A REGULAR MEETING OF THE
BOARD OF VISITORS OF
VIRGINIA COMMONWEALTH UNIVERSITY
May 12, 2000

A regular meeting of the Board of Visitors of Virginia Commonwealth University
was held on Friday, May 12, 2000, in the University Meeting Center located at 101
North Harrison Street.

Present were Messrs. Flippen (Rector), Axselle, Gresham, Markel, Plymale,
Pyon, Smith, Townes and Weinberg; Drs. Long, Perkinson, Smith and Wootton; and
Ms. Benner. Ms. Miles and Mr. Rigsby were absent. Also present were Drs. Trani,
Huff, Kontos, Macrina, McDavis, Rhone and Self; Messrs. Bunce, Gehring, Ross,
Timmreck and Wyeth; and Mesdames Jones, Messmer, and Price.

Mr. Flippen called the meeting to order and welcomed members of the press.

The Report of the President followed:

Mr. Tom Washom, Special Assistant to the Secretary of Education, was introduced. Mr.
Washom is originally from Annapolis. In 1999, Mr. Waskom graduated from Hampden-
Sydney with a bachelor’s degree in classical studies and economics. Following gradu-
a
tion, Mr. Waskom worked as a campaign manager for Dr. George Broman, a delegate
from Culpeper. Mr. Waskom then moved to Richmond and began working for the Sec-
re
dary of Education.

Applications for Freshman applications are currently up by almost 300 from May, 1999.
To date, VCU has received 6,729 freshman applications, 275 applications more than
May, 1999. Between 6,900 and 7,000 applications are expected by late August. The
increase means a 43% increase in freshman applications since Fall 1995 when VCU
had 4,881 freshman applications. The SAT scores and high school GPAs among the
students planning to attend have increased since Fall 1999. Average SAT scores are
up from 1031 in Fall 1999 to 1039 in the Fall 2000. GPAs have increased from 3.03 for
Fall 1999 to 3.06 for Fall 2000.

An update on the VCU’s Institutional Review Board was presented. At the end of Janu-
ary, the Office of Protection from Research Risks (OPRR) accepted our corrective ac-
tion plan and approved our revised Multiple Project Assurance (MPA). The MPA is an
agreement with the federal government that allows universities to conduct human-
subject research. The agreement designates Western IRB as the interim IRB for VCU’s
protocols.
On May 1, VCU delivered the first quarterly progress report to the OPRR. That progress includes:

- the decision to change the administrative leadership of VCU’s Internal Review Board and the announcement to the University community that this would be a University-wide initiative;
- assembling the IRB Task Force to implement the corrective plan;
- directing Audit and Management Services to conduct internal reviews;
- maintaining e-mail communication with the faculty; since January, more than 30 communications on the IRB have been distributed to more than 2,000 faculty. The IRB Task Force has received more than 175 e-mail requests for information.

As of May 8, 271 protocols have been re-reviewed and approved by Western IRB. Highest priority has been given to protocols involving vulnerable populations.

A University committee is reviewing and approving protocols qualifying for an exemption of the current IRB restrictions. To date, 167 protocols have been approved by the committee.

Additional office space and equipment have been provided to the expanded VCU IRB Office, which will include a Compliance Office and an Education Office. Staffing is now underway.

On April 1, a new data system was implemented to generate an NIH report on federal protocols suspended at VCU.

The structure for a new IRB board has been developed, following consultation with representatives from a number of universities. The board will operate as four regular review panels, each with a chair and oversight provided by an executive chair. The members and chair of the first IRB regular review panel have been selected and tentatively approved by the FDA.

A Standard Operating Procedures manual and an investigator’s manual are currently being developed. All new IRB members, staff, and chairs will undergo three hours of training in federal regulations and three hours in the standard operating procedures. All researchers also are required to complete and receive a passing score on self-study training in research ethics and federal regulations before being allowed to submit new protocols for review. Educational material also is being prepared on the definition of human-subjects research and the procedures to be followed in seeking approval.

Concerns related to specific studies will be re-reviewed by a properly trained and duly constituted IRB. Our officials also will be attending a national meeting in the fall on the need to obtain informed consent from relatives.
VCU is now preparing to submit a new MPA to OPRR requesting approval to begin operating the first panel of VCU’s new VCU IRB System. When approved, VCU will have both Western IRB and the VCU IRB re-reviewing protocols, which will greatly facilitate the rate of these reviews.

