

MINUTES
Meeting of the Board of Visitors
The College of William and Mary in Virginia

September 24-26, 2008

The Board of Visitors of The College of William and Mary in Virginia met on the campus in Williamsburg on Wednesday, Thursday and Friday, September 24-26, 2008.

On Wednesday, September 24, the full Board convened for dinner in the Plumeri House at 119 Chandler Court at 6:30 p.m.

Those present on Wednesday were:

Charles A. Banks III
Janet M. Brashear
Colin G. Campbell
Timothy P. Dunn
John W. Gerdelman
Sarah I. Gore
Kathy Y. Hornsby

Suzann W. Matthews
Anita O. Poston
Michael K. Powell, Rector
Jeffrey B. Trammell
Barbara B. Ukrop
Henry C. Wolf

Absent: Thomas E. Capps
R. Philip Herget III
Robert E. Scott
John Charles Thomas

Others present were:

President W. Taylor Reveley III
President James B. McNeer
Michael J. Fox

At 6:45 p.m., the Rector convened the full Board in the Plumeri House at 119 Chandler Court, 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 identifiable college employees and the consideration of contracts. Motion was seconded by Ms. Matthews and approved by voice vote. The observers were asked to leave the room and the Board went into closed session at 6:45 p.m.

The Board reconvened in open session at 9:20 p.m. Mr. Powell 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 Ms. Matthews and approved by roll call vote of the Committee members conducted by Secretary of the Board Suzann Matthews. (Certification **Resolution** is appended).

There being no further business, the Board adjourned at 9:20 p.m.

On Thursday, September 25, the Richard Bland College Committee, the Committees on Financial Affairs, Public Affairs, and Student Affairs met in the Board Room, while the Committees on Administration, Academic Affairs, and Audit met in the Board Conference Room.

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Those present on Thursday were:

Charles A. Banks III	Suzann W. Matthews
Janet M. Brashear	Anita O. Poston
Colin G. Campbell	Michael K. Powell, Rector
Timothy P. Dunn	Jeffrey B. Trammell
John W. Gerdelman	Barbara B. Ukrop
Sarah I. Gore	Henry C. Wolf
R. Philip Herget III	Faculty Representative: Katherine M. Kulick
Kathy Y. Hornsby	Student Representative: Valerie R. Hopkins

Absent: Thomas E. Capps
Robert E. Scott
John Charles Thomas

Others present were:

W. Taylor Reveley III	Tammy Currie
P. Geoffrey Feiss	Karen Cottrell
Virginia M. Ambler	John L. Donaldson
James R. Golden	Edward C. Driscoll, Jr.
Sean Pieri	Michael J. Fox
Kiersten L. Boyce	W. Fanchon Glover
Michael J. Connolly	Brian W. Whitson
Carolyn R. Cook	Sandra J. Wilms

Also in attendance were the Assistant Attorney General Deborah Love, Richard Bland College President James B. McNeer, Alumni Association President Betsy Anderson, Dean of University Libraries Connie McCarthy, Dean of the School of Education Virginia L. McLaughlin, Dean of Arts and Sciences Carl Strikwerda, Dean of the School of Marine Science John T. Wells, and members of the Faculty Liaison Committee

At 9:43 a.m. the Rector convened the Board. The Rector announced the appointment of Ann Repeta, currently President of the Hourly and Classified Employees Association, as Staff Liaison to the Board for 2008-2009. The Rector also welcomed Professor Katherine Kulick, W&M faculty representative to the Board and Valerie Hopkins, W&M student representative to the Board, along with new Board members Tim Dunn and Colin Campbell. New member Bob Scott plans to attend the Board meeting in November.

President Reveley commented on the budget reductions and thanked Mr. Wolf as chair of the Committee on Financial Affairs for steering the College through the financial challenges. The President outlined three challenges for the new academic year – strategic planning, development of a new financial model for the College and development of a communications plan.

The **Committee on Public Affairs** convened at 11:15 a.m. Mr. Trammell presided as chair. Vice President for Strategic Initiatives Jim Golden reported on the reorganization of the Department of Public Affairs into the Department of Strategic Initiatives; discussed the President's Communications Committee and its links to strategic planning and reviewed messages and branding as well as the new College website. A brief discussion ensued.

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There being no further business, the Committee adjourned at 12:15 p.m. and the Board moved to the Laycock Center for a tour and lunch.

At 2:08 p.m. the Board reconvened as a Committee of the whole. Provost Feiss and Vice President Golden, co-chairs of the Strategic Planning Steering Committee, provided a joint presentation on the development of the strategic planning process and brought the Board up to date on current issues, noting that President Reveley had charged the committee to develop a new financial model, demonstrate effective management, communicate clear vision and priorities, focus on funds, time, space priorities and be creative and open to new approaches. A discussion ensued.

