

**Minutes**  
**Board of Trustees Meeting**  
**Tuesday, November 18, 2014 – 5:00 p.m.**

**Trustees Present:**

Elaine Crider, Chair  
Joseph Askew  
Natasha Bennett  
Kendrick Curry  
Jim Dyke, *via telephone*  
Reginald Felton  
Gabriela Lemus  
James Lyons, *ex-officio*  
Errol Schwartz  
Jerome Shelton  
Anthony Tardd  
Mary Thompson  
Joshua Wyner

**Trustees Absent:**

Christopher Bell  
Alejandra Castillo  
George Vradenburg

**Staff Present:**

Rachel Petty, Acting Provost and Vice President for Academic Affairs  
Myrtho Blanchard, Vice President, Human Resources  
Donald Rickford, Chief Financial Officer  
Sislena Ledbetter, Director, Counseling Center  
William Ramsay, Human Resources Compliance Officer  
Scott Barash, General Counsel  
Stacie Mills, Assistant General Counsel  
Perita Baxter, Office of the Board of Trustees  
Beverly Franklin, Executive Secretary, Office of Board of Trustees

**Call to Order and Roll Call**

Chair Crider called the meeting to order at 5:10 p.m. The roll was called and a quorum was present. Chair Crider announced that an executive session was held at the previous Board meeting (September 16, 2014) and all matters discussed were appropriate.

**Approval of the Minutes**

The minutes of the September 16, 2014 meeting were reviewed and unanimously approved by the Board of Trustees.

**Action Items**

General Schwartz (Academic and Student Affairs Committee Chair) presented several items for consideration by the Board of Trustees.

Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Education Association. There was a lengthy discussion regarding the Seventh Master Agreement. Questions were raised regarding the salary scale. The agreement was tabled to allow the Administration time to provide additional information regarding the salary scale. The resolution pertaining to compensation for department chairs and continuing full-time non-union faculty was held pending the salary scale information.

Remitted Tuition Funding for the UDC David A. Clarke School of Law. The Trustees discussed the remission of tuition for the David A. Clarke School of Law. General Schwartz informed the Board that the fiscal impact statement (FIS) did not support the resolution as written. The FIS supports funding for two years and recommends a study researching the direct and indirect cost impact of the proposal. The resolution supports three years. General Schwartz presented the revised resolution supporting two years of funding. A motion was made and approved to accept the two –year resolution as presented.

**Motion:**

*UDC Resolution No. 2014-38: Remitted Tuition Funding for the UDC David A. Clarke School of Law*

WHEREAS, pursuant to D.C. Official Code §38-1201.06(2),(C), it is the duty and responsibility of the Board of Trustees of the University of the District of Columbia to operate a public law school component in a manner that shall maintain accreditation necessary to qualify the graduates of the School of Law to take the bar examinations of the District of Columbia and several states; and

WHEREAS, the American Bar Association standards require that the “present and anticipated financial resources of a law school shall be adequate to sustain a sound program of legal education and accomplish its mission;” and

WHEREAS, The American Bar Association will conduct an accreditation site visit during academic year 2015-2016 and will review the manner in which the School of Law is funded and in which it is accomplishing its missions; and

WHEREAS, the School of Law’s mission requires that it recruit and enroll students from racial, ethnic and other backgrounds traditionally under represented at the bar, with the understanding that such students typically come from low-income families which cannot afford high tuition rates; and

WHEREAS, the School of Law’s mission also requires that it educate public interest, public service and public policy lawyers who earn much lower than average lawyer salaries and thus cannot sustain significant student debt repayment obligations; and

WHEREAS, the School of Law’s tuition will increase by 2.5 percent during academic year 2014-2015 at a time when other law schools are lowering or freezing tuition rates as a strategy to recruit and retain more students; and

WHEREAS, nationally the applicant pool for law schools dropped 34% since 2011 and is down another 7% in 2014; and

WHEREAS, law student transfer rates are increasing significantly nationally as top ranked schools offer generous financial aid packages to recruit both competitive and less competitive students as a means to enhance tuition revenue streams and the School of Law’s transfer rate increased each year since 2011 in keeping with the national trend; and

WHEREAS, the Board of Trustees approved UDC Resolution No. 2006-30 authorizing the University to remit law school tuition in the amount of \$700,000 during FY 2006, FY 2007, and FY 2008 and UDC Resolution No. 2008-05 also authorizing the University to remit Law School tuition in the amount of \$700,000 during FY 2009, FY 2010 and FY 2011, and UDC Resolution No. 2012- authorizing the University to remit tuition in the amount of \$700,000 during FY 2012, FY 2013 and FY 2014, in all cases to further the mission to and meet financial aid requirements of the School of Law; and

