A regular meeting of the Board of Visitors of Virginia Commonwealth University was held on Thursday, February 13, 2003, at 9 a.m. in the University Meeting Center located at 101 North Harrison Street.

Present were Drs. Perkinson (Rector), Bersoff and Long; Messrs. Axselle, Markel, Plymale, Pyon, Rigsby, Rosenthal, Slater and Thompson; and Mesdames McMichael, Petera and Riddick. Dr. Romano and Mr. Baldacci were absent. Also present were Drs. Trani, Andrews, Brodd, Huff, McDavis, Retchin, Rhone and Torr; Messrs. Blanks, Bunce, Gehring, Ross, Timmreck and Wyeth; and Mesdames Balmer, Chinnici, Lepley, and Messmer.

Dr. Perkinson called the meeting to order and introduced the members of the press.

The Report of the President was presented. On motion made and seconded, the Board approved and presented the following resolutions:

Resolution Honoring
Dr. Rao R. Ivatury

WHEREAS Dr. Rao R. Ivatury serves as Director of Trauma, Critical Care and Emergency Surgery at the Virginia Commonwealth University Health System and as Professor of Medicine at Virginia Commonwealth University;

WHEREAS on October 19, 2002, a 37-year-old man shot at an Ashland restaurant in a weekend sniper attack was brought to the VCU Health System’s Trauma Center;

WHEREAS Dr. Ivatury and the trauma team performed extensive, multiple surgeries on the victim and continued expert care until the patient’s discharge three weeks later;

WHEREAS Dr. Ivatury’s pioneering and leading edge surgical procedures were used to benefit the victim when he was brought to the VCU Health System’s emergency and trauma facilities;

WHEREAS without this procedure and the expert care from Dr. Ivatury’s team the victim likely would have died;
WHEREAS Dr. Ivatury’s response and expertise brought national and international attention and acclaim to the VCU Health System while making a significant contribution to the field of critical care and emergency surgery;

THEREFORE, BE IT RESOLVED that the Board of Visitors of Virginia Commonwealth University is proud to recognize Dr. Ivatury and his contributions and those of his team to the survival of the victim, the high quality of patient care in our Trauma Center and the excellence of the faculty of the School of Medicine.

Resolution Honoring
Dr. John B. Fenn

WHEREAS, Dr. John B. Fenn joined Virginia Commonwealth University as research professor in the Department of Chemistry in 1994, and

WHEREAS, Dr. Fenn has continued his research here at Virginia Commonwealth University in electrospray ionization mass spectrometry in the study of protein hydration and folding reactions and of environmental problems,

WHEREAS, Dr. Fenn won the 2002 Nobel Prize for Chemistry for his development of electrospray ionization mass spectrometry, and

WHEREAS, Dr. Fenn continues to be an energetic and creative mentor to his graduate students in chemistry at Virginia Commonwealth University; and

WHEREAS, Dr. Fenn continues to be a stalwart colleague to faculty at Virginia Commonwealth University,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF VISITORS OF VIRGINIA COMMONWEALTH UNIVERSITY, THAT:

The Board of Visitors does hereby offer its heartfelt congratulations to Dr. John B. Fenn for winning the 2002 Nobel Prize for Chemistry, while continuing an extraordinary 60-year career as a scientist and an engineer; and,

Further, the Board expresses its sincere thanks and appreciation to Dr. Fenn for being a faculty member of Virginia Commonwealth University, an institution committed to excellence in research and education.
The Budget Update was presented for information. A meeting of the Executive Committee with the full Board invited will be held in April, 2003, to discuss the 2003-04 Revised University Budget Plan – Preliminary and to approve the 2003-04 Tuition and Fees.

Dr. Perkinson recognized two Board members: Mr. Bill Axselle and Dr. Steve Long. Mr. Axselle was named Outstanding Lobbyist by *Virginia Business Magazine*, in the Elite Lawyer article. Dr. Long was selected by the Consumer Research Council of America as one of “America’s Top Physicians” for 2003; and Dr. Long was elected president of the Virginia Society of Anesthesiologists for a two-year term and also elected to the Board of Directors of the American Society of Anesthesiologists for a five-year term.

Dr. Perkinson presented the “ladies of the Board” with an original painting.

Mrs. Petera reported for the Academic and Health Affairs Policy Committee. The Proposal to Create a New Division of Trauma/Critical Care and Emergency General Surgery within the Department of Surgery, School of Medicine, was presented. By creating the Division of Trauma/Critical Care and Emergency General Surgery, VCU will create a division that can more easily recruit qualified, academic surgeons. In medical schools nationwide, approximately 10% of the Trauma/Critical Care programs are divisions. The change will also permit VCU to better serve the hospital through Trauma services by creating a “service line” that will be combined for enhanced programmatic functions. The Academic and Health Affairs Committee recommended to the full Board the approval of the Proposal to Create a New Division of Trauma/Critical Care and Emergency General Surgery within the Department of Surgery, School of Medicine.