To encourage involvement of Board members during the strategic planning process, the Rector asked Janet Brashear to chair an ad hoc committee, along with John Gerdelman, Suzann Matthews and Anita Poston, to work with Vice President Golden and Provost Feiss.

Following a short break, at 3:10 p.m. the **Committee on Student Affairs** convened. In the absence of Mr. Thomas, Vice Chair Colin Campbell presided and called on Interim Vice President for Student Affairs Virginia Ambler. Ms. Ambler reported on the opening of the semester and the orientation program and outlined initiatives for 2008-2009, including construction of the new Career Center, revisions to the Honor Code, civic engagement initiatives, and the Alcohol Foundation Plan review. A video that was shown to new students was shown to the Board.

Student Liaisons Justin Reid and Sravya Yeleswarapu reported on goals for the upcoming year and student activities for the semester. Two students who participated in the college-sponsored Study Abroad Program discussed their experience tutoring adults and children in townships in Africa this summer. Secretary of Public Affairs David Witkowsky reported on student voter registration efforts. Student Assembly President Valerie Hopkins reported on the search process undertaken to select a new SA vice president and introduced Kristen Slawter as the new Vice President. A brief discussion ensued.

Interim Vice President Ambler reviewed **Resolution 16**, Resolution on Medical and Emotional Emergency Protocol, noting this was developed in compliance with the legislation that came out of the Virginia Tech report and reaffirms that the College has such a policy. Legal Affairs Coordinator Kiersten Boyce and Dean of Students Trish Volp discussed the background and evolution of the protocol over time. Following brief discussion, Mr. Campbell asked for a motion to adopt Resolution 16. Motion was made by Ms. Ukrop, seconded by Ms. Gore and approved by voice vote.

There being no further business, the Board recessed at 4:04 p.m.

On Friday, September 26, the Executive Committee met in the Rector's Office, while the Committees on Buildings and Grounds, Athletics and Development and Alumni Relations met in the Board Room, prior to the full Board meeting.

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Those present on Friday were:

Charles A. Banks III
Janet M. Brashear
Colin G. Campbell
Timothy P. Dunn
John W. Gerdelman
Sarah I. Gore
R. Philip Herget III
Kathy Y. Hornsby

Suzann W. Matthews
Anita O. Poston
Michael K. Powell, Rector
John Charles Thomas
Jeffrey B. Trammell
Barbara B. Ukrop
Faculty Representative: Katherine M. Kulick
Student Representative: Valerie R. Hopkins

Absent: Thomas E. Capps
Robert E. Scott
Henry C. Wolf

Others present were:

W. Taylor Reveley III
P. Geoffrey Feiss
Virginia M. Ambler
James R. Golden
Samuel E. Jones
Anna B. Martin
Sean Pieri
Kiersten L. Boyce

Tammy Currie
Karen Cottrell
John L. Donaldson
Michael J. Fox
W. Fanchon Glover
Brian W. Whitson
Sandra J. Wilms

Also in attendance were the Assistant Attorney General Deborah Love, Alumni Association President Betsy Anderson; Staff Liaison Ann Repeta, and members of the Faculty Liaison Committee

At 9:25 a.m. the Rector called the Board into session as a Committee of the whole, and the **Committee on Athletics** convened. Mr. Banks presided as chair and called on Director of Athletics Terry Driscoll. Mr. Driscoll reported on the teams and introduced Steve Cole, Associate Athletic Director for Internal Operations and Administration. Following a brief discussion on the Athletics Department Mission Statement and Goals, Mr. Driscoll presented a short quiz on athletic facts. There being no further business, the Committee adjourned at 10:00 a.m. and moved to the Committee on Development and Alumni Affairs.

Following a short break, Secretary of the Board Suzann Matthews convened the full Board at 11:52 a.m. and advised that the Rector and Vice Rector had been called away on business.

