on West Main Street in Charlottesville, Virginia, was received from the City of Charlottesville on February 19, 2002, when the City closed a 120-foot long section of the 10½ Street right-of-way; and

WHEREAS, the University has determined that because of its topography and location this property is of no benefit to the University; and

WHEREAS, the Tenth and Main LLC has requested the transfer of the University's share of the right-of-way in exchange for access easement that will allow 1) University employees the right to use the walkways and other site amenities and 2) University vehicles access to the remaining section of the 10½ Street right-of-way and the north end of the Stacey Hall property;

RESOLVED that the disposition of the aforesaid property located adjacent to the east property line of Stacey Hall, which is located on West Main Street in Charlottesville, Virginia, consisting of approximately 1,800 square feet, is approved; and

RESOLVED FURTHER that the Executive Vice President and Chief Operating Officer for the University of Virginia is authorized to execute any and all contracts and other documents pertaining to the disposal of the aforesaid property as he may deem necessary or appropriate.

APPROVAL OF THE DISPOSITION OF THE NORTON PROPERTIES
ACQUIRED FROM THE ESTATE OF MS. VIRGINIA IRENE MEADOR
TO THE NORTON UNITED METHODIST CHURCH

WHEREAS, a 50 percent interest in certain property and improvements ("Norton Properties") containing approximately 7,500 square feet, located on Park Avenue in Norton, Virginia, and referred to as lots 21 and 22 in block 13 of Plat Four, Norton, Virginia, were designated for The University of Virginia's College at Wise in the will of Ms. Virginia Irene Meador; and

WHEREAS, Ms. Meador died on December 21, 1995; and

WHEREAS, the College has determined that because of their size and distance from the campus the lots are of nominal use; and

WHEREAS, the Norton United Methodist Church has offered to buy the lots for \$10,000, which is \$4,800 greater than their assessed value; and

WHEREAS, the College will receive \$5,000 as its share of the sale proceeds; and

WHEREAS, the College would like to use the proceeds for student assistance needs either in the form of scholarships or loans;

RESOLVED that the disposition of the aforesaid property on Park Avenue in Norton, Virginia, consisting of approximately 7,500 square feet, is approved; and

RESOLVED FURTHER that the Executive Vice President and Chief Operating Officer for the University of Virginia is authorized to convey the property via quitclaim deed and to execute any and all contracts and other documents pertaining to the disposal of the aforesaid property as he may deem necessary or appropriate.

APPROVAL TO OFFER A NEW GRADUATE DEGREE PROGRAM:
MASTER OF PUBLIC HEALTH (MPH) IN THE COLLEGE AND
GRADUATE SCHOOL OF ARTS AND SCIENCES

RESOLVED that, subject to approval by the State Council of Higher Education for Virginia, the Master of Public Health (MPH) be established in the College and Graduate School of Arts and Sciences.

APPROVAL OF A PERMANENT EASEMENT FOR THE UNIVERSITY
OF VIRGINIA ACROSS PROPERTY OWNED BY UNIVERSITY OF
VIRGINIA REAL ESTATE FOUNDATION LOCATED AT THE
CAVALIER INN AT THE INTERSECTION OF EMMET STREET
AND IVY ROAD

RESOLVED that the request for an easement, dated January 31, 2003, from the University of Virginia Real Estate Foundation for an electric power line for the Emmet Street Parking Structure across property owned by the Foundation located at the Cavalier Inn, is approved; and

RESOLVED FURTHER that appropriate officers of the University are authorized to execute said dedication and easement.

APPROVAL OF EDGAR ALLAN POE HISTORICAL MARKER
INSTALLATION

WHEREAS, Edgar Allan Poe enrolled at the University of Virginia on February 14, 1826, for one term; and

WHEREAS, Mr. Poe is recognized as one of the nation's important literary figures; and

WHEREAS, the University has preserved his room, #13 on the West Range, in his honor; and

WHEREAS, a marker on McCormick Road in the vicinity of the West Range would serve to further commemorate the achievements of this outstanding American writer;

RESOLVED that installation of a marker for Edgar Allan Poe is approved.

APPROVAL OF ARCHITECTURAL DESIGN GUIDELINES FOR
COCKE HALL RENOVATION PROJECT

RESOLVED that the architectural design guidelines, dated December 18, 2002, and prepared by the Architect for the University, for the renovation of Cocke Hall are approved; and

RESOLVED FURTHER that design review of this project will not be required and that the project is approved for further development and construction.

APPROVAL OF ARCHITECTURAL DESIGN GUIDELINES FOR
ROUSS HALL RENOVATION AND COMMERCE SCHOOL PROJECT

RESOLVED that the architectural design guidelines, dated December 18, 2002, and prepared by the Architect for the University, for the Rouss Hall Renovation and Commerce School project are approved; and

RESOLVED FURTHER that the project will be presented for further review at the schematic design level of development.

APPROVAL OF ARCHITECTURAL DESIGN GUIDELINES FOR BICE
HOUSE RENOVATION PROJECT

RESOLVED that the architectural design guidelines, dated December 18, 2002, and prepared by the Architect for the University, for the Bice House Renovation project are approved; and

RESOLVED FURTHER that design review of this project will not be required and that the project is approved for further development and construction.

APPROVAL TO REMOVE THE OBSERVATORY HILL DINING HALL
AND THE TREE HOUSE DINING FACILITY

WHEREAS, the University owns the Observatory Hill Dining Hall (FAACS Building Number: 207-0209) and the Tree House Dining Facility (FAACS Building Number: 207-0320) located at the intersection of McCormick and Alderman Roads; and

WHEREAS, a portion of the North Wing of the Observatory Hill Dining Hall must be demolished for the construction of the new Observatory Hill Dining Facility; and

WHEREAS, these structures will no longer be needed for dining functions once the new Observatory Hill Dining Facility has been completed; and

WHEREAS, the Governor of Virginia delegated to the Board of Visitors, pursuant to Executive Order Number Thirty-Four (98), dated November 10, 1998, the authority of the Governor to approve the removal of buildings on state property, with the advice and counsel of the Art and Architectural Review Board, and the review of the Department of Historic Resources; and

WHEREAS, the Art and Architectural Review Board and the Department of Historic Resources have approved the removal of these structures;

RESOLVED that the removal of these buildings (FAACS Building Numbers: 207-0209 and 207-0320) at the intersection of McCormick and Alderman Roads is approved by the Board of Visitors; and

RESOLVED FURTHER that the Executive Vice President and Chief Operating Officer is authorized to determine 1) if the buildings should be saved to serve another function or 2) if they should be removed. If the decision is made for removal said officer is authorized to execute any and all documents pertaining to the removal of the aforementioned buildings, and that the said officer ensure that the required reports regarding the building removals are sent to the Department of General Services.

APPROVAL TO REMOVE THE DELL GARDEN STRUCTURE

WHEREAS, the University owns the Dell Garden Structure (FAACS Building Number: 207-0223) located at the east end of the Dell on the west side of Emmet Street directly opposite the Central Grounds Parking Garage; and

WHEREAS, this structure is no longer used and is in poor condition; and

WHEREAS, the site of the structure is needed for the Dell Storm Water project; and

WHEREAS, the Governor of Virginia delegated to the Board of Visitors, pursuant to Executive Order Number Thirty-Four (98), dated November 10, 1998, the authority of the Governor to approve the removal of buildings on state property, with the advice and counsel of the Art and Architectural Review Board, and the review of the Department of Historic Resources; and

WHEREAS, the Art and Architectural Review Board and the Department of Historic Resources have approved the removal of these structures;

RESOLVED that the removal of this structure (FAACS Building Number: 207-0223) located in the Dell is approved by the Board of Visitors; and

RESOLVED FURTHER that the Executive Vice President and Chief Operating Officer is authorized to execute any and all documents pertaining to the removal of the aforementioned buildings, and that the said officer ensure that the required reports regarding the building removals are sent to the Department of General Services.

APPROVAL OF RECOMMENDATION FOR DISPOSITION OF THE
COLE MEMORIAL FUND

WHEREAS, J. Marshall Cole (BA '25 and MA '27) created in 1962 a Charitable Remainder Trust, which quarterly provided net income to himself and his wife, Bertha Bates Cole, upon their lifetimes; and

WHEREAS, the Rector and Visitors of the University received the principal and undistributed income from this trust on December 13, 2002, in the amount of \$28,351.15; and

WHEREAS, according to the provisions of the trust, the principal and undistributed income shall be used to establish a fund known as The James Alfred Cole and Nannie Marshall Cole Memorial Fund; and

WHEREAS, the Board of Visitors is required by condition of the trust to determine the use of the income and principal of this fund;

RESOLVED that the Board of Visitors delegates discretionary authority to the President of the University as to the disposition of The James Alfred Cole and Nannie Marshall Cole Memorial Fund.

APPROVAL OF STUDENT HOUSING RATES FOR 2003-2004

RESOLVED that rental increases for student housing facilities be approved as shown below, effective beginning with the 2003-2004 session:

<u>Facility</u>	Actual 2002-2003 Per Student Per Session	Amount of Increase	% Increase Before Improvement Fee	Student Housing Improvement Fund Fee	Total Percent Increase	2003-2004 Per Student Per Session
<u>Academic Division</u>						
<u>DORMITORIES</u>						
<u>Alderman/Observatory Houses</u>						
Double Room	\$2,420	\$100	4.13%	\$150	10.33%	\$2,670
<u>Brown College</u>						
Double Room	\$3,000	\$120	4.00%	\$150	9.00%	\$3,270
<u>McCormick Road</u>						
Double Room	\$2,320	\$90	3.88%	\$150	10.34%	\$2,560
Small Double Room	\$2,120	\$90	4.25%	\$150	11.32%	\$2,360
Single	\$2,430	\$100	4.12%	\$150	10.29%	\$2,680
<u>Lawn</u>						
Small Single	\$2,860	\$110	3.85%	\$150	9.09%	\$3,120
Regular Single	\$2,860	\$110	3.85%	\$150	9.09%	\$3,120
Small Single (no fireplace)	\$2,780	\$110	3.96%	\$150	9.35%	\$3,040
<u>Range</u>						
Regular Single	\$2,860	\$110	3.85%	\$150	9.09%	\$3,120
<u>Crackerbox</u>						
Single Room	\$2,860	\$110	3.85%	\$150	9.09%	\$3,120
<u>Mary Munford/ Roberta Gwathmey</u>						
Double Room	\$2,420	\$100	4.13%	\$150	10.33%	\$2,670
Single Room	\$2,860	\$110	3.85%	\$150	9.09%	\$3,120
<u>Sprigg (Lewis/Hoxton)</u>						
Small Double Room	\$2,580	\$100	3.88%	\$150	9.69%	\$2,830
Double Room	\$2,740	\$110	4.01%	\$150	9.49%	\$3,000
Single Room	\$3,040	\$120	3.95%	\$150	8.88%	\$3,310
Single Room (w/bath)	\$3,190	\$130	4.08%	\$150	8.78%	\$3,470
<u>Gooch/Dillard</u>						
Double Room	\$2,740	\$110	4.01%	\$150	9.49%	\$3,000
Single Room	\$3,040	\$120	3.95%	\$150	8.88%	\$3,310
<u>Twelve Month Rate:</u>						
Single Room	\$4,250	\$170	4.00%	\$150	7.53%	\$4,570

