DOCKET

BOARD OF VISITORS

University of Virginia

Regular Meeting

September 16, 2011
CONSENT ITEMS

1. **APPROVAL OF ACQUISITION OF A PERMANENT EASEMENT FOR THE UNIVERSITY OF VIRGINIA FROM THE CITY OF CHARLOTTESVILLE**
   (approved by the Buildings and Grounds Committee on September 16, 2011)

   RESOLVED, the acquisition of a permanent easement along portions of West Main Street and Jefferson Park Avenue, and in the approximate location shown on that certain plat entitled "Plat Showing Variable Width Telecommunications Conduit Easements" dated June 14, 2010, and prepared by Timmons Group, to facilitate the installation of a duct bank and the location of utilities and telecommunication facilities therein, is approved; and

   RESOLVED FURTHER, the Executive Vice President and Chief Operating Officer is authorized, on behalf of the University, to approve and execute a deed of easement and related documents, to approve revisions to the Plat (including, without limitation, revisions to change the location of the permanent easement), to incur reasonable and customary expenses, and to take such other actions as deemed necessary and appropriate to acquire such permanent easement; and

   RESOLVED FURTHER, all prior acts performed by the Executive Vice President and Chief Operating Officer, and other officers and agents of the University, in connection with the acquisition of such permanent easement, are in all respects approved, ratified and confirmed.

2. **APPROVAL OF EASEMENT FROM THE UNIVERSITY OF VIRGINIA TO DOMINION VIRGINIA POWER**
   (approved by the Buildings and Grounds Committee on September 16, 2011)

   RESOLVED, the grant of a permanent easement on property owned by The Rector and Visitors of the University of Virginia to Dominion Virginia Power, in the approximate location shown on that certain plat entitled “Plat to Accompany Right-of-Way Agreement” dated July 25, 2011, identified as Plat Number 80110035, and prepared by Virginia Electric and Power Company doing business as Dominion Virginia Power (the “Plat”), to facilitate the installation of electrical facilities, is approved; and
RESOLVED FURTHER, the Executive Vice President and Chief Operating Officer is authorized, on behalf of the University, to approve and execute a deed of easement and related documents, to approve revisions to the Plat (including, without limitation, revisions to change the location of the permanent easement), to incur reasonable and customary expenses, and to take such other actions as deemed necessary and appropriate to grant such permanent easement; and

RESOLVED FURTHER, all prior acts performed by the Executive Vice President and Chief Operating Officer, and other officers and agents of the University, in connection with the grant of such permanent easement, are in all respects approved, ratified and confirmed.

3. APPROVAL OF ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE/CAMBRIDGE ADVANCED EXAMINATIONS CREDIT GRANTING POLICY
   (approved by the Educational Policy Committee on September 16, 2011)

   WHEREAS, in 2010 the General Assembly passed legislation requiring institutional governing boards to implement policies to govern the issuance of undergraduate course credit for successful completion of advanced examinations; and

   WHEREAS, the University of Virginia has maintained such policies in the Undergraduate Record; and

   WHEREAS, The Office of Executive Vice President and Provost reviewed existing policies with representatives of the Schools and has confirmed that University policies are in compliance with legislation; and

   RESOLVED, the policy concerning the granting of advanced standing or advanced placement is approved.

ACTION ITEMS

4. APPROVAL OF ADDITION TO THE MAJOR CAPITAL PROJECTS PROGRAM – INDOOR PRACTICE FACILITY – FIELDHOUSE
   (approved by the Finance Committee and by the Buildings and Grounds Committee on September 16, 2011)

   WHEREAS, the University proposes to add an $11.0-$13.0 million new Indoor Practice Facility – Fieldhouse to the Major Capital Projects Program;

   RESOLVED, the Board of Visitors approves the addition of the Indoor Practice Facility – Fieldhouse project to the University’s Major Capital Projects Program.
5. **APPROVAL OF THE MONTEBELLO PLAQUE**
(approved by the Buildings and Grounds Committee on September 16, 2011)

WHEREAS, Montebello is listed on the National Register under Criterion C, as an example of Early Republican architecture demonstrating Jeffersonian Classicism, and is a significant further example of Thomas Jefferson’s architectural vision;

RESOLVED, the Board of Visitors approves the placement of a historical plaque on Montebello.

(approved by the Finance Committee on September 16, 2011)

WHEREAS, the proposed 2012-2014 biennial budget requests have been reviewed carefully; and

WHEREAS, the proposed biennial budget requests represent the highest priority initiatives and are aligned with the six-year plan submitted to the Commonwealth on July 1, 2011;

RESOLVED, the Board of Visitors of the University of Virginia approves the 2012-2014 biennial budget requests accompanying this resolution; and

RESOLVED FURTHER, the Board of Visitors understands that to the extent these initiatives are not included in the Governor’s 2012-2014 biennial budget, the Academic Division and the College at Wise may want to pursue similar requests to the Legislature; and

RESOLVED FURTHER, the Executive Vice President and Chief Operating Officer is authorized to transmit to the General Assembly any request not funded by the Governor as long as there are no material differences from the items already endorsed by the Board of Visitors.