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Those present were:

Charles A. Banks III
Janet M. Brashear
Colin G. Campbell
Timothy P. Dunn
John W. Gerdelman
Sarah I. Gore
R. Philip Herget III
Kathy Y. Hornsby

Suzann W. Matthews
Anita O. Poston
John Charles Thomas
Jeffrey B. Trammell
Barbara B. Ukrop
Faculty Representatives: Alexandra Duckworth
Katherine M. Kulick
Student Representative: Valerie R. Hopkins

Absent: Thomas E. Capps
Michael K. Powell
Robert E. Scott
Henry C. Wolf

Others present were:

W. Taylor Reveley III
P. Geoffrey Feiss
Virginia M. Ambler
James R. Golden
Samuel E. Jones
Anna B. Martin
Sean Pieri
Kiersten L. Boyce
Michael J. Connolly

Karen Cottrell
Tammy Currie
John L. Donaldson
Michael J. Fox
W. Fanchon Glover
Michael L. Stump
Brian W. Whitson
Sandra J. Wilms

Also in attendance were the Assistant Attorney General Deborah Love, Alumni Association President Betsy Anderson; Staff Liaison Ann Repeta, Richard Bland President James B. McNeer, Provost Vernon R. Lindquist, Director of Institutional Advancement LeAnn Binger, Dean of Administration and Finance Russell Whitaker, and members of the William and Mary Faculty and Student Liaison Committees.

Recognizing that a quorum was present, Ms. Matthews asked for a motion to adopt the minutes of the meeting of April 18, 2008, and the called meeting of September 5, 2008. Motion was made by Ms. Gore, seconded by Ms. Poston and approved by voice vote of the Board.

Ms. Matthews welcomed Cliff Schroeder, current President of the William and Mary Foundation and former Board of Visitors member.

Ms. Matthews moved that, pursuant to Section 2.2-3711.A.1., 2., 3., 7., 8. and 10., of the Code of Virginia, the meeting be closed in order to discuss personnel matters involving identifiable college employees, the consideration of contracts, promotions, tenure and leaves; matters concerning any identifiable student; acquisition of real property for public purposes or disposition of publicly held real property; consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation or specific legal matters requiring legal advice; matters pertaining to gifts, bequests and fund raising activities and contracts for services or work to be performed by the College; and matters pertaining to the consideration of honorary degrees. Motion was seconded by Ms. Ukrop and the Board went into closed session at 11:53 a.m.

The Board reconvened in open session at 12:30 p.m. Ms. Matthews 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. Herget and approved by roll call vote of the Board members conducted by Secretary to the Board Michael Fox. (Certification **Resolution** is appended.)

Ms. Ukrop reported for the Richard Bland College Committee. President McNeer commented on the opening of the residence halls, police department, medical center, library expansion, cafeteria and expansion of the bookstore to include a convenience store. The President provided an update on the capital campaign and noted that the College had met all standards for full certification from the State Council for Higher Education. President McNeer commented on the Middle College program with Petersburg High School and advised that the College would be housing Project Phoenix next summer in the new residence halls. Ms. Ukrop and President McNeer provided brief background on the College for the new members and advised that drawings for the new science and technology center should be available for the Board to review in November.

Ms. Ukrop moved as a block **Resolution 1**, Appointment of Assistant Professor of Biology; **Resolution 2**, Confirmation of Academic Tenure; **Resolution 3**, Appointment of Director of Advising Services; **Resolution 4**, Appointment of Coordinator of Financial Aid; and **Resolution 5**, Easement to Columbia Gas of Virginia, Inc. Motion was seconded by Ms. Gore and approved by voice vote.

Mr. Gerdelman reported for the Committee on Administration, noting that the committee heard an update on information technology, emergency preparedness, risk management, campus sustainability, and Human Resources restructuring. Mr. Gerdelman advised that the Committee had held a special meeting on September 5 to review the proposed human resources policies in detail.

Mr. Gerdelman moved adoption of **Resolution 6**, Resolution to Approve Human Resources Policies; and **Resolution 29**, Resolution to Approve Compensation Policy and Policy for Severance Benefits for Operational Employees, noting that Resolution 29 was being introduced by the President in accordance with the *Bylaws*. Motion was seconded by Ms. Gore and approved by voice vote. (**Resolution 29** is appended.)

In the absence of Mr. Wolf, Mr. Banks reported for the Committee on Financial Affairs, noting that the Committee had discussed the implications of the budget reductions, had heard a presentation on Phase I of the Benchmarking Study in preparation for the strategic plan. The Committee heard a report from their investment managers on the current investment climate and discussed how the green fee should be invested. A report for informational purposes was presented on debt management.

Mr. Banks moved adoption of **Resolution 7**, Corporate Resolution to Transact Business and Confirm Authorized Business Agents for the College of William and Mary. Motion was seconded by Ms. Gore and approved by voice vote.

Ms. Poston reported for the Committee on Academic Affairs, noting that the Committee had heard a report from the Provost regarding the degree awarding process and a report from the Faculty Assembly on improving communication between the Board and the faculty.

Ms. Poston moved as a block **Resolution 8**, Appointments to Fill Vacancies in the Instructional Faculty; **Resolution 9**, Appointments to Fill Vacancies in the Administrative and Professional Faculty; **Resolution 10**, Faculty Promotions; **Resolution 11**, Designated Professorships; **Resolution 12**, Student Professorship; **Resolution 13**, Faculty Leaves of Absence; and **Resolution 15**, Professionals and Professional Faculty Assembly Constitution and Bylaws, Motion was seconded by Ms. Hornsby and approved by voice vote.

