

BOARD OF VISITORS
OF THE COLLEGE
OF WILLIAM AND MARY
IN VIRGINIA



WILLIAM
& MARY

COMMITTEE MEETINGS

*Board Rooms - Blow Memorial Hall
Matoaka Woods Room – School of Education*

February 1 – 3, 2012

SCHEDULE

Board of Visitors Committee Meetings
The College of William and Mary

February 1 - 3, 2012
Blow Memorial Hall - College of William and Mary
Matoaka Woods Room – School of Education

WEDNESDAY, FEBRUARY 1:

RECTOR'S OFFICE - EXECUTIVE COMMITTEE

Janet M. Brashear
Colin G. Campbell
Timothy P. Dunn
R. Philip Herget III

- A. Approval of Minutes
- B. Closed Session (if necessary)
- C. Discussion

BOARD CONFERENCE ROOM - COMMITTEE ON AUDIT

4:30-5:30 p.m. Committee on Audit John C. Thomas, Chair
(Mr. Stump) Michael Tang, Vice Chair
Edward L. Flippen
Laura L. Flippin
Leigh A. Pence
L. Clifford Schroeder, Sr.

- A. Approval of Minutes
- B. Report from Director of Internal Audit
 - 1. Enclosure E, page 12
- C. Report from Compliance and Policy Officer
- D. Closed Session (if necessary)

PLUMERI HOUSE - 119 CHANDLER COURT

6:30 p.m. Reception and Dinner

Board of Visitors
SCHEDULE
February 1-3, 2012

THURSDAY, FEBRUARY 2:

BOARD DINING ROOM

7:45 a.m. Continental breakfast available

BOARD ROOM - COMMITTEE ON BUILDINGS AND GROUNDS

8:15-9:00 a.m. Committee on Buildings and Grounds Janet M. Brashear, Chair
(Ms. Martin) Leigh A. Pence, Vice Chair
Thomas R. Frantz
L. Clifford Schroeder, Sr.
Peter A. Snyder
Michael Tang

- A. Approval of Minutes
- B. Report from Building Official
- C. Report from Virginia Institute of Marine Science Dean/Director
 - 1. Enclosure F, pages 14-17
- D. Report from Vice President for Administration
 - 1. Enclosure G, pages 18-23
 - 2. **Resolution 3**, page 24
 - 3. **Resolution 4**, pages 25-41
- E. Closed Session (if necessary)

**BOARD ROOM – JOINT MEETING: COMMITTEE ON ATHLETICS AND
W&M FOUNDATION ATHLETICS SUBCOMMITTEE**

9:00-10:15 a.m. Committee on Athletics Todd A. Stottlemyer, Chair
(Mr. Driscoll) Timothy P. Dunn, Vice Chair
Janet M. Brashear
Colin G. Campbell
Leigh A. Pence
Peter A. Snyder

- A. Approval of Minutes
 - 1. W&M Foundation Athletics Subcommittee – October 20, 2011
 - 2. Committee on Athletics – December 8, 2011
- B. Joint Discussion topics

Board of Visitors
SCHEDULE
February 1-3, 2012

THURSDAY, FEBRUARY 2:

BOARD CONFERENCE ROOM - COMMITTEE ON ADMINISTRATION

9:00-10:00 a.m. Committee on Administration
(Provost Halleran, Ms. Martin)
Thomas R. Frantz
R. Philip Herget III
John C. Thomas

Dennis H. Liberson, Chair
Charles A. Banks III, Vice Chair

- A. Approval of Minutes
- B. Report from Provost
- C. Report from Vice President for Administration
 - 1. **Resolution 5**, page 44
- D. Closed Session (if necessary)

BOARD CONFERENCE ROOM - RICHARD BLAND COLLEGE COMMITTEE

10:00-11:00 a.m. Richard Bland College Committee
(President McNeer, Provost Binger)
Edward L. Flippin
Thomas R. Frantz
Leigh A. Pence

Dennis H. Liberson, Chair
Laura L. Flippin, Vice Chair

- A. Approval of Minutes
- B. Closed Session (if necessary)
- C. General Reports
 - 1. Report from President
 - 2. Report from Provost
 - 3. Report from Vice President of Administration and Finance
 - 4. Institutional Advancement Report
 - 5. Report from Faculty Representative
 - 6. Report from Student Representative
- D. Action Material
 - 1. **Resolution 1**, pages 47-49
 - 2. **Resolution 2**, page 50
- E. Informational Material
 - 1. Enclosure A, pages 51-53
 - 2. Enclosure B, pages 54-55
 - 3. Enclosure C, page 56
 - 4. Enclosure D, pages 57-58

Board of Visitors
SCHEDULE
February 1-3, 2012

THURSDAY, FEBRUARY 2:

**BOARD ROOM - COMMITTEE ON ACADEMIC AFFAIRS / PROVOST REPORT /
FACULTY PRESENTATION**

10:15-11:45 a.m. Committee on Academic Affairs Colin G. Campbell, Chair
Robert E. Scott, Vice Chair
(Provost Halleran)
Timothy P. Dunn
Peter A. Snyder
Todd A. Stottlemyer
Michael Tang

A. Approval of Minutes
B. Report from Provost
C. Report from Faculty Liaison Committee Chair
D. Closed Session (if necessary)
E. Action Materials
 1. **Resolution 6**, pages 60-62
 2. **Resolution 7**, pages 63-64
 3. **Resolution 8**, Pages 65-66
 4. **Resolution 9**, page 67
 5. **Resolution 10**, page 68

11:45-12:30 p.m. Provost Report and Faculty Presentation

12:40 p.m. Depart for School of Education

DOGWOOD ROOM – SCHOOL OF EDUCATION

1:00-2:00 p.m. Joint Lunch with W&M Foundation Board of Trustees and Alumni Association Board of Directors

MATOAKA WOODS ROOM

JOINT MEETING - BOARD OF VISITORS / W&M FOUNDATION BOARD OF TRUSTEES / ALUMNI ASSOCIATION BOARD OF DIRECTORS

2:00 p.m. Call to Order and Introductory Remarks

Board of Visitors
SCHEDULE
February 1-3, 2012

THURSDAY, FEBRUARY 2:

**JOINT MEETING: COMMITTEE ON DEVELOPMENT / COMMITTEE ON ALUMNI
RELATIONS / W&M FOUNDATION DEVELOPMENT COMMITTEE / ALUMNI
ASSOCIATION BOARD OF DIRECTORS**

2:15-3:45 p.m.	<u>Committee on Development</u> (Mr. Pieri)	R. Philip Herget III, Chair Thomas R. Frantz, Vice Chair L. Clifford Schroeder, Sr., Vice Chair
	A. Approval of Minutes B. Remarks from W&M Foundation Chair C. University Development Report D. Closed Session (if necessary)	
3:45-4:15 p.m.	<u>Committee on Alumni Relations</u> (Ms. Cottrell)	Laura L. Flippin, Chair Peter A. Snyder, Vice Chair
	A. Alumni Association President B. Report from Executive Vice President of Alumni Association C. Closed Session (if necessary)	
4:30-5:30 p.m.	Strategic University Communications – James R. Golden	
5:30 p.m.	Adjourn Joint Meeting	

MILLER HALL – BRINKLEY COMMONS:

Board of Visitors / W&M Foundation Board of Trustees / Alumni Society Board of Directors Joint Reception and Dinner

6:30 p.m.	Reception
7:15 p.m.	Dinner

Board of Visitors
SCHEDULE
February 1-3, 2012

FRIDAY, FEBRUARY 3:

BOARD DINING ROOM

7:45 a.m. Continental breakfast available

BOARD ROOM - COMMITTEE ON FINANCIAL AFFAIRS

8:30-9:30 a.m. Committee on Financial Affairs
(Provost Halleran, Mr. Jones) Timothy P. Dunn, Chair
Charles A. Banks III, Vice Chair
Edward J. Flinn, Vice Chair

Colin G. Campbell
Laura L. Flippin
R. Philip Herget III
Robert E. Scott
Todd A. Stottlemeyer

- A. Approval of Minutes
- B. Report from Vice President for Finance
 - 1. Overview of Governor's Budget Recommendations
 - 2. Summary of Operating and Capital Budget Amendments
 - 3. Enclosure H, pages 73-82
 - 3. **Resolution 11**, pages 83-87
- C. Report from Virginia Institute of Marine Science Dean
 - 1. Overview of Governor's Budget Recommendations
 - 2. Summary of Operating and Capital Budget Amendments
 - 2. Enclosure I, page 88
- D. Investment Portfolio Evaluation Overview
 - 1. Enclosure J (**see separate booklet**)
- E. Closed Session (if necessary)

BOARD ROOM - COMMITTEE ON STRATEGIC INITIATIVES

9:30-10:30 a.m. Committee on Strategic Initiatives Robert E. Scott, Chair
(Mr. Golden) Janet M. Brashears, Vice Chair

- A. Update on Strategic Planning Progress
 - 1. Strategic Planning Overview
 - 2. Enclosure K, pages 90-91
- C. Discussion of Select Topics

10:30 a.m. Adjourn Committee meetings

Board of Visitors
SCHEDULE
February 1-3, 2012

FRIDAY, FEBRUARY 3:

BOARD ROOM - BOARD OF VISITORS MEETING:

10:40 a.m.-12 p.m. FULL BOARD MEETING - see MEETING AGENDA Mr. Trammell

12:00 p.m. Adjourn

BOARD DINING ROOM:

12:00-1:00 p.m. Lunch with Cypher Society members

AGENDA ITEMS
Board of Visitors Meeting
The College of William and Mary in Virginia

February 1 - 3, 2012
Board Room - Blow Memorial Hall

RICHARD BLAND COLLEGE

Resolution 1, pages 47-49	Resolution to Approve Final Regulation Regarding Weapons on Campus
Resolution 2, page 50	Approval of Criteria for Course Credit: Cambridge Advanced (A/AS) Exams
Enclosure A, pages 51-53	2011-12 Operating Budget Update
Enclosure B, pages 54-55	Summary of Governor's Budget Recommendations
Enclosure C, page 56	Capital Outlay Progress Report
Enclosure D, pages 57-58	Advancement Report

COLLEGE OF WILLIAM AND MARY

Resolution 3, page 24	Resolution to Approve Easement for Fraternity Complex Project for Dominion Virginia Power
Resolution 4, pages 25-41	Resolution to Adopt Guidelines for Projects under the Public-Private Education Facilities and Infrastructure Act of 2002
Resolution 5, page 44	Resolution to Adopt 2012 Emergency Response Plan (ERP)
Resolution 6, pages 60-62	Appointments to Fill Vacancies in the Professionals and Professional Faculty
Resolution 7, pages 63-64	Award of Academic Tenure
Resolution 8, pages 65-66	Faculty Promotions

Board of Visitors
AGENDA ITEMS
February 1 - 3, 2012

Resolution 9, page 67	Designated Professorship
Resolution 10, page 68	Faculty Leave of Absence
Resolution 11, pages 83-87	Approval of Memorandum of Understanding Authorizing the Investment of Certain William and Mary Real Estate Foundation Funds in the Board of Visitors Endowment Pool
Enclosure E, page 12	Report of Internal Audit Activity Since December 8, 2011
Enclosure F, pages 14-17	Virginia Institute of Marine Science Capital Outlay Project Progress Report
Enclosure G, pages 18-23	College of William and Mary Capital Outlay Project Progress Report
Enclosure H, pages 73-82	College of William and Mary 2011-2012 Operating Budget Summary
Enclosure I, page 88	Virginia Institute of Marine Science 2011-2012 Operating Budget Summary
Enclosure J	Investment Update for Period Ending December 31, 2011 (see separate booklet)
Enclosure K, pages 90-91	University Dashboard Update

EXECUTIVE COMMITTEE
February 1, 2012
4:30 – 5:30 p.m.
Rector's Office - Blow Memorial Hall

Jeffrey B. Trammell, Chair
Charles A. Banks III, Vice Chair
Dennis H. Liberson, Secretary

- I. Introductory Remarks - Mr. Trammell
- II. Approval of Minutes – December 8, 2011
- III. Closed Session (if necessary)
- IV. Open Session - Certification of Closed Session **Resolution**

Chair should review topic discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

- V. Adjourn

EXECUTIVE COMMITTEE

MINUTES - DECEMBER 8, 2011

MINUTES
Executive Committee
December 8, 2011
Rector's Office – Blow Memorial Hall

Attendees: Jeffrey B. Trammell, Chair; Charles A. Banks III, Vice Chair; Janet M. Brashear; Colin G. Campbell; Timothy P. Dunn; R. Philip Herget III; Dennis H. Liberson. Others in attendance: Board member Robert E. Scott, President W. Taylor Reveley III, and Michael J. Fox.

Chair Jeffrey B. Trammell called the meeting to order at 9:00 a.m. Recognizing that a quorum was present, Mr. Trammell moved adoption of the minutes of the meeting of September 21, 2011 and November 15. Motion was seconded by Mr. Banks and approved by voice vote of the Committee.

Mr. Trammell moved that the Executive Committee of the Board of Visitors of the College of William and Mary convene in Closed Session for the purpose of discussing the performance of specific college employees; and matters pertaining to honorary degrees, as provided for in Section 2.2-3711.A.1., and 10., of the Code of Virginia. Motion was seconded by Mr. Liberson and approved by voice vote. The observers were asked to leave the room and the Committee went into closed session at 9:05 a.m.

The Executive Committee reconvened in open session at 10:00 a.m. Mr. Trammell reviewed the topics discussed during closed session, then moved adoption of the Resolution certifying that the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Banks and approved by roll call vote of the Committee members conducted by Secretary to the Board Michael Fox (**Certification Resolution** is appended).

There being no further business, the Committee adjourned at 10:00 a.m.

Executive Committee

Resolution EC-1

December 8, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors Executive Committee has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3711.A.10. of the Code of Virginia requires a certification by this Committee that such closed session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, That the Executive Committee, reconvening in open session, 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 to which this certification applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Executive Committee.

VOTE

AYES: 7

NAYS: 0

ABSENT DURING CLOSED SESSION:



Jeffrey B. Trammell
Chair
Executive Committee

COMMITTEE ON AUDIT

February 1, 2012

4:30 – 5:30 p.m.

Board Conference Room - Blow Memorial Hall

John C. Thomas, Chair

Michael Tang, Vice Chair

- I. Introductory Remarks - Mr. Thomas
- II. Approval of Minutes – December 8, 2011
- III. Report from Director of Internal Audit - Michael L. Stump
 - A. Report of Internal Audit Activity Since December 8, 2011 - Enclosure E.
- IV. Report from Compliance and Policy Officer – Kiersten L. Boyce
- V. Closed Session (if necessary)
- VI. Open Session - Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

- VII. Discussion

- VIII. Adjourn

COMMITTEE ON AUDIT

MINUTES - DECEMBER 8, 2011

MINUTES
Committee on Audit
December 8, 2011
Board Conference Room - Blow Memorial Hall

Attendees: John C. Thomas, Chair; Michael Tang, Vice Chair; Edward L. Flippen; Laura L. Flippin; Leigh A. Pence; and L. Clifford Schroeder, Sr. From the Auditor of Public Accounts: Laurie Hicks and Eric Sandridge. Others present: Virginia M. Ambler; Kiersten L. Boyce; Courtney M. Carpenter; Peter C. Kellogg; Bernadette M. Kenney; Deborah A. Love; Anna B. Martin; James B. McNeer; Todd Mooradian; John C. Poutsma; Michael L. Stump; and Russell E. Whitaker.

Chair John C. Thomas called the meeting to order at 8:56 a.m. and recognizing that a quorum was present, asked for a motion to approve the minutes of the September 21, 2011 meeting. Motion was made by Mr. Flippen and seconded by Mr. Schroeder and approved by voice vote.

Mr. Thomas asked Mr. Stump to introduce the auditors from the Auditor of Public Accounts (APA). Mr. Stump introduced Ms. Hicks and Mr. Sandridge and asked Ms. Hicks to begin her presentation. Ms. Hicks briefly discussed the elements of the required communications documents; which was distributed to the Audit Committee prior to the beginning of the meeting. Ms. Hicks asked if there were any questions. There were none. Mr. Thomas instructed the APA to contact him if they encounter any problems. He thanked them for their time and for attending the meeting.

Mr. Thomas asked Mr. Stump to discuss projects completed and underway. Mr. Stump referred the Committee to the Report of Internal Audit Activity as detailed in Enclosure F, noting that the first and fourth projects were presentations to national accounting and inspector general organizations. He briefly discussed the second and third projects which involved Internet use policies and practices at William and Mary and Richard Bland College. There were no negative findings in the Richard Bland College report. There was one minor negative finding and one observation in the William and Mary report. The observation was that the College largely depends on supervisors to monitor employee Internet use; software tools are generally not utilized. Mr. Stump discussed the Commonwealth's new policy concerning personal use of Commonwealth's electronic communications tools, including the Internet. Personal use is permitted as long as such use does not interfere with productivity; use of social media, such as Facebook, was included within the new policy. The Committee discussed their concerns with relying on supervision without some software controls. Ms. Pence expressed concern that supervisors may not have the tools necessary to monitor use. Mr. Carpenter explained that the College's approach to controlling Internet use is the same as the other four-year public institutions in the Commonwealth.

Mr. Stump discussed the nine projects in process. The audits of the College's financial aid and Richard Bland College's data center physical and security controls were complete and the reports were in process. He discussed the cash thefts, two in the Sadler Center and one in the Campus Center. The total of the thefts was \$974. Since internal controls were weak or missing, there was no personal accountability and determining responsibility for the thefts will be difficult. Ms.

Committee on Audit
MINUTES
Page 2

Ambler told the Committee that her staff is working with the William and Mary Police Department and the Office of Internal Audit to improve controls.

Mr. Stump presented the proposed 2012 Internal Audit Work Plan, detailed in **Resolution 7**. He answered the Committee's questions about the Plan. Following discussion, Mr. Tang moved adoption of **Resolution 7**, Approval of 2012 Internal Audit Work Plan. Motion was seconded by Mr. Schroeder and approved by voice vote of the Committee.

Mr. Stump referred the Committee to Enclosure G, Risk Management Considerations, and discussed the enclosure with the Committee. Mr. Flippen discussed his concern that the risk categories weren't prioritized, other than the first category, which addressed safety. Mr. Stump said he would consult with Mr. Thomas.

Mr. Thomas informed the Committee that the College's Compliance Officer, Kiersten Boyce, would provide reports to the Committee, during scheduled Committee meetings, effective immediately. Mr. Thomas asked Ms. Boyce to discuss the compliance function. Ms. Boyce discussed the function and its scope. She said the function has been well-received and that she is making good progress, but there has been some resistance. Mr. Flippen asked Ms. Boyce to keep the Committee apprised of any resistance that is not resolved.

There being no further business, the Committee adjourned at 9:50 a.m.

Board of Visitors

Enclosure E

February 1-3, 2012

Page 1 of 1

COLLEGE OF WILLIAM AND MARY and RICHARD BLAND COLLEGE
REPORT OF INTERNAL AUDIT ACTIVITY SINCE DECEMBER 8, 2011

<u>Projects</u>	<u>Completion Date</u>
• Environmental, Operational, and Physical Security Ctrls (RBC)	December 12
• Financial Aid – Audit Committee request	January 31
• Sadler and Campus centers cash thefts	January 31
• Accounts Rec. Collections final and follow-up – mgmt. request	January 31

<u>Projects in process</u>	<u>Estimated Completion Date</u>
• Assist Auditor of Public Accounts	Ongoing
• Centralized billing and VA benefits – management request	Ongoing
• Dining Services RFP – management request	July 2012
• Payroll	June 2012
• President's Business Innovation Comm – President's request	Ongoing
• President's Honor System Review Comm – President's request	Feb 2012
• Risk Management Steering Committee – management request	Ongoing
• Small Purchase Charge Card Program	Ongoing

COMMITTEE ON BUILDINGS AND GROUNDS

February 2, 2011

8:15 – 9:00 a.m.

Board Room - Blow Memorial Hall

Janet M. Brashear, Chair

Charles A. Banks III, Vice Chair

- I. Introductory Remarks – Ms. Brashear
- II. Approval of Minutes – December 9, 2011
- III. Report from Building Official.
- IV. Report from Virginia Institute of Marine Science – Dean/Director John T. Wells
 - A. Capital Outlay Project Progress Report. Enclosure F.
- V. Report from Vice President for Administration - Anna B. Martin
 - A. Capital Outlay Project Progress Report. Enclosure G.
 - B. Resolution to Approve Easement for Fraternity Complex Project for Dominion Virginia Power. **Resolution 3**.
 - D. Resolution to Adopt Guidelines for Projects under the Public-Private Education Facilities and Infrastructure Act of 2002. **Resolution 4**.
- VI. Closed Session (if necessary)
- VII. Open Session - Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.
- VIII. Discussion
- IX. Adjourn

COMMITTEE ON BUILDINGS AND GROUNDS

MINUTES - DECEMBER 9, 2011

MINUTES
Committee on Buildings and Grounds
December 9, 2011
Board Conference Room – Blow Memorial Hall

Attendees: Janet M. Brashear, Chair; Leigh A. Pence, Vice Chair; Thomas R. Frantz, L. Clifford Schroeder, Sr., Peter A. Snyder, Michael Tang. Others present: Virginia M. Ambler, Anna B. Martin, John T. Wells, Robert P. Dillman, Lynda Butler, Dennis Taylor, Sarah Stafford, and other administrative staff.

Chair Janet M. Brashear called the Committee to order at 10:05 a.m. Recognizing that a quorum was present, Ms. Brashear requested a motion to adopt the minutes of the September 22, 2011 meeting. Motion was made by Mr. Snyder, seconded by Mr. Tang, and approved by voice vote of the Committee.

Robert P. Dillman, College Building Official, reported on the issuance of permits and certificates of occupancy. The Committee had no questions.

Mr. John T. Wells, Dean and Director of the Virginia Institute of Marine Science, reviewed information on the three VIMS campuses, the new Master Plan, the priorities of the 2012-2018 capital plan, and current construction progress from the written report, as detailed in Enclosure J. He extended to the Board, the Committee, and particularly to new members, a general invitation to visit the newly transformed main campus at Gloucester Point.

Ms. Anna B. Martin, Vice President for Administration, reviewed briefly highlights of the construction progress report, as detailed in Enclosure K, before introducing faculty members Lynda Butler and Dennis Taylor, co-chairs of the Sustainability Committee. Ms. Martin reported on the results of the Eco-Village Feasibility Study, which was overseen by the Sustainability Committee and funded by Board member, Mr. Michael Tang. The primary recommendation of the study is to demolish the old Lodges and rebuild new “green” structures. It is not cost effective to try and renovate as well as retrofit the existing structures into effective “green” structures; however, recycling of as much building material as possible is key to the plan’s intent.

The design includes construction of a solar array as part of a pedestrian plaza, planting of canopy trees, and restoration of native vegetation. A typical house elevation was shared with the Committee. Each house could exercise alternatives and options in green building technologies. The estimated initial cost is \$5.5M, with funds to be privately solicited. The Committee engaged Ms. Martin, Ms. Butler and Mr. Taylor with many questions. Mr. Tang stated that he would like for this report to yield a “teachable moment” regarding the real cost of green technology, both fixed and continuing, with realistic pay-backs over time. The Committee also requested the Eco-Village cost per square foot and per bed, compared to the last residence hall constructed, Jamestown North & South.

Ms. Martin introduced faculty member Ms. Sarah Stafford, Sustainability Fellow and Paul Verkuil Professor of Economics, Public Policy and Law. Ms. Stafford discussed the myriad of

Committee on Buildings and Grounds

MINUTES

Page 2

student and faculty research projects that might result from the Eco-Village project. The Committee had no additional questions.

There being no further business, the Committee adjourned at 10:45 a.m.

VIRGINIA INSTITUTE OF MARINE SCIENCE CAPITAL OUTLAY PROJECT PROGRESS REPORT

268-90001 Seaside Hall Replacement

Anticipated Project Budget: \$1,923,429

Biennium: 2010-2012

Design Team: VIA Design Architects, Inc.

Obligated to Date: \$474,529

Fund Sources: Insurance Recovery

Contractor: TBD

This project supports the construction of a new 3,100 square foot library, classroom, and laboratory building which was completely destroyed by fire on November 18, 2010. Construction bids were opened on December 7, 2011 and we are currently negotiating with the lowest bidder. The project is to be completed by November 2012.

268-17724 Eastern Shore Seawater Laboratory

Appropriation Amount: \$3,674,892

Biennium: 2008-2010

Design Team: VIA Design Architects, Inc.

Obligated to Date: \$3,600,288

Fund Source: VCBA Bonds

Contractor: Nason Construction, Inc.

This project supports construction of a new 8,000 square-foot laboratory building with running seawater for research on coastal marine ecology and aquaculture in a high salinity environment. The building is 99% complete. Substantial completion is scheduled for March 2012.

268-17447 Electrical Upgrades, Chesapeake Bay Hall

Appropriation Amount: \$267,500

Biennium: 2006-2008

Design Team: McKinney & Company

Obligated to Date: \$236,032

Fund Source: General Funds

Contractor: E.G. Middleton, Inc.

VCBA Bonds

This project involves upgrading the electrical distribution system at Chesapeake Bay Hall. The building's electrical system did not provide the type of clean power needed by some of the sensitive electronic lab equipment and instrumentation used in modern research. The project installed transient voltage surge suppression and other improvements to the grounding system and a second emergency generator. The project is substantially complete, and the contractor has one punch list item to complete before the construction portion of the project can be inspected for final completion. VIMS is currently installing the new UPS units in various laboratories and telecom equipment rooms. The project will be completed in the Spring of 2012.

Board of Visitors

Enclosure F

February 1-3, 2012

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268-17400 Property Acquisition: CBNERRVA

Appropriation Amount: \$1,490,500

Biennium: 2006-2008

Fund Source: Federal Funds

Obligated to Date: \$12,436

This appropriation involves the purchase of master plan properties to support the CBNERRVA program. VIMS received a federal grant to purchase an additional 455 acres of the Catlett Islands. The Institute currently owns 65 acres of the Islands. The Purchase Agreement is finalized and is with our Legal Counsel. Upon approval, a boundary survey, environmental assessment, and title search must be performed prior to closing. The property purchase and closing date is anticipated for March 1, 2012.

268-16863 Research Storage Facility

Appropriation Amount: \$641,000

Biennium: 2002-2004

Design Team: DJG, Inc.

Obligated to Date: \$641,000

Fund Source: General Obligation Bonds

Contractor: Norman Company

This project involved the construction of a 4,900 square-foot storage building to secure research equipment and instruments that are currently stored outdoors. The project is complete and a Certificate to Occupy was issued by the William & Mary Code Review Team in December 2011.

268-16522 Marine Research Building Complex

Appropriation Amount: \$31,214,371

Biennium: 2000-2002

Design Team: Clark Nexsen Architects and Engineers

Obligated to Date: \$31,214,371

Fund Sources: General Funds

Contractor: W.M. Jordan and Company

GOB & VCBA Bonds

Higher Education Operating

This appropriation funds the planning and construction of a project to demolish and replace outdated laboratory buildings with Andrews Hall, a new 71,000 square-foot scientific research building and a separate 46,000 square foot seawater laboratory. The construction portion of the project is 100% complete. Installation of a second seawater line is underway. Once completed, the project will be closed.

268-16634 Property Acquisition: VA-NERRS

Appropriation Amount: \$350,000

Biennium: 2000-2002

Fund Source: Federal Funds

Obligated to Date: \$193,000

This project acquires property by the Virginia Estuarine & Coastal Research Reserve System using federal grants. To date, VIMS has purchased a parcel on the Dragon Run (the upper Piankatank River) in November 2002 and a portion of the Catlett Islands in June 2003 for the Reserve System. The appropriation remains open for future acquisitions.

268-16299 Property Acquisition: Master Plan Properties

Appropriation Amount: \$1,100,000
Fund Sources: VCBA Bonds
Higher Education Operating

Biennium: 2000-2002
Obligated to Date: \$603,154

This appropriation involves the purchase of properties contiguous to the Gloucester Point campus. There is a piece of property that may become available for purchase in Spring 2012. VIMS is currently having discussions with the property owner.

268-16149 Property Acquisition: Wachapreague

Appropriation Amount: \$743,926
Fund Sources: Private Funds
Higher Education Operating

Biennium: 1998-2000
Obligated to Date: \$733,028

This appropriation involves the purchase of properties at the Eastern Shore Laboratory campus at Wachapreague, Virginia. No purchases have been made since June 2011; however the appropriation remains open for future acquisitions.

268-12331 Maintenance Reserve

Appropriation Amounts:

Fund Source: VCBA Bonds	\$636,610	June 30, 2010 Balance
	\$275,067	2011
	\$193,060	2012

The following maintenance reserve projects are included in an Energy Savings Performance Contract:

- Replace the North Mechanical Penthouse on Chesapeake Bay Hall
- Replace the South Mechanical Penthouse on Chesapeake Bay Hall
- Replace Air Handling Units at Watermen's Hall
- Replace Chiller Rack, Electric Boiler, and Cooling Tower at Watermen's Hall

VIMS worked with the Division of Mines, Minerals, and Energy to obtain an energy audit on three of its buildings (Watermen's Hall, Chesapeake Bay Hall, and Nunnally Hall/Fisheries Science Laboratory). VIMS signed an energy performance contract with Siemens Industry, Inc. to complete the projects listed above. \$650,000 of the maintenance reserve funds are being used to support this project. Substantial completion is scheduled for Winter 2012.

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The following Maintenance Reserve projects are scheduled for repairs this fiscal year:

- Replace the Roof on the Customer Service Building and Laboratory
- Replace Compressors/Condensers CBH
- Repair Various Roofs
- Replace Control Panels at Sewage Pump Station #1
- Point Up Exterior of Three Buildings

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**COLLEGE OF WILLIAM AND MARY
CAPITAL OUTLAY PROJECT PROGRESS REPORT**

204-17278 Renovate: Power Plant & Utilities Improvements (Umbrella)

Appropriation Amount: \$13,636,000 Biennium: 2006-2008
Fund Source: VCBA, 9d Bond Obligated to Date: \$13,245,730

204-17278-01 – Renovate: Power Plant: COMPLETE

Budget: \$10,243,331 Obligated to Date: \$10,268,838

204-17278-02 – Construct: No. Boundary St. Utility Improvements: COMPLETE

Budget : \$2,579,439 Obligated to date: \$2,475,312

204 – 17278-03 – Utility Piping Interconnect

Design Team: RMF Engineering Biennium: 2008-2010
Budget: \$630,540 Obligated to Date: \$501,580
Fund Source: VCBA, 9d Bond Contractor: TBD

Description: New steam and chilled water lines will be extended to Jamestown North and South Dormitories from the North Campus District Plant.

Progress: Design is complete. Construction is scheduled for summer, 2012.

204-17651 Construct/Replace: Cooling Plant & Utilities Improvements (Umbrella)

Appropriation Amount: \$31,540,332 Biennium: 2008-2010
Fund Source: VCBA, 9d Bond Obligated to Date: \$28,672,783

204-17651-01 – Construct: Cooling Plant Addition COMPLETE

Budget: \$6,020,401 Obligated to Date: \$5,225,122

204-17651-03 – Replace: Historic Campus Utility Improvements COMPLETE

Budget: \$802,000 Obligated to date: \$624,478

204-17651-02 & 04 – Replace: Historic Campus Utility Improvements

Design Team: RMF Engineering Biennium: 2008-2010
Budget : \$24,717,931 Obligated to date: \$22,823,184
Funding Source: VCBA, 9(d) bond Contractor: Mid-Atlantic
Infrastructure Systems (MIS)

Description: Design and installation of distribution piping to support steam and chilled water from the central district utility plant to the Historic Campus.

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Progress: Final connections to Old Dominion Hall and the Bryan complex are near completion. Steam was transferred to the new piping over the Christmas Break. Work will now focus on the south side of the Sunken Garden and south of Jamestown Road as distribution systems are extended west to the Jamestown Dormitories and south to Reves Hall and Hunt Hall. Upon completion in fall 2012, twenty-seven buildings will be connected to the newly renovated and expanded central district heating and cooling utility plant, replacing systems that were 50-60-70 years old.

204-17093 Construct: Emergency Generators

Design Team: McKinney

Biennium: 2004-2006

Appropriation Amount: \$1,600,000

Obligated to Date: \$1,548,120

Fund Source: VCBA

Contractor: Multiple firms

Description: Installation of emergency generators in numerous critical campus facilities, including Facilities Management Building (site of the Crisis Action Center) and Jones Hall (computer center machine room).

Progress: Residual funds are being used to design an emergency unit for the Muscarelle Museum.

204-17652 Renovate: Tucker Hall

Design Team: Cunningham-Quill

Biennium: 2008–2010

Budget: \$10,992,000

Contractor: Donley's

Funding Source: VCBA

Obligated to date: \$1,194,850

Description: The project will reconfigure and improve the 1909 era Tucker Hall, last upgraded in 1980. Instructional space and technology will be modernized for the department of English.

Progress: Final construction documents and the CM's GMP are due March 15, 2012, to enable an April 2012 construction start. Construction will take approximately 14 to 16 months. Remediation of hazardous materials and non-structural interior demolition started Dec 12th, 2011.

204-17650 Construct: Integrated Science Center Ph 3

Design Team: TBD

Biennium: 2008–2010

Budget: \$250,000; \$4.8 M (SD/PD)

Contractor: TBD

Funding Source: VCBA; HEO

Obligated to date: \$0

Description: The project is an 113,000 GSF facility, designed for scientific research in existing applications (applied science, biology, chemistry, and psychology), future programs (inter-disciplinary to include neuroscience), and computer modeling.

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Progress: The \$85M project was included in the Commonwealth's \$1.0 billion pool (from 2008). At the invitation of Department of Planning and Budget (DPB), the College requested \$5.7M to support Detailed Planning (SD/PD). DPB subsequently approved \$4.8 million.

The College selected Einhorn Yaffee and Prescott (EYP) of Washington, D.C. as the project architect. Programming activities started in fall, 2011. Completion of preliminary drawings is expected by October 1, 2012, at which time the College will request the next increment of funding necessary to complete construction documents (WD/CD).

204-16340 Improve: Dormitory Renovations (Umbrella) **COMPLETE**

Design Team: Multiple
Budget: \$17,129,000
Funding Source: 9c bonds

Biennia: 2002-2008
Contractor: Multiple
Obligated to Date: \$17,118,186

Description: Sub-projects '01- '28 were completed under a \$17.13M NGF appropriation. Last active project: design of Yates Hall fire sprinkler installation.

Progress: The design for Yates Hall is complete, and is ready for construction in summer 2012 under project 204-17555.

204-17281 Improve: Dormitory Renovations (Umbrella)

Design Team: Multiple Biennium: 2008-2010
Budget: \$5,000,000 Contractor: Multiple
Funding Source: 9c bonds Obligated to Date: \$4,131,726

Description: Completed 2011 project: Old Dominion Hall roof replacement. Final summer 2012 projects are Monroe fire alarm, Taliaferro roof replacement and Fauquier hot water tank replacement.

Progress: The designs for Taliaferro Roof and the Monroe fire alarms are complete and are in code review. Both will be constructed in summer 2012.

204-17555 Improve Dormitory Renovations (Umbrella including Grad Housing)

Design Team: Multiple
Budget: \$2.5M + \$2.8M
Funding Source: 9c bonds, NGF Settlement Biennium: 2008-2010
Contractor: Multiple
Obligated to Date: \$2,417,313

Description: Following completion of the Grad Housing brick façade project, the last projects are: Dupont Exterior Repair, Ph 3 (2012); Yates Fire Sprinkler installation (2012); and design of Barrett Hall window replacement and chilled water piping to accommodate air-conditioning (2013).

Progress: Designs for all projects are complete and have been submitted for code review. Project construction is scheduled for a summer 2012 with the exception of Barrett Hall work which will be constructed in 2013 utilizing the next appropriation of 9c revenue bond funding, expected July 1, 2012.

204-17811 Improve: Dormitory Renovations (Umbrella)

Design Team: Multiple	Biennium: 2010-2012
Budget: \$4.5M	Contractor: Multiple
Funding Source: 9c bonds	Obligated to Date: \$3,802,658

Description: Final project: Reves Hall Fire Alarm/HVAC modifications.

Progress: Design is in progress and will be ready for summer 2012 construction.

204-17808 Construct New Fraternity Housing

Design Team: Moseley-Treanor Associates	Biennium: 2010-2012
Budget: \$25.8M	Contractor: WM Jordan
Funding Source: 9c Bonds	Obligated to date: \$3,142,913

Description: Design of a new 187 bed Fraternity Complex consisting of eleven 17 bed fraternity houses and a community building.

Progress: Design began in April, 2011. The Design Review Board (DRB) and the state Art and Architectural Review Board (AARB) gave final approval to elevations/ exterior designs in September, 2011. Preparatory utility work has begun. Work will begin in early February on the new 115 space parking lot adjacent to W&M Hall which replace the spaces being taken for the new project. Building construction will begin April, 2012. Substantial completion is scheduled for June, 2013.

0016-002-11 Renovate Campus Center -- Feasibility Study (204-17554)

Design Team: Moseley – WTW Architects	Biennium: 2010-2012
Budget: \$199,250 (\$35M 9c appropriated)	Contractor: TBD
Funding Source: 0306	Obligated to date: \$130,230

Description: A feasibility study to renew the Campus Center will address programming, phasing, temporary space requirements and conceptual cost estimating. The proposed project will maintain the traditional campus Georgian order on the exterior while rebuilding the interior to improve delivery of student-focused services.

Progress: Floor plan layout options have been reviewed by all stakeholders and a

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preferred floor plan selected. The designer is refining the floor plans, exterior architectural intent, and associated cost estimate. The project is on schedule to deliver a report in late February, 2012.

0135-001-11 Construct Law School Addition – Feasibility Study

Design Team: VMDO Architects

Biennium: 2010-2012

Budget: \$150,000

Contractor: TBD

Funding Source: E&G Operating Funds (Law)

Obligated to date: \$79,221

Description: A feasibility study to provide additional square footage to the north, east and west sides of the original facility. The study will address programming, phasing, temporary space requirements, and conceptual cost estimates

Progress: VMDO Architects have created a preferred space program. Guidance is being incorporated to finalize functional adjacencies and corresponding floor plans, and cost estimates are under review.

Major Repair and Maintenance Reserve

FY 2009-10 Carry forward: \$1,772,812

FY 2011: \$1,620,563

FY 2012: \$1,412,817

Grand Total: \$4,806,192

Completed projects:

• 204 – 00049	Cooling Tower Repairs	\$ 11,406
• 204 – 00008 – 3	Crim Dell BMP Maintenance	\$ 52,650
• 204 – 00008 – 3	Millington Hall E&S	\$ 58,277
• 204 – 00009 –	Yates Sewer Repair	\$ 77,000
• 204 – 00006 – 1	Davis House Ramp	\$ 27,497
• 204 – 00006 – 3	Fraternity/Intramural Field Pathway	\$ 6,000
• 204 – 20111	Morton Hall East Wing Waterproofing	\$ 69,685
• 204 – 20112	Old Dominion North Wall Waterproofing	\$ 37,400
• 204 – 20113	Admissions North Wall Waterproofing	\$ 9,615
• 204 – 20114	Swem Pavilion A + B Windows/Doors	\$ 11,955
		\$361,485

Projects under construction:

• 204 – 00051	T-12 Lighting Retrofit	\$350,000
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Projects ready for bid/award:

• 204 – 00006	ADA Accessibility (Jones Hall Elevator)	\$150,000
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• 204 – 00027 Ewell Hall Attic Fire Alarm Replacement	\$155,000
• 204 – 00073 Multiple Roof Repairs	
▪ Hoke House Roof	\$200,000
▪ College Apartments Roof	\$400,000
• 204 - 00077 ISC Energy Conservation	\$ 85,000
• 204 – 20115 Reves Hall Fire Alarm	\$ 50,000
• 204 – 20116 Washington Hall DDC Controls	\$ 42,000
• 204 – 20117 Jones Hall DCC Controls	<u>\$205,000</u>
	\$1,287,000

Projects in design:

• 204 – 00006 – 2 ADA Accessibility (Walkways)	\$ 16,503
• 204 – 00008 – 1 Health Center BMP Maintenance	\$ 40,000
• 204 – 00009 Jones Hall – Adair Hall Sewer Repair	\$130,000
• 204 – 00013 Classroom Renovations	\$ 41,913
• 204 – 00010 PBK Structural Repairs	\$591,765
• 204 – 00050 Replace: Halon Systems	<u>\$342,000</u>
	\$1,162,181

COLLEGE OF WILLIAM AND MARY

**RESOLUTION TO APPROVE
EASEMENT FOR FRATERNITY COMPLEX PROJECT
FOR DOMINION VIRGINIA POWER**

WHEREAS, the College requests Board of Visitors' approval of the following utility easement for Dominion Virginia Power; and

WHEREAS, the College and the Commonwealth entered into a 2006 Management Agreement (the "Agreement"), governed by the restructured Higher Education Financial and Administrative Operations Act of 2005, Chapter 4.10 of the Title 23 of the *Code of Virginia*; and

WHEREAS, the Agreement was renewed in 2009; and

WHEREAS, the Agreement authorizes the College's Board of Visitors to approve easements locally; and

WHEREAS, Dominion Virginia Power ("VA Power") requested an easement, in the form of a 15' right of way, in order to extend existing service from William & Mary Hall, across Ukrop Way, through the existing Fraternity Complex site, across Yates Drive and around Yates Hall, to the new Fraternity Complex (204-17808) project; and

WHEREAS, there is no transfer of property involved which would require action by the General Assembly (per Chapter 774, 1995 Acts of Assembly); thus

THEREFORE, BE IT RESOLVED, by the Rector and the Board of Visitors of the College of William and Mary in Virginia, that approval is given, in accordance with all authorities, policies, and procedures in force and necessary to accomplish same, for the easement named in the resolution; and that

BE IT FURTHER RESOLVED, That the Vice President for Administration and her staff are authorized to prepare and execute any and all necessary documents pertaining to the approval and recordation of such easements in the College's name.

**RESOLUTION TO ADOPT GUIDELINES FOR PROJECTS
UNDER THE PUBLIC-PRIVATE EDUCATION
FACILITIES AND INFRASTRUCTURE ACT OF 2002**

WHEREAS, the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) grants public entities with the authority to create public-private partnerships for the development of a wide range of projects for public use, if the public entity determines there is a need for the project, and that private investment and/or involvement may provide the project to the public in a timely and cost effective fashion; and

WHEREAS, for the purposes of the PPEA, the Commonwealth of Virginia, its agencies and institutions taken together, including the College of William and Mary, is a "responsible public entity" that has the power to develop or operate the applicable qualifying project; and

WHEREAS, pursuant to the Code of Virginia, the governing board of the College, the Board of Visitors, must adopt guidelines in compliance with the PPEA in order to pursue any qualifying project; and

WHEREAS, the Bylaws of the College's Board of Visitors stipulate that the full Board can and must take such action;

THEREFORE, BE IT RESOLVED, That the Board of Visitors of the College of William and Mary in Virginia, hereby adopts the attached "College of William and Mary Guidelines for Projects under the Public Private Education Facilities and Infrastructure Act (2002)."

BE IT FURTHER RESOLVED, That the Vice President for Administration and her staff are authorized to prepare and execute any and all necessary documents pertaining to adoption and enforcement of such guidelines in the College's name.

GUIDELINES FOR PROJECTS UNDER THE PUBLIC PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT (2002)**PublicPrivate EducationFacilities and Infrastructure Act of 2002**

The Public Private Education Facilities and Infrastructure Act of 2002 ("PPEA") grants responsible public entities the authority to create public private partnerships for the development of a wide range of projects for public use if the public entities determine there is a need for the project and that the private involvement may provide the project to the public in a timely or cost- effective fashion. For the purposes of the PPEA, the Commonwealth of Virginia, its agencies and institutions taken together, including The College of William and Mary ("The College"), is a "responsible public entity" ("RPE") that has the power to develop or operate the applicable qualifying project.

In order for a project to come under the PPEA, it must meet the definition of a "qualifying project." The PPEA contains a broad definition of qualifying projects that includes public buildings and facilities of all types; for example:

- (1) An education facility, including but not limited to a university building (including any stadium or other facility primarily used for university events), any functionally related and subordinate facility to a university building and any depreciable property provided for use in a university facility that is operated as part of the public university system or as an institution of higher education;
- (2) A building or facility that meets a public purpose and is developed or operated by or for any public entity;
- (3) Improvements, together with equipment, necessary to enhance public safety and security of buildings to be used principally by a public entity;
- (4) Utility and telecommunications and other communications infrastructure;
- (5) A recreational facility;
- (6) Technology infrastructure and services, including but not limited to telecommunications, automated data processing, word processing and management information systems, and related information, equipment, goods and services;
- (7) Technology, equipment, or infrastructure designed to deploy wireless broadband services to universities, businesses, or residential areas; or
- (8) Any improvements necessary or desirable to any unimproved university or Commonwealth - owned real estate.

An RPE may not consider any proposal by a private entity for approval of the qualifying project until the RPE has adopted and made publically available guidelines in compliance with the PPEA. The College will follow these guidelines (as follows) in the review and acceptance of proposals.

Guidelines for the review and approval of proposals and projects**I. General Provisions**

These guidelines are prepared and made available publically to encourage joint efforts between the College and private entities, as well as stimulate competition in the private sector and to make clear the College's compliance with the PPEA.

A. Proposal Submission

Pursuant to Virginia Code Section 56575.4 of the PPEA, a proposal to provide a qualifying project to a RPE may be either solicited by the College (a "Solicited Bid/Proposal") or delivered to the College by a private entity on an unsolicited basis (an "Unsolicited Proposal"). In either case, any such proposal shall be clearly identified as a "PPEA Proposal." The requirements for any particular "Solicited Bid/Proposal" shall be as specified in the solicitation by the College for that particular proposal and shall be consistent with all applicable provisions of the PPEA. Any Unsolicited Proposal shall be submitted to the College by delivering ten (10) complete copies, together with the required initial review fee as provided below in§ III(C), to:

The Vice President for Administration
College of William and Mary
P.O. Box 8795
Williamsburg, VA 23187-8795

The Vice President for Administration ("VPA") is designated as the College's contact person for all submissions, questions, and concerns regarding the proposal process under the PPEA. Likewise, any proposal should designate a contact person from the private entity to whom questions and clarifications may be directed. Other requirements for an Unsolicited Proposal are as set forth below in § III.

Whether the private entity submits a Solicited Bid or an Unsolicited Proposal, it will follow a two - part process, consisting of an initial conceptual phase and a detailed phase. The initial phase of the proposal should contain specified information regarding the proposer's qualifications and

¹ experience, project characteristics, project financing, anticipated public support or opposition, or both, and project benefit and compatibility. The detailed proposal should contain specified deliverables, namely, project benefits, scope of work, and a financial plan that contains enough specificity so that The College may fairly evaluate the financial feasibility of the qualified project. The cost analysis of a proposal should not be linked solely to the financing plan, as The College may determine to finance the project through other available means.

¹ The PPEA provides for innovative and flexible financing options. Each suggested financing arrangement will be evaluated on a case by case basis.

B. Posting

Under the PPEA, The College is required to make provisions for posting and publishing public notice announcing a private entity's request for approval of a qualifying project. Such notices will contain:

- (i) specific information and documentation to be released regarding the nature, timing, and scope of the qualifying project pursuant to subsection A of § 56575.4;
- (ii) a reasonable time period of at least 45 days during which the College shall receive competing proposals conforming to subsection A of § 56575.4; and
- (iii) an advertisement of the public notice on the Commonwealth's electronic procurement website.

C. Affected Jurisdictions

Any private entity requesting approval from or submitting a conceptual or detailed proposal to the College must provide each affected jurisdiction with a copy of the private entity's request or proposal by certified mail, express delivery, or hand delivery. The term "affected local jurisdiction" includes any college, city, or town in which all or a portion of a qualifying project is located. Affected jurisdictions that are not RPEs under the proposed qualifying project shall have sixty (60) days from the receipt of the request or proposal to submit written comments to the College, directed to the VPA, and to indicate whether the proposed qualifying project is compatible with the following:

- (i) the local comprehensive plan;
- (ii) the local infrastructure development plan; or
- (iii) the capital improvements budget or other government spending plan.

Comments received within the sixty (60) day period shall be given consideration by the College before entering into an interim or comprehensive agreement with a private entity, and no negative inference shall be drawn from the absence of comment by an affected jurisdiction. Nothing above shall prevent the College from proceeding with or continuing the evaluation process during the sixty (60) day period.

D. Virginia FOIA

Any confidential and proprietary information provided to a responsible public entity by a private entity pursuant to the PPEA shall be subject to disclosure under the Virginia Freedom of Information Act ("FOIA") (§ 2.23700 et seq.) except as provided by § 56575.4(G) of the PPEA. In order to prevent the release of any confidential and proprietary information that otherwise could be held in confidence pursuant to § 56575.4(G) of the PPEA, the private entity submitting the information must do the following:

- (i) invoke the exclusion from FOIA when the data or materials are submitted to the College or before such submission; and

- (ii) identify with specificity the data and materials for which protection from disclosure is sought; and
- (iii) state why the exclusion from disclosure is necessary.

A private entity may request and receive a determination from the College as to the anticipated scope of protection prior to submitting the proposal. The College is authorized and obligated to protect only confidential proprietary information, and thus will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential by the private entity without reasonably differentiating between the proprietary and nonproprietary information contained therein.

Upon receipt of a request from a private entity that designated portions of a proposal be protected from disclosure as confidential and proprietary, the College shall determine whether such protection is appropriate under applicable law and, if appropriate, the scope of such appropriate protection and shall communicate its determination to the private entity in writing. FOIA exemptions are discretionary, and the College may elect to release some or all documents except to the extent the documents are:

- (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§59.1-336et seq.); or
- (ii) financial records of the private entity that are not generally available to the public through regulatory disclosure or otherwise, including but not limited to balance sheets and financial statements; or
- (iii) other information submitted by a private entity, where if the record or document were made public prior to the execution of an interim or comprehensive agreement the financial interest or bargaining position of the public or private entity would be adversely affected.

If the determination regarding protection or the scope thereof differs from the private entity's request, then The College will afford the private entity a reasonable opportunity to clarify and justify its request. Upon a final determination by the College to afford less protection than requested by the private entity, the private entity will be given an opportunity to withdraw its proposal. A proposal so withdrawn will be treated in the same manner as a proposal not accepted for publication and conceptual phase consideration as provided below in § III(A).

The College reserves the right to withhold from disclosure memoranda, staff evaluations, or other records prepared by the College, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals where (i) if such records were made public prior to or after the execution of an interim or a comprehensive agreement, the financial interest or bargaining position of the College would be adversely affected, and (ii) the basis for the determination required in clause (i) is documented in writing by The College.

To the extent that access to any procurement record or other document or other information is compelled or protected by a court order, the College shall comply with such order.

E. Use of Public Funds

Virginia constitutional and statutory requirements as they apply to appropriation and expenditure of public funds apply to any interim or comprehensive agreement entered into under the PPEA. Accordingly, the processes and procedural requirements associated with the expenditure or obligation of public funds shall be incorporated into planning for any PPEA project or projects.

F. Applicability of Other Laws

Nothing in the PPEA shall affect the duty of the College to comply with all other applicable law not in conflict with the PPEA. The applicability of the Virginia Public Procurement Act ("VPPA") is set forth in the PPEA, § 56575.16. The Restructured Higher Education Financial and Administrative Operations Act, §§ 2338.88, 2338.109, is also applicable.

II. Solicited Proposals

The procedures applicable to any particular Solicited Bid/Proposal shall be specified in the solicitation for that proposal and shall be consistent with the requirements of the PPEA, these Guidelines, and any other applicable law. The solicitation will list any documents and information that must accompany each proposal and outline the factors that will be used in evaluating submitted proposals, as well as any unique capabilities or qualifications required of private entities submitting bids.

All such solicitations shall be made by issuance of a written Invitation to Bid ("IFB") or Request for Proposal ("RFP"). Any proposal submitted pursuant to the PPEA that is not received in response to an IFB or RFP shall be an Unsolicited Proposal under these Guidelines, including but not limited to (a) proposals received in response to a notice of the prior receipt of another Unsolicited Proposal, and (b) proposals received in response to publicity by The College concerning particular needs when The College has not issued a corresponding IFB or RFP, even if The College otherwise has encouraged the submission of proposals pursuant to the PPEA that address those needs.

III. Unsolicited Proposals

The College may publicize its needs and may encourage interested parties to submit unsolicited proposals subject to the terms and conditions of the PPEA. When such proposals are received without issuance of a RFP, the proposal shall be treated as an Unsolicited Proposal. The College reserves the right to accept to reject any and all proposals at any time.

The process for evaluating an Unsolicited Proposal, which is described in detail below in § V, consists of four steps. Briefly summarized, upon receipt of an Unsolicited Proposal the College's first

step will be to determine whether to accept it for consideration at the conceptual stage. If so, then in step two the College will give public notice of the Unsolicited Proposal. In step three the College will proceed with a review at the conceptual stage of the original Unsolicited Proposal and/or any proposal received in response to the public notice and accepted for consideration at the conceptual stage. Step four is an in depth review at the detailed stage of the original Unsolicited Proposal and/or any proposal received in response to the public notice and accepted for consideration at the detailed stage. The College may discontinue its evaluation of any proposal at any time. Furthermore, if the College determines that it is in the College's interest to do so with respect to any Unsolicited Proposal, the College may eliminate review at the conceptual stage and proceed directly to a review at the detailed stage, provided that the public notice is made.

A. Decision to Accept and Consider Unsolicited Proposal; Notice

Upon receipt of any Unsolicited Proposals and payment of any required fee by the private entity making the proposal, The College will determine whether to accept the Unsolicited Proposal for the purpose of publication and conceptual phase consideration. If the College decides not to accept the proposal and proceed to publication and conceptual phase consideration, it will return the proposal, together with all fees and accompanying documentation, to the private entity.

B. Posting Requirements

Conceptual proposals, whether solicited or unsolicited, shall be posted by the College on the Commonwealth's electronic procurement system, "eVA", within ten (10) working days after acceptance of such proposals. One copy of each of the conceptual proposals will be made available for public inspection at the location and under the conditions indicated in the notice. The College will post the notice for a period of not less than forty-five (45) days on eVA site (www.eva.commonwealth.va.us). The notice will Commonwealth that the College:

- (i) has received an unsolicited proposal for a project qualified under the PPEA;
- (ii) has initially reviewed the proposal and intends to give it further consideration;
- (iii) may negotiate an interim or comprehensive agreement with the private entity who made the proposal; and
- (iv) will receive any competing proposals that comply with these Guidelines and the PPEA and will give them consideration before proceeding further with any one proposal.

The notice will also contain summary descriptions of the qualifying project(s) and their proposed locations, as well as a College contact to whom questions may be addressed. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of § 2.23705.6 shall not be posted, except as otherwise agreed to by The College and the proposing private entity.

C. Review Fees

A review fee will be charged to any private entity submitting an Unsolicited Proposal to the

College, to cover the College's costs of processing, reviewing, and evaluating the proposal, including the cost to compare it to any competing proposals. Such costs include but are not limited to College staff time, the cost of any materials or supplies expended, and the cost of any outside advisors or consultants, including but not limited to attorneys, consultants, financial and technical advisors, used by the College in its sole discretion. The uses and expenditures for these resources is the sole discretion of the College. Such fees generally shall be in the amount necessary to completely cover all of the College's costs.

Such fees shall be imposed based on the reasonably anticipated costs to the College in accordance with the following schedule:

(i) *Initial fee.* Payment of an initial fee must accompany the submission of the Unsolicited Proposal to the College in order for the College to proceed with its review. The initial fee shall be two and one half percent (2.5%) of the reasonably anticipated total cost of the proposed qualifying project, but shall be no less than \$2,500 or more than \$50,000, regardless of the anticipated total cost.

(ii) *Additional fees.* Additional fees shall be imposed on and paid by the private entity throughout the processing, review, and evaluation of the Unsolicited Proposal if and as the College reasonably anticipates incurring costs in excess of the initial fee paid by the private entity. The College will notify the private entity of the amount of such additional fees as and when it anticipates incurring such costs. Prompt payment of such additional fees is required before the College will continue to process, review, and evaluate the proposal.

(iii) *Reimbursement of excess fees paid.* In the event the total fees paid by the private entity exceed the College's total costs incurred in processing, reviewing, and evaluating the proposal, the College shall reimburse the difference. Otherwise, the College shall retain all fees paid.

D. Initial Review by the College at the Conceptual Stage

Only proposals complying with the requirements of the PPEA that contain sufficient information for a meaningful evaluation and that are provided in an appropriate format will be considered by the College for further review at the conceptual stage. The College will determine at this stage whether it will proceed by using standard VPPA procurement procedures, those it has developed under the authority of the Restructured Higher Education Financial and Administrative Operations Act, §§ 2338.88, 2338.109, or guidelines it develops consistent with § 2.24301.²

² If the College chooses to develop its own guidelines other than those developed under the authority of the Restructured Higher Education Financial and Administrative Operations Act, §2338.109, it must make a written determination that doing so is likely to be advantageous to the College and the public based upon either (i) the probable scope, complexity or priority of need; (ii) the risk sharing including guaranteed cost or completion guarantees, added value or debt, or equity investments proposed by the private entity; or (iii) the increase in funding, dedicated revenue or other economic benefit that would otherwise not be available.

After reviewing the original proposal and any competing proposal submitted, the College will determine:

- (i) not to proceed further with any proposal;
- (ii) to proceed to the detailed phase of review with the original proposal;
- (iii) to proceed to the detailed phase with a competing proposal;
- (iv) to proceed to the detailed phase with multiple proposals; or
- (v) to request modifications or amendments to any proposals.

If more than one proposal is considered in the detailed phase of review, The College will reimburse the unsuccessful proposer(s) for reasonable costs. Such costs will be assessed to the successful proposer in the comprehensive agreement.

IV. Proposal Preparation and Submission

A. Format for Submissions at Conceptual Stage

Unsolicited proposals must contain the following information in the following format, as well as any further information the College may request:

1. Qualification and Experience
 - a. Identify the legal structure of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach and how each partner and major subcontractor in the structure fits into the overall team.
 - b. Describe the experience of the firm or consortium of firms making the proposal and the key principals involved in the proposed project including experience with projects of comparable size and complexity. Describe the length of time in business, business experience, public sector experience, and other engagements of the firm or consortium of firms. Include the identity of any firms that will provide design, construction, completion guarantees and warranties, as well as a description of such guarantees and warranties.
 - c. Provide the names, addresses, and telephone numbers of persons within the firm or the consortium of firms who may be contacted for further information.
 - d. Provide a current or most recently audited financial statement of the firm or firms and each partner with an equity interest of twenty percent or greater.
 - e. Identify any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia Commonwealth and Local Government Conflict of Interest Act, Chapter 31(§2.2-3100 et seq.) of Title 2.2.
2. Project Characteristics
 - a. Provide a description of the project, including the conceptual design. Describe the

proposed project in sufficient detail so that type and intent to the project, the location, and the communities that maybe affected are clearly identified.

- b. Identify and fully describe any work to be performed by the College.
- c. Include a list of all federal, Commonwealth, and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.
- d. Identify any anticipated adverse social, economic, and environmental impacts of the project. Specify strategies or actions to mitigate known impacts of the project.
- e. Identify the projected positive social, economic, and environmental impacts of the project.
- f. Identify the proposed schedule for the work on the project, including the estimated time to completion.
- g. Propose allocation of risk and liability for work completed beyond the agreement's completion date, and assurances for timely completion of the project.
- h. Commonwealth assumptions related to ownership, legal liability, law enforcement, and operation of the project and the existence of any restrictions on the College's use of the project.
- i. Provide information relative to phased or partial openings of the proposed project prior to completion of the entire work.
- j. List any other assumptions relied on for the project to be successful.
- k. List any contingencies that must occur for the project to be successful.