A Proposal to Create a New Division of Pediatric Rehabilitation in the Department of Physical Medicine and Rehabilitation, School of Medicine, was presented. In May 2001, the
VCU Department of Physical Medicine and Rehabilitation (PM&R) entered into a formal relationship with Children's Hospital of Richmond (CHOR) to provide pediatric rehabilitation physician services, with existing clinical faculty. The establishment of the Division of Pediatric Rehabilitation within the Department of Physical Medicine and Rehabilitation represents the necessary next step in the development of Pediatric Rehabilitation services within the Department of PM&R. The expansion of the services is a joint effort between CHOR and the Departments of Pediatrics, Neurology and PM&R, designed to increase the national academic recognition of VCU and the Department while also increasing the clinical services of CHOR. All of the top-rated Departments of PM&R in the country, including Baylor College of Medicine, the University of Cincinnati, the Rehabilitation Institute of Michigan-Wayne State University, the University of Colorado, and the University of Washington have strong, well-recognized Divisions of Pediatric Rehabilitation. Significant research funding is available in the Pediatric PM&R area and a strong division will facilitate VCU’s success in competing for the funds. The Academic and Health Affairs Policy Committee recommended to the full Board the approval of the Proposal to Create a New Division of Pediatric Rehabilitation in the Department of Physical Medicine and Rehabilitation, School of Medicine.

A Proposal to Change from the Division of Neurosurgery within the Department of Surgery to the Department of Neurosurgery, School of Medicine was presented. The School of Medicine and the Department of Surgery propose to split the Division of Neurosurgery from the Department of Surgery and form a separate Department of Neurosurgery. Across the country, approximately 80% of other medical schools have departments of neurosurgery. The objective is to maintain a leadership role by creating a strong department structure, which should enhance the ability to recruit excellent faculty. The Academic and Health Affairs Policy Committee
recommended to the full Board a Proposal to Change from the Division of Neurosurgery within the Department of Surgery to the Department of Neurosurgery, School of Medicine.

A Proposal to Create a Department of Special Education and Disability Policy within the Division of Teacher Education, School of Education, was presented. The creation of a Department of Special Education and Disability Policy will better position the faculty and programs to be recognized for the considerable past accomplishments and the potential for future achievements. Increasing the visibility will increase the recognition, and the recognition will be reflected in national rankings and increased success in competitive grant reviews. A more visible organizational unit will assist VCU’s faculty in achieving a place among the top ranked special education and disability policy programs in the nation. All indicators point to a strong rationale for the creation of a Department of Special Education and Disability Policy and resulting opportunities for recognition that the faculty and programs so richly deserve. The Academic and Health Affairs Policy Committee recommended to the full Board the approval of a Proposal to Create a Department of Special Education and Disability Policy within the Division of Teacher Education, School of Education.

A Proposal to Create a Doctor of Philosophy Program in Epidemiology, Department of Preventive Medicine and Community Health, School of Medicine, was presented. Following the events of September 11, 2001, there has been a loud call for an improved and strengthened public health infrastructure. A Ph.D. program in epidemiology will help address the critical shortage of epidemiologists in Virginia. Professionals are needed to conduct surveillance and design investigations that enhance the ability of public health agencies to effectively monitor the public’s program and would complement the existing MPH program and provide a venue for qualified students to pursue a doctoral degree in the public health field in Virginia. Students and
graduates of the program will benefit the University by helping researchers on both campuses attract large grants. The Academic and Health Affairs Policy Committee recommended to the full Board the approval of a Proposal to Create a Doctor of Philosophy Program in Epidemiology, Department of Preventive Medicine and Community Health, School of Medicine.

A Proposal to Create a Bachelor of Arts Degree in African American Studies was presented. The world students have inherited still begs for solutions to enduring racial and ethnic conflicts. The future that VCU’s students will shape will be racially and ethnically more diverse. Managing the conflicts that arise from the history out of which the new century is evolving will require appreciation and understanding of factors that have shaped different racial and ethnic experiences and conditions, whether with regard to housing, health care, political representation, education, economic well-being, or judicial issues. African American Studies, as a field, has been at the forefront of efforts to prepare students to understand and address critical social issues. The proposed major draws upon and recognizes the diverse racial and ethnic composition of Virginia Commonwealth University, the City of Richmond, and the State of Virginia, and illuminates the particular historical significance of African Americans to the developments of the region and the nation. The Academic and Health Affairs Policy Committee recommended to the full Board the approval of a Proposal to Create a Bachelor of Arts Degree in African American Studies.