WHEREAS, these funds are needed to meet the financial aid commitments to new and continuing law students in FY 2015 and 2016; and

WHEREAS, tuition remission is used to attract and retain mission-driven students who have options to attend much higher ranked and more prestigious law schools, and those who, because of family and other obligations cannot otherwise afford to go to law school; and

WHEREAS, the amount of tuition remission afforded the School of Law since 2006 has remained constant at \$700,000 per year supporting enrollment and retention of a student body ranging from about 234 students to a high of 366 students in 2012 and in 2014 about 300 students.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the University to remit law school tuition in the amount of \$700,000 during each of FY 2015 and 2016 to further the mission and to meet the financial aid requirements of the School of Law.

The Board unanimously approved the resolution.

**Resolution: Bachelor of Science in Biomedical Engineering Degree Program.** General Schwartz presented the resolution pertaining to the Bachelor of Science degree in Biomedical Engineering Degree Program. There was a discussion regarding program costs. Dr. Shetty provided information regarding the proposed program.

**Motion:**

*UDC Resolution No. 2014-39: Approval of Bachelor of Science in Biomedical Engineering Degree Program*

WHEREAS, pursuant to D.C. Official Code § 38-1202.06(3), the Board of Trustees is authorized to establish or approve policies and procedures governing admissions, curricula, programs, graduation, the awarding of degrees, and general policy for the components of the University; and

WHEREAS, pursuant to DCMR § 08-B308.1, new associate, baccalaureate, and graduate degree programs may be added to the University curricula upon recommendation by the Academic Senate and the President and after approval by the Board; and

WHEREAS, Biomedical Engineering (BME) is projected to be one of the fastest growing occupations (based on U.S. Bureau of Labor Statistics) and, therefore, a high-demand profession in our region and nationally, which would not only benefit undergraduate students at UDC but will also provide students at the UDC community college and District of Columbia high school students an economical and continuous path for obtaining a post-secondary education in Biomedical Engineering; and

WHEREAS, University undergraduates earning a Bachelor of Science in BME (BSBME) will gain a strong interdisciplinary education that combines engineering analysis and design with physiology, (i.e., from the cellular level to entire biological systems), and graduates of this program will be prepared for engineering positions in industrial settings, as well as for advanced degrees in engineering, medicine, and other health-related disciplines, thus also serving as a precursor to those interested in pursuing a medical degree; and

WHEREAS, the University proposes an inter-disciplinary program that would be informed and enhanced by the collaboration, internally, of the School of Engineering and Advanced Sciences and the College of Arts and Sciences, and externally by regional and world-renowned institutions (such as the National Institutes of Health, National Science Foundation, Johns Hopkins University, etc.); and

WHEREAS, the proposed curriculum has been designed to provide students with up-to-date advanced training in selected marketable specialties of Biomedical Engineering, Biological Sciences and other engineering related inter-disciplinary fields; and to prepare students for entry into research-based graduate studies (e.g., to obtain a M.S. or Ph.D. degree in BME) or medical school; and to prepare students for industrial career positions in both public and private sectors pertaining to medical-related fields; and to provide students the background and tools necessary to take the Fundamentals of Engineering (FE) examination (i.e., if the student wishes to attain registration as a Professional Engineer); and

WHEREAS, the Administration proposes to establish a BS in Biomedical Engineering (BSBME), based in the School of Engineering and Advanced Sciences, and the proposed program has been approved by all required levels of faculty and administration;

NOW THEREFORE, BE IT RESOLVED that the University of the District of Columbia is hereby authorized to implement the BS in Biomedical Engineering (BSBME) Degree Program in accordance with the attached proposal, *provided that* the funds required to implement the program shall not be obligated until they have been identified and reprogrammed within existing University resources.

The resolution was unanimously approved.

Chair Crider noted that the Engineering Department recently went through an accreditation visit and did very well. She congratulated Dean Shetty.

**Naming of Campus Buildings and Facilities Policy.** General Schwartz introduced the naming of campus buildings and facilities resolution and read a portion of the resolution into the record. After some discussion by the Board members, Chair Crider summarized that the board was looking for more flexibility in Number III, Section G (Naming When No Donor Gift is Involved). There was also a discussion regarding clarifying multiple naming.