3. Project Financing

- a. Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.
- b. Submit a plan for the development, financing, and operation of the project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of and proposed sources and uses for such funds including any anticipated debt service costs. The operational plan should include appropriate staffing levels and associated costs, as well as support for due diligence studies, analyses and reports.
- c. Include a list and discussion of assumptions underlying all major elements of the plan. Assumptions should include all significant fees associated with financing given the recommended financing approach. In addition, complete disclosure of interest rate assumptions should be included. Any ongoing operational fees, if applicable, should also be disclosed as well as any assumptions with regard to increases in such fees.
- d. Identify the proposed risk factors and methods for dealing with these factors.
- e. Identify any local, Commonwealth, or federal resources that the proposer contemplates requesting for the project. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment. Such

disclosure should include any direct or indirect guarantees or pledges of the College's credit or revenue.

- f. Identify the amounts and the terms and conditions for any revenue sources.
- g. Identify any aspect of the project that could disqualify the private entity from obtaining tax exempt financing.

4. Project Benefit and Compatibility

- a. Identify who will benefit from the project, how they will benefit, and how the project will benefit the overall community, region, or Commonwealth.
- b. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the project.
- c. Explain the strategy and plans that will be carried out to involved and inform the general public, business community, and governmental agencies in areas affected by the project.
- d. Describe the anticipated significant benefits to the community, region or Commonwealth, including anticipated benefits to the economic condition of the College and whether the project is critical to attracting or maintaining competitive industries and businesses to the College or the surrounding region.
- e. Describe compatibility with the local comprehensive plan, local infrastructure development plans, the capital improvements budget, or other government spending plan.
- f. Provide a statement setting forth participation efforts that are intended to be undertaken in connection with this project with regard to the following types of businesses: (i) minority owned businesses, (ii) woman owned businesses, and (iii) small businesses.

B. Format for Submissions at Detailed Stage

If The College decides to proceed to the detailed phase of review with one or more proposals, the following information should be provided by the private entity unless waived by the College:

- 1. A topographical map (1:2,000 or other appropriate scale) depicting the location of the proposed project;
- 2. A list of public utility facilities, if any, that will be crossed by the qualifying project, and a statement of the plans the proposer has to accommodate such crossings;
- 3. A statement and strategy setting out the plans for securing all necessary property;
- 4. A detailed listing of all firms that will provide specific design, construction and completion guarantees and warranties, and a brief description of such guarantees and warranties;
- 5. A total life cycle cost specifying methodology and assumptions of the project or projects and the proposed project start date. Include anticipated commitment of all parties; equity, debt, and other financing mechanisms; and a schedule of project revenues and project

costs. The lifecycle cost analysis should include, but not be limited to, a detailed analysis of the projected return, rate of return, or both, expected useful life of facility, and estimate annual operating expenses;

6. A detailed discussion of assumptions about user fees or rates, and usage of the project or projects;
7. Identification of any known government support or opposition, or general public support or opposition for the project. Government or public support should be demonstrated through resolution of official bodies, minutes of meetings, letters, or other official communications;
8. Demonstration of consistency with appropriate local comprehensive or infrastructure development plans or indication of the steps required for acceptance into such plans;
9. Explanation of how the proposed project would impact local development plans of each affected jurisdiction;
10. Identification of the executive management and the officers and directors of the firm or firms submitting the proposal. In addition, identification of any known conflicts of interest or other disabilities that may impact the College's consideration of the proposal, including the identification of any persons known to the proposer who would be obligated to disqualify the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia Commonwealth and Local Government Conflict of Interest Act, Chapter 31 (§2.2-3100 et seq) of Title 2.2;
11. Additional material and information as the College might reasonably request.

V. Proposal Evaluation and Selection Criteria

Some or all of the following matters may be considered in the evaluation and selection of PPEA proposals. The College retains the right at all times to reject any proposal at any time for any reason.

A. Qualifications and Experience

The College will consider the following factors in either phase of its review to determine whether the proposer possesses the requisite qualifications and experience:

1. Experience with similar projects;
2. Demonstration of ability to perform work;
3. Leadership structure;
4. Project manager's experience;
5. Management approach;
6. Financial condition; and
7. Project ownership.

B. Project Characteristics

The College will consider the following factors in determining the project characteristics:

1. Project definition;
2. Proposed project schedule;
3. Operation of the project;
4. Technology; technical feasibility;
5. Conformity to laws, regulations, and standards;
6. Environmental impacts;
7. Condemnation impacts;
8. Commonwealth and local permits; and
9. Maintenance of the project.

C. Project Financing

Factors to be considered in determining whether the proposed project financing allows adequate access to the necessary capital to finance the project may include but are not necessarily limited to:

1. Cost and cost benefit to the College;
2. Financing and the impact on the debt or debt burden of the College;
3. Financial plan, including the degree to which the proposer has conducted due diligence investigation and analysis of the proposed financial plan and the results of any such inquiries or studies;
4. Opportunity costs assessments;
5. Estimated cost;
6. Lifecycle cost analysis;
7. The identity, credit history, and past performance of any third party that will provide financing for the project and the nature and timing of their commitment; and
8. Such other items as the College deems appropriate.

In the event that any project is financed through the issuance of obligations that are deemed to be tax-supported debt of the College, or if financing such a project may impact the College's debt rating or financial position, the College may select its own finance team, source, and financing vehicle.

D. Project Benefit and Compatibility

Factors to be considered in determining the proposed project's compatibility with the appropriate local or regional comprehensive or development plans may include but are not necessarily limited to:

1. Community benefits;
2. Community support or opposition, or both;
3. Public involvement strategy;

4. Compatibility with existing and planned facilities; and
5. Compatibility with local, regional, and Commonwealth economic development efforts.

E. Other Factors

Other factors that may be considered by the College in the evaluation and selection of PPEA proposals include:

1. The proposed cost of the qualifying project;
2. The general reputation, industry experience, and financial capacity of the private entity;
3. The proposed design of the qualifying project;
4. The eligibility of the project for accelerated documentation, review, and selection;
5. Local citizen and government comments;
6. Benefits to the public, including financial and nonfinancial;
7. The private entity's compliance with a minority business enterprise participation plan or good faith effort to comply with the goals of such plan;
8. The private entity's plans to employ local contractors and residents;
9. The recommendation of a committee of representatives of members of the College and the appropriating body which may be established to provide advisory oversight for the project; and
10. Other criteria that the College deems appropriate.

VI. Additional Review Procedures

A. Public Private Partnership Oversight Advisory Committee

The College may, at its discretion, assemble an advisory committee or establish criteria to trigger the establishment of an advisory committee for the purpose of reviewing the terms of a proposed interim or comprehensive agreement. If the College forms a committee or establishes such criteria, the members will consist of representatives from the College and its Board of Visitors. The criteria, if formally established, should include, but not be limited to, the scope, total cost and duration of the proposed project, and whether the project involves or impacts multiple public entities. Timelines for the work of the committee should be developed and made available to proposers.

B. Timelines

Guidelines for determining applicable timelines are as follows:

1. For Solicited Bids, the timeline for selecting proposals and negotiating an agreement will be consistent with the terms and conditions set forth in the Request for Proposals.
2. For Unsolicited Proposals, an estimated timeline will be developed and distributed within 60 days of receipt of the proposal. The timeline will be subject to revision(s), as required.
3. Accelerated selection, review, and documentation timelines shall be permitted for proposals

involving a qualifying facility that the College deems a priority.

VII. Interim and Comprehensive Agreements

A. Interim Agreement Terms

Prior to or in connection with the negotiation of the comprehensive agreement, the College may enter into an interim agreement with the private entity. The scope and content of an interim agreement may include but is not limited to:

1. Project planning and development;
2. Design and engineering;
3. Environmental analysis and mitigation;
4. Survey;
5. Ascertaining the availability of financing for the proposed facility through financial and revenue analysis;
6. Establishing a process and timing of the negotiation of the comprehensive agreement;
7. Granting permission to the private entity to commence activities for which it may be compensated relating to the qualifying project; and
8. Any other provisions related to any aspect of the development or operation of a qualifying project that the parties may deem appropriate prior to the execution of a comprehensive agreement.

B. Comprehensive Agreement Terms

Prior to developing or operating any qualifying project, a selected private entity shall enter into a comprehensive agreement with the College as provided by the PPEA. Any such comprehensive agreement and any amendment thereto, must be approved by the College's Board of Visitors before it is entered into on behalf of the College. As provided by the PPEA, the terms of the comprehensive agreement shall include but not be limited to:

1. The delivery of maintenance, performance and payment bonds or letters of credit in connection with any acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project;
2. The review of plans and specifications for the qualifying project by the College;
3. The rights of the College to inspect the qualifying project to ensure compliance with the comprehensive agreement;
4. The maintenance of a policy or policies of liability insurance or self- insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;
5. The monitoring of the practices of the private entity by the College to ensure proper maintenance;

6. The terms under which the private entity will reimburse the College for services provided;
7. The policy and procedures that will govern the rights and responsibilities of the College and the private entity in the event that the comprehensive agreement is terminated or there is a material default by the private entity including the conditions governing assumptions of the duties and responsibilities of the operator by the College and the transfer or purchase of property or other interests of the private entity by the College;
8. The terms under which the private entity will file appropriate financial statements on a periodic basis;
9. The mechanism by which user fees, lease payments, or service payments, if any, may be established from time to time upon agreement of the parties. Any payments or fees shall be set at a level that are the same for persons using the facility under like conditions and that will not materially discourage use for the qualifying project;
 - a. A copy of any service contract shall be filed with the College.
 - b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request.
 - c. Classifications according to reasonable categories for assessment of user fees may be made.
10. The terms and conditions under which the College may contribute financial resources, if any, for the qualifying project;
11. The terms and conditions under which existing site conditions will be assessed and addressed, including identification of the responsible party for conducting the assessment and taking necessary remedial action;
12. The terms and conditions under which the College will be required to pay money to the private entity and the amount of any such payments for the project;
13. Other requirements of the PPEA or other applicable law; and,
14. Such other terms and conditions as the College may deem appropriate.

Any changes in the terms of the interim or comprehensive agreement as may be agreed upon by the parties from time to time shall be added to the interim or comprehensive agreement by written amendment only.

The comprehensive agreement may provide for the development or operation of phases or segments of a qualifying project.

C. Notice and Posting Requirements

In addition to the posting requirements of Section III (B), 30 days prior to entering into an interim or comprehensive agreement, the College shall provide an opportunity for public comment on the proposals. Such public comment period may include a public hearing in the sole discretion of the College. After the end of the public comment period, no additional posting shall be required based on any public comment received.

Once the negotiation phase for the development of an interim or a comprehensive agreement is complete and a decision to award has been made by the College, the College shall post the proposed agreement in on the Department of General Service's web based electronic procurement program ("eVA"). At least one copy of the proposals shall be made available for public inspection. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of §2.23705.6 shall not be required to be posted, except as otherwise agreed to by the College and the private entity. Any studies and analyses considered by the College in its review of a proposal shall be disclosed to the appropriating body at some point prior to the execution of an interim or comprehensive agreement.

Once an interim agreement or a comprehensive agreement has been entered into, the College shall make procurement records available for public inspection, upon request. Such procurement records shall include documents protected from disclosure during the negotiation phase on the basis that the release of such documents would have an adverse effect on the financial interest or bargaining position of the College or private entity in accordance with Section II.D.3. Such procurement records shall not include (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§59.1336 et seq.) or (ii) financial records, including balance sheets or financial statements of the private entity that are not generally available to the public through regulatory disclosure or otherwise.

To the extent access to procurement records are compelled or protected by a court order, then the College must comply with such order.

VIII. Governing Provisions

In the event of any conflict between these guidelines and the PPEA, the terms of the PPEA shall control.

JOINT MEETING

February 2, 2012
9:00 – 10:15 a.m.
Board Room – Blow Memorial Hall

COMMITTEE ON ATHLETICS

Todd L. Stottlemyer, Chair
Timothy P. Dunn, Vice Chair

W&M FOUNDATION ATHLETICS SUBCOMMITTEE

H. Thomas Watkins III, Foundation Chair

I. Introductory Remarks – Mr. Stottlemyer and Mr. Watkins

II. Approval of Minutes

- A. Athletics Subcommittee – October 20, 2011
- B. Committee on Athletics - December 8, 2011

III. Joint Discussion on William and Mary Athletics

A. Today – Status

- 1. Academically
- 2. Athletically
- 3. Financially

B. Tomorrow – Challenges

- 1. Academically
- 2. Athletically
- 3. Financially

IV. Adjourn

COMMITTEE ON ATHLETICS

MINUTES – DECEMBER 8, 2011

MINUTES
Committee on Athletics
December 8, 2011
Board Conference Room – Blow Memorial Hall

Attendees: Todd A. Stottlemeyer, Chair; Timothy P. Dunn, Vice Chair; Janet M. Brashear; Colin G. Campbell; Leigh A. Pence; Peter A. Snyder. Others in attendance: Board member Thomas R. Frantz, Edward C. Driscoll, Jr., Todd A. Mooradian, Charles F. Gressard and Sandra J. Wilms.

Chair Todd A. Stottlemeyer called the meeting to order at 9:55 a.m. Mr. Stottlemeyer noted that the Athletics committee had been a committee of the whole -- this was the first meeting as a standing committee.

In his opening comments, Mr. Stottlemeyer reviewed the role of the committee and called on Mr. Driscoll to provide background on the Athletics program

Mr. Driscoll outlined the athletic department's role, objectives and goals within the mission statement of the College and discussed the scope of the program, as well as team results from 2010-2011. Further information was provided relating to recruiting, graduation rates, recruitment and retention of coaches, the evaluation process and salaries as related to the athletic peer group.

Mr. Driscoll provided a budget summary and a brief review of the history of the student athletic fee. A brief discussion ensued regarding student fees at peer institutions, the Ivy League, the Patriot Conference and within our own conference.

Challenges facing the Athletic Department, including financial challenges relating to grants-in-aid and compensation as well as competitive challenges, were briefly discussed but due to time constraints, Mr. Stottlemeyer asked that the discussion on the financial challenges and opportunities be continued to the next meeting.

There being no further business, the Committee adjourned at 10:37 a.m.

COMMITTEE ON ADMINISTRATION
February 2, 2012
9:00 – 10:00 a.m.
Board Conference Room - Blow Memorial Hall

Dennis H. Liberson, Chair
R. Philip Herget III, Vice Chair

- I. Introductory Remarks – Mr. Liberson
- II. Approval of Minutes – December 8, 2011
- III. Report from Provost – Michael R. Halleran
- IV. Report from Vice President for Administration – Anna B. Martin
 - A. Annual Report on Safety and Security
 - B. Resolution to Adopt 2012 Emergency Response Plan (ERP).
Resolution 5.

- V. Closed Session (if necessary)
- VI. Open Session - Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

- VII. Discussion
- VIII. Adjourn

COMMITTEE ON ADMINISTRATION

MINUTES - DECEMBER 8, 2011

MINUTES
Committee on Administration
December 8, 2011
Board Room – Blow Memorial Hall

Attendees: Dennis H. Liberson, Chair; Charles A. Banks, III, Vice Chair; Thomas R. Frantz; R. Philip Herget, III; John C. Thomas. Board Members present: Laura L. Flippin, Michael Tang; Faculty Representative Alan J. Meese; and staff liaison Mary S. Molineux. Others present: President W. Taylor Reveley III, Michael A. Halleran, Michael J. Fox, Anna B. Martin, Courtney M. Carpenter, Deborah A. Love, and other administrative staff.

Chair Dennis H. Liberson called the meeting to order at 10:05 a.m. Recognizing that a quorum was present, Mr. Liberson requested a motion to approve the minutes of the meeting of September 22, 2011. Motion was made by Mr. Thomas, seconded by Mr. Herget, and approved by voice vote of the Committee.

Provost Michael Halleran and Vice President for Administration Anna Martin jointly presented to the Committee the College's Compensation Analysis report. The recent FY 12 salary and wage increases followed specific guidelines as enumerated in the presentation. Mr. Halleran discussed the issues of salary compression, equity, performance and market competition. Ms. Martin discussed the guidelines for distributing the increases which included both across-the-board (1.5%) and targeted raises (1.5%), and addressed how this moves the institution's University Human Resource system forward, in light of the Six Year Plan goals for compensation. The guidelines also included raising the College's entry wage to \$10/hour. A general discussion ensued.

Ms. Martin reviewed **Resolution 8(R)**, Resolution to Approve Final Regulation Regarding Weapons on Campus. Following brief discussion, Mr. Liberson asked for a motion to approve the resolution, as amended, to change the effective date. Motion was made by Mr. Herget, seconded by Mr. Thomas seconded and approved by voice vote of the Committee. (**Resolution 8(R)** is appended.).

The reports completed, and there being no further business, the Committee adjourned at 10:40 a.m.

COLLEGE OF WILLIAM AND MARY

**RESOLUTION TO APPROVE
FINAL REGULATION REGARDING WEAPONS ON CAMPUS**

WHEREAS, protecting the safety of the campus community is of utmost importance to the Board of Visitors of The College of William and Mary in Virginia;

WHEREAS, Chapter 5 of Title 23 of the Code of Virginia provides that the Board of Visitors shall "make all needful rules and regulations" concerning the College;

WHEREAS, the Supreme Court of Virginia has confirmed that public institutions of higher education in Virginia may regulate the possession of weapons on their campuses;

WHEREAS, College and Commonwealth policies restrict weapons possession by College students and employees;

WHEREAS, the Board of Visitors deems it prudent to regulate weapons possession by visitors or other third parties in certain facilities controlled by the College as well as at certain College events, pursuant to its authority conveyed in Chapter 5 of Title 23 of the Code of Virginia; and

WHEREAS, the Board of Visitors adopted a proposed Weapons on Campus Regulation on September 23, 2011, which was published in the Virginia Register of Regulations on October 24, 2011;

THEREFORE, BE IT RESOLVED, That, upon recommendation of the President, the proposed Weapons on Campus Regulation, a copy of which is attached hereto, is hereby adopted as a final regulation for publication in the Virginia Register in accordance with the Virginia Administrative Process Act, with an effective date on January 3, 2012; and

BE IT FURTHER RESOLVED, That the College's Regulatory Coordinator is hereby authorized and directed to take all necessary action to implement this resolution.

CHAPTER 20 **WEAPONS ON CAMPUS REGULATION**

8VAC115-20-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Police officer" means law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn federal law-enforcement officers.

"University property" means any property owned, leased, or controlled by the College of William & Mary in Virginia, including the Virginia Institute of Marine Science.

"Weapon" means any firearm or any other weapon listed in § 18.2-308 A of the Code of Virginia.

8VAC115-20-20. Possession of weapons prohibited.

Possession or carrying of any weapon by any person, except a police officer or an individual authorized pursuant to university policy, is prohibited on university property in academic buildings, administrative buildings, student residence and student life buildings, or dining or athletic facilities, or while attending an official university event, such as an athletic, academic, social, recreational or educational event, or on vessels that are university property. Entry upon such university property in violation of this prohibition is expressly forbidden.

8VAC115-20-30. Person lawfully in charge.

In addition to individuals authorized by university policy, College of William & Mary police officers are lawfully in charge for the purposes of forbidding entry upon or remaining upon university property while possessing or carrying weapons in violation of this prohibition.

COLLEGE OF WILLIAM AND MARY

**RESOLUTION TO ADOPT
2012 EMERGENCY RESPONSE PLAN (ERP)**

WHEREAS, the Code of Virginia Chapter 1 of Title 23 and Title 44 directs that all public institutions of higher education shall develop, adopt, and keep current a written crisis and emergency management plan (ERP); and that every four years, each institution shall conduct a comprehensive review and revision of its ERP to ensure the plan remains current, and that the revised ERP shall be adopted formally by the institution's governing body; and

WHEREAS, such review shall also be certified in writing to the Virginia Department of Emergency Management (VDEM); and

WHEREAS, such a plan has been developed by the College in coordination with VDEM and the City of Williamsburg; and

WHEREAS, the College's Emergency Response Plan (the Plan) establishes policies, procedures and organizational structure to prepare for, respond to and recover from, emergency events; and

WHEREAS, the Plan describes the roles and responsibilities of departments, schools, units and personnel during emergency situations, consistent with established practices and protocols, and incorporates the National Incident Management System (NIMS) to facilitate interagency coordination among responding agencies; and

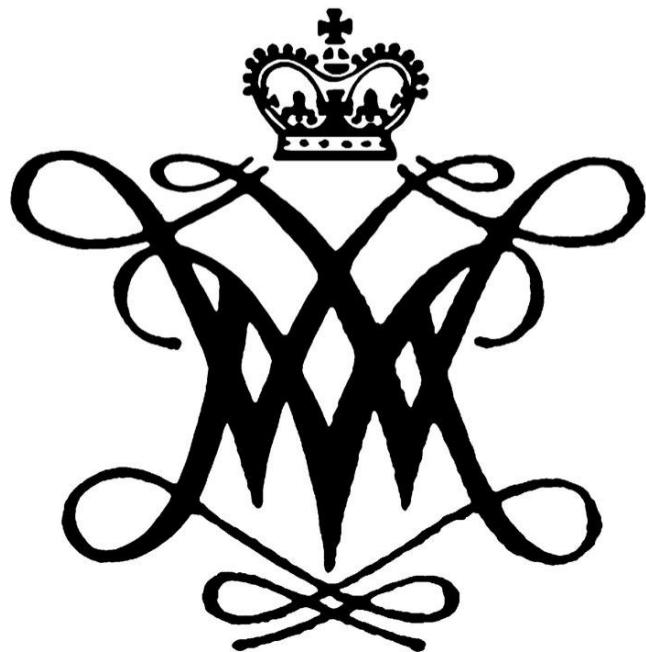
WHEREAS, nothing in the Plan shall be construed in a manner that limits the use of good judgment and common sense in matters not foreseen or covered by elements of the Plan;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors of the College of William and Mary in Virginia, hereby adopts the College's 2012 Emergency Response Plan (*see separate booklet*), and

BE IT FURTHER RESOLVED, That the College will cooperate with federal, state and local emergency management agencies and other responders in the development, implementation, and execution of the Plan; and

BE IT FINALLY RESOLVED, That the Vice President for Administration is authorized to take all necessary actions to develop, implement, and execute the Plan.

EMERGENCY RESPONSE PLAN FOR
THE COLLEGE OF WILLIAM AND MARY
IN VIRGINIA



Board of Visitors for the College of William and Mary in Virginia
Version 1.1 – January 2012

This document contains sensitive and confidential information that is not subject to FOIA under Virginia Code §2.2-3705.2.

The College of William and Mary

Emergency Response Plan

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The College of William and Mary Emergency Response Plan

I. PURPOSE

The Emergency Response Plan (ERP) establishes policies, procedures and organizational structure for response to emergencies that cause a significant disruption to all or portions of the College. This plan describes the roles and responsibilities of departments, schools, units and personnel during emergency situations. The basic emergency procedures are designed to protect lives and property through effective use of college and community resources. As emergencies are often sudden and without warning, these procedures are designed to be flexible in order to be responsive to any given situation.

The Plan addresses several specific types of emergencies through the use of protocols which provide guidelines for stabilization and recovery from the incident. They include emergency instructions and references in a concise format for use by individuals designated to manage college resources.

II. SCOPE

The plan outlines the preparation of, response to and recovery from emergency events. It is consistent with established practices relating to emergency response actions and incorporates the National Incident Management System (NIMS) to facilitate interagency coordination among responding agencies. The College will cooperate with federal, state and local emergency management agencies and other responders in the development, implementation and execution of its emergency response plans. Nothing in this plan shall be construed in a manner that limits the use of good judgment and common sense in matters not foreseen or covered by the elements of the plan.

III. MISSION

The College will respond to an emergency situation in a safe, effective and timely manner. College personnel and equipment will be utilized to accomplish the following priorities:

- Priority 1: Protection of Human Life
- Priority 2: Preservation of Health, Safety and Basic Care
- Priority 3: Protection of College Assets
- Priority 4: Maintenance of College Services
- Priority 5: Assessment of Damages
- Priority 6: Restoration of General Campus Operations

IV. ASSUMPTIONS

The College Emergency Response Plan (ERP) is predicated on a realistic approach to the problems likely to be encountered during a major emergency or disaster. Hence, the following assumptions are made and should be used as general guidelines in such an event:

- A. An emergency or a disaster may occur at any time of the day or night, weekend, or holiday, with little or no warning.
- B. The succession of events in an emergency or disaster is not predictable; therefore, published operational plans, such as this plan, should serve as a guide and a checklist which may require modifications in order to meet the requirements of a specific incident.
- C. The College will issue emergency notifications or warnings to the campus community at any time if conditions indicate that an incident is developing or highly probable.
- D. Emergencies may be community, regional or state-wide. Therefore, it is necessary for the College to prepare for and carry out disaster response and short-term recovery operations in conjunction with local, regional, state or federal resources.
- E. There are typically two types of emergencies. The first is a general emergency that does not require a specific tactical response by first responder personnel, police, fire, and EMS. Severe weather and pandemics are examples of general emergencies. Specific emergencies are incidents that require a tactical response by first responders. Examples of specific emergencies include fires, active shooters, and hazardous material incidents. Determination of Incident Commander will be based upon whether an incident is general or specific in nature.
- F. In specific emergencies there are two responses. The first is the response to the incident and is carried out by first responders. Second is the action undertaken by the administration of the college to the actions and the results of the actions undertaken by the first responders.

V. TYPES OF EMERGENCIES/LEVELS OF RESPONSE

There are three levels of emergencies:

- Level 1 – minor incident: A minor incident is defined as a local event with limited impact that does not affect the overall functional capability of the College. Planning and response is carried out at a limited local level (e.g. on a lab or room basis). The Emergency Response Plan would not be activated.
- Level 2 – emergency: An emergency is defined as a serious event that significantly disrupts one or more operations of the College. Multiple College resources are involved; the Emergency Response Plan would be activated to the extent necessary.
- Level 3 – disaster: A disaster is defined as an event that seriously impairs or halts the operations of the College. The Emergency Response Plan is fully activated.

Exhibit 1.1 - Expected Impact

Scope- Level 1, Level 2, and Level 3

Scope	Level-1	Level-2	Level-3
University Activities	Minimal and Localized, Most College activities not impacted.	Significant. College activities experience localized shutdown.	Very significant. College activities shutdown for a period of time.
Faculty, Staff, and Students	Site –specific localized impact. Injuries possible.	Site-specific or general impact with possible disruption. Injuries possible	General impact with probable disruptions. Injuries and possibly fatalities are a serious concern.
Media Coverage	None expected or limited local coverage.	Local/regional coverage	Local, regional and national coverage.
Public& Government Concerns	Limited	Potential exists for an external review of prevention/response and recovery efforts.	Potential exists for an external review of prevention/response and recovery efforts
EOT Involvement	Limited or none	Activated	Activated
EMT Involvement	Likely none	Activated	Activated

VI. PLAN COMPONENTS

The operational elements of the Plan are based on the National Incident Management System (NIMS) (see Appendix I-1). NIMS is a modular emergency management system designed for all hazards and levels of emergency response. This system uses a combination of facilities, equipment, personnel, procedures, and communication channels operating within a standardized organizational structure. The system is used by the Department of Homeland Security and throughout the United States as the basis for emergency response management. Use of NIMS at the College allows the College's to communicate and coordinate response actions with other jurisdictions and external emergency response agencies. Examples of the type of incidents and events that would be managed through NIMS are listed below:

- Fires, HAZMAT, and multi-casualty incidents.
- Multi-jurisdiction and multi-agency disaster responses (natural disaster, terrorism, civil unrest).
- Search and rescue missions.
- Significant transportation accidents.
- Major planned events, e.g., celebrations, parades, concerts.

The College's Emergency Response Plan consists of seven major elements:

- Emergency Management Team (EMT)
- Emergency Operations Team (EOT)
- Emergency Support Functions (ESF)

- Critical Operations Plans
- Special Unit Plans
- Building/Area/College Emergency Plans
- Response Annexes (Natural Disaster/Terrorism)

A. The Emergency Management Team (EMT). The EMT is responsible for the development, maintenance and activation of the Emergency Response Plan. The EMT will evaluate information from various sources during the progress of the event and advise the President and Provost on appropriate actions requiring their decision.

In a general emergency the Chair of the EMT will serve as the Incident Commander. When a tactical response is required by first responders the appropriate first responder supervisor will be the Incident Commander.

B. The Emergency Operations Team (EOT). The Chair of the Emergency Management Team activates the Emergency Operations Team, based on the type and nature of the incident, to manage the operational aspects of the College's response to an emergency event. The Incident Commander leads the Emergency Operations Team. The Incident Commander has responsibility for overall management of the incident and must be fully qualified to manage the incident.

C. Emergency Support Functions (ESF). The protocol for the management of incidents occurring within the City of Williamsburg, including the College of William and Mary, is contained in the City of Williamsburg's Comprehensive Emergency Response Plan. That plan employs a bottom-up approach to all phases of emergency management, with emergency activities being resolved at the lowest possible level of response. As such, the resources of local response agencies, including those of the College, will be used extensively in stabilization and recovery efforts.

Appendix I-2 lists those agencies that have been designated by The City of Williamsburg as ESF lead agencies and those departments/divisions that have been designated by the College of William and Mary as ESF lead agencies within the college's structure. By virtue of this designation, the College lead divisions/departments will be expected to contribute those resources necessary within their respected emergency support function to the response and recovery effort.

D. Critical Operations Plans. Each office identified as member of the EOT has critical responsibilities on a College-wide basis during emergency situations. Those responsibilities may include direct management or Emergency Support Functions (ESF). Each organizational unit identified in Exhibit 1.2 will develop and maintain its own Critical Operations Plan. Those Critical Operations Plans will be augmented by Response Plans as necessary to address specific situations. These plans will be reviewed and approved by the EMT.

Exhibit 1.2– Critical Operations Unit Plans

- Auxiliary Services
 - Transportation and Parking Services
 - Dining Services
- Facilities Management
 - Environmental Health and Safety
 - Facilities Maintenance
 - Facilities Planning and Construction
- Human Resources
- Office of Information Technology
- William and Mary Police
- Procurement
- Student Affairs
 - Counseling Center
 - Office of Residence Life
 - Student Health Center
- Office of University Relations

E. Special Function Plans

Several functions require response protocols for use in emergency situations. A specific plan will be developed for each function. Among these are:

- College research functions (laboratories, vivarium)
- Hazardous materials use and storage
- Large public venues (William & Mary Hall, Zable Stadium, the Wren Yards and Sunken Garden, PBK)

F. Building/Area Emergency Plans

Building plans may be established to reduce the risk of life or property loss in specific areas. The Dean/Director of respective building/area/college has developed a plan to more thoroughly prepare for foreseeable events.

G. Response Protocols

Individual functional areas within the college will develop Response Protocols for specific types of incidents (i.e. terrorism, natural disaster, etc.). These protocols will identify key personnel and define specific responsibilities and procedures to mitigate the specific threat.

VII. ROLES AND RESPONSIBILITIES

A. College President

This plan is promulgated under the authority of the President of the College and approval of the Board of Visitors. All decisions concerning the discontinuation of College functions, cancellation of classes, or cessation of operations, rest with the President or his/her designee.

B. Provost

The Provost assumes the authorities of the President in his/her absence.

C. Chair, Emergency Management Team

The Chair of the Emergency Management Team, upon consultation with President and, as designated, shall be responsible for declaring any major institutional emergency. In a general emergency the Chair appoints the Incident Commander and determines when to activate the Emergency Management Team.

D. Emergency Management Team

The Emergency Management Team's (EMT) role is the planning and execution of emergency preparedness, response and recovery. The team is focused on planning and preparation prior to and recovery from an incident, the long-term effects of an incident and the resources required to restore the College to normal operations. Additionally, the team is responsible for the development and maintenance of the College's Continuity Plan and the coordination between the two plans.

Many incidents require a multi-agency and/or multi-jurisdictional response. Members of the EMT must be aware of how Incident Command System and interagency / Multi-agency Coordination Systems functions to ensure cooperative response efforts.

The EMT provides high level direction during an incident, relying on the Incident Commander, the EOT and the functional units to execute the plan. The team authorizes major expenditures and changes to major policies as required. Accordingly, the responsibilities of this body include:

1. Recommend the final plan to the President for approval.
2. With authority from the President, approve all related policy and procedures.
3. Recommend the allocation of resources required to reduce identified vulnerabilities.
4. Recommend the allocation of resources required to accomplish the purposes of the Emergency Operations and Continuity of Operations Plans
5. Ensure coordination with external agencies and resource providers.
6. Delegate necessary authorities for incident stabilization and protection of life and property.
7. Identify critical business functions that must be restored and maintained.

8. Monitor the recovery process to ensure the recovery is proceeding according to plan and to provide guidance/assistance as needed.
9. Familiarize themselves with the interagency elements of NIMS.

Exhibit 1.5 Emergency Management Team Members

- Vice President for Administration – Chair
- Vice President for Finance - Vice Chair & Emergency Plan Coordinator
- Vice President for Student Affairs
- Vice Provost for Research
- Associate Provost for Information Technology
- Associate Vice President for Facilities Management
- Assistant Vice President for Student Affairs
- Chief of Police
- Executive Assistant to the President
- Director of University Relations
- Director of Auxiliary Services
- Director of Operations & Support Services (VIMS)
- Emergency Management Coordinator
- Academic Department Chair

E. Emergency Operations Team

The Emergency Operations Team (EOT) is organized under Incident Command System and is led by the Incident Commander. Under the direction of the College's Incident Commander, the EOT is responsible for the execution of the Emergency Response Plan during an incident. The EOT is comprised of senior management personnel representing functional areas of the College that are defined as having critical responsibilities. Members are responsible for ensuring that their functional area has a Critical Operations Plan and have identified the resources necessary to execute their plan. The Emergency Operations Team includes both primary and alternate members. Alternate members direct and execute their Critical Operations Plan responsibilities in the absence/unavailability of the primary member. All primary and alternate members must be knowledgeable of overall Emergency Response Plan operations. Members must also be available during a crisis situation. The composition of the EOT may vary depending upon the type of emergency.

F. Emergency Response Plan Coordinator

The Emergency Response Plan Coordinator is responsible for the preparation and maintenance of the plan documents and for ensuring the plans are widely disseminated.

G. Incident Commander

The Incident Commander is the individual responsible for the command and control of all operational aspects of the emergency response. The determination of Incident Commander is based upon the type of incident occurring. In an incident requiring a tactical response by

police, fire, or EMS the appropriate supervisor will assume the role of Incident Commander. Typically in a general emergency the chair of the Emergency Management will assume the role of the Incident Commander.

Exhibit 1.6— Areas of Critical Responsibility/EOT Members

- William and Mary Police Department
- Counseling Center
- Dining Services
- Environmental Health & Safety
- Facilities Maintenance
- Facilities Planning and Construction
- Financial Services
- Human Resources
- Information Technology
- Procurement
- Rec Sports Center
- Residence Life
- Student Health Center
- Transportation
- University Relations

H. Building/Area Emergency Coordinators

The College has identified building and area coordinators (BEC's, AEC) who will be responsible for disseminating information and instructions to building occupants. These coordinators are critical resources in emergency preparedness and will be provided training and materials to accomplish their tasks. These individuals are responsible for familiarizing themselves with the Emergency Operations Plan and for ensuring that building occupants have an understanding of procedures related to emergencies both campus-wide and within their specific area. Units are responsible for developing and maintaining an emergency plan for their respective areas.

I. Faculty and Staff

Faculty and staff shall familiarize themselves with applicable emergency plans and procedures and evacuation routes. Faculty and staff should understand that students will look to them for leadership during an emergency. They should know who the building coordinator is for their building and take instruction from that coordinator in the event of an incident. Faculty and staff must be prepared to assess situations quickly but thoroughly, and use common sense in determining a course of action.

All faculty and staff are responsible for emergency preparedness planning for their own work areas and securing their work areas when given warning of an impending emergency. This planning must be consistent with the guidance provided by the Emergency Management

Team with regard to preparation. Work areas need to be secured in advance of certain weather systems (hurricanes, floods, etc.).

During a recovery period, faculty and staff will be provided with instructions about returning to their workplace.

J. Liaison to City of Williamsburg EOC

The City of Williamsburg maintains an Emergency Operations Center which is activated under its protocols for the declaration of an emergency. The College provides a liaison who sits in the EOC when activated. That representative also participates in planning meetings, tests and exercises performed under the auspices of the City's EOC. The College's principal representative is the Assistant to the President. The first alternate is the Vice President for Strategic Initiatives and the second alternate is the Coordinator of Legal Services.

VIII. COMMUNICATIONS PLAN

(See Appendix 5: Emergency Communications Plan for details)

Communications in the event of a level two or three incident is understood to fall into several categories: initial notification of emergency response personnel; communication among the Emergency Operations Team members between and among the Emergency Management Team members; communication within the campus community, and communication with the external community.

The initial notification of emergency response personnel is the responsibility of the William and Mary Police Department. The William and Mary Police shift supervisor will first notify the Chief of Police (or person designated by order of succession). In the event of a situation with the potential to be a category two or three incident, the Chief will immediately notify the Chair of the Emergency Management Team (or designated successor). Upon the direction of the Chair of the EMT, William and Mary Police will notify the members of the Emergency Operations Team as designated by the Chair of the EMT and the members of the Emergency Management Team. Communication with other members of the College community will be the responsibility of the Chair of the EMT. The Chair is responsible for notifying the President and Provost.

Communications among the members of the Emergency Operations Team and the Emergency Management Team will be conducted on radio channels specifically assigned for this purpose by the William and Mary Police as well as by use of cell phone communication. It will be the responsibility of the Emergency Management Team to ensure that up-to-date contact information for all EMT members and potential EOT members is maintained and shared appropriately.

All decisions concerning notification of the community about an impending threat or emergency situation will be made by the Chair (or approved successor) of the Emergency Management Team in consultation with the designated Incident Commander. In situations where immediate community notification is required a police supervisor is authorized to send a notice to the community before notifying the Chair of the Emergency Management Team. Community notification may include use of the Colleges emergency notification system. In the event the

emergency is part of a larger community, regional, state, or national incident, all such communications will be coordinated with appropriate local, state, or federal authorities. Specific protocols, sample messages, and codes to insure authorized, restricted access to mass communication resources will be developed and maintained by the Emergency Management Team with support from the Emergency Communications Team led by the Director of University Relations (or designated successor). Other team members will include the Director of News Services, the Associate Provost (Chief Information Officer/IT), the Vice President for Student Affairs and the Emergency Management Coordinator. Additional members may be appointed by the Chair of the EMT as needed.

Communication with the external community will be managed by the Emergency Communications Team. The Director of News Services (with the Director of University Relations as back-up) will maintain an up-to-date list of local media sources to be contacted in the event of an emergency, including a list of the codes required for posting emergency broadcast notices on television and radio stations in the area, and will notify the media as directed. In the event of an emergency requiring press notification, there shall be a single spokesperson for the College. Ordinarily that individual will be the Director of University Relations. The Director of University Relations together with the Chair of the Emergency Management Team may designate others spokespersons as appropriate/needed. The preparation of news releases will be the responsibility of the Communications Team and the team will arrange and coordinate any necessary news briefings for the press.

IX. NOTIFICATION OF AN EMERGENCY

The primary responsibility for monitoring emergency threats and events resides with the William and Mary Police Department. The department operates on a 24/7/365 basis and is always available to receive emergency communications from a variety of official and public sources. In any type of emergency, the College Shift Supervisor (supervisor in charge) should follow standard operating procedures. If the emergency warrants, he/she should communicate immediately with the WMPD Chief of Police. If the WMPD Police Chief is not available, WMPD will follow established order of succession procedures. In the event of a situation with the potential to be a category two or three incident, the Chair of the Emergency Management Team will be notified immediately. If the Chair is unavailable, the designated order of succession will be followed. In situations where immediate community notification is required a police supervisor is authorized to send a notice to the community before notifying the Chair of the Emergency Management Team.

Based on the initial report, and information obtained from other appropriate entities, the Chief of William and Mary Police or his designated next in command will inform the Chair of the EMT of the type and level of the emergency. The Chair of the Emergency Management Team may invoke emergency protocols upon receipt of the information of an event or threat of an emergency. Regardless of the type of campus or declared local, state or federal emergency, the Chair will decide whether to alert the President, activate the Emergency Response Plan, appoint an Incident Commander (should one be needed) and designate the membership of the Emergency Operations Team. The type of emergency will dictate who assumes on site Incident Command.

Upon activation, appropriate Emergency Operations Team (see Exhibit 1.6) members will be notified by the William and Mary Police Dispatcher and will report to the designated command center. (The William and Mary Police Department has overall responsibility for coordinating and alerting the appropriate parties. WMPD will maintain a list of the Emergency Management Team members - see section H.1 - and telephone contact information.) Emergency Management Team Members will also be notified and will report, as needed, to the designated Emergency Operations Center. The Director of Environmental Health and Safety (when appropriate) should be notified in addition to the WMPD Police Chief.

Should it be deemed necessary to alert the College community to an impending threat or emergency situation, the Chair of the Emergency Management Team will activate alert warning resources and activities. In situations where immediate community notification is required a police supervisor is authorized to send a notice to the community before notifying the Chair of the Emergency Management Team.

The primary EOC will be maintained in a state of readiness for conversion and activation. The EOC serves as the centralized, well-supported location in which the Emergency Management Team and may gather and assume their role. Response activities and work assignments will be planned, coordinated and delegated from the EOC.

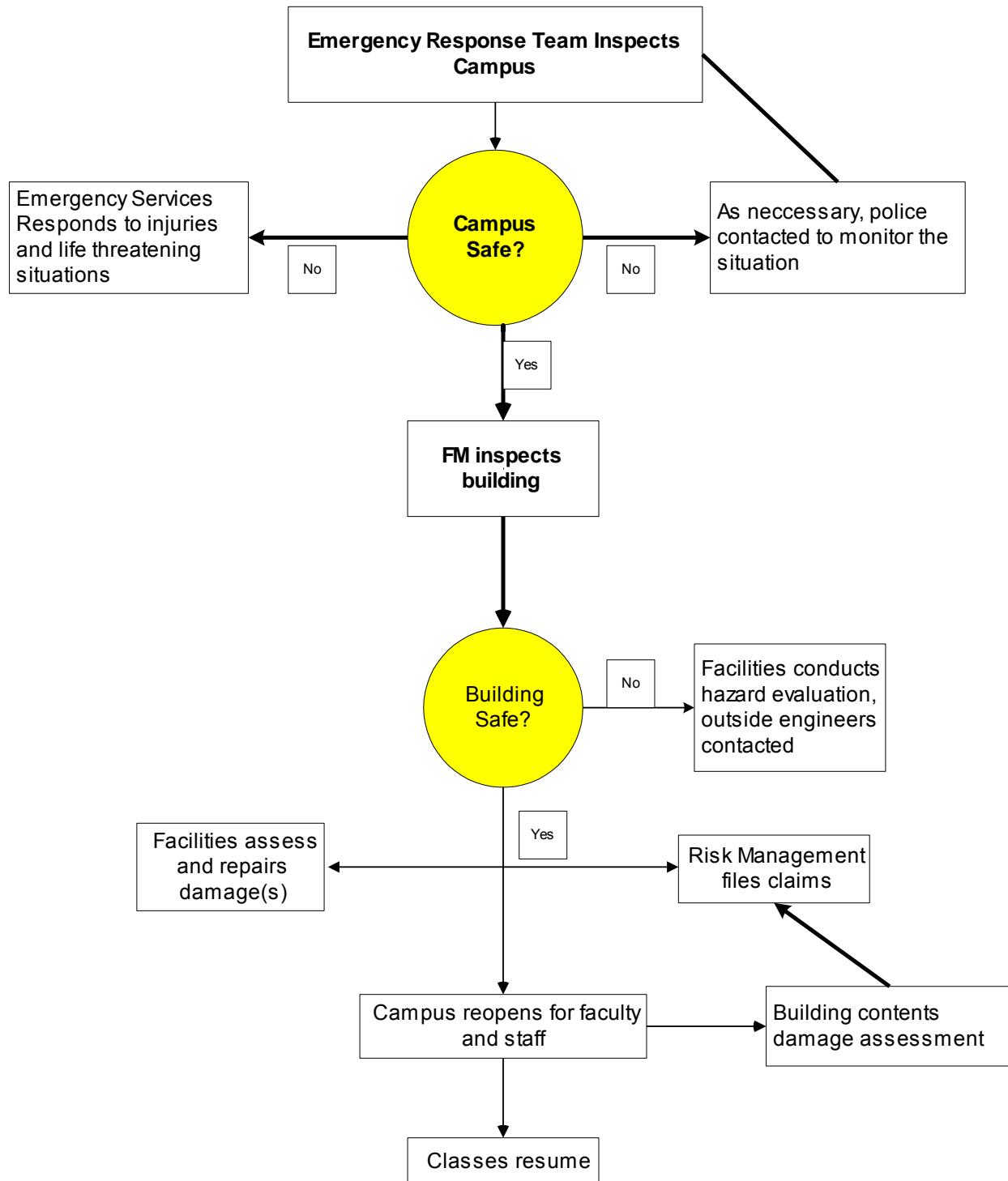
The primary EOC is located in the Facilities Management Conference Room. Depending upon the type of incident the Chair may designate the Board Conference Room, Blow Hall, the William and Mary Police Department, or another appropriate location as the primary EOC.

If all appropriate campus EOC locations are inaccessible, the backup EOC off campus will be located at the IT building on the College's Dillard Campus.

X. RECOVERY

Immediately following a disaster during which College operations have been shut down, the entire campus environment may remain unsafe. The first step in recovery is to secure the campus and then to secure all College facilities. Recovery efforts will be directed by the EMT according to the Continuity of Operations Plan. Once the campus has been secured, restoration efforts can proceed. The EMT is responsible for recommending to the President a plan for the orderly reopening of normal College operations. Information is provided to University Relations for dissemination throughout the recovery process.

Exhibit 1.7 Campus Wide Emergency Recovery Steps



APPENDIXES

APPENDIX 1

NATIONAL INCIDENT MANAGEMENT SYSTEMS (NIMS) COLLEGE EMERGENCY RESPONSE PLAN

PURPOSE

NIMS is a modular emergency management system designed for all hazards and levels of emergency response. This system organizes resources such as facilities, equipment, personnel, procedures, and communication systems within a standardized operating structure. The system is used by the Department of Homeland Security and throughout the United States as the basis for emergency response management. It provides for common understanding of terminology, incident command structures and interoperability of emergency communication systems. Use of the NIMS at the College facilitates the College's ability to communicate and coordinate response actions with other jurisdictions and external emergency response agencies.

As a management system, NIMS helps to mitigate incident risks by providing accurate information, strict accountability, planning, cost-effective operations and logistical support for any incident. NIMS operating structures can be used on any type or size of an incident. It can also be used for planned non-emergency events. Below are examples of the types of incidents and events that have been managed through NIMS:

- Fires, HAZMAT, and multi-casualty incidents.
- Multi-jurisdiction and multi-agency disaster responses (natural disaster, terrorism, civil unrest).
- Search and rescue missions.
- Significant transportation accidents.
- Major planned events, e.g., celebrations, parades, concerts.

KEY PRINCIPLES

- A. Modular response model based on activating only those organizational elements required to meet the needs of the immediate incident.
- B. Common terminology applied to organization elements, position titles, facility designations and resources.
- C. Unified command structure which ensures that organizational elements are linked to form a single overall structure with appropriate span-of-control limits, training, redundancy and order of succession in the Command Structure to ensure coverage in emergencies.
- D. Comprehensive resource management for coordinating and inventorying resources for field responses.
- E. Integrated communication so that information systems operate smoothly among all response agencies involved.
- F. Generic positions whereby individuals are trained for each emergency response role and follow prepared action checklists.

G. Consolidated action plans that contain strategy to meet objectives at both the field response and Emergency Operations Center levels.

ORGANIZATION

NIMS is organized around five major management activities.

- A. Command - Maintains overall responsibility for the incident or event. Determines objectives and establishes priorities based on the nature of the incident, available resources and agency policy. In all incidents there is an identified Incident Commander or a unified command team. These have responsibility for overall management of the incident and must be fully qualified to manage the incident.
- B. Operations - Develops the tactical organization and directs all resources to carry out the Incident Action Plan.
- C. Planning - Develop the Incident Action Plan to accomplish the objectives. Collects and evaluates information, and maintains status of assigned resources.
- D. Logistics - Provide resources and all other services needed to support the organization.
- E. Finance/Administration - Monitors costs related to the incident, provides accounting, procurement, time recording, cost analysis, and overall fiscal guidance.

During minor incidents, the five major activities may be managed by a single individual. Large incidents usually require each of these activities to be established as a separate section within the organization. The EMT will make this decision based on the demands of the incident and appoint an Incident Commander.

APPENDIX 2 **EMERGENCY SUPPORT FUNCTIONS**

Purpose

The purpose of this appendix is to provide a basic understanding of the agencies and responsibilities associated with each of the emergency support functions as documented in the City of Williamsburg's Comprehensive Emergency Response Plan, and to designate primary and support responsibilities to specific College Departments for these same functions should College resources be needed for emergency response and recovery efforts either solely for College purposes or at the request of City emergency management.

It should be noted that the full scope of responsibilities associated with an Emergency Support Function (ESF) are assigned to the City primary agency; and that the responsibilities assigned to a College primary or support division/department would be only that portion of responsibilities the College has the ability to provide. In the event of a city-wide emergency, including an emergency that effects the College, agencies designated as a City primary agency will have primary responsibility for coordinating city-wide response and recovery efforts associated with their respective emergency support function as directed by the City of Williamsburg Emergency Operations Center. College primary and support departments assigned ESF responsibilities will work in concert with the City's ESF's during a city-wide emergency. Unless otherwise requested by Williamsburg City Emergency Operations, services provided by College primary and support departments will be in support of College's response and recovery efforts.

For emergencies occurring on campus that are not part of a city-wide emergency or do not exceed the capabilities of College emergency response resources, College primary and support departments with ESF responsibilities will be coordinated through the College Incident Commander.

Emergency Support Functions

A. Fire and Rescue

Coordination of firefighting activities as part of disaster response. Areas of activities include urban, suburban, rural, wild-land and the interface between each environs. Firefighting activities consist of:

1. Managing firefighting assets.
2. Detection and suppression of fires.
3. Mobilization and coordination of personnel, equipment and supplies.
4. Coordination with Health and Medical, Search and Rescue and Hazardous Materials teams.
5. Coordination with Virginia Fire Chiefs Association (VFCA) and the State representative.

City Lead Agency:

City of Williamsburg Fire and Rescue

College Department: William and Mary Police Department

B. Search and Rescue

Locate missing persons in rural or urban areas after a disaster. Search and rescue may involve locating missing persons, boaters or passengers on downed aircraft. Urban search and rescue may involve locating missing persons in damaged structures resultant from a disaster.

City Lead Agency: Williamsburg Fire and Police Departments
College Lead Department: William and Mary Police

C. Hazardous Materials

Coordinate response to and recovery from an actual or potential discharge and/or release of a hazardous material resulting from a disaster.

City Lead Agency: Williamsburg Fire Department
College Lead Department: Environmental Health and Safety

D. Medical Services

Coordinate the health and medical resources required to respond to local public health and medical needs prior to and following a significant event. Provide the means for a the triage, treatment and transportation of victims of emergency/disasters; assistance in the evacuation of victims out of affected area(s); immediate support to hospitals and other health care facilities; provision of emergency mental health counseling for individuals and the community and the re-establishment of all health and medical systems.

City Lead Agency: Williamsburg Department of Public Health
College Lead Department: Student Health Care Center, Counseling Center

E. Law Enforcement

Establish procedures for the command, control and coordination of county, municipal and other law enforcement agencies to support disaster response operations. These procedures will support the implementation of actions as outlined in Mutual Aid Plan for Law Enforcement. This ESF is established to:

1. Coordinate the use of local, state law enforcement and Virginia National Guard personnel and equipment.
2. Provide a system for the receipt and dissemination of information, data and directives pertaining to law enforcement agencies and activities.
3. Prescribe a procedure for the inventory of law enforcement personnel, facilities and equipment in the City.
4. Collect and disseminate information and intelligence relating to disasters.

5. Pre-plan distribution and allocation of state resources in support of the overall law enforcement mission.

City Lead Agency: Williamsburg Police Department
College Lead Department: William and Mary Police Department

F. Communications Systems

Coordinate local actions to be taken to assure the provision of required communications support to local disaster personnel. Restoration of essential communication systems, communications support to City disaster response elements, coordination of communications assets (equipment and services) locally, plus State, voluntary and other resources including military and private sector.

City Lead Agency: Williamsburg Fire Department
College Lead Department: William and Mary Police Department
Office of Information Technology

G. Public Works

Provide and coordinate resources (personnel, equipment, facilities, materials and supplies) to support public works and infrastructure needs during an emergency or disaster. Public Works resources will be used to perform or assist with the following:

1. Debris clearance and providing emergency ingress/egress to affected area(s).
2. Clearing, repair or construction of damaged emergency access routes necessary for the transportation of rescue personnel, equipment and supplies.
3. Emergency restoration of critical public services and facilities.
4. Emergency demolition or stabilization of damaged structures and facilities designated as immediate hazards to public health and safety.
5. Provide technical assistance and damage assessment.

City Lead Agency: Williamsburg City Public Works
College Lead Department: Facilities Management

H. Transportation

Provide coordination of transportation assets to support emergency operations. This support includes:

1. Performance of and assisting with evacuation and re-entry.
2. Process all transportation assistance requests and tasks received in the EOC/WMEOC.
3. Prioritize transportation resources for the movement of people, materials and services.
4. Perform necessary actions to assist with recovery operations.

City Lead Agency: Williamsburg City Public Works
College Lead Department: Transportation and Parking Services

I. Mass Care

Coordinate activities involved with the emergency provision of temporary shelters, emergency mass feeding and the bulk distribution of coordinated relief supplies for disaster victims and workers.

City Lead Agency: Williamsburg Fire Department
College Lead Department: Facilities Management with support from Procurement, Rec Sports, Auxiliary Services

J. Food and Water

Identify, procure and arrange for the transport and distribution of food and water to affected area(s) and for emergency workers. Determine food and water needs following a disaster, obtain and/or arrange for appropriate resources to meet the shortfalls.

City Lead Agency: Williamsburg Fire Department
College Lead Department: Auxiliary Services

K. Utilities

Provide emergency power to support emergency response and recovery operations and to normalize community functions, including electric power, distribution systems, fuels and emergency generators.

Coordinate the provision of emergency energy supplies, transporting and delivering fuel and the provision of emergency power to support immediate response efforts as well as the restoration of the normal supply of power. Work closely with local, state and federal agencies including energy offices, suppliers and distributors.

City Lead Agency: Department of Public Works
College Lead Department: Facilities Maintenance

L. Public Information

Disseminate information on emergencies and protective actions to the public through the news media and other mechanisms. Coordinate, prepare and disseminate all disaster-related information to the public via the media.

City Lead Agency: Williamsburg City Manager's Office PIO
College Lead Department: Director of University Relations

M. Volunteers & Donations

Provide a central point for the coordination of information and activities of voluntary agencies responding in times of disaster and the effective utilization of donated goods.

City Lead Agency: Greater Williamsburg Area United Way
College Lead Department: Office of Development

N. Animal Services

Coordinate of the response of agencies involved with providing animals affected by a disaster with emergency medical care; evacuation; rescue; temporary confinement; shelter; food and water; and identification for return to the owner. The coordination may also involve diagnosis, prevention and control of diseases of public health significance.

City Lead Agency: James City County Animal Control
College Lead Department: Biology/ Psychology Department

APPENDIX 3

ORGANIZATIONAL UNIT PLANS

Specialized plans prepared by any College Unit (Departments, Schools, etc.) shall be consistent with the guidelines established in the Emergency Response Plan. The EMT will approve each plan. Each Unit shall, as directed by the EMT, execute that portion of their specialized plan required to assure optimal endurance and rapid recovery from the effects of an emergency. Deans, directors, department heads and other responsible parties shall at a minimum develop and maintain procedures to accomplish the following:

- A. Identify the individuals and alternates to whom the specific responsibilities are assigned including:
 - 1. Unit Plan Execution / Emergency Response.
 - 2. Unit Plan Maintenance – all Units are required to provide the Emergency Response Plan Coordinator with an updated Unit Plan every year.
 - 3. Unit Plan Coordinator.
- B. Develop procedures for communicating within the Unit.
 - 1. Current emergency call roster for the Team Members.
 - 2. Contact list for all Unit Faculty and Staff.
- C. Identify all life safety threats. Be certain that all faculty and staff review and understand the safety procedures defined in the Incident Response Plan.
- D. Identify critical assets and how to protect them in an emergency situation.
 - 1. Assets include physical items of value as well as electronic and hard copy data.
 - 2. Assign individuals (or other units) to secure physical assets.
 - 3. Assign individuals to be responsible for vital records.
 - 4. Assist with building content damage assessments.
- E. As appropriate identify disaster-specific response plans to maintain and restore services that are critical to the College.
- F. Identify and document (contact names, location, telephone numbers, email address, etc.) subcontractors, suppliers and service providers that may be needed in an emergency situation.
- G. Identify critical reliance on other Units.
- H. Provide training for new hires as necessary.
- I. Communicating assignments to all employees.

NOTE: Much of this information is also contained in the Continuity Plan for each unit.

APPENDIX 4

CRITICAL OPERATIONS ROLES AND RESPONSIBILITIES

Each of the functional units listed below has particular responsibilities assigned to it as a part of the successful preparation and execution of the Emergency Response Plan.

Academic Affairs

- A. Develop plans to identify alternate facilities where University activities can be conducted in the event of the destruction, disablement or denial of access to existing facilities.
- B. Identify and prioritize critical support services and systems.
- C. Identify and ensure recovery of critical assets.
- D. Develop plans to reschedule classes.

Academic Research

- A. Identify and prioritize critical support services and systems.
- B. Identify and develop plans for the securing of hazardous research materials.
- C. Develop plans and procedures to protect critical research assets.
- D. For special assets (research animals, environmental sensitive materials, etc.) develop backup plans for electrical and other required basic services.

Athletics

- A. Develop and maintain plans for crowd control during athletic events.
- B. Develop plan for evacuating athletic facilities during athletic events.
- C. Together with the William and Mary Police, develop plans for ensuring that no weapons or dangerous materials are present during any athletic event.
- D. Develop emergency plan to use athletic facilities as a shelter during and after certain types of emergencies as specified.

Auxiliary Services

- A. Provide ongoing food service for resident students, employees and emergency workers who may remain on campus during an emergency.
- B. Provide for emergency transportation as appropriate for specific types of emergencies.
- C. Facilitate emergency procurement of goods and services. (Procurement)

Counseling Center

The Counseling Center shall provide emergency psychological crisis intervention services to students, faculty and staff. Specifically, the center will:

1. Respond to an institutional request for crisis intervention by coordinating and mobilizing volunteer counseling personnel for on-site services.
2. Plan for and provide on-site triage, individual and group interventions and initiate referrals for more specialized and follow up care.
3. Maintain a list of college and community resources, meet annually with liaison personnel and engage periodically in training and simulation exercises.

Environmental Health and Safety (EHS)

- A. Promote development of effective emergency and continuity of operations plans.
- B. Maintain information on the content and location of radiological, chemical, biological and fire safety hazards.

