

**UNIVERSITY OF VIRGINIA
BOARD OF VISITORS
MEETING OF THE
EDUCATIONAL POLICY COMMITTEE
May 29, 2003**

EDUCATIONAL POLICY COMMITTEE

Thursday, May 29, 2003

1:30 - 3:30 p.m.

Board Room, The Rotunda

Committee Members:

Don R. Pippin, Chair	Terence P. Ross
Susan Y. Dorsey	E. Darracott Vaughan, Jr., M.D.
Lewis F. Payne	John O. Wynne
John R.M. Rodney	Gordon F. Rainey, Jr., Ex Officio

AGENDA

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UNIVERSITY OF VIRGINIA
BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: I.A. Conflict of Interest Exemption
(Margaret Tarpley)

BACKGROUND: The University of Virginia seeks to contract with Ms. Margaret Tarpley to provide consulting services for tasks required under a National Aeronautics and Space Administration NASA grant to the University.

DISCUSSION: NASA approached University faculty member, Donald W. Ball, with grant funding seeking his services on a research project. Under the agreed arrangement, Mr. Ball, as Principal Investigator, indicated that he would use several sub-contractors to help him complete the work. Among them was his wife, Margaret Tarpley. NASA was made aware of the relationship and the expected scope of services during grant negotiations. It is not unusual to pre-specify a particular consultant to work as a sub-contractor in a research proposal; however, it is problematic when the sub-contractor is a family member. Because Mr. Ball shares his spouse's economic interests in the consulting contract, Mr. Ball has an economic interest in the consulting contract under the Virginia Conflict of Interests Act. The contract between the University and Ms. Tarpley would place Mr. Ball in violation of the Act, unless the Board of Visitors approves the conflict created by his financial interest. State law grants such approval authority to the Board in the case of sponsored research, in order to allow research furthering the public interest.

Virginia law and University of Virginia policy will require Mr. Ball to file annual disclosure statements of his economic interests. The consulting agreement has been reviewed by the Chair of the Department of Leadership, Foundations and Policy and the Dean of the Curry School of Education. It is their recommendation that the consulting agreement will bring important skills and training to the University under the NASA agreement. Further, based on the nature of the agreement, it is their recommendation that a management strategy will not be required for this conflict.

ACTION REQUIRED: Approval by the Educational Policy Committee and by the Board of Visitors

CONFLICT OF INTEREST EXEMPTION (Margaret Tarpley)

WHEREAS, the University of Virginia wishes to finalize a consulting contract with Ms. Margaret Tarpley for educational research and evaluation; and

WHEREAS, University faculty member, Mr. Donald W. Ball, as the spouse of Ms. Tarpley, has disclosed an economic interest in the consulting contract; and

WHEREAS, the grantor of the research contract, the National Aeronautics and Space Administration, was made aware of the relationship and the scope of work expected; and

WHEREAS, the University of Virginia's entry into a contract with Ms. Tarpley would expose Mr. Ball to violation of the Virginia Conflict of Interests Act unless approved by the Board as permitted by §2.2-3106(c) (7) of the Code of Virginia;

RESOLVED that the conflict of interest of Mr. Donald W. Ball is approved by the Board of Visitors in order to permit the University to enter into a consulting agreement with Ms. Margaret Tarpley; provided, as required by the law, Mr. Ball files the required annual disclosure statement of personal interests, the University files the required annual report concerning the contracts with the Secretary of the Commonwealth, and the chair of the Department of Leadership, Foundations and Policy of the School of Education monitors the consulting contract in order to protect the interests of the University and to ensure compliance with policy.

UNIVERSITY OF VIRGINIA
FISCAL IMPACT STATEMENT

PROJECT/PROPOSED BOARD OF VISITORS ACTION: Approve a conflict of interest exemption for Ms. Margaret Tarpley, spouse of University Associate Professor, Donald W. Ball.

DESCRIPTION: Mr. Ball has a grant from NASA to perform certain research. As part of the contract, Mr. Ball indicated that he would be working with several sub-contractors including Ms. Margaret Tarpley, his wife. Under the proposed arrangement, she was asked to serve as the evaluator of the project. Her duties included reviewing project records periodically to ensure that the other sub-contractors provided the requisite data on time and that complete data were submitted. She also performed a synthesis and meta-analysis of the data provided by the subcontractors to confirm all data submitted were in accordance with the grant proposal and to verify that the project report accurately reflected the analysis results.

FISCAL IMPACT: The money to be paid to Ms. Tarpley is \$5,000. The total grant from NASA is \$200,000 for one year, which will promote additional research and development efforts at the University. Beyond these additional monies for sponsored programs, the fiscal impact is negligible.

CONCLUSION: It is recommended that the Board approve the conflict of interest exemption for Ms. Margaret Tarpley.

RECOMMEND APPROVAL OF BOARD ACTION:

Leonard W. Sandridge
May 29, 2003

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UNIVERSITY OF VIRGINIA
BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: I.B. Professorship Name Change: Lillian T. Pratt Distinguished Professorship in Orthopaedic Surgery

BACKGROUND: The Lillian T. Pratt Professorship in Orthopaedics established by the Board of Visitors in May of 1976 will be changed to the "Lillian T. Pratt Distinguished Professorship in Orthopaedic Surgery." The endowment has now reached a level to be named a "distinguished" professorship. This professorship is held in the School of Medicine.