<u>Facility</u>	Actual 2002-2004 Per Student Per Session	Amount of Increase	% Increase Before Improvement Fee	Student Housing Improvement Fund Fee	Total Percent Increase	2003-2004 Per Student Per Session
<u>Hereford College</u>						
Double Room	\$2,740	\$110	4.01%	\$150	9.49%	\$3,000
Single Room	\$3,000	\$120	4.00%	\$150	9.00%	\$3,270
<u>French House</u>						
Triple Room	\$2,600	\$100	3.85%	\$150	9.62%	\$2,850
Double Room	\$2,740	\$110	4.01%	\$150	9.49%	\$3,000
Single Room	\$3,100	\$120	3.87%	\$150	8.71%	\$3,370
<u>German House</u>						
Single Room	\$2,780	\$110	3.96%	\$150	9.35%	\$3,040
<u>Russia House</u>						
Double Room	\$2,650	\$150	5.66%	\$150	11.32%	\$2,950
Single Room	\$3,030	\$120	3.96%	\$150	8.91%	\$3,300
<u>Spanish House</u>						
Double Room	\$2,780	\$70	2.52%	\$150	7.91%	\$3,000
Single Room	\$3,100	\$120	3.87%	\$150	8.71%	\$3,370
<u>Monroe Lane House</u>						
Double Room	\$2,740	\$110	4.01%	\$150	9.49%	\$3,000
Single Room	\$3,100	\$120	3.87%	\$150	8.71%	\$3,370
APARTMENTS - SINGLE STUDENT						
<u>Copeley Hill III, IV, Lambeth Field</u>						
Two Bedroom (double occupancy)	\$2,770	\$110	3.97%	\$150	9.39%	\$3,030
Three Bedroom (double occupancy)	\$2,670	\$110	4.12%	\$150	9.74%	\$2,930
<u>Bice House</u>						
Two Bedroom (double occupancy)	\$2,770	\$110	3.97%	\$150	9.39%	\$3,030
Three Bedroom (double occupancy)	\$2,670	\$110	4.12%	\$150	9.74%	\$2,930
<u>Faulkner (Hench, Mitchell, Younger)</u>						
Single	\$3,090	\$120	3.88%	\$150	8.74%	\$3,360
Large Single	\$3,740	\$150	4.01%	\$150	8.02%	\$4,040

<u>Facility</u>	Actual 2002-2005 Per Student Per Session	Amount of Increase	% Increase Before Improvement Fee	Student Housing Improvement Fund Fee	Total Percent Increase	2003-2004 Per Student Per Session
Apartments - Family (per month)						
<u>Copeley Hill I & II</u>						
One Bedroom (furnished)	\$573	\$23	4.01%	\$15	6.63%	\$611
One Bedroom (unfurnished)	\$542	\$22	4.06%	\$15	6.83%	\$579
Two Bedroom (furnished)	\$630	\$25	3.97%	\$15	6.35%	\$670
Two Bedroom (unfurnished)	\$600	\$24	4.00%	\$15	6.50%	\$639
Three Bedroom (furnished)	\$682	\$27	3.96%	\$15	6.16%	\$724
Three Bedroom (unfurnished)	\$652	\$26	3.99%	\$15	6.29%	\$693
<u>University Gardens</u>						
One Bedroom (furnished)	\$556	\$22	3.96%	\$15	6.83%	\$594
One Bedroom (unfurnished)	\$526	\$21	3.99%	\$15	7.03%	\$563
Two Bedroom (furnished)	\$600	\$24	4.00%	\$15	6.67%	\$640
Two Bedroom (unfurnished)	\$570	\$23	4.04%	\$15	6.84%	\$609
<u>College At Wise</u>						
McCraray	\$2,609	\$78	3.00%	\$0	3.00%	\$2,687
Asbury, Thompson, Henson, Martha Randolph, Townhouses Theme Housing	\$3,014	\$90	3.00%	\$0	3.00%	\$3,104

Notes:

1. The rates for Copeley Hill I & II and University Gardens include utility charges and cable TV.
2. A new rate for furnished apartments will go into effect as the units turn over.
3. The University Gardens proposed monthly rate includes \$1.05 to recover the monthly cost of providing data ports.
4. The rate for a double room used as a single is 135 percent of the double rate.
5. The rate for a double room used as a triple is 85 percent of the double rate.

MOUNTAIN LAKE BIOLOGICAL STATION RATES

	<u>Actual</u> <u>2002</u>	<u>2003 Rate</u>	<u>Percent</u> <u>Increase</u>
BOARD RATES PER TERM (4 weeks)			
Persons 17 years & older	\$513.00	\$513.00	0.00%
Persons 10-16 years old	\$308.00	\$308.00	0.00%
Persons 9 yrs & younger	\$164.00	\$164.00	0.00%
SUMMER HOUSING RATES PER TERM (4 weeks)			
CABINS	\$172.00	\$176.00	2.33%
LAING APTS	\$131.00	\$134.00	2.29%
DORMS/SINGLES	\$93.00	\$95.00	2.15%
NEW DORM:			
Apts (2 rooms)	\$151.00	\$154.00	1.99%
2nd bedroom (family)	\$48.00	\$49.00	2.08%
Singles	\$107.00	\$109.00	1.87%
PRESEASON RATES (2 week May session)			
Entomology:			
Food	\$165.00	\$220.00	33.33%
Rent	\$105.00	\$176.00	67.62%
Insurance	\$15.00	\$8.00	(46.67%)
Communities:			
Food	\$245.00	\$255.00	4.08%
Rent	\$95.00	\$95.00	0.00%
Van	\$55.00	\$100.00	81.82%
OFF SEASON RATES			
Singles/Guests:			
Night	\$11.00	\$11.00	0.00%
Week	\$54.00	\$55.00	1.85%
Month	\$216.00	\$220.00	1.85%
Family:			
Night	\$14.50	\$15.00	3.45%
Week	\$72.00	\$74.00	2.78%
Month	\$288.00	\$294.00	2.08%
GROUP USE FEES (OFF-SEASON)			
Classroom/day	\$30.00	\$31.00	3.33%
Dining Hall/day	\$55.00	\$56.00	1.82%
New Dorm Kitchen/day	\$30.00	\$31.00	3.33%
Auditorium/day	\$30.00	\$31.00	3.33%
Pavilion only	No charge		
Computer Lab/day	\$50.00	\$51.00	2.00%

Cabins: Hariot, Leconte, Catesby, Banister, Gattinger, Holbrook, Mitchell, Maphis, Schoew, Rafinesque, Burns, Michaux, Clayton, Hentz-Mohr and Washington.

Laing Apartments: Laing South, North, Center, Northwest and West.

Dorms/Singles: Chapman, Elliott, DeSchweinitz, Audubon, Laing Singles, Laundry and other cottages when used as dorms.

RESOLUTION OF THE RECTOR AND VISITORS OF THE
UNIVERSITY OF VIRGINIA, AUTHORIZATION OF ISSUANCE
OF UP TO \$200,000,000 OF GENERAL REVENUE PLEDGE BONDS

RECITALS

WHEREAS, Chapter 9, Title 23 of the Code of Virginia of 1950, as amended (the "Virginia Code"), establishes a public corporation under the name and style of The Rector and Visitors of the University of Virginia (the "University") which is governed by a Board of Visitors (the "Board"); and

WHEREAS, Chapter 3, Title 23 of the Virginia Code (the "Act") classifies the University as an educational institution, declares it to be a public body and constitutes it a governmental instrumentality for the dissemination of education; and

WHEREAS, the Act empowers the University, with the consent and approval of the General Assembly of the Commonwealth of Virginia (the "Commonwealth") and the Governor of the Commonwealth to build, construct, reconstruct, erect, extend, better, equip and improve any building, facility, addition, extension or improvement of a capital nature required by or convenient for the purposes of the University and to borrow money and make, issue and sell bonds of the University for any such purposes, including the refinancing of any such facilities, such bonds to be issued and sold through the Treasury Board of the Commonwealth (the "Treasury Board"); and

WHEREAS, the Act further authorizes the University to pledge to the payment of the principal of and the interest on such bonds any monies available for the use of the University including, but not limited to, and subject to guidelines promulgated by the Secretary of Finance of the Commonwealth (the "Secretary of Finance"), monies appropriated to the University from the general funds of the Commonwealth or from non-general funds, without regard to the source of such monies, and which are not required by law or by previous binding contract to be devoted to some other purpose; and

WHEREAS, on June 1, 2002, the Board authorized the issuance of bonds to finance the projects described in items A through E below:

The construction of an addition to the Aquatic & Fitness Center consisting of a gymnasium complex, fitness and weightlifting areas and the Engineering/Science Chiller Plant (authorized project cost - \$10,400,000; authorized bond issuance amount - \$5,500,000);

The renovation of the Cancer Center located on the 4th and 5th floors of the Multistory Building and in the Davis Wing to expand its facilities and patient capacity (authorized project cost and bond issuance amount - \$5,000,000);

The construction of the Emmet Street Parking Structure, an approximately 1,200 space parking garage located at the intersection of Emmett Street and Ivy Road (authorized project cost and bond issuance amount - \$17,500,000);

The Hospital Expansion Project which consists of an approximately 75,000 square foot addition to the Hospital and the renovation of approximately 152,000 square feet of the existing Hospital (authorized project cost - \$58,000,000; authorized bond issuance amount - \$54,000,000);

The acquisition of the School of Medicine research building (authorized project cost and bond issuance amount - \$17,000,000); and

WHEREAS, in addition to the foregoing projects, the Board has now determined to authorize the issuance of bonds to finance the projects described in items F through H below:

The construction of the University's new approximately 15,000 seat Arena (authorized project cost - \$121,000,000; additional project cost of \$8.8 million pending General Assembly approval; authorized bond issuance amount - \$75,000,000);

The construction of a new Observatory Hill Dining Replacement Facility, including new dining facilities and office space for Business Operations and Dining Services (authorized project cost - \$22,000,000; authorized bond issuance amount - \$10,000,000);

The refunding of all or a portion of the outstanding principal amount of (1) the University's General Revenue Pledge Bonds, Series 1993A, (2) the University's General Revenue Pledge Bonds, Series 1993B, (3) the University's Series 1973 HUD financing, (4) the University's portion of the Commonwealth's Taxable Series 1990A Bonds and (5) the University's portion of the Commonwealth's Taxable Series 1992B Bonds; and

WHEREAS, the maximum cost and authorized bond issuance amount of each Project is indicated above, in each case exclusive of costs of issuance, capitalized interest, original issue discount and other expenses relating thereto; and

WHEREAS, the Commonwealth has authorized the Projects and the issuance of bonds for them in the following legislation:

Aquatic and Fitness Center (207-16383): Initial authorization 2000-2002, Chapter 1073, Item C-54; Supplemental authorization 2002, Chapter 814, Item C-54;

Cancer Center (209-16751): Authorization 2002-2004, Chapter 899, Item C-53.10;

Emmet Street Parking Garage (207-16645): Authorization 2002, Chapter 814, Item C-60.20;

Hospital Expansion (209-16392): Initial planning authorization 2000-2002, Chapter 1073, Item C-65; Supplemental planning authorization 2001, Chapter 1073, Item 4-4.01m; Construction authorization 2002-2004, Chapter 899, Item C-48;

School of Medicine Research Building (207-16562): Authorization 2002-2004, Chapter 899, Item C-41;

Arena (207-16281): Planning authorization 1999, Chapter 935, Item C-36.76; Construction authorization 2002-2004, Chapter 899, Item C-36;

Observatory Hill Dining Replacement Facility (207-16094): Initial authorization 1999, Chapter 935, Item C-36.78; Supplemental authorization 2002-2004, Chapter 899, Item C-34; and

WHEREAS, the Board anticipates that the bonds will be secured by a general revenue pledge of the University and not be in any way a debt of the Commonwealth and shall not create or constitute any indebtedness or obligation of the Commonwealth, either legal, moral or otherwise; and

WHEREAS, the Board desires to authorize its Executive Committee (the "Executive Committee") to approve the final forms and details of the bonds, as set forth below;

RESOLVED that the Executive Committee is authorized to implement the plan of finance described in the Recitals by adopting a resolution or resolutions authorizing the issuance of one or more series of bonds for the purpose of financing or refinancing any or all of the Projects and providing for the terms thereof, as required by Section 23-19 of the Virginia Code; and

RESOLVED FURTHER that the Executive Committee is authorized to approve the final terms of each series of bonds, including, without limitation, their original principal amounts, the specific Projects to be financed or refinanced, maturity dates and amounts, redemption provisions and prices and interest rates (which may be either fixed or variable), provided that (i) the maximum aggregate principal amount of all bonds shall not exceed \$200,000,000; (ii) the maximum true interest cost of any series bearing interest at a fixed rate shall not exceed six percent (6%) per annum; (iii) the maximum initial true interest cost of any series bearing interest at a variable rate shall not exceed five percent (5%) per annum; (iv) the final maturity of all bonds shall not extend beyond June 1, 2038; (v) call protection on the bonds shall not exceed eleven (11) years; and (vi) no optional redemption premium shall exceed two percent; and

RESOLVED FURTHER that the Executive Committee is authorized to approve the discount payable to the underwriters selected by the Executive Committee (the "Underwriters") on account of the sale of the bonds and to approve the terms of a contract for the sale of the bonds to the Underwriters, provided that the discount payable to the Underwriters shall not exceed 0.5 percent of the original aggregate principal amount of the bonds; and

RESOLVED FURTHER that the Executive Committee or all officers of the University are authorized and directed to take all such further actions, including without limitation the designation of Underwriters, paying agents, remarketing agents, trustees and liquidity providers for the bonds, and to execute all such instruments, agreements, documents and certificates as they shall deem necessary or desirable to carry out the terms of the financing plans presented to this meeting, including without limitation any liquidity facilities, swap or other interest rate management agreements associated with the bonds; and

RESOLVED FURTHER, pursuant to the Section 147(f) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, the University designates Yoke San Reynolds, Vice President for Finance of the University, as the public hearing officer to hold any public hearings required in order to ensure the tax-exempt status of interest on the bonds; and

RESOLVED that all acts of all officers of the University which are in conformity with the purposes and intent of this Resolution and in carrying out the financing plans presented to this meeting are ratified, approved and affirmed.