Ms. Poston noted that the creation of a student professorship had been encouraged by Cliff Schroeder when he was on the Board. Ms. Poston advised that **Resolution 14**, Resolution to Approve Policies for Release of Educational Records to Parents of Dependent Students had been withdrawn for language modifications and would be re-submitted in November.

Mr. Campbell reported for the Committee on Student Affairs, noting that the Committee had heard a report on orientations for both students and parents, the pre-orientation program, the student South African program and had met the new Student Liaisons to the Board for this year.

Mr. Campbell commented on the background for **Resolution 16**, Resolution on Medical and Emotional Emergency Protocol, noting it was required due to legislation from the Virginia Tech report. Mr. Campbell moved adoption of Resolution 16. Motion was seconded by Mr. Herget and approved by voice vote.

In the absence of Mr. Capps, Mr. Banks reported for the Committee on Audit, noting that the Committee had heard a report from the Director of Internal Audit on progress made on recommendations from the APA on hiring from the last meeting. The Committee reviewed projects completed and discussed the delay in receiving audit reports from the APA. There were no action items.

Ms. Brashear reported for the Committee on Buildings and Grounds, noting that the Design Review Board had met and approved new signage for the Muscarelle Museum of art, heard a presentation for a Fine Arts Center on campus and discussed a feasibility study as well as space allocation and needs. The Committee heard a report on VIMS capital projects, received a construction update for William and Mary capital projects and reviewed the new state process for funding projects.

Ms. Brashear moved adoption of **Resolution 17**, Resolution of the Board of Visitors Regarding Section 9(d) Revenue Bond: Construct Integrated Science Center; **Resolution 18**, Resolution of the Board of Visitors Regarding Section 9(d) Revenue Bond: Dormitory Renovation Project for Graduate Housing; and **Resolution 19**. Resolution of the Board of Visitors Regarding Section 9(d) Revenue Bond: Business School Project. Motion was seconded by Ms. Ukrop and approved by voice vote.

Mr. Herget reported for the Committee on Development and Alumni Affairs, and thanked Alumni Association President Betsy Anderson for joining the Board over the past two days.

Mr. Herget moved adoption as a block of **Resolution 20**, Establishment of the Board of Visitors Gateway Challenge Fund; **Resolution 21**, Establishment of the Christopher Wren Association Gateway Endowment; **Resolution 22**, Establishment of the Crawford Rivers Gateway Scholarship; **Resolution 23**, Establishment of the Gateway Guardian Endowed Scholarship; **Resolution 24**,

Establishment of the Gateway Scholarship Endowment; **Resolution 25**, Establishment of the Muscarelle Museum Unrestricted Quasi-Endowment; and **Resolution 26**, Establishment of the Dr. J. Richard Guthrie Scholarship Expendable Fund. Motion was seconded by Ms. Ukrop and approved by voice vote.

In the absence of Mr. Powell, Ms. Matthews reported for the Executive Committee, noting discussion continues regarding honorary degree recipients and possible speakers.

Under old business, Ms. Matthews asked Ms. Ukrop to read into the record **Resolution 27**, Naming of the William and Mary University Center in Honor of W. Samuel Sadler '64, M.Ed. '71. Upon conclusion, Mr. Trammell moved adoption of Resolution 27. Motion was seconded by Mr. Thomas and approved by voice vote.

Under new business, Ms. Matthews reviewed **Resolution 28**, Amendments to the *Bylaws* of the Board of Visitors, namely to recognize the change in the name and the duties of the Vice President for Strategic Initiatives, formerly the Vice President for Public Affairs, resulting in changes to the section on the Committee on Public Affairs to recognize its more expansive role in strategic initiatives, as well as housekeeping two additional changes as outlined in the resolution.

Noting that these amendments were submitted within the 30 day window of notice to amend the *Bylaws*, the *Bylaws* must be suspended. Therefore, pursuant to Article VII, Section 4, of the Board of Visitors *Bylaws*, Ms. Matthews moved to suspend the *Bylaws*. Motion was seconded by Ms. Ukrop and approved by 13 affirmative votes taken during a roll call of the Board members conducted by Secretary to the Board Michael Fox.

A brief discussion of the proposed revisions ensued, following which Ms. Matthews asked for a motion, pursuant to Article VII, Section 3, of the Board of Visitors *Bylaws*, to amend the *Bylaws* as outlined in **Resolution 28**, effective immediately. Motion was made by Ms. Poston, seconded by Mr. Thomas and approved by 13 affirmative votes.