Facilities Management

- A. Establish procedures for providing assistance to the College Incident Commander and Emergency Operations Center.
- B. Establish essential personnel rosters that are disaster specific.
- C. Maintain permanently installed generators including refueling.
- D. Maintain availability of portable generators and associated gear ready for dispatching to locations identified by the Incident Commander.
- E. Maintain radio communications and interface capabilities with the College Police Department and the Emergency Operation Center (EOC).
- F. Assure adequate fuel supply, or provide a back-up supply during an emergency.
- G. Assess damage and provide building condition reports.
- H. Assign “emergency vehicle” status to College vehicles and equipment providing emergency services.
- I. Provide maintenance support for emergency vehicles during an emergency.
- J. Documentation and submission of claims.
- K. Collect & analyze damage assessment reports.

Finance

- A. Together with Human Resources, maintain the continuity of Payroll Processing Services.
- B. Ensure emergency funds are available for expenditure as College priorities change during periods of crisis.
- C. Maintain accurate financial and administrative records in periods of changing priorities and emergency decisions.

Human Resources (HR)

- A. Together with Finance, maintain the continuity of Payroll Processing Services.
- B. Maintain the continuity of critical employee Benefit Services.
- C. Provide for employee counseling.
- D. In a post disaster community-wide disaster:
 1. Assess Faculty and Staff availability.
 2. Assist with the appropriation of personnel.
 3. Assist employees with work recovery needs.
 4. Provide for employees to take personal leave to attend to personal needs; etc.

Information Technology (IT)

- A. Maintain the operation of voice, intranet, data, and video and wireless communications services including the emergency communications system.
- B. Develop policy to provide for the coordination of data and telephone systems.
- C. Implement proper backup controls and redundancies to maintain critical services.
- D. Properly document all hardware and its configuration; develop a plan for hardware replacement and setup.

- E. Develop adequate information security controls.
- F. Maintain a records management plan that duplicates data on a regular basis and secures this information at a remote location.
- G. As necessary develop and maintain a plan to perform critical applications at a remote site.

Muscarella Museum

- A. Identify and assist with the evaluation of museum assets – art works, collections, etc.
- B. Develop plans and procedures to protect critical museum assets.

Police Department

- A. Preserve law, order and campus security.
- B. Provide security in shelters.
- C. Control access to buildings and scene of the disaster.
- D. Interface and coordinate with local, county and state agencies independently or through the Williamsburg Emergency Operations Center to implement mutual aid agreements.
- E. Maintain the Police Communications Center on a continuous basis including internal and external radio communications, and coordination with the College's Incident Commander.
- F. Conduct security assessments and develop Response Plans from a terrorism perspective.

Student Affairs

- A. Coordinate with other campus and community agencies to identify and address the safety and security needs of students.
- B. Develop procedures to communicate with and account for students in emergency situations.
- C. Implement a comprehensive program for emergency shelter for students currently housed in the on-campus facilities in coordination with Facilities Management.
- D. Evaluate shelter alternatives for students residing off campus.
- E. Provide consultation and coordinate student leadership and organizations regarding their participation in the mitigation of the emergency.
- F. Provide the maximum appropriate number of officers on duty.
- G. Consult with the Shelter Managers for buildings designated as public shelters and establishes appropriate security procedures.

Student Health

- A. Maintain medical services for sick or injured students, staff and faculty.
- B. Establish programs as directed by CDC or other health agencies in response to a threat to the public health.

Swem Library

- A. Identify and assist with the evaluation of library assets – books, collections, etc.
- B. Develop plans and procedures to protect critical library assets.

University Relations

- A. Coordinate all information disseminated to the press and the public.
- B. Activate Emergency Information section of WM Web Page.
- C. Provide for a consistent “one-voice” to the news media and all other interested parties.
- D. Provide/coordinate for rumor control and emergency communications.

(See Appendix 5: Emergency Communications Plan)

Victim Assistance

As provided in our Cooperative Agreement dated 9/21/10, the Williamsburg / James City County Victims/Witness Assistance Program will contact the Virginia Criminal Injury Compensation Fund to deploy assistance in the event of a criminal action incidental to an emergency and involving victims as defined by *Code of Virginia §19.2-11.01*. The program will also provide additional services to victims and witnesses as specified in the agreement.

APPENDIX 5

Emergency Communications Plan

Introduction

Purpose:

To use available communication resources to respond to an incident;

- Alert, warn, and advise the campus community of a potential, imminent or active emergency.
- Continue to communicate with campus and broader community through a variety of media to inform of protective actions taken and status of event.
- Communicate with the extended campus community (to include parents, spouses or other next-of-kin) and through the media to inform and to advise of the campus situation, developments and recovery efforts.

Scope:

Alert the campus community of a potential, imminent or active emergency.

Ensure that the institution has the ability to inform the campus community concerning a disaster or emergency situation.

Primary Agency:

W&M Emergency Management Team

Secondary/Support Agencies

W&M Information Technology Department

W&M Police Department

W&M Facilities Management

W&M University Relations

W&M Creative Services

W&M Student Affairs

W&M Student Health Services (consultation for health-related communications)

Peninsula Health District (Virginia Department of Health)

Rave Mobile Alert Hosting Service

WCWM-FM90.9

W&M Copy Center

City of Williamsburg Emergency Management

Government Emergency Telecommunications Service (NCS)

Electronic/Print Media Contacts

W&M Auxiliary Services

Policies:

EMERGENCY COMMUNICATIONS TEAM

- The Director of University Relations serves as the Chair of the Emergency Communications Team (ECT). Other members include the Associate Provost and Chief Information Officer, Information Technology; the Vice President for Student Affairs; Chief of Police; Acting Director of Creative Services; Director of News Marketing and the Emergency Management Coordinator.
- Other members may be added at the discretion of the Chair of the EMT.

AUTHORITY TO NOTIFY

Decisions concerning notification of the community about an imminent or active threat or emergency situation will be made by the Chair (or approved successor) of the Emergency Management Team in consultation with the designated Incident Commander. In some cases (such as Tornado or active incident on campus), W&M Police Chief (or designee) is authorized to notify the campus immediately. The Chair of the EMT will coordinate notification of EMT members.

AVAILABILITY FOR DUTY

- It is the responsibility of those in the order of succession to the Chair of the EMT to notify the Chair of any planned absences. Should a situation occur where the WMPD is unable to contact the Chair of the EMT, the order of succession should be followed immediately;
- Once notified by the WMPD, communication with other members of the campus community will be the responsibility of the Chair of the EMT or successor.

EMERGENCY CONTACT INFORMATION

- The Chair of the Emergency Management Team (EMT) designates the Emergency Management Coordinator as responsible for maintaining an up-to-date list of the members of the Emergency Management Team, additional potential members of the Emergency Operations Team, local and statewide emergency numbers and numbers for the Emergency Operations Center;
- The accuracy of this information will be confirmed at least every six months and the current information will be distributed to the members of the Emergency Management Team and to the William & Mary Police dispatchers;
- It will be the responsibility of EMT members to keep the information with them so that it is accessible should it be needed and to notify the responsible designee of any changes in their contact information or service provider.

COMMUNICATIONS WITH THE EXTERNAL COMMUNITY / MEDIA

- To ensure a unified and consistent message, communication with the external community will be managed by the Emergency Communications Team (ECT).
- There will be a single spokesperson for the College, the Director of University Relations, who also serves as Chair of the Emergency Communications Team (the Director of News Marketing serves as backup).
- The Chair of the ECT together with the Chair of the EMT may designate others to be spokespersons as needed/appropriate.
- Either the Director of University Relations or the Director of News Marketing will report to the EOC while the other serves as the on-site public information officer.

Concept of Operations

Alerting and Notification:

The ability to provide information to the community during an emergency is crucial to the management of the emergency. It is important to have a process that makes effective use of the College's emergency notification systems. These systems are designed to provide critical information and instructions to the community. The College strives to inform the community without causing widespread alarm. To accomplish this, the College has designated three levels of emergencies. The nature of the threat will determine the communication systems used to inform the community of the actual or potential emergency.



The most serious designation is an **active threat**. An active threat is usually a spontaneous event that comes without warning requiring immediate action to prevent the loss of life. Some examples include a hazardous materials incident that poses an immediate threat to life or an incident where a firearm or other weapon has been used to cause injury or displayed with intent to harm.

For certain active threats, community notification will be made by all campus systems available to include the siren. Optimally the notification systems and the siren will be activated simultaneously. In an actual emergency this may not be the case and the siren may sound before the emergency message is sent. When this happens an emergency message will follow the emergency siren. An activation of both the Emergency Siren and Notification Systems is designed to inform the community of an active and ongoing threat to the campus. This notification requires an immediate response by the community. The communication will provide information about the incident and direct action to take to reduce the risk of harm.

The intermediate designation is for an **imminent threat**. An imminent threat is an event likely to affect the College within the next several hours, or less, but currently has not seriously affected the College. An example of this is a confirmed report of a person with a gun on campus whose intent has not been established. Another example is for the notification of a Surry Nuclear Power Plant incident. In this example the College has received notification of a nuclear release from Surry with the potential for contamination of the College.

These types of incidents will result in the use of the emergency mass notifications system, College e-mail, and the College home page to inform the community. The communications associated with an imminent threat will provide specific information about the threat and specific precautions to take.

The lowest designation is **potential emergency**. This is an emergency where the conditions are favorable for the incident to occur, or for an event that happens off campus that is likely to have an impact on the College at some point in the near future. Examples of this are usually weather related such as predicted hurricanes and ice storms or manmade incidents such as a chemical spills or fire near campus.

The community is usually informed of this type of emergency through the use of campus e-mail and the College home page. Communications regarding this type of emergency will inform the community about the potential threat and the general precautionary steps to mitigate the affect of the threat.

The variety of threats we may encounter and the dynamic nature of all threats demonstrates the need to provide the above listed information as guidelines and not universal responses. For example, a notification of a Surry incident may be a potential, imminent, or active threat depending on several factors to include the severity of the nuclear release and wind direction. Similarly, the documented report of a person with a weapon on campus may be a potential, imminent, or active emergency depending on the circumstances of the incident.

Initial Notification:

In most cases involving an active incident on campus, the initial notification of emergency response personnel is the responsibility of the William & Mary Police Department (WMPD). This includes incidents such as weather-related issues, active shooter or other crime-related emergency and the evacuation of buildings. The WMPD shift supervisor will notify the Chief of Police (or person designated by order of succession). The Chief or successor will then immediately notify the Chair of the Emergency Management Team or designated successor. The Chair of the EMT will notify the required members of the Emergency Operations Team (EOT) as well as the members of the Emergency Management Team. In some cases when WMPD is involved in an active incident, the Chair of the EMT will use the mass notification system to update and alert a subgroup of the emergency team. In instances where there is an immediate need to notify the community, supervisors at the William & Mary Police Department have the authority to send an emergency notification to the community and/or sound the audible alarm without prior authorization.

It is the responsibility of the Chair of the Emergency Management Team to notify the WMPD of planned absences from the campus. Similarly, it is the responsibility of those in the order of succession to the Chair of the EMT to notify the Chair of any planned absences. Should a situation occur where the WMPD is unable to contact the Chair of the EMT, the order of succession should be followed immediately. Once notified by the WMPD, communication with other members of the campus community will be the responsibility of the Chair of the EMT or his/her successor.

Order of succession for Initial Notification	Order of succession for WMPD
EMT Chair	Chief of Police
EMT Vice Chair	Deputy Chief/Captain
Chief of Police (WMPD/Active Incident)	On-duty Lieutenant or Sergeant
Vice President for Student Affairs	

Note: In some cases, the initial notification to the EMT chair may come from another department on campus. For example, notification of a food-borne illness would come from the Vice President for Student Affairs through the Student Health Center. Notification of a communications infrastructure failure would come from the Chief Information Officer. Notification of building support failures would come from Facilities Management.

Once the Emergency Response Plan has been activated by the EMT Chair (or designee), communication among the members of the Emergency Operations Team and the Emergency Management Team will be conducted on radio channels specifically assigned for this purpose by the William & Mary Police Department and via cell phones. The designated channels will be monitored by the WMPD dispatchers to ensure the teams' ability to also connect with police personnel who will be operating on their standard police channel. It will also be the responsibility of the WMPD to designate a "talk around" channel that could be used by EOT and EMT members in the event the phone system and the regular phone system become

inoperable. WMPD will also coordinate training and distribution of radios to those individuals who do not routinely have access to a radio but would need one during an emergency.

Those Emergency Operations Team Members and Emergency Management Team members with their own radios will bring them with them to the Emergency Operations Center or other location as directed by the Chair of the EMT. Additional radios as needed will be supplied by the WMPD upon request of the Chair of the EMT. In the event of an emergency that is likely to exceed the charge of the radios, provision will be made at the Emergency Operations Center for battery chargers to be available. The members of the response team, in the event of a sustained power outage, will need to make arrangement to bring their cell phone re-charging units to the Emergency Operations Center.

(Note: Only those radios used by the police department have secured channels. This means that any person using a non-police radio will not have a secured transmission and the message can be heard by civilians with high-end scanners. When possible a member of the police department will be at the EOC and will be in contact with the Command Post for secure communications. All others should communicate sensitive information by phone or runner.)

Public Information:

To ensure a unified and consistent message, communication with the external community will be managed by the Emergency Communications Team (ECT). There will be a single spokesperson for the College, the Director of University Relations, who also serves as Chair of the Emergency Communications Team (the Director of News Marketing serves as backup). The Chair of the ECT together with the Chair of the EMT may designate others to be spokespersons as needed/appropriate. Either the Director of University Relations or the Director of News Marketing will report to the EOC while the other serves as the on-site public information officer.

All aspects of the College's external communications will be handled by the Emergency Communications Team. These include:

1. Designating a media center as needed. This will be located outside the established emergency perimeter but near the Incident Command Post so the onsite Public Information Officer can move quickly between the ICP and the media center. The space allocated shall have emergency power capability and be supplied with notebook computers for staff/ECT use (notebooks will be provided by IT for this purpose), and with a mobile media emergency kit assembled by the Emergency Communications Team for this purpose.
2. Identifying which media will be used to communicate the message, including web pages, and determining which methods of communication can be used to put out the message. The Director of University Relations (with Director of News Marketing as backup) will maintain an up-to-date list of local media sources to be contacted in the event of an emergency along with a list of the codes required for posting emergency broadcast notices on television and radio stations in the area. In addition to having this information at the Emergency Operations Center, it shall be maintained at an off-site location to ensure redundancy.
3. Gathering information and preparing all statements and press releases for distribution to the media and for use on the College's web sites. The timing of

releases will depend on the nature of the emergency. The names of people involved will be withheld until the status has been officially confirmed and families notified.

4. Responding to all media inquiries in priority order. The ECT will determine the priority.
5. Monitoring the media coverage of the incident to the extent possible. When practical, the ECT will be provided with sufficient televisions either through existing TVs in the building housing the ECT or by units brought in for the purpose by Facilities Management. The ECT will record reports as able and work with the designated spokesperson to respond to erroneous information.
6. Preparing and distributing statements for use by those answering the telephone or by individuals staffing call centers should one be created.
7. Monitoring comments and coverage on the College's social media channels.

Operational Considerations:

All decisions concerning whether/when to notify the campus community about an impending or extant threat or emergency will be made by the Chair (or approved successor) in consultation with the designated Incident Commander. As mentioned above, during incidents representing an immediate threat to the campus community, the W&M Police has the authority to release immediate notifications to the community. Otherwise, no communication, whether by e-mail, the Mass Notification system, or any other mechanism is to be made without this approval. Depending on the imminence of the threat to the community, the techniques to be utilized may include (but are not limited to):

Imminent Danger Audible Alarm

In the case of imminent danger, the College has three stations of 120-decibel sirens that can be utilized to alert the campus community. They are located on the rooftops of the Law School, the Integrated Science Center and the School of Education buildings. At every opportunity, the campus community is educated that the siren means "seek shelter and seek information."

Alarm units are activated by the William & Mary Police Department upon receipt of the appropriate code from the Chair (or successor) of the EMT. It will be the responsibility of the Emergency Management Coordinator and Chief of Police to change the authorization code periodically and ensure that the appropriate individuals (succession EMT chairs and WMPD) are notified. Use of the audible alarm system will ordinarily be simultaneous with the distribution of a message through the mass notification system. There may be occasions of imminent danger when the sirens are used without a simultaneous mass notification message.

Those occasions can include (but not limited to):

- i. Tornado spotted near campus.

If possible, the EMT will provide the campus community with advance notice. This includes an email anytime the Williamsburg area is under a tornado watch stating: "The Williamsburg area is currently under a tornado watch. If you hear the College's emergency siren, please take shelter in the lowest

level of the closest building. Stay tuned to local television stations for the most current weather information." This advance notice is also posted on the website.

ii. Shots fired on campus. A notification from a previously drafted template will be issued as soon as possible during an incident of shots fired on campus.

iii. Explosion on campus. Same as above for shots fired.

The alarms are to be tested at the beginning of each academic semester as are their emergency generators and instructions and drills are to be used to educate the community about what to do in the event the alarm sounds. During each test, the local community is reminded that the sound of the siren means to check the William & Mary website at www.wm.edu for more information. Once the decision to sound the siren is made, the EMT Chair (or designee) will also begin the protocol to provide emergency information on the William & Mary website.

Mass Notification

The mass notification system provides for simultaneous notification via voice mail, text message, and e-mail and accommodates multiple numbers for each person in the system. Lists in the system are maintained by IT so that a single message can be sent to all or so that special messages can be directed to specific populations – e.g. members of the Emergency Management Team or Emergency Operations Team, all students, all faculty, all staff, classroom phones in every academic building, etc. The system is only used in the event of an emergency. Pre-written messages have been developed by the EMT Communications Committee. Subsequent messages will be more tailored to the specifics of the situation. Students, faculty and staff are required to maintain current contact information in the system.

- Mass Notification Protocol**

The William & Mary Police Chief (or designated successor) is notified of an emergency that may require immediate notification to the campus community. The Chief immediately notifies the Chair of the Emergency Management Team (EMT). Once notified, the EMT Chair, in consultation with the Chief, makes the determination whether to send a notification to campus. *Note: In some emergencies such as an active shooter or tornado that Chief (or designee) has the authority to immediately send a campus-wide alert or sound the siren.*

When the mass notification system is used, the Chair of the EMT (or designated successor) or Chair of the ECT (or designated successor) will post an alert on the Home page (www.wm.edu) and on the W&M mobile site (m.wm.edu).

- When to use the mass notification system:**

- Weather** -- This includes closures, delays, early dismissal or emergencies of any kind due to inclement weather, including (but not limited to tornados, hurricanes, snow/ice storms). *Note: Protocol calls for the EMT Chair (or designee) to send an email notice anytime the Williamsburg area is under a tornado watch. The purpose is so that officials can sound the siren alarm as soon as there is a Tornado warning (meaning a tornado in the immediate area). The advance email states: "The Williamsburg area is currently under a tornado watch. If you hear the College's emergency siren, please take shelter in the lowest level of the closest building. Stay tuned to local television stations for the most current weather information." The College will also post information regarding a tornado watch in the "blog spot" on the home page so members of the local community will have information should the*

College sound the siren alarm. In these cases, Police dispatch would call Chair of EMT (or designee) and Creative Services contact.

- When /if there is a confirmation that a tornado has landed near the campus or is heading towards the campus the WMPD will activate the siren then notify the Chair of the EMT.

Other types of incidents include (but not limited to):

- **Environmental Incident/Accident** – This could be anything from gas leak or a fire to a hazardous material incident, explosion, or chemical spill that requires closure of a building on campus or is a danger to members of the campus community. This could also include an accident at the Surry Power Plant. *Note: Depending on the nature of the accident – such as being an isolated threat -- the EMT Chair (or designee) may determine a mass notification notice is not warranted but will instead send an email notice to the campus community followed by a posting on the College's home page, and mobile site. In those cases, the Chair of the EMT (or designee) or Chair of ECT (or designee) will contact Creative Services designated person for the home page posting.*
- **Active Crime** – This could be anything from an active shooter on campus to a police search for a suspicious individual or evacuation due to bomb threat. *Note: Depending on the nature of the incident, the EMT Chair (or designee) may determine a mass notification notice is not warranted but will instead send an email notice to the campus community followed by a posting on the College's home page, advisory widget and/or mobile site. In those cases, the Chair of the EMT (or designee) or Chair of ECT (or designee) will contact Creative Services designated person for the home page posting.*

Social Media (Twitter/Facebook)

The mass notification system has the ability to automatically post emergency messages to social media sites such as Twitter and Facebook. The system will be connected to the College's news sites at www.twitter.com/WMNews and www.facebook.com/wmnews. The W&M News Facebook page will also serve as the backup site for official emergency information.

Mobile Website (m.wm.edu)

The ECT will work with Creative Services to utilize the College's mobile website to distribute emergency information.

Broadcast email

Broadcast e-mail allows the EMT to send immediately a message to everyone on the College's system. Such messages can be sent from on or off-site locations.

Building Emergency Coordinators

Every academic/administrative building on the campus will have an emergency coordinator. Building emergency coordinators are trained in their responsibility in the event of an emergency. In a situation involving power and IT/phone system loss, building coordinators will be utilized as a back-up communications network. Messages from the EMT will be delivered by hand if necessary and possible for distribution to those occupying the building – along with instructions about what to do about window and door closings, shutting down computers, securing experiments, safe shelter, etc.

- **Residence Halls** -- Similarly, in the residence halls, the existing system of Residence Life staff who live in the residences will be utilized as a means of creating redundancy in the communications network. Duty offices in each residence area are connected through a radio network. All professional live-in staff are issued PDAs with alternative power sources. In the event of an incident where customary means of communication are unavailable, the staff will receive messages via radio or PDA and distribute that information to their student staff members in person, if necessary. Updates will be provided for the residents by postings on a designated bulletin board in the lobby of each building.

Actions/ Responsibilities:

CHAIR OF THE EMERGENCY COMMUNICATIONS TEAM

- Coordinate activities of the institution's ECT in support of the EOC;
- Establish a working arrangement between the local Emergency Management Agency, the local Emergency Operations Center, and local news media;
- Develop and maintain an emergency communications program and plan;

EMERGENCY COMMUNICATIONS TEAM

The Director of University Relations serves as the Chair of the Emergency Communications Team (ECT). Other members include the Chief of Police, Associate Provost and Chief Information Officer, Information Technology; the Vice President for Student Affairs; Acting Director of Creative Services; Director of News Marketing and the Emergency Management Coordinator. Other members may be added at the discretion of the Chair of the EMT. The responsibilities of the Emergency Communications are:

1. *In advance of an emergency:*

- Have updated phone and cell numbers for communication team members and other emergency officials at the College so they can be reached during off hours.
- Have updated media contact list for local and regional press.
- Have media codes updated and ready that allow the posting of emergency messages on local radio and television stations.
- Know the location of the command/media center and alternative sites. Ordinarily the Emergency Communication Team will meet in the Facilities Management office area if an emergency strikes. If media are on campus covering the crisis, the College may wish to offer reporters a work space or a place where they can attend press briefings or receive updates. Be sure the EMT can gain quick access to those facilities when there is an emergency.
- Prepare message templates for both the mass notification system and static website. Accurate details can be inserted at the time of the event.
- Compile a media emergency kit that contains all of the above items, along with a campus directory, a Williamsburg phone book, legal pads, pens, campus maps, city and state maps, press badges, W&M letterhead on CD for press releases. At the designated Emergency Operations Center, the IT staff will provide laptop computers for writing press releases and updating the W&M Web site from off-campus.
- Meet periodically as a team and review the emergency communications plan.

2. In the event of an emergency that requires activating the EMT and plan:

- Gather the facts. If an emergency occurs, the EMT will immediately gather all available facts.
 - Relocate to Emergency Operations Center. The core team members should immediately report to the Emergency Operations Center and decide the first course of action. Note: In some cases, the Director of University Relations (and chair of the ECT) will be serving as on-site PIO. In those cases, the Director of News Marketing or other designee will serve as ECT lead in the EOC.
- Notify the community. In conjunction with EMT Chair, initiate protocols for communications with internal and external communities.
 - *Note: Depending on the incident, internal communications, including mass notification, sirens or other communications tools may be utilized immediately after an incident by the EMT and before ECT has convened. The EMT and ECT will follow the protocols outlined above in sections on internal and external communications.*
 - Identify key audiences. Work with the Chair of the EMT to determine which stakeholders need to be informed of the situation, in what order, and by whom including:
 - Students, Faculty, Staff
 - General public
 - Media
 - Board of Visitors
 - Parents
 - Alumni
 - Activate the emergency hotline number and website. If the College has an emergency hotline number that can be updated to include a specific message or to take calls from concerned stakeholders, the Chair of the ECT and the Chair of the EMT will decide if it should be activated and publicized. The Chief Information Officer, working with the Vice President for Student Affairs, will coordinate this call center hotline.
- Designate a university spokesperson(s)
Ordinarily the Director of University Relations or the Director of News Marketing will serve as the primary spokespersons to ensure a unified, consistent message to the public. The Chair of the ECT in consultation with the Chair of the EMT may identify other spokespersons as appropriate. All such persons will be kept informed of the latest developments in the emergency being addressed.
- Prepare follow-up statements, campus notices and press releases (internal and external audiences) in conjunction with the Chair of the EMT. Prepare scripts (if applicable) for phone operators. Tailor the standby statement to the events that are unfolding, and prepare background information for the media. Personnel should adhere to the facts and avoid speculation.
 - Develop messages. The ECT will develop a few clear, simple messages for its stakeholders and the media. These messages should be delivered repeatedly and clearly and by one voice. The messages should demonstrate concern about what is happening and for the people involved, and should explain what the university is doing to solve the problem.
 - Anticipate the tough questions. The ECT will make a list of all possible questions that the media or the public might ask.
 - Manage the message. The spokesperson should stick to the facts and to the main messages, thus controlling what information is disseminated.

- Manage the flow of information. The ECT should control the flow of information by continuing to update the media—weekly, daily, or hourly, depending upon the nature of the emergency.
- Brief key personnel. All College employees who work with the media should be briefed on the situation and informed as to what details they can release. Other College employees who answer phones should be informed of where/how to direct media calls. Typically, all media calls will be directed to the Chair of the ECT.
- Keep track of media calls, requests. The spokesperson should keep a list of all the reporters to whom he/she talks. This will enable the university to look for news clippings and to later evaluate how the emergency was handled.

First 60 minutes

Key activities: Prepare initial news release or statements, coordinate communications activities with third-party contacts.

- Get approval for all scripts to reception and contact centers.
- Determine on-site press boundaries and guidelines with the Incident Commander.
- Finalize any statements with EMT and college leadership.
- (Major Incident) Contact appropriate PIOs at investigative, regulatory or enforcement agencies.
- Activate, as appropriate, static web sites.
- (Major disruption) Activate, as appropriate, backup web sites (these arrangements should be made in advance).
- Collect data based on past or similar incidents.
- Provide health and safety guidance to the public. If the emergency involves a health risk, College officials will work with public health officials to offer guidance to the public about symptoms, treatments, and provide instructions regarding the necessity of contacting a physician or other emergency medical assistance. If the emergency involves a possible evacuation, instructions will be prepared to inform the public about areas to be evacuated and time lines for the evacuations. The public will also be instructed about where to go for more information—radio, TV, websites, etc.
- Distribute initial release or statement to key audiences including internal, media and regulatory audiences.
- Distribute all releases to reception, call centers and telephone operations
- Activate staff communications network.
- Respond to media calls in “priority” order: keep running track of contacts.
- Prepare Q&A for distribution to media, crisis and management teams to help guide response.
- Continue to manage the message and the flow of information.

Hours 2 to 4

Key activities: Complete preparations for and conduct an initial media briefing, respond to media inquiries in priority order, coordinate with other providers of information.

- Ensure that communications voice mail messages refer callers to appropriate numbers and web addresses.
- Initiate media monitoring, including web sites and blogs where possible.
- Determine appropriate system of periodic information updates, including the need and frequency of holding media briefings with college leadership.
- Prepare, get approval and distribute media advisory for briefings/
- Continue to manage the message and the flow of information /
- Assemble media kits to give to reporters at media briefings/
- Prepare spokesperson for likely Q&A/press briefing.
- Open, supervise and end the media briefing.
- Respond to media calls in priority order.
- Maintain a file of all media coverage.
- Collect and maintain a file/binder of all media phone call sheets.
- Collect and maintain a file/binder of all final versions of news releases.
- Ensure Web site is updated periodically.

Hours 5 to 24

Key activities: Remain up-to-date on situation, prepare additional news releases as needed, arrange interviews, help the news media gather information, create work schedules for Outside PR Counsel (if deemed necessary).

- Obtain periodic data updates from the Incident Command Post.
- Continue to manage the message and the flow of information.
- Prepare additional news releases and statements, as necessary.
- Review media monitoring reports and request corrections as needed.
- Maintain contact with communications personnel from other involved parties
- Respond to media calls in priority order.
- Facilitate interviews with spokesperson or other representative, as warranted, with key media.
- Provide technical spokespersons, as needed, to explain technical terms and subjects
- Provide responses to questions about past accidents, incidents or safety issues.

3. In the aftermath of an emergency

Continue to update all communications with the media, employees and other involved entities, determine if there has been an adverse impact on the college, continue to gather and analyze news coverage and its real or potential impact on W&M's reputation, provide interviews and briefings only as developments warrant.

- Review media coverage, plan communications strategy with direction from senior management.
- Provide media updates via news releases, statements, briefings or interviews, as necessary.
- Respond to media calls in priority order.
- Monitor briefings and other communications by other involved entities.
- Update and revise web pages as warranted.

- Coordinate scheduling of spokesperson for live TV and radio interviews and print interviews.
- Develop or revise key messages and talking points as necessary.
- Develop post-incident talking points and materials.

Responsibilities by Supporting Departments/Units

W&M University Relations

- Coordinate communications strategy with EMT Chair
- Media relations/spokesperson
- Provide communications support (talking points/messages) to senior leadership
- Website support for news updates

W&M Information Technology Department

- Provide voice and data network services and network access
- Provide desktop resources and support
- Negotiate emergency services with telecommunications carriers and other service providers
- Coordinate and oversee technical operation of off-site website capacity
- Support stand-up of call center
- Coordinate offsite website

W&M Emergency Management Team

- Approve ESF-2 plan
- Develop and approve messages for internal and external distribution

W&M Police Department

- Initiate internal emergency notifications
- Initiate timely alerts as required to mitigate loss of lives

W&M Creative Services

- Support website updates as needed
- Management of static website

W&M Facilities Management, Maintenance/Operations

- Oversee maintenance of siren system
- Support stand-up of call center

W&M Student Affairs

- Support notification of next-of-kin
- Support operation of call center

W&M Student Health Services

- Provide professional consultation for health-related communications

Peninsula Health District (Virginia Department of Health)

- Provide professional consultation for health-related communications

Rave Mobile Alert

- Support contracted mass notification hosting services

WCWM-FM90.9

- Support broadcast distribution of emergency information

WMTV

- **Support broadcast distribution of emergency information**

W&M Copy Center

- Support print distribution of emergency information

City of Williamsburg Emergency Management

- Support distribution of emergency information through Emergency Alert System / Integrated Public Alert and Warning System resources as appropriate
- Coordinate with Williamsburg Area ARC for distribution of information in the event of telecommunications interruptions.

Government Emergency Telecommunications Service (NCS)

- Support priority access to telecommunications network for emergency voice calls.

Electronic/Print Media Contacts

- Support broadcast and print distribution of emergency information

APPENDIX 6

GLOSSARY

Emergency Communications Team (ECT) – The ECT is an assemblage of College officials and other professional and technical staff responsible for planning, preparedness and operations associated with emergency public and internal information origination and distribution.

Emergency Response Plan (ERP) - The ERP is intended to establish policies, procedures and organizational structure for response to emergencies that are of sufficient magnitude to cause a significant disruption of the functioning of all or portions of the College.

Emergency Response Plan Coordinator - The Emergency Response Plan Coordinator is a member of the Emergency Operations Team who is responsible for the maintenance of the Emergency Response Plan.

Emergency Management Team (EMT) - The EMT is an assemblage of College officials appointed by the President to advise and assist in making emergency-related policy decisions. The EMT is also responsible for the review and approval of the Emergency Response Plan

Emergency Operations Center (EOC) - The EOC serves as the centralized, well-supported location in which the Emergency Operations Team and the Emergency Management Team may gather and assume their respective role.

Emergency Operations Team (EOT) - The EOT is comprised of senior level management representing areas of the College that have critical ERP execution responsibilities. At the direction of the College Incident Commander, the EOT executes the Emergency Response Plan during an emergency.

Incident Commander - The Incident Commander is in charge of the Emergency Operations Team. The Incident Commander is the individual responsible for the command and control of all aspects of an emergency situation.

National Incident Management System (NIMS) - NIMS is a modular emergency management system designed for all hazards and levels of emergency response. The system is used by the Department of Homeland Security and throughout the United States as the basis for emergency response management.

Police Communications Center - Is the central telecommunication facility that receives and disseminates emergency information. The Police Department maintains this facility on a 24/7/365 basis.

Response Protocols - Response Protocols are plans that address specific types of threats/incidents (i.e. terrorism, natural disaster, etc.).

Unit - A Unit is a department, school or other defined entity of the College.

Unit Plan - A Unit Plan identifies emergency preparation, coordination and response activities for specific functional Units. Each area identified with critical or special responsibilities is required to develop and maintain a Critical Operations Unit Plan.

APPENDIX 7
DETAILED RESPONSE PROTOCOLS

(HELD IN WILLIAM AND MARY POLICE DEPARTMENT)

RICHARD BLAND COLLEGE COMMITTEE
February 2, 2012
10:00 – 11:00 a.m.
Board Conference Room - Blow Memorial Hall

Dennis H. Liberson, Chair
Laura L. Flippin, Vice Chair

- I. Introductory Remarks - Mr. Liberson
- II. Approval of Minutes – December 8, 2011
- III. Closed Session (if necessary)
- IV. Open Session - Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

- V. General Reports
 - A. Report from President James B. McNeer
 - B. Report from Provost LeAnn Binger
 - C. Report from Vice President of Administration and Finance Russell E. Whitaker, Jr.
 - D. Institutional Advancement Report - Provost Binger
 - E. Report from Faculty Representative – Professor Steven Martin
 - F. Report from Student Representative – Ms. Emily Michalek

VI. Action Material

- A. Resolution to Approve Final Regulation Regarding Weapons on Campus
- B. Approval of Criteria for Course Credit: Cambridge Advanced (A/AS) Exams

Resolution 1

Resolution 2

RICHARD BLAND COLLEGE COMMITTEE
February 2, 2012

VII. Informational Material

- A. 2011-12 Operating Budget Update Enclosure A
- B. Summary of Governor's Budget Recommendations Enclosure B
- C. Capital Outlay Progress Report Enclosure C
- D. Advancement Report Enclosure D

VIII. Discussion

IX. Adjourn

RICHARD BLAND COLLEGE COMMITTEE

MINUTES - DECEMBER 8, 2011

MINUTES
Richard Bland College Committee
December 8, 2011
Board Room – Blow Memorial Hall

Attendees: Dennis H. Liberson, Chair; Laura L. Flippin, Vice Chair; Edward L. Flippen; Thomas R. Frantz and Leigh A. Pence. Others in attendance: student representative Emily Michalek; faculty representative Steven E. Martin; William and Mary staff liaison Mary Molineux; President James B. McNeer, Provost LeAnn Binger, Assistant Attorney General Deborah A. Love; Michael J. Fox; Michael L. Stump and Russell E. Whitaker, Jr.

Chair Dennis Liberson called the Richard Bland College Committee to order at 10:40 a.m. Recognizing that a quorum was present, Mr. Liberson asked for a motion to approve the minutes of the meeting of September 22, 2011. Motion was made by Ms. Pence, seconded by Ms. Flippin, and approved by voice vote of the Committee.

President James McNeer reported that campus was quiet as students were taking exams; he expressed thanks to the Committee and Board for their strong financial commitment to Richard Bland. He also mentioned preparations were underway for the start of the 2012 General Assembly session.

Provost Binger provided an update on articulation agreements with the VCU School of Business and the RBC Remedial Plan for retention and graduation. She also discussed plans by Rolls Royce to locate a plant in Prince George County.

Vice President of Administration and Finance Russell Whitaker provided an update on the 2010-11 Operating Budget and reviewed Capital Outlay Progress, as detailed in Enclosure A and Enclosure B. A brief discussion ensued.

Provost Binger provided an update on institutional advancement, as detailed in Enclosure C, and reviewed fund raising efforts, including the annual golf tournament, as well as pending gifts and grants and upcoming special events. A brief discussion ensued.

Faculty representative Professor Steven Martin reported on recent faculty activities and upcoming events.

Student representative Emily Michalek reported on recent student activities, including club sports and upcoming trips and events.

Mr. Whitaker advised that the Consolidated Financial Report contained in **Resolution 1**, Receipt of the Consolidated Financial Report of the College of William and Mary in Virginia and Richard Bland College for the Fiscal Year Ended June 30, 2011, was presented for acceptance as the statements remain subject to audit by the Commonwealth's Auditor of Public Accounts.

Richard Bland College Committee
MINUTES
Page 2

Ms. Binger reviewed the background for **Resolution 2**, Resolution to Approve Policy and Propose Regulation Regarding Weapons on Campus, which have been reviewed by University Counsel Deb Love and Compliance Officer Kiersten Boyce; and **Resolution 3**, Changes to the College's Faculty Handbook.

Following brief discussion, Mr. Liberson moved adoption as a block of **Resolution 1**, Receipt of the Consolidated Financial Report of the College of William and Mary in Virginia and Richard Bland College for the Fiscal Year Ended June 30, 2011; **Resolution 2**, Resolution to Approve Policy and Propose Regulation Regarding Weapons on Campus; and **Resolution 3**, Changes to the College's Faculty Handbook. Motion was made by Mr. Frantz, seconded by Ms. Flippin and approved by voice vote of the Committee.

Mr. Whitaker reviewed revisions to the Six Year Plan for 2012-2018. Following brief discussion, Mr. Liberson asked for a motion to adopt **Resolution 4**, 2012-2018 Six Year Plan (Revised). Motion was made by Mr. Frantz, seconded by Ms. Pence and approved by voice vote.

Mr. Whitaker reviewed revisions to the Master Plan. Following brief discussion, Mr. Liberson asked for a motion to adopt **Resolution 5**, Master Plan Revision. Motion was made by Ms. Pence, seconded by Ms. Flippin and approved by voice vote.

There being no further business, the Committee adjourned at 11:30 a.m.

RICHARD BLAND COLLEGE

**RESOLUTION TO APPROVE
FINAL REGULATION REGARDING WEAPONS ON CAMPUS**

WHEREAS, protecting the safety of the campus community is of utmost importance to the Board of Visitors of The College of William and Mary in Virginia; and

WHEREAS, Chapter 5 of Title 23 of the Code of Virginia provides that the Board of Visitors shall “make all needful rules and regulations” concerning the College; and

WHEREAS, the Supreme Court of Virginia has confirmed that public institutions of higher education in Virginia may regulate the possession of weapons on their campuses; and

WHEREAS, the College has long prohibited weapons possession on campus by its students and employees; and

WHEREAS, the Board of Visitors desires to amend its weapons restrictions upon College employees and students; and

WHEREAS, the Board of Visitors deems it prudent to regulate weapons possession by visitors or other third parties in certain facilities controlled by the College as well as at certain College events, pursuant to its authority conveyed in Chapter 5 of Title 23 of the Code of Virginia; and

WHEREAS, the Board of Visitors has adopted a proposed Weapons on Campus Regulation on December 9, 2011, which was published in the Virginia Register of Regulation on January 2, 2012;

THEREFORE, BE IT RESOLVED, that, upon recommendation of the President, the proposed Weapons on Campus Regulation, a copy of which is attached hereto, is hereby adopted as a final regulation for publication in the Virginia Register in accordance with the Virginia Administrative Process Act, with an effective date of March 1, 2012 and

BE IT FURTHER RESOLVED that, the College’s Regulatory Coordinator is hereby authorized and directed to take all necessary action to implement this resolution.

WEAPONS ON CAMPUS REGULATION

8VAC115-30-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Law enforcement official" means law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, and Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia and sworn federal law-enforcement officers.

"College property" means any property owned, leased or controlled by Richard Bland College or the College of William and Mary.

"Weapon" means any firearm or any other weapon listed in § 18.2-308(A) of the Code of Virginia.

Statutory Authority

§ 23-44 of the Code of Virginia.

8VAC115-30-20. Possession of weapons prohibited.

Possession or carrying of any weapon by any person, except a police officer or an individual authorized pursuant to college policy, is prohibited on college property in academic buildings, administrative buildings, student residence and student life buildings, or dining or athletic facilities, or while attending an official college event, such as an athletic, academic, social, recreational or educational event, or on vessels that

are college property. Entry upon such college property in violation of this prohibition is expressly forbidden.

Statutory Authority

§ 23-44 of the Code of Virginia.

8VAC115-30-30. Person lawfully in charge.

In addition to individuals authorized by college policy, Richard Bland College police officers are lawfully in charge for the purposes of forbidding entry upon or remaining upon college property while possessing or carrying weapons in violation of this prohibition.

Statutory Authority

§ 23-44 of the Code of Virginia.

RICHARD BLAND COLLEGE

**APPROVAL OF CRITERIA FOR
COURSE CREDIT: CAMBRIDGE ADVANCED (A/AS) EXAMS**

WHEREAS, The State Council of Higher Education for Virginia has required that institutional governing boards implement policies that "grant undergraduate course credit for successfully completing the Cambridge Advanced (A/AS) exams according to Code of Virginia § 23-9.2:3.8," and

WHEREAS, such policies must establish the minimum required scores on the Cambridge Advanced (A/AS) examination in order to receive undergraduate course credit; (2) identify the course credit to be awarded for completion of the Cambridge Advanced (A/AS) exams; and (3) comparable to that awarded for AP examinations; and

WHEREAS, the Instructional Programs Committee, along with the Provost at Richard Bland College has completed a review and drafted the minimum required scores for granting credit on the Cambridge Advanced (A/AS) examinations, correlated achievement on these examination to course offerings, and these required scores have been publicized on the institution's website; and

WHEREAS, the President and Provost recommend that minimum scores and course credit to be awarded as described in Attachment A to this resolution, and affirm the credit to be awarded for the Cambridge Advanced (A/AS) exams are comparable to those for AP examinations;

BE IT RESOLVED, That upon the recommendation of the President and Provost, the Board of Visitors of the College of William and Mary approves the criteria used to ensure that course credit for the Cambridge Advanced (A/AS) examinations shall be comparable to its policies for granting course credit for Advanced Placement examinations.

RICHARD BLAND COLLEGE
2011-12 OPERATING BUDGET UPDATE

EDUCATIONAL & GENERAL

	Actual 2008-09	Actual 2009-10	Actual 2010-11	Approved 2011-12	To Date 12/31/2011
REVENUE					
General Funds	\$ 6,119,777	\$ 6,062,200	\$ 5,234,621	\$ 4,908,736	\$ 4,908,736
Nongeneral	3,282,470	3,509,190	3,714,578	3,898,431	2,612,039
Central Appropriations	(35,083)	(148,222)	(133,352)	77,786	61,984
Prior Year Reappropriations	101,997	112	24,800	177,533	-
ARRA	-	155,539	200,000	520,569	520,569
General Fund Reversion	(295,397)	(819,526)	-	-	-
General Fund Carryover	-	-	-	-	-
TOTAL REVENUE	\$ 9,173,764	\$ 8,759,293	\$ 9,040,646	\$ 9,583,055	\$ 8,103,328
EXPENDITURES					
Instruction	\$ 3,478,496	\$ 3,082,695	\$ 2,890,044	\$ 3,409,431	\$ 1,331,023
Public Service	-	-	-	1,000	-
Academic Support	339,316	329,583	291,137	430,000	175,421
Student Services	971,741	984,503	988,523	1,160,000	618,117
Institutional Support	2,888,116	2,766,213	2,773,697	2,650,000	1,502,234
Operation of Plant	1,544,941	1,415,317	1,719,711	1,200,000	1,180,393
ARRA	-	155,539	200,000	520,569	520,579
Contingency	-	-	-	212,055	-
TOTAL EXPENDITURES	\$ 9,222,610	\$ 8,733,850	\$ 8,863,114	\$ 9,583,055	\$ 5,327,768

RICHARD BLAND COLLEGE 2011-12 OPERATING BUDGET UPDATE

SCHOLARSHIPS AND LOAN ASSISTANCE FINANCIAL AID

Actual	Actual	Actual	Approved	To Date
2008-09	2009-10	2010-11	2011-12	12/31/2011

General Funds	\$ 308,417	\$ 313,819	\$ 331,255	\$ 394,778	* \$ 208,508
Nongeneral Funds	30,000	40,000	50,000	60,000	31,765
TOTAL REVENUE	\$ 338,417	\$ 353,819	\$ 381,255	\$ 454,778	\$ 240,273

TOTAL REVENUE **\$**
*Includes CS, CSAP and VMSDEP

EXPENDITURES				
Scholarships	\$ 308,417	\$ 353,819	\$ 381,255	\$ 441,736

FINANCIAL ASSISTANCE FOR E & G PROGRAMS SPONSORED PROGRAMS

REVENUE								
General Funds	\$	\$	-	\$	-	\$	-	\$
Nongeneral Funds		35,869		10,364		25,000		25,000
TOTAL REVENUE	\$	35,869	\$	10,364	\$	25,000	\$	25,000

EXPENDITURES				
Sponsored Programs	\$ 34,633	\$ 0,364	\$ 7,863	\$ 25,000
				\$ 4,589

Board of Visitors

Enclosure A

February 1-3, 2012

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RICHARD BLAND COLLEGE
2011-12 OPERATING BUDGET UPDATE

AUXILIARY ENTERPRISES

	Actual 2008-09	Actual 2009-10	Actual 2010-11	Approved 2011-12	To Date 12/31/2011
REVENUE					
Fund Balance	\$ 358,885	\$ 1,704,628	\$ 1,655,677	\$ 1,291,000	\$ 1,659,215
Residences	1,477,489	1,832,350	2,073,819	2,000,000	1,038,256
Special Funds	9,480	9,480	9,840	35,000	5,100
General Auxiliary Income	155,299	159,304	164,692	150,000	92,386
Parking	135,294	147,640	144,915	135,000	73,145
Intramural Athletics	22,130	22,100	22,910	24,000	10,611
Health Services	142,147	151,503	148,635	150,000	77,175
Food Services	85,280	79,275	79,500	60,000	50,670
TOTAL REVENUE	\$ 2,386,004	\$ 4,106,280	\$ 4,299,988	\$ 3,845,000	\$ 3,006,558

	Actual 2008-09	Actual 2009-10	Actual 2010-11	Approved 2011-12	To Date 12/31/2011
EXPENDITURES					
Residences	\$ 212,807	\$ 1,981,918	\$ 1,957,553	\$ 2,200,000	\$ 1,138,326
General Operating	67,028	138,660	232,473	100,000	59,853
Parking	43,047	9,000	138,013	50,000	1,709
Intramural Athletics	14,805	12,640	18,805	24,000	7,379
Health Services	16,028	14,142	20,150	135,000	8,085
Food Services	83,345	98,726	87,778	60,000	60,006
Indirect Costs	244,317	194,317	186,000	200,000	-
Renewal/Replacement	-	-	-	70,000	-
TOTAL EXPENDITURES	\$ 681,377	\$ 2,449,403	\$ 2,640,772	\$ 2,839,000	\$ 1,275,358

PRIVATE FUNDS

	REVENUE	EXPENDITURES
Private Funds	\$ 21,329	\$ 14,215
Scholarships	\$ 13,000	\$ 15,600

Board of Visitors

Enclosure B

February 1-3, 2012

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RICHARD BLAND COLLEGE

SUMMARY OF GOVERNOR'S BUDGET RECOMMENDATIONS

<u>PROGRAM</u>	<u>2011-2012 Adjusted</u>	<u>2012-2013 Recommended</u>	<u>2013-2014 Recommended</u>
<u>Educational & General</u>			
GF	5,164,055	5,267,296	5,267,296
NGF	3,898,431	4,462,223	4,462,223
ARRA	520,569		
TOTAL	9,583,055	9,729,519	9,729,519
<u>Auxiliary Enterprises</u>			
NGF	2,722,000	2,722,000	2,722,000
<u>Student Financial Assistance</u>			
GF	381,736	418,126	418,126
NGF	60,000	----	----
TOTAL	441,736	418,126	418,126
<u>Financial Assistance For E&G Services</u>			
NGF	25,000	335,110	335,110
<u>Equipment Trust Fund</u>			
GF	129,092	129,092	129,092
<u>Maintenance Reserve</u>			
GF	52,489	752,489	752,489
<u>Construct Student Housing (Planning)</u>			
NGF	-----	750,000	-----
<u>Ernst Hall Renovation (Planning)</u>			
GF	-----	250,000	-----

- **Base Operations – Support TJ 21 Legislation** (\$357,165 GF per year)

- ❖ Base Funding \$ 38,824
- ❖ Degree Incentives \$ 98,040
- ❖ Academic Advisors \$183,911
- ❖ Financial Aid \$ 36,390

- **Reallocations**

- ❖ \$ 86,754 FY 2013 (3%)
- ❖ \$ 144,622 FY 2014 (5%)

- **Capital**

- ❖ Maintenance Reserve \$752,489 GF each year
- ❖ Includes funding for Umbrella Maintenance Project
- ❖ Planning - Housing \$750,000 NGF
- ❖ Planning – Ernst Hall \$250,000 GF

- **VRS**

- ❖ Current rate is 6.58% and will increase to 8.76% next biennium
- ❖ Does not assume change to employee contribution

- **Salary Bonus**

- ❖ All full-time employees
- ❖ Agencies and institutions must generate unspent discretionary general funds in 2012 equal to at least two times the general fund cost to fund a 3% bonus in FY 2013

RICHARD BLAND COLLEGE

CAPITAL OUTLAY PROGRESS REPORT

- Maintenance Reserve

The appropriation of \$51,900 for each year of the 2010-2012 Biennium will be used to replace aging and obsolete HVAC units in the Humanities and Social Sciences Building.

- Umbrella Maintenance Project

- Water line replacement campus wide (completed).
- Miscellaneous renovation in Statesman Hall (completed).
- Abandon all underground fuel tanks (completed).
- Roof replacement in Humanities and Social Sciences (completed).
- Renovation of Student Commons – a design contract has been awarded to McKinney & Co. architects of Ashland, VA.

Board of Visitors

Enclosure D

February 1-3, 2012

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RICHARD BLAND COLLEGE
ADVANCEMENT REPORT

January 12, 2012

Annual Fund 08-09	370,324.44
Annual Fund 09-10	254,889.92
Annual Fund 10-11	225,748.25
Annual Fund 11-12	117,151.17
Total 1-12-12	\$968,113.78

Golf Tournament - Fall 2008	\$ 9,049.00
Golf Tournament - Fall 2009	\$11,759.40
Golf Tournament - Fall 2010	\$11,600.00
Golf Tournament - Fall 2011	\$12,000.00
Wine Tasting & Silent Auction - Spring 2009	\$9,522.10
Wine Tasting & Silent Auction - Spring 2010	\$11,500.00
Wine Tasting & Silent Auction - Spring 2011	\$9,534.17
Night at the Bistro	<u>\$842.00</u>
Total:	\$75,806.67

Quarterly Figures for Fiscal Year 2011-12:

1st Quarter
Unrestricted: **\$22,632.50**

Restricted: **\$10,052.00**
Total: **\$32,684.50**

2nd Quarter
Unrestricted: **\$27,399.00**

Restricted: **\$57,067.67**
Total: **84,466.67**

3rd Quarter
Unrestricted:

Restricted:
Total:

Board of Visitors

Enclosure D

February 1-3, 2012

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4th Quarter

Unrestricted:

Restricted:

Total:

Total for Fiscal Year 2011-12 1-12-2012: **\$117,151.17**

COMMITTEE ON ACADEMIC AFFAIRS

February 2, 2012

10:15 – 11:45 a.m.

Board Room - Blow Memorial Hall

Colin G. Campbell, Chair

Robert E. Scott, Vice Chair

- I. Introductory Remarks - Mr. Campbell
- II. Approval of Minutes – December 8, 2011
- III. Report from Provost Michael R. Halleran
- IV. Report from Faculty Liaison Committee Chair Professor Charles F. Gressard
- V. Faculty Presentation
- VI. Closed session (if necessary)
- VII. Open Session

A. Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

B. Action Materials - Provost Michael R. Halleran

1. Appointments to Fill Vacancies in the Professionals and Professional Faculty **Resolution** 6
2. Award of Academic Tenure **Resolution** 7
3. Faculty Promotions **Resolution** 8
4. Designated Professorship **Resolution** 9
5. Faculty Leave of Absence **Resolution** 10

VIII. Discussion

IX. Adjourn

COMMITTEE ON ACADEMIC AFFAIRS

MINUTES - DECEMBER 8, 2011

MINUTES
Committee on Academic Affairs
December 8, 2011
Board Conference Room – Blow Memorial Hall

Attendees: Colin G. Campbell, Chair; Robert E. Scott, Vice Chair; Timothy P. Dunn; Peter A. Snyder; Todd A. Stottlemeyer and Michael Tang. Board members present: Rector Jeffrey B. Trammell; Charles A. Banks III; Faculty representative Alan J. Meese; Others present: Provost Michael R. Halleran; Dean Virginia L. McLaughlin; Dean John T. Wells; Acting Dean Eugene Tracy; Henry R. Broaddus; Sarah Marchello; Kathleen F. Slevin; members of the Faculty Liaison Committee and other College staff.

Chair Colin Campbell called the Committee to order at 10:40 a.m. Following brief opening remarks and recognizing that a quorum was present, Mr. Campbell asked for a motion to approve the minutes of the meeting of September 22, 2011. Motion was made by Mr. Scott, seconded by Mr. Dunn and approved by voice vote of the Committee.

Provost Michael Halleran introduced the staff members present and gave a brief update on the Arts and Sciences dean search, noting that final candidates would be visiting campus early in the spring semester.

Co-chairs of the Curriculum Review Steering Committee, Teresa Longo and Michael Lewis, provided an interim report on the committee's work and timeline for the rest of the process, noting that a fuller interim report would be given to the full Board in February. A brief discussion ensued.

Faculty representative to the Board Alan Meese reported for the Faculty Liaison Committee, and thanked the Board for their approval of the recent salary increase and their endorsement in September of the expenditure side of the 6-year plan. Professor Meese indicated that the faculty was eager to work with the administration and Board to achieve greater efficiencies and reported that the Faculty Assembly Executive Committee had endorsed the Provost's memo on the Creative Adaptation Fund. A brief discussion ensued.

The Provost reviewed **Resolution 9(R)**, Appointments to Fill Vacancies in the Professionals and Professional Faculty; noting a correction was made on the title of one of the appointees; **Resolution 12**, Designated Professorship; **Resolution 13**, Term Distinguished Professorship; and **Resolution 14**, Faculty Leave of Absence.

The Provost asked University Registrar Sarah Marchello to provide background information on **Resolution 15**, Resolution to Approve Policy on Credit for Advanced Placement, International Baccalaureate, Cambridge and Other Pre-Matriculation Examinations.

Following brief discussion, Mr. Campbell asked for a motion to adopt as a block amended Resolution 9(R) and Resolutions 12, 13, 14 and 15. Motion was seconded by Mr. Dunn and approved by voice vote of the Committee. (**Resolution 9(R)** is appended.)

Mr. Campbell moved that the Committee convene in Closed Session for the purpose of discussing and/or approving personnel actions involving promotion and tenure of specific college employees; as

Committee on Academic Affairs

MINUTES

Page 2

provided for in Section 2.2-3711.A. 1., of the Code of Virginia. Motion was seconded by Mr. Scott and approved by voice vote. The Committee went into closed session at 11:22 a.m.

The Committee reconvened in open session at 11:28 a.m. Mr. Campbell reviewed the topics discussed during closed session, then moved adoption of the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Scott and approved by roll call vote of the Board members conducted by Executive Assistant to the Board Sandra Wilms. (Certification **Resolution** is appended.)

Mr. Campbell asked for a motion to approved Resolution 10, Faculty Promotion, and Resolution 11, Award of Academic Tenure. Motion was made by Mr. Scott, seconded by Mr. Dunn and approved by voice vote of the Committee.

There being no further business, the Committee adjourned at 11:30 a.m.

Board of Visitors

Resolution 9 (R)

December 7-9, 2011

Page 1 of 2

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

Vacancies in the Professionals and Professional Faculty of the College of William and Mary have resulted because of resignations, terminations or the approval of additional authorized positions.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the appointments of the following individuals to fill these positions:

KELLY J. FINZER, Program Assistant, Washington Office, effective October 6, 2011

B.A., The Ohio State University, 2011

The Ohio State University
Student Advisor, Ohio Student Educational Policy Institute, 2010-2011
Student Administrative Assistant, President's Office, 2008-2011

GREGORY W. JOHNSON, Director of Procurement Services, effective October 31, 2011

B.A., Washington and Lee University, 1976
MBA, Indiana University, 1978

Liberty University
Director of Purchasing, 2007-2011

Quality Foods Co-Operative
Director of Purchasing and Marketing, 2005-2007
Category Manager, 2003-2005

Wild Bird Center and Sharp Edges Edging
Co-owner, 1994-2003

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

JAKE R. NELSON, Coordinator, Student Philanthropy and
Recent Graduate Programs, University Development, effective
November 28, 2011

B.A., College of William and Mary, 2011

United States Department of State, Bureau of European and
Eurasian Affairs
Intern, Office of Policy and Global Issues, 2011

JOHN T. SPIKE, Assistant Director and Chief Curator, Muscarelle
Museum of Art, effective January 1, 2012

B.A., Wesleyan University, 1973
A.M. (1974); Ph.D. (1979), Harvard University

European University of Rome and the Pontifical Athenaeum,
'Regina Apostolorum' at the Vatican, Italy
Professor, 2007-2011

Committee on Academic Affairs

Resolution AA-1

December 8, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors Committee on Academic Affairs has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D. of the Code of Virginia requires a certification by this Committee that such closed session was conducted in conformity with Virginia law;

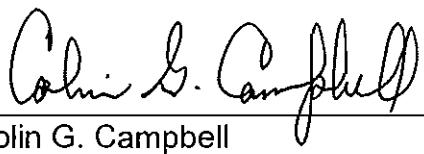
NOW, THEREFORE, BE IT RESOLVED, That the Committee on Academic Affairs, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Committee on Academic Affairs.