**Motion:**

*UDC Resolution No. 2014-40: Naming of Campus Buildings and Facilities Policy*

WHEREAS, the District of Columbia law (D.C. Official Code § 1201.01(a) provides for the Board of Trustees of the University of the District of Columbia to adopt, prescribe, amend, repeal, and enforce such bylaws, rules, and regulations as it may deem necessary for the governance and administration of the University; and

WHEREAS, pursuant to 8B DCMR §512.1, University Campus Facilities shall be named by the Board of Trustees; and

WHEREAS, the Board of Trustees has determined the need to establish more specific policies to provide guidance for the naming of campus facilities; and

WHEREAS, the Board of Trustees seeks to generate contributions and revenue from donors and commercial entities by providing naming opportunities for facilities and subdivisions thereof;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the University of the District of Columbia hereby approves and adopts the Naming of Campus Buildings and Facilities Policy as attached.

The resolution was unanimously approved subject to technical and clarifying changes.

Revised Procedures for the Conduct of Elections for Alumni Members of the Board of Trustees. General Schwartz introduced the resolution pertaining to the election of alumni members to the Board of Trustees. He read a portion of the resolution into the record. Trustee Felton noted the election procedures Section 2.2 regarding the official mailing list and the elimination of language requiring that the list be updated “not less than six months” prior to the conduct of the election. Trustee Askew proposed an amendment to change the language to “not less than three months.” The amendment was approved.

**Motion:**

*UDC Resolution No. 2014- 2014- 41: Revised Procedures for the Conduct of Elections for Alumni Members of the Board of Trustees, University of the District of Columbia*

WHEREAS, pursuant to 8B DCMR §38-1202.01(c)(4), the Board of Trustees is required to conduct elections for the Alumni Trustee position; and

WHEREAS, the Board of Trustees, adopted rules governing the conduct of elections for alumni members of the Board as codified at 8B DCMR §120; and

WHEREAS, 8B DCMR §120.6 of the University Rules requires that the elections “shall be conducted in accordance with procedures established by the President and approved by the Board;” and

WHEREAS, the President and Elections Administrator have reviewed the election procedures and recommend the approval of the procedures as attached;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the University of the District of Columbia hereby approves the attached Procedure for the Conduct of Elections for Alumni Members of the Board of Trustees.

The resolution was unanimously approved.

Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Education Association. The Board continued the discussion regarding the Seventh Master Agreement and the salary scale. Dr. Petty explained that under the new contract, every faculty member will move to the banded scale. Trustee Bennett asked if the agreement had been signed by the faculty. Dr. Petty reported that the agreement had not been signed. Regarding the salary scale, Dr. Petty added the contract

calls for a fifteen percent increase in the lower three ranks (instructor, assistant professor and associate professor).

There was a discussion regarding Board approval of the agreement without the signature of the UDCFA/NEA. Mr. Barash reported that the Association's counsel informed them that they do not have any objection to the agreement language. This agreement will go to the City Council. Mr. Barash confirmed that the agreement went to arbitration and that it was binding arbitration.

**Motion:**

*UDC Resolution No. 2014-42: Approval of the Seventh Master Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Education Association*

WHEREAS, District of Columbia law (D.C. Official Code §1-617.15(a)) provides for the Board of Trustees of the University of the District of Columbia to approve collective bargaining agreements for the University; and

WHEREAS, the University of the District of Columbia administration and the University of the District of Columbia Faculty Association/National Education Association have negotiated terms for a new collective bargaining agreement designed to cover compensation and terms and conditions of employment for members of the bargaining unit through September 30, 2015; and

WHEREAS, the compensation and evaluation articles of the proposed agreement were resolved through binding interest arbitration, in which case a decision was issued on July 7, 2014; and

WHEREAS, the Board of Trustees has reviewed the proposed agreement and considers that it represents a fair and reasonable resolution of both faculty rights and management prerogatives and that the compensation provisions are consistent with available resources; and

WHEREAS, the Board of Trustees, having consulted with the President of the University and his management negotiation team, finds that it is in the best interests of the University that the proposed agreement be approved as the Seventh Master Agreement Between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Education Association; and

WHEREAS, the Seventh Master Agreement includes a revised compensation scale which reflects the negotiated compensation amounts and for which funding has been identified;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Trustees hereby accepts the recommendation of the President and hereby approves the Seventh Master Agreement Between the University of the District of Columbia and the University of the District of Columbia Faculty Association/National Education Association; and

BE IT FURTHER RESOLVED THAT the Board of Trustees hereby approves the new salary scales as attached and pending approval from the City Council.

The resolution was unanimously approved.

Approval of the Terms for the Compensation of Department Chairs and Continuing Full Time (CFT) Non-Union Faculty Members. General Schwartz introduced the resolution and read a portion of the resolution into the record.