Ms. Matthews noted that the new Board of Visitors Manual had been completed and distributed, and encouraged Board members to make good use of the information it contained.

Ms. Mathews moved that, pursuant to Section 2.2-3711.A.1. of the Code of Virginia, the meeting be closed in order to discuss matters pertaining to identifiable college personnel and the consideration of contracts. Motion was seconded by Ms. Poston and approved by voice vote. The Board went into closed executive session at 1:08 p.m.

The Board reconvened in open session at 1:30 p.m. Ms. Matthews reviewed the topic discussed during closed session for 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 Ms. Ukrop 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 1:30 p.m.

Board of Visitors

September 24, 2008

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 that such closed session was conducted in conformity with Virginia law;

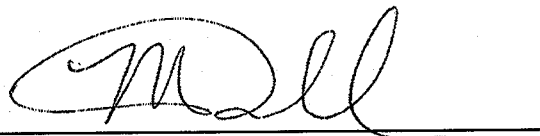
NOW, THEREFORE, BE IT RESOLVED, That the Board of Visitors, reconvening in open session, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this 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: 13

NAYS: 0

ABSENT DURING CLOSED SESSION:



Michael K. Powell
Rector of the College

Board of Visitors

September 26, 2008

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 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: 13

NAYS: 0

ABSENT DURING CLOSED SESSION:

/s/ Suzann W. Matthews

Suzann W. Matthews
Secretary of the Board

Board of Visitors

September 26, 2008

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 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: 13

NAYS: 0

ABSENT DURING CLOSED SESSION:

Suzann W. Matthews

Suzann W. Matthews
Secretary of the Board

**COLLEGE OF WILLIAM & MARY
RESOLUTION TO APPROVE COMPENSATION POLICY
AND
POLICY FOR SEVERANCE BENEFITS FOR OPERATIONAL EMPLOYEES**

WHEREAS, under the Restructured Higher Education Financial and Administrative Operations Act of 2005, Chapter 4.10 of Title 23 of the Code of Virginia (the "Restructuring Act"), the College and the Commonwealth entered into a Management Agreement effective July 1, 2006; and

WHEREAS, pursuant to the authority granted by the Restructuring Act and the Management Agreement, the College established the University Human Resources System, effective as of July 1, 2006, which covers all College employees other than those Classified employees employed by the College prior to such date; and

WHEREAS, the Restructuring Act and the Management Agreement authorize the President to amend the University Human Resources System, while requiring that the Board of Visitors approve or determine certain elements of the System, namely (i) major changes in compensation plans, (ii) the terms and conditions of certain severance benefit policies, and (iii) new plans, programs and material changes in basic and optional benefits plans; and

WHEREAS, the University Human Resources System Proposal describes new and revised policies and procedures for University employees to be effective January 10, 2009, including policies that will be applicable to those Classified Employees electing to participating in the University Human Resources System; and

WHEREAS, these policies include a Compensation Policy and a Policy on Severance Benefits for Operational Employees, which policies constitute modifications of the existing Human Resources System; and

WHEREAS, the Human Resources System Proposal does not contemplate current changes to employee benefits such as retirement, health care or other insurance benefits;

WHEREAS, consistent with the requirements of the Management Agreement, the Board of Visitors has reviewed the proposed policies relating to compensation and severance benefits for Operational Employees;

THEREFORE, BE IT RESOLVED, That, upon recommendation of the President, the Compensation Policy and the Policy for Severance Benefits for Operational Employees, copies of which are attached hereto, are hereby approved; and

BE IT FURTHER RESOLVED, That the authority to amend or revise the Compensation Policy and the Policy for Severance Benefits for Operational Employees, and to make further delegation of authority for their implementation, be delegated to the President, or his designee, provided, that material changes to such policies shall be subject to approval by the Board of Visitors; and

BE IT FURTHER RESOLVED, That, in accordance with the authority delegated by the Board of Visitors in the Management Agreement or as otherwise vested in the President, the Board of Visitors hereby reaffirms that, except for those elements for which the Management Agreement specifically contemplates approval by the Board of Visitors and as otherwise limited by law, the President may adopt or amend any and all elements of the University Human Resources System, including by adopting new policies or amending existing policies relating to: (i) categorization and classification, (ii) performance evaluation, (iii) layoff and termination, (iv) leave programs, (v) complaint processes for hourly employees, (vi) grievance procedures for professionals and professional faculty and (vii) professional development and training, and that the President may make further delegation of authority for such approval, amendment, and implementation, as appropriate.