RESOLUTION OF THE RECTOR AND VISITORS OF THE
UNIVERSITY OF VIRGINIA AUTHORIZATION OF ISSUANCE
OF UP TO \$100,000,000 OF COMMERCIAL PAPER

RECITALS

WHEREAS, Chapter 9, Title 23 of the Code of Virginia of 1950, as amended (the "Virginia Code"), establishes a public corporation under the name and style of The Rector and Visitors of the University of Virginia (the "University") which is governed by a Board of Visitors (the "Board"); and

WHEREAS, Chapter 3, Title 23 of the Virginia Code (the "Act") classifies the University as an educational institution, declares it to be a public body and constitutes it a governmental instrumentality for the dissemination of education; and

WHEREAS, the Act empowers the University, with the consent and approval of the General Assembly of the Commonwealth of Virginia (the "Commonwealth") and the Governor of the Commonwealth to build, construct, reconstruct, erect, extend, better, equip and improve any building, facility, addition, extension or improvement of a capital nature required by or convenient for the purposes of the University and to borrow money and make, issue and sell bonds of the University for any such purposes, including the refinancing of any such facilities, such bonds to be issued and sold through the Treasury Board of the Commonwealth (the "Treasury Board"); and

WHEREAS, the Act further authorizes the University to pledge to the payment of the principal of and the interest on such bonds any monies available for the use of the University

including, but not limited to, and subject to guidelines promulgated by the Secretary of Finance of the Commonwealth (the "Secretary of Finance"), monies appropriated to the University from the general funds of the Commonwealth or from non-general funds, without regard to the source of such monies, and which are not required by law or by previous binding contract to be devoted to some other purpose; and

WHEREAS, the Board has determined to facilitate the financing or refinancing from time to time of capital projects of the University on a short-term basis through the issuance of short-term commercial paper in an aggregate outstanding principal amount at any time not to exceed \$100,000,000 (the "Program"); and

WHEREAS, the Board anticipates that the Program will be secured by a general revenue pledge of the University and shall not be in any way a debt of the Commonwealth and shall not create or constitute any indebtedness or obligation of the Commonwealth, either legal, moral or otherwise; and

WHEREAS, the Board desires to authorize its Executive Committee (the "Executive Committee") to approve the final forms and details of the Program, as set forth below;

RESOLVED that the Executive Committee is authorized to implement the plan of finance described in the Recitals by adopting a resolution or resolutions authorizing the Program and to approve the final terms of the Program, including, without limitation, the original principal amount thereof, redemption provisions and prices and interest rates, provided that the maximum aggregate principal amount outstanding under the Program at any one time shall not exceed \$100,000,000; and

RESOLVED FURTHER that costs associated with any capital project of the University may be financed under the Program provided that (i) such project has been authorized by appropriate legislation enacted by the Commonwealth and (ii) the incurrence of indebtedness for such project has been authorized by the Board or the Executive Committee; and

RESOLVED FURTHER that the Executive Committee or all officers of the University are authorized and directed to take all such further actions, including without limitation the designation of underwriters, paying agents, remarketing agents, trustees and liquidity providers for the Program, and to execute all such instruments, agreements, documents and certificates as

they shall deem necessary or desirable to carry out the terms of the financing plans presented to this meeting, including without limitation any liquidity facilities, swap or other interest rate management agreements associated with the Program; and

RESOLVED FURTHER, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, the University designates Yoke San Reynolds, Vice President for Finance of the University, as the public hearing officer to hold any public hearings required in order to ensure the tax-exempt status of interest on any obligations issued under the Program; and

RESOLVED that all acts of all officers of the University which are in conformity with the purposes and intent of this Resolution and in carrying out the financing plans presented to this meeting are ratified, approved and affirmed.

APPROVAL OF A REVISED BUDGET AND FUNDING PLAN FOR THE SOUTH LAWN PROJECT

WHEREAS, the Special Committee on the College and Graduate School of Arts and Sciences Facilities adopted a resolution on October 18, 2001, which set a \$126.7 million budget for the South Lawn Project with \$61.1 million to be provided by private gifts from the College Foundation, \$61.1 million through a combination of state and University funds, and \$4.5 million from the University Department of Parking and Transportation as a contribution to the parking garage; and

WHEREAS, the Buildings and Grounds Committee adopted a resolution on October 18, 2001, approving the report from the Special Committee setting forth the project budget and scope; and

WHEREAS, the Special Committee on the College and Graduate School of Arts and Sciences Facilities approved a revised budget and funding plan on October 28, 2002, for the South Lawn Project;

RESOLVED that the new budget for the South Lawn project is now \$160 million, of which \$94.4 million is to be provided by private gifts from the College Foundation, \$61.1 million through a combination of state and University funds, and \$4.5 million from the University Department of Parking and Transportation as a contribution to the parking garage.

MEMORIAL RESOLUTION FOR MR. CHAMP CLARK

WHEREAS, Champ Clark was born on August 24, 1923, to a Missouri family of national political importance; and

WHEREAS, Mr. Clark pursued a distinguished career in journalism, becoming a senior editor of *Time* magazine; and

WHEREAS, Mr. and Mrs. Clark settled in Greene County in 1974 and very quickly became involved in a number of civic activities; and

WHEREAS, Mr. Clark joined the faculty of the University and taught popular and demanding courses in journalism until 1996; and

WHEREAS, Mr. Clark was appointed to the Board of Visitors by Governor Allen in 1996; and

WHEREAS, Mr. Clark served the Board and the University with great distinction, particularly as a member of the Executive Committee and notably because of his thorough and definitive study and compilation of University policies; and

WHEREAS, Mr. Clark died on December 21, 2002;

RESOLVED that the Board of Visitors honors the memory of Champ Clark's service to the University and expresses its profound sorrow for his death to Mrs. Clark and their family.

ELECTION OF MR. EUGENE V. FIFE TO THE MILLER CENTER GOVERNING COUNCIL

RESOLVED that Mr. Eugene V. Fife of Charlottesville is elected a member of the Miller Center Governing Council, effective February 1, 2003, for a term of three years.

REPLACEMENT OF HIGHWAY HISTORICAL MARKER

WHEREAS, the state Highway Department in 1929 placed an historical marker commemorating the University of Virginia on Fontaine Avenue, at the southern edge of Charlottesville; and

WHEREAS, the marker is missing; and

WHEREAS, the state Department of Historic Resources and the Virginia Department of Transportation wish to put a replacement marker on the Grounds of the University; and

WHEREAS, the Board of Visitors must approve all such markers and plaques placed on the University Grounds;

RESOLVED that the Board of Visitors approves the text and the placement of an appropriate historical marker on the University Grounds. The approved text for the marker is appended Attachment C to these Minutes.

COMMENDING STUDENT ACCOMPLISHMENTS

RESOLVED that the Board of Visitors commends and supports the outstanding accomplishments of the students of the University of Virginia in the classroom, on the playing field, in research, in extramural academic competition and in service to the community around them. Further, the Board does not condone the unfortunate actions of a few students who have neglected the feelings of others with their thoughtless acts.

PROCESS FOR APPROVING MEDICAL CENTER MARKET-BASED COMPENSATION ADJUSTMENTS

WHEREAS, the Board has established the Medical Center Operating Board to oversee the University of Virginia Medical Center; and

WHEREAS, the Board has previously enacted policies related to compensation of the Medical Center employees; and

WHEREAS, in the current climate of a nationwide shortage of nurses and other health care professionals, the Medical Center must be able to act quickly to adjust salaries in reaction to market forces;

RESOLVED that it is the intent of the Board that market-based compensation adjustments within the Board approved compensation plan be made on the recommendation of the Vice President and Chief Executive Officer of the Medical Center with the concurrence of the Chair of the Medical Center Operating Board, and the Executive Vice President and Chief Operating Officer, provided the compensation adjustments are consistent with Board policies, the approved budget and state law, and are reported to the Medical Center Operating Board.

FACULTY PERSONNEL ACTIONS

ELECTIONS

RESOLVED that the following persons are elected to the faculty:

Dr. David C. Abdullah as Associate Professor of Clinical Radiology, for three years, effective September 2, 2002, at an annual salary of \$100,000.

Mr. Majd Alwan as Assistant Professor of Research in Pathology, for one year, effective September 1, 2002, at an annual salary of \$70,000.

Ms. Lisa B. Aronson as Assistant Professor of Psychiatric Medicine, for three years, effective September 25, 2002, at an annual salary of \$75,000.

Mr. Scott D. Bender as Assistant Professor of Clinical Psychiatric Medicine, for one year, effective November 15, 2002, at an annual salary of \$47,000.

Mr. Brett R. Blackman as Assistant Professor of Biomedical Engineering, for three years, effective August 25, 2002, at an annual salary of \$90,000.

Dr. Ted M. Burns as Assistant Professor of Neurology, for three years, effective November 1, 2002, at an annual salary of \$100,000.

Mr. Ramana V. Chilakamarti as Assistant Professor of Research in Internal Medicine, for three years, effective November 1, 2002, at an annual salary of \$52,400.

Mr. John M. Chirgwin as Professor of Internal Medicine, effective October 1, 2002, at an annual salary of \$120,000.

Mr. Michael D. DeVore as Assistant Professor of Systems and Information Engineering, for three academic years, effective August 25, 2002, at an academic year salary of \$70,000.

Mr. Konrad Eisenbichler as Visiting Professor of Spanish, Italian and Portuguese, for one semester, effective August 25, 2002, at a salary of \$32,000.

Ms. Mehr A. Farooqi as Assistant Professor of Asian and Middle Eastern Languages and Cultures, for two academic years, effective August 25, 2002, at an academic year salary of \$46,000.

Ms. Ruth Ferree as Assistant Professor, General Faculty, for one academic year, effective August 25, 2002, at an academic year salary of \$44,000.

Ms. Mary Margaret Frank as Assistant Professor of Business Administration, for three academic years, effective August 25, 2002, at an academic year salary of \$130,000.

Ms. Risa L. Goluboff as Research Associate Professor of Law, for two academic years, effective August 25, 2002, at an academic year salary of \$45,000.

Mr. Stefano Grazioli as Assistant Professor of Commerce, for three academic years, effective August 25, 2002, at an academic year salary of \$110,000.

Mr. Matthias Hild as Assistant Professor of Business Administration, for three academic years, effective August 25, 2002, at an academic year salary of \$95,000.

Mr. Grigori R. Humphreys as Assistant Professor of Computer Science, for three academic years, effective August 25, 2002, at an academic year salary of \$78,000.

Ms. Sue Kim as Assistant Professor of Nursing, for three academic years, effective August 25, 2002, at an academic year salary of \$55,000.

Ms. Marianne M. Kubick as Assistant Professor of Drama, for four academic years, effective August 25, 2002, at an academic year salary of \$48,000.

Ms. Maria-Ines Lagos as Professor of Spanish, effective August 25, 2002, at an academic year salary of \$75,000.

Ms. Hsin Hsin Liang as Assistant Professor of Chinese, for four academic years, effective August 25, 2002, at an academic year salary of \$50,000.

Dr. David S. Lim as Assistant Professor of Clinical Pediatrics, for three years, effective October 1, 2002, at an annual salary of \$100,000.

Ms. Emily L. Luebke as Assistant Professor of Systems and Information Engineering, for one academic year, effective August 25, 2002, at an academic year salary of \$50,000.

Mr. Anup Malani as Associate Professor of Law, for five academic years, effective August 25, 2002, at an academic year salary of \$117,500.

Dr. Jane H. M. Mason as Assistant Professor of Anesthesiology, for three years, effective August 25, 2002, at an annual salary of \$100,000.