VOTE

AYES: 6

NAYS: 0

ABSENT DURING CLOSED SESSION:



Colin G. Campbell
Chair
Committee on Academic Affairs

Board of Visitors

Resolution 6

February 1-3, 2012

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COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

Vacancies in the Professionals and Professional Faculty of the College of William and Mary have resulted because of resignations, terminations or the approval of additional authorized positions.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the appointments of the following individuals to fill these positions:

NANCY LECUYER BEACH, Major Gift Officer, Marshall-Wythe School of Law, effective January 3, 2012

B.A., Randolph-Macon College, 1992

University of Chicago
Regional Director, Alumni Relations and Development, 2007-2011
Director of College and Campus Programs, Alumni Association, 2005-2007
Associate Director of College and Campus Programs, Alumni Association, 2000-2005

University of Richmond School of Law
Director of Alumni and Development, 1997-2000

Randolph-Macon College
Director of Annual Giving, 1992-1997

LAURA NICOLE COOGAN, Lead Annual Gift Officer, University Development, effective January 3, 2012

B.A., University of Delaware, 2008

United States Senate, Office of Thomas R. Carper
Staff Assistant/Deputy New Castle County Director, 2008-2011

Carper for Senate Committee
Office Manager, 2008-2011

Board of Visitors

Resolution 6

February 1-3, 2012

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COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

JAMES W. DEVERICK, Director of Software Development and
Information Technology, Institute for the Theory and Practice of
International Relations, effective December 10, 2011

B.S., Denison University, 2000
M.S., College of William and Mary, 2002

Deverick Consulting, LLC
Chief Technology Officer, 2008-2011

CareData Trak, LLC
Chief Technology Officer, 2009-2010

College of William and Mary
Instructor, 2009-2011
Systems Administrator, 2001-2006

SIPeerior Technologies, Inc.
Senior Engineer and Systems Administrator, 2005-2008

RHIANNA ELISE SHABSIN, Assistant Dean for Admission, Marshall-Wythe School of Law, effective January 3, 2012

B.A., Rhodes College, 2002
J.D., College of William and Mary, 2011

College of William and Mary, Marshall-Wythe School of Law
The Roger Strand Post-Graduate Fellow in Technology, 2011

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

TINA T. SINCLAIR, Director, Business Services, Facilities Management,
effective January 10, 2012

B.S., Christopher Newport College, 1983

Jamestown Yorktown Foundation
Financial Service Manager-Fiscal Officer, 2008-2011

Smurfit-Stone Container Corporation
Assistant Controller, 1995-2008
Plant Accountant, 1991-1995

Hall Auto Mall
Controller, 1989-1990

CHRISTOPHER M. STRATTON, Assistant Director of Development,
Athletics Department, effective December 12, 2011

B.B.A., College of William and Mary, 2008

Longwood University
Special Assistant to the Director of Athletics, 2010-2011

Hampden-Sydney College
Assistant Sports Information Director, 2009-2010
Assistant Basketball Coach, 2009-2010

Navigant Consulting, Inc.
Consultant, 2008-2009

COLLEGE OF WILLIAM AND MARY
AWARD OF ACADEMIC TENURE

The following members of the Instructional Faculty at the College of William and Mary have been recommended for the award of academic tenure by the appropriate departmental committees and chairs, the appropriate deans, and by the Provost and President.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the following members of the Faculty be awarded academic tenure, effective with the beginning of the 2012-2013 academic year:

MARK J. BRUSH, School of Marine Science

GJERGJI CICI, Mason School of Business

OLIVIER COIBION, Department of Economics

DANIELLE H. DALLAIRE, Department of Psychology

LEAH F. GLENN, Department of Theatre, Speech and Dance

ERIC J. HILTON, School of Marine Science

OLIVER KERSCHER, Department of Biology

ERIN K. MINEAR, Department of English

IRINA B. NOVIKOVA, Department of Physics

AMY C. OAKES, Department of Government

NATHAN B. OMAN, Marshall-Wythe School of Law

ALEXANDER V. PROKHOROVA, Department of Modern Languages and Literatures

NICOLE J. SANTIAGO, Department of Art and Art History

Board of Visitors

Resolution 7

February 1-3, 2012

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COLLEGE OF WILLIAM AND MARY
AWARD OF ACADEMIC TENURE

XIPENG SHEN, Department of Computer Science

LEA A. THEODORE, School of Education

KEVIN A. VOSE, Department of Religious Studies

COLLEGE OF WILLIAM AND MARY
FACULTY PROMOTIONS

The following members of the Instructional Faculty of the College of William and Mary have been recommended for promotion in academic rank by the appropriate departmental committees and chairs, the appropriate deans, and by the Provost and President.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the academic promotions of the following members of the Faculty of the College, effective with the beginning of the 2012-2013 academic year:

Assistant Professor to Associate Professor

MARK J. BRUSH, School of Marine Science

GJERGJI CICI, Mason School of Business

OLIVIER COIBION, Department of Economics

DANIELLE H. DALLAIRE, Department of Psychology

LEAH F. GLENN, Department of Theatre, Speech and Dance

ERIC J. HILTON, School of Marine Science

OLIVER KERSCHER, Department of Biology

ERIN K. MINEAR, Department of English

IRINA B. NOVIKOVA, Department of Physics

AMY C. OAKES, Department of Government

ALEXANDER V. PROKHOROVA, Department of Modern Languages and Literatures

NICOLE J. SANTIAGO, Department of Art and Art History

XIPENG SHEN, Department of Computer Science

KEVIN A. VOSE, Department of Religious Studies

Board of Visitors

Resolution 8

February 1-3, 2012

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COLLEGE OF WILLIAM AND MARY
FACULTY PROMOTIONS

Associate Professor to Professor

DOROTHY E. FINNEGAN, School of Education

NATHAN B. OMAN, Marshall-Wythe School of Law

Research Associate Professor to Research Professor

JIAN SHEN, School of Marine Science

COLLEGE OF WILLIAM AND MARY
DESIGNATED PROFESSORSHIP

The following member of the Instructional Faculty of the College of William and Mary has been recommended for a designated professorship.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the designated professorship of the following member of the Faculty of the College, effective with the 2013-2014 academic year:

DANIELLE DALLAIRE, Robert F. Sharpe and Jane A. Sharpe Assistant Professor of Civic Renewal and Entrepreneurship, Assistant Professor of Psychology, for a three-year term.

Board of Visitors

Resolution 10

February 1-3, 2012

Page 1 of 1

COLLEGE OF WILLIAM AND MARY
FACULTY LEAVE OF ABSENCE

The following faculty member has requested a leave of absence without pay or partial pay during the 2012-2013 academic year for the reason given.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary hereby approves this leave of absence:

ARNAB K. BASU, Professor of Economics, to teach at the Dyson School of Applied Economics and Management at Cornell University

JOINT MEETING

February 2, 2012

2:15 – 3:45 p.m.

Matoaka Woods Room – School of Education

COMMITTEE ON DEVELOPMENT

R. Phillip Herget III, Chair

Thomas R. Frantz, Vice Chair

L. Clifford Schroeder, Sr., Vice Chair

W&M FOUNDATION DEVELOPMENT COMMITTEE

Ellen R. Stofan, Chair

- I. Introductory Remarks – Mr. Herget
- II. Remarks – Ellen R. Stofan
- III. Approval of Minutes
 - A. Foundation Development Committee – October 21, 2011
 - B. Committee on Development – December 9, 2011
- IV. University Development Report – Vice President Sean M. Pieri
- V. Closed Session (if necessary) – Mr. Herget
- VI. Open Session - Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

- VII. Discussion
- VIII. Adjourn

COMMITTEE ON DEVELOPMENT

MINUTES - DECEMBER 9, 2011

MINUTES
Committee on Development
December 9, 2011
Board Room - Blow Memorial Hall

Attendees: R. Philip Herget III, Chair; Thomas R. Frantz, Vice Chair; L. Clifford Schroeder, Sr., Vice Chair. Board members present: Rector Jeffrey B. Trammell, Charles A. Banks III, Janet M. Brashear, Colin G. Campbell, Timothy P. Dunn; Laura L. Flippin, Dennis H. Liberson, Leigh A. Pence, Robert E. Scott, Peter A. Snyder, Todd A. Stottlemeyer, Michael Tang, John C. Thomas; Faculty Representative Alan J. Meese and Steven E. Martin, Student Representative Kaveh Sadeghian and Emily R. Michalek, and Staff Liaison Mary S. Molineux. Others attending: President W. Taylor Reveley III, Virginia M. Ambler, Jennifer M. Bateman, Molly A. Bodnar, Frances C. Bradford, Karen R. Cottrell, Carrie L. Cooper, Edward C. Driscoll, Jr., Lee J. Foster, Michael J. Fox, W. Fanchon Glover, Earl T. Granger, III., James R. Golden, Michael R. Halleran, Deborah A. Love, Anna B. Martin, Robert Mooney, Jennifer J. Morgan, Teresa L. Minford, Sean M. Pieri, John C. Poutsma, Michael L. Stump, Gene R. Tracy, H. Thomas Watkins, III, John T. Wells, Brian W. Whitson, Sandra J. Wilms and Renell M. Wynn.

Chairman Herget called the meeting to order at 8:30 a.m. Recognizing that a quorum was present, Mr. Herget asked for a motion to adopt the minutes of the meetings of September 21-22, 2011. Motion was made by Mr. Schroeder, seconded by Ms. Flippin and approved by voice vote of the Committee.

Mr. Herget introduced Tom Watkins, Chairman of the College of William & Mary Foundation.

Vice President Pieri discussed the Brown Memorial Symphony Orchestra Endowment and the Towers Scholarship Quasi-Endowment resolutions.

Mr. Herget asked for a motion to adopt as a block **Resolution 16**, Establishment of the Kae Brown Memorial Symphony Orchestra Endowment, and **Resolution 17**, Establishment of the Katherine E. Towers and Lewis C. Towers Scholarship Quasi-Endowment. Motion was made by Mr. Scott, seconded by Mr. Schroeder and approved by voice vote.

Mr. Herget moved that the Committee on Development and Alumni Affairs convene in Closed Session pursuant to Section 2.2-3711.A.8, of the Code of Virginia, in order to discuss specific recommendations related to future fundraising strategies as well as current development activities. Motion was seconded by Ms. Flippin and approved by voice vote. The observers were asked to leave the room and the Committee went into closed session at 8:34 a.m.

The Committee reconvened in open session at 10:02 a.m. Mr. Herget reviewed the topics discussed during closed session for the benefit of the observers, then moved adoption of the **Resolution** certifying that the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Schroeder and approved by roll call vote of the Committee members conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended).

Committee on Development
MINUTES
Page 2

Mr. Herget thanked the Board members for their comments and thanked Mr. Watkins for attending.

Mr. Schroeder passed out William & Mary stickers to the Committee members.

There being no further business, the Committee adjourned at 10:04 a.m.

Committee on Development

Resolution D-1

December 9, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors Committee on Development has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D. of the Code of Virginia requires a certification by this Committee that such closed session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, That the Committee on Development, reconvening in open session, 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 to which this certification applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Committee on Development and Alumni Affairs.

VOTE

AYES: 16

NAYS: 0

ABSENT DURING CLOSED SESSION:



R. Philip Herget III
Chair
Committee on Development

JOINT MEETING

February 2, 2012

3:45 – 4:15 p.m.

Matoaka Woods Room - School of Education

COMMITTEE ON ALUMNI RELATIONS

Laura L. Flippin, Chair

Peter A. Snyder, Vice Chair

ALUMNI ASSOCIATION BOARD OF DIRECTORS

Peter M. Nance, President

- I. Opening Remarks – Ms. Flippin
- II. Alumni Association President – Peter M. Nance
- III. Alumni Association Report – Executive Vice President Karen R. Cottrell
- IV. Closed Session (if necessary)
- V. Open Session - Certification of Closed Session **Resolution**

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the Committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

- VI. Discussion
- VII. Adjourn

COMMITTEE ON FINANCIAL AFFAIRS

February 3, 2012

8:30 – 9:30 a.m.

Board Room - Blow Memorial Hall

Timothy P. Dunn, Chair

Charles A. Banks III, Vice Chair

Edward L. Flippen, Vice Chair

- I. Introductory Remarks - Mr. Dunn
- II. Approval of Minutes – December 7 and 9, 2011
- III. Report from Vice President for Finance Samuel E. Jones
 - A. Overview of Governor McDonnell's 2012-14 Budget Recommendations.
 - B. Summary of Operating and Capital Budget Amendments Submitted to 2012 General Assembly.
 - C. 2011-2012 Operating Budget Summary. Enclosure H.
 - D. Approval of Memorandum of Understanding Authorizing the Investment of Certain William and Mary Real Estate Foundation Funds in the Board of Visitors Endowment Pool. **Resolution 11**.
- IV. Report from Virginia Institute of Marine Science Dean John T. Wells
 - A. Overview of Governor McDonnell's 2012-14 Budget Recommendations.
 - B. Summary of Operating and Capital Budget Amendments Submitted to 2012 General Assembly.
 - C. 2011-2012 Operating Budget Summary. Enclosure I.
- V. Investment Portfolio Evaluation Overview - Joseph W. Montgomery, Wells Fargo Advisors
 - A. Investment Update for Period Ending December 31, 2011. Enclosure J. (*see separate booklet*)
- VI. Closed Session (if necessary)
- VII. Open Session – Certification of Closed Session **Resolution**

COMMITTEE ON FINANCIAL AFFAIRS

February 3, 2012

Chair should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Chair or designee will conduct roll call vote of the committee members for adoption. Upon passage, Chair should sign the resolution and direct that it be appended to the official minutes of this meeting.

VIII. Discussion

IX. Adjourn

COMMITTEE ON FINANCIAL AFFAIRS

MINUTES - DECEMBER 7 and 9, 2011

MINUTES
Committee on Financial Affairs
December 7 and 9, 2011
Board Room - Blow Memorial Hall

Attendees: Committee members Timothy P. Dunn, Chair; Charles A. Banks III, Vice Chair; Edward L. Flippen, Vice Chair; Colin G. Campbell; Laura L. Flippin, Robert E. Scott and Todd A. Stottlemyer. Board members present: Rector Jeffrey B. Trammell; Thomas R. Frantz; Dennis H. Liberson; Leigh A. Pence; Michael Tang; and John C. Thomas; faculty representative Alan Meese; student representative Kaveh Sadeghian, and staff liaison Mary Molineux. Others in attendance: President W. Taylor Reveley; Provost Michael R. Halleran; James Golden; Samuel E. Jones; Anna B Martin; Michael L. Stump; Michael J. Fox; Virginia Institute of Marine Science Dean and Director John T. Wells; other College and VIMS staff; Richard Bland College President James B. McNeer.

On Wednesday, December 7, 2011, Timothy P. Dunn, Chair, convened the Committee meeting at 4:08 p.m.

Mr. Dunn announced that, due to several scheduling conflicts, the quarterly update report and review of the Board of Visitors investment portfolio would be presented by the Wells Fargo Optimal Service Group on Friday, December 9, 2011.

Recognizing that a quorum was present, Mr. Dunn requested a motion to approve the minutes of the September 21-22, 2011 Committee meeting, and the November 15, 2011, Investment Subcommittee meeting. Motion was made by Mr. Scott, seconded by Mr. Flippen and approved by voice vote of the Committee.

Vice President Jones began his report with an update on the College's six year plan, which was submitted on October 11, 2011 to the State Council of Higher Education (SCHEV). The refined draft plan reflects a reduction and prioritization of expenditures and assumes additional reallocations; however, does not set tuition for FY 2013 or beyond. To date, there has been no feedback from SCHEV.

Mr. Jones continued with an overview of the State budget. The Virginia unemployment rate of 6.5% has dropped since peaking at 7.3% in March 2010; it has risen slightly over one-half of a percent since June of this year. Total State revenues for FY 2011 rose 5.8%, ahead of the annual forecast of 3.5%. The potential budget gap for the FY13-14 biennium, based on identified mandatory and high priority spending drivers, could range from approximately \$600 million to \$1.0 billion. The Governor requested State agencies to develop budget reduction plans. Institutions of higher education were exempted, but the Governor recommended a reallocation of 2% of general funds to support TJ21 initiatives.

Mr. Dunn requested a motion to accept **Resolution 1**, Receipt of the Consolidated Financial Report of the College of William and Mary in Virginia and Richard Bland College for the Fiscal Year Ended June 30, 2011 and **Resolution 6**, Receipt of the Financial Report of the Intercollegiate Athletic Department for the Fiscal Year Ended June 30, 2011. Motion was made

Committee on Financial Affairs
MINUTES
Page 2

by Mr. Scott, seconded by Mr. Liberson, and approved by voice vote of the Committee. The statements remain subject to audit by the Commonwealth's Auditor of Public Accounts.

Mr Jones then presented an overview of tuition and fees for FY 2010-11, comparing the College with its peers and other Virginia state institutions. Following discussion on the data, Ms. Flippin suggested an additional chart be included that would show the net average tuition after financial aid for out-of-state students.

Virginia Institute of Marine Science Dean and Director John Wells updated the Committee on the FY 2012 operating budget for VIMS, highlighting the sources and uses of revenue, as well as reviewing grant and contract expenditures through FY 2011. Mr. Wells also gave an overview of the 2012-14 budget requests for VIMS that will be submitted to the Governor.

There being no further business, the Committee adjourned at 5:16 p.m.

On Friday, December 9, 2012, Mr. Dunn re-convened the Committee on Financial Affairs at 10:00 a.m.

Attendees: Committee members Timothy P. Dunn, Chair; Charles A. Banks III, Vice Chair; Edward L. Flippin, Vice Chair; Colin G. Campbell; Laura L. Flippin, R. Philip Herget III; Robert E. Scott and Todd A. Stottlemeyer. Board members present: Rector Jeffrey B. Trammell; and John C. Thomas; faculty representative Alan Meese; and staff liaison Mary Molineux. Others in attendance: President W. Taylor Reveley; Provost Michael R. Halleran; James Golden; Michael L. Stump; Michael J. Fox; and staff from Wells Fargo Advisors, the Board of Visitors' investment consultant.

The College's investment consultant, Joseph Montgomery of Wells Fargo Advisors, was asked to report on the performance of the College's endowment portfolio. As of November 30, 2011, the total market value of the Board of Visitors' account was at \$55.2 million. Overall asset allocation continues to be in line with policy targets and provides a positive benefit for the portfolio.

Resolution 18, Revision: Investment and Spending Policy for Endowment, was tabled until the next meeting of the Committee on Financial Affairs in February 2012.

Mr. Dunn moved that the Committee go into closed session pursuant to Section 2.2-3711.A.8. of the Code of Virginia to discuss matters related to contracts for services. Motion was seconded by Mr. Banks and approved by voice vote. Observers were asked to leave the room and the Committee went into closed session at 10:40 a.m.

The Committee reconvened in open session at 10:52 a.m. Mr. Dunn moved adoption of the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Scott and approved by roll call vote of the

Committee on Financial Affairs

MINUTES

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Committee members conducted by the Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

There being no further business, the Committee adjourned at 10:55 a.m.

Committee on Financial Affairs

Resolution F-1

December 9, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors' Committee on Financial Affairs has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D. of the Code of Virginia requires a certification by this committee that such closed session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, That Committee on Financial Affairs, reconvening in open session, 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 to which this certification applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Investments Subcommittee.

VOTE

AYES: 8

NAYS: 0

ABSENT DURING CLOSED SESSION:



Timothy P. Dunn
Chair
Committee on Financial Affairs

THE COLLEGE OF WILLIAM AND MARY
2011-2012 OPERATING BUDGET SUMMARY

	<u>2009-2010 Actual</u>	<u>2010-2011 Actual</u>	<u>Board Approved 2011-2012 Budget</u>	<u>Estimated 2011-2012 Budget</u>	<u>Year to Date Through 12/31/11</u>
CARRYOVER BALANCE			\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
REVENUE					
Federal Stimulus Funds	\$ 2,188,188	\$ 6,943,426	\$ 0	\$ 0	\$ 0
General Funds	38,602,485	40,468,124	35,010,223	35,010,223	16,246,897
Educational/General	3,546,629	3,620,227	3,769,066	3,769,066	3,769,066
Student Aid	752,516	414,000	1,800,000	1,800,000	1,800,000
Sponsored Programs					
Nongeneral Funds	96,036,808	104,833,567	111,671,350	111,671,350	69,260,995
Educational/General	8,463,763	11,669,617	13,209,683	13,209,683	13,209,683
Student Aid	76,933,782	81,120,439	81,979,919	81,979,919	44,729,376
Auxiliary Enterprise	28,632,339	31,484,073	28,850,000	28,850,000	16,617,668
Sponsored Programs	10,545,463	11,822,623	11,885,696	11,777,696	3,559,703
Private Funds					
Total Revenue	\$ 265,701,973	\$ 292,376,096	\$ 288,175,937	\$ 288,067,937	\$ 169,193,388
EXPENDITURES					
Instruction	\$ 78,203,710	\$ 84,125,717	\$ 84,756,199	\$ 84,649,926	\$ 47,016,011
Research	1,415,736	1,057,239	986,052	997,319	789,605
Public Service	39,120	51,929	27,278	27,278	34,185
Academic Support	23,438,713	25,007,397	24,113,046	23,667,968	13,159,685
Student Services	7,655,487	8,430,764	7,329,823	7,304,323	4,278,182
Institutional Support	18,610,925	21,428,918	22,556,602	22,378,453	12,363,675
Plant Operations	14,706,671	17,660,001	17,148,447	16,903,447	9,088,154
Student Aid	15,085,872	17,982,111	20,161,270	20,161,270	18,384,712
Auxiliary Enterprise	72,248,456	76,226,174	80,829,345	80,829,345	34,998,022
Sponsored Programs	29,384,855	31,898,073	30,650,000	30,650,000	13,142,668
Unallocated		0	(1,000,000)	0	0
Total Expenditures	\$ 260,789,545	\$ 283,868,323	\$ 287,558,062	\$ 287,569,329	\$ 153,254,899

The College of William and Mary
 Education and General
 2011-2012 Operating Budget Summary

	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/2011</u>
CARRYOVER BALANCE			\$1,000,000	\$1,000,000	\$1,000,000
REVENUE:					
Federal Stimulus Funds	\$2,188,188	\$6,943,426	\$0	\$0	\$0
General Funds	38,602,485	40,468,124	35,010,223	35,010,223	16,246,897
Nongeneral Funds	96,036,808	\$104,833,567	111,671,350	111,671,350	\$69,260,995
Total Revenue	\$136,827,481	\$152,245,117	\$146,681,573	\$146,681,573	\$85,507,892
AVAILABLE FOR EXPENDITURES	\$136,827,481	\$152,245,117	\$147,681,573	\$147,681,573	\$86,507,892
EXPENDITURES:					
Instruction	\$77,289,596	\$83,314,623	\$83,552,387	\$83,446,114	\$46,679,185
Research	1,229,159	853,270	824,440	824,440	616,726
Public Service	8,021	8,306	8,179	8,179	4,833
Academic Support	22,461,848	24,448,507	23,390,558	22,945,480	12,778,435
Student Services	7,221,394	8,116,604	7,125,027	7,099,527	4,187,805
Institutional Support	14,226,286	18,198,069	16,683,664	16,505,515	9,181,114
Plant Operations	14,391,177	17,265,065	17,097,318	16,852,318	9,069,520
Unallocated			(1,000,000)	0	0
Total Expenditures	\$136,827,481	\$152,204,444	\$147,681,573	\$147,681,573	\$82,517,618
The College of William and Mary Student Financial Assistance*					
2011-2012 Operating Budget Summary					
	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/2011</u>
REVENUE:					
General Funds	\$3,546,629	\$3,620,227	\$3,769,066	\$3,769,066	\$3,769,066
Nongeneral Funds	<u>8,463,763</u>	<u>11,669,617</u>	<u>13,209,683</u>	<u>13,209,683</u>	<u>13,209,683</u>
Total Revenue	\$12,010,392	\$15,289,844	\$16,978,749	\$16,978,749	\$16,978,749
EXPENDITURES:					
	\$12,009,892	\$15,257,056	\$16,978,749	\$16,978,749	\$16,978,749

* Excludes student financial assistance support included in Board of Visitors private fund budget.

The College of William and Mary
 Education and General
 2011-2012 Operating Budget Summary

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	2009-2010 Actual	2010-2011 Actual	Board Approved 2011-2012 Budget	Estimated 2011-2012 Budget	Year to Date Through 12/31/2011
CARRYOVER BALANCE			1,000,000	1,000,000	1,000,000
REVENUE					
Federal Stimulus Funds	\$2,188,188	\$6,943,426	\$0	\$0	\$0
General Funds	38,602,485	40,468,124	35,010,223	\$35,010,223	16,246,897
Nongeneral Funds (Param)	96,036,808	104,833,567	111,671,350	111,671,350	69,260,995
TOTAL REVENUE	\$136,827,481	\$152,245,117	\$146,681,573	\$146,681,573	\$85,507,892
AVAILABLE FOR EXPENDITURES	\$136,827,481	\$152,245,117	\$147,681,573	\$147,681,573	\$86,507,892
EXPENDITURES					
Instruction					
Personal Services	\$70,134,557	\$73,629,791	\$75,561,008	\$75,517,948	\$41,901,619
Contractual Services	2,424,968	3,938,195	3,087,676	3,087,676	2,267,710
Supplies and Materials	652,582	648,368	825,899	825,899	368,629
Transfer Payments	2,465,667	2,960,258	684,728	684,728	142,469
Continuous Charges	549,491	474,432	540,970	477,757	209,163
Property & Improvements	484,589	58,849	75,000	75,000	96,514
Equipment	577,743	1,602,847	2,777,106	2,777,106	1,693,081
Indirect Costs	0	1,885	0	0	0
TOTAL	\$77,289,596	\$83,314,623	\$83,552,387	\$83,446,114	\$46,679,185
Research					
Personal Services	\$723,906	\$495,040	\$460,786	\$460,786	\$337,175

Board of Visitors

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	<u>2009-2010 Actual</u>	<u>2010-2011 Actual</u>	<u>Board Approved 2011-2012 Budget</u>	<u>Estimated 2011-2012 Budget</u>	<u>Year to Date Through 12/31/2011</u>
Contractual Services	146,182	61,076	56,746	56,746	28,448
Supplies and Materials	13,137	1,258	22,452	22,452	2,184
Transfer Payments	291,129	284,965	208,371	208,371	244,965
Continuous Charges	1,036	592	300	300	140
Property & Improvements	39,555	0	-	-	600
Equipment	14,214	10,339	75,785	75,785	3,215
TOTAL	\$1,229,159	\$853,270	\$824,440	\$824,440	\$657,634
Public Service					
Personal Services	\$3,025	\$1,543	\$2,760	\$2,760	\$0
Contractual Services	3,354	6,649	4,942	4,942	3,728
Supplies and Materials	4	0	477	477	105
Continuous Charges	0	0	-	-	1,000
Equipment	1,638	115	-	-	-
TOTAL	\$8,021	\$8,306	\$8,179	\$8,179	\$4,833
Academic Support					
LIBRARIES:					
Personal Services	\$5,156,477	\$5,179,592	\$5,339,186	\$5,306,066	\$2,867,163
Contractual Services	757,362	712,663	443,399	443,399	832,456

Board of Visitors

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	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/2011</u>
Supplies and Materials	46,463	58,873	38,658	38,658	20,626
Transfer Payments	0	0	0	0	0
Continuous Charges	1,797	4	93,422	93,422	6,945
Property & Improvements	0	0	-	0	-
Equipment	3,494,370	3,694,597	3,799,255	3,799,255	1,754,205
TOTAL	\$9,456,468	\$9,645,729	\$9,713,920	\$9,680,800	\$5,522,304
OTHER ACAD. SUPPORT:					
Personal Services	\$10,849,486	\$11,709,868	\$10,922,771	\$10,922,771	\$5,823,600
Contractual Services	1,218,375	1,917,972	1,569,403	1,325,791	1,007,975
Supplies and Materials	84,640	59,840	137,001	137,001	71,769
Transfer Payments	73,396	112,599	74,566	74,566	107,999
Continuous Charges	93,302	114,436	295,761	295,761	82,744
Property & Improvements	1,340	36,532	-	0	976
Equipment	516,494	837,501	662,771	494,425	201,975
Obligations	168,347	14,029	14,365	14,365	-
TOTAL	\$13,005,380	\$14,802,778	\$13,676,638	\$13,264,680	\$7,297,038
TOTAL ACADEMIC SUPPORT	\$22,461,848	\$24,448,507	\$23,390,558	\$22,945,480	\$12,819,343

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	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/2011</u>
<u>Student Services</u>					
Personal Services	\$6,084,190	\$6,895,763	\$5,905,506	\$5,905,506	\$3,581,167
Contractual Services	852,752	925,352	955,545	930,045	456,945
Supplies and Materials	126,186	145,673	123,624	123,624	72,173
Transfer Payments	72,952	68,344	23,752	23,752	37,761
Continuous Charges	5,881	3,857	3,750	3,750	4,198
Property & Improvements	63	9,589	0	0	299
Equipment	79,369	68,026	112,850	112,850	35,263
TOTAL	\$7,221,394	\$8,116,604	\$7,125,027	\$7,099,527	\$4,187,805
<u>Institutional Support</u>					
Personal Services	\$12,000,827	\$15,577,617	\$12,945,972	\$12,826,972	\$7,125,835
Contractual Services	1,264,059	1,500,147	2,607,799	2,607,799	853,824
Supplies and Materials	133,992	197,259	168,216	168,216	414,643
Transfer Payments	73,308	142,676	94,454	94,454	43,888
Continuous Charges	471,053	484,182	531,870	531,870	682,709
Property & Improvements	1,537	14,699	0	0	3,361
Equipment	222,362	276,560	327,306	268,157	56,854

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	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/2011</u>
Obligations	59,148	4,929	8,047	8,047	-
TOTAL	\$14,226,286	\$18,198,069	\$16,683,664	\$16,505,515	\$9,222,022
Plant Operations					
Personal Services	\$3,742,549	\$5,191,152	\$4,445,498	\$4,445,498	\$2,570,269
Contractual Services	4,355,849	5,876,269	5,314,103	5,314,103	2,719,026
Supplies and Materials	1,570,388	1,810,488	1,850,775	1,850,775	954,027
Transfer Payments	0	0	0	0	1,713
Continuous Charges	4,422,237	4,061,056	5,057,787	4,812,787	2,788,367
Property & Improvements	39,728	205,268	144,575	144,575	49,204
Equipment	260,425	120,832	284,580	284,580	(13,088)
TOTAL	\$14,391,177	\$17,265,065	\$17,097,318	\$16,852,318	\$9,069,520
Contingency Unallocated	\$0	\$0	\$0 (\$1,000,000)	\$0 (\$0)	\$0 (\$0)
E&G PROGRAM TOTAL	\$136,827,481	\$152,204,444	\$147,681,573	\$147,681,573	\$82,640,342

The College of William and Mary
Auxiliary Enterprise
2011-2012 Operating Budget Summary

Board of Visitors
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	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/2011</u>
REVENUE					
Residence Life	\$22,639,688	\$23,860,980	\$23,567,000	\$23,567,000	\$13,025,356
Food Service	13,739,009	13,906,637	14,191,000	14,191,000	7,911,983
Telecom/Network	3,588,710	3,664,668	3,515,230	3,515,230	1,900,445
Student Unions	2,859,634	2,899,844	2,735,600	2,735,600	1,667,758
W&M Hall	1,991,145	2,172,942	2,204,100	2,204,100	1,367,439
Athletics	17,018,614	18,755,845	19,520,400	19,520,400	7,559,174
Other	<u>15,096,982</u>	<u>15,859,523</u>	<u>16,246,589</u>	<u>16,246,589</u>	<u>11,297,221</u>
Total Revenue	\$76,933,782	\$81,120,439	\$81,979,919	\$81,979,919	\$44,729,376
EXPENDITURES					
Residence Life	\$20,758,808	\$22,235,788	\$23,562,000	\$23,562,000	\$9,455,281
Food Service	12,970,853	12,191,866	13,439,680	13,439,680	6,572,605
Telecom/Network	3,469,172	3,509,928	3,418,286	3,418,286	991,091
Student Unions	2,536,867	2,714,689	2,735,600	2,735,600	1,553,857
W&M Hall	1,617,105	2,109,104	2,204,100	2,204,100	1,139,883
Athletics	<u>16,911,072</u>	<u>18,744,923</u>	<u>19,520,400</u>	<u>19,520,400</u>	<u>4,816,368</u>
Other	<u>13,984,579</u>	<u>14,719,876</u>	<u>15,949,279</u>	<u>15,949,279</u>	<u>10,468,937</u>
Total Expenditures	\$72,248,456	\$76,226,174	\$80,829,345	\$80,829,345	\$34,998,022

The College of William and Mary
Sponsored Programs
2011-2012 Operating Budget Summary

	<u>2009-2010</u>	<u>2010-2011</u>	<u>2011-2012</u>	<u>2011-2012</u>	<u>2011-2012</u>
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>
REVENUE					
General Fund	\$752,516	\$414,000	\$1,800,000	\$1,800,000	\$1,800,000
Nongeneral Fund	28,632,339	31,484,073	28,850,000	28,850,000	16,617,668
Total Revenue	\$29,384,855	\$31,898,073	\$30,650,000	\$30,650,000	\$18,417,668
EXPENDITURES					
	\$29,384,855	\$31,898,073	\$30,650,000	\$30,650,000	\$13,142,668

THE COLLEGE OF WILLIAM & MARY
PRIVATE FUNDS BUDGET SUMMARY

	2009-2010 Actual	2010-2011 Actual	Board Approved 2011-2012 Budget	Estimated 2011-2012 Budget	Year to Date Through 12/31/2011
REVENUE:					
Distributed Endowment Income	\$2,005,031	\$2,017,708	\$2,102,696	\$2,102,696	\$1,049,044
Administrative Overhead Allocation	200,000	200,000	200,000	200,000	100,000
Transfers from Other Sources	533,492	102,084	283,000	175,000	3,867 (1)
Interest on Cash Balances	15,539	153,395	186,000	186,000	69,155
Annual Gifts	7,195,279	8,451,745	7,600,000	7,600,000	2,245,665
Drawdown from BOV Quasi Endowment	0	0	1,000,000	1,000,000	0
Distribution from External Trusts	25,421	34,328	14,000	14,000	8,297
Other Revenue	570,701	863,363	500,000	500,000	83,675
 Total Revenue	 \$10,545,463	 \$11,822,623	 \$11,885,696	 \$11,777,696	 \$3,559,703
EXPENDITURES:					
Instruction	\$914,114	\$811,094	\$1,203,812	\$1,203,812	336,826
Research	186,577	203,969	161,612	172,879	172,879 (2)
Public Service	31,099	43,623	19,099	19,099	29,352 (3)
Academic Support	976,865	558,890	722,488	722,488	381,250
Student Services	434,093	314,160	204,796	204,796	90,377
Institutional Support	4,384,639	3,230,849	5,872,938	5,872,938	3,182,561
Plant Operations & Capital Improvements	315,494	394,936	51,129	51,129	18,634
Student Aid	3,075,980	2,725,055	3,182,521	3,182,521	1,405,963
 Total Expenditures	 \$10,318,861	 \$8,282,576	 \$11,418,395	 \$11,429,662	 \$5,617,842

(1) No excess income was transferred from Bookstore auxiliary fund to BOV unrestricted fund as expenses were higher than revenue, due to change in rent agreement from % of sales to a set amount of \$32,858.00 per month.

(2) Higher actual expenditure than original estimate in VIMS research

(3) Mostly expenditures in BOV-VIMS Community Service which will be reimbursed by VIMS Foundation.

COLLEGE OF WILLIAM AND MARY

**APPROVAL OF MEMORANDUM OF UNDERSTANDING AUTHORIZING
THE INVESTMENT OF CERTAIN WILLIAM AND MARY REAL ESTATE
FOUNDATION FUNDS IN THE BOARD OF VISITORS ENDOWMENT POOL**

The William and Mary Real Estate Foundation is a Virginia non-stock corporation organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 as amended. As such, the Foundation is organized and operates exclusively for the benefit of the College of William and Mary and the College's supporting organizations that are exempt from federal income taxation under Section 501(c)(3) of the Code. The Foundation's mission is to acquire, hold, manage, sell, lease, and participate in the development of real properties in support of the educational goals of the College.

The Foundation now requests that it be allowed to invest certain of its available funds as a quasi-endowment within the Board of Visitors long-term investment pool with the parameters of this investment defined in the attached Memorandum of Understanding. While invested in the Board of Visitors long-term investment pool in accordance with the Board's investment policy, ownership of the Foundation funds remains with the Foundation and all earnings, interest, and "total returns" on these funds shall be the property of the Foundation.

THEREFORE, BE IT RESOLVED, That, at the request of the William and Mary Real Estate Foundation and on the recommendation of the administration of the College of William and Mary, the Board of Visitors of the College of William and Mary in Virginia approves the investment of certain William and Mary Real Estate Foundation funds in the Board of Visitors long-term investment pool as specified in the attached Memorandum of Understanding.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (this "Memorandum") is made as of the 3rd day of February, 2012, by and between the WILLIAM AND MARY REAL ESTATE FOUNDATION (the "Foundation"), and the BOARD OF VISITORS OF THE COLLEGE OF WILLIAM & MARY IN VIRGINIA, acting by and through its Financial Affairs Committee pursuant to delegated authority (the "Board").

WITNESSETH

WHEREAS, the Foundation is a Virginia non-stock corporation organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent tax law (the "Code"), and is specifically organized and operated exclusively for the benefit of the College of William & Mary in Virginia (the "College"), an institution of higher education of the Commonwealth of Virginia, and for the benefit of the College's supporting organizations (including The College of William & Mary Foundation) that are exempt from federal income tax under Section 501(c)(3) of the Code; and

WHEREAS, the Foundation's mission is to acquire, hold, manage, sell, lease, and participate in the development of real properties in support of the educational goals of the College, and pursuant to that mission the Foundation has sold certain real estate located in the City of Newport News (and may in the future sell additional real estate) and desires to invest certain portions of the sales proceeds from such sales until those funds are needed by the Foundation from time to time for other purposes in support of its mission; and

WHEREAS, the College was established in 1693 by British royal charter, and in 1906 became a public institution affiliated with the Commonwealth of Virginia, and as such the College is an active public charity and accepts private donations to supplement and enhance the quality of the educational environment available to students, faculty, and the community; and

WHEREAS, Board is responsible for the investment of the endowment funds contributed to the College, and in that regard, the Board has (a) delegated fiduciary responsibility to the Committee on Financial Affairs of the Board to oversee the policies and practices associated with endowment management, and (b) adopted an Investment and Spending Policy for Endowment, the current version of which was last amended by the Board of Visitors on September 18, 2009 ("Investment Policy") as the policy governing the Committee on Financial Affairs' management of the endowment funds belonging to the College; and

WHEREAS, the Foundation desires to invest certain of its funds, on a voluntary basis, to the endowment fund established by the Board and known as the Board of Visitors Fund (the "BOV Fund"), and in that regard, the parties wish to set forth in this Memorandum their understandings with respect to such investment.

NOW, THEREFORE, in consideration of the foregoing, the parties set forth the following agreements and understandings:

1. **Investment of Foundation's Funds.** Contemporaneously with the full execution of this Memorandum, the Foundation will deliver to the Board or its designee the sum of up to \$5,000,000 for the purpose of having such amount invested in the BOV Fund in accordance with the Investment Policy and this Memorandum. The Foundation may in the future deliver additional funds to the Board for investment in the BOV Fund from time to time, and all such additional funds shall be governed by the provisions of this Memorandum without the necessity of amending this Memorandum or otherwise memorializing such additional investment. The initial amount delivered by the Foundation for investment, together with all additional amounts invested by the Foundation with the BOV Fund from time to time, and all proceeds, returns and earnings derived therefrom, are sometimes hereinafter collectively referred to in this Memorandum as the "Foundation's Funds". The following shall apply to the Foundation's Funds invested in the BOV Fund:

(a) **Ownership of Foundation's Funds.** Ownership of the Foundation's Funds shall remain at all times with the Foundation and shall be invested in accordance with the standards of care, investment objectives, asset allocations, and guidelines set forth in the Investment Policy. The Foundation's Funds shall be considered for all purposes as "funds functioning as endowment (quasi endowments)" as that phrase is defined in the Investment Policy. Notwithstanding anything contained in Article V of the Investment Policy to the contrary, in no event shall any of the Foundation's Funds be expended, appropriated, paid out or otherwise spent by the Board or the College.

(b) **Investment Period; Earnings; Reporting; Fees.** The Foundation acknowledges that it may not withdraw the Foundation's Funds for a period of one (1) year from the date such funds (or the applicable portion thereof) were invested in the BOV Fund. After the expiration of such period, the Foundation may withdraw all or any portion of the Foundation's Funds from time to time upon providing six (6) months prior notice to the Board or its designee, or such shorter or longer notice period as may be required by the particular investment or investments in which the Foundation's Funds may be invested at that time. All earnings, interest and "total returns" (as defined in the Investment Policy) on the Foundation's Funds shall be calculated separately from the remainder of the endowment funds in the BOV Fund, and shall be reinvested in the BOV Fund and thereafter become part of the Foundation's Funds. The Board or the funds manager for the BOV Fund shall send the Foundation quarterly statements of account with regard to the Foundation's Funds and the earnings thereon. Normal and customary asset management fees charged by the funds manager for the BOV Fund and allocated to the Foundation's Funds may be deducted from the Foundation's earnings consistent with the practice for the remainder of the BOV Funds.

(c) **Restrictions on Investment.** With respect to the Foundation's Funds, neither the Board nor anyone acting on its behalf shall: (i) engage in any act of self-dealing as

defined in Section 4941 of the Code; (ii) retain any excess business holdings as defined in Section 4943 of the Code; (iii) make any investment that would subject the Foundation to tax under Section 4944 of the Code; or (iv) make any taxable expenditure as defined in Section 4945 of the Code. The Board further acknowledges that the initial \$5,000,000 delivered to the Board for investment in the BOV Fund is "donor restricted" by a restriction requiring that such amount be used by the Foundation for the sole benefit of the College. The Board acknowledges on behalf of the College that the investment of such amount in the BOV Fund does not violate the foregoing restriction.

2. Additional Acknowledgements. The Board and the Foundation acknowledge and agree that the Foundation's participation and investment in the BOV Fund shall not, nor shall it be construed to: (a) affect the Foundation's income tax exempt status; (b) cause the Foundation to be subject to any state procurement requirements; (c) alter the Foundation's current status or eligibility for exemptions under the Virginia Freedom of Information Act; or (d) adversely affect the Foundation's legal position that the Foundation's real property is or should be exempt from local real estate taxes.

3. Miscellaneous. This Memorandum shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors and assigns. This Memorandum may be amended only in writing signed by each of the parties hereto or their successors and assigns. This Memorandum shall be in full force and effect until the later of (a) receipt of written notice from either the Board or the Foundation to the other notifying such party of their intent to terminate this Memorandum, and (b) the receipt by the Foundation of all of the Foundation's Funds invested in the BOV Fund. If any clause, provision or section of this Memorandum is held to be illegal or invalid by any court, the invalidity of the clause, provision or section shall not affect any of the remaining clauses, provisions or sections, and this Memorandum shall be construed and enforced as if the illegal or invalid clause, provision or section had not been contained in it. This Memorandum may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of which together shall constitute but one and the same instrument. The recitals set forth at the beginning of this Memorandum are incorporated into and made a part of this Memorandum as though they were fully set forth in this Section and constitute understandings of the parties hereto. This Memorandum shall be governed by the laws of the Commonwealth of Virginia without regard to its conflict of law rules. Any action or dispute arising out of this Memorandum that cannot be resolved among the parties shall be resolved in the City of Williamsburg/James City County Circuit Court or in the United States District Court, Eastern District of Virginia and in no other forum.

4. Notices. Any notice, request or other deliveries required to be given hereunder shall be deemed given if delivered personally by hand or sent by registered or certified mail, or by overnight delivery service, postage prepaid, addressed to the following addresses:

Foundation: William and Mary Real Estate Foundation
5308 Discovery Park Boulevard
Discovery II Building, Suite 201
P.O. Box 8795
Williamsburg, Virginia 23187-8795
Attention: Executive Director

Board: College of William & Mary in Virginia
P.O. Box 8795
Williamsburg, Virginia 23187-8795
Attention: Secretary to the Board of Visitors

Any party may designate any other addresses for notices or requests or other deliveries by giving notice under this Section.

WITNESS the following signatures.

**WILLIAM AND MARY REAL ESTATE
FOUNDATION**

By: _____
Name: _____
Title: Executive Director

**BOARD OF VISITORS OF THE COLLEGE
OF WILLIAM & MARY IN VIRGINIA**, acting
by and through its Committee on Financial Affairs
pursuant to delegated authority

By: _____
Name: _____
Title: Committee Chairman

**VIRGINIA INSTITUTE OF MARINE SCIENCE
OPERATING BUDGET SUMMARY**

Board of Visitors

February 1-3, 2012

Enclosure I

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	2009-2010 <u>Actual</u>	2010-2011 <u>Actual</u>	Board Approved 2011-2012 <u>Budget</u>	Estimated 2011-2012 <u>Budget</u>	Year to Date Through <u>12/31/11</u>
REVENUE					
General Fund	\$17,776,971	\$18,576,281	\$16,688,654	\$16,688,654	\$9,020,172
Nongeneral Funds					
Educational/General	\$1,735,439	\$1,759,741	1,811,188	1,811,188	\$993,112
Federal Stimulus	\$0	\$2,704,790	0	420,304	\$420,304
Sponsored Programs	\$22,168,374	\$18,609,523	<u>21,500,000</u>	<u>21,500,000</u>	<u>\$10,521,875</u>
Total Revenue	\$41,680,784	\$41,650,335	\$39,999,842	\$40,420,146	\$20,955,463
EXPENDITURES					
Instruction	\$1,441,027	\$1,394,266	\$1,630,070	\$1,630,070	\$764,145
Research and Advisory Services	\$8,188,604	\$9,431,887	7,566,213	7,566,213	\$4,026,809
Academic Support	\$4,122,504	\$4,580,226	3,634,904	3,667,109	\$2,275,698
Institutional Support	\$2,017,786	\$3,159,290	1,544,128	1,634,176	\$1,724,052
Plant Operations	\$3,503,961	\$3,721,015	3,886,001	4,184,051	\$2,014,889
Student Financial Assistance	\$238,527	\$715,798	238,527	238,527	\$30,690
Sponsored Programs	\$22,168,374	\$18,609,523	<u>21,500,000</u>	<u>21,500,000</u>	<u>\$10,521,875</u>
Total Expenditures	\$41,680,784	\$41,612,005	\$39,999,843	\$40,420,146	\$21,358,158



Investment Portfolio Evaluation For
Periods Ending December 31, 2011:



Board of Visitors Endowment

Together we'll go far



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Section

I. Executive Summary

II. Equity Sector Review

III. Fixed Income Sector Review

IV. Capital Markets Review

V. Green Fund Update

The information provided herein is obtained from sources believed to be reliable, but no representation or warranty is made as to its accuracy or completeness. These investments are not insured or otherwise protected by the U.S. Government, the Federal Deposit Insurance Corporation, the Federal Reserve Board, or any other government agency and involve risk including the possibility of loss of principal.

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Index Name	4Q11	1 year	3 years	5 years	10 years
Dow Jones Industrial Average	12.8	8.4	14.9	2.4	4.6
NASDAQ Composite	8.2	(0.8)	19.4	2.5	3.7
S&P 500	11.8	2.1	14.1	(0.3)	2.9
Russell 1000	11.8	1.5	14.8	0.0	3.3
Russell 1000 Value	13.1	0.4	11.5	(2.6)	3.9
Russell 1000 Growth	10.6	2.6	18.0	2.5	2.6
Russell Midcap	12.3	(1.5)	20.2	1.4	7.0
Russell Midcap Value	13.4	(1.4)	18.2	0.0	7.7
Russell Midcap Growth	11.2	(1.7)	22.1	2.4	5.3
Russell 2000	15.5	(4.2)	15.6	0.2	5.6
Russell 2000 Value	16.0	(5.5)	12.4	(1.9)	6.4
Russell 2000 Growth	15.0	(2.9)	19.0	2.1	4.5
Russell 3000	12.1	1.0	14.9	0.0	3.5
MSCI EAFE Index	3.4	(11.7)	8.2	(4.3)	5.1
MSCI World Index	7.7	(5.0)	11.8	(1.8)	4.2
MSCI EM (EMERGING MARKETS)	4.4	(18.2)	20.4	2.7	14.2
MSCI FM (FRONTIER MARKETS)	(1.9)	(18.4)	4.2	N/A	N/A
Barclays Capital U.S. Aggregate	1.1	7.8	6.8	6.5	5.8
Barclays Capital U.S. Government/Credit	1.2	8.7	6.6	6.5	5.9
Barclays Capital Intermediate U.S. Government/Credit	0.8	5.8	5.6	5.9	5.2
Barclays Capital Municipal Bond	2.1	10.7	8.6	5.2	5.4
BofA Merrill Lynch Convertible Securities	4.2	(3.4)	18.3	2.9	5.3
BofA Merrill Lynch High Yield Master	6.2	4.5	23.5	7.2	8.5
Citigroup World Government Bond Index	(0.1)	6.4	4.7	7.1	7.8
JPM EMBI Global Diversified	4.7	7.3	16.1	7.9	10.6
Citigroup 3-month T-bill	0.0	0.1	0.1	1.4	1.9
Wilshire REIT	15.4	9.2	21.8	(2.0)	10.2
Dow UBS Commodity Index	0.3	(13.3)	6.4	(2.1)	6.6

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Data Sources: Zephyr StyleAdvisor & Barclay's Capital

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I. Executive Summary

Observations & Recommendations

Capital Markets and Economic Summary: Following a summer lull, the capital markets recovered sharply in the 4th quarter bringing an end to a volatile and eventful year. The sovereign debt crisis that engulfed Europe resulted in financial market distress and fears that the world's economy was going to crumble. Standard & Poor's ended up downgrading the credit rating of the U.S. from AAA to AA+. Despite a projected 3.0% 4th quarter growth, final domestic GDP for 2011 should end below 1.8% indicating weak growth thus leaving recession a possibility.

Equities were trading in a relatively tight band for most of the first half of the year before the bottom fell out in late July. European efforts to remedy the Greek government debt issue were deemed weak and stocks across the globe plummeted. The S&P 500 declined almost 20% in less than three weeks. Cyclical and financial stocks were shredded as money rushed into gold and U.S. government debt. Consumers proved resilient in the 4th quarter and continued to spend which drove domestic equities as indicated by the S&P 500 (+11.8%) and the Russell 2000 (+15.5%). Non-US markets did not recover as well in the 4th quarter (MSCI EAFE +3.4% and MSCI Emerging Markets +4.4%) and ended the year well-below all U.S. equity markets.

With heightened volatility in 2011, a flight to quality ensued and U.S. government securities generated strong returns for the year. Long Treasuries rose 29.9% and U.S. TIPs gained 13.6% for the year. With the bad news from Europe, corporate bonds (+8.2%) underperformed government-backed paper despite strong earnings and revenue reports. Corporate spreads widened to 230 bps over U.S. Treasuries (up from 160 bps at 12/31/10). Despite the bankruptcy headlines from Harrisburg, PA, and Jefferson County, AL, municipal bonds had a solid year (+10.7%). The strong results were driven by increased tax revenues, large mutual fund inflows from the retail sector, and low new issuance.

Total Portfolio: The William & Mary Board of Visitors (BOV Endowment) gained 6.6% for the three-month period ending December 31, 2011, ahead of the target benchmark return of 6.5%. Trailing results are favorable with relative outperformance for the three-year period and benchmark-like returns for the five-year and since inception periods (net of fees). Overall portfolio asset allocation was in line with policy targets at quarter-end.

Domestic Equity: *Aletheia Large Cap Growth* posted a quarterly gain of 8.9% versus 10.6% for the Russell 1000 Growth. Energy and consumer discretionary were the only two sectors to add significant value. The one-year return lags the benchmark with a 10.1% loss compared to the index's gain of 2.6%. There has been some recent personnel turnover at Aletheia and loss of assets. A full manager review is being prepared. *BlackRock Large Cap Value* posted a strong 13.5% quarterly gain compared to the Russell 1000 Value's 13.1% return. The cyclical positioning of the portfolio was a positive for the quarter as well as stock selection and an overweight to materials.

The *Wells Fargo Advantage Discovery Fund* posted a three-month gain of 13.9% compared to the Russell Mid Cap Growth's gain of 11.2%. Most of the outperformance came from stock selection in health care and information technology. Holdings in the rail and road industry were positive influences on relative performance. The largest holding, Kansas City Southern, was the top contributor in the sector. Strong rebounds in the exploration and production companies helped the energy sector of the Wells portfolio.

Despite the solid 13.2% quarterly gain, the *Artisan Mid Cap Value* portfolio trailed the benchmark by 0.2%. For the 2011 calendar year, the fund added 780 basis points over the Russell Mid Cap Value index (6.4% vs. -1.4%). Top performers for the quarter included Arrow Electronics, Avnet, Hubbell, Jacobs Engineering, and Mohawk Industries. While the market fluctuated between risk-seeking and risk-fearing modes, the high quality theme of the portfolio benefited the portfolio for the full calendar year.

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The **Royce Opportunity Fund** generated a three-month gain of 17.9% compared to the benchmark's gain of 15.5%. Despite the strong rebound, the fund was still in the red for the calendar year (-12.9%) compared to the Russell 2000's loss of 4.2%. For the quarter, industrials and consumer discretionary were most beneficial. Information technology was the worst performing sector for 2011 for the fund with three of the largest detracting positions.

International Equity: *Delaware International* is a manager that was under review. We have reviewed several options and are working with the college in identifying a prudent replacement. We expect the transition to take place during the 1st quarter of 2012.

Domestic Fixed Income: The **PIMCO Total Return** fund gained 2.2% for the 4th quarter versus a gain of 1.1% in the Barclays Capital US Aggregate Index. For the one-year period, the fund trailed the index by 390 basis points (3.9% vs. 7.8%). An overweight to duration in the U.S. added to performance, as the 10-year Treasury yield fell 19 basis points to end the month at 1.9%. Interest rate exposure in core Europe, Canada and the U.K. added to performance, as 10-year yields fell in these markets in December. Beyond core sectors, a modest allocation to high yield corporate bonds and emerging market debt added to recent returns. Detracting from performance was an underweight to the long-end of the US Treasury curve as long-term yields fell in December. Also detracting from performance was an exposure to interest rates in Brazil where yields rose late in the quarter.

The **Pioneer Strategic Income Fund** posted a gain of 2.4% compared to the 1.1% gain reflected in the Barclays Capital Aggregate index for the past three months. The strategy has increased the allocation to international fixed income during the quarter and an underweight to US government paper which had a strong second half of calendar year 2011.

International Fixed Income: The **GMO Emerging Country Debt** fund posted a gain of 6.4% for the quarter, ahead of the JP Morgan EMBI Global index's gain of 4.7%. The outperformance was primarily attributed to exposures in Belarus, Venezuela, Uruguay, and Argentina. With the exception of Uruguay, these are low-rated, high-yielding countries that benefitted from carry and spread compression that resulted from a general reduction in risk aversion. Market selection accounted for 59 basis points of alpha. The **GMO Global Bond** fund returned 0.9% for the quarter compared to the Citigroup World Government Bond index's loss of 0.1%. Government bond markets rallied across the globe during the quarter while euro interest-rate swaps steepened and global yield curves flattened. The Australian Dollar, Canadian Dollar, and the New Zealand Dollar outperformed by quarter's end.

Alternatives: The alternative portfolio includes managed futures, hedge funds, and private equity. The overall alternative portfolio lost 3.1% for the three-month period ending November 30, 2011. Though all the alternative managers struggled through the volatility, Graham was one of the biggest detractors for the three-month time period ending November 30.

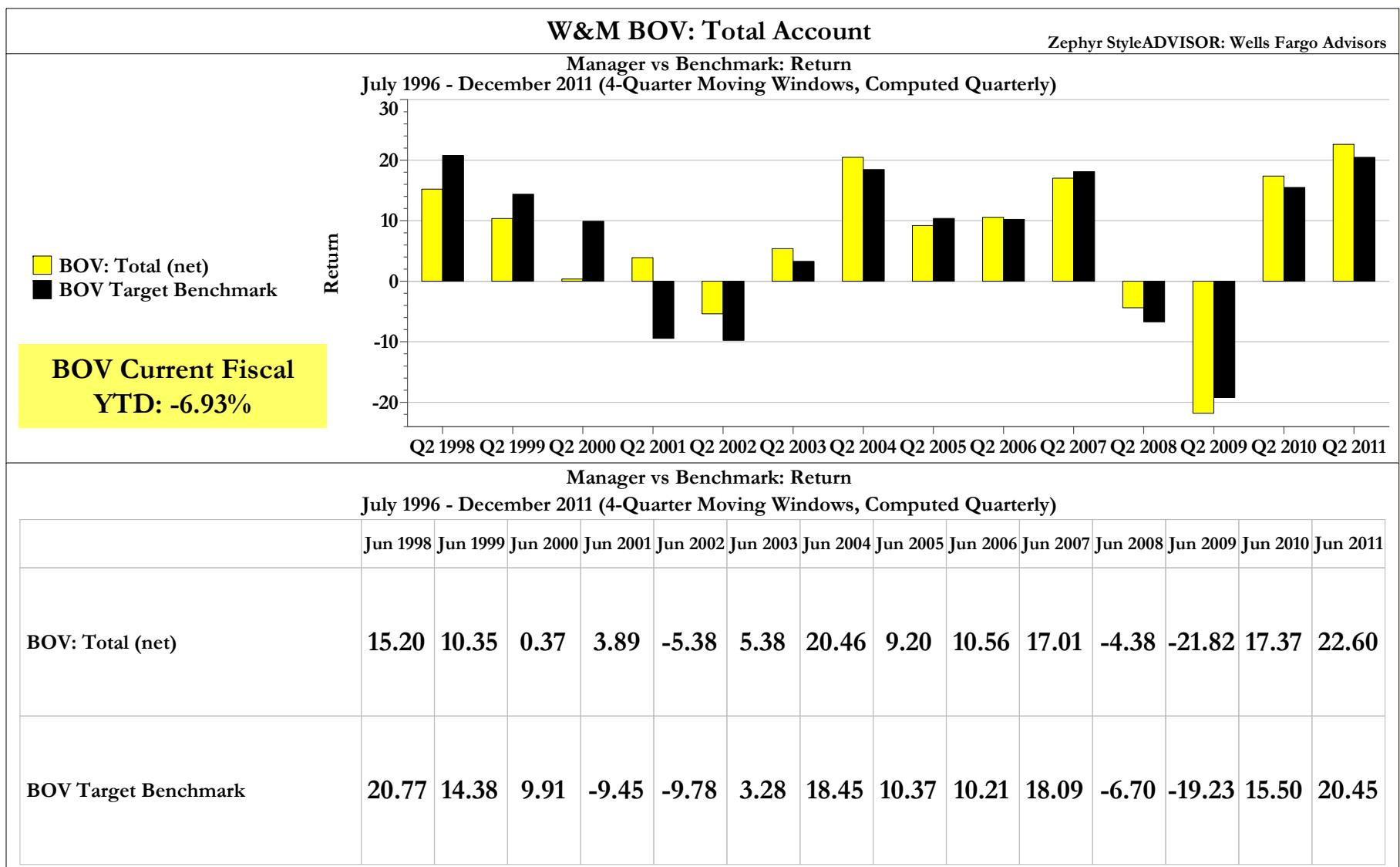
	4Q11	FYTD	One Year	Three Years ¹	Five Years ¹	Changes (1/1/03)	Incept (Mgr) ²	Incept Bench ²
Total BOV Account	6.6	(6.9)	(2.4)	13.0	1.6	7.6	6.7	6.7
Target Benchmark³	6.5	(2.9)	1.6	12.7	1.6	7.5		
Blackrock: Large Cap Value	13.5	(11.2)	(1.4)	8.3	(2.7)	--	(0.9)	0.2
Russell 1000 Value	13.1	(5.2)	0.4	11.6	(2.6)	--		
Aletheia: Large Cap Growth	8.9	(10.8)	(10.1)	12.6	--	--	(6.5)	0.3
Russell 1000 Growth	10.6	(3.9)	2.6	18.0	--	--		
Wells Fargo: Mid Cap Growth	13.9	(8.3)	0.9	23.6	5.5	--	5.2	2.6
Russell MidCap Growth	11.2	(10.3)	(1.7)	22.1	2.4	--		
Artisan Mid Cap Value	13.2	(3.6)	6.4	--	--	--	24.8	27.1
Russell MidCap Value	13.4	(7.6)	(1.4)	--	--	--		
Royce: Small-Cap	17.9	(15.0)	(12.9)	23.8	0.2	11.0	11.0	9.0
Russell 2000	15.5	(9.8)	(4.2)	15.6	0.2	9.0		
Delaware: Int'l Value	4.2	(11.2)	(3.7)	5.7	(3.8)	8.2	6.2	3.8
Artio Int'l Growth	1.4	(23.3)	(21.8)	--	--	--	8.7	15.0
MSCI EAFE	3.4	(16.2)	(11.7)	8.2	(4.3)	7.7		
State Street: Emerging Markets	6.0	(18.8)	(18.4)	18.6	0.5	15.5	15.5	16.7
MSCI EM (Emerging Markets)	4.5	(19.0)	(18.2)	20.4	2.7	16.7		
PIMCO Total Return Fund	2.2	1.1	4.2	--	--	--	6.5	7.2
Pioneer Strategic Income	2.4	0.1	3.5	--	--	--	7.7	7.2
Barclays Capital U.S. Aggregate	1.1	5.0	7.8	6.8	6.5	--		
GMO: Global Fixed Inc	0.9	3.3	8.5	14.2	5.3	6.8	6.8	6.5
Citigroup World Govt Bond Index	(0.1)	2.3	6.4	4.7	7.1	6.5		
GMO: Emerging Mkt Fixed Inc	6.4	1.7	7.5	26.6	8.1	13.8	13.8	10.3
JPM EMBI Global Diversified	4.7	2.5	7.3	16.1	7.9	10.3		
Combined Alternatives (1 mo lag)	(3.1)	(5.3)	(2.5)	--	--	--	0.7	0.1
HFRI FOFs Index (1 mo lag)	(2.7)	(4.9)	(3.1)	--	--	--		

1 Annualized

2 Total BOV Account 7/1/96; Blackrock Large Cap Value 5/1/06; Aletheia Large Cap Growth 1/1/08; Wells Fargo MidCap 4/1/06; Artisan Mid Cap 4/1/09; Royce 1/1/03; Delaware Int'l 7/1/96; Artio Int'l 4/1/09; State Street Emerging Mkts 1/1/03; PIMCO Total Return Fund and Pioneer Strategic Income Fund 1/1/10; GMO Global Fixed 1/1/03; GMO Emerging Mkt Fixed 1/1/03; Combined Alternatives(1/1/10)

3 From 11/1/09, 25% S&P 500, 12% Russ Midcap, 7% Russ 2000, 9% MSCI EAFE, 2% MSCI Emerging Mkts Free, 30% Barclays Capital U.S. Aggregate, 5% Citi World Government Bond Index, 5% JPM EMBI Global Diversified, 5% HFRI Index; From 1/1/03, 40% S&P 500, 12.5% Russ Midcap, 7.5% Russ 2000, 10% MSCI EAFE, 4% MSCI Emerging Mkts Free, 20% Barclays Capital U.S. Aggregate, 2.5% Citi World Government Bond Index, 2.5% JPM EMBI+; Prior to 1/1/03, 60% Russell 3000, 15% MSCI World Ex-US, 25% Barclays Capital Aggregate Bond Index.