Dr. Wootton reported for the Academic and Health Affairs Policy Committee. The Western Institutional Review Board Contract was presented. The Vice President for Health Sciences and the Acting Vice President for Research are seeking approval to establish a continuing contract with Western Institutional Review Board, Inc. (WIRB) in Olympia, Washington to review and critique various research protocols involving the use of human subjects and related matters. The review will ensure that human subjects research undertaken at VCU complies with standards established by the Office of Protection from Research Risks (OPRR) of the U.S. Department of Health and Human Services and the Food and Drug Administration (FDA). The revised contract will allow for continued provision of necessary services to the University. The emergency procurement for up to $1.5 million of services will be provided by WIRB. The resulting contract will be for twelve months. Renewals to the contract will be handled in accordance with procurement regulations. The contract may be terminated upon 60-days written notice to WIRB. The Academic and Health Affairs Policy Committee recommended to the full Board the Western Institutional Review Board Contract.

A proposal for the creation of VCU’s Center for Teaching Excellence was presented. The creation of VCU’s Center for Teaching Excellence will focus on the relation between the Center and existing instructional support structures, mechanisms, and activities throughout the University; budgetary and support requirements; funding mechanisms and opportunities; existing informal departmental activities; the student evaluation of teaching; peer advising and mentoring; the University’s Faculty Roles and Rewards
Policy; the Strategic Plan (Phase II); the role of instructional technology; the Center's role in student recruitment and retention efforts; and faculty development. The Academic and Health Affairs Policy Committee recommended to the full Board the approval of the VCU’s Center for Teaching Excellence.

The Proposed Degree Name Change from Bachelor of General Studies to Bachelor of Interdisciplinary Studies was presented. The purpose of the name change is to clarify and emphasize the interdisciplinary nature of the degree. The Academic and Health Affairs Policy Committee recommended to the full Board the Degree Name Change from Bachelor of General Studies to Bachelor of Interdisciplinary Studies.

The Special Faculty Appointments related to the INOVA Affiliation was presented. The Academic and Health Affairs Policy Committee recommended to the full Board the following statement:

Faculty who are not employed full-time at the University but who participate in the educational program of the School of Medicine and who either receive all or a portion of their compensation from and/or are otherwise affiliated with the INOVA Health System (INOVA), may be eligible for and may be granted a University academic appointment designated “Full-Time Academic Appointment (INOVA).” Such INOVA academic faculty appointments are uncompensated faculty appointments. The University makes no provision for salary or other compensation from University sources and assumes no current or future financial commitment with respect to the recipients or holders of such academic faculty appointments.

The Clinical Faculty Contract Nonrenewal Policy Changes were presented. The change to the policy would be for faculty in the School of Medicine assigned to MD Clinical and Non-MD Clinical salary groups in order to provide needed additional flexibility in the administration of faculty resources. The proposed change would be to recognize and implement a “rolling” notification of non-continuation of employment that would not be linked strictly to specific dates during the contract year and would be ef-
fective with the fiscal year (contract period) beginning July 1, 2000. The Academic and Health Affairs Policy Committee recommended to the full Board the Clinical Faculty Contract Nonrenewal Policy Changes for the VCU School of Medicine.

The Molecular Biology Supply Center was presented. The Center would be a facility to purchase supplies for sale to VCU researchers. The advantages of the Molecular Biology Supply Center to VCU is as follows:

1. Discounted reagents, chemical and laboratory supplies are available to investigators on both campuses of VCU, due to bulk purchasing by the Supply Center.

2. Investigators pay no shipping, handling or hazardous materials charges; the charges are covered by the contractors.

3. Each contractor has been assigned a unique Purchase Order Number, with a dollar value based on the best estimate of the projected business over a six-month period. Cost of supplies purchased by VCU investigators are recovered by the Supply Center through Internal Departmental Transfers (IDT’s), resulting in savings in time and cost by minimizing the number of purchase orders that need to be issued.

4. Investigators and staff can place orders in person or by e-mail, with e-mail notification for pick-up, resulting in significant time-savings.

The Academic and Health Affairs Policy Committee recommended to the full Board the approval of the establishment of the Molecular Biology Supply Center.

The following reports were presented for information: a report on Grants, Contracts and Intellectual Property; an update on the University Institutional Review Board Process; and the Medical College of Virginia Hospitals Finances – Statistical and Financial Summary for Nine Months, ending March 2000.