Mr. Guian A. McKee as Assistant Professor, General Faculty, for three years, effective August 25, 2002, at an annual salary of \$41,000.

Ms. Farina Mir as Assistant Professor of History, for four academic years, effective August 25, 2002, at an academic year salary of \$52,000.

Mr. Khalid S. Mohammad as Assistant Professor of Internal Medicine, for one year, effective October 1, 2002, at an annual salary of \$65,000.

Mr. Brian A. Nosek as Assistant Professor of Psychology, for four academic years, effective August 25, 2002, at an academic year salary of \$55,000.

Mr. Gregory S. Okin as Assistant Professor of Environmental Sciences, for four academic years, effective August 25, 2002, at an academic year salary of \$60,000.

Mr. Eric M. Patashnik as Associate Professor of Politics, effective August 25, 2002, at an academic year salary of \$80,000.

Ms. Anne Pfister as Research Assistant Professor of Chemistry, for one year, effective September 25, 2002, at an annual salary of \$37,300.

Mr. John E. Portmann as Assistant Professor, General Faculty, for three academic years, effective August 25, 2002, at an academic year salary of \$41,300.

Dr. Dana L. Redick as Assistant Professor of Clinical Obstetrics and Gynecology, for three years, effective September 1, 2002, at an annual salary of \$100,000.

Ms. Hyekyun Rhee as Assistant Professor of Nursing, for three academic years, effective August 25, 2002, at an academic year salary of \$50,000.

Dr. Eileen P. Ryan as Associate Professor of Clinical Psychiatric Medicine, for three years, effective September 3, 2002, at an annual salary of \$100,000.

Dr. Antoinette R. Saddler as Assistant Professor of Clinical Internal Medicine, for three years, effective November 11, 2002, at an annual salary of \$100,000.

Mr. Nicolas Sihle as Assistant Professor of Anthropology, for four academic years, effective August 25, 2002, at an academic year salary of \$46,000.

Mr. Lawrence M. Silverman as Professor of Clinical Pathology, for three years, effective September 3, 2002, at an annual salary of \$100,000.

Ms. Bethany A. Teachman as Assistant Professor of Psychology, for four academic years, effective August 25, 2002, at an academic year salary of \$57,000.

Mr. Hualiang Teng as Research Assistant Professor of Civil Engineering, for three years, effective August 25, 2002, at an annual salary of \$70,000.

Mr. William B. Wilcox as Assistant Professor of Sociology, for four academic years, effective August 25, 2002, at an academic year salary of \$55,000.

Mr. William J. Wilhelm as Professor of Commerce, effective August 25, 2002, at an academic year salary of \$155,000.

Mr. Patrick J. Wilkie as Visiting Associate Professor of Commerce, for one academic year, effective August 25, 2002, at an academic year salary of \$85,000.

Dr. Bradford B. Worrall as Assistant Professor of Clinical Neurology, for two years, effective June 25, 2002, at an annual salary of \$90,000.

Mr. Steven M. Zinder as Assistant Professor, General Faculty, for one academic year, effective August 25, 2002, at an academic year salary of \$42,000.

ACTIONS RELATING TO CHAIRHOLDERS

RESOLVED that the actions relating to chairholders are approved as shown below:

(a) Elections of Chairholders

Mr. Dewey G. Cornell as Curry Memorial Professor of Education, for two years, effective June 25, 2002. Mr. Cornell will continue as Professor of Education, without term.

Ms. Cristina Della Coletta as Horace W. Goldsmith Distinguished Teaching Associate Professor of Humanities, for three years, effective August 25, 2002. Ms. Della Coletta will continue as Associate Professor of Italian, without term.

Dr. Theresa A. Guise as Gerald D. Aurbach Professor of Endocrinology and Professor of Internal Medicine, effective October 1, 2002, at an annual salary of \$100,000.

Ms. Patricia J. Hollen as Malvina Yuille Boyd Professor of Oncology Nursing in the School of Nursing, for five years, and Professor of Nursing, without term, effective August 25, 2002, at an academic year salary of \$94,000.

Mr. Christopher D. Ingersoll as Joe Gieck Associate Professor of Sports Medicine, for two years, effective November 25, 2002. Mr. Ingersoll will continue as Associate Professor of Education, without term.

Ms. Marcia A. Invernizzi as Thomas G. Jewell Professor of Education, for two years, effective November 25, 2002. Ms. Invernizzi will continue as Professor of Education, without term.

Mr. Ajay Khorana as Dale S. Coenen Associate Professor of Free Enterprise, for one academic year, and Visiting Associate Professor of Business Administration, for one academic year, effective August 25, 2002, at an academic year salary of \$150,000.

Mr. George Klosko as Henry L. and Grace Doherty Charitable Foundation Professor of Politics, effective December 25, 2002. Mr. Klosko will continue as Professor of Politics, without term.

Dr. Cato T. Laurencin as Lillian T. Pratt Professor of Orthopaedics, University Professor, and Professor of Biomedical Engineering, effective January 25, 2002, at an annual salary of \$450,000.

Mr. Allen C. Lynch as Hugh S. and Winifred B. Cumming Memorial Professor of International Affairs, for six years, effective August 25, 2002. Mr. Lynch will continue as Professor of Politics, without term.

Ms. Deborah E. McDowell as Alice Griffin Professor of English Literature, effective August 25, 2002. Ms. McDowell will continue as Professor of English, without term.

Mr. Giovanni Zangari as Heinz and Doris Wilsdorf Distinguished Research Associate Professor of Materials Science and Engineering, and Associate Professor of Materials Science and Engineering, for three academic years, effective August 25, 2002, at an academic year salary of \$76,000.

(b) Change of Title of Chairholder

Ms. Lisa A. Reilly, from Horace W. Goldsmith Distinguished Teaching Professor in the Humanities, to Professor of Architectural History, effective August 24, 2002.

(c) Special Salary Actions of Chairholders

Mr. Timothy Beatley, Teresa Heinz Professor of Sustainable Communities, effective November 25, 2002, at an academic year salary of \$87,500.

Mr. Curtis A. Bradley, Hunton and Williams Professor of Law, effective November 25, 2002, at an annual salary of \$157,700.

Mr. Warren T. Byrd, Merrill D. Peterson Professor in the School of Architecture, effective November 25, 2002, at an academic year salary of \$85,000.

Ms. Cristina Della Coletta, Horace W. Goldsmith Distinguished Teaching Associate Professor of Humanities, and Associate Professor of Italian, effective August 25, 2002, at an annual salary of \$79,000.

Mr. Robert Fatton, Jr., Julia Allen Cooper Professor of Government and Foreign Affairs, effective November 25, 2002, at an academic year salary of \$111,300.

Mr. George Klosko, Henry L. and Grace Doherty Charitable Foundation Professor of Politics, effective December 25, 2002, at an academic year salary of \$100,000.

Mr. Jagdish K. Kumar, William R. Kenan, Jr., Professor of Sociology, effective November 25, 2002, at an academic year salary of \$90,300.

Mr. Paul G. Mahoney, Albert C. BeVier Research Professor of Law, effective November 25, 2002, at an annual salary of \$221,900.

Ms. Deborah E. McDowell, Alice Griffin Professor of English Literature, effective November 25, 2002, at an academic year salary of \$123,900.

Mr. Herman H. Shugart, William W. Corcoran Professor of Environmental Sciences, effective August 25, 2002, at an academic year salary of \$150,000.

Mr. Steven N. Stern, Merrill H. Bankard Professor of Economics and Professor of Economics, effective August 25, 2002, at an academic year salary of \$150,000.

Dr. Dan Theodorescu, Paul Mellon Professor of Urology, effective November 25, 2002, at an annual salary of \$175,000.

Dr. Jonathon D. Truwit, E. Cato Drash Associate Professor of Pulmonary Medicine, effective October 25, 2002, at an annual salary of \$130,000.

(d) Retirement of Chairholder

Dr. Gerald L. Mandell, Owen R. Cheatham Professor of the Sciences, effective September 24, 2002. Dr. Mandell has been a member of the faculty since June 16, 1969.

(e) Resignation of Chairholder

Mr. Wojciech Roszkowski as Kosciuszko Professor of Polish Studies and Professor, General Faculty, effective August 24, 2002, for personal reasons.

PROMOTIONS

RESOLVED that the following persons are promoted:

Mr. George S. (Yiorgos) Allayannis from Assistant Professor of Business Administration to Associate Professor of Business Administration, effective November 25, 2002.

Mr. Tetsuya Iwasaki from Assistant Professor of Mechanical and Aerospace Engineering, to Associate Professor of Mechanical and Aerospace Engineering, for the period October 25, 2002, through March 1, 2003.

SPECIAL SALARY ACTIONS

RESOLVED that the following persons shall receive the salary indicated:

Mr. Scott T. Acton, Associate Professor of Electrical Engineering, effective November 25, 2002, at an annual salary of \$101,200.

Mr. George S. (Yiorgos) Allayannis, Associate Professor of Business Administration, effective November 25, 2002, at an academic year salary of \$132,300.

Mr. Peter B. Arnold, Associate Professor of Physics, effective November 25, 2002, at an academic year salary of \$64,100.

Mr. Z. Gregory Arone, Associate Professor of Mathematics, effective November 25, 2002, at an academic year salary of \$63,000.

Mr. David T. Auble, Associate Professor of Biochemistry and Molecular Genetics, effective November 25, 2002, at an annual salary \$74,300.

Mr. Gary F. Banks, Lecturer, General Faculty, effective November 25, 2002, at an annual salary of \$93,600.

Mr. Yongde Bao, Associate Professor of Research in Microbiology, effective October 25, 2002, at an annual salary of \$65,000.

Ms. Paula Q. Barrett, Professor of Pharmacology, effective November 25, 2002, at an annual salary of \$95,000.

Mr. Timothy P. Bender, Professor of Microbiology, effective November 25, 2002, at an annual salary of \$84,000.

Ms. Ruth G. Bernheim, Lecturer, General Faculty, effective August 25, 2002, at an annual salary of \$50,000.

Dr. William E. Brant, Professor of Clinical Radiology, effective September 25, 2002, at an annual salary of \$100,000.

Ms. Rosa E. Brooks, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Ms. Donna R. Buck, Professor, General Faculty, effective November 25, 2002, at an annual salary of \$77,500.

Mr. Enrico F. Cesaretti, Assistant Professor of Italian, effective August 25, 2002, at an academic year salary of \$58,100.

Mr. Mark R. Conaway, Professor of Health Evaluation Sciences, effective November 25, 2002, at an annual salary of \$109,400.

Mr. Ishmail A. Conway, Instructor, General Faculty, effective May 25, 2002, at an annual salary of \$33,000.

Mr. Robert J. Davis, Professor of Chemical Engineering, effective November 25, 2002, at an academic year salary of \$89,700.

Mr. Patrick J. Dennis, Associate Professor of Commerce, effective November 25, 2002, at an academic year salary of \$98,700.

Mr. Edmond C. Dukes, Professor of Physics, effective November 25, 2002, at an academic year salary of \$75,400.

Mr. Dana M. Elzey, Research Associate Professor of Materials Science and Engineering, effective November 25, 2002, at an annual salary of \$93,300.

Mr. Paul Fendley, Associate Professor of Physics, effective November 25, 2002, at an academic year salary of \$65,700.

Mr. Robert P. Geraci, Associate Professor of History, effective November 25, 2002, at an academic year salary of \$50,000.

Ms. Joanna B. Goldberg, Professor of Microbiology, effective November 25, 2002, at an annual salary of \$90,800.

Ms. Wendy L. Golden, Professor of Pediatrics, effective November 25, 2002, at an annual salary of \$92,100.

Mr. Kevin P. Granata, Associate Professor of Orthopaedic Surgery and Associate Professor of Research in Biomedical Engineering, effective November 25, 2002, at an annual salary of \$99,800.

Mr. Jeffrey A. Grossman, Associate Professor of German, effective November 25, 2002, at an academic year salary of \$50,100.

Ms. Laura F. Hawthorne, Lecturer, General Faculty, effective August 25, 2002, at an annual salary of \$70,000.

Ms. Ruth Ann Hill, Associate Professor of Spanish, effective November 25, 2002, at an academic year salary of \$55,400.

Mr. Andrew C. Hillier, Associate Professor of Chemical Engineering, effective November 25, 2002, at an academic year salary of \$74,800.

Mr. Jeffrey J. Holt, Associate Professor of Mathematics, General Faculty, effective November 25, 2002, at an annual salary of \$60,400.