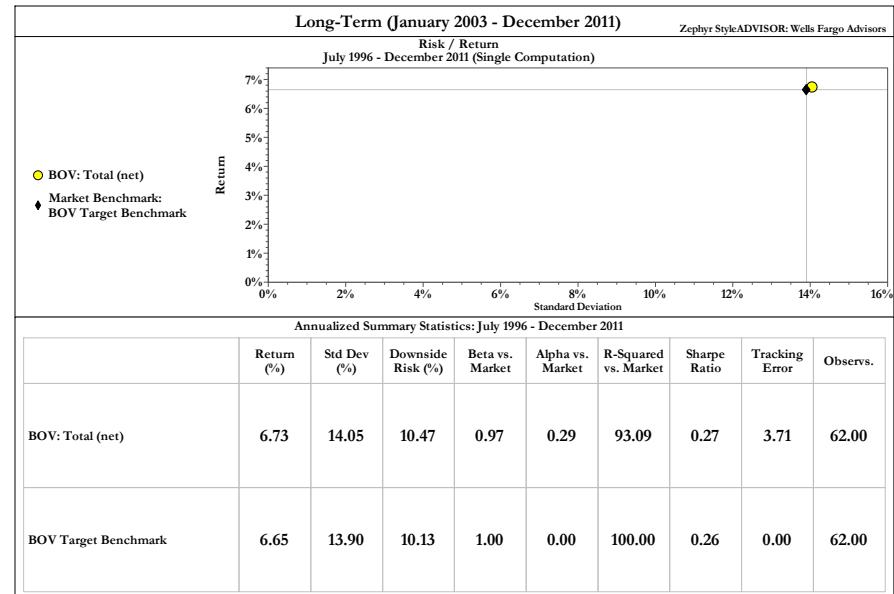
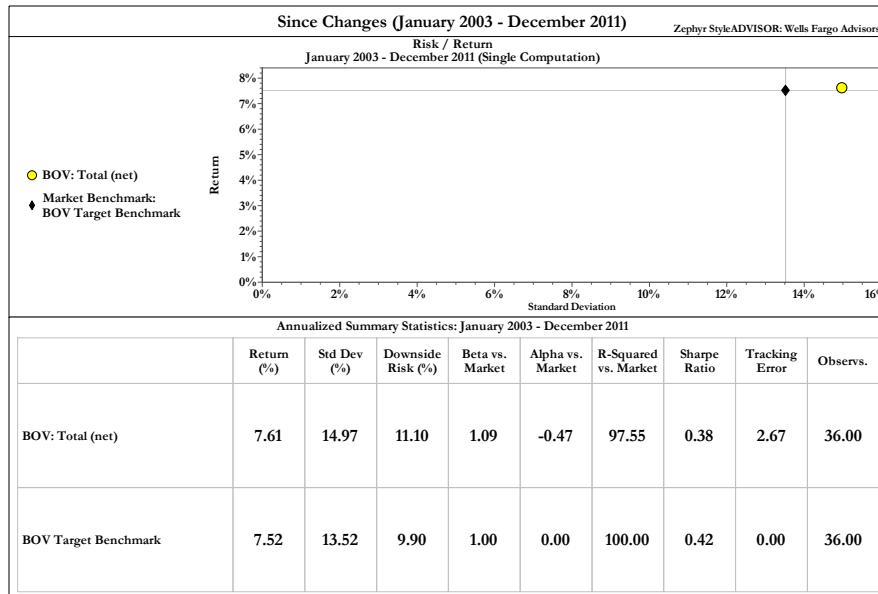
+ Quarterly performance results prior to the third quarter of 2002, were provided by Delaware Investments Advisors and Lazard Asset Management. There were no calculations by Wells Fargo Advisors to ensure the accuracy of the results. Based on information provided by SunTrust, Wells Fargo Advisors began calculating quarterly results starting in the 4th quarter of 2002. There is no guarantee as to the accuracy of our calculations for the managers or the Total BOV Account.



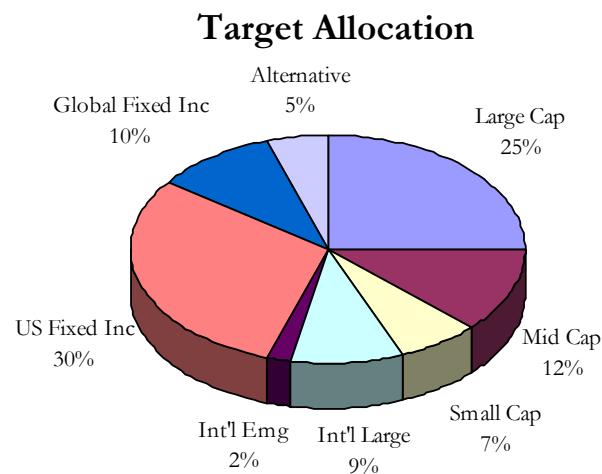
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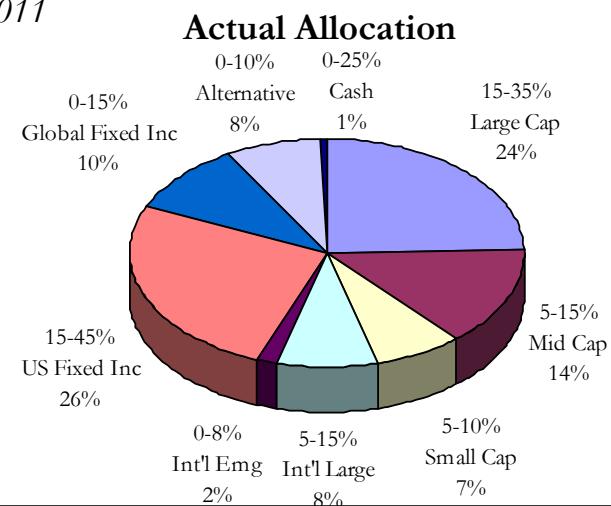
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* BOV Target Benchmark = From 1/1/03, 40% S&P 500, 12.5% Russell Midcap, 7.5% Russell 2000, 10% MSCI EAFE, 4% MSCI Emerging Mkts Free, 20% Barclays Capital U.S. Aggregate, 6% Citi World Government Bond Index. Prior to 1/1/03, 60% Russell 3000, 15% MSCI World Ex-US, 25% Barclays Capital U.S. Aggregate Bond Index. From 11/1/09, 25% S&P 500, 12% Russell Midcap, 7% Russell 2000, 9% MSCI EAFE, 2% MSCI Emerging Mkts Free, 30% Barclays Capital U.S. Aggregate, 5% Citi World Government Bond Index, 5% JPM EMBI Global Diversified, 5% HFRI Fof Index.



As of December 31, 2011



<u>Manager</u>	Domestic Fixed Income	Global Fixed Income	Domestic Equity	Non-US Equity	Alternative	Cash Equiv.	Total
Aletheia	0	0	6,692,709	0	0	0	6,692,709
Blackrock	0	0	6,692,649	0	0	0	6,692,649
Delaware Investment Advisers	0	0	0	2,401,622	0	0	2,401,622
Grantham, Mayo	0	5,408,178	0	0	0	0	5,408,178
Artisan MC	0	0	3,693,103	0	0	0	3,693,103
Artio Int'l	0	0	0	2,032,126	0	0	2,032,126
Royce & Associates	0	0	3,983,965	0	0	0	3,983,965
State Street Global Advisors	0	0	0	1,004,264	0	0	1,004,264
Pimco Total Return Fund	7,162,180	0	0	0	0	0	7,162,180
Pioneer Strategic Income	7,056,891	0	0	0	0	0	7,056,891
Wells Capital	0	0	4,162,760	0	0	0	4,162,760
Cash & Equivalents	0	0	0	0	0	327,063	327,063
Private Equity Partners II	0	0	0	0	6,534	0	6,534
Combined Alternatives	0	0	0	0	4,271,295		4,271,295
Total BOV Account	14,219,071	5,408,178	25,225,187	5,438,012	4,277,829	327,063	54,895,340
% of Total Fund	25.9%	9.9%	46.0%	9.9%	7.8%	0.6%	

* Values (except "Alternatives") are reflected at market as reported by SunTrust; Alternatives are reported by Wells Fargo Advisors; beginning and ending market values include accrued income on fixed income assets only. Private Equity Partners II values were reported by W&M.

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	Beginning Market Value	Cash Additions	Cash Withdrawals	Fees (Custody + Inv. Mgmt)	Investment Gain/(Loss)	Ending Market Value	Total Time- Wtd Return (Net)	Benchmark Return (Gross)	Benchmark Value- Added
FY 2010	41,944,231	715,000	(1,148,238)	(127,790)	7,685,407	49,068,610	17.4%	15.5%	1.9%
FY 2011	49,068,610	820,000	(1,369,158)	(124,230)	10,876,205	59,271,427	22.6%	20.5%	2.1%
6/30-9/30	59,271,427	-	(227,125)	(23,399)	(7,512,890)	51,508,013	-12.7%	-8.7%	-4.0%
9/30-12/31	51,508,013	-	(734,359)	(20,265)	4,135,417	54,888,806	6.6%	6.4%	0.2%
12/31-3/31	54,888,806	-	-	-	-	-	-	-	-
3/31-6/30	-	-	-	-	-	-	-	-	-
FY 2012	59,271,427	-	(961,484)	(43,664)	(3,377,473)		-6.9%	-3.0%	-4.0%

•All account values (excluding “Alternatives”) are reported by SunTrust; “Alternative values are reported by Wells Fargo Advisors; to comply with GIPS Performance reporting standards, beginning and ending market values include fixed income accruals.

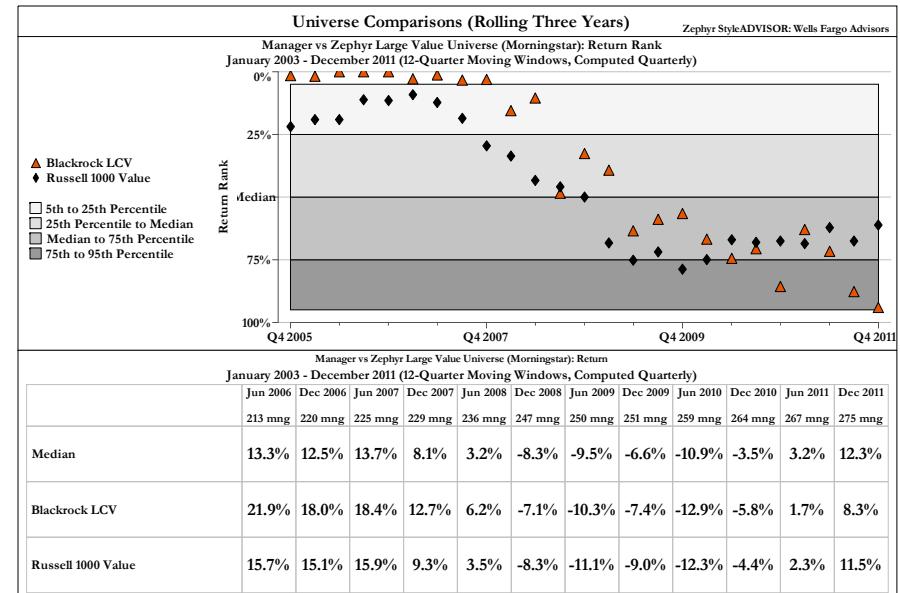
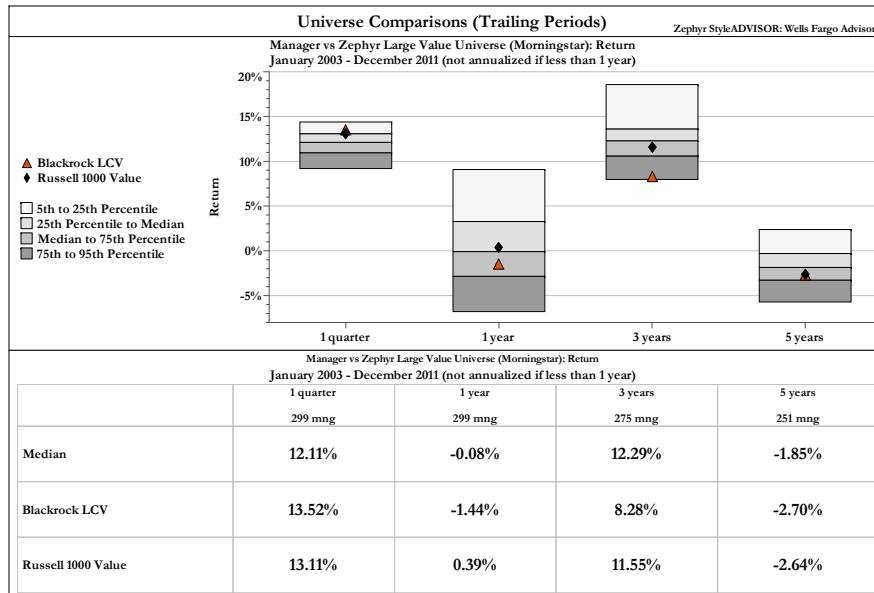
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•Ending value excludes PEP II.

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II. Equity Sector (Large-Cap Value*)

Periods Ending December 31, 2011 - Performance

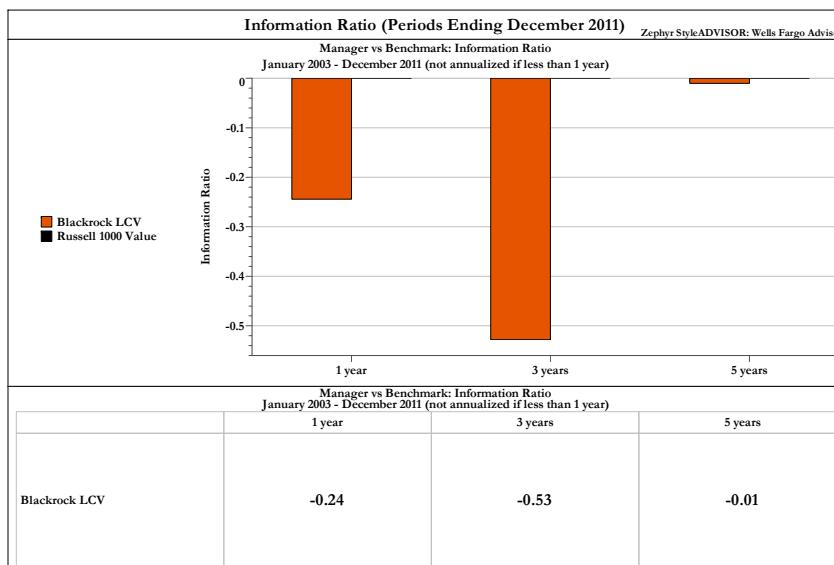
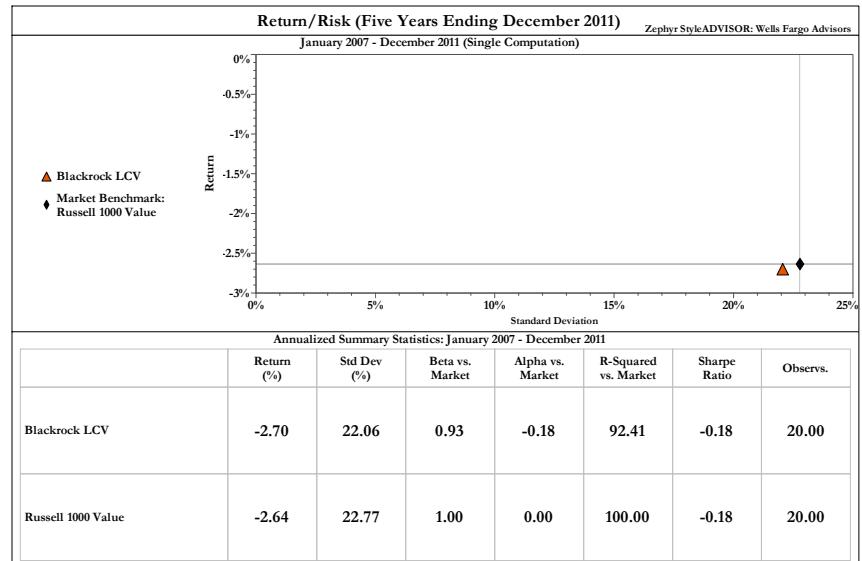
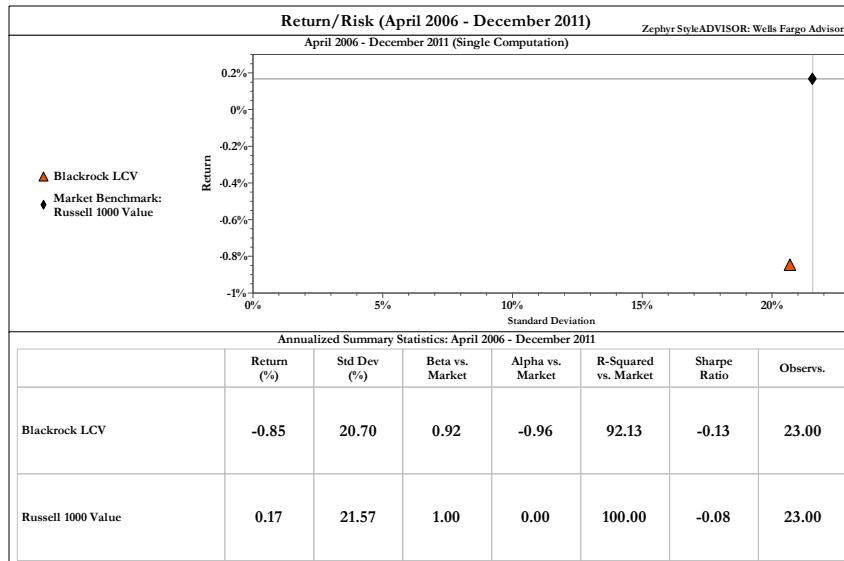


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* Please note that we have linked Blackrock's composite historical returns for periods prior to 5/1/06 with BOV actual results starting on May 1, 2006.

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Equity Sector (Large-Cap Value*)
Period Ending December 31, 2011– Risk Measures

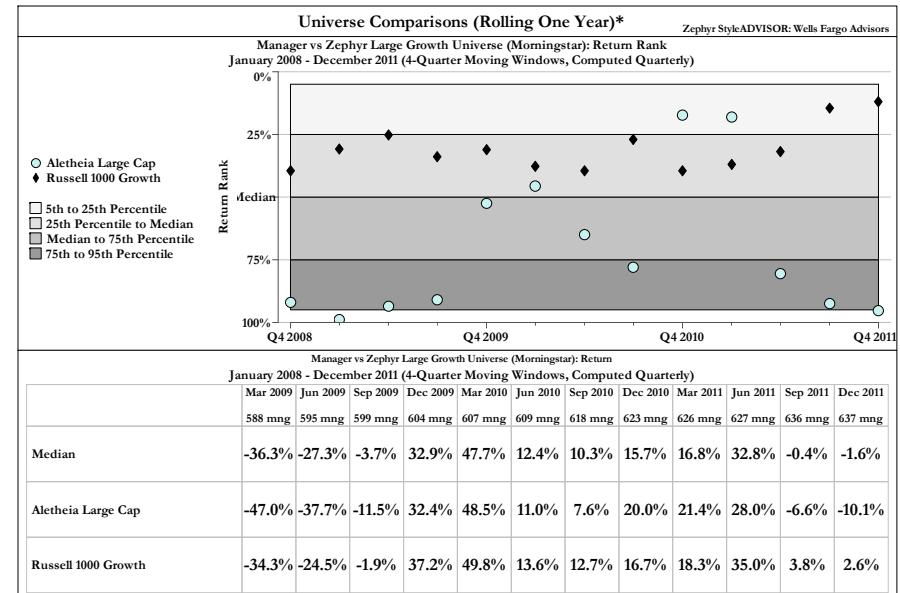
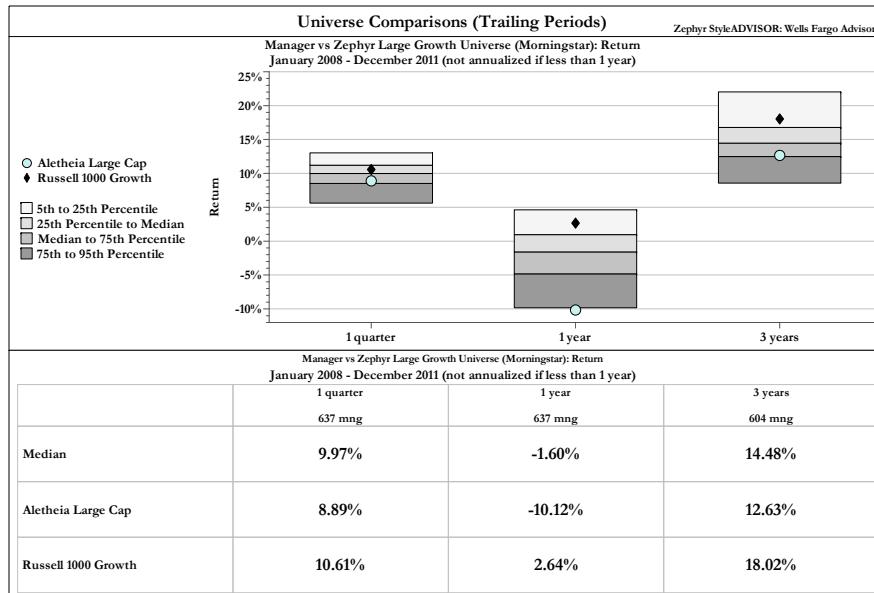


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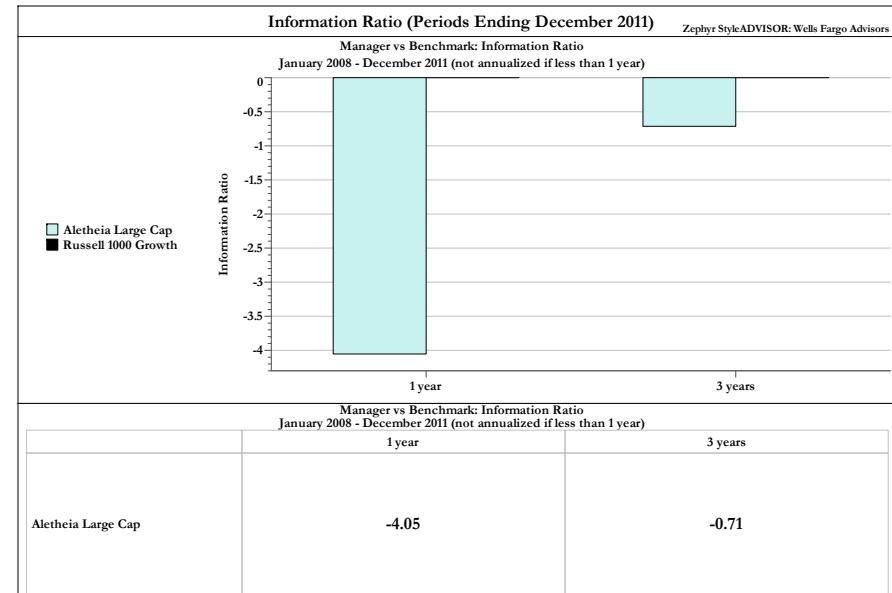
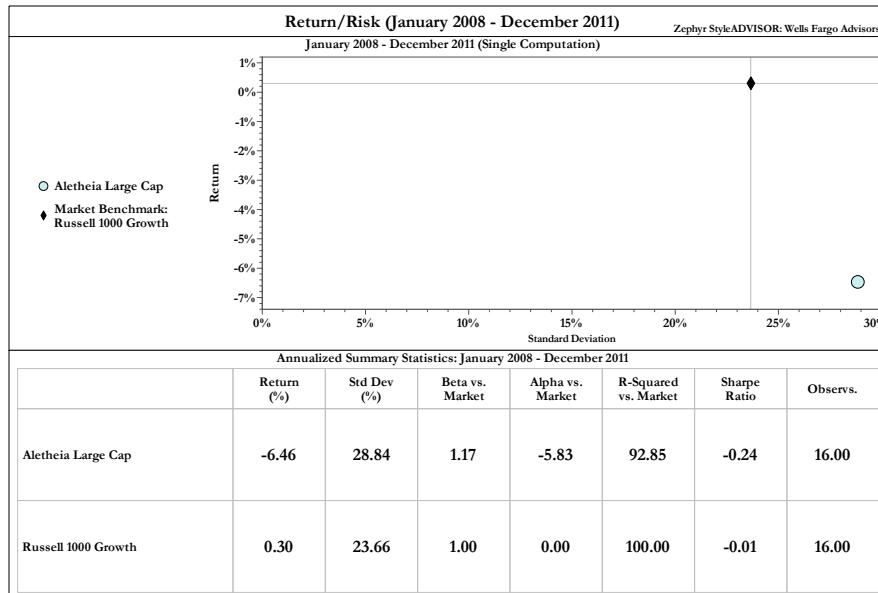
Equity Sector (Large-Cap Growth)
Periods Ending December 31, 2011 - Performance



*Longer time periods are shown for illustrative purposes.
Aletheia's actual performance began on 12/1/07

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Equity Sector (Large-Cap Growth)
Periods Ending December 31, 2011 - Performance



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*Longer time periods are shown for illustrative purposes.
Aletheia's actual performance began on 12/1/07

Characteristic	Blackrock	Aletheia	Combined BOV Large-Cap	S&P 500	Over/(Under) Weight
Median Cap (\$MM)	8,000	15,061	11,531	10,910	621
Avg Cap (\$MM)	31,054	61,878	46,466	92,950	(46,484)
Yield (%)	1.90	1.62	1.76	2.19	(0.43)
P/E Ratio	10.10	14.12	12.11	15.87	(3.76)
Price / Book	1.40	1.63	1.52	3.32	(1.80)
Beta (specific benchmark)	1.00	1.36	1.18	1.00	
R ² (specific benchmark)	0.93	0.91	0.92	1.00	
# of Stocks	100	66	166	500	

Blackrock

Top Ten Equity Holdings	% of Portfolio
PFIZER INC.	3.6
CONOCOPHILLIPS	2.3
BRISTOL-MYERS SQUIBB CO.	2.1
UNITEDHEALTH GROUP INC.	2.0
ELI LILLY & CO.	1.6
WELLPOINT INC.	1.4
MARATHON OIL CORP.	1.4
CHEVRON CORP.	1.4
AETNA INC.	1.4
ACE LTD.	1.3

Aletheia

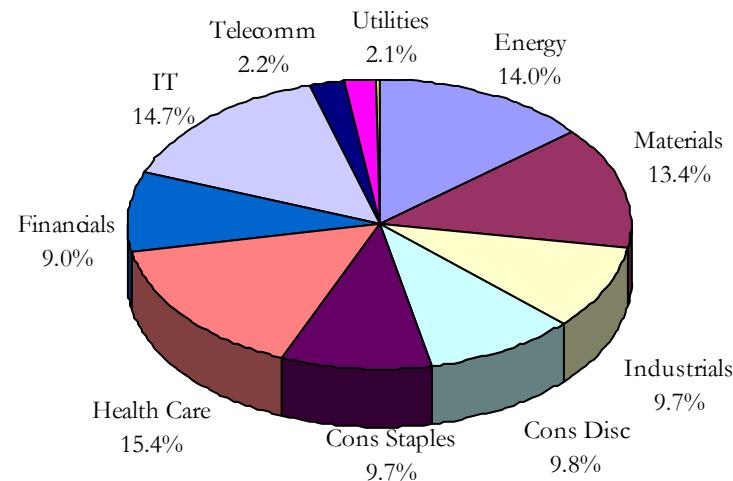
Top Ten Equity Holdings	% of Portfolio
INTERNATIONAL BUSINESS MACHINES	3.9
COCA-COLA CO	3.6
EXXON MOBIL CORPORATION COMMON	3.3
MCDONALDS CORP	3.3
BARRICK GOLD CORP COM	2.9
NOVAGOLD RES INC COM NEW	2.9
CANADIAN NATURAL RES LTD	2.8
BOEING COMPANY COMMON	2.6
NOBLE ENERGY INC COMMON	2.6
MOLYCORP INC	2.5

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Data Source: Blackrock, Aletheia

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Combined BOV Large-Cap Sector Distribution



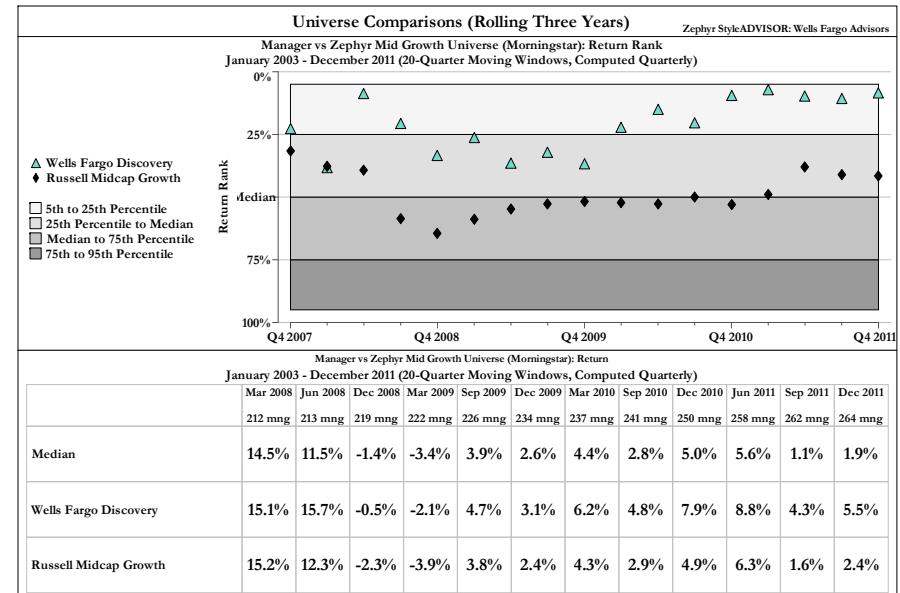
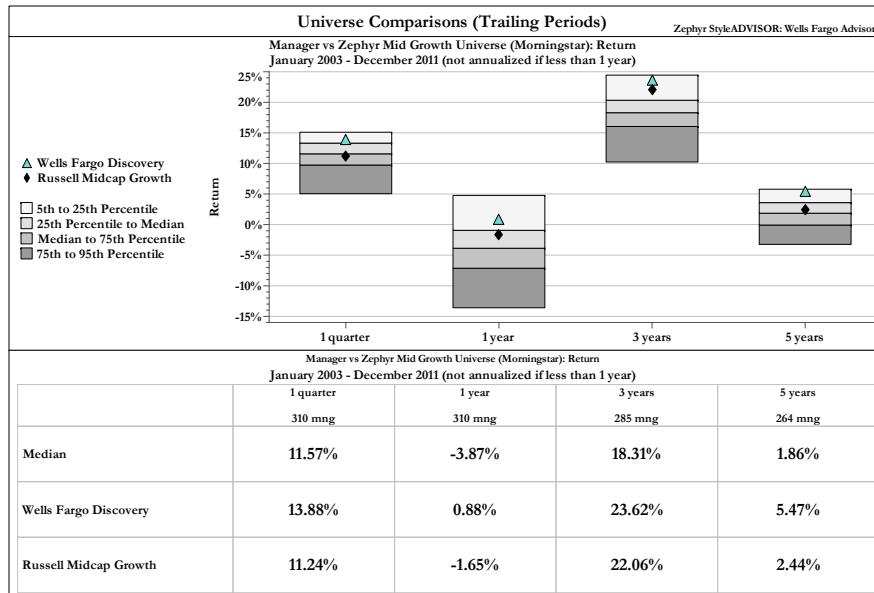
	Blackrock Weight	Aletheia Weight	Combined BOV Large-Cap	S&P 500 Weight	Over / (Under) Weight
Energy	8.7	19.3	14.0	12.3	1.7
Materials	3.6	23.1	13.4	3.5	9.9
Industrials	11.1	8.2	9.6	10.7	(1.1)
Consumer Discretionary	7.8	11.7	9.8	10.7	(0.9)
Consumer Staples	9.2	10.2	9.7	11.5	(1.8)
Health Care	23.2	7.6	15.4	11.9	3.5
Financials	14.2	3.8	9.0	13.6	(4.6)
Information Technology	14.5	14.8	14.7	19.0	(4.3)
Telecomm Service	2.9	1.4	2.1	3.0	(0.9)
Utilities	4.2	0.0	2.1	3.9	(1.8)

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Data Source: Blackrock, Aletheia

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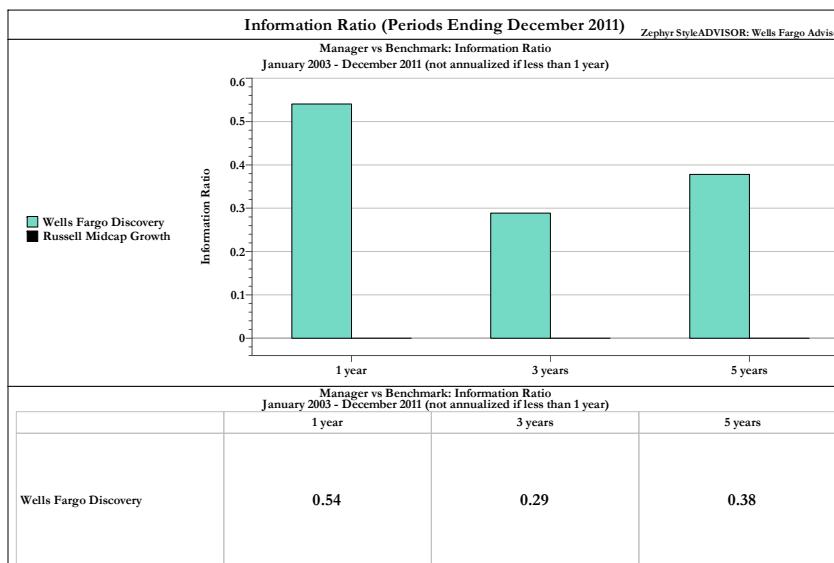
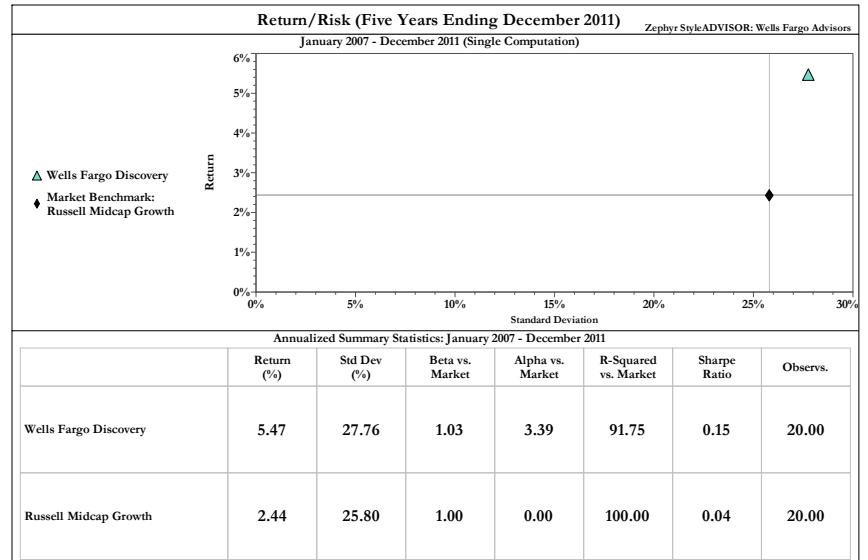
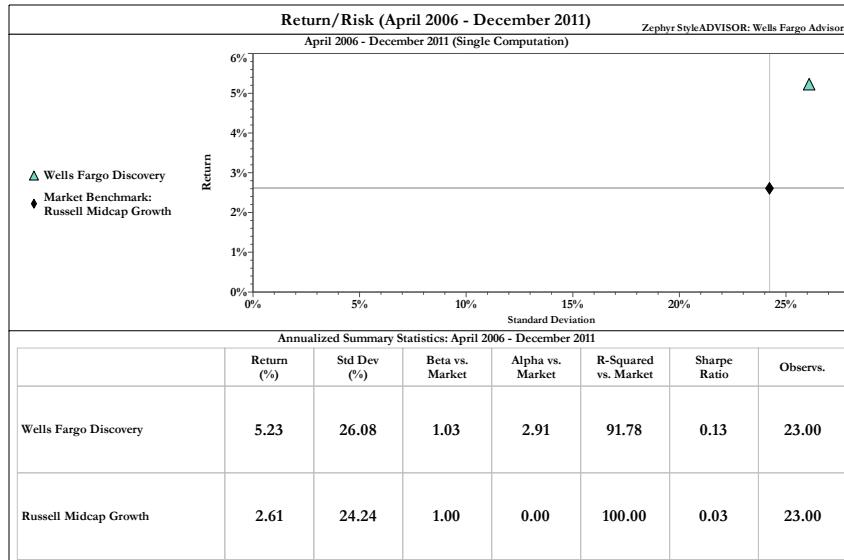
Equity Sector (Mid-Cap Growth*)
Periods Ending December 31, 2011 - Performance



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Equity Sector (Mid-Cap Growth*)
Periods Ending December 31, 2011– Risk Measures

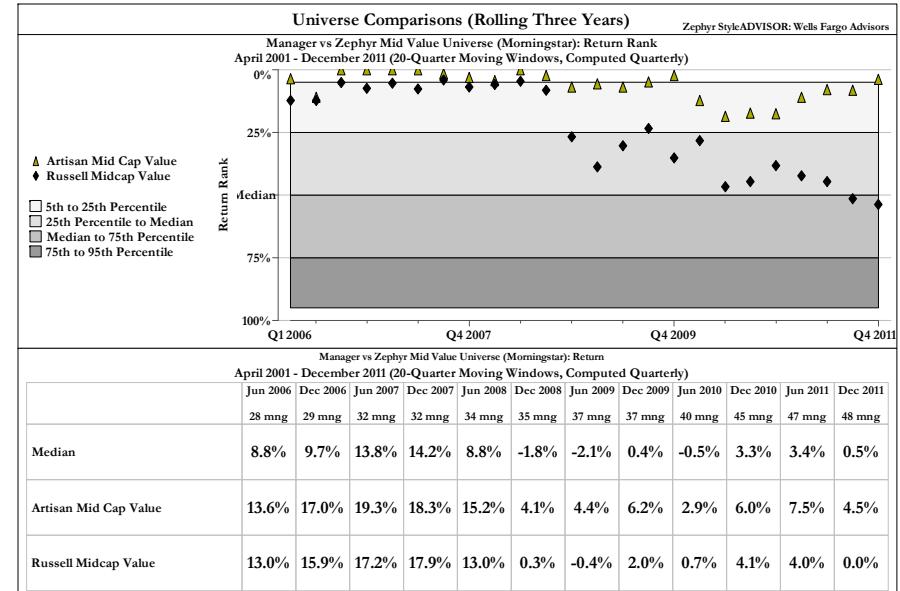
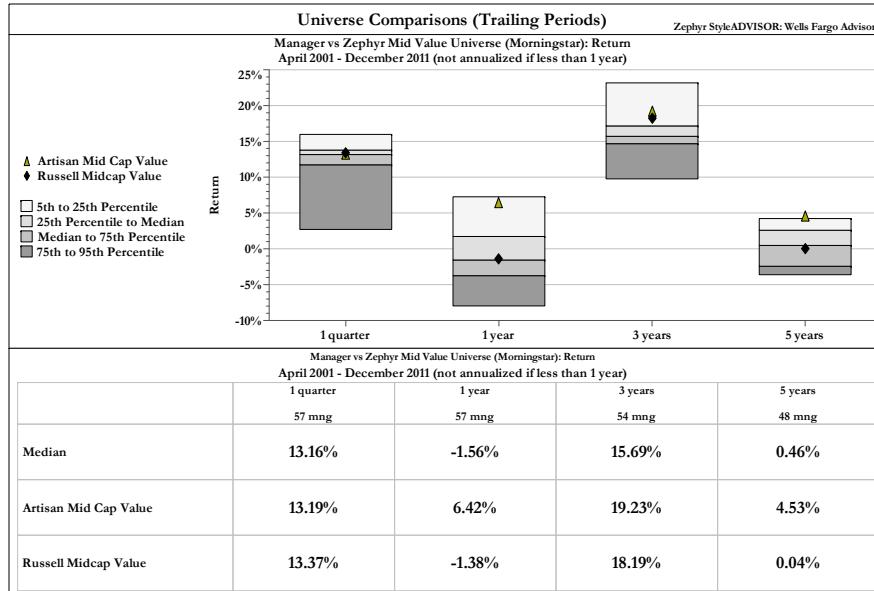


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Equity Sector (Mid-Cap Value*)
Periods Ending December 31, 2011 - Performance

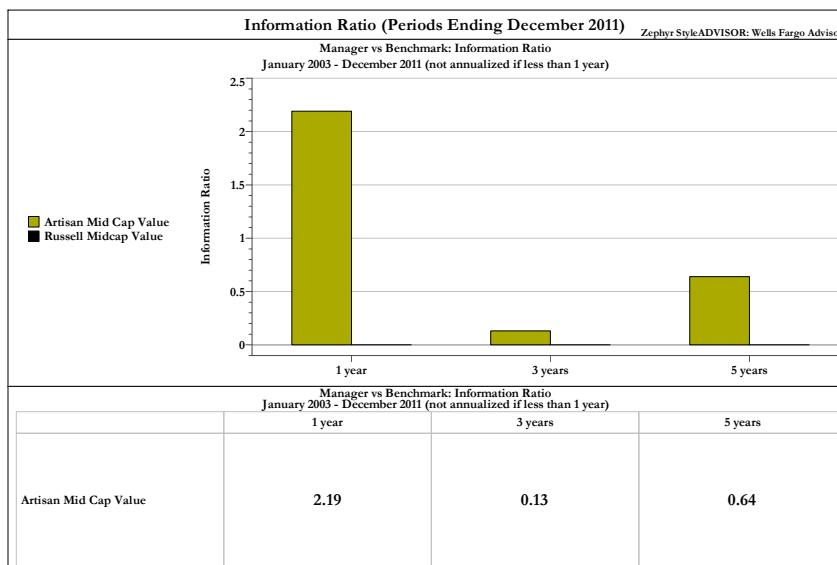
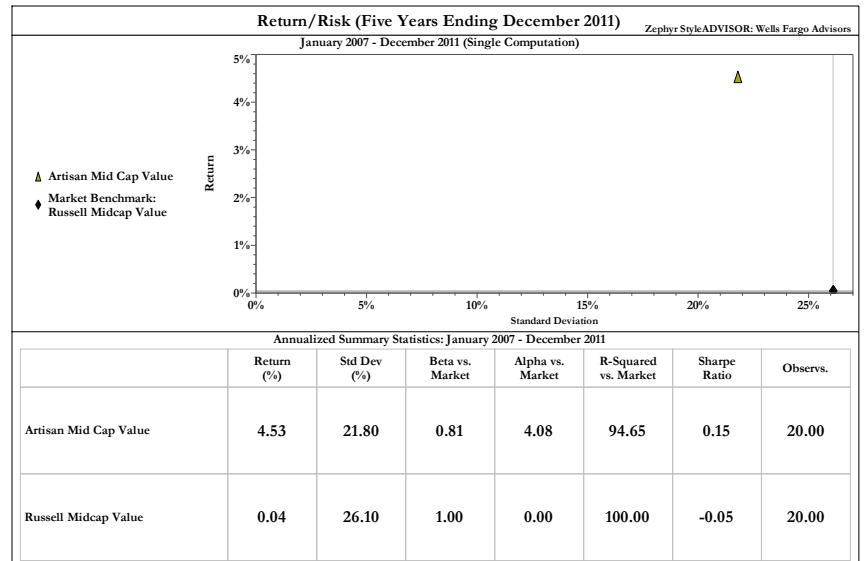
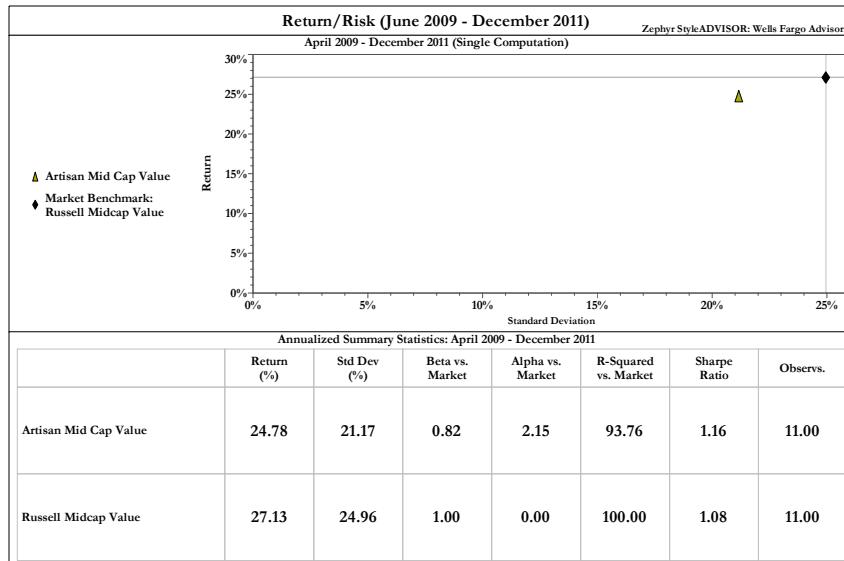


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Equity Sector (Mid-Cap Value*)
Periods Ending December 31, 2011– Risk Measures



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Characteristic	Wells	Artisan	Combined BOV Mid-Cap	Russell Mid- Cap	Over/(Under) Weight
Avg Cap (\$MM)	3,920	7,200	5,462	7,760	(2298)
Yield (%)	0.00	0.60	0.28	1.62	(1.34)
P/E Ratio	23.85	12.40	18.47	17.68	0.79
Price / Book	3.37	1.60	2.54	2.85	(0.31)
5 yr EPS Growth (%)	19.80	4.47	12.59	6.86	5.73
# of Stocks	83	57	140	783	

Wells Fargo

TEN LARGEST HOLDINGS	% of Portfolio
Kansas City Southern	3.7
TransDigm Group Incorporated	2.9
Airgas Incorporated	2.6
Equinix Inc	2.0
Gartner Incorporated	2.0
Alexion Pharmaceuticals Inc	1.9
Oil States International	1.9
Graco Incorporated	1.9
Wesco International	1.8
Triumph Group	1.7

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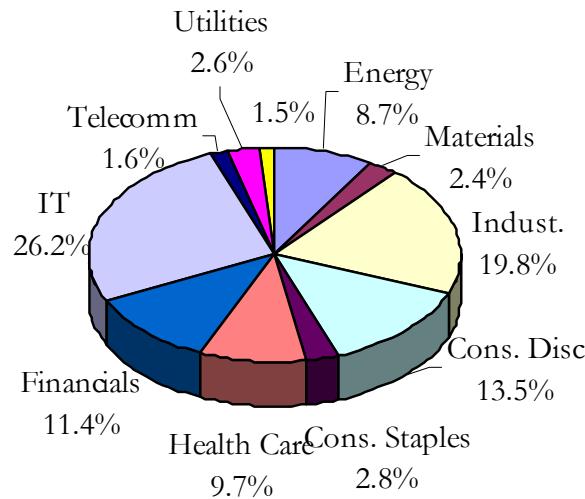
Data Source: Wells Fargo, Artisan, VESTEK

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Artisan Partners

Top Ten Equity Holdings	% of Portfolio
Avnet Inc	2.8
Arrow Electronics	2.6
The Progressive Corp	2.5
Cimarex Energy	2.5
Ingram Micro Inc	2.5
The Kroger Co	2.5
Alleghany Corp	2.4
Western Union	2.3
CIGNA Corp	2.3
Jacobs Engineering Group	2.3

BOV Mid-Cap Sector Distribution



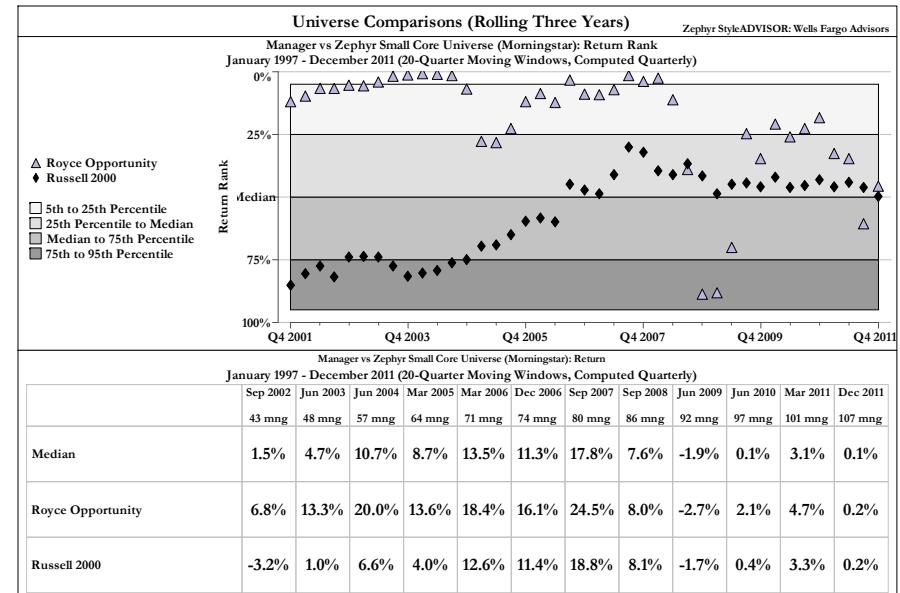
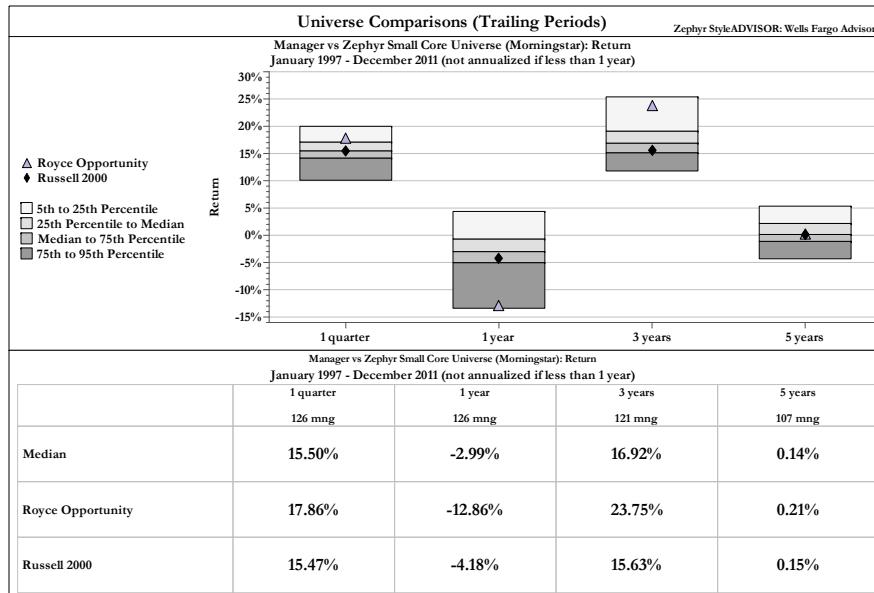
	Wells Fargo Weight	Artisan Weight	Combined BOV Mid-Cap	Russ Mid-Cap Weight	Over / (Under) Weight
Energy	8.6	8.9	8.7	8.1	0.6
Materials	4.5	0.0	2.4	6.6	(4.2)
Industrials	19.4	20.5	19.9	12.7	7.2
Consumer Discretionary	18.5	8.0	13.6	15.6	(2.0)
Consumer Staples	0.3	5.6	2.8	6.5	(3.7)
Health Care	15.6	3.1	9.7	9.6	0.1
Financials	3.2	20.8	11.5	19.1	(7.6)
Information Technology	25.2	27.6	26.3	13.0	13.3
Telecomm Service	3.0	0.0	1.6	1.2	0.4
Utilities	0.0	5.6	2.6	7.5	(4.9)

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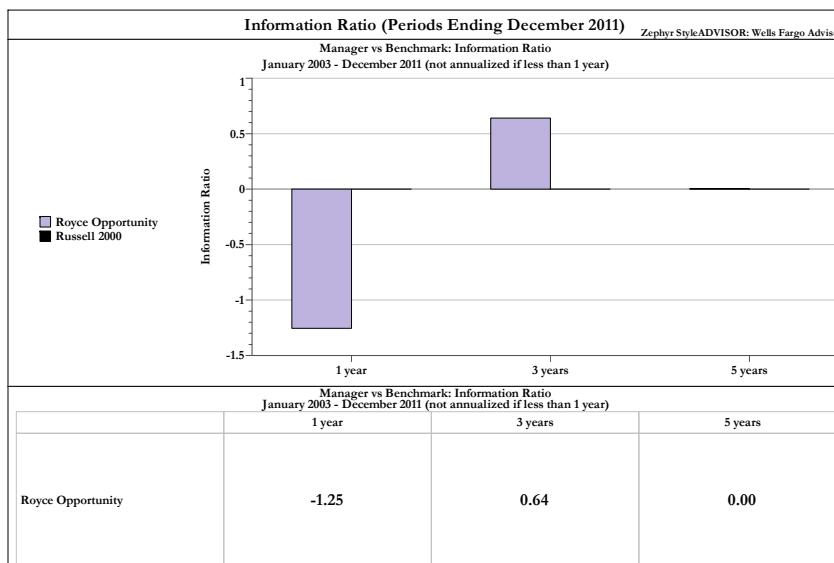
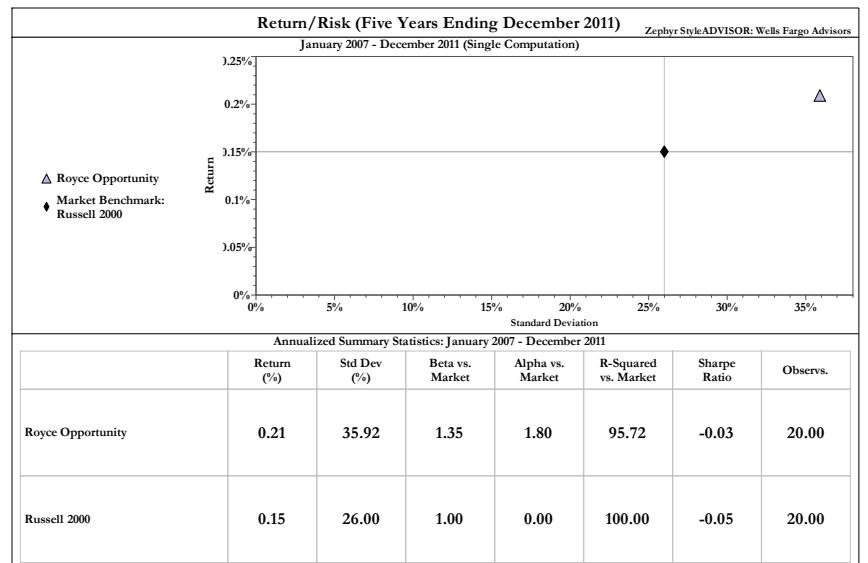
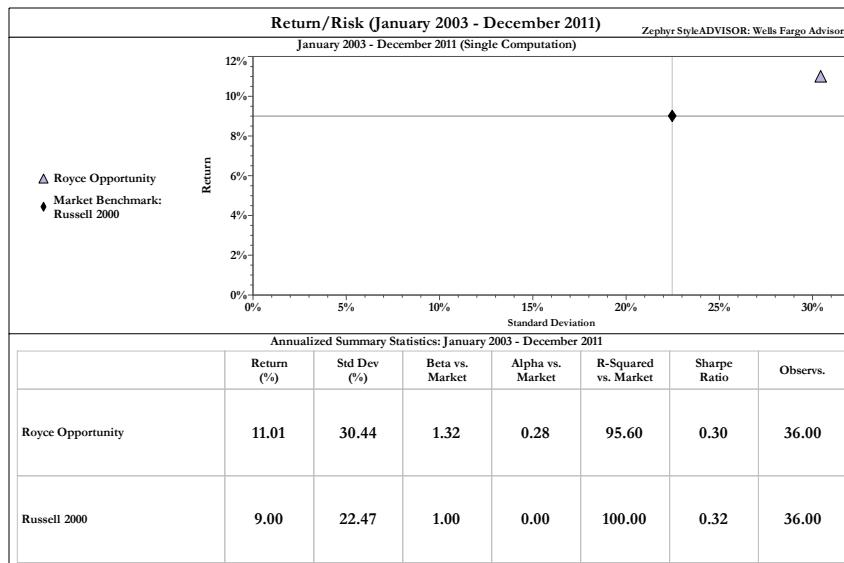
Data Source: Wells Fargo, Artisan, VESTEK

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Equity Sector (Small-Cap)
Periods Ending December 31, 2011 - Performance