Dr. Perkinson reported for the Advancement and External Relations Committee. The Governmental and Community Relations Report was presented. The funding for
the Massey Cancer Center has been discussed with members of the Virginia delegation requesting assistance in securing funding for the Center. As a result, Congressman Robert Scott testified and spearheaded a delegation request to the Labor, Health and Human Services, and Education subcommittee for $4 million in the House for the Massey Cancer Center. Senators Robb and Warner wrote a joint letter to the leadership of the Senate Appropriations Committee requesting funding. In addition, Cheryl Smith with the House appropriations staff has been contacted to stress the importance of the project. An update on the media initiative was presented for information.

Mr. Weinberg reported for the Audit Committee. The Audit Committee recommended to the full Board the approval of the Resolution for Support for the Business Practices Framework.

Mr. Gresham reported for the Student Affairs Committee. A report on the Services for Students with Disabilities and Professional Development for Enhancing Services for Students with Disabilities was presented for information. VCU was awarded a three-year grant from the U.S. Department of Education in October 1999. A proposed plan for implementing a training and professional development model has been designed. The plan will (1) foster a more welcoming and supportive campus environment for students with disabilities and (2) equip VCU administrators and faculty with the tools necessary to better meet the unique and varied needs of the students. The cornerstones of the plan include a network of Professional Development Partners (PDP) to serve as primary points of contact with the individual schools and administrative units throughout the University. The Summer Faculty Institute and associated faculty training and technical assistance activities are the second cornerstone. Training activities will
be delivered in a variety of interactive formats that will provide hands-on experience for instructional faculty and staff working with students with disabilities. The final cornerstone is the Student with Disabilities Orientation and related activities. Primary orientation activities will be in the format of a one-credit hour VCU 101 course designed to assist students with disabilities socially, emotionally and academically as the students transition into college. Two students discussed personal achievements and experiences while attending VCU.

Mr. Markel reported for the Finance, Investment and Property Committee. The Finance, Investment and Property Committee recommended to the full Board the approval of a Resolution for Financing of Sanger Hall Renovations, Life Sciences Building Improvements and the Sports Medicine Building.

The Project Plans for the Renovations to VCU Libraries were presented. The purpose of the $3.3 million project is to upgrade VCU Libraries’ facilities on a phased-basis to make the facilities more responsive to the University’s mission and the Libraries’ strategic plan. The project upgrades first floor prime users services areas in both library facilities. Renovations include technology, space and system upgrades to serve the large student commuter population and to allow for the creation of new study areas, and to make information more accessible and user-friendly for students, staff, faculty, and visitors. Environmental upgrades include aesthetic and security improvements as well as improved wayfinding signage. As a supplement to the project, automatic fire suppression systems are also planned for the libraries with funding provided by the 1998-2000 Life/Fire Safety Improvements capital project. The project has a construction budget of $2,100,000 with a total budget of $3,300,000. The Finance, Investment
and Property Committee recommended to the full Board the approval of the Renova-
tions to the VCU Libraries.

The Architect Selection for the Bowe Street Parking Deck was presented. The project will construct a 208,000 gross square foot, five-story facility. The facility will house studio space for the School of the Arts as well as provide parking for 440 cars. The facility will be constructed of precast concrete and will include two sets of stairways and two hydraulic elevators. The construction budget is $8,000,000 with a total budget of $9,500,000. The architectural firm recommended is Hayes, Seay, Mattern & Mattern, Inc. The Finance, Investment and Property Committee recommended to the Board the approval of the architect selection for the Bowe Street Parking Deck.