Administrative Policy and Procedures Manual

Title: Compensation Policy	Number:
Effective Date: January 10, 2009	Responsible Office: Human Resources
Revision Date:	Page:

I. Scope

This policy applies to Professionals, Professional Faculty and Operational Employees of the College of William and Mary and the Virginia Institute of Marine Science (hereafter the "College") Instructional and research faculty and executive employees are not governed by this policy

II. Purpose

The purpose of this policy is to provide guidelines for establishing and administering a compensation plan for Professionals, Professional Faculty and Operational Employees.

III. Compensation Philosophy

The College aspires to provide compensation that is equitable and competitive. The rate of pay for each position will be based on relevant competitive markets and the level of contribution of the position. It is the College's goal to pay employees at the median rate of the relevant market, subject to the availability of financial resources and individual employee performance. The Provost, Vice Presidents, Deans, and Directors are responsible for ensuring that compensation decisions are made in a fair, consistent, and equitable manner.

IV. Classification Structure

A. The classification structure is a role- and contribution-based system that, applied together with the compensation plan:

- Respects every employee's contribution
- Recognizes individual performance
- Promotes individual career growth and development
- Bases salary on market ranges
- Is flexible
- Is easy to understand and to administer

B. Each position is assigned a Category, Role and Contribution Level. Categories define the level and type of responsibility and Roles define the type of work performed. Contribution Levels are assigned based on competency factors. See "Classification Policy for University Employees".

- C. Each position is assigned a pay range based on category, role, contribution level and the market rate for comparable positions. The employee's salary within the pay range depends on performance, experience and internal equity within the department, school and/or College.

V. Pay Practices

All salary actions are subject to the availability of necessary financial resources.

A. Starting Salary

1. Job offers are intended to attract a highly skilled, competent workforce, by offering salaries that are competitive in the marketplace. This practice applies to new hires and rehires.
2. Hiring managers, in consultation with Human Resources, have the flexibility to negotiate starting pay from the minimum up to the midpoint of the assigned pay range. Starting pay determinations shall take into consideration the applicant's prior experience, education and other qualifications directly related to the position to ensure internal equity.
3. A starting salary offer above the pay range midpoint for a position may be made only with appropriate justification by the hiring department or manager, a documented recommendation from Human Resources and approval from the Provost or the appropriate Vice President, Dean or Director.

B. Pay for Performance

All pay increases are based on performance. Pay increases may be communicated to the employee only after consultation with Human Resources and approval by the Provost or the appropriate Vice President, Dean or Director.

1. Market – Employees with salaries that have been determined to be below the market midpoint of the assigned pay range are eligible for market-based compensation increases. The amount of any market adjustments is determined each year during a comprehensive review of all University employees. Employees receiving an "unsatisfactory" performance rating are not eligible for a salary increase.
2. Merit – Pay increases based on job performance as measured through annual performance evaluations may be granted once the market mid-point has been reached. Only employees who have received a "high achiever" or "exceptional achiever" performance rating are eligible for merit-based pay increases.
3. Annual bonuses may be awarded in lieu of a base pay increase. See the College's Policies on Performance Management.

C. Equity Adjustment

1. An internal equity adjustment can be made when there is an inequity between the salary of one employee and another in the same job with comparable experience, qualifications, contribution level, and performance to bring salaries into alignment, not to exceed the midpoint.

D. Competitive Offers

1. A competitive salary offer may be made in order to retain employees who are highly skilled and performing at a high level.
2. Managers shall take into consideration the external market for the employee's current position, impact on internal equity and the employee's performance, and shall consult with Human Resources prior to requesting approval from the Provost or the appropriate Vice President, Dean or Director. The employee's salary may be increased up to the amount of the offer not to exceed the maximum of the pay range for the position.

E. Temporary Pay Adjustments

Certain circumstances may dictate the need to provide employees with additional compensation for limited periods of time. Departments may work in conjunction with Human Resources to structure pay increases of limited duration for the situations described below. Once the amount has been determined, approval is required by Provost or the appropriate Vice President, Dean or Director.

1. Project-based pay increases may be awarded to employees who are assigned a long-term project that significantly adds to their job duties and responsibilities for a discrete period of time. Such increases may be given in increments tied to project milestones or as a lump-sum bonus at the project's completion.
2. Temporary pay adjustments may be provided to an employee who assumes the duties and responsibilities for another position in whole or in part for a specified period of time. Managers shall consult with Human Resources to determine the appropriate amount of temporary pay, which may not exceed the midpoint of the higher pay range.