Equity Sector (Small-Cap)
Periods Ending December 31, 2011– Risk Measures



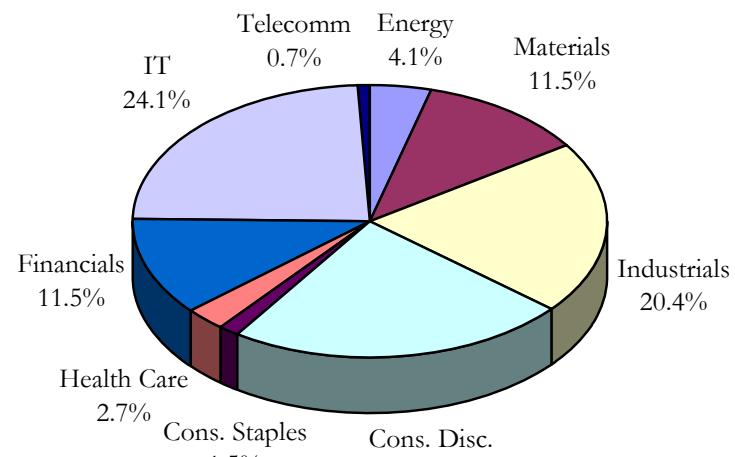
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Top Ten Equity Holdings	% of Portfolio
La-Z-Boy	0.8
Toll Brothers	0.8
Cost Plus	0.8
Trex Company	0.8
Albany International Cl. A	0.7
Kaiser Aluminum	0.7
The Jones Group	0.7
Apogee Enterprises	0.7
Nanometrics	0.7
LaSalle Hotel Properties	0.7

Characteristic	Royce	Russell 2000
Average Capitalization (\$MM)	562	1,230
Yield	0.0	1.3
P/E Ratio	13.2	15.9
Price/Book	1.1	2.8
# Holdings	305	1966

Sector Distribution



Sector Allocation	% of Portfolio	Russell 2000	Difference
Energy	3.9	6.7	(2.8)
Materials	11.0	4.5	6.5
Industrials	19.5	15.7	3.8
Consumer Discretionary	22.3	13.1	9.2
Consumer Staples	1.4	3.7	(2.3)
Health Care	2.6	12.7	(10.1)
Financials	11.0	22.2	(11.2)
Information Technology	23.0	17.2	5.8
Telecomm Service	0.7	0.8	(0.1)
Utilities	0.0	3.7	(3.7)

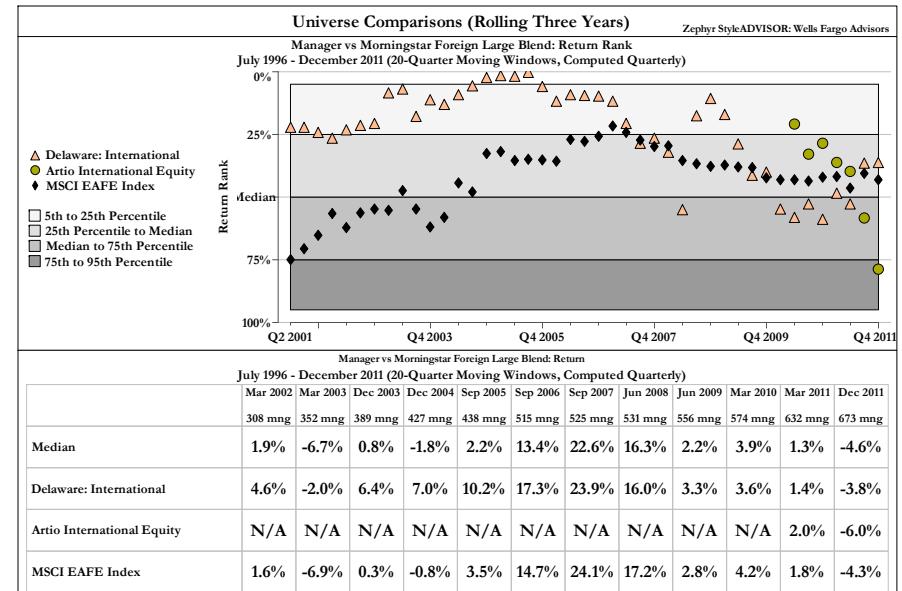
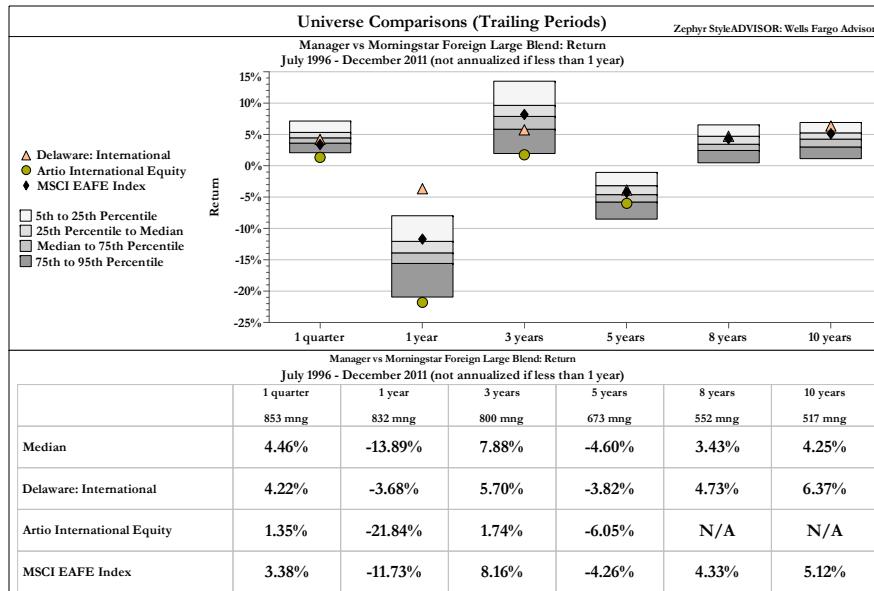
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* Source: Royce, VESTEK

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Equity Sector (International Developed)

Periods Ending December 31, 2011—Performance*



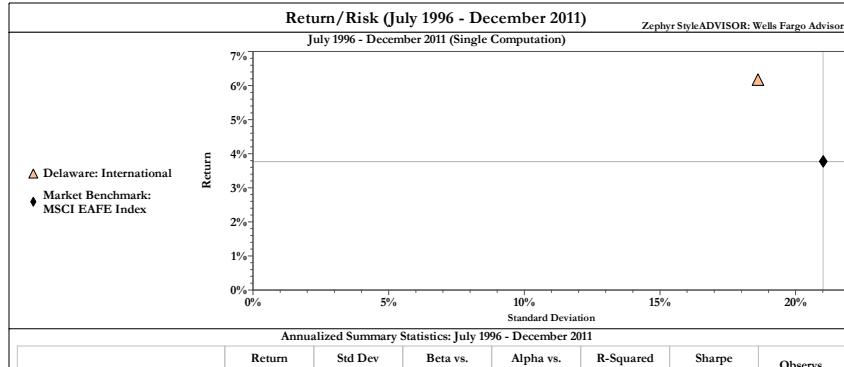
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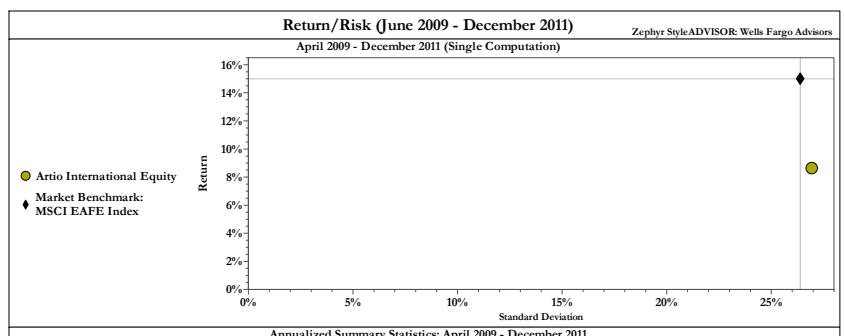
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Equity Sector (International Developed)

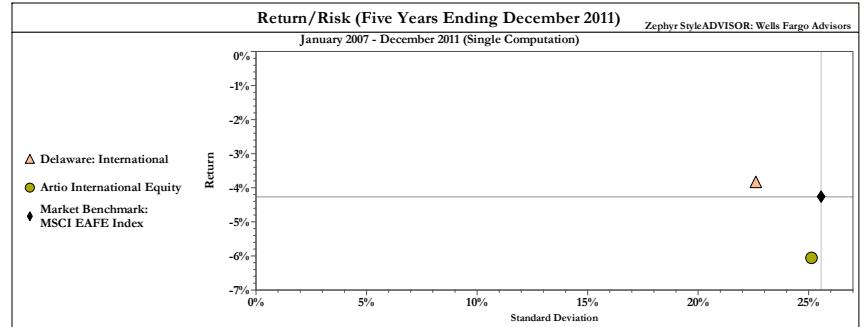
Periods Ending December 31, 2011– Risk Measures



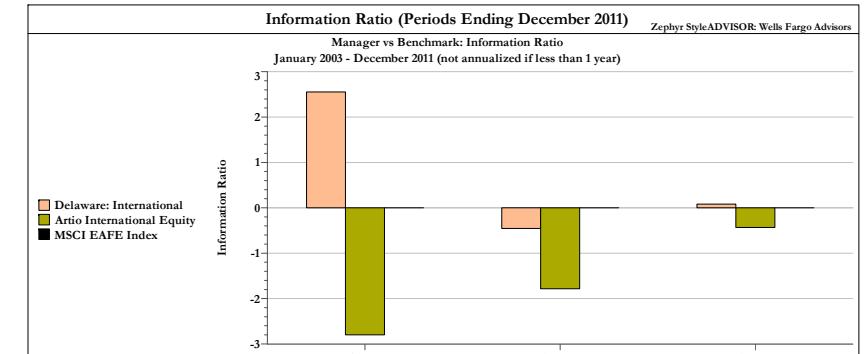
	Return (%)	Std Dev (%)	Beta vs. Market	Alpha vs. Market	R-Squared vs. Market	Sharpe Ratio	Observs.
Delaware: International	6.18	18.61	0.84	2.86	89.06	0.17	62.00
MSCI EAFE Index	3.77	21.01	1.00	0.00	100.00	0.04	62.00



	Return (%)	Std Dev (%)	Beta vs. Market	Alpha vs. Market	R-Squared vs. Market	Sharpe Ratio	Observs.
Artio International Equity	8.65	26.92	1.01	-5.63	98.09	0.32	11.00
MSCI EAFE Index	15.00	26.39	1.00	0.00	100.00	0.56	11.00



	Return (%)	Std Dev (%)	Beta vs. Market	Alpha vs. Market	R-Squared vs. Market	Sharpe Ratio	Observs.
Delaware: International	-3.82	22.60	0.87	-0.40	96.36	-0.23	20.00
Artio International Equity	-6.05	25.14	0.97	-1.92	97.41	-0.29	20.00
MSCI EAFE Index	-4.26	25.57	1.00	0.00	100.00	-0.22	20.00



	1 year	3 years	5 years
Delaware: International	2.56	-0.46	0.08
Artio International Equity	-2.80	-1.78	-0.43

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Characteristics

Characteristic	Delaware	Artio	Combined BOV Intl	MSCI EAFFE	Over/Under Weight
Avg. Capitalization (\$MM)	42,361	41,650	42,035	47,180	(5145)
Price/Book Ratio (x)	1.4	1.8	1.6	2.3	(0.7)
P/E Ratio (x)	12.8	12.8	12.8	13.3	(0.5)
Dividend Yield (%)	5.0	2.0	3.6	3.7	(0.1)
# of Holdings	52	150	202	925	(723)

Sector Distribution

Sector	Delaware Weight	Artio Weight	Combined BOV Weight	EAFFE Weight	Over / (Under)
Consumer Discret.	5.5	16.4	10.5	10.2	0.3
Consumer Staples	16.6	10.1	13.6	11.4	2.2
Energy	12.9	10.6	11.9	8.2	3.7
Financials	13.0	10.9	12.0	22.1	(10.1)
Health Care	16.6	13.1	15.0	9.7	5.3
Industrials	6.5	12.9	9.4	12.3	(2.9)
Info. Technology	7.0	4.0	5.6	5.0	0.7
Materials	2.5	10.0	5.9	10.0	(4.1)
Telecomm	13.2	4.5	9.2	6.2	3.0
Utilities	4.9	1.2	3.2	4.9	(1.7)

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Data Source: Delaware, Artio, MSCI EAFE

Delaware Top Ten

Top Ten Equity Holdings	% of Portfolio
Tesco	3.2
Canon	3.1
Unilever	3.1
Sanofi-Aventis	3.0
Novartis	3.0
Seven & I Holdings	3.0
Royal Dutch Shell	3.0
Total	2.9
Astellas Pharmaceutical	2.8
GlaxoSmithKline	2.8

Artio Top Ten

Top Ten Equity Holdings	% of Portfolio
Royal Dutch Shell	2.8
Vodafone Group	2.4
Fraport AG	2.3
BG Group	2.2
Novo Nordisk	2.0
BHP Billiton	1.8
Sberbank of Russian Federation	1.8
Suncor Energy	1.7
Novartis	1.6
Hang Lung Properties	1.6

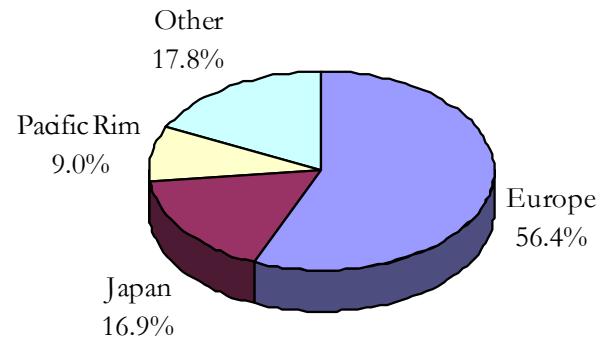
Country Distribution

Country	Delaware Weight	Artio Weight	Combined BOV Weight	EAFFE Weight	Over / (Under)
Australia	7.1	1.6	4.6	8.4	(3.8)
Austria	0.0	0.0	0.0	0.3	(0.3)
Belgium	0.0	0.0	0.0	1.0	(1.0)
Denmark	0.0	2.0	0.9	1.0	(0.1)
Finland	0.0	0.3	0.2	0.9	(0.7)
France	14.7	8.4	11.8	9.1	2.7
Germany	5.1	7.1	6.0	7.7	(1.7)
Greece	0.0	0.0	0.0	0.1	(0.1)
Hong Kong	1.7	3.1	2.3	2.7	(0.4)
Ireland	0.0	0.0	0.0	0.3	(0.3)
Italy	3.9	0.5	2.4	2.3	0.1
Japan	20.9	12.1	16.9	23.1	(6.2)
Netherlands	5.3	1.6	3.6	2.4	1.2
New Zealand	0.0	0.0	0.0	0.1	(0.1)
Norway	0.0	0.0	0.0	0.9	(0.9)
Portugal	0.0	0.0	0.0	0.3	(0.3)
Singapore/Malaysia	3.8	0.0	2.1	1.7	0.4
Spain	6.0	0.0	3.3	3.5	(0.2)
Sweden	0.0	1.3	0.6	2.9	(2.3)
Switzerland	6.4	7.4	6.8	8.6	(1.8)
United Kingdom	22.7	18.5	20.8	22.2	(1.4)
Other	2.4	36.0	17.8	0.5	17.3

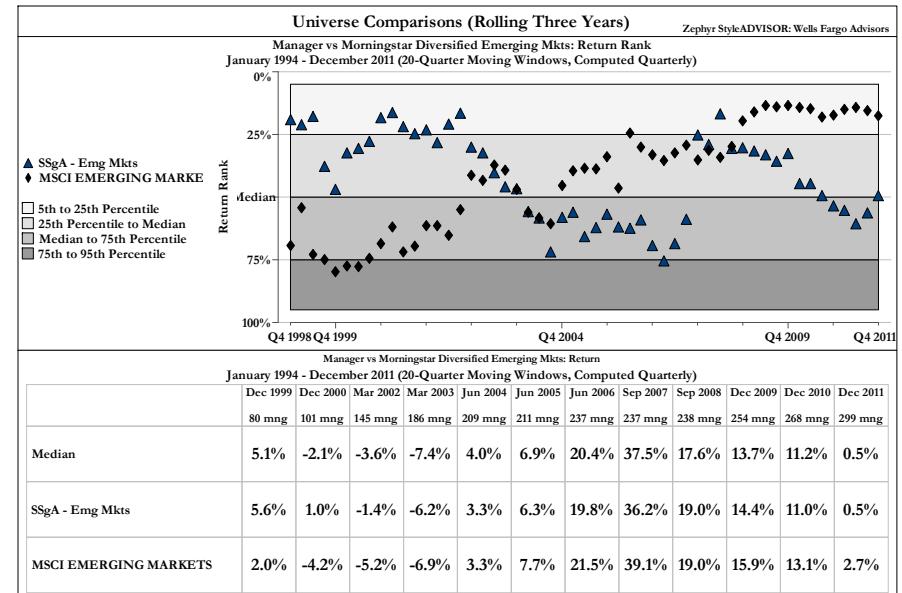
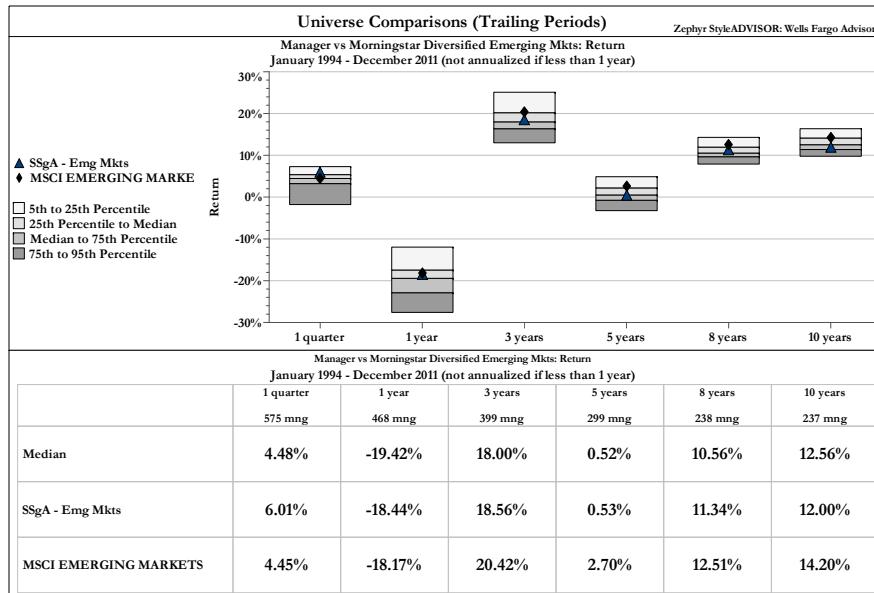
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Data Source: Delaware, Artio, MSCI EAFE

Regional Distribution
BOV Developed International



Equity Sector (Emerging Markets)
Periods Ending December 31, 2011 - Performance

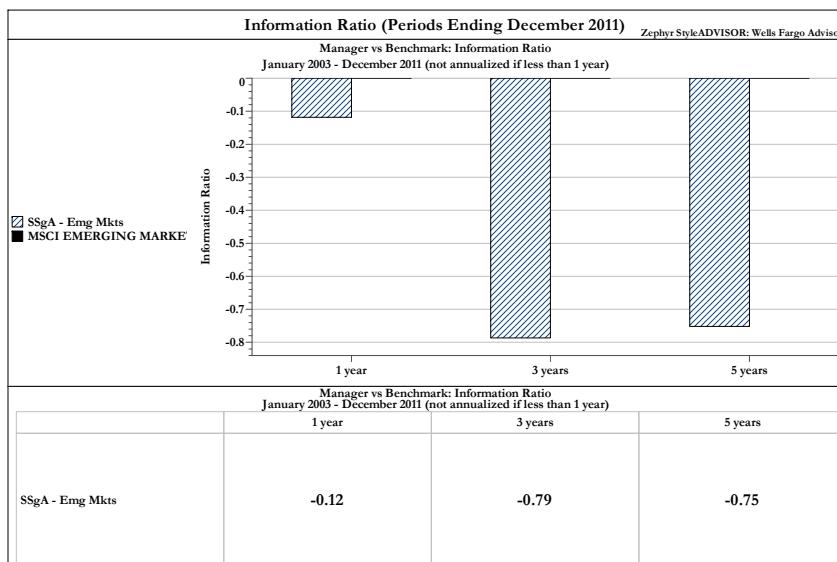
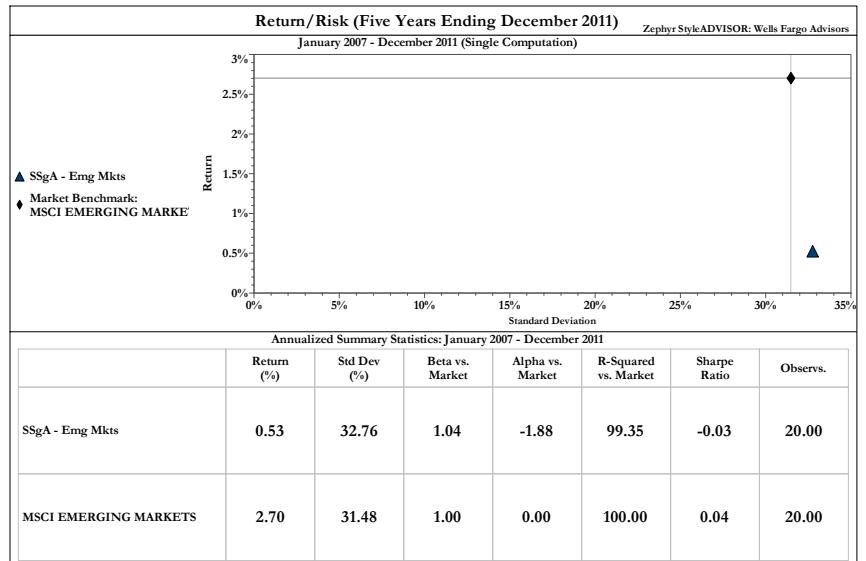
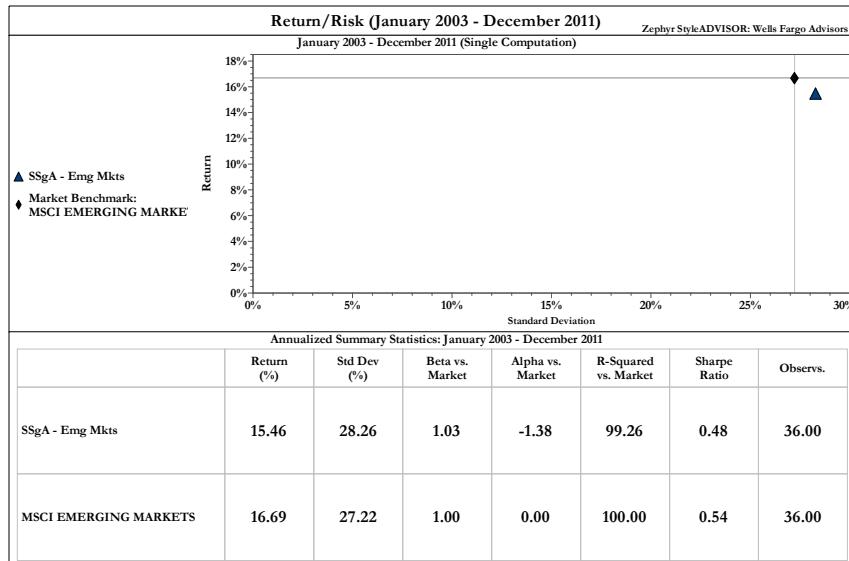


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Equity Sector (Emerging Markets)

Periods Ending December 31, 2011– Risk Measures

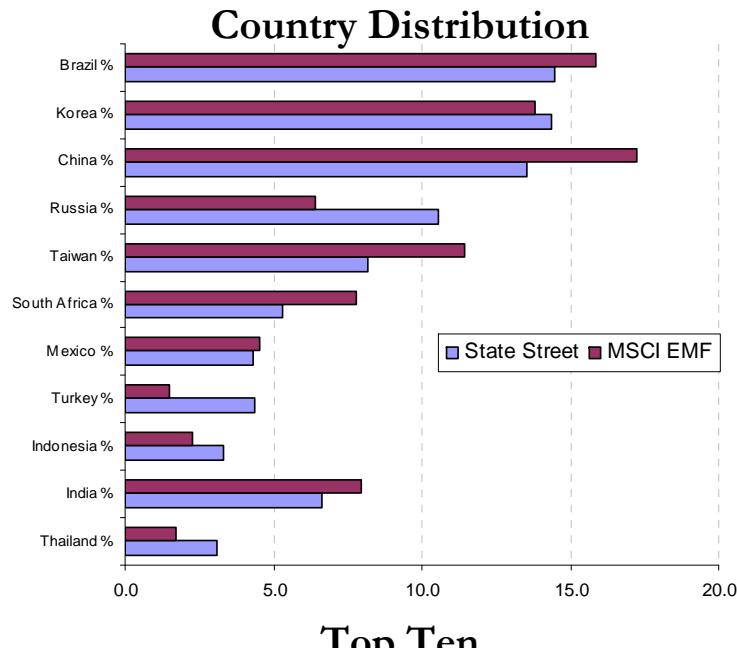


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Please note the data is as of September 30.

Data was not available in time for BOV meeting.



Top Ten

Top Ten Equity Holdings	% of Portfolio
VALE SA	2.99
SAMSUNG ELECTRONICS	2.68
AMERICA MOVIL	1.84
GAZPROM OAO-SPON ADR	1.75
CHINA MOBILE LTD	1.67
PETROLEO BRASILEIRO	1.56
CHINA CONSTRUCTION BANK CORP	1.22
TURKIYE GARANTI BANKASI	1.15
SBERBANK	1.15
TAIWAN SEMICONDUCTOR	1.09

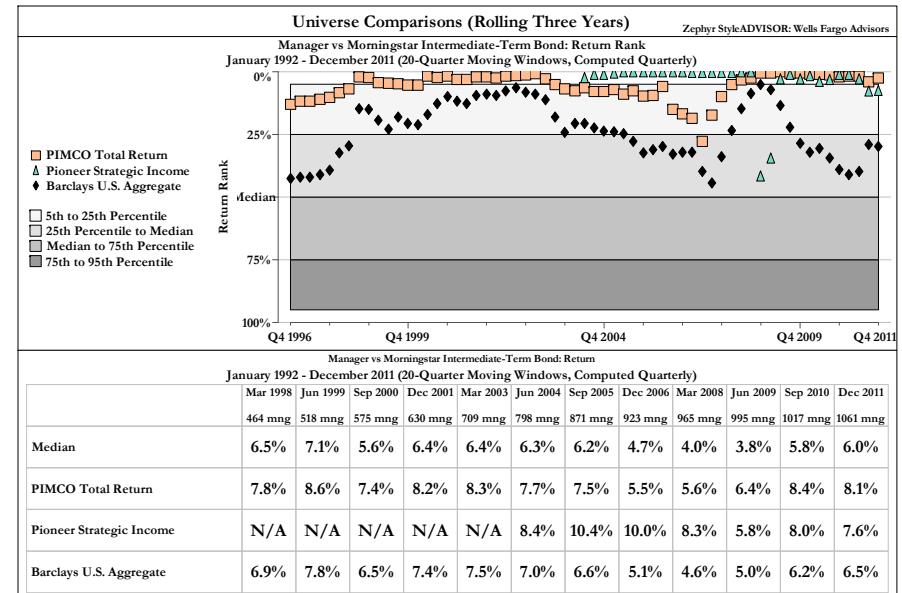
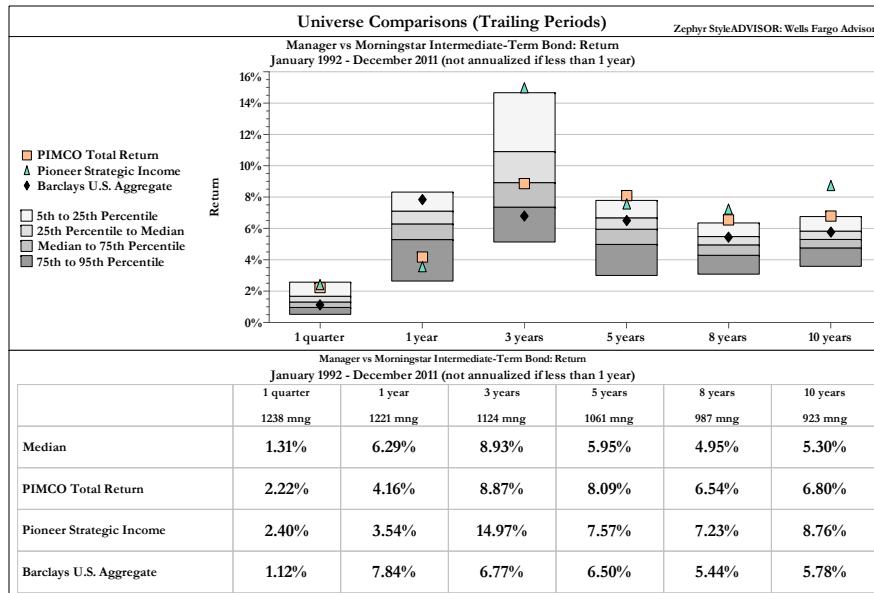
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Data Source: State Street, MSCI

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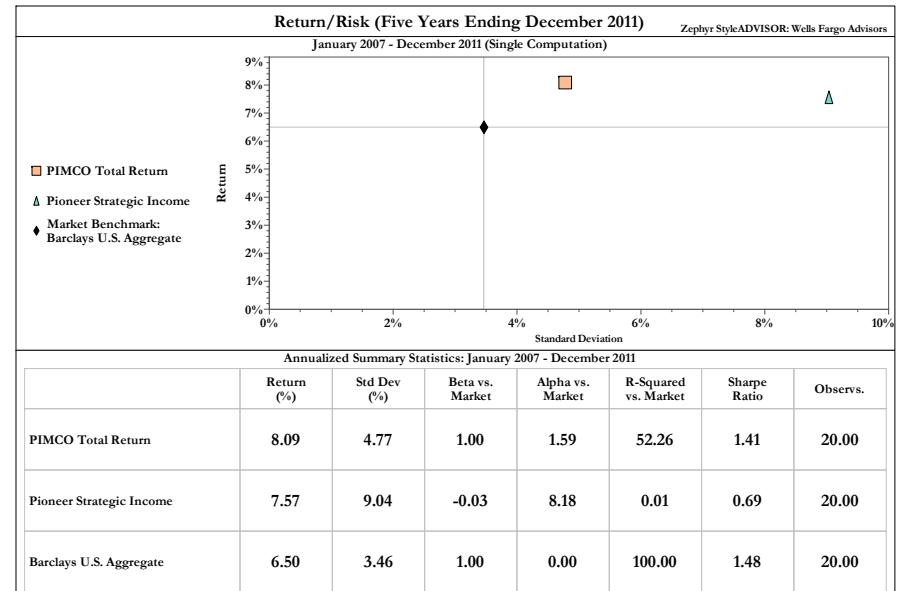
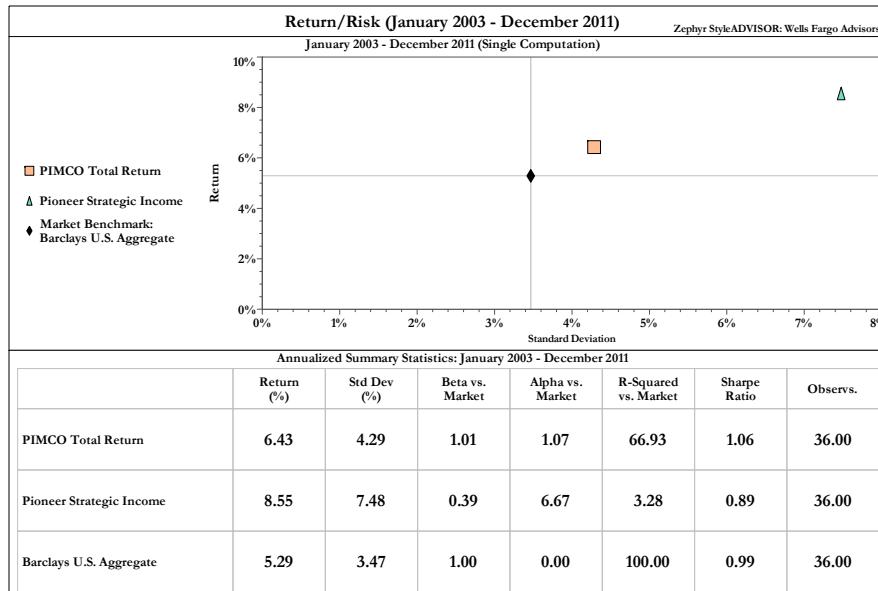
III. Fixed Income Sector (US Bonds)

Periods Ending December 31, 2011- Performance



*Longer time periods are shown for illustrative purposes.
PIMCO Total Return Fund and Pioneer Strategic Income Fund actual performance began on 11/3/09.

Fixed Income Sector (US Bonds)
Periods Ending December 31, 2011– Risk Measures



*Longer time periods are shown for illustrative purposes. PIMCO Total Return Fund and Pioneer Strategic Income Fund actual performance began on 11/3/09.

As of December 31, 2011

Sector Distribution

Sector Allocation	PIMCO Total Return	Pioneer Strategic Income	Fixed Combined	Barclays Aggregate	Over/(Under) Weight
U.S. Treasury/Agency	22.0	2.6	12.2	46.0	(33.8)
Corporate	21.0	74.8	48.1	19.9	28.2
Mortgage	38.0	20.3	29.1	31.8	(2.7)
Asset-Backed	0.0	0.0	0.0	0.2	(0.2)
Other	38.0	0.0	18.9	2.0	16.9
Cash & Equivalents	(19.0)	2.3	(8.3)	0.0	(8.3)

	PIMCO Total Return	Pioneer Strategic Income	Fixed Combined	Barclays Aggregate	Over/(Under) Weight
Modified Adj. Duration	7.02	3.79	5.39	4.91	0.5
Average Maturity	8.93	10.36	9.65	7.05	2.6

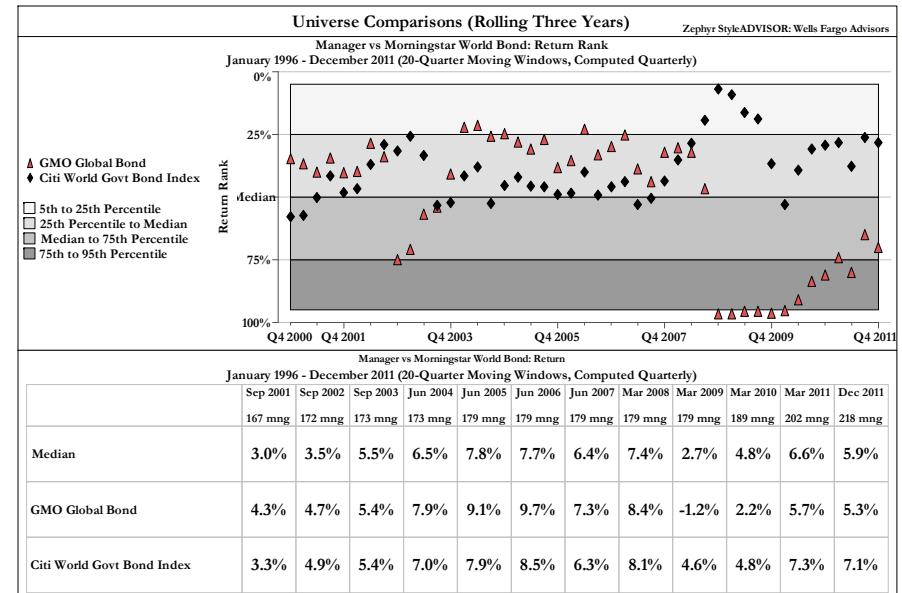
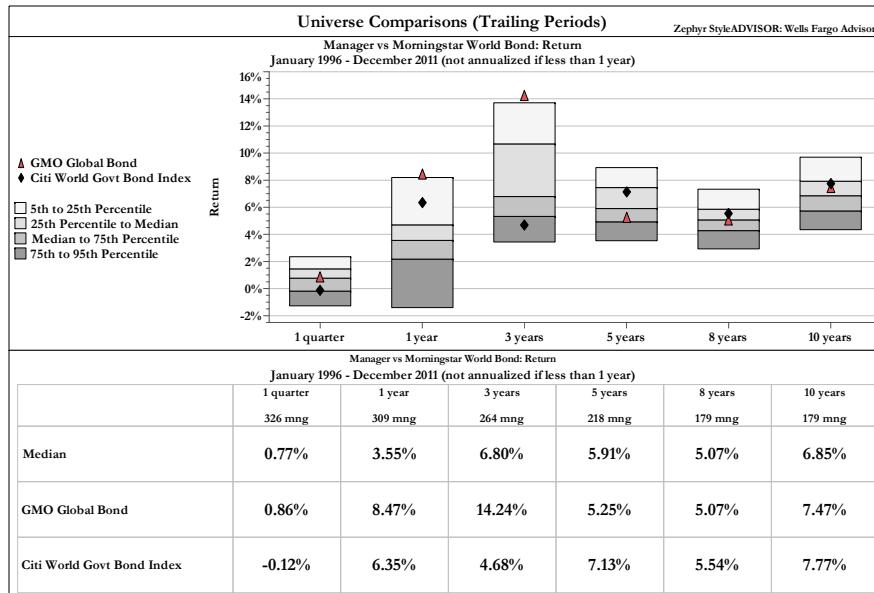
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Data Source: PIMCO, Pioneer, Barclays Capital

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Fixed Income Sector (Global Bonds)

Periods Ending December 31, 2011 - Performance

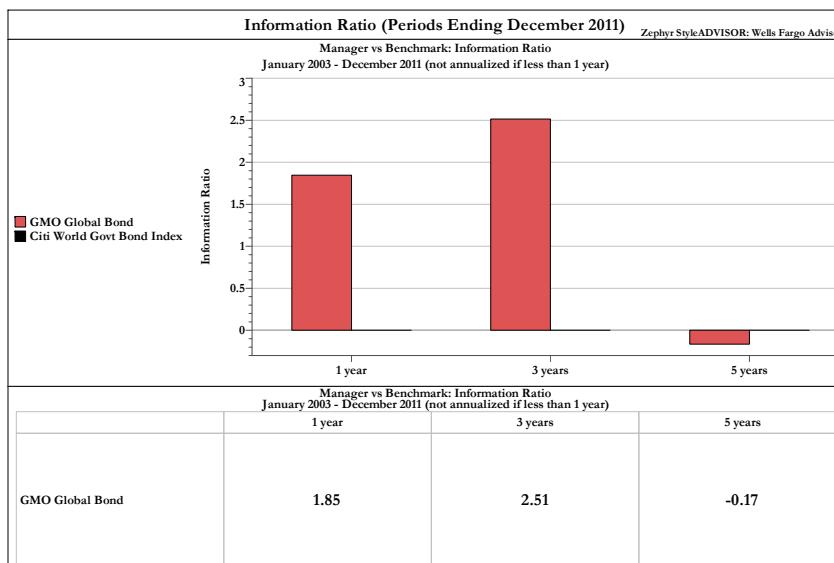
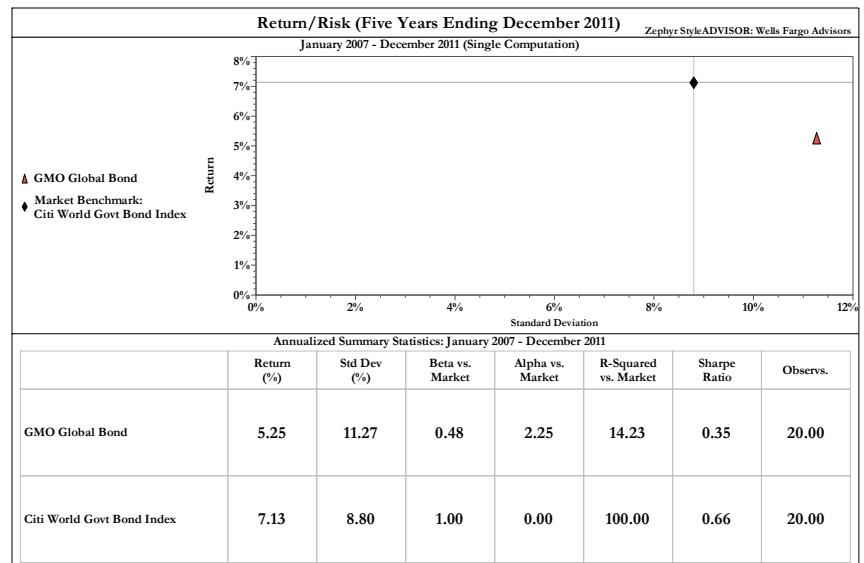
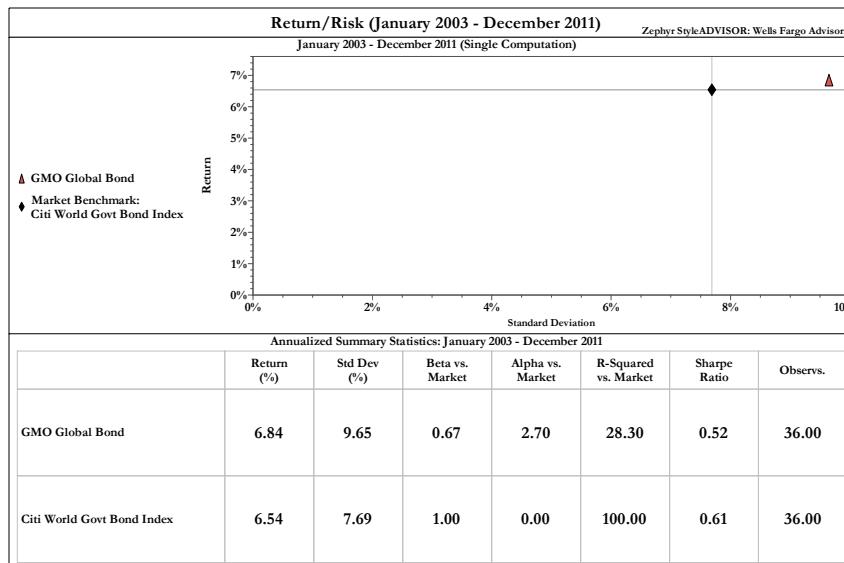


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Fixed Income Sector (Global Bonds)

Periods Ending December 31, 2011– Risk Measures



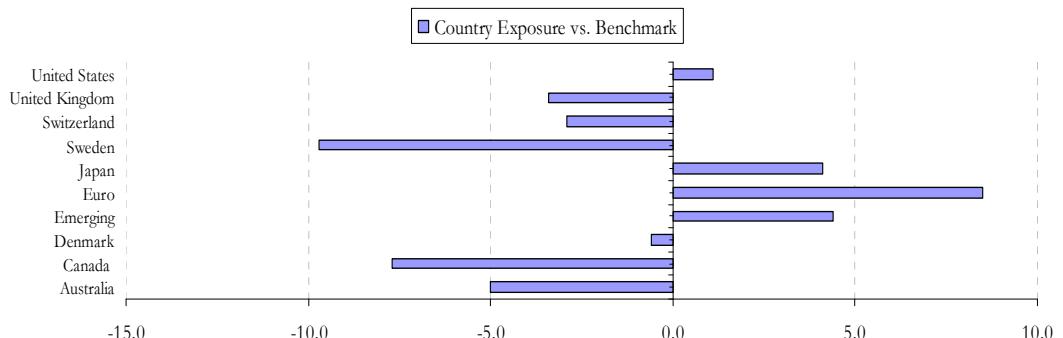
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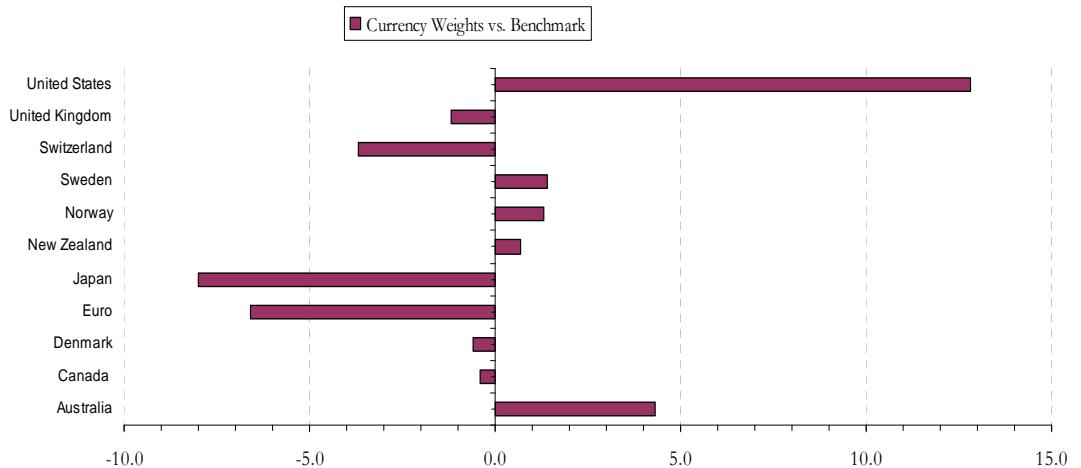
Basic Characteristics

Characteristic	Portfolio
Modified Duration	7.0
Average Coupon	2.7%
Average Maturity	7.5
Average Yield	5.2%
EM Country Exposure	3.6%

Country Exposure



Currency Exposure



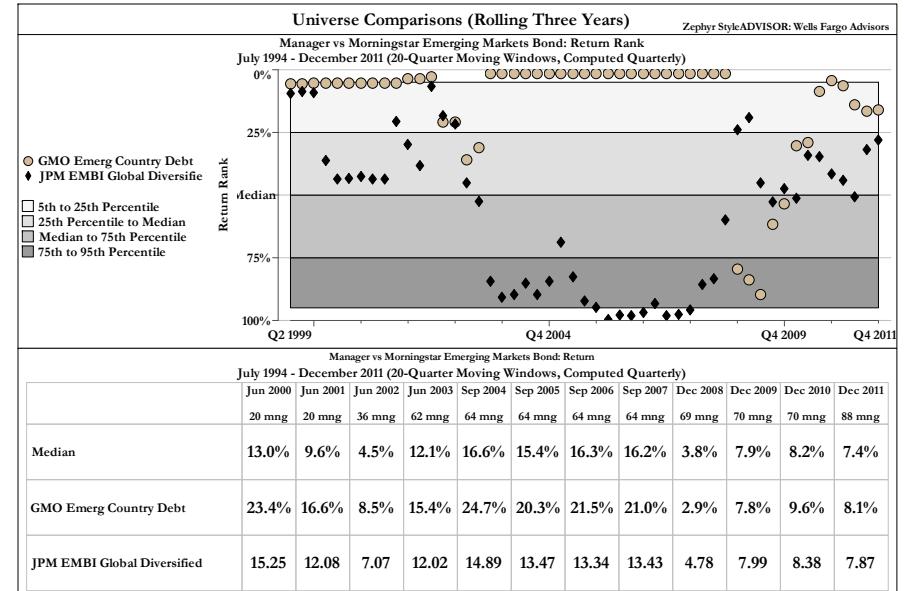
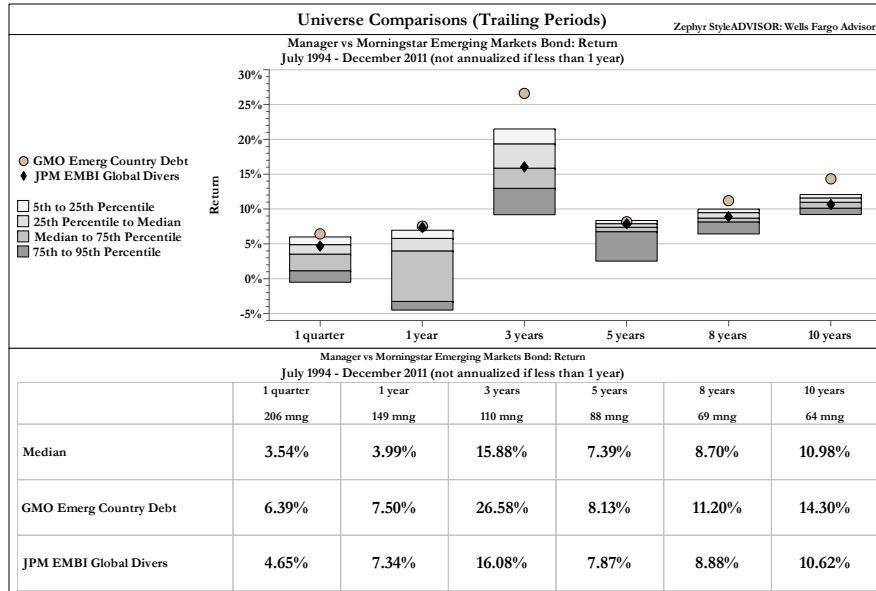
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Data Source: GMO

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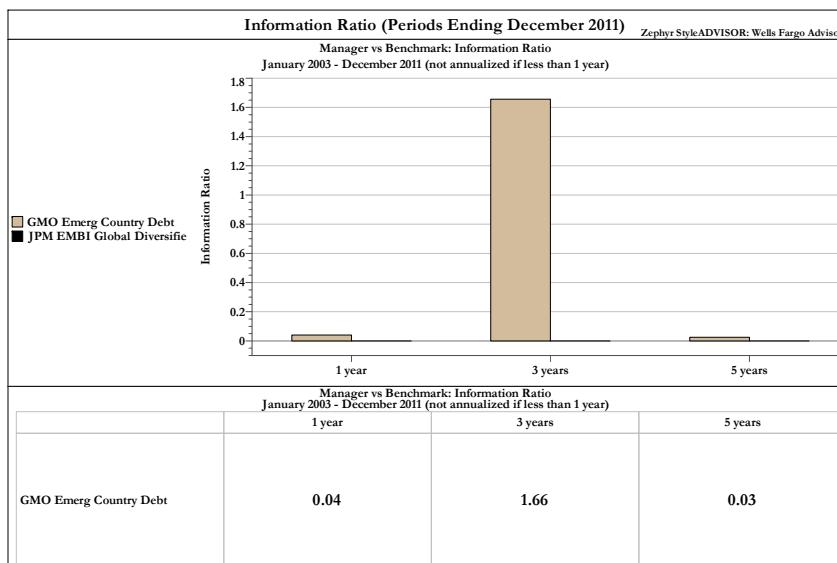
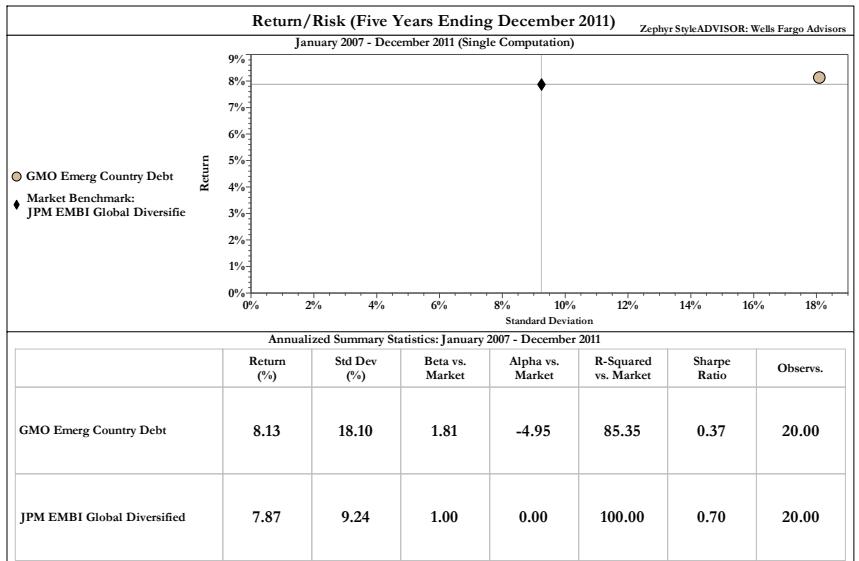
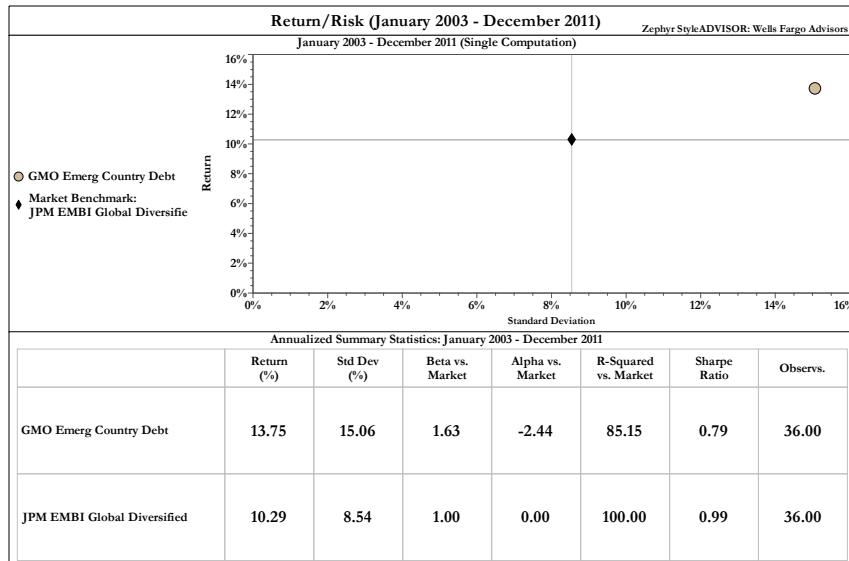
Fixed Income Sector (Emerging Market)

Periods Ending December 31, 2011 - Performance



Fixed Income Sector (Emerging Market)

Periods Ending December 31, 2011– Risk Measures



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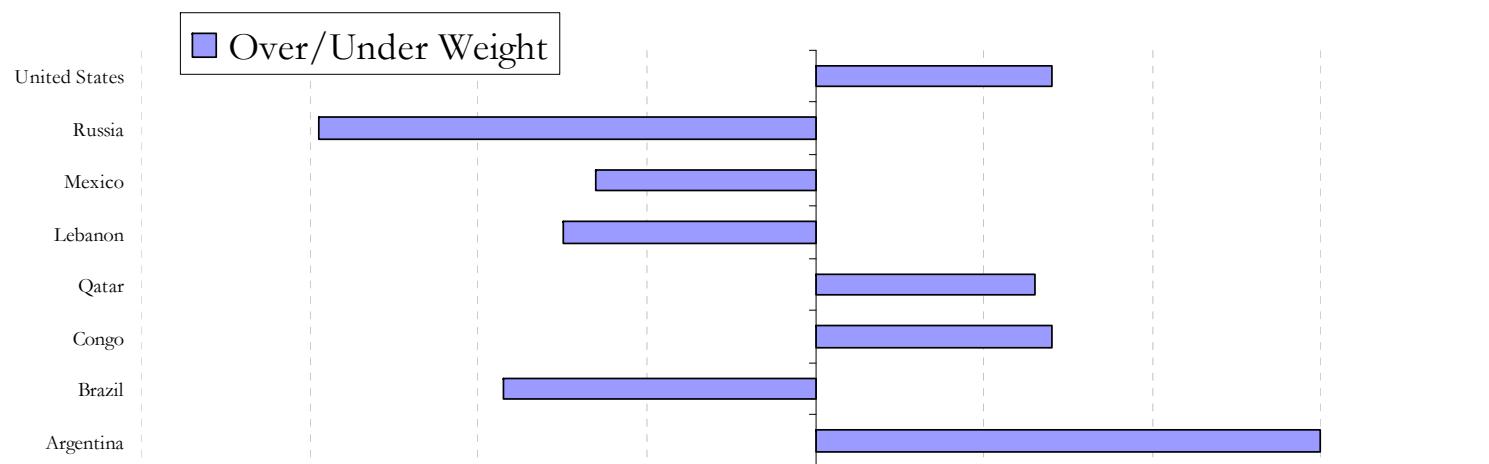
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Currency Exposure	% of Fund
US Dollar	98.8
Euro	-2.9
Japanese Yen	0.6
Hong Kong Dollar	0.0
Swiss Francs	0.2
Thailand Baht	0.1
S. African Unitary Rand	0.4
Argentina Peso	1.7
British Pounds Sterling	0.2
Malaysian Ringgits	0.9
Brazilian Reais	0.0

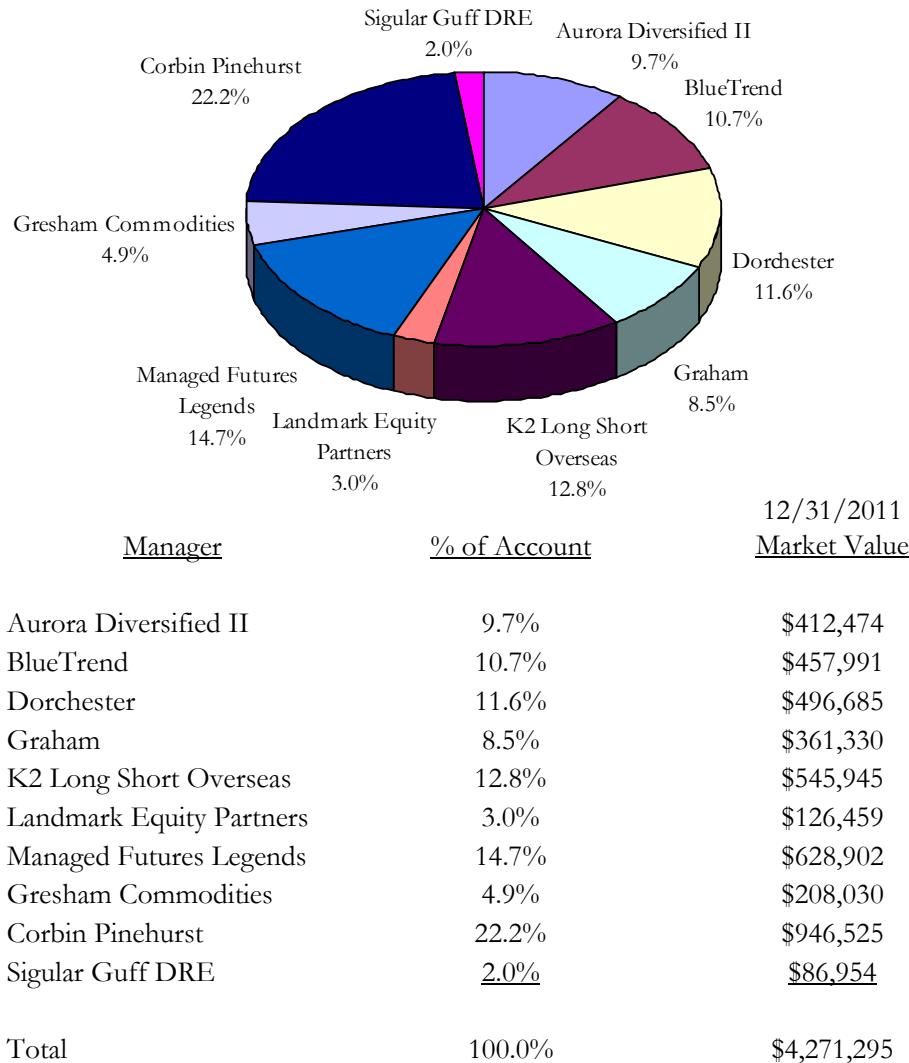
Characteristic	Portfolio
YTM	5.8%
Maturity	18.4
Modified Duration	7.4
Avg. Credit Rating	BB

Characteristic	% of Fund	% of Index
Investment Grade	37.4	55.9
BB	26.0	25.1
B	26.5	18.1
<B	2.9	0.0
Not Rated	7.3	0.9

Country Overweights/Underweights



Alternative Breakdown (%)



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Data Source: Wells Fargo Advisors

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Capital Markets Overview

The U.S. markets shrugged off persistent concerns over the European debt crisis to end the quarter better than it began. The latest economic data indicates that the U.S. economy is not in a recession, and that economic activity probably expanded at its fastest pace of the year during the fourth quarter.