The Architect Selection for the 1998-2000 Life/Fire Safety Improvements for Oliver Hall Fire Suppression System was presented. The project will provide an automatic fire suppression system, fire alarm system and new emergency egress lighting for Oliver Hall on the Academic Campus. The scope of work includes investigation of the existing dry standpipe system within the building, water service upgrades for the new wet pipe sprinkler system, design of fire safety systems, asbestos abatement, ceiling repair as necessary, and the connection of the University’s central fire alarm control center. The construction budget is for $989,000 with a project budget of $1,175,000. The architectural firm recommended is John T. Moore & Associates, P.C. The Finance, Investment and Property Committee recommended to the Board the approval of the architect selection for the 1998-2000 Life/Fire Safety Improvements for Oliver Hall Fire Suppression System.
The lease of 612-620 North Lombardy Street was presented. The lease is for approximately 12,800 square feet of art studio/classroom/administrative space. VCU's School of the Arts will experience expanding enrollment as a result of the non-resident enrollment initiative. With an anticipated increased non-resident enrollment of 526, the School of the Arts will grow from 2,611 students in the fall of 1999 to 3,137 students in the academic year of 2004-2005, or an increase of 88 new non-resident students by the fall of 2001 and an increase of 146 through the academic year of 2004-2005. The initial term of the lease is from July 1, 2000, to June 30, 2005, with annual 3% escalation and year-to-year renewals after the initial term of the lease. The proposed rental rate for the first year of the initial term will be $6.00 per square foot or $76,800 annually. The rent will increase 3% each year beginning in year two of the lease. Utilities and operating expenses are estimated to range from $35,200 to $48,000 annually. The Finance, Investment and Property Committee recommended to the full Board the approval of the lease for 612-620 North Lombardy Street.

The Request for Proposals (RFP) for University Transportation Services was presented. Parking and Transportation is seeking approval to establish a new contract for transportation services for the University. The services include maintenance services as well as the following: Academic Campus shuttle; MCV Campus shuttles; VCU Intercampus shuttle: evening and weekend service; VCU Intercampus shuttle: weekday service and VCU Head Start Program. The purpose of the RFP is to establish a contract to provide shuttle services for students, faculty, and staff for both campuses. The contractor will provide shuttle service between campuses, including evenings and weekends. Transportation services to support the VCU Head Start program are also
included. The Finance, Investment and Property Committee recommended to the full Board the issuance of the Request for Proposals for University Transportation Services.

The Select Retirement Plan and Resolution was presented. The Finance, Investment and Property Committee recommended the Select Retirement Plan and Resolution to the full Board for approval.

The following items were presented to the Committee for information: Update on the Life Sciences Project; Architect Selection for the Gladding Residence Center Technology Wiring; Notification of the Contract Award for the Sports Medicine Building and Sports Backers Stadium Phase III; a Report on the Life Safety Program; an update on Long-term Debt Capacity Report; the University Quarterly Budget Performance Report: March 31, 2000; the Medical College of Virginia Hospitals Finances – Statistical and Financial Summary for Nine Months Ending March 2000; the Virginia Biotechnology Research Park Authority Leasing Report; and the Capital Project Status Report.

On motion made and seconded, the following items on the Consent Agenda were approved:

Board of Visitors
Minutes of a Meeting held February 10, 2000
Resolution Regarding Faculty Salaries for VCU
(see Resolution below)

Academic and Health Affairs Policy Committee
Minutes of a Meeting held February 9, 2000
Western Institutional Review Board Contract
Center for Teaching Excellence
Proposed Degree Name Change for Bachelor of  
General Studies to Bachelor of Interdisciplinary  
Studies  
Special Faculty Appointments Related to INOVA  
Affiliation  
Clinical Faculty Contract, Nonrenewal Policy Changes for  
the VCU School of Medicine  
Molecular Biology Supply Center  
Advancement and External Relations Committee  
Minutes of a Meeting held February 9, 2000  
Audit Committee  
Minutes of a Meeting held February 10, 2000  
Proposed Board Resolution: Support for the Business  
Practices Framework (see Resolution below)  
Finance, Investment and Property Committee  
Minutes of a Meeting held February 9, 2000  
Minutes of a Meeting held April 19, 2000  
Resolution and Loan Agreement for Financing of  
Sanger Hall Renovations, Life Sciences Building  
Improvements and Sports Medicine Building Improvements  
(see Resolution below)  
Project Plans for Renovation to VCU Libraries  
Architect Selection for Bowe Street Parking Deck  
Architect Selection for Oliver Hall Fire Suppression  
System  
Lease for 612-620 North Lombardy Street  
Request for Proposals for University Transportation  
Services  
Select Retirement Plan  
a. Executive Summary  
b. Resolution (see Resolution below)  
Student Affairs Committee  
Minutes of a Meeting held February 9, 2000

Resolution Regarding Faculty Salaries

Be it RESOLVED by the Board of Visitors of Virginia Commonwealth University that the salaries and compensation levels for all persons holding faculty appointments at Virginia Commonwealth University as of June 30, 2000, whose faculty appointments have neither terminated nor otherwise changed pursuant to the terms of contracts or notifications duly sent to and received by said faculty members, will be continued at the same rate of compensation in effect on June 30, 2000, for the period beginning July 1, 2000, through June 30, 2001, or for such lesser term as may be specified in the faculty member’s contract (including the terms and conditions of employment) or notification.* All said persons holding faculty appointments will undergo formal evaluations prior to the
November 2000 meeting of the Board of Visitors of Virginia Commonwealth University, at which time this Board will consider and act upon any recommended increases or adjustments in salaries of the aforementioned faculty members. Such increases and/or adjustments will be effective on November 25, 2000.* This Resolution shall not be deemed to extend any rights or entitlements beyond those expressly stated herein.

