

Regular Meeting of the Board of Trustees
Tuesday, April 29, 2014
Revised Draft Minutes

Trustees Present:

Elaine Crider, Chair
Joseph Askew
Christopher Bell
James Dyke (conference call)
Reginald Felton
Gabriela Lemus
James Lyons, ex-officio
Jerome Shelton
Anthony Tardd
Mary Thompson
Joshua Wyner

Trustees Absent:

Alejandra Castillo
Kendrick Curry
Kenneth Isaacs
Errol Schwartz
George Vradenburg

Staff Participants:

Michael Rogers, Vice President, Institutional Advancement
Donald Rickford, Chief Financial Officer
Valerie Epps, Vice President, Student Affairs
Myrtho Blanchard, Vice President, Human Resources
Shelley Broderick, Dean, David A. Clarke School of Law
Barbara Jumper, Vice President, Facilities, Real Estate, and Public Safety
Scott Barash, General Counsel
Stacey Mills, Office of the General Counsel

Call to Order and Roll Call

Chair Crider called the meeting to order at 5:15 p.m. The roll was called and a quorum was present.

Approval of Minutes

The Board reviewed the minutes of the March 27th regular meeting of the Board of Trustees. The minutes were unanimously approved.

Report of the Chairperson

Chair Crider welcomed the two new Trustees: Dr. Anthony Tardd and Mr. Joshua Wyner.

Dr. Tardd is a third generation Washingtonian. He attended DC public schools, Howard University and Virginia Tech. Trustee Tardd has thirty-eight plus years in higher education, mostly at the community college level. He worked at Northern Virginia Community College and served as campus CEO.

Trustee Wyner is a lifelong resident of the District of Columbia and a graduate of Wilson High School. He served as Executive Director of D.C. Appleseed and is at the Aspen Institute where his focus is on higher education.

Report of the President

Dr. Lyons announced the 2014 Spring Commencement Speaker will be Mary Frances Berry. Various campus activities were discussed including the Big Band Jazz program, athletics and the marketing campaign.

Dr. Lyons briefly discussed the budget hearing which was held April 28. Students spoke at the hearing about their experience with the university and the workforce development program.

The newly elected Undergraduate Student Government Association president, Mr. Theodore Wilhite, was introduced. He is a third-year architecture student, lifelong Washingtonian, and a graduate of Carroll High School. He was recently hired by Envision as a program coordinator.

Mr. Rogers briefly reported on the budget hearing. In the past, the university's budget was presented in two funds (local subsidy and the operational budget in enterprise and other funds). This year the budget was presented in one place (enterprise and other funds). The budget details were not included. Chairman Mendelson asked the university to present the same information as in previous years.

There was a lengthy discussion regarding the budget priorities for FY2015. Dr. Lyons noted the university identified priorities. However, funds were received for items that were not the institution's priorities. Also, the university submitted an [enhancement] request to the FY2014 Budget.

Other items discussed included recognizing the student who won first place in the technology and engineering category at the 2014 National Conference on STEM (adehHakim Ahmim); the architecture Master's degree program's admissions to candidacy for national accreditation; and the nursing program.

Trustee Felton asked about fundraising and advancement. Mr. Rogers reported they are working with the Foundation to rebuild its Board. A fundraising retreat is planned. The financial goal for 2015 is \$2 million.

Election of Officers

Chairperson

A motion was made and seconded to nominate Dr. Elaine Crider, Chairperson. No additional nominations were received. Dr. Crider was unanimously elected.

Trustee Shelton proposed a slate of officers. Dr. Lemus was asked to run as Secretary. The following slate was unanimously approved by the Board of Trustees:

Elaine A. Crider – Chairperson
Christopher Bell – Vice Chairperson
Gabriela Lemus – Secretary
Reginald Felton – Treasurer.

Report of the Executive Committee

No Committee report.

Report of the Committee of the Whole

No Committee report.