F. Promotion

1. A market-based promotion occurs when an employee accepts a different position in a higher pay range. A contribution-level promotion occurs when an employee accepts a different position within a higher contribution level and a higher pay range.
2. Promotions may occur through a competitive process or through a reclassification of the current position due to increased responsibilities and competencies moving the position to a higher pay range and contribution level.
3. Managers, in consultation with Human Resources, have the flexibility to negotiate promotional increases from the minimum up to the midpoint of the new pay range. Promotional increases above the range midpoint may only occur with appropriate justification, documented recommendation from Human Resources and approval from the Provost or the appropriate Vice President, Dean or Director.

G. Transfers

1. A voluntary transfer occurs when an employee accepts a different position in the same pay range and contribution level through a competitive process or an approved request initiated by the employee.

2. An involuntary transfer occurs due to management reorganization within the College or disciplinary action.
3. The transferred employee's salary will not change unless the employee's salary is out of alignment with comparable positions within the unit or college or disciplinary action warrants a reduction. Any salary increase/decrease must be discussed with Human Resources.

H. Demotions

1. A voluntary demotion occurs when an employee accepts a different position in a lower pay range through a competitive process or an approved request initiated by the employee. For demotions in lieu of layoff, see the College's "Layoff Policy for Operational Employees."
2. The employee's salary is negotiable from the minimum of the lower pay range up to the midpoint of the salary range not to exceed employee's current salary.
3. If the employee's current salary exceeds the maximum of the lower assigned pay range, the employee's salary will be reduced in consultation with Human Resources.

I. Discretionary Bonus

1. Discretionary bonuses may be awarded to recognize employees that have demonstrated superior individual performance or outstanding team success.

VI. AUTHORITY AND INTERPRETATION

This policy has been approved by the College's Board of Visitors under the authority provided in the Restructured Higher Education Financial and Administrative Operations Act, Chapter 4.10, Title 23 of the *Code of Virginia* and the Management Agreement effective July 1, 2006.

Interpretation of this policy is the responsibility of the Office of Human Resources. The College of William and Mary reserves the right to revise or eliminate this policy at any time.



Administrative Policy and Procedures Manual

Title: Severance Benefits for Operational Employees	Number:
Effective Date: January 10, 2009	Responsible Office: Human Resources
Revision Date:	Page:

I. SCOPE

This policy applies to eligible Operational Employees of the College of William and Mary and the Virginia Institute of Marine Science (the "College"). Classified employees are not subject to this policy and remain covered by the Virginia Personnel Act and the Workforce Transition Act.

II. PURPOSE

The purpose of this policy is to provide severance benefits for eligible Operational Employees, in accordance with the terms of §23-38.120 of the Restructured Higher Education Financial and Administrative Operations Act (the Act, Chapter 4.10 of Title 23 of the Code of Virginia) and the Management Agreement between the Commonwealth of Virginia and the College.

III. POLICY STATEMENT

In the event that eligible Operational Employees are involuntarily separated due to budget reductions, reorganization, work force downsizing, or other reasons unrelated to performance or conduct, it is the policy of the College to provide severance benefits. The College's Department of Human Resources shall administer this policy by advising departments and employees, determining employees' eligibility for severance benefits, calculating costs, and establishing severance payments and continuity of other benefits.

IV. DEFINITIONS

- A. **Length of Service:** The period of continuous salaried service with the Commonwealth of Virginia or the College, dating from the date of last employment or re-employment. For purposes of this policy, partial years of service will be rounded to the next higher year.
- B. **Involuntary Separation:** Permanent, involuntary termination of College employment for reasons such as budget reduction, agency reorganization, work force downsizing, or other reasons not related to performance or conduct. Voluntary resignations for any reason and discharge (termination for cause) are not considered "Involuntary separation" for purposes of this policy.

C. **Severance Benefits:** Benefits provided to lessen the impact of involuntary separation by providing some cash payments and continuing key benefits for a period of time. Severance benefits include:

- severance payments,
- continued College contribution toward health insurance premiums, and
- continued College contribution of life insurance premiums, OR
- enhanced retirement option for eligible operational employees in lieu of receiving other severance benefits.

V. SEVERANCE BENEFITS

A. Employees Eligible for Severance Benefits:

- Full-time salaried Operational Employees who are involuntarily separated are eligible for severance benefits.
- Part-time salaried operational employees who are eligible to receive layoff benefits under the College's Layoff Policy for Operational Employees are eligible to receive certain severance benefits; however, part-time employees are NOT eligible for the enhanced retirement benefit under this policy.

B. Employees Ineligible for Severance Benefits:

- Employees placed in a separated-layoff status are not eligible to receive severance benefits.
- Operational Employees hired on restricted appointments funded from sponsored contracts or grants, or term appointments with a specified ending date, regardless of funding source, are not eligible for severance benefits.
- Voluntary resignations for any reason are not considered involuntary separations for purposes of this policy; therefore, employees who voluntarily resign from their positions are *not eligible* to receive severance benefits.
- Employees who terminated for cause or otherwise for reasons related to conduct or performance are not eligible to receive severance benefits.