**Motion:**

*UDC Resolution No. 2014-43: Approval of the Terms for the Compensation of Department Chairs and Continuing Full-Time (CFT) Non-Union Faculty*

WHEREAS, District of Columbia law (D.C. Official Code §1-617.15(a)) provides for the Board of Trustees of the University of the District of Columbia to approve compensation and benefits agreements for the University; and

WHEREAS, the University of the District of Columbia administration have negotiated terms for a new collective bargaining agreement designed to cover compensation and terms and conditions of employment for members of the bargaining unit through September 30, 2015; and

WHEREAS, University Rules designate Department Chairs (also referred to as Division Directors) as continuing full-time faculty (CFT)/non-union faculty employees, who, thus, are not covered by the Seventh Master Agreement; and

WHEREAS, Department Chairs are nine-month employees paid on the faculty pay scale like all other CFT faculty, and past practice at the University has been that department chairs received a compensation package almost identical to that negotiated for unionized faculty; and

WHEREAS, Department Chairs, like their unionized faculty counterparts, have not received a cost-of-living increase since FY 2008, the year the previous Sixth Master Agreement was terminated; and

WHEREAS, the recently arbitrated Seventh Master Agreement provides for a one-time payment based on years of service, a 3% FY 2014 cost of living adjustment, and merit bonus pools for Academic Years 2011-12, 2012-2013, and 2013-2014, and sufficient funding was set aside by the University to fund the proposed chairs and CFT/ non-union faculty compensation proposal;

WHEREAS, the Board of Trustees has reviewed the proposed agreement and considers that it represents a fair and reasonable agreement and that the compensation provisions are consistent with available resources; and

WHEREAS, the Board of Trustees, having consulted with the President of the University and his management negotiation team, finds that it is in the best interests of the University that the proposed agreement be approved;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Trustees hereby accepts the recommendation of the President and hereby approves the terms for the Compensation of Department Chairs and Continuing Full-Time (CFT) Non-Union Faculty.

The resolution was unanimously approved.

**Report of the Chairperson**  
No Committee Report.

**Report of the President**

Dr. Lyons introduced Dr. Dianne Philips, the new Chief Executive Officer of the Community College. She briefly discussed the meetings she has had with students, faculty and staff.

Dr. Lyons spoke about the Millennium Leadership Institute and introduced Dr. Weldon Jackson, Provost and Vice President for Academic Affairs, Bowie State University.

Dr. Lyons reported he would present a discussion topic at each Board of Trustees meeting. At the next meeting, the topic will be the self-study. Dr. Lyons introduced Dr. Ledbetter and Mr. Ramsay who led a discussion regarding the Clery Act, Violence against Women Act and Title IX.

**Report of the Executive Committee**

Chair Crider discussed the Presidential Search. Dr. Lyons sent a communication which identified the Search Committee members. It is expected that the process will be completed by early to late spring with a new president in place before the start of the next academic year. The Co-Chairs are Trustees Askew and Schwartz. The Committee has broad representation including someone from the community.

**Report of the Committee of the Whole**  
No Committee Report.

**Report of the Academic and Student Affairs Committee**

Trustee Schwartz did not have any additional information to report.

- Alumni Task Force: Trustee Shelton has identified volunteers who have agreed to be on the task force. The first meeting will be held in early December.
- Student Communications Task Force: Trustee Bennett reported the first meeting of the task force will be held on Wednesday, November 19, at the community college. She thanked Ms. Pennamon for sending notices to the students regarding the Board of Trustees meetings.

**Report of the Audit, Budget and Finance Committee**

Trustee Felton reported the committee met on November [5]. They discussed the FY14 financial closeout and audit which is expected to be completed by mid-December. There is likely to be a preliminary projected surplus of \$3 million, primarily derived from the endowment income. As of September 30, the endowment had a balance of \$44 million. The committee had a closed session regarding a contracting matter.

**Report of the Community College**

No committee report.

**Report of the Operations Committee**

Trustee Askew reported the committee met on November 10. The committee has several different areas of responsibilities including facilities, human resources, contracting and procurement, marketing and branding, information technology, general counsel and government relations. He asked that the document presented at the committee be distributed to all Board members.

**Unfinished Business**

No unfinished business.

**New Business**

No new business.

A motion was made and the roll was called to enter executive session. Dr. Crider read the following statement:

In accordance with Section 2-575 (b) (10) of the D. C. Code, the Board of Trustees hereby gives notice that it may conduct an executive session, for the purpose of discussing the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.

Dr. Crider noted the Board of Trustees would not return to the public session following the executive session. The Board entered executive session at 8:38 p.m.

*Executive Session*

---

Secretary's Signature

---

Date