Report of the Academic Affairs Committee

In the absence of committee Chair Curry, Trustee Thompson presented the resolution pertaining to an honorary degree candidate. She read a portion of the resolution into the record.

Motion:

UDC Resolution No. 2014-15: Conferral of Honorary Degree upon Edwin J. Nichols, Ph.D., Nichols and Associates, Inc.

WHEREAS, pursuant to D.C. Code §38-1202.06(3), the Board of Trustees has authority to award degrees and to establish policy with respect to the award of degrees; and

WHEREAS, pursuant to 8 DCMR §315.2, the President, upon consultation with the Faculty Senate, has recommended that Edwin J. Nichols be awarded an honorary degree based on his outstanding research in and contributions to the field of psychology and cultural competence, his leadership in the area of building cultural competence in organizations to help realize its impact on leadership and global competition, and his unwavering dedication and accomplishments as a teacher, scholar, and public servant, and for his work and advocacy on behalf of children and the mentally ill, particularly during his twenty years spent working for the National Institute of Mental Health, and for which he has been recognized nationally in Life Magazine (1972) and TV's "60 Minutes" (1972) and received many other awards; and

WHEREAS, pursuant to 8 DCMR §315.3, the Board of Trustees must approve the recommendation of Edwin J. Nichols by an affirmative vote of three-fourths (¾) of the members present at the meeting of the Board following the meeting at which the recommendation was made;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the University of the District of Columbia hereby approves the recommendation of the awarding of the degree of Doctor of _____, with all the honors, privileges, and duties pertaining thereto.

The resolution was unanimously approved.

Report of the Budget and Finance Committee

Committee Chair Felton asked Mr. Rickford to present the financial information. Mr. Rickford presented the March 2014 monthly financial report. The payroll records are a month behind. A surplus of approximately \$2 million is projected.

Trustee Wyner asked that the monthly reports include an estimate of the payroll in order to bring the report up-to-date. He also asked for additional information regarding the audit and any significant audit findings.

Report of the Audit, Administration and Governance Committee

Committee Chair Shelton briefly discussed the audit and the conflict of interest policy. The new trustees will be provided with copies of both documents. The board was presented with information from Human Resources regarding classification and compensation reform.

Report of the Student Affairs Committee

Dr. Epps presented the Student Affairs Committee report. There was an issue with the student trustee elections involving the verification of the required one hundred signatures. The election has been postponed until the fall. Dr. Epps is working with Ms. Mills regarding the election problems. The two candidates who submitted signatures will be eligible to run in the fall if they meet all the qualifications.

Report of the Community College Committee

Chair Crider reported committee Chair Dyke wanted to remind the Board that the Community College Committee meeting will be held on May 15 at the Van Ness Campus. The two new trustees have been appointed to that committee. Chair Dyke also wanted the Board to be aware that the search for the Community College CEO is underway. Ms. Blanchard reported they have received forty applications for the position. The search committee consists of the Chair of the Community College Committee, student leaders, Community College faculty, CFO, the Community College academic dean and the Workforce Development dean.

Report of the Facilities Committee

Committee Chair Bell reported the committee met and had a good discussion regarding the student center. The completion date is targeted for 2015. The university website includes information regarding the status of the student center construction.

Chair Bell presented the Law Students in Court (LSIC) lease. Dean Broderick noted other law schools use the clinic. Forty law students are in the program, twelve of whom will be from the David A. Clarke School of Law.