Mr. Marty A. Humphrey, Assistant Professor of Computer Science, effective June 25, 2002, at an annual salary of \$104,000.

Mr. Daniel M. Keenan, Professor of Statistics, effective November 25, 2002, at an annual salary of \$103,500.

Mr. James P. Landers, Professor of Chemistry, effective November 25, 2002, at an academic year salary of \$73,500.

Mr. Rong Li, Associate Professor of Biochemistry and Molecular Genetics, effective November 25, 2002, at an annual salary \$75,000.

Ms. Clarisa Long, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Ms. Xinh T. Luu, Lecturer, General Faculty, effective November 25, 2002, at an annual salary of \$50,600.

Dr. Jason A. Lyman, Assistant Professor of Research in Health Evaluation Sciences, effective August 25, 2002, at an annual salary of \$100,000.

Ms. M. Elizabeth Magill, Professor of Law, effective November 25, 2002, at an academic year salary of \$121,700.

Ms. Julia D. Mahoney, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Mr. John E. Mason, Associate Professor of History, effective November 25, 2002, at an academic year salary of \$63,700.

Ms. Karen J. McGlathery, Associate Professor of Environmental Sciences, effective November 25, 2002, at an academic year salary of \$58,800.

Ms. Jennifer L. Mnookin, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Ms. Rachel Most, Associate Professor, General Faculty, effective November 25, 2002, at an annual salary of \$63,300.

Mr. Thomas B. Nachbar, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Mr. Caleb E. Nelson, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Mr. Jon K. Oliver, Lecturer, General Faculty, effective October 25, 2002, at an annual salary of \$125,000.

Mr. Fernando Opere, Professor of Spanish, Italian and Portuguese, effective November 25, 2002, at an academic year salary of \$66,500.

Mr. Bryce M. Paschal, Associate Professor of Biochemistry and Molecular Genetics, effective November 25, 2002, at an annual salary \$74,500.

Mr. Shyamal Das Peddada, Professor of Statistics, effective August 25, 2002, at an academic year salary of \$110,000.

Ms. Susan E. Perry, Professor of Commerce, effective November 25, 2002, at an academic year salary of \$106,100.

Ms. Mary R. Prendergast, Assistant Librarian, General Faculty, Alderman Library, effective November 25, 2002, at an annual salary of \$36,300.

Dr. Mark S. Quigg, Associate Professor of Neurology, effective November 25, 2002, at an annual salary of \$100,000.

Mr. Michael L. Reed, Professor of Electrical Engineering, effective November 25, 2002, at an academic year salary of \$88,000.

Ms. Lisa A. Reilly, Professor of Architectural History, effective November 25, 2002, at an academic year salary of \$69,800.

Ms. Margaret F. Riley, Associate Professor of Law, General Faculty, effective November 25, 2002, at an annual salary of \$77,500.

Mr. Paul V. Rittelmeyer, Assistant Librarian, General Faculty, Alderman Library, effective November 25, 2002, at an annual salary of \$61,000.

Ms. Marion E. Roberts, Professor of Art, effective November 25, 2002, at an academic year salary of \$60,300.

Mr. Gabriel Robins, Professor of Computer Science, effective November 25, 2002, at an annual salary of \$137,300.

Ms. Caroline M. Rody, Associate Professor of English, effective November 25, 2002, at an academic year salary of \$56,200.

Ms. Sophia A. Rosenfeld, Associate Professor of History, effective November 25, 2002, at an academic year salary of \$52,000.

Mr. James E. Ryan, Professor of Law, effective November 25, 2002, at an academic year salary of \$121,700.

Ms. Karen L. Ryan, Professor of Slavic Languages and Literatures, effective November 25, 2002, at an annual salary of \$107,100.

Ms. Hanan H. Sabea, Assistant Professor of Anthropology, effective December 25, 2002, at an academic year salary of \$48,000.

Mr. Chris W. Sanchirico, Professor of Law, effective November 25, 2002, at an academic year salary of \$130,000.

Mr. Mark H. Saunders, Lecturer, General Faculty, effective September 25, 2002, at an annual salary of \$70,000.

Mr. Richard C. Schragger, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Mr. John D. Shannon, Associate Professor of Research in Microbiology, effective October 25, 2002, at an annual salary of \$65,000.

Mr. Thomas S. Shepherd, Instructor, General Faculty, effective June 25, 2002, at an annual salary of \$70,000.

Mr. Alexis A. Sherard, Instructor, General Faculty, effective June 25, 2002, at an annual salary of \$60,000.

Mr. Nicholas E. Sherman, Assistant Professor of Research in Microbiology, effective October 25, 2002, at an annual salary of \$67,000.

Mr. Howard M. Singerman, Associate Professor of Art, effective November 25, 2002, at an academic year salary of \$71,000.

Mr. Stephen F. Smith, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

Mr. Shiv P. Srivastava, Instructor of Radiation Oncology, effective November 1, 2002, at an annual salary of \$75,000.

Mr. Mircea R. Stan, Associate Professor of Electrical Engineering, effective November 25, 2002, at an academic year salary of \$73,700.

Ms. Ann E. Sutherland, Associate Professor of Cell Biology, effective November 25, 2002, at an annual salary of \$68,200.

Mr. Edmund M. Talley, Assistant Professor of Research in Pharmacology, effective October 25, 2002, at an annual salary of \$58,184.

Ms. Elizabeth F. Thompson, Associate Professor of History, effective November 25, 2002, at an academic year salary of \$54,300.

Mr. Dariuz Tolczyk, Associate Professor of Slavic Languages and Literatures, effective November 25, 2002, at an academic year salary of \$52,400.

Mr. Keith D. VanDerbeek, Lecturer, General Faculty, effective October 25, 2002, at an annual salary of \$87,500.

Ms. Janet I. Warren, Professor of Clinical Psychiatric Medicine, effective November 25, 2002, at an annual salary of \$78,800.

Ms. Ellen M. Whitener, Professor of Commerce, effective August 25, 2002, at an academic year salary of \$119,000.

Ms. Catherine K. Whittier, Lecturer, General Faculty, effective August 25, 2002, at an annual salary of \$60,000.

Ms. Patricia L. Wiberg, Professor of Environmental Sciences, effective November 25, 2002, at an academic year salary of \$82,000.

Mr. Timothy Wu, Associate Professor of Law, effective November 25, 2002, at an academic year salary of \$119,600.

RESIGNATIONS

The following resignations were announced:

Dr. Victoria Camerini, Associate Professor of Pediatrics, effective December 31, 2002, to accept another position.

Mr. David Camerini, Associate Professor of Microbiology, effective December 31, 2002, to accept another position.

Mr. Andrew D. Catling, Assistant Professor of Research in Microbiology, effective August 30, 2002, to accept another position.

Dr. Lisa A. Cerilli, Assistant Professor of Pathology, effective October 31, 2002, for personal reasons.

Mr. Stephen B. Forlow, Assistant Professor of Research in Biomedical Engineering, effective August 31, 2002, to accept another position.

Mr. Frederick M. Hess, Assistant Professor of Education, effective May 24, 2002, to accept another position.

Dr. Kathryn W. Kerkering, Associate Professor of Clinical Pediatrics, effective November 30, 2002, for personal reasons.

Ms. Martha J. King, Assistant Professor, General Faculty, effective September 6, 2002, to accept another position.

Ms. Patricia C. Kucker, Assistant Professor of Architecture, effective May 24, 2002, to accept another position.

Mr. George A. Kulik, Assistant Professor of Research in Microbiology, effective September 11, 2002, to accept another position.

Mr. Qiubo Lei, Assistant Professor of Research in Pharmacology, effective September 1, 2002, to accept another position.

Dr. Anthony J. Matthews, Assistant Professor of Clinical Anesthesiology, effective September 11, 2002, to accept another position.

Ms. Denise L. Newman, Assistant Professor of Psychology, effective August 24, 2002, to accept another position.

CHANGE IN THE HIRE DATE IN THE RETIREMENT OF MS. LINDA R. DAVIES

The President announced that the hire date of Ms. Linda R. Davies, as shown in the retirement section of the Minutes of the meeting of the Board of Visitors dated October 4-5, 2002, was changed to read as follows:

Ms. Linda R. Davies, Assistant Professor of Nursing, General Nursing Faculty, effective July 1, 2002. Ms. Davies has been a member of the faculty since November 16, 1977.

CHANGE IN THE DATE OF THE RETIREMENT OF MR. ALBERT R. TURNBULL

The President announced that the retirement of Mr. Albert Turnbull, Professor of Law, effective June 24, 2002, as shown in the retirement section of the Minutes of the meeting of the Board of Visitors dated April 5-6, 2002, was changed to read as follows:

Mr. Albert R. Turnbull, Professor of Law, effective July 31, 2002. Mr. Turnbull has been a member of the faculty since July 1, 1966.

APPOINTMENTS

The following appointments were announced:

Mr. Michael G. Glasgow as Director, Office of Sponsored Programs, for two years, effective July 24, 2002.

Mr. Ian W. Lord as Director, Leadership Development Center, for three years, effective July 1, 2000.

Mr. David A. Storm as Associate Athletics Director for Compliance, for the period November 18, 2002, through June 24, 2004.

CHANGE IN THE APPOINTMENT OF MR. JEFFREY PLANK

The President announced that the title of Mr. Jeffrey Plank as Associate Vice President for Research and Public Service, for three years, effective June 25, 2002, as shown in the appointment section of the Minutes of the meeting of the Board of Visitors dated October 4-5, 2002, be changed to read as follows:

Mr. Jeffrey Plank as Associate Vice President, Research Enhancement, for three years, effective June 25, 2002.

RE-APPOINTMENTS

The following re-appointments were announced:

Ms. Kanisha L. Adkins as Deputy Director, Equal Opportunity Programs, for one year, effective November 25, 2002.

Mr. Julian M. Bivins, Jr., as Assistant Vice President for Advancement Services, for three years, effective September 1, 2002.

Ms. Margaret A. Browne as Associate General Counsel, for one year, effective October 25, 2002.

Mr. Stuart W. Connock as Executive Assistant to the President for State Governmental Relations, for one year, effective April 16, 2002.

Ms. Susan M. Davis as Associate General Counsel, for two years, effective August 25, 2002.

Ms. Evelyn R. Fleming as Associate General Counsel, for one year, effective October 25, 2002.

Ms. Joan B. Fry as Special Assistant to the President, for five years, effective February 15, 2003.

Mr. James S. Kennan as Associate Director, Virginia Health Policy Center, for the period January 1, 2003, through June 30, 2004.

Mr. Alton A. Martin as Associate General Counsel, for two years, effective August 25, 2002.

Ms. Linda S. McCormick as Director of Budget and Administration, for three years, effective June 30, 2001.

Ms. Nancy A. Rivers as Executive Assistant to the Vice President for Management and Budget and Director of State Governmental Relations, for three years, effective August 26, 2002.

Ms. Karin Wittenborg as University Librarian, for five years, effective June 25, 2003.

Ms. Jennifer A. Wyss-Jones as Special Assistant to the Senior Vice President for Development, for three years, effective October 31, 2001.

ELECTION OF MS. PATRICIA M. LAMPKIN AS VICE PRESIDENT
FOR STUDENT AFFAIRS

RESOLVED that Ms. Patricia M. Lampkin is elected Vice President for Student Affairs, for five years, effective October 25, 2002.

RE-ELECTION OF MR. LEONARD W. SANDRIDGE, JR., AS
EXECUTIVE VICE PRESIDENT AND CHIEF OPERATING OFFICER

RESOLVED that Mr. Leonard W. Sandridge, Jr., is re-elected Executive Vice President and Chief Operating Officer, for five years, effective July 1, 2003.

ELECTION OF PROFESSOR EMERITUS

RESOLVED that the following person is elected Professor Emeritus:

Dr. Gerald L. Mandell, Owen R. Cheatham Professor of the Sciences, effective September 24, 2002.

CHANGE IN THE DATE OF THE EMERITUS ELECTION FOR
MR. ALBERT R. TURNBULL

RESOLVED that the Emeritus election of Mr. Albert R. Turnbull as Professor of Law, effective June 24, 2002, as shown in the Minutes of the meeting of the Board of Visitors dated April 5-6, 2002, was changed to read as follows:

Mr. Albert R. Turnbull, Professor of Law, effective July 31, 2002.