A Proposal to Change the Bachelor of Science Degree in Urban Studies to a Bachelor of Science Degree in Urban Studies and Geography was presented. The proposal to revise the Bachelor of Science in Urban Studies to include geography represents a new vision with the Department of Urban Studies and Planning. By responding to student demand for a major that includes geography, the department is broadening and strengthening the undergraduate
curriculum. Urban themes will now be addressed in the context of global perspectives and issues. The Academic and Health Affairs Policy Committee recommended to the full Board the approval of the Proposal to Change the Bachelor of Science Degree in Urban Studies to a Bachelor of Science Degree in Urban Studies and Geography.

The Intellectual Properties Policy was presented. After discussion, the Academic and Health Affairs Policy Committee recommended to the full Board that action on the revised Intellectual Properties Policy be postponed until the May 2003 meeting of the Board of Visitors.

The following items were presented for information:

Joint Commission on Accreditation of Healthcare Organizations (JCAHO) Competency Report on VCU Faculty and Staff Who Provide Patient Care or Clinical Services to the VCU Health System Notification of Contract Award for Purchase of Pathlore LMS System for Virginia Institute for Social Service Training Activities in the School of Social Work Report on the School of the Arts Report on Assessment Faculty Profile Report on Termination of Renewable Contracts for Instructional Faculty Virginia Commonwealth University Health System Financial Statement Summary Fiscal Year 2003 - Six Months Ending December 31, 2002

Mr. Rigsby reported for the Audit Committee. The Auditor of Public Accounts: Report for the Fiscal Year Ended June 30, 2002, and the State Audit Report – Management’s Action Plans were presented for information.

Mr. Plymale reported for the External Relations Committee. The Federal, State, Local and Community Relations Report and the Marketing and Media Relations Report were presented for information.

Mr. Markel reported for the Finance, Investment and Property Committee. A Resolution Ratifying the Third Amendment to the Cash Match Plan for Employees of VCU was presented.
The Finance, Investment and Property Committee recommended to the full Board the approval of the following Resolution:

**RESOLUTION**

*Ratifying the Third Amendment to the Virginia Cash Match Plan for Employees of Virginia Commonwealth University*

WHEREAS, Virginia Commonwealth University (the “University”) established the Cash Match Plan for the Employees of Virginia Commonwealth University (the “Plan”) effective April 1, 2000;

WHEREAS, the University desired to amend the Plan to incorporate certain changes pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 and to make other technical changes;

WHEREAS, the University desired to amend the Plan to incorporate recent legislative changes made by the General Assembly of Virginia;

WHEREAS, Section 11.2 of the Plan permits the University to amend the Plan;

WHEREAS, the Third Amendment to the Plan incorporates the above changes and is consistent with the Internal Revenue Code and the Code of Virginia;

WHEREAS, the Senior Vice President for Finance and Administration of the University, Paul W. Timmreck, executed the Third Amendment to the Plan on December 17, 2002;

THEREFORE, BE IT RESOLVED that the University hereby ratifies Mr. Timmreck’s actions to execute the Third Amendment to the Plan on its behalf and that the Plan was thereby amended when executed effective as of the dates reflected in said amendment.

The Transfer of the School of Allied Health Professions Quasi-endowments was presented. In 1988, the Department of Health Administration transferred funds from various accounts to the MCV Foundation for investment purposes. The $52,000 utilized to establish the quasi-endowment funds was from various gifts with no known donor restrictions that prohibited the transfer. The balance of the funds as of October 31, 2002, was $76,325. The Department of Health Administration has requested the use of the quasi-endowment funds to offer scholarships to qualified students, give awards at graduation, cover conference participation for student
presenters, and provide research data for doctoral dissertations. The proposed use is consistent with the original purpose of the source funds: to support research activities, departmental programs and development, conference expenditures, and student recognition awards. The Finance, Investment and Property Committee recommended to the full Board the approval of the transfer of the School of Allied Health Professions Quasi-endowments.