Motion:

UDC Resolution 2014-16: Approval of D.C. Law Students in Court Lease at Building 52 of the University

WHEREAS, pursuant to D.C. Official Code 38-1202.06, the Board of Trustees has responsibility to generally determine, control, supervise, manage, and govern all affairs of the University of the District of Columbia, including oversight of facilities; and

WHEREAS, pursuant to 8B DCMR §2101.1, the “President of the University, subject to the approval of the Board of Trustees, is authorized and empowered to rent any building or land...under jurisdiction of the President, or any available space therein, whenever such building, land or space is not then required for the purpose for which it was acquired”; and

WHEREAS, D.C. Law Students in Court (LSIC) is a 501 (c)(3) nonprofit organization that provides civil and criminal legal assistance and representation to low-income individuals and families each year in Washington, D.C., as well as experiential learning opportunities for law students; and

WHEREAS, LSIC desires to lease on an exclusive basis the commercial retail Unit B of Building 52, which is approximately 1,065 rentable square feet, and to use other classrooms and facilities of the David A. Clarke School of Law; and

WHEREAS, the basic terms of the proposed lease includes the following:

- Three (3) year lease term with a termination date of July 31, 2017;
- Monthly Rent totaling \$25,000.00 annually for use of the commercial retail space Unit B;
- Waiver of program payments to LSIC valued at \$72,000.00 annually. The David A. Clarke School of Law will not incur costs for the participation of twelve (12) of its students in the LSIC program, which would otherwise cost \$6,000 per student;
- LSIC use of approximately 3,300 square feet of space in the David A. Clarke School of Law;
- The University will provide gas, water, sewer, electricity, heating, ventilation and air conditioning to the Premises at no additional cost to Tenant, provided that Tenant’s use is consistent with current typical office uses within Building 52; and
- Termination may be initiated by either party with six months’ notice.

NOW THEREFORE, BE IT RESOLVED, that the Board approves the proposed lease to Tenant and authorizes the President to take all necessary actions to finalize and execute the lease.

The resolution was unanimously approved.

Chair Bell presented the proposed contract for the School of Engineering and Applied Sciences (SEAS) laboratory project.

Chair Crider asked why the contractor’s name was redacted from the report. Trustee Wyner spoke about a conflict issue if any trustee had a relationship with the contractor. There was a detailed discussion regarding this matter in terms of the Open Meetings Act requirements and past practices when presenting contracts to the Board. Dr. Crider asked that the General Counsel write a policy that is consistent with the Open Meetings Act requirements. Ms. Mills reported the Office of the General Counsel had recommended that the names not be redacted. Ms. Sherry Jones-Quahsie presented the name of the redacted vendor, FEI-Winmar.

Motion:

UDC Resolution No. 2014-17: Approval of Proposed Contract for SEAS Laboratory Project, Building 32/42

WHEREAS, pursuant to D.C. Official Code § 38-1202.01(a) (8), the University of the District of Columbia has the authority to procure and contract for goods and services; and

WHEREAS, pursuant to 8B DCMR § 205, the Board of Trustees is required to approve all proposed construction contracts in excess of four million dollars (\$4,000,000) prior to the presentation of such contracts to the Council of the District of Columbia for its approval; and

WHEREAS, the administration has presented a proposed contract for SEAS Laboratory Project, Building 32/42; and

WHEREAS, the Board has received all necessary certifications from the administration; and is satisfied that the proposed contract represents the proper culmination of the University's procurement process and represents what is most advantageous to the University;

NOW THEREFORE, BE IT RESOLVED that the University of the District of Columbia is hereby authorized to forward the proposed contract for the award for SEAS Laboratory Project, Building 32/42 to the Council of the District of Columbia for its approval.

The resolution was approved with one abstention (Trustee Lemus).

Unfinished Business

No unfinished business.

New Business

Chair Crider reported Trustee Wyner will be on the Student Affairs and Community College Committees. Trustee Tardd will be on the Academic Affairs and Community College Committees.

Trustee Shelton mentioned he attended the Association of Governing Boards (AGB) Conference. He made a number of contacts and had great discussions regarding higher education. He encouraged Board members to attend next year's conference.

Chair Crider reported the presidential search will start in the fall 2014. She mentioned that she would like to schedule a Board retreat involving leadership and governance issues.

The meeting adjourned at 8:41 p.m.

Secretary's Signature

Date