DEATHS

The following deaths were announced:

Mr. Champ Clark, Lecturer, General Faculty, died December 21, 2002. Mr. Clark was a member of the faculty from 1976 until his resignation in 1996.

Mr. Jeffrey K. Hadden, Professor of Sociology and Religious Studies, died January 26, 2003. Mr. Hadden had been a member of the faculty since 1972.

Mr. H. Gordon Larew, Professor Emeritus of Civil Engineering, died December 28, 2002. Mr. Larew was a member of the faculty from 1956 until his retirement in 1992.

Dr. William B. Looney, Professor Emeritus of Biomedical Engineering, died October 17, 2002. Dr. Looney was a member of the faculty from 1961 until his retirement in 1992.

Dr. William Parson, Henry B. Mulholland Professor of Medicine, died November 25, 2002. Dr. Parson was a member of the faculty from 1949 until his resignation in 1966.

Mr. Lionel I. Rebhun, Commonwealth Professor Emeritus of Biology, died August 29, 2002. Mr. Rebhun was a member of the faculty from 1968 until his retirement in 1996.

Mr. William Rotch, Johnson and Higgins Professor Emeritus of Business Administration, died December 11, 2002. Mr. Rotch was a member of the faculty from 1959 until his retirement in 1999.

Dr. Oscar A. Thorup, Jr., Professor Emeritus of Internal Medicine, died October 21, 2002. Dr. Thorup was a member of the faculty from 1953 through 1966, and from 1974 until his retirement in 1989.

Mr. Theodore (Ted) R. Turner, Associate Professor of Studio Art, died September 26, 2002. Mr. Turner was a member of the faculty from 1952 until his retirement in 1985.

Mr. Charles A. Vandersee, Associate Professor of English, died January 2, 2003. Mr. Vandersee had been a member of the faculty since 1964.

THE UNIVERSITY OF VIRGINIA'S COLLEGE AT WISE

ELECTIONS

RESOLVED that the following persons are elected to the faculty:

Ms. Christina L. Hicks-Goldston as Assistant Professor of Oral Communication, The University of Virginia's College at Wise, for two academic years, effective August 25, 2002, at an academic year salary of \$40,000.

Mr. Bryan H. Hoyt as Assistant Professor of Psychology, The University of Virginia's College at Wise, for two academic years, effective August 25, 2002, at an academic year salary of \$42,000.

Mr. Michael R. McNulty as Assistant Professor of Theatre, The University of Virginia's College at Wise, for two academic years, effective August 25, 2002, at an academic year salary of \$45,000.

Ms. Julia E. Palmer as Assistant Professor of Spanish, The University of Virginia's College at Wise, for two academic years, effective August 25, 2002, at an academic year salary of \$43,000.

Ms. Sharon R. Van Nest as Assistant Professor of Music, The University of Virginia's College at Wise, for two academic years, effective August 25, 2002, at an academic year salary of \$45,000.

Ms. Robin L. Woodard as Assistant Professor of Biology, The University of Virginia's College at Wise, for two academic years, effective August 25, 2002, at an academic year salary of \$41,000.

SPECIAL SALARY ACTIONS

RESOLVED that the following persons shall receive the salary indicated:

Mr. Ilie P. Vasilescu, Visiting Associate Professor of Psychology, The University of Virginia's College at Wise, effective August 25, 2002, at an academic year salary of \$50,000.

Mr. Patrick W. Withen, Associate Professor of Sociology, The University of Virginia's College at Wise, effective August 25, 2002, at an academic year salary of \$53,169.

APPOINTMENT OF NON-VOTING STUDENT MEMBER TO THE BOARD OF VISITORS

On motion of Rector John P. Ackerly, III, Chair of the Executive Committee, the Board elected Mr. John Rocco MacMillan Rodney of Memphis, Tennessee, as the non-voting student member of the Board of Visitors, for one year, effective April 5, 2003.

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Mr. Rainey noted that three other Members, in addition to Ms. Twohy, are ending their terms on the Board. He asked Mr. Glazer to read a resolution honoring Mrs. Holland.

The following resolution was approved by the Board:

RESOLUTION COMMENDING MRS. ELSIE GOODWYN HOLLAND

WHEREAS, Elsie Goodwyn Holland, a native of Dinwiddie County, took the B.S. and M.S. in Education from Virginia State University and the Ed.D. from the Curry School; and

WHEREAS, Mrs. Holland has devoted her life to teaching in the classroom from the elementary level to university, with a specialty in early childhood education and reading; and

WHEREAS, Mrs. Holland has also been deeply involved in education as an administrator in a wide variety of fields; and

WHEREAS, Mrs. Holland's interests and contributions extend beyond the classroom and she has been a member of many commissions and boards, thus serving both her community and her state; and

WHEREAS, Mrs. Holland is married to Kenneth G. Holland and Mr. and Mrs. Holland reside in Richmond; and

WHEREAS, Mrs. Holland was appointed to the Board of Visitors in 1994 by Governor Allen to fill an unexpired term, reappointed the next year by Governor Allen and reappointed again in 1999 by Governor Gilmore; and

WHEREAS, Mrs. Holland's tenure on the Board ends on February 28, 2003;

RESOLVED that the Board of Visitors thanks Elsie Goodwyn Holland for her service to the Board and to the University of Virginia.

Mr. Rainey then read a resolution commending Mr. Greer. The following resolution was approved by the Board:

RESOLUTION COMMENDING MR. T. KEISTER GREER

WHEREAS, T. Keister Greer's roots extend deep into the soil of his ancestral Franklin County, though he was born in West Virginia, to the point where he virtually personifies Rocky Mount; and

WHEREAS, Mr. Greer matriculated in the College in 1939 but left the University in 1942 to serve in the United States Marine Corps, and ended the war in the Okinawa campaign as executive officer of the First Battalion and company commander of Charlie Company of that battalion of the First Marines; and

WHEREAS, Mr. Greer returned to the University in the fall of 1945 and left in 1948 with both the B.A. and the L.L.B.; and

WHEREAS, Mr. Greer, as a student, showed an early interest in intercollegiate athletics as a good trackman in addition to being a member of the Raven Society and the *Law Review* staff, as well as other activities; and

WHEREAS, Mr. Greer returned to Rocky Mount to begin the practice of law, but soon extended his activities to California as well and continued his bi-coastal practice, with distinction, until his retirement; and

WHEREAS, Mr. Greer has recently published a serious and comprehensive scholarly work, The Great Moonshine Conspiracy Trial of 1935, an elegantly written account of the longest trial in the history of Virginia jurisprudence; and

WHEREAS, Mr. Greer was appointed to the Board of Visitors in 1995 by Governor Allen and reappointed by Governor Gilmore in 1999; and

WHEREAS, Mr. Greer has served the Board with great distinction as Chair of the Educational Policy Committee and Chair of several special committees, but above all for the elegance, erudition and wisdom he has brought to Board discussions and debates; and

WHEREAS, Mrs. Greer, a published author herself and a painter, has been Mr. Greer's helpmate and advisor in every way during his service on the Board; and

WHEREAS, Mr. Greer's second term on the Board of Visitors ends on February 28, 2003;

RESOLVED that the Board of Visitors thanks T. Keister Greer for his devoted service to the Board and to the University of Virginia.

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Mr. Rainey asked Mr. Crutchfield to read a letter he had written to commend the Rector; other letters from Board Members, at the Rector's request, are to be mailed to the Rector. Mr. Goodwin also read comments that he had written. Mr. Crutchfield then read a resolution commending the Rector. The Rector recused himself from asking for action and instead deferred to Mr. Goodwin who as Rector *pro tempore* asked for a motion to approve the resolution. The following resolution was adopted.

RESOLUTION COMMENDING THE RECTOR

WHEREAS, John P. Ackerly, III, a native Lexingtonian who was raised partly in Richmond, took his B.A. from the University in 1957 and his L.L.B. in 1960; and

WHEREAS, Mr. Ackerly began his long years of service to the University while he was a student as a leader among his peers, service that was recognized when he was given the Algernon Sydney Sullivan Award when he graduated from the College; and

WHEREAS, Mr. Ackerly showed great good sense in marrying Mary Marshall Wall of Richmond; and

WHEREAS, Mr. Ackerly returned to Richmond in 1960 and began a distinguished career in the practice of the law; and

WHEREAS, Mr. Ackerly has served his church, his city and his state as an active member of numerous boards and commissions; and

WHEREAS, over the years Mr. Ackerly has honed two of his interests - the strategies of General Thomas J. Jackson in the Valley of Virginia during the Civil War and the relentless pursuit of groundhogs - to the point where he is recognized as an authority on Stonewall Jackson's Valley campaigns and on the hunting of groundhogs; and

WHEREAS, Mr. Ackerly was appointed to the Board of Visitors by Governor Allen in 1995 and re-appointed by Governor Gilmore in 1999; and

WHEREAS, Mr. Ackerly was elected Rector by his colleagues on the Board in 1998 and re-elected in 2002; and

WHEREAS, Mr. Ackerly's tenure as Rector has been distinguished above all by his integrity and by his successful efforts at building consensus not only on the Board but in the University community as a whole; and

WHEREAS, Mr. and Mrs. Ackerly have been tireless in their support of a truly staggering variety of University activities, spending almost as much time in Charlottesville as in Richmond during the last eight years; and

WHEREAS, Mr. Ackerly's terms both as a Member of the Board and as Rector expire on March 1, 2003;

RESOLVED that the Board of Visitors thanks John P. Ackerly, III and Mary Wall Ackerly for their devoted service to the Board and to the University;

RESOLVED FURTHER that the Board expresses special appreciation to Mr. Ackerly as a friend, colleague and leader on this, the occasion of the last meeting of the Board of Visitors over which he will preside.

On motion, the meeting was adjourned at 11:10 a.m.

REPORT ON ACTIONS OF THE EXECUTIVE COMMITTEE

The following resolutions were adopted by the Executive Committee between the October and present meetings of the full Board; they required no further action and are listed here as a matter of record:

- (a) ASSIGNMENT OF PAVILION IV, EAST LAWN
(October 18, 2002)

RESOLVED that Pavilion IV, East Lawn, be assigned to Mr. Larry J. Sabato. The assignment, to be effective in the winter of 2003, will be for five years with an option, upon application, of renewal for a second five years. The assignment is made in accordance with the terms of the Board of Visitors' Pavilion Assignment Policy.

- (b) APPROVAL OF COLLEGE AT WISE TUITION SURCHARGE FOR 2002-2003
(November 26, 2002)

WHEREAS, the 2002-2003 College at Wise budget approved by the Board of Visitors reflects reductions in the general fund appropriation of \$675,791; and

WHEREAS, the College at Wise Advisory Board recommends the implementation of a tuition surcharge;

RESOLVED that The University of Virginia's College at Wise apply a tuition surcharge for the Spring 2003 semester in the amount of \$200 for full-time students and prorated for part-time students.

RESOLVED FURTHER that the College at Wise use approximately \$50,000 of the revenue generated by the tuition surcharge for financial aid to students demonstrating increased need as a direct result of the application of the surcharge.

- (c) APPROVAL OF FACULTY RETIREMENT INCENTIVE PROGRAM
(December 9, 2002)

WHEREAS, the University's General Fund appropriation for 2002-2004 has been reduced by \$93.5 million and additional reductions may be imposed; and

WHEREAS, in response to budget reductions, the University is investigating all available means to reduce operating expenses, including expenses for personnel; and

WHEREAS, it is essential that management has the necessary tools to make prudent changes in their operations; and

WHEREAS, §4-6.01.m.1 of the 2002 Appropriations Act requires that the total cost in any fiscal year for any compensation plan associated with retirement incentive plans "shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General".

RESOLVED by the Executive Committee of the Board of Visitors, that the Separation Incentive Program for Faculty (shown in Attachment B) be approved; and

RESOLVED FURTHER that the cost of the program in any fiscal year shall not exceed \$2 million; and

RESOLVED FURTHER that the Executive Vice President and Chief Operating Officer is authorized to amend the details of the Separation Incentive Program for Faculty as necessary based on the review by the Attorney General and the Governor; and

RESOLVED FURTHER that the Board of Visitors reserves the right to modify, amend or repeal the Program at any time.