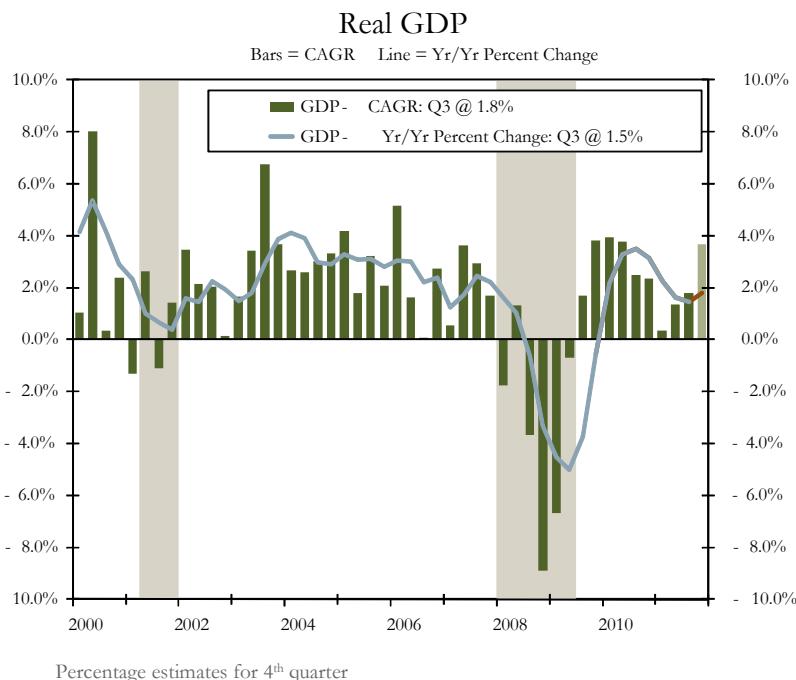
Overseas markets remain mixed. In Europe, the debt crisis and austerity measures are the source of much consternation. European leaders must deal with the debt, but austerity demands may be forcing some countries into a recession. China is working through a government controlled economic slowdown.

After a volatile third quarter the fixed income markets took a breather. However, most sectors of the fixed income market did see gains for the quarter. The exceptions were long dated Treasuries and international developed fixed income. Yields remain at historically low levels.

Commodities declined during the quarter, led by metals. Gold ended below its August high, but finished the quarter and year with its 11th straight annual gain. Iranian military exercises and threats to close or restrict shipping lanes caused a late-in-the-quarter spike in crude oil. The U.S. Dollar Index is up 13% from its March 2008 low as investor's perceived the dollar as a safe haven alternative to the Euro.

Fourth quarter ends much better than it started

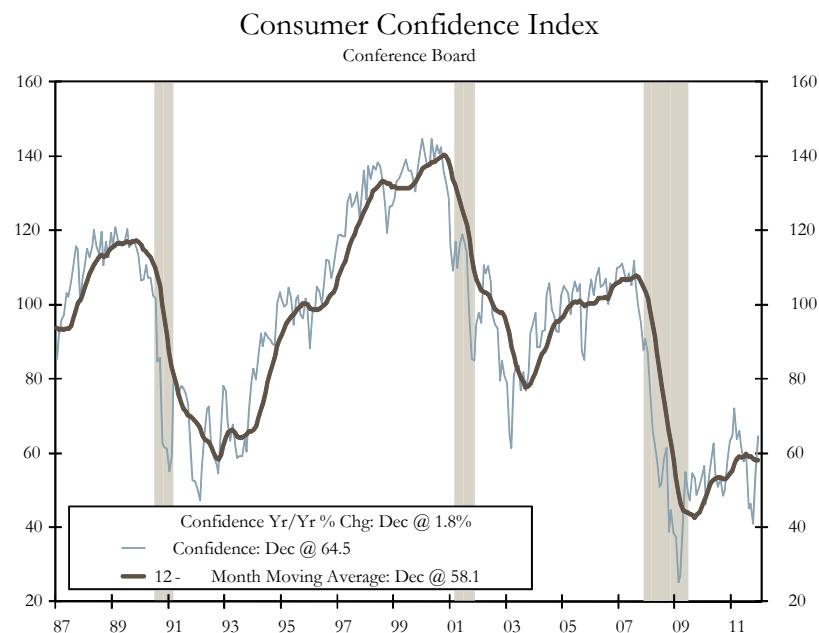
- > U.S. economy more resilient than expected
- > Economic activity expands at fastest pace of the year (4th quarter)
- > Recessionary fears subside



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Source: U.S. Department of Commerce
and Wells Fargo Securities, LLC

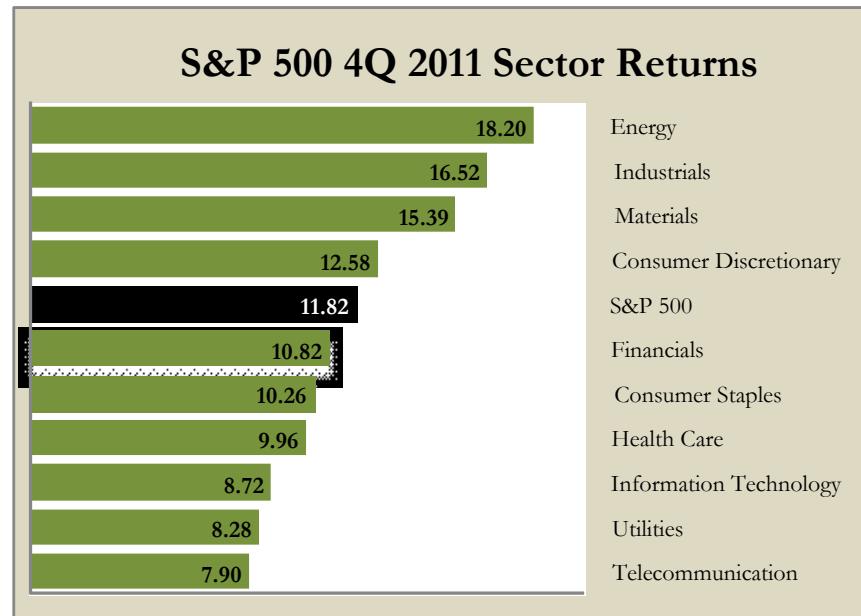
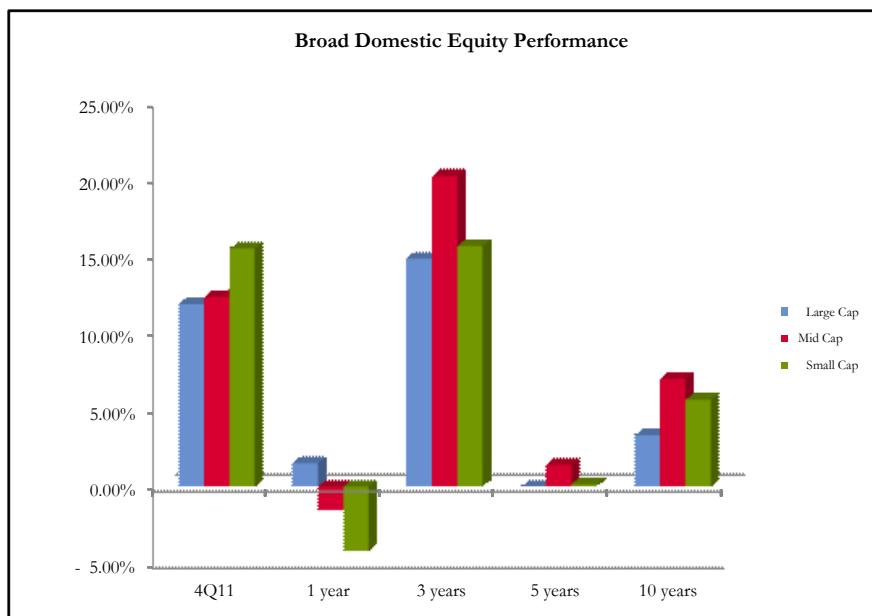
The College of William & Mary BOV Endowment
December 31, 2011 Portfolio Evaluation
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- > Consumer confidence jumps to eight month high
- > Investor sentiment improves
- > Jobs and employment numbers improve

October rally sparks U.S. equities in fourth quarter

- > October marks best month for S&P 500 since 1991
- > Energy and Industrials lead S&P 500 to a 11.82% return for the quarter
- > Dow Jones Industrial Average rallies more than 1000 points in October
- > Major market caps post gains better than 10% for the quarter, led by small caps (Russell 2000) up 15.47%

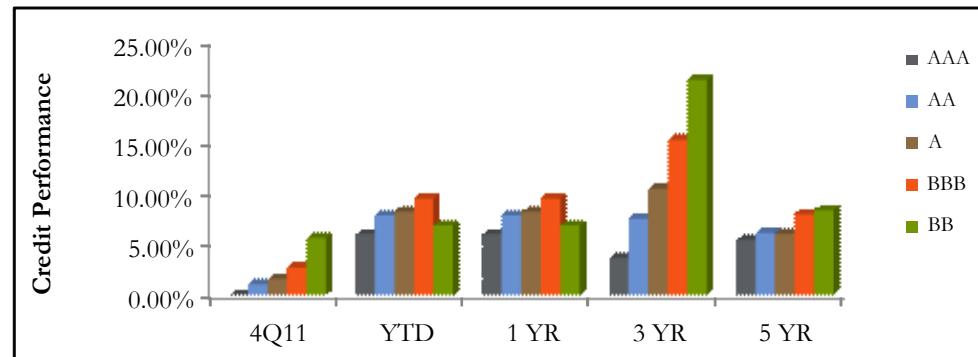


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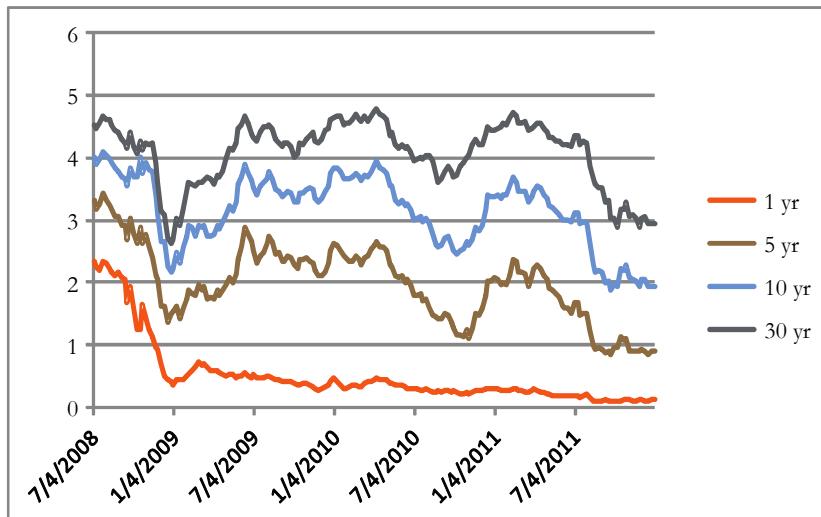
Data Sources: Zephyr StyleAdvisor, Barclay's Capital, MSCI, College of William & Mary BOV Endowment Standard & Poor's December 31, 2011 Portfolio Evaluation
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Most sectors of the fixed income markets see gains during the quarter

- > Corporate, High Yield and Preferred sectors all rise
- > Yields remain near historically low levels



3 Year Trailing Treasury yields

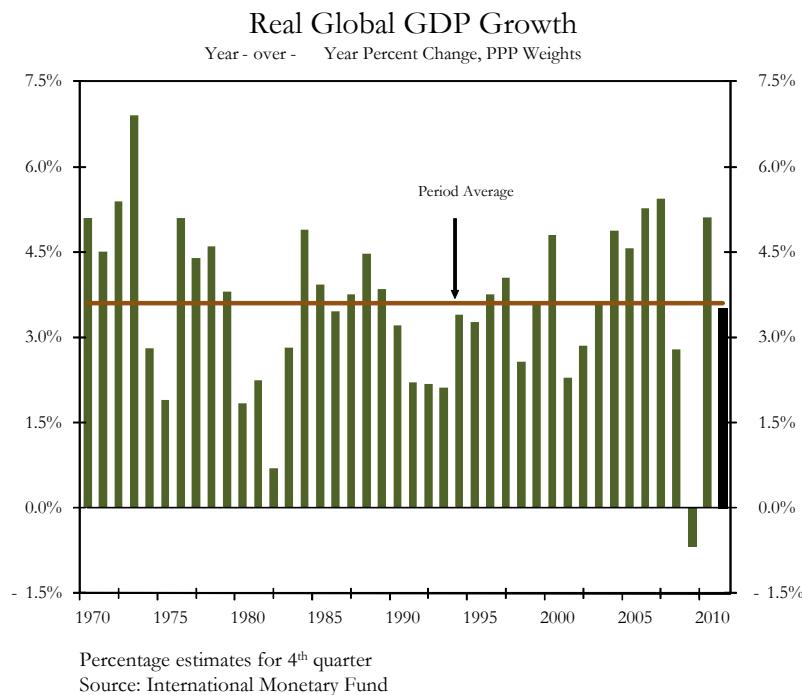
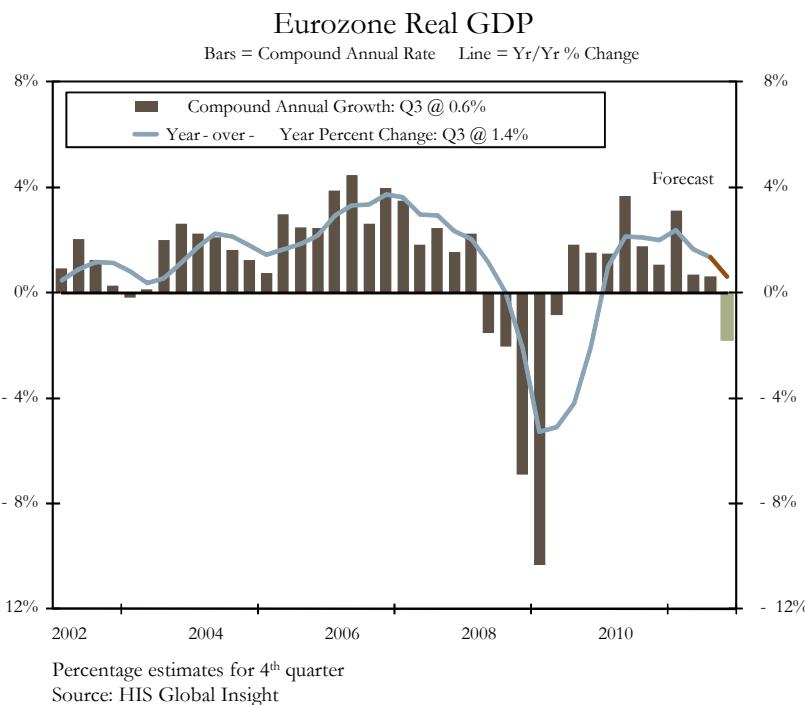


Long Treasuries see moderate declines

- > Benchmark 30-year Treasury yield drops to 2.89% from 2.91%
- > International developed fixed income markets trended lower

Global economy still threatened by debt and engineered slowdown

- > China continues to engineer an economic slowdown to manage inflation
- > Emerging markets improved, but still pressured by relatively meager growth
- > Europe struggling to contain debt crisis and calm fears



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Data Sources: Zephyr StyleAdvisor, Barclay's Capital, The College of William & Mary BOV Endowment MSCI Barra, Standard & Poor's December 31, 2011 Portfolio Evaluation Page 53

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ASSET CLASS SUITABILITY: Stocks of small companies are typically more volatile than stocks of larger companies. They often involve higher risks because they may lack the management expertise, financial resources, product diversification and competitive strengths to endure adverse economic conditions. High-yield, non-investment grade bonds are only suitable for aggressive investors willing to take greater risks, which could result in loss of principal and interest payments. Global/International investing involves risks not typically associated with US investing, including currency fluctuations, political instability, uncertain economic conditions and different accounting standards. Because the futures and commodity markets can be highly unpredictable – often swinging dramatically – investing in currency and commodities is not suitable for all investors. You may lose your entire investment , and in some cases, more than you invested.

PAST PERFORMANCE: Past performance is not an indication of future results.

ASSET CLASS PERFORMANCE REPRESENTATIONS: Long Term Treasuries = BC Treasury Long; Municipal = BC Municipal; Foreign Bonds = Salomon World BIG – IB; US Govt/Credit = BC Govt/Credit; Mtge Backed Securities = ML Mortgage Master; Corporate Bonds = Salomon Corporate; 90 Day T-Bills = Salomon; Japanese Stocks = Salomon Japan BMI; High Yield Bonds = ML High Yield Master; Small Cap US Value = RU 2000 Value; MidCap US Stocks = RU Midcap; Large Cap US Value = RU 1000 Value; European Stocks = Salomon Europe BMI; Small Cap US Stocks = RU 2000; Lg Cap US Growth = RU 1000 Growth; Latin American Stocks = Salomon Latin America BMI; Sm Cap US Growth = RU 2000 Growth

BROAD EQUITY MARKET & SECTOR PERFORMANCE REPRESENTATIONS: Large-Cap = S&P 500 or Russell 1000; Mid-Cap = RU Midcap; Small-Cap = RU 2000; International = MSCI EAFE

DATA SOURCES: Information found in this document was derived from the following sources: Zephyr Associates StyleAdvisor, Informa M-Watch, Investor Force, Barclays Capital, MSCI Barra, and Standard & Poor's.

Dow Jones Industrial Average - This index is comprised of 30 "blue-chip" US stocks selected for their history of successful growth and wide interest among investors. The DJIA represents about 20% of the total market value of all US stocks and about 25% of the NYSE market capitalization. It is a price-weighted arithmetic average, with the divisor adjusted to reflect stock splits and the occasional stock switches in the index.

NASDAQ Composite - A cap-weighted index comprised of all common stocks that are listed on the NASDAQ Stock Market (National Association of Securities Dealers Automated Quotation system).

S&P 500 - A broad-based measurement of changes in stock market conditions based on the average performance of 500 widely held common stocks. This index does not contain the 500 largest companies nor the most expensive stocks traded in the U.S. While many of the stocks are among the largest, this index also includes many relatively small companies. This index consists of approximately 380 industrial, 40 utility, 10 transportation and 70 financial companies listed on U.S. market exchanges. It is a capitalization-weighted index (stock price times number of shares outstanding), calculated on a total return basis with dividends reinvested.

Russell 1000 - The 1000 largest companies in the Russell 3000 index, based on market capitalization.

Russell 1000 Growth - A segment of the Russell 1000 with a greater-than-average growth orientation. Companies in this index have higher price-to-book and price-earnings ratios, lower dividend yields and higher forecasted growth values than the Russell 1000 Value index.

Russell 1000 Value - Represents a segment of the Russell 1000 with a less-than-average growth orientation. Companies in this index have low price-to-book and price-earnings ratios, higher dividend yields and lower forecasted growth values than the Russell 1000 Growth Index.

Russell Mid Cap - The index consisting of the bottom 800 securities in the Russell 1000 as ranked by total market capitalization, and it represents over 35% of the Russell 1000 total market cap.

Russell 2000 - The 2000 smallest companies in the Russell 3000 index.

Russell 2000 Growth - A segment of the Russell 2000 with a greater-than-average growth orientation. Companies in this index have higher price-to-book and price-earnings ratios, lower dividend yields and higher forecasted growth values than the Russell 2000 Value index.

Russell 2000 Value - A segment of the Russell 2000 with a less-than-average growth orientation. Companies in this index have low price-to-book and price-earnings ratios, higher dividend yields and lower forecasted growth values than the Russell 2000 Growth index.

Russell 2500 - The index consisting of the bottom 500 stocks in the Russell 1000(as ranked by market capitalization) and all of the stocks in the Russell 2000. This index is intended to be used as a measure of small to medium/small stock performance, and it represents over 22% of the Russell 3000 total market cap.

MSCI EAFE - A market capitalization-weighted index representing all of the MSCI developed markets outside North America. It comprises 20 of the 22 countries in the MSCI World. These 20 countries include the 14 European countries in the MSCI Europe and the 6 Pacific countries in the MSCI Pacific. This index is created by aggregating the 20 different country indexes, all of which are created separately.

MSCI World - This market capitalization-weighted index represents all 22 of the MSCI developed markets in the world. It is created by aggregating the 22 different country indexes, all of which are created separately.

MSCI Emerging Markets Free (EMF) - A market capitalization-weighted index representing 26 of the emerging markets in the world. Several factors are used to designate whether a country is considered to be emerging vs. developed, the most common of which is Gross Domestic Product Per Capita. The "Free" aspect indicates that this index includes only securities that are allowed to be purchased by global investors. This index is created by aggregating the 26 different country indexes, all of which are created separately.

Barclays Capital Government/Credit - This index includes all bonds that are in the Barclays Capital Government Bond and the Barclays Capital Credit Bond indices.

Barclays Capital Government Intermediate - All bonds covered by the Barclays Capital Government Bond index with maturities of 1 and 10 years.

Barclays Capital Aggregate Bond - This index is made up of the Barclays Capital Government/Credit, the Mortgage-Backed Securities, and the Asset-Backed Securities indices. All issues in the index are rated investment grade or higher, have at least one year to maturity, and have an outstanding par value of at least \$100 million.

Barclays Capital Government Long Term - All bonds covered by the Barclays Capital Government Bond index with maturities of 10 years or greater.

Barclays Capital Municipal Bond - This market cap weighted index includes investment grade tax-exempt bonds and is classified into four main sectors: General Obligation, Revenue, Insured, and Pre-refunded. To be included in this index, the original transaction size of a bond must have been greater than \$50 million.

Merrill Lynch Convertibles - The convertible securities used in this index span all corporate sectors and must have a par amount outstanding of \$25 million or more. The maturity must be at least one year. The coupon range must be equal to or greater than zero and all quality of bonds are included. Excluded from this index are preferred equity redemption stocks. When the component bonds of this index convert into common stock, the converted securities are dropped from the index.

Merrill Lynch High Yield Master - Market-cap weighted index providing a broad-based measure of bonds in the US domestic bond market rated below investment grade but not in default. Includes only issues with a credit rating of BB1 or below as rated by Moody's and/or S&P, at least \$100 million in face value outstanding and a remaining term to final maturity equal to or greater than one year.

Dow Jones Wilshire REIT Index - A measurement of equity REITs and Real Estate Operating Companies. No special-purpose or health care REITs are included. It is a market capitalization-weighted index for which returns are calculated monthly using buy and hold methodology; it is rebalanced monthly.

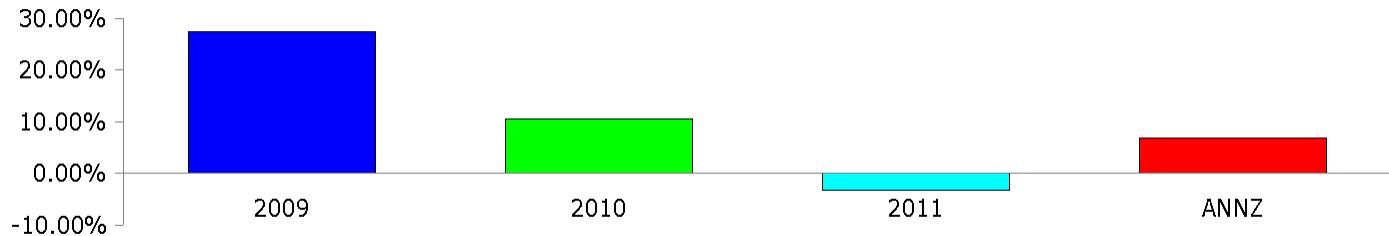
Citigroup 3 Month Treasury Bill - Representing the monthly return equivalents of yield averages that are not marked to market, this index is an average of the last three three-month Treasury bill issues.

50/50 Blend (S&P 500/BCIGC) – A blended benchmark consisting of 50% S&P 500 and 50% Barclays Capital Government/Credit Intermediate indices.

Previous Month End Performance for 11893008

COLLEGE OF WILLIAM AND MARY- GREEN FUND

Net Money-Weighted Rates of Return



Previous Month End Performance Summary

Performance Inception Date:	Jan 23, 2009	Since Inception Money-Weighted ROR:	6.88 %
		2011 YTD Money-Weighted ROR:	-3.22 %
Beginning Market Value (January 1, 2011):			\$122,461
Quarter	Contributions	Withdrawals	
Jan 1 - Mar 31	20,000	0	
Apr 1 - Jun 30	0	0	
Jul 1 - Sep 30	0	0	
Oct 1 - Dec 31	20,000	0	
Total Net Flows:			40,000
Invested Capital:			162,461
Appreciation/Depreciation:			-4,681
Ending Market Value (December 31, 2011):			\$157,780
Average Invested Capital:			144,817

Returns are calculated net of transaction costs and net of management fees.

Returns greater than one year are annualized.

Account data is on a trade date basis and accrued income is included in beginning and ending values. Performance is based on current market prices, as available.

Certain assets are excluded from Beginning and Ending Values and are not included in performance calculations. Annuities, certain types of direct investments, mutual funds held outside the firm, precious metals, coins, bullion, or any assets subject to tax-withholding (TEFRA) are among the assets not included in values or performance calculations.

Included within Appreciation/Depreciation is: Income \$1,825

Accrued Income is included within values: Beginning \$0 Ending \$0

One or more year(s) excluded (if applicable).

Wells Fargo Advisors is the trade name used by two separate registered broker-dealers: Wells Fargo Advisors, LLC, and Wells Fargo Advisors Financial Network, LLC, Members SIPC, non-bank affiliates of Wells Fargo & Company.

Securities and Insurance Products:

NOT INSURED BY FDIC OR ANY FEDERAL GOVERNMENT AGENCY	MAY LOSE VALUE	NOT A DEPOSIT OF OR GUARANTEED BY A BANK OR ANY BANK AFFILIATE
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This presentation is not complete unless accompanied by the detailed explanation included in the Glossary of Terms. Your Client Statement is the official record of your account. This report has been prepared to assist you with investment planning and is for informational purposes only. Past performance is no guarantee of future results.

This information is provided to complement but not replace your account-specific advisory performance report.

COMMITTEE ON STRATEGIC INITIATIVES
February 3, 2012
9:30 – 10:30 a.m.
Board Room – Blow Memorial Hall

Robert E. Scott, Chair
Janet M. Brashear, Vice Chair

- I. Introductory Remarks – Mr. Scott
- II. Update on Strategic Planning Progress -- Provost Michael R. Halleran and Vice President for Strategic Initiatives James R. Golden
 - A. Strategic Planning Overview
 - B. University Dashboard Update - Enclosure K.
- III. Discussion of Select Topics – Mr. Scott
- IV. Adjourn

WILLIAM & MARY TOP LEVEL DASHBOARD

Measures+	W&M 2007-08	W&M 2008-09	W&M 2009-10	W&M 2010-11	W&M 2011-12	Target	UVA* **	Brown* **
Challenge 1 – Leading Liberal Arts University								
1. Undergraduate acceptance rate ^a								
2. Undergraduate yield rate ^a	34%	34%	32%	35%	34%	33% (2010-11)	45% (2010-11)	9% (2010-11)
3. Undergraduate 25 th – 75 th percentile SAT score range ^{b1}	1250-1450	1250-1440	1240-1450	1260-1440	1240-1450	1250-1450 (2010-11)	1220-1450 (2010-11)	1330-1530 (2010-11)
4. Undergraduate graduation rates ^a	91%	91%	90%	90%	90%	93% (2009-10)	93% (2009-10)	96% (2009-10)
5. Student: faculty ratio ^{b8}	11:1	11:1	12:1	12:1	12:1	<13:1 (2010-11)	16:1 (2010-11)	9:1 (2010-11)
6. Undergraduate small class percentage (2,19 students) ^b	49%	45%	48%	47%	47%	50% (2010-11)	52% (2010-11)	68% (2010-11)
Challenge 2 – Diversity								
7. Undergraduates who are members of historically underrepresented groups ^{b9}	20%	22%	23%	25%	26%	26% (Fall 2010)	26% (Fall 2010)	33% (Fall 2011)
8. Undergraduates who are nonresident aliens ^a	1%	2%	2%	3%	3%	6% (Fall 2010)	6% (Fall 2010)	10% (Fall 2010)
9. Graduate/professional students who are members of historically underrepresented groups ^{b9}	13%	13%	13%	14%	15%	16% (2010-11)	16% (2010-11)	21% (2010-11)
10. Graduates who are nonresident aliens ^a	8%	10%	12%	11%	12%	11% (Fall 2010)	11% (Fall 2010)	27% (Fall 2010)
11. Average per-borrower cumulative undergraduate debt ^{c3}	\$15,602	\$16,765	\$21,367	\$21,367	\$21,367	<\$20,000 (2009-10)	\$19,939 (2009-10)	\$22,468 (2009-10)
Challenge 3 – Lifelong Connection								
12. Alumni giving participation rate: undergraduates with degrees ^d	21.9%	22.4%	23.4%	Avail. 9/2012	Avail. 9/2013	30% by 2014 (USNews)	22% (USNews)	34.4% (2009-10)
Challenge 4 – Business Plan								
13. US News & World Report: Financial Resources rank ^b	111	88	85	97	Avail. 9/2012	<70 (2010-11)	60 (2010-11)	26 (2010-11)
14. Total sponsored program expenditures (millions) ^a	\$50	\$50	\$54	Avail. 4/2012	Avail. 4/2013	\$60 by 2014 (2009-10)	\$344 (2009-10)	\$113 (2009-10)
15. Debt Service as Percent of Operating Expense ^f	4.2%	4.6%	4.1%	Avail. 9/2012	Avail. 9/2013	<7% Not available	Not available	Not available
16. Annual Total Value of Private Gifts (in millions) ^{d6}	\$35	\$51	\$43	Avail. 9/2012	Avail. 9/2013	50 (2009-10)	\$196 (2009-10)	\$167 (2009-10)
Challenge 5 – Administrative Resources and Infrastructure								
17. All E&G Facilities Condition Index ^{e5}	12.4%	11.0%	7.6%	7.8%	6.3%	<10% (2010-11)	8.7% (2010-11)	Not available
Challenge 6 – Communications								
18. US News & World Report: National Universities ^b	32	33	31 (tie)	33 (tie)	Avail. 9/2012	25 (tie) (2010-11)	15 (tie) (2010-11)	
19. US News & World Report: Public Universities ^b	6	6	6	6	Avail. 9/2012	2 (tie) (2010-11)	Not applicable	

^aPreliminary list. A measure of the quality of faculty is under discussion.

^bYears vary by data availability as noted in W&M data

^cDenotes schools with a medical school and engineering program

^dFrom Integrated Postsecondary Education Data System of US Dept. of Education Nat'l Center for Education Statistics (data for required reports could vary among schools by one year for some measures)

^eFrom US News & World Report: rankings published in August based on data submitted in previous spring

^fFrom Common Data Set (or institutional website, as available)

^gFrom Council for Aid to Education/Voluntary Support of Education

^hCalculated by facilities management for submission to State Council of Higher Education

ⁱInternal calculation using data included in the College's annual audited financial statements

^jFrom National Association of College and University Business Officers (NACUBO)

¹Calculated by adding the 25th and 75th percentiles for Critical Reading and the percentiles for Math.

²Figures are estimates for current year or actual for previous year

³ Average cumulative principal borrowed by undergraduate borrowers who started as freshmen at the institution and who had earned bachelor's in year previous to when IPEDS report was submitted

⁴ Includes W&M and VIMS operating and non-operating expenditures; excludes independent operations, auxiliary and hospital services expenditures. Operating expenditures include instruction, research, public service, academic support, student services, institutional support, operation/maintenance of plant. FTE count includes both graduate and undergraduate students and is based on Fall Headcount (similar to NACUBO).

⁵ The Facilities Condition Index (FCI) is a fitness indicator for the College's facilities and infrastructure. The FCI is the ratio of known maintenance deficiencies to the current replacement value of academic facilities. Industry standards suggest that an FCI of 5% or less indicates good condition, 5% to 10% fair condition, and above 10% poor condition. "All E&G Facilities" are those facilities supported by general funds allocated by the Commonwealth. These facilities include "major" E&G facilities (classrooms, class lab facilities, Wren Building, Admissions, Blow Memorial Hall, Cohen Career Center) and "minor" E&G facilities (e.g., Jamestown Road Houses, Galt Houses, Quonset Huts, physical plant-related facilities). E&G facilities do not have a revenue generating component and exclude facilities that are self-supporting such as dormitories, athletic facilities, food service facilities.

⁶Annual rate based on Council for Aid to Education/ Voluntary Support of Education. For UVa, 2-year average from US News & World Report is used

⁷Also includes race reported as unknown and non-resident alien

⁸Does not include faculty or students in stand-alone graduate or professional programs (i.e., Law and, prior to 2010, VIMS)

⁹Underrepresented groups include American Indian or Alaska Native, Asian/Native Hawaiian/ Other Pacific Islander, Black or African American, Hispanic or Latino, Two or more races. Underrepresented groups do not include White, Unknown, Nonresident aliens.

THE COLLEGE OF WILLIAM AND MARY
BOARD OF VISITORS
OFFICERS AND COMMITTEES

2011-2012

OFFICERS

Jeffrey B. Trammell, Rector of the College
 Charles A. Banks III, Vice Rector of the College
 Dennis H. Liberson, Secretary of the Board

EXECUTIVE COMMITTEE

Jeffrey B. Trammell, Chair
 Charles A. Banks III, Vice Chair
 Dennis H. Liberson, Secretary
 Janet M. Brashear
 Colin G. Campbell
 Timothy P. Dunn
 R. Philip Herget III

Committee on Administration

Dennis H. Liberson, Chair
 Charles A. Banks III, Vice Chair
 Thomas R. Frantz
 R. Philip Herget III
 John C. Thomas
Michael R. Halloran
Anna B. Martin

Committee on Audit

John C. Thomas, Chair
 Michael Tang, Vice Chair
 Edward L. Flippin
 Laura L. Flippin
 Leigh A. Pence
 L. Clifford Schroeder, Sr.
Michael L. Stump

Committee on Academic Affairs

Colin G. Campbell, Chair
 Robert E. Scott, Vice Chair
 Timothy P. Dunn
 Peter A. Snyder
 Todd A. Stottlemyer
 Michael Tang
Michael R. Halloran

Committee on Buildings and Grounds

Janet M. Brashear, Chair
 Leigh A. Pence, Vice Chair
 Thomas R. Frantz
 L. Clifford Schroeder, Sr.
 Peter A. Snyder
 Michael Tang
Anna B. Martin

Committee on Financial Affairs

Timothy P. Dunn, Chair*
 Charles A. Banks III, Vice Chair*
 Edward L. Flippin, Vice Chair
 Colin G. Campbell
 Laura L. Flippin
 R. Philip Herget III
 Robert E. Scott
 Todd A. Stottlemyer*
Michael R. Halloran
Samuel E. Jones

Richard Bland College Committee

Dennis H. Liberson, Chair
 Laura L. Flippin, Vice Chair
 Edward L. Flippin
 Thomas R. Frantz
 Leigh A. Pence
James B. McNeer
LeAnn Binger

Committee on Athletics

Todd A. Stottlemyer, Chair
 Timothy P. Dunn, Vice Chair
 Janet M. Brashear
 Colin G. Campbell
 Leigh A. Pence
 Peter A. Snyder
Edward C. Driscoll, Jr.

Committees of the Whole:

Committee on Alumni Relations

Laura L. Flippin, Chair
 Peter A. Snyder, Vice Chair
Karen R. Cottrell

Committee on Strategic Initiatives

Robert E. Scott, Chair
 Janet M. Brashear, Vice Chair
James R. Golden

Committee on Development

R. Philip Herget III, Chair
 Thomas R. Frantz, Vice Chair
 L. Clifford Schroeder, Sr., Vice Chair
Sean M. Pieri

Committee on Student Affairs

Michael Tang, Chair
 John C. Thomas, Vice Chair
Virginia M. Ambler

2011-2012 Student & Faculty Representatives:

W&M ***RBC***
 Kaveh Sadeghian, student Emily R. Michalek, student
 Alan J. Meese, faculty Steven E. Martin, faculty

2011-2012 Staff Liaison:

Mary S. Molineux, Professionals and Professional
 Faculty Assembly President

**Investments subcommittee*

BOARD OF VISITORS
OF THE COLLEGE
OF WILLIAM AND MARY
IN VIRGINIA



WILLIAM
& MARY

BOARD MEETING

Board Room - Blow Memorial Hall

February 3, 2012

MEETING AGENDA
Board of Visitors
The College of William and Mary

February 3, 2012 - 10:40 a.m.
Board Room - Blow Memorial Hall

I.	Welcome and call to order	Rector Jeffrey B. Trammell
II.	Approval of Minutes – December 7-9, 2011	Mr. Trammell
III.	Opening Remarks	Mr. Trammell President W. Taylor Reveley III
IV.	Closed Session (if necessary)	Mr. Trammell
V.	Open Session - Certification of Closed Session Resolution	Mr. Trammell
<p>Rector should review topics discussed during closed session for benefit of observers, then move adoption of Resolution certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Rector or designee will conduct roll call vote of the Board members for adoption. Upon passage, Rector should sign the resolution and direct that it be appended to the official minutes of this meeting.</p>		
VI.	Reports of Standing Committee chairs	
A.	Committee on Audit	John C. Thomas
B.	Committee on Buildings and Grounds	Janet M. Brashear
1.	Resolution 3: Resolution to Approve Easement for Fraternity Complex Project for Dominion Virginia Power	tab #3
2.	Resolution 4: Resolution to Adopt Guidelines for Projects under the Public-Private Education Facilities and Infrastructure Act of 2002	tab #4
C.	Committee on Athletics	Todd A. Stottlemyer
D.	Committee on Administration	Dennis H. Liberson
1.	Resolution 5: Resolution to Adopt 2012 Emergency Response Plan (ERP)	tab #5

Board of Visitors
MEETING AGENDA
February 3, 2012

E. Richard Bland College Committee	Dennis H. Liberson
1. Resolution 1: Resolution to Approve Final Regulation Regarding Weapons on Campus	<i>tab #1</i>
2. Resolution 2: Approval of Criteria for Course Credit: Cambridge Advanced (A/AS) Exams	<i>tab #2</i>
F. Committee on Financial Affairs	Timothy P. Dunn
1. Resolution 11: Approval of Memorandum of Understanding Authorizing the Investment of Certain William and Mary Real Estate Foundation Funds in the Board of Visitors Endowment Pool	<i>tab #11</i>
G. Committee on Academic Affairs	Colin G. Campbell
1. Resolution 6: Appointments to Fill Vacancies in the Professionals and Professional Faculty	<i>tab #6</i>
2. Resolution 7: Award of Academic Tenure	<i>tab #7</i>
3. Resolution 8: Faculty Promotions	<i>tab #8</i>
4. Resolution 9: Designated Professorship	<i>tab #9</i>
5. Resolution 10: Faculty Leave of Absence	<i>tab #10</i>
H. Executive Committee	Mr. Trammell
VII. Old Business	Mr. Trammell
VIII. New Business	Mr. Trammell
IX. Executive Session (if necessary)	Mr. Trammell
X. Open Session - Certification of Closed Session Resolution	Mr. Trammell

Rector should review topics discussed during closed session for benefit of observers, then move adoption of **Resolution** certifying closed session was held in compliance with Freedom of Information Act. Motion will be seconded and Rector or designee will conduct roll call vote of the Board members for adoption. Upon passage, Rector should sign the resolution and direct that it be appended to the official minutes of this meeting.

Board of Visitors
MEETING AGENDA
February 3, 2012

XI. Closing remarks

XII. Adjournment

Mr. Trammell

BOARD DINING ROOM:

12:00 Noon Lunch with Cypher Society

FULL BOARD OF VISITORS MEETING

MINUTES - DECEMBER 7-9, 2011

MINUTES
Meeting of the Board of Visitors
The College of William and Mary in Virginia

December 7-9, 2011

The Board of Visitors of The College of William and Mary in Virginia met on the campus in Williamsburg on Wednesday, Thursday and Friday, December 7-9, 2011.

On Wednesday December 7, the Committee on Financial Affairs met from 4:00 to 5:10 p.m. in the Board Room. That evening, the full Board convened for dinner in Plumeri House at 119 Chandler Court.

Those present were:

Charles A. Banks III	Leigh A. Pence
Colin G. Campbell	L. Clifford Schroeder, Sr.
Timothy P. Dunn	Robert E. Scott
Edward L. Flippin	Peter A. Snyder
Laura L. Flippin	Todd A. Stottlemyer
Thomas R. Frantz	Michael Tang
R. Philip Herget III	John C. Thomas
Dennis H. Liberson	Jeffrey B. Trammell, Rector

Absent: Janet M. Brashear

Also present was William and Mary President W. Taylor Reveley III

At 7:45 p.m. the Rector convened the full Board at Plumeri House, and moved that, pursuant to Section 2.2-3711.A.1., of the Code of Virginia, the meeting be closed in order to discuss personnel matters involving specific college employees. Motion was seconded by Mr. Liberson and approved by voice vote. The observers were asked to leave the room and the Board went into closed session at 7:15 p.m.

The Board reconvened in open session at 9:15 p.m. Mr. Trammell reviewed the topic discussed during closed session for the benefit of the observers, then moved adoption of the **Resolution** certifying that the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Liberson and approved by roll call vote of the Committee members conducted by Secretary of the Board Dennis Liberson. (Certification **Resolution** is appended.)

There being no further business, the Board adjourned at 9:15 p.m.

On Thursday, December 8, the Executive Committee met in the Rector's Office. The Committee on Audit, the Committee on Athletics and the Committee on Academic Affairs met in the Board Conference Room. The Richard Bland College Committee, the Committee on Strategic Initiatives, the Committee on Alumni Relations and the Committee on Student Affairs met in the Board Room.

Board of Visitors
MINUTES
Page 2

Those present on Thursday were:

Charles A. Banks III	L. Clifford Schroeder, Sr.
Janet M. Brashear	Robert E. Scott
Colin G. Campbell	Peter A. Snyder
Timothy P. Dunn	Todd A. Stottlemeyer
Edward L. Flippin	Michael Tang
Laura L. Flippin	John C. Thomas
Thomas R. Frantz	Jeffrey B. Trammell, Rector
R. Philip Herget III	Faculty representative: Alan J. Meese
Dennis H. Liberson	Student representatives: Kaveh Sadeghian
Leigh A. Pence	

Others present were:

W. Taylor Reveley III	Kiersten L. Boyce
Michael R. Halleran	Karen R. Cottrell
Virginia M. Ambler	Michael J. Fox
Edward C. Driscoll, Jr.	W. Fanchon Glover
James R. Golden	Michael L. Stump
Anna B. Martin	Brian W. Whitson
Sean Pieri	Sandra J. Wilms

Also in attendance were Assistant Attorney General Deborah Love, Staff Liaison Mary Molineux, Vice Provost for Academic Affairs Kathleen F. Slevin; Acting Dean Eugene Tracy, Dean John T. Wells, members of the William and Mary Faculty Liaison Committee, and other William and Mary staff.

At 11:30 a.m. Rector Jeffrey Trammell convened the Board as a committee of the whole for the **Committee on Strategic Initiatives**. In his brief opening remarks, Chair Robert Scott noted that this session would involve a joint discussion of academic strategic structural issues combining Strategic Initiatives and the time normally set aside for the Provost Report.

Vice President for Strategic Initiative James Golden provided a brief update on communications efforts currently underway. Provost Michael Halleran and Vice President Golden reviewed the strategic planning process and discussed the dashboard update, as detailed in Enclosure H.

Mr. Scott and Chair of the Committee on Academic Affairs Colin Campbell discussed the ideas submitted to Jim Golden since the September meeting. Noting that the central focus of the discussions at this meeting would involve differential teaching loads, faculty composition and innovative teaching ideas, while subsequent meetings would take up other topics, Mr. Scott asked Faculty Representative to the Board Alan Meese and Mr. Campbell to comment from their perspectives, then opened the meeting to a general discussion. Provost Halleran commented on the creation of the Creative Adaptation Fund, designed to stimulate experimentation with new ideas to improve the quality of what we are doing in ways that are consistent with a rapidly changing world and new fiscal realities.

Following general discussion of the outlined issue, and there being no further business, the Committee adjourned at 1:00 p.m.

Board of Visitors
MINUTES
Page 3

Following lunch, the Board convened at 2:15 p.m. as a committee of the whole for the **Committee on Alumni Relations**. Ms. Flippin presided as chair and introduced Alumni Association President Peter Nance. Mr. Nance expressed his thanks for the opportunity to meet with the Board and provided comments on the work of the Alumni Association to improve connections between the College and alumni through use of the web, building preferred business partnerships, programs to connect to the student body and lifelong relationship events as well as other initiatives. Mr. Nance advised that the success of these efforts could not have been realized without the leadership of Executive Vice President of the Alumni Association Karen Cottrell and her staff, noting that work was being done in tandem with the Development Office. A brief discussion ensued.

Ms. Cottrell then discussed Alumni Career Services, as a follow-up to the presentation in September, providing an overview of the new home page, which now links to the Cohen Career Center. A brief discussion ensued regarding integrating alumni career services with student affairs and the business school.

Ms. Cottrell reported on the success of 2011 Homecoming and reviewed regional events planned for the next several months. Following brief discussion, the Committee adjourned at 3:00 p.m.

The **Committee on Student Affairs** convened as a committee of the whole at 3:00 p.m. Mr. Tang presided as chair and introduced Vice President for Student Affairs Virginia Ambler, who advised the report from the student liaisons would be heard first.

Student Liaison Anna Mahalek thanked the Board members for joining the students for lunch and reported on events since the September meeting, noting that from the student perspective the Homecoming events were very positive. Winter break service trips and upcoming on-campus speakers and events were also discussed, along with the effort to bring a TED Conference to campus.

The administrative report focused on national assessment data supplied through two surveys – the Cooperative Institutional Research Program (CIRP) survey, administered to freshmen during orientation every three years, and the National Survey of Student Engagement (NSSE) administered in 2011 to freshmen and seniors.

Ms. Ambler introduced Jodi Fisler, Assistant to the Vice President for Student Affairs, and Susan Bosworth, Associate Provost for Institutional Analysis & Effectiveness, who assisted Ms. Ambler in reviewing the national data as it related to William and Mary students.

Following a general discussion, and there being no further business, the Board recessed at 3:50 p.m.

On Friday, December 9, the Committee on Development and the Committee on Financial Affairs met in the Board Room, while the Committee on Buildings and Grounds met in the Board Conference Room, prior to the full Board meeting.

Those present on Friday were:

Charles A. Banks III
Janet M. Brashear
Colin G. Campbell
Timothy P. Dunn
Edward L. Flippin
Laura L. Flippin
Thomas R. Frantz
R. Philip Herget III
Dennis H. Liberson
Leigh A. Pence
L. Clifford Schroeder, Sr.

Robert E. Scott
Peter A. Snyder
Todd A. Stottlemyer
Michael Tang
John C. Thomas
Jeffrey B. Trammell, Rector
Faculty representatives: Alan J. Meese
Steven E. Martin
Student representatives: Kaveh Sadeghian
Emily Michalek

Others present were:

W. Taylor Reveley III
Michael R. Halleran
Virginia M. Ambler
Edward C. Driscoll, Jr.
James R. Golden
Anna B. Martin
Sean Pieri

Kiersten L. Boyce
Karen R. Cottrell
Michael J. Fox
W. Fanchon Glover
Michael L. Stump
Brian W. Whitson
Sandra J. Wilms

Also in attendance were Assistant Attorney General Deborah Love, Staff Liaison Mary Molineux, Dean of University Libraries Carrie L. Cooper, Acting Dean Eugene Tracy, Dean John T. Wells, Richard Bland College President James B. McNeer and Vice President for Administration and Finance Russell E. Whitaker, Jr.; members of the William and Mary Faculty and Student Liaison Committees and other William and Mary staff.

At 11:00 a.m. the Rector convened the full Board meeting.

Recognizing that a quorum was present, the Rector asked for a motion to approve the minutes of the meeting of September 21-23, 2011. Motion was made by Mr. Scott, seconded by Mr. Flippin and approved by voice vote.

In brief opening remarks, the Rector commented on the productive committee meetings and thanked everyone for their participation.

President Reveley addressed the productive work being done by faculty, staff, students and alumni and noted the increase in good contact between the Board of Visitors, the Alumni Board and the William and Mary Foundation Board, expressing his hope for more to come in future meetings.

The Rector moved that the Board of Visitors of the College of William and Mary convene in Closed Session for the purpose of discussing and/or approving personnel actions pertaining to the appointment, promotion, tenure and leaves of specific instructional and professional faculty; to discuss investment matters relating to the investment of public funds; for consultation with legal counsel pertaining to legal matters requiring legal advice; to discuss specific recommendations related to future fundraising strategies as well as current development activities; and discussing

matters pertaining to the consideration of honorary degrees for Charter Day and Commencement 2012, as provided for in Section 2.2-3711.A.1., 6., 7., 8. and 10. of the Code of Virginia. Motion was seconded by Mr. Schroeder and approved by voice vote. The Board went into closed session at 11:05 a.m.

The Board reconvened in open session at 11:15 a.m. The Rector reviewed the topics discussed during closed session, then moved adoption of the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Ms. Brashear and approved by roll call vote of the Board members conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

Mr. Dunn reported for the **Committee on Financial Affairs**, noting that the Committee had two sessions due to scheduling conflicts. On Wednesday afternoon, the Committee heard reports from Vice President for Finance Sam Jones and Dean/Director of the Virginia Institute of Marine Science John Wells.

Noting that the statements remain subject to audit by the Commonwealth's Auditor of Public Accounts, Mr. Dunn moved adoption of **Resolution 1**, Receipt of the Consolidated Financial Report of the College of William and Mary in Virginia and Richard Bland College for the Fiscal Year Ended June 30, 2011, and **Resolution 6**, Receipt of the Financial Report of the Intercollegiate Athletic Department for the Fiscal Year Ended June 30, 2011. Motion was seconded by Mr. Flippin and approved by voice vote.

Mr. Dunn advised that earlier Friday morning the Committee heard the report from the Wells Fargo advisors. Revisions to the current investment policy, which were anticipated to be distributed as **Resolution 18**, Revision: Investment and Spending Policy for Endowment, were still under review and would be brought to the Committee when finalized, therefore, Resolution 18 was withdrawn and tabled until ready for discussion.

Mr. Thomas reported for the **Committee on Audit**, noting that the Committee had heard reports from the Auditor of Public Accounts, the Director of Internal Audit and the Compliance and Policy Officer. Mr. Thomas advised that, due to a structural change, the Compliance and Policy Officer would now report to the Audit Committee.

Mr. Thomas moved adoption of **Resolution 7**, Approval of 2012 Internal Audit Work Plan. Motion was seconded by Ms. Pence and approved by voice vote.

Mr. Liberson reported for the **Committee on Administration**, noting that the Committee had heard a report on compensation from the Provost and Vice President for Administration. Compensation adjustments were made effective November 25 that addressed the most pressing issues and addressed the areas of greatest vulnerability and were well received by faculty and staff.

Mr. Liberson moved adoption of **Resolution 8(R)**, Resolution to Approve Final Regulation Regarding Weapons on Campus, amended to correct to change the effective date. Motion was seconded by Ms. Flippin and approved by voice vote. (**Resolution 8(R)** is appended.)

Mr. Liberson reported for the **Richard Bland College Committee**, noting that the Committee had heard reports from the administration as well as the faculty and student representatives.

Mr. Liberson moved adoption as a block of **Resolution 1**, Receipt of the Consolidated Financial Report of the College of William and Mary in Virginia and Richard Bland College for the Fiscal Year Ended June 30, 2011; **Resolution 2**, Resolution to Approve Policy and Propose Regulation Regarding Weapons on Campus; **Resolution 3**, Changes to the College's Faculty Handbook; **Resolution 4**, 2012-2018 Six Year Plan (Revised); and **Resolution 5**, Master Plan Revision. Motion was seconded by Mr. Frantz and approved by voice vote.

Ms. Brashear reported for the **Committee on Buildings and Grounds**, noting that the Committee had viewed a presentation on the eco-village and seen the results of the feasibility study. Ms. Brashear thanked Mr. Tang for underwriting this study, noting that this project needs private funding support. Ms. Martin briefly reviewed the project and will report back with cost comparisons. There were no action items.

Mr. Herget reported for the **Committee on Development**, noting that the chair of the William and Mary Foundation Board had joined the meeting and participated in the discussion.

Mr. Herget moved adoption of **Resolution 16**, Establishment of the Kae Brown Memorial Symphony Orchestra Endowment, and **Resolution 17**, Establishment of the Katherine E. Towers and Lewis C. Towers Scholarship Quasi-Endowment. Motion was seconded by Mr. Schroeder and approved by voice vote.

Mr. Campbell reported for the **Committee on Academic Affairs**, noting the co-chairs of the curriculum review had reported on progress to date and advised that a full Board discussion would be held at the February meeting.. Faculty representative Alan Meese, on behalf of the Faculty Assembly Executive Committee, thanked the Board on behalf of the faculty for the salary increases and the support of the six-year plan, including the strategic initiatives underway.

Mr. Campbell moved adoption as a block of **Resolution 9(R)**, Appointments to Fill Vacancies in the Professionals and Professional Faculty; **Resolution 10**, Faculty Promotion; **Resolution 11**, Award of Academic Tenure; **Resolution 12**, Designated Professorship; **Resolution 13**, Term Distinguished Professorship; **Resolution 14**, Faculty Leave of Absence, and **Resolution 15**, Resolution to Approve Policy on Credit for Advanced Placement, International Baccalaureate, Cambridge and Other Pre-Matriculation Examinations. Motion was seconded by Mr. Scott and approved by voice vote. (**Resolution 9(R)** is appended.)

Mr. Trammell moved adoption of the report of the **Executive Committee** given in closed session; namely, to award the following honorary degree at Charter Day:

James A. Bill, Doctor of Humane Letters

Motion was seconded by Mr. Liberson and approved by voice vote.

Mr. Trammell advised that Chancellor Sandra Day O'Connor was not able to attend at Charter Day; therefore, the investiture of Robert Gates as the 24th Chancellor of the College would take place during the ceremony on February 3.

There was no old business.

Under new business, Mr. Trammell advised that the following members of the Board had been named to the Presidential Assessment Committee – Dennis Liberson, chair; Tom Frantz and Phil Herget.

The Rector noted that he would appoint a special committee charged with reviewing and making recommendations regarding the preservation, interpretation and future of alumnus and former U.S. President James Monroe's home at Ashlawn-Highland. The chair of the ad hoc committee will be former Rector and alumnus James B. Murray, Jr. The committee will be comprised of up to ten members, including two from the Board of Visitors – John Thomas and Colin Campbell – and will be asked to provide an initial report to the President and the Board by April 2013. Mr. Thomas advised that one of the first steps taken was to begin referring to the property with the name used by President Monroe – Highlands. President Reveley advised that a statue of James Monroe would be added to the campus in the near future.

The Rector advised that a survey of the Board members regarding possible dates for a retreat in the summer of 2012 as well as an Executive Committee meeting in March would be circulated and encouraged Board members to respond.

The Rector advised that the Board has delegated authority to the Financial Affairs Investments Subcommittee to make a final decision on a new investment manager.

There being no other new business, the Rector moved that the Board of Visitors convene in Executive Session for the purpose of discussing personnel matters pertaining to the evaluation of specific executive employees, as provided for in Section 2.2-3711.A.1., of the Code of Virginia. Motion was seconded by Mr. Banks and approved by voice vote. The Board went into Executive Session at 11:55 p.m.

The Board reconvened in open session at 12:15 p.m. The Rector reviewed the topics discussed during closed session, then moved adoption of the **Resolution** certifying the closed session was held in compliance with the Freedom of Information Act. Motion was seconded by Mr. Banks and approved by roll call vote of the Board members conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

There being no further business, the Board adjourned at 12:15 p.m.

Board of Visitors

December 7, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors of The College of William and Mary in Virginia has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D. of the Code of Virginia requires a certification by this Board of Visitors that such closed session was conducted in conformity with Virginia law;

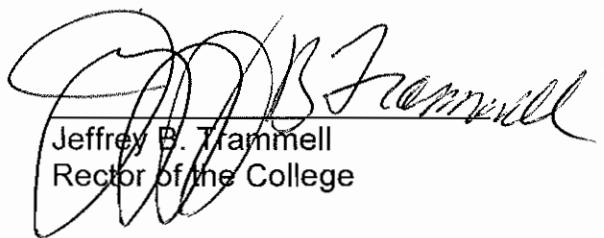
NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this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

VOTE

AYES: 16

NAYS: 0

ABSENT DURING CLOSED SESSION:



Jeffrey B. Trammell
Rector of the College

Board of Visitors

December 9, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors of The College of William and Mary in Virginia has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D. of the Code of Virginia requires a certification by this Board of Visitors that such closed session was conducted in conformity with Virginia law;

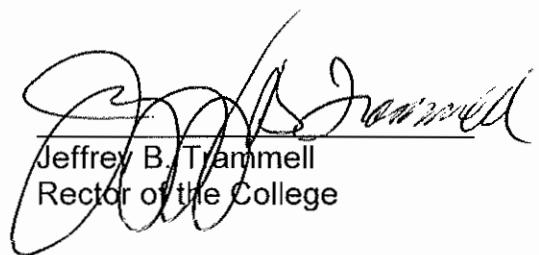
NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this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

VOTE

AYES: 17

NAYS: 0

ABSENT DURING CLOSED SESSION:



Jeffrey B. Trammell
Rector of the College

COLLEGE OF WILLIAM AND MARY

**RESOLUTION TO APPROVE
FINAL REGULATION REGARDING WEAPONS ON CAMPUS**

WHEREAS, protecting the safety of the campus community is of utmost importance to the Board of Visitors of The College of William and Mary in Virginia;

WHEREAS, Chapter 5 of Title 23 of the Code of Virginia provides that the Board of Visitors shall "make all needful rules and regulations" concerning the College;

WHEREAS, the Supreme Court of Virginia has confirmed that public institutions of higher education in Virginia may regulate the possession of weapons on their campuses;

WHEREAS, College and Commonwealth policies restrict weapons possession by College students and employees;

WHEREAS, the Board of Visitors deems it prudent to regulate weapons possession by visitors or other third parties in certain facilities controlled by the College as well as at certain College events, pursuant to its authority conveyed in Chapter 5 of Title 23 of the Code of Virginia; and

WHEREAS, the Board of Visitors adopted a proposed Weapons on Campus Regulation on September 23, 2011, which was published in the Virginia Register of Regulations on October 24, 2011;

THEREFORE, BE IT RESOLVED, That, upon recommendation of the President, the proposed Weapons on Campus Regulation, a copy of which is attached hereto, is hereby adopted as a final regulation for publication in the Virginia Register in accordance with the Virginia Administrative Process Act, with an effective date on January 3, 2012; and

BE IT FURTHER RESOLVED, That the College's Regulatory Coordinator is hereby authorized and directed to take all necessary action to implement this resolution.

CHAPTER 20
WEAPONS ON CAMPUS REGULATION

8VAC115-20-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Police officer" means law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn federal law-enforcement officers.

"University property" means any property owned, leased, or controlled by the College of William & Mary in Virginia, including the Virginia Institute of Marine Science.

"Weapon" means any firearm or any other weapon listed in § 18.2-308 A of the Code of Virginia.

8VAC115-20-20. Possession of weapons prohibited.