C. Benefit Payments:

1. Severance payments are salary payments based on the employee's weekly salary as of the effective date of the involuntary separation that are paid subsequent to the employee's separation from the College. Severance payments continue for a specific period of time, which is determined by the employee's length of service, as described above. (See Severance Payment Chart at Attachment A.)
2. Severance payments are made in the same manner as normal salary for the period of time for which the employee is eligible to receive severance benefits, except as described below. All severance payments are subject to applicable federal and state tax laws.
3. Any employee who receives severance benefits may be eligible to receive unemployment compensation. The Office of Human Resources can provide information on the interaction between severance payments and unemployment benefits.

D. Continuation of Insurance:

1. *Health Insurance.* Employees receiving severance benefits will continue to be covered under the State's Health Insurance Plan and the College will continue to pay its share of the premiums for the twelve month period commencing with the involuntary separation date
 - a. Employees will continue to be responsible for any employee-paid portion of the health care premium
 - b. Employees who wish to make allowable changes to coverage should contact the College's Health Benefits Administrator within 31 days of involuntary separation.
2. *Group Life Insurance.* Employees receiving severance benefits will be covered under the group life insurance plan administered by Virginia Retirement System (VRS) for a twelve month period beginning with the involuntary separation date.

NOTE: Employees who are enrolled in other payroll deduction programs should contact the College Payroll Office to coordinate the payment of obligations that normally would be deducted from their paychecks.

E. Early Termination of Severance Benefits:

1. Severance benefits will end before the payment schedule is completed, and before the 12-month period of insurance continuation, if and as of the date that the employee who is on leave without pay-layoff receiving the benefits:
 - is placed in separated-layoff status (see "Implementing Layoff for Operational Employees"), or
 - resigns before the 12-month period ends.
2. Severance benefits also cease before the end of the scheduled period if and as of the effective date that the employee:
 - is employed in any capacity (salaried or hourly/wage) by the College or any agency or institution of the Commonwealth of Virginia, or
 - is engaged through a contractual agreement as an independent contractor or consultant by the College or any agency or institution of the Commonwealth of Virginia.

F. Reinstatement of Severance Benefits:

1. If the employment relationship (described above in E.2.) ends before severance payments would have ended, the employee may receive the remaining severance payments.
2. Any payments that were missed due to the employment relationship (described above in E.2.) will not be made up.

VI. ENHANCED RETIREMENT PROGRAM

A. Eligibility: The Enhanced Retirement Program enables certain eligible operational employees who are involuntarily separated to select an enhanced retirement in lieu of other severance benefits

1. To participate in the Enhanced Retirement Program, an eligible operational employee, as of the date of involuntary separation:
 - a vested member of VRS and
 - at least fifty years old.

2. Under the Enhanced Retirement Program, the value of severance payments is used to purchase years to be credited to either the employee's age or creditable service, or a combination of age and creditable service, in accordance with the formulas established by the VRS under the WTA, and the Memorandum of Understanding between the Virginia Retirement System and the College, dated as of August 30, 2006.
3. Part-time operational employees are not eligible for the enhanced retirement program.
4. The enhanced retirement program cannot apply to a deferred retirement; therefore, an employee who chooses this option must retire at the beginning of the month following the effective date of involuntary separation.

B. Returning from Enhanced Retirement

1. An employee who has chosen the enhanced retirement program can return to employment with the Commonwealth.
2. Enhanced retirement benefits **cease** when the employee enters a retirement-eligible position.
3. The enhanced retirement benefit will not apply to future retirements.

VI. AUTHORITY AND INTERPRETATION

This policy is approved by the Board of Visitors under the authority provided in the Restructured Higher Education Financial and Administrative Operations Act, Chapter 4.10, Title 23 of the *Code of Virginia* and the Management Agreement effective July 1, 2006.

Interpretation of this policy is the responsibility of the Office of Human Resources. The College reserves the right to revise or eliminate this policy at any time.

VII. RELATED POLICIES

Implementing Layoff of Operational Employees
State Policy 1.70 (Termination/Separation From State Service)

Attachment A

Severance Payment Chart

Operational Employees	
Length of Service	Weeks of Severance
1	4
2	4
3	5
4	6
5	7
6	8
7	9
8	10
9	11
10	14
11	16
12	18
13	20
14	22
15	30
16	32
17	34
18	36
19	38
20	40
21	42
22	44
23	46
24	48
25 or more	52