*Salary adjustments for the School of Medicine teaching and research faculty, but not the School of Medicine administrative and professional faculty, will be implemented effective 7-1-00.

Support for the Business Practices Framework

WHEREAS Virginia Commonwealth University (the "University") is committed to providing the highest quality services pursuant to the highest ethical, business and legal standards; and

WHEREAS the University is committed to meeting these standards of conduct in all its interactions, including those with students, other educators and administrators, companies with whom it does business, funding and granting agencies, and government entities to whom it reports; and

WHEREAS the administration of the University has become increasingly complex during the past decade, due in part to the growth of the institution, including its various foundations and affiliated organizations; and

WHEREAS external forces, such as the expansion of regulatory requirements, have added to the operational complexities; and

WHEREAS the University recognizes that it is accountable to the citizens of the Commonwealth of Virginia and its customers (e.g., students and parents, granting agencies, governmental agencies, etc.) to:

- Comply with all laws and regulations,
- Give reasonable assurance that employees do not receive inappropriate benefits as a result of their positions at Virginia Commonwealth University, and
- Properly exercise its fiduciary responsibilities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Visitors of Virginia Commonwealth University supports the University’s commitment to uphold the policies and procedures that govern it; and

BE IT FURTHER RESOLVED that the Board of Visitors endorses the implementation of a formal compliance program through the establishment of a Financial, Operational, and Administrative Practices Framework to:
• Establish and communicate University expectations and requirements
• Strengthen administrative and business practices
• Monitor compliance
• Provide a process for continuous evaluation and improvement, and
• Report to Senior Management and the Board of Visitors on an annual basis.

Resolution for Financing of Sanger Hall Renovations, Life Sciences Building Improvements and Sports Medicine Building Improvements

WHEREAS, pursuant to Chapter 3.2, Title 23 of the Code of Virginia of 1950, as amended (the "Act"), the General Assembly of Virginia has authorized the Virginia College Building Authority (the "Authority") to develop a pooled bond program (the "Program") to purchase bonds and other debt instruments issued by public institutions of higher education in the Commonwealth of Virginia (the "Institutions") to finance or refinance the construction of projects of capital improvement specifically included in a bill passed by a majority of those elected to each house of the General Assembly of Virginia (the "Projects");

WHEREAS, the Authority intends to issue from time to time under the Program its Educational Facilities Revenue Bonds (Public Higher Education Financing Program) (the "Bonds") to finance the purchase of bonds and other debt instruments issued by the Institutions to finance or refinance the Projects, all in the furtherance of the purposes of the Act and the Program;

WHEREAS, the Board of Visitors of Virginia Commonwealth University (the "Board") may from time to time wish to finance or refinance Projects of Virginia Commonwealth University (the "Institution") through the Program;

WHEREAS, if the Institution wishes to finance or refinance a Project through the Program, it will be necessary for the Institution to enter into a Loan Agreement (a "Loan Agreement") between the Authority and the Institution and to evidence the loan to be made by the Authority to the Institution pursuant to the Loan Agreement by issuing the Institution’s promissory note (the "Note") pursuant to Section 23-19 of the Code of Virginia of 1950, as amended, and pursuant to the Loan Agreement, the Authority will agree to issue its Bonds and to use certain proceeds of the Bonds to purchase the Note issued by the Institution and the Institution will agree to use the proceeds received from the Authority to finance or refinance the construction of the Project and to make payments under the Loan Agreement and the Note in sums sufficient to pay the principal of, premium, if any, and interest due on that portion of the Bonds issued to purchase the Note and to pay other administrative and arbitrage rebate payments;

WHEREAS, the Institution now proposes to sell to the Authority its Note (the "2000A Note") to be issued under a Loan Agreement (the "2000A Loan Agreement") to finance or refinance all or a portion of the costs of the Sanger Hall Improve-