The Architect Engineer Selections – Term Contracts were presented. Facilities Management routinely retains the services of architectural/engineering firms on two-year term contracts to provide professional services for small construction and renovation projects, feasibility studies, and planning initiatives. Services are provided to the University’s Academic Division, Health Sciences Division, the VCU Foundation, the VCU Real Estate Foundation and affiliated entities. The recommended firms are:

**Architectural Services:**
- LKPW Architects – Richmond, Virginia
- KOP Architects – Richmond, Virginia
- NBJ Architecture – Richmond, Virginia
- Hopke & Associates – Williamsburg, Virginia

**Full Service Architectural/Engineering Services:**
- CEGG Associates – Virginia Beach, Virginia

**Mechanical, Electrical, Plumbing, Engineering Services:**
- John T. Moore & Associates – Richmond, Virginia
- Pace Collaborative – Virginia Beach, Virginia

**Geotechnical, Environmental, Civil, Surveying, GIS Services:**
- Draper Aden – Richmond, Virginia

**Structural Engineering Services:**
- Dunbar, Milby, William, Pittman & Vaughan – Richmond, Virginia

**Landscape Architecture Services:**
- Higgins & Gerstenmaier – Richmond, Virginia

**Campus Master Planning Services:**
- BCWH Inc. – Richmond, Virginia
The Finance, Investment and Property Committee recommended to the full Board the approval of the term contracts with the firms listed above for a period of one year, with an option for a one-year extension. Under provisions of the State Construction and Professional Services Manual, each firm is limited to $100,000 per project with an annual total of $300,000 per firm.

The Alley Property Exchange – Academic Campus Parking Deck IV was presented. To construct the new parking deck at Cary/Harrison/Parkwood Streets, the University must obtain permission from the City of Richmond to close a portion of an existing alley and three smaller alley sections totaling about 5,550 SF. Alley access will be maintained to serve the residential properties to the west of the deck by the creation of a new alley entry from Parkwood Avenue. The new alley, totaling about 3,030 SF, will be deeded to the City of Richmond for the common good. The Finance, Investment and Property Committee recommended to the full Board the approval of the Alley Property Exchange for the Academic Campus Parking Deck IV.

The Project Plans for the Academic Campus Parking Deck IV were presented. The project will construct a four-level, 240,000 GSF parking deck for 730 vehicles. The deck will be located on the Academic Campus at the southwest corner of the intersection of Cary and Harrison Streets. There will be 3,000 GSF of storage space and 1,000 GSF of office space serving the Department of Parking and Transportation. The parking deck design will be compatible with architecture in the neighboring community and shall be compatible with the University campus context. The construction budget is $8,840,398, with a total budget of $11,035,000. The Finance, Investment and Property Committee recommended to the full Board the approval of the Project Plans for the Academic Campus Parking Deck IV.

The Project Plans for the Cary Street Field Replacement were presented. The existing Cary Street Field has deteriorated to the point where the playing surface will no longer be safe to
use for athletic activities. The soil beneath the playing surface has settled and caused
depressions in the field. In addition, the synthetic turf-playing surface has reached the end of the
intended life. The University plans to restore the integrity of the subsoil and replace the
synthetic turf. The construction budget is $1,576,370, with a total budget of $1,831,254. The
Finance, Investment and Property Committee recommended to the full Board the approval of the
project plans for the Cary Street Field Replacement.

The following items were presented for information:

Foundation Annual Reports
  a. MCV Foundation
  b. Intellectual Property Foundation
  c. VCU Alumni Association
  d. MCV Alumni Association of VCU
University Audited Financial Statements as of June 30, 2002
Budget Update
University Quarterly Budget Performance Report: December 31, 2002
Virginia Commonwealth University Health System Financial Statement
  Summary Fiscal Year 2003 – Six Months Ending December 31, 2002
Project Plans
  a. Franklin Street Gymnasium – Mechanical System Improvements
  b. Bocock House Life/Fire Safety Improvements
Notification of Contract Award
  a. Central Dining Facility
  b. Massey Cancer Center Addition
Virginia Biotechnology Research Park Authority Summary of Occupancy/
  Lease Intent
Capital Projects Status Report

Dr. Long reported for the Student Affairs Committee. The following items were
presented for information: Recruitment Update, Report on Summer School, Student Commons
and Housing Construction Update, Housing Fall Occupancy Projection, “Colleges Offer Students
Privacy” (article on student housing).