- - - - -

The Board of the University of Virginia Investment Management Company (UVIMCO), meeting on December 12, 2002, took the following actions; these do not require the approval of the Board of Visitors and are listed below as a matter of record:

Investment of up to \$50million with Sun Capital Partners

Investment of \$5million with SuttonBrook Capital Management

Approval of a program of investing up to \$30million in secondary interests in select private equity partnerships

Approved the expansion of the farm team to include Absolute Return managers

Approved the proposed changes to the General Faculty and Medical Center Retirement Plan, including the addition of the Vanguard Group to the program

Approved the revised guidelines for the General Faculty and Medical Center Retirement Plan.

CREDENTIALING AND RECREDENTIALING ACTIONS

The following actions were taken by the Medical Center Operating Board (MCOB) on January 30th. They do not require action by the Board of Visitors and are listed below as a matter of record:

NEW APPOINTMENTS TO THE CLINICAL STAFF

RESOLVED that the recommendations of the Medical Policy Council for appointment to the clinical staff of the University of Virginia Medical Center and the granting of specific privileges to the following practitioners are approved:

Prichard, Jennifer M., M.D., Pediatrician in the Department of Pediatrics; Attending Staff Status; Period of Appointment: January 13, 2003, through June 30, 2003; Privileged in Pediatrics.

Tannoury, Tony Y., M.D., Orthopedic Surgeon in the Department of Orthopedics; Attending Staff Status; Period of Appointment: December 16, 2002, through November 9, 2003; Privileged in Orthopedics.

REAPPOINTMENTS TO THE CLINICAL STAFF

RESOLVED that the recommendations of the Medical Policy Council for Reappointment to the clinical staff of the University of Virginia Medical Center and the granting of specific privileges to the following practitioners are approved:

Bassignani, Matthew J., M.D., Radiologist in the Department of Radiology; Attending Staff Status; Period of Reappointment: April 25, 2003, through April 24, 2005; Privileged in Radiology.

Mulligan, Kimberly A., M.D., Anesthesiologist in the Department of Anesthesiology; Attending Staff Status; Period of Reappointment: January 30, 2003, through July 26, 2003; Privileged in Anesthesiology.

STATUS CHANGES TO THE CLINICAL STAFF

RESOLVED that the recommendation of the Medical Policy Council for the status changes in clinical privileges for the following practitioners are approved:

McConnell, Kevin R., M.D., Physician in the Department of Internal Medicine; Attending Staff Status; Date Change to November 1, 2002, through December 31, 2003.

SECONDARY APPOINTMENTS TO THE CLINICAL STAFF

RESOLVED that the recommendations of the Medical Policy Council for Secondary Appointments to the clinical staff of the University of Virginia Medical Center and the granting of specific privileges to the following practitioners are approved:

Schlager, Theresa A., M.D., Pediatrician in the Department of Pediatrics; Attending Staff Status; Secondary Appointment Period: November 1, 2002, through October 31, 2004; Privileged in Pediatrics.

RESIGNATIONS FROM THE CLINICAL STAFF

Wenger, Mark A., M.D., Radiologist in the Department of Radiology; Attending Staff Status; Effective Date of Resignation: January 7, 2003.

NEW APPOINTMENTS OF ALLIED HEALTH PROFESSIONALS TO THE CLINICAL STAFF

RESOLVED that the recommendations of the Medical Policy Council for the granting of credentials to the following healthcare professionals for appointment to the clinical staff of the University of Virginia Medical Center are approved:

Hutchinson, Jennifer C., R.N., F.N.P., Family Nurse Practitioner in the Department of Pediatrics; Period of Appointment: December 16, 2002, through December 15, 2003; Privileged as a Family Nurse Practitioner.

RESIGNATION OF ALLIED HEALTH PROFESSIONALS

RESOLVED that the recommendation of the Medical Policy Council for the resignation of privileges to the following allied health professionals are approved:

Markey, Donna M., R.N., N.P., Acute Care Nurse Practitioner
in Digestive Health; Effective date of Resignation: December 7,
2002.

Respectfully submitted,


Alexander G. Gilliam, Jr.
Secretary

AGG: jb

ADDENDUM TO THE OFFICIAL MINUTES OF THE MEETING OF
THE BOARD OF VISITORS OF THE UNIVERSITY OF VIRGINIA

Meeting Date: January 31-February 1, 2003

CERTIFICATION OF EXECUTIVE MEETING

The Board of Visitors, sitting in Open Session, unanimously adopted a resolution certifying that while meeting in Executive Session - as permitted by the relevant provisions of the Code of Virginia - only public business authorized by its motion and lawfully exempted from considered in closed session.



Alexander G. Gilliam, Jr.
Secretary, Board of Visitors,
University of Virginia

p.15

The Officers of the Board of Visitors shall consist of the Rector of the University of Virginia, the Vice Rector, the President of the University, the Chief Financial Officer of the University, the General Counsel of the University, and the Secretary to the Board of Visitors.

Section 4.1 [unchanged]

Section 4.11 Terms of Office and Election - The Rector and Vice Rector shall serve terms of two years; at the conclusion of the Rector's term of office the Vice Rector shall succeed the Rector and serve for two years in that office. The Board at its first regular meeting after 28 February 2003 shall elect a Rector and a Vice Rector from among its members to serve until 30 June 2005. At its regular meeting closest to that date, and at the regular meeting closest to 30 June every two years thereafter, the Board shall elect a Vice Rector from among its members to succeed the Rector. At the election meeting, the election shall be by majority vote of the members present following nominations, and the Secretary shall serve as the presiding officer until an election is accomplished unless the Board decides to appoint another presiding officer. The Secretary shall count the votes and announce the election of the Rector.

Section 4.12 Powers and Duties - The Rector shall be the presiding officer of the Board of Visitors at all of its meetings; in the Rector's absence, the Vice Rector shall serve in that capacity. The Rector shall have the power, unless otherwise directed by the Board, to fix the order of business, appoint all standing and special committees (except the Executive Committee), and require the proper preservation of a record of the Board's proceedings by the Secretary. Without diminishing the right of individual Visitors to publicly express their personal views, the Rector, unless otherwise determined by the Board or the Rector, shall act as spokesman for the Board of Visitors. The Rector and Vice Rector shall perform such additional duties as may be imposed on their offices by statute or by direction of the Board.

Whenever the office of the President becomes vacant or a vacancy is impending, the Rector shall appoint a Special Committee on the Nomination of a President from among the membership of the Board to seek and recommend to the Board a person to fill the vacancy.

This special committee shall be under the chairmanship of the Rector and the committee shall consist of no fewer than five members.

Section 4.23 Vacancies - Vacancies in the offices of Rector and Vice Rector shall be filled by the Board for the unexpired terms, following the procedure set forth in Section 4.11. If the cause of the vacancies is the expiration of the Rector's or the Vice Rector's terms as members of the Board, the vacancies shall be filled at the first regular meeting following such expiration. If the vacancies occur from any other cause, the vacancies shall be filled at the first regular meeting after such vacancies occur or at a special meeting called for that purpose, at which meeting a quorum shall consist of eleven Visitors.

Section 4.14 Rector pro tempore - In the absence of the Rector and the Vice Rector at any meeting or in the event of their disability or of vacancy in office, the chair of the Finance Committee shall serve as Rector *pro tempore*. If the chair of the Finance Committee is absent or is unable to serve, the Board shall elect a Rector *pro tempore* for that meeting.

Section 4.2 [unchanged]

Section 4.21 [unchanged]

Section 4.22 [unchanged]

Section 4.3 [unchanged]

Section 4.4 [unchanged]

Section 4.41 Powers and Duties - The Secretary shall attend all meetings of the Board of Visitors and its committees and shall record the minutes of all proceedings. He shall prepare minutes of such meetings that, after approval by the Board, shall be recorded in the permanent records of the Board of Visitors. He shall maintain an up-to-date inventory of Board policies. He shall give proper notice of all meetings of the Board, shall preserve as directed all documents or papers pertaining to the actions of the Board, and shall keep in safe custody the seal of the University, which he shall affix to any instrument when

authorized by the Board or persons designated by it, including the Rector, the Vice Rector, the President, or the Chief Financial Officer. In addition to the foregoing, the Secretary shall perform those functions and have those duties or responsibilities which are usual to the duties of a secretary and shall assist the Board of Visitors in the discharge of its official duties. He shall, under the immediate direction of the President, perform such other duties as may be assigned to him by the Board, the Rector, the Vice Rector, or the President.

Section 5.5 Execution of Instruments - The Rector, the Vice Rector, the President, the Chief Financial Officer, and other persons designated by the Board of Visitors shall be authorized to execute, in the name and on behalf of The Rector and Visitors of the University of Virginia, any instrument that may require the name of the corporation to be signed thereto, and the Secretary shall have authority to affix the seal of the corporation to any such instrument and to deliver it to the party entitled to receive it.

Section 5.6 Assignment of Securities - The Rector, the Vice Rector, the President, the Chief Financial Officer, and other persons designated by the Board of Visitors shall have authority to sell, assign, and transfer any and all stocks, bonds, evidences of indebtedness or interest thereon, rights and options to acquire or sell the same, and all other securities, corporate or otherwise, standing in the name or belonging to the Rector and Visitors of the University of Virginia in any capacity. The same persons have authority to give the assent of the corporation to mergers, consolidations, agreements for a deposit of stock, or for reorganization of any corporation or corporations in which the Rector and Visitors of the University of Virginia as a corporation may have an interest.

Draft approved by the Executive
Committee on December 9, 2002.
Final version approved by the
Secretary of Education on
January 6, 2003.

ATTACHMENT B

University of Virginia
Separation Incentive Program For Faculty

I. Preamble

The University of Virginia Separation Incentive Program for Faculty (the "Program") has been established to meet institutional needs created by reductions in the University's 2002-2004 biennial budget. The program is designed to reduce or reallocate positions in keeping with budgetary and programmatic needs.

In order to reap budgetary savings during Fiscal Years 2003 and 2004, this program will apply only to separation contracts executed in the Spring of 2003. Applicants to the severance portion of the program may separate no later than May 2004 for nine-month faculty, and June 2004 for 12-month faculty. Applicants to the phased retirement portion of the program must begin their phased retirements no later than August 25, 2003, for nine-month faculty and June 25, 2003, for 12-month faculty. The total cost in any fiscal year of the Separation Payment Contract portion of the Program may not exceed \$2 million. The Board of Visitors of the University of Virginia reserves the right to modify, amend, or repeal the Program at any time.

The Program has been designed to meet the management needs of the University and the needs of the faculty. Eligible faculty members may apply for, and if selected, participate in this program. A faculty member's election to participate is irrevocable seven days after the faculty member signs a separation contract. There are no penalties for declining to participate; however, failure to obtain significant budgetary savings as a result of this program could exacerbate budgetary shortfalls and require the University to pursue other more drastic measures.