Possession or carrying of any weapon by any person, except a police officer or an individual authorized pursuant to university policy, is prohibited on university property in academic buildings, administrative buildings, student residence and student life buildings, or dining or athletic facilities, or while attending an official university event, such as an athletic, academic, social, recreational or educational event, or on vessels that are university property. Entry upon such university property in violation of this prohibition is expressly forbidden.

8VAC115-20-30. Person lawfully in charge.

In addition to individuals authorized by university policy, College of William & Mary police officers are lawfully in charge for the purposes of forbidding entry upon or remaining upon university property while possessing or carrying weapons in violation of this prohibition.

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

Vacancies in the Professionals and Professional Faculty of the College of William and Mary have resulted because of resignations, terminations or the approval of additional authorized positions.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the appointments of the following individuals to fill these positions:

KELLY J. FINZER, Program Assistant, Washington Office, effective October 6, 2011

B.A., The Ohio State University, 2011

The Ohio State University
Student Advisor, Ohio Student Educational Policy Institute, 2010-2011
Student Administrative Assistant, President's Office, 2008-2011

GREGORY W. JOHNSON, Director of Procurement Services, effective October 31, 2011

B.A., Washington and Lee University, 1976
MBA, Indiana University, 1978

Liberty University
Director of Purchasing, 2007-2011

Quality Foods Co-Operative
Director of Purchasing and Marketing, 2005-2007
Category Manager, 2003-2005

Wild Bird Center and Sharp Edges Edging
Co-owner, 1994-2003

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

JAKE R. NELSON, Coordinator, Student Philanthropy and
Recent Graduate Programs, University Development, effective
November 28, 2011

B.A., College of William and Mary, 2011

United States Department of State, Bureau of European and
Eurasian Affairs
Intern, Office of Policy and Global Issues, 2011

JOHN T. SPIKE, Assistant Director and Chief Curator, Muscarelle
Museum of Art, effective January 1, 2012

B.A., Wesleyan University, 1973
A.M. (1974); Ph.D. (1979), Harvard University

European University of Rome and the Pontifical Athenaeum,
'Regina Apostolorum' at the Vatican, Italy
Professor, 2007-2011

Board of Visitors

December 9, 2011

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Visitors of The College of William and Mary in Virginia has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D. of the Code of Virginia requires a certification by this Board of Visitors that such closed session was conducted in conformity with Virginia law;

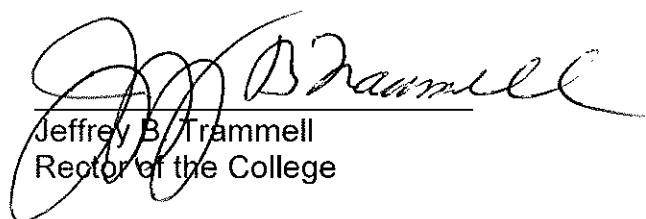
NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this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

VOTE

AYES: 17

NAYS: 0

ABSENT DURING CLOSED SESSION:



Jeffrey B. Trammell
Rector of the College

AGENDA ITEMS
Board of Visitors Meeting
The College of William and Mary in Virginia

February 1 - 3, 2012
Board Room - Blow Memorial Hall

RICHARD BLAND COLLEGE

Resolution 1, <i>tab #1</i>	Resolution to Approve Final Regulation Regarding Weapons on Campus
Resolution 2, <i>tab #2</i>	Approval of Criteria for Course Credit: Cambridge Advanced (A/AS) Exams

COLLEGE OF WILLIAM AND MARY

Resolution 3, <i>tab #3</i>	Resolution to Approve Easement for Fraternity Complex Project for Dominion Virginia Power
Resolution 4, <i>tab #4</i>	Resolution to Adopt Guidelines for Projects under the Public-Private Education Facilities and Infrastructure Act of 2002
Resolution 5, <i>tab #5</i>	Resolution to Adopt 2012 Emergency Response Plan (ERP)
Resolution 6, <i>tab #6</i>	Appointments to Fill Vacancies in the Professionals and Professional Faculty
Resolution 7, <i>tab #7</i>	Award of Academic Tenure
Resolution 8, <i>tab #8</i>	Faculty Promotions
Resolution 9, <i>tab #9</i>	Designated Professorship
Resolution 10, <i>tab #10</i>	Faculty Leave of Absence
Resolution 11, <i>tab #11</i>	Approval of Memorandum of Understanding Authorizing the Investment of Certain William and Mary Real Estate Foundation Funds in the Board of Visitors Endowment Pool

RICHARD BLAND COLLEGE
RESOLUTIONS

RICHARD BLAND COLLEGE

**RESOLUTION TO APPROVE
FINAL REGULATION REGARDING WEAPONS ON CAMPUS**

WHEREAS, protecting the safety of the campus community is of utmost importance to the Board of Visitors of The College of William and Mary in Virginia; and

WHEREAS, Chapter 5 of Title 23 of the Code of Virginia provides that the Board of Visitors shall "make all needful rules and regulations" concerning the College; and

WHEREAS, the Supreme Court of Virginia has confirmed that public institutions of higher education in Virginia may regulate the possession of weapons on their campuses; and

WHEREAS, the College has long prohibited weapons possession on campus by its students and employees; and

WHEREAS, the Board of Visitors desires to amend its weapons restrictions upon College employees and students; and

WHEREAS, the Board of Visitors deems it prudent to regulate weapons possession by visitors or other third parties in certain facilities controlled by the College as well as at certain College events, pursuant to its authority conveyed in Chapter 5 of Title 23 of the Code of Virginia; and

WHEREAS, the Board of Visitors has adopted a proposed Weapons on Campus Regulation on December 9, 2011, which was published in the Virginia Register of Regulation on January 2, 2012;

THEREFORE, BE IT RESOLVED, that, upon recommendation of the President, the proposed Weapons on Campus Regulation, a copy of which is attached hereto, is hereby adopted as a final regulation for publication in the Virginia Register in accordance with the Virginia Administrative Process Act, with an effective date of March 1, 2012 and

BE IT FURTHER RESOLVED that, the College's Regulatory Coordinator is hereby authorized and directed to take all necessary action to implement this resolution.

WEAPONS ON CAMPUS REGULATION

8VAC115-30-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Law enforcement official" means law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-232 et seq.) of Title 23, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, and Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia and sworn federal law-enforcement officers.

"College property" means any property owned, leased or controlled by Richard Bland College or the College of William and Mary.

"Weapon" means any firearm or any other weapon listed in § 18.2-308(A) of the Code of Virginia.

Statutory Authority

§ 23-44 of the Code of Virginia.

8VAC115-30-20. Possession of weapons prohibited.

Possession or carrying of any weapon by any person, except a police officer or an individual authorized pursuant to college policy, is prohibited on college property in academic buildings, administrative buildings, student residence and student life buildings, or dining or athletic facilities, or while attending an official college event, such as an athletic, academic, social, recreational or educational event, or on vessels that

are college property. Entry upon such college property in violation of this prohibition is expressly forbidden.

Statutory Authority

§ 23-44 of the Code of Virginia.

8VAC115-30-30. Person lawfully in charge.

In addition to individuals authorized by college policy, Richard Bland College police officers are lawfully in charge for the purposes of forbidding entry upon or remaining upon college property while possessing or carrying weapons in violation of this prohibition.

Statutory Authority

§ 23-44 of the Code of Virginia.

RICHARD BLAND COLLEGE

APPROVAL OF CRITERIA FOR
COURSE CREDIT: CAMBRIDGE ADVANCED (A/AS) EXAMS

WHEREAS, The State Council of Higher Education for Virginia has required that institutional governing boards implement policies that "grant undergraduate course credit for successfully completing the Cambridge Advanced (A/AS) exams according to Code of Virginia § 23-9.2:3.8," and

WHEREAS, such policies must establish the minimum required scores on the Cambridge Advanced (A/AS) examination in order to receive undergraduate course credit; (2) identify the course credit to be awarded for completion of the Cambridge Advanced (A/AS) exams; and (3) comparable to that awarded for AP examinations; and

WHEREAS, the Instructional Programs Committee, along with the Provost at Richard Bland College has completed a review and drafted the minimum required scores for granting credit on the Cambridge Advanced (A/AS) examinations, correlated achievement on these examination to course offerings, and these required scores have been publicized on the institution's website; and

WHEREAS, the President and Provost recommend that minimum scores and course credit to be awarded as described in Attachment A to this resolution, and affirm the credit to be awarded for the Cambridge Advanced (A/AS) exams are comparable to those for AP examinations;

BE IT RESOLVED, That upon the recommendation of the President and Provost, the Board of Visitors of the College of William and Mary approves the criteria used to ensure that course credit for the Cambridge Advanced (A/AS) examinations shall be comparable to its policies for granting course credit for Advanced Placement examinations.

COLLEGE OF WILLIAM AND MARY
RESOLUTIONS

COLLEGE OF WILLIAM AND MARY

**RESOLUTION TO APPROVE
EASEMENT FOR FRATERNITY COMPLEX PROJECT
FOR DOMINION VIRGINIA POWER**

WHEREAS, the College requests Board of Visitors' approval of the following utility easement for Dominion Virginia Power; and

WHEREAS, the College and the Commonwealth entered into a 2006 Management Agreement (the "Agreement"), governed by the restructured Higher Education Financial and Administrative Operations Act of 2005, Chapter 4.10 of the Title 23 of the *Code of Virginia*; and

WHEREAS, the Agreement was renewed in 2009; and

WHEREAS, the Agreement authorizes the College's Board of Visitors to approve easements locally; and

WHEREAS, Dominion Virginia Power ("VA Power") requested an easement, in the form of a 15' right of way, in order to extend existing service from William & Mary Hall, across Ukrop Way, through the existing Fraternity Complex site, across Yates Drive and around Yates Hall, to the new Fraternity Complex (204-17808) project; and

WHEREAS, there is no transfer of property involved which would require action by the General Assembly (per Chapter 774, 1995 Acts of Assembly); thus

THEREFORE, BE IT RESOLVED, by the Rector and the Board of Visitors of the College of William and Mary in Virginia, that approval is given, in accordance with all authorities, policies, and procedures in force and necessary to accomplish same, for the easement named in the resolution; and that

BE IT FURTHER RESOLVED, That the Vice President for Administration and her staff are authorized to prepare and execute any and all necessary documents pertaining to the approval and recordation of such easements in the College's name.

**RESOLUTION TO ADOPT GUIDELINES FOR PROJECTS
UNDER THE PUBLIC-PRIVATE EDUCATION
FACILITIES AND INFRASTRUCTURE ACT OF 2002**

WHEREAS, the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) grants public entities with the authority to create public-private partnerships for the development of a wide range of projects for public use, if the public entity determines there is a need for the project, and that private investment and/or involvement may provide the project to the public in a timely and cost effective fashion; and

WHEREAS, for the purposes of the PPEA, the Commonwealth of Virginia, its agencies and institutions taken together, including the College of William and Mary, is a "responsible public entity" that has the power to develop or operate the applicable qualifying project; and

WHEREAS, pursuant to the Code of Virginia, the governing board of the College, the Board of Visitors, must adopt guidelines in compliance with the PPEA in order to pursue any qualifying project; and

WHEREAS, the Bylaws of the College's Board of Visitors stipulate that the full Board can and must take such action;

THEREFORE, BE IT RESOLVED, That the Board of Visitors of the College of William and Mary in Virginia, hereby adopts the attached "College of William and Mary Guidelines for Projects under the Public Private Education Facilities and Infrastructure Act (2002)."

BE IT FURTHER RESOLVED, That the Vice President for Administration and her staff are authorized to prepare and execute any and all necessary documents pertaining to adoption and enforcement of such guidelines in the College's name.

GUIDELINES FOR PROJECTS UNDER THE PUBLIC PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT (2002)**PublicPrivate EducationFacilities and Infrastructure Act of 2002**

The Public Private Education Facilities and Infrastructure Act of 2002 ("PPEA") grants responsible public entities the authority to create public private partnerships for the development of a wide range of projects for public use if the public entities determine there is a need for the project and that the private involvement may provide the project to the public in a timely or cost- effective fashion. For the purposes of the PPEA, the Commonwealth of Virginia, its agencies and institutions taken together, including The College of William and Mary ("The College"), is a "responsible public entity" ("RPE") that has the power to develop or operate the applicable qualifying project.

In order for a project to come under the PPEA, it must meet the definition of a "qualifying project." The PPEA contains a broad definition of qualifying projects that includes public buildings and facilities of all types; for example:

- (1) An education facility, including but not limited to a university building (including any stadium or other facility primarily used for university events), any functionally related and subordinate facility to a university building and any depreciable property provided for use in a university facility that is operated as part of the public university system or as an institution of higher education;
- (2) A building or facility that meets a public purpose and is developed or operated by or for any public entity;
- (3) Improvements, together with equipment, necessary to enhance public safety and security of buildings to be used principally by a public entity;
- (4) Utility and telecommunications and other communications infrastructure;
- (5) A recreational facility;
- (6) Technology infrastructure and services, including but not limited to telecommunications, automated data processing, word processing and management information systems, and related information, equipment, goods and services;
- (7) Technology, equipment, or infrastructure designed to deploy wireless broadband services to universities, businesses, or residential areas; or
- (8) Any improvements necessary or desirable to any unimproved university or Commonwealth - owned real estate.

An RPE may not consider any proposal by a private entity for approval of the qualifying project until the RPE has adopted and made publically available guidelines incompliance with the PPEA. The College will follow these guidelines (as follows) in the review and acceptance of proposals.

Guidelines for the review and approval of proposals and projects**I. General Provisions**

These guidelines are prepared and made available publically to encourage joint efforts between the College and private entities, as well as stimulate competition in the private sector and to make clear the College's compliance with the PPEA.

A. Proposal Submission

Pursuant to Virginia Code Section 56575.4 of the PPEA, a proposal to provide a qualifying project to a RPE may be either solicited by the College (a "Solicited Bid/Proposal") or delivered to the College by a private entity on an unsolicited basis (an "Unsolicited Proposal"). In either case, any such proposal shall be clearly identified as a "PPEA Proposal." The requirements for any particular "Solicited Bid/Proposal" shall be as specified in the solicitation by the College for that particular proposal and shall be consistent with all applicable provisions of the PPEA. Any Unsolicited Proposal shall be submitted to the College by delivering ten (10) complete copies, together with the required initial review fee as provided below in§ III(C), to:

The Vice President for Administration
College of William and Mary
P.O. Box 8795
Williamsburg, VA 23187-8795

The Vice President for Administration ("VPA") is designated as the College's contact person for all submissions, questions, and concerns regarding the proposal process under the PPEA. Likewise, any proposal should designate a contact person from the private entity to whom questions and clarifications maybe directed. Other requirements for an Unsolicited Proposal are as set forth below in § III.

Whether the private entity submits a Solicited Bid or an Unsolicited Proposal, it will follow a two - part process, consisting of an initial conceptual phase and a detailed phase. The initial phase of the proposal should contain specified information regarding the proposer's qualifications and

¹ experience, project characteristics, project financing, anticipated public support or opposition, or both, and project benefit and compatibility. The detailed proposal should contain specified deliverables, namely, project benefits, scope of work, and a financial plan that contains enough specificity so that The College may fairly evaluate the financial feasibility of the qualified project. The cost analysis of a proposal should not be linked solely to the financing plan, as The College may determine to finance the project through other available means.

¹ The PPEA provides for innovative and flexible financing options. Each suggested financing arrangement will be evaluated on a case by case basis.

B. Posting

Under the PPEA, The College is required to make provisions for posting and publishing public notice announcing a private entity's request for approval of a qualifying project. Such notices will contain:

- (i) specific information and documentation to be released regarding the nature, timing, and scope of the qualifying project pursuant to subsection A of § 56S75.4;
- (ii) a reasonable time period of at least 45 days during which the College shall receive competing proposals conforming to subsection A of § 56S75.4; and
- (iii) an advertisement of the public notice on the Commonwealth's electronic procurement website.

C. Affected Jurisdictions

Any private entity requesting approval from or submitting a conceptual or detailed proposal to the College must provide each affected jurisdiction with a copy of the private entity's request or proposal by certified mail, express delivery, or hand delivery. The term "affected local jurisdiction" includes any college, city, or town in which all or a portion of a qualifying project is located. Affected jurisdictions that are not RPEs under the proposed qualifying project shall have sixty (60) days from the receipt of the request or proposal to submit written comments to the College, directed to the VPA, and to indicate whether the proposed qualifying project is compatible with the following:

- (i) the local comprehensive plan;
- (ii) the local infrastructure development plan; or
- (iii) the capital improvements budget or other government spending plan.

Comments received within the sixty (60) day period shall be given consideration by the College before entering into an interim or comprehensive agreement with a private entity, and no negative inference shall be drawn from the absence of comment by an affected jurisdiction. Nothing above shall prevent the College from proceeding with or continuing the evaluation process during the sixty (60) day period.

D. Virginia FOIA

Any confidential and proprietary information provided to a responsible public entity by a private entity pursuant to the PPEA shall be subject to disclosure under the Virginia Freedom of Information Act ("FOIA") (§ 2.23700 et seq.) except as provided by§ 56S75.4(G) of the PPEA. In order to prevent the release of any confidential and proprietary information that otherwise could be held in confidence pursuant to § 56S75.4(G) of the PPEA, the private entity submitting the information must do the following:

- (i) invoke the exclusion from FOIA when the data or materials are submitted to the College or before such submission; and

February 1-3, 2012

Page 5 of 17

- (ii) identify with specificity the data and materials for which protection from disclosure is sought; and
- (iii) state why the exclusion from disclosure is necessary.

A private entity may request and receive a determination from the College as to the anticipated scope of protection prior to submitting the proposal. The College is authorized and obligated to protect only confidential proprietary information, and thus will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential by the private entity without reasonably differentiating between the proprietary and nonproprietary information contained therein.

Upon receipt of a request from a private entity that designated portions of a proposal be protected from disclosure as confidential and proprietary, the College shall determine whether such protection is appropriate under applicable law and, if appropriate, the scope of such appropriate protection and shall communicate its determination to the private entity in writing. FOIA exemptions are discretionary, and the College may elect to release some or all documents except to the extent the documents are:

- (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§59.1-336et seq.); or
- (ii) financial records of the private entity that are not generally available to the public through regulatory disclosure or otherwise, including but not limited to balance sheets and financial statements; or
- (iii) other information submitted by a private entity, where if the record or document were made public prior to the execution of an interim or comprehensive agreement the financial interest or bargaining position of the public or private entity would be adversely affected.

If the determination regarding protection or the scope thereof differs from the private entity's request, then The College will afford the private entity a reasonable opportunity to clarify and justify its request. Upon a final determination by the College to afford less protection than requested by the private entity, the private entity will be given an opportunity to withdraw its proposal. A proposal so withdrawn will be treated in the same manner as a proposal not accepted for publication and conceptual phase consideration as provided below in § III(A).

The College reserves the right to withhold from disclosure memoranda, staff evaluations, or other records prepared by the College, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals where (i) if such records were made public prior to or after the execution of an interim or a comprehensive agreement, the financial interest or bargaining position of the College would be adversely affected, and (ii) the basis for the determination required in clause (i) is documented in writing by The College.

To the extent that access to any procurement record or other document or other information is compelled or protected by a court order, the College shall comply with such order.

E. Use of Public Funds

Virginia constitutional and statutory requirements as they apply to appropriation and expenditure of public funds apply to any interim or comprehensive agreement entered into under the PPEA. Accordingly, the processes and procedural requirements associated with the expenditure or obligation of public funds shall be incorporated into planning for any PPEA project or projects.

F. Applicability of Other Laws

Nothing in the PPEA shall affect the duty of the College to comply with all other applicable law not in conflict with the PPEA. The applicability of the Virginia Public Procurement Act ("VPPA") is set forth in the PPEA, § 56575.16. The Restructured Higher Education Financial and Administrative Operations Act, §§ 2338.88, 2338.109, is also applicable.

II. Solicited Proposals

The procedures applicable to any particular Solicited Bid/Proposal shall be specified in the solicitation for that proposal and shall be consistent with the requirements of the PPEA, these Guidelines, and any other applicable law. The solicitation will list any documents and information that must accompany each proposal and outline the factors that will be used in evaluating submitted proposals, as well as any unique capabilities or qualifications required of private entities submitting bids.

All such solicitations shall be made by issuance of a written Invitation to Bid ("IFB") or Request for Proposal ("RFP"). Any proposal submitted pursuant to the PPEA that is not received in response to an IFB or RFP shall be an Unsolicited Proposal under these Guidelines, including but not limited to (a) proposals received in response to a notice of the prior receipt of another Unsolicited Proposal, and (b) proposals received in response to publicity by The College concerning particular needs when The College has not issued a corresponding IFB or RFP, even if The College otherwise has encouraged the submission of proposals pursuant to the PPEA that address those needs.

III. Unsolicited Proposals

The College may publicize its needs and may encourage interested parties to submit unsolicited proposals subject to the terms and conditions of the PPEA. When such proposals are received without issuance of a RFP, the proposal shall be treated as an Unsolicited Proposal. The College reserves the right to accept to reject any and all proposals at any time.

The process for evaluating an Unsolicited Proposal, which is described in detail below in§ V, consists of four steps. Briefly summarized, upon receipt of an Unsolicited Proposal the College's first

step will be to determine whether to accept it for consideration at the conceptual stage. If so, then in step two the College will give public notice of the Unsolicited Proposal. In step three the College will proceed with a review at the conceptual stage of the original Unsolicited Proposal and/or any proposal received in response to the public notice and accepted for consideration at the conceptual stage. Step four is an in depth review at the detailed stage of the original Unsolicited Proposal and/or any proposal received in response to the public notice and accepted for consideration at the detailed stage. The College may discontinue its evaluation of any proposal at any time. Furthermore, if the College determines that it is in the College's interest to do so with respect to any Unsolicited Proposal, the College may eliminate review at the conceptual stage and proceed directly to a review at the detailed stage, provided that the public notice is made.

A. Decision to Accept and Consider Unsolicited Proposal; Notice

Upon receipt of any Unsolicited Proposals and payment of any required fee by the private entity making the proposal, The College will determine whether to accept the Unsolicited Proposal for the purpose of publication and conceptual phase consideration. If the College decides not to accept the proposal and proceed to publication and conceptual phase consideration, it will return the proposal, together with all fees and accompanying documentation, to the private entity.

B. Posting Requirements

Conceptual proposals, whether solicited or unsolicited, shall be posted by the College on the Commonwealth's electronic procurement system, "eVA", within ten (10) working days after acceptance of such proposals. One copy of each of the conceptual proposals will be made available for public inspection at the location and under the conditions indicated in the notice. The College will post the notice for a period of not less than forty-five (45) days on eVA site (www.eva.commonwealth.va.us). The notice will Commonwealth that the College:

- (i) has received an unsolicited proposal for a project qualified under the PPEA;
- (ii) has initially reviewed the proposal and intends to give it further consideration;
- (iii) may negotiate an interim or comprehensive agreement with the private entity who made the proposal; and
- (iv) will receive any competing proposals that comply with these Guidelines and the PPEA and will give them consideration before proceeding further with any one proposal.

The notice will also contain summary descriptions of the qualifying project(s) and their proposed locations, as well as a College contact to whom questions may be addressed. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of § 2.23705.6 shall not be posted, except as otherwise agreed to by The College and the proposing private entity.

C. Review Fees

A review fee will be charged to any private entity submitting an Unsolicited Proposal to the

College, to cover the College's costs of processing, reviewing, and evaluating the proposal, including the cost to compare it to any competing proposals. Such costs include but are not limited to College staff time, the cost of any materials or supplies expended, and the cost of any outside advisors or consultants, including but not limited to attorneys, consultants, financial and technical advisors, used by the College in its sole discretion. The uses and expenditures for these resources is the sole discretion of the College. Such fees generally shall be in the amount necessary to completely cover all of the College's costs.

Such fees shall be imposed based on the reasonably anticipated costs to the College in accordance with the following schedule:

(i) *Initial fee.* Payment of an initial fee must accompany the submission of the Unsolicited Proposal to the College in order for the College to proceed with its review. The initial fee shall be two and one half percent (2.5%) of the reasonably anticipated total cost of the proposed qualifying project, but shall be no less than \$2,500 or more than \$50,000, regardless of the anticipated total cost.

(ii) *Additional fees.* Additional fees shall be imposed on and paid by the private entity throughout the processing, review, and evaluation of the Unsolicited Proposal if and as the College reasonably anticipates incurring costs in excess of the initial fee paid by the private entity. The College will notify the private entity of the amount of such additional fees as and when it anticipates incurring such costs. Prompt payment of such additional fees is required before the College will continue to process, review, and evaluate the proposal.

(iii) *Reimbursement of excess fees paid.* In the event the total fees paid by the private entity exceed the College's total costs incurred in processing, reviewing, and evaluating the proposal, the College shall reimburse the difference. Otherwise, the College shall retain all fees paid.

D. Initial Review by the College at the Conceptual Stage

Only proposals complying with the requirements of the PPEA that contain sufficient information for a meaningful evaluation and that are provided in an appropriate format will be considered by the College for further review at the conceptual stage. The College will determine at this stage whether it will proceed by using standard VPPA procurement procedures, those it has developed under the authority of the Restructured Higher Education Financial and Administrative Operations Act, §§ 2338.88,² 2338.109, or guidelines it develops consistent with § 2.24301.

² If the College chooses to develop its own guidelines other than those developed under the authority of the Restructured Higher Education Financial and Administrative Operations Act, §2338.109, it must make a written determination that doing so is likely to be advantageous to the College and the public based upon either (i) the probable scope, complexity or priority of need; (ii) the risk sharing including guaranteed cost or completion guarantees, added value or debt, or equity investments proposed by the private entity; or (iii) the increase in funding, dedicated revenue or other economic benefit that would otherwise not be available.

After reviewing the original proposal and any competing proposal submitted, the College will determine:

- (i) not to proceed further with any proposal;
- (ii) to proceed to the detailed phase of review with the original proposal;
- (iii) to proceed to the detailed phase with a competing proposal;
- (iv) to proceed to the detailed phase with multiple proposals; or
- (v) to request modifications or amendments to any proposals.

If more than one proposal is considered in the detailed phase of review, The College will reimburse the unsuccessful proposer(s) for reasonable costs. Such costs will be assessed to the successful proposer in the comprehensive agreement.

IV. Proposal Preparation and Submission

A. Format for Submissions at Conceptual Stage

Unsolicited proposals must contain the following information in the following format, as well as any further information the College may request:

1. Qualification and Experience
 - a. Identify the legal structure of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach and how each partner and major subcontractor in the structure fits into the overall team.
 - b. Describe the experience of the firm or consortium of firms making the proposal and the key principals involved in the proposed project including experience with projects of comparable size and complexity. Describe the length of time in business, business experience, public sector experience, and other engagements of the firm or consortium of firms. Include the identity of any firms that will provide design, construction, completion guarantees and warranties, as well as a description of such guarantees and warranties.
 - c. Provide the names, addresses, and telephone numbers of persons within the firm or the consortium of firms who may be contacted for further information.
 - d. Provide a current or most recently audited financial statement of the firm or firms and each partner with an equity interest of twenty percent or greater.
 - e. Identify any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia Commonwealth and Local Government Conflict of Interest Act, Chapter 31(§2.2-3100 et seq.) of Title 2.2.
2. Project Characteristics
 - a. Provide a description of the project, including the conceptual design. Describe the

proposed project in sufficient detail so that type and intent to the project, the location, and the communities that maybe affected are clearly identified.

- b. Identify and fully describe any work to be performed by the College.
- c. Include a list of all federal, Commonwealth, and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.
- d. Identify any anticipated adverse social, economic, and environmental impacts of the project. Specify strategies or actions to mitigate known impacts of the project.
- e. Identify the projected positive social, economic, and environmental impacts of the project.
- f. Identify the proposed schedule for the work on the project, including the estimated time to completion.
- g. Propose allocation of risk and liability for work completed beyond the agreement's completion date, and assurances for timely completion of the project.
- h. Commonwealth assumptions related to ownership, legal liability, law enforcement, and operation of the project and the existence of any restrictions on the College's use of the project.
- i. Provide information relative to phased or partial openings of the proposed project prior to completion of the entire work.
- j. List any other assumptions relied on for the project to be successful.
- k. List any contingencies that must occur for the project to be successful.

3. Project Financing

- a. Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.
- b. Submit a plan for the development, financing, and operation of the project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of and proposed sources and uses for such funds including any anticipated debt service costs. The operational plan should include appropriate staffing levels and associated costs, as well as support for due diligence studies, analyses and reports.
- c. Include a list and discussion of assumptions underlying all major elements of the plan. Assumptions should include all significant fees associated with financing given the recommended financing approach. In addition, complete disclosure of interest rate assumptions should be included. Any ongoing operational fees, if applicable, should also be disclosed as well as any assumptions with regard to increases in such fees.
- d. Identify the proposed risk factors and methods for dealing with these factors.
- e. Identify any local, Commonwealth, or federal resources that the proposer contemplates requesting for the project. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment. Such

disclosure should include any direct or indirect guarantees or pledges of the College's credit or revenue.

- f. Identify the amounts and the terms and conditions for any revenue sources.
- g. Identify any aspect of the project that could disqualify the private entity from obtaining tax exempt financing.

4. Project Benefit and Compatibility

- a. Identify who will benefit from the project, how they will benefit, and how the project will benefit the overall community, region, or Commonwealth.
- b. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the project.
- c. Explain the strategy and plans that will be carried out to involve and inform the general public, business community, and governmental agencies in areas affected by the project.
- d. Describe the anticipated significant benefits to the community, region or Commonwealth, including anticipated benefits to the economic condition of the College and whether the project is critical to attracting or maintaining competitive industries and businesses to the College or the surrounding region.
- e. Describe compatibility with the local comprehensive plan, local infrastructure development plans, the capital improvements budget, or other government spending plan.
- f. Provide a statement setting forth participation efforts that are intended to be undertaken in connection with this project with regard to the following types of businesses: (i) minority owned businesses, (ii) woman owned businesses, and (iii) small businesses.

B. Format for Submissions at Detailed Stage

If The College decides to proceed to the detailed phase of review with one or more proposals, the following information should be provided by the private entity unless waived by the College:

- 1. A topographical map (1:2,000 or other appropriate scale) depicting the location of the proposed project;
- 2. A list of public utility facilities, if any, that will be crossed by the qualifying project, and a statement of the plans the proposer has to accommodate such crossings;
- 3. A statement and strategy setting out the plans for securing all necessary property;
- 4. A detailed listing of all firms that will provide specific design, construction and completion guarantees and warranties, and a brief description of such guarantees and warranties;
- 5. A total life cycle cost specifying methodology and assumptions of the project or projects and the proposed project start date. Include anticipated commitment of all parties; equity, debt, and other financing mechanisms; and a schedule of project revenues and project

costs. The lifecycle cost analysis should include, but not be limited to, a detailed analysis of the projected return, rate of return, or both, expected useful life of facility, and estimate annual operating expenses;

6. A detailed discussion of assumptions about user fees or rates, and usage of the project or projects;
7. Identification of any known government support or opposition, or general public support or opposition for the project. Government or public support should be demonstrated through resolution of official bodies, minutes of meetings, letters, or other official communications;
8. Demonstration of consistency with appropriate local comprehensive or infrastructure development plans or indication of the steps required for acceptance into such plans;
9. Explanation of how the proposed project would impact local development plans of each affected jurisdiction;
10. Identification of the executive management and the officers and directors of the firm or firms submitting the proposal. In addition, identification of any known conflicts of interest or other disabilities that may impact the College's consideration of the proposal, including the identification of any persons known to the proposer who would be obligated to disqualify the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia Commonwealth and Local Government Conflict of Interest Act, Chapter 31 (§2.2-3100 et seq) of Title 2.2;
11. Additional material and information as the College might reasonably request.

V. Proposal Evaluation and Selection Criteria

Some or all of the following matters may be considered in the evaluation and selection of PPEA proposals. The College retains the right at all times to reject any proposal at any time for any reason.

A. Qualifications and Experience

The College will consider the following factors in either phase of its review to determine whether the proposer possesses the requisite qualifications and experience:

1. Experience with similar projects;
2. Demonstration of ability to perform work;
3. Leadership structure;
4. Project manager's experience;
5. Management approach;
6. Financial condition; and
7. Project ownership.

B. Project Characteristics

The College will consider the following factors in determining the project characteristics:

1. Project definition;
2. Proposed project schedule;
3. Operation of the project;
4. Technology; technical feasibility;
5. Conformity to laws, regulations, and standards;
6. Environmental impacts;
7. Condemnation impacts;
8. Commonwealth and local permits; and
9. Maintenance of the project.

C. Project Financing

Factors to be considered in determining whether the proposed project financing allows adequate access to the necessary capital to finance the project may include but are not necessarily limited to:

1. Cost and cost benefit to the College;
2. Financing and the impact on the debt or debt burden of the College;
3. Financial plan, including the degree to which the proposer has conducted due diligence investigation and analysis of the proposed financial plan and the results of any such inquiries or studies;
4. Opportunity costs assessments;
5. Estimated cost;
6. Lifecycle cost analysis;
7. The identity, credit history, and past performance of any third party that will provide financing for the project and the nature and timing of their commitment; and
8. Such other items as the College deems appropriate.

In the event that any project is financed through the issuance of obligations that are deemed to be tax - supported debt of the College, or if financing such a project may impact the College's debt rating or financial position, the College may select its own finance team, source, and financing vehicle.

D. Project Benefit and Compatibility

Factors to be considered in determining the proposed project's compatibility with the appropriate local or regional comprehensive or development plans may include but are not necessarily limited to:

1. Community benefits;
2. Community support or opposition, or both;
3. Public involvement strategy;

4. Compatibility with existing and planned facilities; and
5. Compatibility with local, regional, and Commonwealth economic development efforts.

E. Other Factors

Other factors that may be considered by the College in the evaluation and selection of PPEA proposals include:

1. The proposed cost of the qualifying project;
2. The general reputation, industry experience, and financial capacity of the private entity;
3. The proposed design of the qualifying project;
4. The eligibility of the project for accelerated documentation, review, and selection;
5. Local citizen and government comments;
6. Benefits to the public, including financial and nonfinancial;
7. The private entity's compliance with a minority business enterprise participation plan or good faith effort to comply with the goals of such plan;
8. The private entity's plans to employ local contractors and residents;
9. The recommendation of a committee of representatives of members of the College and the appropriating body which may be established to provide advisory oversight for the project; and
10. Other criteria that the College deems appropriate.

VI. Additional Review Procedures

A. Public Private Partnership Oversight Advisory Committee

The College may, at its discretion, assemble an advisory committee or establish criteria to trigger the establishment of an advisory committee for the purpose of reviewing the terms of a proposed interim or comprehensive agreement. If the College forms a committee or establishes such criteria, the members will consist of representatives from the College and its Board of Visitors. The criteria, if formally established, should include, but not be limited to, the scope, total cost and duration of the proposed project, and whether the project involves or impacts multiple public entities. Timelines for the work of the committee should be developed and made available to proposers.

B. Timelines

Guidelines for determining applicable timelines are as follows:

1. For Solicited Bids, the timeline for selecting proposals and negotiating an agreement will be consistent with the terms and conditions set forth in the Request for Proposals.
2. For Unsolicited Proposals, an estimated timeline will be developed and distributed within 60 days of receipt of the proposal. The timeline will be subject to revision(s), as required.
3. Accelerated selection, review, and documentation timelines shall be permitted for proposals

involving a qualifying facility that the College deems a priority.

VII. Interim and Comprehensive Agreements

A. Interim Agreement Terms

Prior to or in connection with the negotiation of the comprehensive agreement, the College may enter into an interim agreement with the private entity. The scope and content of an interim agreement may include but is not limited to:

1. Project planning and development;
2. Design and engineering;
3. Environmental analysis and mitigation;
4. Survey;
5. Ascertaining the availability of financing for the proposed facility through financial and revenue analysis;
6. Establishing a process and timing of the negotiation of the comprehensive agreement;
7. Granting permission to the private entity to commence activities for which it may be compensated relating to the qualifying project; and
8. Any other provisions related to any aspect of the development or operation of a qualifying project that the parties may deem appropriate prior to the execution of a comprehensive agreement.

B. Comprehensive Agreement Terms

Prior to developing or operating any qualifying project, a selected private entity shall enter into a comprehensive agreement with the College as provided by the PPEA. Any such comprehensive agreement and any amendment thereto, must be approved by the College's Board of Visitors before it is entered into on behalf of the College. As provided by the PPEA, the terms of the comprehensive agreement shall include but not be limited to:

1. The delivery of maintenance, performance and payment bonds or letters of credit in connection with any acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project;
2. The review of plans and specifications for the qualifying project by the College;
3. The rights of the College to inspect the qualifying project to ensure compliance with the comprehensive agreement;
4. The maintenance of a policy or policies of liability insurance or self- insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;
5. The monitoring of the practices of the private entity by the College to ensure proper maintenance;

6. The terms under which the private entity will reimburse the College for services provided;
7. The policy and procedures that will govern the rights and responsibilities of the College and the private entity in the event that the comprehensive agreement is terminated or there is a material default by the private entity including the conditions governing assumptions of the duties and responsibilities of the operator by the College and the transfer or purchase of property or other interests of the private entity by the College;
8. The terms under which the private entity will file appropriate financial statements on a periodic basis;
9. The mechanism by which user fees, lease payments, or service payments, if any, may be established from time to time upon agreement of the parties. Any payments or fees shall be set at a level that are the same for persons using the facility under like conditions and that will not materially discourage use for the qualifying project;
 - a. A copy of any service contract shall be filed with the College.
 - b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request.
 - c. Classifications according to reasonable categories for assessment of user fees may be made.
10. The terms and conditions under which the College may contribute financial resources, if any, for the qualifying project;
11. The terms and conditions under which existing site conditions will be assessed and addressed, including identification of the responsible party for conducting the assessment and taking necessary remedial action;
12. The terms and conditions under which the College will be required to pay money to the private entity and the amount of any such payments for the project;
13. Other requirements of the PPEA or other applicable law; and,
14. Such other terms and conditions as the College may deem appropriate.

Any changes in the terms of the interim or comprehensive agreement as may be agreed upon by the parties from time to time shall be added to the interim or comprehensive agreement by written amendment only.

The comprehensive agreement may provide for the development or operation of phases or segments of a qualifying project.

C. Notice and Posting Requirements

In addition to the posting requirements of Section III (B), 30 days prior to entering into an interim or comprehensive agreement, the College shall provide an opportunity for public comment on the proposals. Such public comment period may include a public hearing in the sole discretion of the College. After the end of the public comment period, no additional posting shall be required based on any public comment received.

Once the negotiation phase for the development of an interim or a comprehensive agreement is complete and a decision to award has been made by the College, the College shall post the proposed agreement in on the Department of General Service's web based electronic procurement program ("eVA"). At least one copy of the proposals shall be made available for public inspection. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of §2.23705.6 shall not be required to be posted, except as otherwise agreed to by the College and the private entity. Any studies and analyses considered by the College in its review of a proposal shall be disclosed to the appropriating body at some point prior to the execution of an interim or comprehensive agreement.

Once an interim agreement or a comprehensive agreement has been entered into, the College shall make procurement records available for public inspection, upon request. Such procurement records shall include documents protected from disclosure during the negotiation phase on the basis that the release of such documents would have an adverse effect on the financial interest or bargaining position of the College or private entity in accordance with Section II.D.3. Such procurement records shall not include (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§59.1336 et seq.) or (ii) financial records, including balance sheets or financial statements of the private entity that are not generally available to the public through regulatory disclosure or otherwise.

To the extent access to procurement records are compelled or protected by a court order, then the College must comply with such order.

VIII. Governing Provisions

In the event of any conflict between these guidelines and the PPEA, the terms of the PPEA shall control.

COLLEGE OF WILLIAM AND MARY
RESOLUTION TO ADOPT
2012 EMERGENCY RESPONSE PLAN (ERP)

WHEREAS, the Code of Virginia Chapter 1 of Title 23 and Title 44 directs that all public institutions of higher education shall develop, adopt, and keep current a written crisis and emergency management plan (ERP); and that every four years, each institution shall conduct a comprehensive review and revision of its ERP to ensure the plan remains current, and that the revised ERP shall be adopted formally by the institution's governing body; and

WHEREAS, such review shall also be certified in writing to the Virginia Department of Emergency Management (VDEM); and

WHEREAS, such a plan has been developed by the College in coordination with VDEM and the City of Williamsburg; and

WHEREAS, the College's Emergency Response Plan (the Plan) establishes policies, procedures and organizational structure to prepare for, respond to and recover from, emergency events; and

WHEREAS, the Plan describes the roles and responsibilities of departments, schools, units and personnel during emergency situations, consistent with established practices and protocols, and incorporates the National Incident Management System (NIMS) to facilitate interagency coordination among responding agencies; and

WHEREAS, nothing in the Plan shall be construed in a manner that limits the use of good judgment and common sense in matters not foreseen or covered by elements of the Plan;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors of the College of William and Mary in Virginia, hereby adopts the College's 2012 Emergency Response Plan (*see separate booklet*), and

BE IT FURTHER RESOLVED, That the College will cooperate with federal, state and local emergency management agencies and other responders in the development, implementation, and execution of the Plan; and

BE IT FINALLY RESOLVED, That the Vice President for Administration is authorized to take all necessary actions to develop, implement, and execute the Plan.

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

Vacancies in the Professionals and Professional Faculty of the College of William and Mary have resulted because of resignations, terminations or the approval of additional authorized positions.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the appointments of the following individuals to fill these positions:

NANCY LECUYER BEACH, Major Gift Officer, Marshall-Wythe School of Law, effective January 3, 2012

B.A., Randolph-Macon College, 1992

University of Chicago
Regional Director, Alumni Relations and Development, 2007-2011
Director of College and Campus Programs, Alumni Association, 2005-2007
Associate Director of College and Campus Programs, Alumni Association, 2000-2005

University of Richmond School of Law
Director of Alumni and Development, 1997-2000

Randolph-Macon College
Director of Annual Giving, 1992-1997

LAURA NICOLE COOGAN, Lead Annual Gift Officer, University Development, effective January 3, 2012

B.A., University of Delaware, 2008

United States Senate, Office of Thomas R. Carper
Staff Assistant/Deputy New Castle County Director, 2008-2011

Carper for Senate Committee
Office Manager, 2008-2011

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

JAMES W. DEVERICK, Director of Software Development and
Information Technology, Institute for the Theory and Practice of
International Relations, effective December 10, 2011

B.S., Denison University, 2000
M.S., College of William and Mary, 2002

Deverick Consulting, LLC
Chief Technology Officer, 2008-2011

CareData Trak, LLC
Chief Technology Officer, 2009-2010

College of William and Mary
Instructor, 2009-2011
Systems Administrator, 2001-2006

SIPerior Technologies, Inc.
Senior Engineer and Systems Administrator, 2005-2008

RHIANNA ELISE SHABSIN, Assistant Dean for Admission, Marshall-Wythe School of Law, effective January 3, 2012

B.A., Rhodes College, 2002
J.D., College of William and Mary, 2011

College of William and Mary, Marshall-Wythe School of Law
The Roger Strand Post-Graduate Fellow in Technology, 2011

COLLEGE OF WILLIAM AND MARY
APPOINTMENTS TO FILL VACANCIES IN THE
PROFESSIONALS AND PROFESSIONAL FACULTY

TINA T. SINCLAIR, Director, Business Services, Facilities Management,
effective January 10, 2012

B.S., Christopher Newport College, 1983

Jamestown Yorktown Foundation
Financial Service Manager-Fiscal Officer, 2008-2011

Smurfit-Stone Container Corporation
Assistant Controller, 1995-2008
Plant Accountant, 1991-1995

Hall Auto Mall
Controller, 1989-1990

CHRISTOPHER M. STRATTON, Assistant Director of Development,
Athletics Department, effective December 12, 2011

B.B.A., College of William and Mary, 2008

Longwood University
Special Assistant to the Director of Athletics, 2010-2011

Hampden-Sydney College
Assistant Sports Information Director, 2009-2010
Assistant Basketball Coach, 2009-2010

Navigant Consulting, Inc.
Consultant, 2008-2009

COLLEGE OF WILLIAM AND MARY
AWARD OF ACADEMIC TENURE

The following members of the Instructional Faculty at the College of William and Mary have been recommended for the award of academic tenure by the appropriate departmental committees and chairs, the appropriate deans, and by the Provost and President.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the following members of the Faculty be awarded academic tenure, effective with the beginning of the 2012-2013 academic year:

MARK J. BRUSH, School of Marine Science

GJERGJI CICI, Mason School of Business

DANIELLE H. DALLAIRE, Department of Psychology

LEAH F. GLENN, Department of Theatre, Speech and Dance

ERIC J. HILTON, School of Marine Science

OLIVER KERSCHER, Department of Biology

ERIN K. MINEAR, Department of English

IRINA B. NOVIKOVA, Department of Physics

AMY C. OAKES, Department of Government

NATHAN B. OMAN, Marshall-Wythe School of Law

ELENA V. PROKHOROVA, Department of Modern Languages and Literatures

NICOLE J. SANTIAGO, Department of Art and Art History

Board of Visitors

Resolution 7(R)

February 1-3, 2012

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COLLEGE OF WILLIAM AND MARY
AWARD OF ACADEMIC TENURE

XIPENG SHEN, Department of Computer Science

LEA A. THEODORE, School of Education

KEVIN A. VOSE, Department of Religious Studies

COLLEGE OF WILLIAM AND MARY
FACULTY PROMOTIONS

The following members of the Instructional Faculty of the College of William and Mary have been recommended for promotion in academic rank by the appropriate departmental committees and chairs, the appropriate deans, and by the Provost and President.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the academic promotions of the following members of the Faculty of the College, effective with the beginning of the 2012-2013 academic year:

Assistant Professor to Associate Professor

MARK J. BRUSH, School of Marine Science

GJERGJI CICI, Mason School of Business

DANIELLE H. DALLAIRE, Department of Psychology

LEAH F. GLENN, Department of Theatre, Speech and Dance

ERIC J. HILTON, School of Marine Science

OLIVER KERSCHER, Department of Biology

ERIN K. MINEAR, Department of English

IRINA B. NOVIKOVA, Department of Physics

AMY C. OAKES, Department of Government

ELENA V. PROKHOROVA, Department of Modern Languages and Literatures

NICOLE J. SANTIAGO, Department of Art and Art History

XIPENG SHEN, Department of Computer Science

KEVIN A. VOSE, Department of Religious Studies

Board of Visitors

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COLLEGE OF WILLIAM AND MARY
FACULTY PROMOTIONS

Associate Professor to Professor

NATHAN B. OMAN, Marshall-Wythe School of Law

Board of Visitors

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COLLEGE OF WILLIAM AND MARY
DESIGNATED PROFESSORSHIP

The following member of the Instructional Faculty of the College of William and Mary has been recommended for a designated professorship.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary approves the designated professorship of the following member of the Faculty of the College, effective with the 2013-2014 academic year:

DANIELLE DALLAIRE, Robert F. Sharpe and Jane A. Sharpe Assistant Professor of Civic Renewal and Entrepreneurship, Assistant Professor of Psychology, for a three-year term.

Board of Visitors

Resolution 10

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COLLEGE OF WILLIAM AND MARY
FACULTY LEAVE OF ABSENCE

The following faculty member has requested a leave of absence without pay or partial pay during the 2012-2013 academic year for the reason given.

BE IT RESOLVED, That upon recommendation of the President, the Board of Visitors of the College of William and Mary hereby approves this leave of absence:

ARNAB K. BASU, Professor of Economics, to teach at the Dyson School of Applied Economics and Management at Cornell University

COLLEGE OF WILLIAM AND MARY

**APPROVAL OF MEMORANDUM OF UNDERSTANDING AUTHORIZING
THE INVESTMENT OF CERTAIN WILLIAM AND MARY REAL ESTATE
FOUNDATION FUNDS IN THE BOARD OF VISITORS ENDOWMENT POOL**

The William and Mary Real Estate Foundation is a Virginia non-stock corporation organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 as amended. As such, the Foundation is organized and operates exclusively for the benefit of the College of William and Mary and the College's supporting organizations that are exempt from federal income taxation under Section 501(c)(3) of the Code. The Foundation's mission is to acquire, hold, manage, sell, lease, and participate in the development of real properties in support of the educational goals of the College.

The Foundation now requests that it be allowed to invest certain of its available funds as a quasi-endowment within the Board of Visitors long-term investment pool with the parameters of this investment defined in the attached Memorandum of Understanding. While invested in the Board of Visitors long-term investment pool in accordance with the Board's investment policy, ownership of the Foundation funds remains with the Foundation and all earnings, interest, and "total returns" on these funds shall be the property of the Foundation.

THEREFORE, BE IT RESOLVED, That, at the request of the William and Mary Real Estate Foundation and on the recommendation of the administration of the College of William and Mary, the Board of Visitors of the College of William and Mary in Virginia approves the investment of certain William and Mary Real Estate Foundation funds in the Board of Visitors long-term investment pool as specified in the attached Memorandum of Understanding.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (this "Memorandum") is made as of the 3rd day of February, 2012, by and between the WILLIAM AND MARY REAL ESTATE FOUNDATION (the "Foundation"), and the BOARD OF VISITORS OF THE COLLEGE OF WILLIAM & MARY IN VIRGINIA, acting by and through its Financial Affairs Committee pursuant to delegated authority (the "Board").

WITNESSETH

WHEREAS, the Foundation is a Virginia non-stock corporation organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent tax law (the "Code"), and is specifically organized and operated exclusively for the benefit of the College of William & Mary in Virginia (the "College"), an institution of higher education of the Commonwealth of Virginia, and for the benefit of the College's supporting organizations (including The College of William & Mary Foundation) that are exempt from federal income tax under Section 501(c)(3) of the Code; and

WHEREAS, the Foundation's mission is to acquire, hold, manage, sell, lease, and participate in the development of real properties in support of the educational goals of the College, and pursuant to that mission the Foundation has sold certain real estate located in the City of Newport News (and may in the future sell additional real estate) and desires to invest certain portions of the sales proceeds from such sales until those funds are needed by the Foundation from time to time for other purposes in support of its mission; and

WHEREAS, the College was established in 1693 by British royal charter, and in 1906 became a public institution affiliated with the Commonwealth of Virginia, and as such the College is an active public charity and accepts private donations to supplement and enhance the quality of the educational environment available to students, faculty, and the community; and

WHEREAS, Board is responsible for the investment of the endowment funds contributed to the College, and in that regard, the Board has (a) delegated fiduciary responsibility to the Committee on Financial Affairs of the Board to oversee the policies and practices associated with endowment management, and (b) adopted an Investment and Spending Policy for Endowment, the current version of which was last amended by the Board of Visitors on September 18, 2009 ("Investment Policy") as the policy governing the Committee on Financial Affairs' management of the endowment funds belonging to the College; and

WHEREAS, the Foundation desires to invest certain of its funds, on a voluntary basis, to the endowment fund established by the Board and known as the Board of Visitors Fund (the "BOV Fund"), and in that regard, the parties wish to set forth in this Memorandum their understandings with respect to such investment.

NOW, THEREFORE, in consideration of the foregoing, the parties set forth the following agreements and understandings:

1. **Investment of Foundation's Funds.** Contemporaneously with the full execution of this Memorandum, the Foundation will deliver to the Board or its designee the sum of up to \$5,000,000 for the purpose of having such amount invested in the BOV Fund in accordance with the Investment Policy and this Memorandum. The Foundation may in the future deliver additional funds to the Board for investment in the BOV Fund from time to time, and all such additional funds shall be governed by the provisions of this Memorandum without the necessity of amending this Memorandum or otherwise memorializing such additional investment. The initial amount delivered by the Foundation for investment, together with all additional amounts invested by the Foundation with the BOV Fund from time to time, and all proceeds, returns and earnings derived therefrom, are sometimes hereinafter collectively referred to in this Memorandum as the "Foundation's Funds". The following shall apply to the Foundation's Funds invested in the BOV Fund:

(a) **Ownership of Foundation's Funds.** Ownership of the Foundation's Funds shall remain at all times with the Foundation and shall be invested in accordance with the standards of care, investment objectives, asset allocations, and guidelines set forth in the Investment Policy. The Foundation's Funds shall be considered for all purposes as "funds functioning as endowment (quasi endowments)" as that phrase is defined in the Investment Policy. Notwithstanding anything contained in Article V of the Investment Policy to the contrary, in no event shall any of the Foundation's Funds be expended, appropriated, paid out or otherwise spent by the Board or the College.

(b) **Investment Period; Earnings; Reporting; Fees.** The Foundation acknowledges that it may not withdraw the Foundation's Funds for a period of one (1) year from the date such funds (or the applicable portion thereof) were invested in the BOV Fund. After the expiration of such period, the Foundation may withdraw all or any portion of the Foundation's Funds from time to time upon providing six (6) months prior notice to the Board or its designee, or such shorter or longer notice period as may be required by the particular investment or investments in which the Foundation's Funds may be invested at that time. All earnings, interest and "total returns" (as defined in the Investment Policy) on the Foundation's Funds shall be calculated separately from the remainder of the endowment funds in the BOV Fund, and shall be reinvested in the BOV Fund and thereafter become part of the Foundation's Funds. The Board or the funds manager for the BOV Fund shall send the Foundation quarterly statements of account with regard to the Foundation's Funds and the earnings thereon. Normal and customary asset management fees charged by the funds manager for the BOV Fund and allocated to the Foundation's Funds may be deducted from the Foundation's earnings consistent with the practice for the remainder of the BOV Funds.

(c) **Restrictions on Investment.** With respect to the Foundation's Funds, neither the Board nor anyone acting on its behalf shall: (i) engage in any act of self-dealing as

defined in Section 4941 of the Code; (ii) retain any excess business holdings as defined in Section 4943 of the Code; (iii) make any investment that would subject the Foundation to tax under Section 4944 of the Code; or (iv) make any taxable expenditure as defined in Section 4945 of the Code. The Board further acknowledges that the initial \$5,000,000 delivered to the Board for investment in the BOV Fund is "donor restricted" by a restriction requiring that such amount be used by the Foundation for the sole benefit of the College. The Board acknowledges on behalf of the College that the investment of such amount in the BOV Fund does not violate the foregoing restriction.

2. Additional Acknowledgements. The Board and the Foundation acknowledge and agree that the Foundation's participation and investment in the BOV Fund shall not, nor shall it be construed to: (a) affect the Foundation's income tax exempt status; (b) cause the Foundation to be subject to any state procurement requirements; (c) alter the Foundation's current status or eligibility for exemptions under the Virginia Freedom of Information Act; or (d) adversely affect the Foundation's legal position that the Foundation's real property is or should be exempt from local real estate taxes.

3. Miscellaneous. This Memorandum shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors and assigns. This Memorandum may be amended only in writing signed by each of the parties hereto or their successors and assigns. This Memorandum shall be in full force and effect until the later of (a) receipt of written notice from either the Board or the Foundation to the other notifying such party of their intent to terminate this Memorandum, and (b) the receipt by the Foundation of all of the Foundation's Funds invested in the BOV Fund. If any clause, provision or section of this Memorandum is held to be illegal or invalid by any court, the invalidity of the clause, provision or section shall not affect any of the remaining clauses, provisions or sections, and this Memorandum shall be construed and enforced as if the illegal or invalid clause, provision or section had not been contained in it. This Memorandum may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of which together shall constitute but one and the same instrument. The recitals set forth at the beginning of this Memorandum are incorporated into and made a part of this Memorandum as though they were fully set forth in this Section and constitute understandings of the parties hereto. This Memorandum shall be governed by the laws of the Commonwealth of Virginia without regard to its conflict of law rules. Any action or dispute arising out of this Memorandum that cannot be resolved among the parties shall be resolved in the City of Williamsburg/James City County Circuit Court or in the United States District Court, Eastern District of Virginia and in no other forum.

4. Notices. Any notice, request or other deliveries required to be given hereunder shall be deemed given if delivered personally by hand or sent by registered or certified mail, or by overnight delivery service, postage prepaid, addressed to the following addresses:

Foundation: William and Mary Real Estate Foundation
5308 Discovery Park Boulevard
Discovery II Building, Suite 201
P.O. Box 8795
Williamsburg, Virginia 23187-8795
Attention: Executive Director

Board: College of William & Mary in Virginia
P.O. Box 8795
Williamsburg, Virginia 23187-8795
Attention: Secretary to the Board of Visitors

Any party may designate any other addresses for notices or requests or other deliveries by giving notice under this Section.

WITNESS the following signatures.

**WILLIAM AND MARY REAL ESTATE
FOUNDATION**

By: _____
Name: _____
Title: Executive Director

**BOARD OF VISITORS OF THE COLLEGE
OF WILLIAM & MARY IN VIRGINIA**, acting
by and through its Committee on Financial Affairs
pursuant to delegated authority

By: _____
Name: _____
Title: Committee Chairman

**COLLEGE OF WILLIAM AND MARY
APPOINTMENT OF INVESTMENT MANAGER**

At the September 22, 2011 meeting of the Committee on Financial Affairs, Wells Fargo Advisors, financial advisor to the Board of Visitors for investment of private funds, recommended that the Board replace its international value equity fund manager. This recommendation resulted from the Investment Subcommittee's request that Wells Fargo evaluate the performance of the Board's existing manager in this area relative to other manager options. As a result, the Committee authorized Wells Fargo Advisors to work with the College to issue a request for proposals (RFP).

On February 3, 2012, Wells Fargo Advisors presented the results of the RFP process, recommending that the Board replace its current international value equity fund manager with Dodge and Cox. The Committee on Financial Affairs, on the recommendation of the Investments Subcommittee, concurred with this recommendation.

THEREFORE, BE IT RESOLVED that the Board of Visitors of the College of William and Mary in Virginia accepts the recommendation of the Committee on Financial Affairs that its current international value equity fund manager be replaced and that Dodge and Cox be retained as the College's international value equity fund manager.

CLOSED MEETINGS

The Board of Visitors may consider in closed session certain matters, including those listed below. The Code is very specific as to how these matters will be described in public session and in closing the meeting the motion must be specific as to the matters to be considered in closed session. There may be no discussion in closed session of matters not identified in the original motion.

I move that the _____ Committee convene in Closed Session for the purpose of discussing _____, as provided for in Section 2.2-3711.A., ____.

<u>Code Section</u>	<u>Topic</u>
2.2-3711.A.1.	Personnel matters involving identifiable college employees (i.e., appointments, performance evaluations, leaves, etc.) or discussion of candidates for employment.
2.2-3711.A.2.	Matters concerning any identifiable student
2.2-3711.A.3.	Acquisition of real property for a public purpose or disposition of publicly held real property
2.2-3711.A.4.	Protection of individual privacy in personal matters not related to public business
2.2-3711.A.6.	Investment of public funds where bargaining or competition is involved
2.2-3711.A.7.	Consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation or consultation with legal counsel regarding specific legal matters requiring legal advice
2.2-3711.A.8.	Gifts, bequests and fund-raising activities, or grants and contracts for services or work to be performed by the College
2.2-3711.A.10.	Honorary degrees
2.2-3711.A.19.	Reports or plans related to security of any College facility, building or structure, or safety of persons using such facility, building or structure
2.2-3711.A.29.	Public contracts involving the expenditure of public funds

§2.2-3712.D. - At the conclusion of any closed meeting, the Board of Visitors shall immediately reconvene in open meeting and shall take a roll call or other recorded vote to be included in the minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Any member of the public body who believes that there was a departure from the requirements of subdivisions (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes.

BOARD OF VISITORS MEETING DATES

2012

February 1-3 (Charter Day February 3)

April 25-27 (Commencement weekend May 11-13)

September 19-21

November 28-30 (November 29 at Richard Bland College)

FEBRUARY 2012