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

Board of Visitors
  Minutes of a Meeting held November 14, 2002
Academic and Health Affairs Policy Committee
Minutes of a Meeting held November 13, 2002
Proposal to Create a New Division of Trauma/Critical Care and Emergency General Surgery within the Department of Surgery, School of Medicine
Proposal to Create a New Division of Pediatric Rehabilitation in the Department of Physical Medicine and Rehabilitation, School of Medicine
Proposal to Remove the Division of Neurosurgery from the Department of Surgery and Create the Department of Neurosurgery, School of Medicine
Proposal to Create a Department of Special Education and Disability Policy within the Division of Teacher Education, School of Education
Proposal to Create a Doctor of Philosophy Program in Epidemiology, Department of Preventive Medicine and Community Health, School of Medicine
Proposal to Create a Bachelor of Arts Degree in African American Studies
Proposal to Change the Bachelor of Science Degree in Urban Studies to a Bachelor of Science Degree in Urban Studies and Geography

Audit Committee
Minutes of a Meeting held November 13, 2002

External Relations Committee
Minutes of a Meeting held November 13, 2002

Finance, Investment and Property Committee
Minutes of a Meeting held November 13, 2002
Resolution: Ratifying the Third Amendment to the Cash Match Plan for Employees of VCU
Transfer of the School of Allied Health Professions Quasi-endowments
Architect Engineer Selections – Term Contracts
Alley Property Exchange – Academic Campus Parking Deck IV
Project Plans for Academic Campus Parking Deck IV
Project Plans for Cary Street Field Replacement

Student Affairs Committee
Minutes of a Meeting held November 13, 2002

On motion made and seconded, the Consent Information Items were accepted.

Dr. Perkinson appointed the following members to serve on the Board Nominating Committee for Rector: Messrs. Markel (Chair), Axselle and Pyon; and Mrs. Petera.

On motion made and seconded, the Board convened into closed session to discuss certain personnel matters and matters relating to the performance of identifiable employees and faculty of VCU, including the Faculty Appointments and Changes in Status and other Personnel Actions; and to discuss the performance of departments or schools of VCU where such matters regarding such individuals might be affected by such evaluations including Audit Reports of individually identified departments and/or schools; and to discuss legal matters and probable
litigation relating to the aforementioned Audit Reports; to discuss the acquisition or use of real property for public purpose, or of the disposition of publicly held property, or of plans for the future of a state institution of higher education which could affect the value of property owned or desirable for ownership by such institution, including the acquisition of property on or adjacent to the Academic Campus; and to consult with legal counsel pertaining to actual and probable litigation, and other specific legal matters requiring the provision of legal advice by counsel, including a Report of the General Counsel and a discussion on certain disciplinary matters and issues; to discuss matters relating to gifts, bequests, and fundraising activities, including the approval of the Named Funds Report and Facility Naming Recommendations, and an update on the development activities; and to discuss matters relating to honorary degrees and special awards including the Report of the Student Affairs Committee as authorized by Section 2.2-3711 A(1), A(3), A(7), A(8) and A(10) of the Virginia Freedom of Information Act.

Following closed session, on motion made and seconded, the following resolution was approved by roll call vote:

Virginia Commonwealth University hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session meeting were heard, discussed or considered by the Board of Visitors of Virginia Commonwealth University.

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<tr>
<th>Roll Call Vote</th>
<th>Ayes</th>
<th>Nays</th>
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<tr>
<td>Dr. W. Baxter Perkinson, Jr., Rector</td>
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<td>Mr. Ralph L. “Bill” Axselle, Jr.</td>
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<td>Mr. David G. Baldacci</td>
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<td>Dr. Edward H. Bersoff</td>
<td>X</td>
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<td>Dr. Stephen P. Long</td>
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<td>Mr. Steven A. Markel</td>
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<td>Ms. Laura R. McMichael</td>
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<td>Roll Call Vote</td>
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<td>Mrs. Anne P. Petera</td>
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<td>Mr. Monty W. Plymale</td>
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<td>Mr. Harold Y. Pyon</td>
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<td>Ms. E. Janet Riddick</td>
<td>X</td>
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<td>Mr. Robert E. Rigsby</td>
<td>X</td>
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<td>Dr. Michele A. Romano</td>
<td>Absent</td>
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<td>Mr. Thomas G. Rosenthal</td>
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<td>Mr. G. Bryan Slater</td>
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<td>Mr. Philip Thompson, Sr.</td>
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<td>X</td>
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**Vote:**

Ayes: 14  
Nays: 0  

**ABSENT DURING MEETING:** 2  
**ABSENT DURING VOTING:** 2

On motion made and seconded, the Board accepted the Report of the President; approved the Faculty Appointments and Changes in Status and other Personnel Actions as amended; approved the Named Funds Report and Facility Naming Recommendations as amended; concurred with the acquisition of Property Adjacent to the Academic Campus; approved the recommendation of the Student Affairs Committee for the Board of Visitors Award Selection; accepted the closed session committee reports; and accepted the report of the General Counsel.

The meeting was adjourned at 12:30 p.m.

W Baxter Perkinson, Jr., D.D.S., Rector

Robert E. Rigsby, Secretary