DISCUSSION: The Provost will propose the name change to the Lillian T. Pratt Distinguished Professorship in Orthopaedic Surgery.

ACTION REQUIRED: Approval by the Educational Policy Committee and by the Board of Visitors

PROFESSORSHIP NAME CHANGE: LILLIAN T. PRATT DISTINGUISHED PROFESSORSHIP IN ORTHOPAEDIC SURGERY

WHEREAS, the Lillian T. Pratt Professorship in Orthopaedics was established by the Board of Visitors in May 1976; and

WHEREAS, the endowment has now reached a level to be named a "distinguished" professorship;

RESOLVED that the Board of Visitors changes the name of the Lillian T. Pratt Professorship in Orthopaedics to the Lillian T. Pratt Distinguished Professorship in Orthopaedic Surgery. This professorship is held in the School of Medicine.

UNIVERSITY OF VIRGINIA
BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: I.C. Re-election of Miller Center Council
Members

BACKGROUND: By a recent unanimous vote, the Council of the White Burkett Miller Center of Public Affairs approved the re-elections of Dr. Milton T. Edgerton, Mr. Daniel K. Frierson, Mr. Leigh B. Middleditch, Jr., and Ms. Sylvia M. Mathews, each for a term of three years.

DISCUSSION: Their terms of office will expire at the conclusion of the Spring Governing Council meeting in 2006.

ACTION REQUIRED: Approval by the Educational Policy Committee and by the Board of Visitors

RE-ELECTION OF MILLER CENTER COUNCIL MEMBERS

RESOLVED that Mr. Milton T. Edgerton, Mr. Daniel K. Frierson, Mr. Leigh B. Middleditch, Jr., and Ms. Sylvia M. Mathews, be re-elected to the Governing Council of the Miller Center for three years. Their terms of office shall expire at the conclusion of the Spring Governing Council meeting in 2006.

UNIVERSITY OF VIRGINIA
BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: II. Establishment of the Carolyn M. Barbour
Professorship in Religious Studies

BACKGROUND: Ms. Carolyn M. Barbour, a friend of the University, who died on September 13, 1960, left a bequest for the establishment of a professorship in religious studies. The endowment has now reached a funding level to establish the professorship in the College and Graduate School of Arts and Sciences, in memory of Ms. Barbour.

DISCUSSION: The Provost will propose the establishment of the Carolyn M. Barbour Professorship in Religious Studies.

ACTION REQUIRED: Approval by the Educational Policy Committee and by the Board of Visitors

ESTABLISHMENT OF THE CAROLYN M. BARBOUR PROFESSORSHIP
IN RELIGIOUS STUDIES

WHEREAS, Carolyn M. Barbour of Charlottesville, was a friend of the University; and

WHEREAS, Ms. Barbour died on September 13, 1960, leaving a bequest to the College and Graduate School of Arts and Sciences for the establishment of a professorship in religious studies; and

WHEREAS, the endowment has now reached a funding level to establish a professorship in the College and Graduate School of Arts and Sciences;

RESOLVED that the Board of Visitors establishes the Carolyn M. Barbour Professorship in Religious Studies, to be held in the College and Graduate School of Arts and Sciences, in memory of Ms. Barbour.

UNIVERSITY OF VIRGINIA
BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: III.A. Vice President's Remarks

ACTION REQUIRED: None

DISCUSSION: The Vice President and Provost will use this portion of the Educational Policy Committee to inform the Committee of recent events of which the Board should be made aware.

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BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: III.B. Dean's Report on Availability
of Classes in the College and
Graduate School of Arts and Sciences

ACTION REQUIRED: None

DISCUSSION: The Vice President and Provost will introduce the Dean of the College and Graduate School of Arts and Sciences, Mr. Edward L. Ayers, who will give a report to the Committee on the availability of classes in the College.

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BOARD OF VISITORS AGENDA ITEM SUMMARY

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COMMITTEE: Educational Policy

AGENDA ITEM: III.C. Technology Commercialization
Activities

ACTION REQUIRED: None

DISCUSSION: The Vice President and Provost will introduce Dr. Charles E. Hamner, Jr., Chairman of the Board of Directors of the University of Virginia Patent Foundation, who will give a report to the Committee on technology commercialization activities at the University.

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BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: III.D. Research Activities

ACTION REQUIRED: None

DISCUSSION: The Vice President and Provost will introduce the Dr. R. Ariel Gomez, Interim Vice President for Research and Graduate Studies, who will update the Committee on research activities at the University.

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BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: III.E. Engineering Opportunities at
The University of Virginia's
College at Wise

ACTION REQUIRED: None

DISCUSSION: The Vice President and Provost will introduce the Provost and Senior Vice Chancellor of The University of Virginia's College at Wise, Mr. J. David Smith, who will give a report to the Committee on new engineering opportunities at Wise.

UNIVERSITY OF VIRGINIA
BOARD OF VISITORS AGENDA ITEM SUMMARY

BOARD MEETING: May 29, 2003

COMMITTEE: Educational Policy

AGENDA ITEM: III.F. Faculty Senate

ACTION REQUIRED: None

DISCUSSION: The Vice President and Provost will introduce the Chair of the Faculty Senate, Mr. Michael J. Smith, Associate Professor of Politics, who will update the Committee on the Faculty Senate's accomplishments for the academic year and its plans for next year.