II. Definitions

Annual Salary: the basic contracted nine-month salary for faculty members with academic year appointments, and the basic contracted twelve-month salary for faculty members with fiscal or calendar year appointments; only salary dollars paid through the University payroll system prior to application to the Program are to be taken into consideration

FRP: The Defined Contribution Retirement Plan for the General Faculty of the University of Virginia, also known as the Faculty Retirement Plan

Faculty Member: each full-time faculty member who is tenured, or serves under a contract with expectation of continued employment pursuant to the University's Policy on the General Faculty

Fiscal Year: the twelve-month period beginning July 1 of each year

Full-time: 40 hours per week, or the equivalent in workload

Program: The Separation Incentive Program for Faculty

Separation: the conclusion of employment with the University, requiring (1) withdrawal from active membership in the Virginia Retirement System (the "VRS") by VRS members; or (2) cessation of contributions to the FRP

Separation Agreement: the binding and irrevocable contract for separation entered into between the faculty member and the University

Separation Payment: an amount to be paid in periodic installments over not more than 12 months

VRS: the Virginia Retirement System, the defined benefit pension plan for employees of the Commonwealth of Virginia

Workforce Reduction Target: the University's business goal for implementation of this Program

Workload Reduction Period: the period during which the Faculty Member's workload reduces in anticipation of Separation

Year of Service: a year of creditable service, as that term is defined by the VRS, not to include service purchased or granted

III. Objectives

- A. To provide a financial incentive for immediate Separation for Faculty that will facilitate the release of resources to the Provost and Executive Vice President for budget reallocation or reduction in accordance with the University's overall budget reduction plan, changes in enrollment, and other University needs.**
- B. To provide a flexible separation plan that will facilitate Separation by meeting faculty members' changing needs and professional interests in the latter stages of their careers through a gradual disengagement from the Full-time duties of their positions while maintaining retirement contributions.**
- C. To provide the University more flexibility in hiring new faculty members without completely losing the talents and experience of senior faculty.**

IV. Eligibility

- A. Participants must be Full-time Faculty Members, as set forth in the definitions above.**
- B. Participants must have at least 15 years of continuous Full-time service with the University prior to applying for a Separation Agreement.**

- C. Participants must be at least age 55 at the time of Separation.**
- D. Participants must fall within the University's Workforce Reduction Targets.**
- E. Participants must complete all forms and paperwork required by either the University or the Commonwealth of Virginia, including but not limited to an application and a Separation Agreement.**
- V. Separation Payment Contract Conditions**
 - A. FRP Participants**
 - 1. In exchange for a Faculty Member's agreement to retire or separate from Full-time employment immediately (e.g., by the May 25 following the date of application for nine-month faculty), the Faculty Member will receive the Separation Payment equal to 100% of his/her Annual Salary plus an amount equal to 12 months of the University's contribution to the UVA Health Plan for the level of coverage selected at the time of application or separation, whichever is less.**
 - 2. The Separation Payment will be paid in 12, substantially equal monthly [or 26 substantially equal bi-weekly] installments, and will be subject to state and federal withholdings, as appropriate.**
 - 3. Separated Faculty Members will not be precluded from seeking employment with the University on a part-time basis in a position that is not eligible for retirement benefits. Conditions of such part-time employment include:**
 - a. There must be a bona fide break in service of no less than 30 days.**
 - b. The re-employed Faculty Member's part-time duties must be substantially different than the Faculty Member's duties prior to Separation.**
 - c. Part-time employment may not be negotiated prior to Separation.**
 - d. The Provost's Office or its delegate must approve proposals for re-employment prior to the completion of any re-employment agreement.**
 - B. VRS Participants**
 - 1. In exchange for a Faculty Member's agreement to retire or separate from Full-time employment immediately (e.g., by the May 25 after the date of application for nine-month faculty), the Faculty Member will receive either a Separation Payment, or, in accordance with the terms of Virginia Code Section 2.2-3200,**

known as the Workforce Transition Act of 1995 (WTA) and summarized herein at Sections V.B.1.b and c, a WTA Separation Payment or WTA Enhanced Separation.

a. Separation Payment

- i. In exchange for a Faculty Member's agreement to retire or separate from Full-time employment immediately (e.g., by the May 25 following the date of application for nine-month faculty), the Faculty Member will receive the Separation Payment equal to 100% of his/her Annual Salary plus an amount equal to 12 months of the University's contribution to the UVA Health Plan for the level of coverage selected at the time of application or Separation, whichever is less.**
- ii. Separation Payment will be paid in 12, substantially equal monthly [or 26 substantially equal bi-weekly] installments, and will be subject to state and federal withholdings, as appropriate.**
- iii. Separated Faculty Members will not be precluded from seeking employment with the University on a part-time basis in a position that is not eligible for retirement benefits. Conditions of such part-time employment include:**
 - A. There must be a bona fide break in service of no less than 30 days.**
 - B. The re-employed Faculty Member's part-time duties must be substantially different than the Faculty Member's duties prior to separation.**
 - C. Part-time assignments may not be negotiated prior to Separation.**
 - D. The Provost's Office or its delegate must approve proposals for re-employment prior to the completion of any re-employment agreement.**

b. WTA Separation Payment

- 1. Faculty Members who sign a Separation Agreement for immediate separation may elect to receive a Separation Payment based on Years of Service and Annual Salary, in accordance with the schedule below, plus be permitted to**

continue participation in the UVA Health plan and group life insurance for 12 months after the date of Separation, during which time the University will continue to pay its portion of the premiums for those programs.

WTA Separation Payment Schedule	
Years of Service	Amount of Severance
2 or less	4 weeks of salary
3-9	4 weeks of salary, plus 1 additional week for every year of service over 2
10-14	12 weeks of salary, plus 2 additional weeks for every year of service over 9
15 or more	2 weeks of salary for every year of service, not to exceed 36 weeks

2. Because Faculty Members do not accrue sick or annual leave, WTA Separation Payments will not include any amount for leave payout.

c. **WTA Enhanced Separation:** Faculty Members who sign a Separation Agreement for immediate separation may elect to convert the cash value of the WTA Separation Payment plus the value of benefits described in section V.B.1.b into VRS Years of Service, subject to VRS requirements. The conversion formula is: WTA Separation Payment plus Value of Benefits divided by 15% of Annual Salary, rounded to the next whole number equals the number of years that can be purchased.

2. The decision to elect a Separation Payment, a WTA Separation Payment or a WTA Enhanced Separation must be made prior to the execution of a Separation Agreement, and is irrevocable.

VI. Phased Separation Contract Conditions

A. FRP Participants

This set of conditions applies to faculty members who are enrolled in the FRP. The option provides for phased reduction in workload and salary with the consent of the Provost or Executive Vice President/Chief Operating Officer, as described in Section VIII. The conditions of the agreement are as follows:

1. Participation may not be for a period exceeding two years.
2. Separation must take place at the conclusion of the agreed-upon Workload Reduction Period. The Workload Reduction Period cannot be extended by subsequent agreement.

3. Salary will equal fifty (50) percent Annual Salary as defined above.
4. During the Workload Reduction Period, the Faculty Member's workload shall be fifty percent of that required immediately before the beginning of such period.

The workload may be renegotiated only at the initiative of the Provost or Executive Vice President. An increase in the workload will be granted only at the convenience of the University. Increased effort supported by external funding is also subject to approval by the Provost or Executive Vice President, as appropriate. If a change in workload is approved, salary will be adjusted proportionately.

5. Benefits will be continued in the following manner:
 - a. **Retirement:** Faculty Members will receive retirement contributions on their pre-Workload Reduction Period salary, subject to the limitations of the Internal Revenue Code. The contribution rate shall be the same as the Faculty Member's pre-Workload Reduction Period contribution rate, subject to the Virginia Code. No distributions are permitted from the FRP during the Workload Reduction Period.
 - b. **Health:** Medical benefits will continue in full during the Workload Reduction Period. Faculty members will be required to continue to pay their portion of the monthly premium, and the University will continue to pay its portion.
 - c. **Other Welfare Benefits:** Coverage provided by group life and disability plans will continue with disability coverage based on the full-time equivalent of the proportional salary.
6. During the Workload Reduction Period, administrative support, such as office space, secretarial support and travel funds will be available to the Faculty Member, subject to departmental policy and funding availability.

B. VRS Participants

This set of conditions applies to faculty members who are enrolled in the Virginia Retirement System.

1. Participation may not be for a period exceeding two years.
2. Separation must take place at the conclusion of the agreed-upon Workload Reduction Period. The Workload Reduction Period cannot be extended by subsequent agreement.
3. Salary will equal fifty percent Annual Salary as defined above.

4. During the Workload Reduction Period, the Faculty Member's workload shall be fifty percent of that required immediately before the beginning of such period.

The workload may be renegotiated only at the initiative of the Provost or Executive Vice President. An increase in the workload will be granted only at the convenience of the University. Increased effort supported by external funding is also subject to approval by the Provost or Executive Vice President, as appropriate. If a change in workload is approved, salary will be adjusted proportionately.

5. Benefits will be continued in the following manner:

- a. **Retirement:** The VRS member will be placed on Phased Separation Leave, as that term is defined in the Faculty Policies maintained by the Provost. VRS contributions will be made on the Annual Salary and the member will earn full service credit, subject to VRS rules. Average Final Compensation, as that term is defined by the VRS, will be based on actual salary earned. No distributions from the VRS will be permitted during the Workload Reduction Period.
- b. **Health:** Medical benefits will continue in full during the Workload Reduction Period. Faculty members will be required to continue to pay their portion of the monthly premium, and the University will continue to pay its portion.
- c. **Other Welfare Plans:** Coverage provided by the VRS group life plans will continue during the Workload Reduction Period. For VSDP participants, disability coverage will be based on the full-time equivalent of the proportional salary. For non-VSDP VRS members, leave benefits will be paid on the proportional salary.

6. During the Workload Reduction Period, administrative support, such as office space, secretarial support and travel funds will be available to the Faculty Member, subject to departmental policy and funding availability.

VII. Workforce Reduction Targets

A. Business Justification for Program

The University of Virginia was directed by the Governor to reduce its General Fund appropriation for the 2002-2004 Budget Biennium by 16%, followed by another 12% in Fiscal Year 2003 and 14% in Fiscal Year 2004, for a total of \$93.5 million as of December 1, 2002. Further, the Governor has warned state agencies that more cuts may be necessary, particularly for 2003-2004. As a result, the University is

investigating all means available to reduce operating expenses and meet budget targets, including faculty separations.

- 1. Each Vice President was required to develop a plan to meet projected reductions in his or her areas.**
- 2. Budgetary units within each Vice President's reporting line underscored that their ability to meet reduced targets may depend on a reduction of personnel, especially at the faculty level.**
- 3. The University strongly favors meeting reduction targets through the use of voluntary separations; however, the University reserves the right to pursue involuntary separations in accordance with University and Commonwealth policies in the event that sufficient savings cannot be obtained through this voluntary Separation Program.**

B. Criteria

In the event that funding or other constraints limit the number of applicants who can participate in the Separation Incentive Program, a priority system has been established to choose among applicants. The criteria may include:

- 1. The impact of the loss of that employee on the University based on the University's strategic plan for the applicant's department;**
- 2. For administrative faculty, the critical nature of administrative duties and the feasibility of other employees assuming those duties;**
- 3. For instructional and research faculty,**
 - a. Impact on education, including course load, excellence in teaching, and graduate advising load;**
 - b. Impact on scholarship, including publication record, excellence in research, ability to obtain external funds, ability to be replaced on continuing research**
 - c. Impact on University service, including service on University or departmental committees**

VIII. General Procedures

- A. Each eligible Faculty Member who wishes to be considered for either a Separation Payment or Workload Reduction Period must file an application with his or her Dean or Department Head by February 14, 2003. A copy of the application must be sent to the University Human Resources Benefits Division.**

- B. The applicant's Dean and/or Department Head will review the application, and mark it either "Recommended for Approval" or "Not Recommended for Approval". The Dean and/or Department Head will forward all applications to the UHR Benefits Division by no later than February 28. The UHR Benefits Division will direct applications from within the Provost's areas to the Provost for approval, and applications of administrative faculty within the areas reporting to the Executive Vice President/Chief Operating Officer to the Executive Vice President for approval. The Provost /EVP review will take into consideration whether the proposed Separation meets the Workforce Reduction Targets, is consistent with the University's overall goals, and is supported by budgetary restrictions. The decision of the Provost or EVP is final, and is not subject to appeal. The University reserves the right to reject any application.**
- 1. No central University resources will be set aside to fund Separation Agreements. Funds to support the program must be identified from the resources currently allocated for the position of the retiring faculty member.**
 - 2. All Education and General fund resources freed by Separation Agreements will be returned centrally to the Provost or EVP for reallocation or reduction. To the extent that savings are needed to meet the department's budget reductions, the department will get credit for the savings in the year the savings will occur.**
- C. If approved by the Provost or Executive Vice President/Chief Operating Officer, a Separation Agreement will be forwarded to the Faculty Member for his/her signature by April 1. The final Separation Agreement will include, among other things:**
- 1. The specific terms of the Separation Payment or Workload Reduction Period,**
 - 2. The benefits that are associated with each program, and**
 - 3. A General Release and Covenant Not to Sue.**
- D. All Separation Agreements are irrevocable seven days after they are signed by the Faculty Member.**
- E. In the event that a Faculty Member becomes permanently and totally disabled after a Separation Agreement is signed, but before the Separation date, the University will provide payments for which provision is made in the Agreement. In the event that the Faculty Member dies after a Separation Agreement is signed, but before the Separation date, the University will not be responsible for any payments under the Agreement and such Agreement shall be considered null and void.**

ATTACHMENT C

The University of Virginia was founded by Thomas Jefferson. The cornerstone of its first building was laid on 6 October 1817, in the presence of three Presidents of the United States - Jefferson, Madison and Monroe. In 1825, it received its first students who would be educated in what Mr. Jefferson called "useful sciences," schooled in honor and self-determination, and prepared to lead a free nation and protect its democratic institutions. In 1987, UNESCO named the grounds of the University of Virginia, Thomas Jefferson's "academical village," to its prestigious World Heritage list.