7. **APPROVAL OF ACQUISITION OF 100 EMMET STREET, CHARLOTTESVILLE, VIRGINIA FROM THE UNIVERSITY OF VIRGINIA FOUNDATION**
(approved by the Finance Committee on September 16, 2011)

WHEREAS, the Board of Visitors finds it to be in the best interest of the University of Virginia to purchase from University of Virginia Foundation (the “Foundation”) land located at 100 Emmet Street, Charlottesville, Virginia (the “Property”), with associated costs of demolition to include the property located at 104 Emmet
Street, and minor improvements to the site at a purchase price not to exceed $950,000; and

RESOLVED, the Board of Visitors approves the acquisition of the Property; and

RESOLVED FURTHER, the Executive Vice President and Chief Operating Officer is authorized, on behalf of the University, to approve and execute purchase agreements and related documents, to incur reasonable and customary expenses, and to take such other actions as deemed necessary and appropriate to consummate such property acquisition; and

RESOLVED FURTHER, all prior acts performed by the Executive Vice President and Chief Operating Officer, and other officers and agents of the University, in connection with such property acquisition, are in all respects approved, ratified, and confirmed.

8. **APPROVAL OF THE DIVESTMENT OF MCINTIRE QUASI-ENDOWMENT**
   (approved by the Finance Committee on September 16, 2011)

RESOLVED, the divestment from the McIntire School of Commerce Quasi-Endowment is approved to occur at the end of a future month, to allow the proceeds to be applied to pay down the outstanding internal loan that was incurred to cover expenses of the "Back to the Lawn" campaign.

9. **APPROVAL OF CHANGES TO THE UNIVERSITY OF VIRGINIA STANDARD OF CONDUCT #1**
   (approved by the Student Affairs and Athletics Committee on September 15, 2011)

WHEREAS, the University's sexual assault procedures were revised in July 2011; and

WHEREAS, the revised procedures are entitled "The University of Virginia Policy and Procedures for Student Sexual Misconduct Complaints" (the "Policy"); and

WHEREAS, under the Policy, sexual assault is part of a range of behaviors defined as "Sexual Misconduct"; and

WHEREAS, Standard 1 currently uses the term "sexual assault" to describe prohibited conduct; and

WHEREAS, the language of Standard 1 should be clarified to track the revised definition of "Sexual Misconduct" as set forth in the Policy.
RESOLVED, the Board of Visitors of the University of Virginia affirms the revision of Standard 1 to read as follows:

"Physical assault of any person on University-owned or leased property, at any University sanctioned function, at the permanent or temporary local residence of a University student, faculty member, employee, visitor, or in the City of Charlottesville or Albemarle County, or Sexual Misconduct, as defined in the University of Virginia Policy and Procedures for Student Sexual Misconduct Complaints."

10. APPROVAL OF 2012-2018 Six-Year Institutional Plan

WHEREAS, the Virginia Higher Education Opportunity Act of 2011 became effective on July 1, committing Virginia to become a leader in college degree attainment and in the national and international knowledge-based economies; and

WHEREAS, § 23-38.87:17 of the Act requires the governing boards of all public institutions of higher education to develop and adopt biennially an institutional six-year plan and submit that plan to SCHEV, the Governor, and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance; and

WHEREAS, the University submitted its preliminary plans for the Academic Division and the College at Wise as required on July 1, outlining general strategies to advance the objectives of the Act and to enhance teaching, research, and service; and

WHEREAS, final institutional plans must be approved by the Board of Visitors and submitted to SCHEV, the Governor, and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance no later than October 1;

RESOLVED, the Board of Visitors approves the 2012-18 six-year institutional plans of the University’s Academic Division and the College at Wise; and

RESOLVED FURTHER, the President is authorized to transmit the six-year plans to the State Council, the Governor, and the chairs of the House Committee on Appropriations and the Senate Committee on Finance.

11. RESOLUTION FOR EXCLUSION OF CERTAIN DIRECTORS AND OFFICERS—SEPTEMBER 2011

WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chair of the Board, a Senior Management Official, and a Facility Security Officer meet the requirements for eligibility for access to classified information established for a contractor facility security clearance; and
WHEREAS, said Department of Defense Regulations permit the exclusion from the personnel of the requirements for access to classified information of certain members of the Board of Directors and other officers, provided that this action is recorded in the public Minutes;

RESOLVED, the Rector as Chair of the Board, Senior Management Official, and Facility Security Officer at the present time do possess, or will be processed for, the required eligibility for access to classified information; and

RESOLVED FURTHER, in the future, when any individual enters upon any duties as Rector of the Board, Senior Management Official, and Facility Security Officer, such individual shall immediately make application for the required eligibility for access to classified information; and

RESOLVED FURTHER, the following members of the Board of Visitors and other officers shall not require, shall not have, and can be effectively and formally excluded from access to all CLASSIFIED information disclosed to the University and shall not affect adversely Board and University policies or practices in the performance of classified contracts for the Department of Defense or the Government contracting activities (User Agencies) of the National Industrial Security Program.

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<td>A. Macdonald Caputo</td>
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<td>Hunter E. Craig</td>
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<td>The Honorable Alan A. Diamonstein</td>
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<td>Jonathan B. Overdevest</td>
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<td>Paul J. Forch</td>
<td>General Counsel of the University of Virginia</td>
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<td>Susan G. Harris</td>
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<td>Michael Strine</td>
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