

UNIVERSITY OF  
THE DISTRICT OF COLUMBIA

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BOARD OF TRUSTEES

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UDC BOARD OF TRUSTEES MEETING MEETING

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Tuesday,  
December 8, 2015

The meeting convened at 5:21 p.m.,  
Elaine Crider, Chair, presiding.

BOARD OF TRUSTEES MEMBERS PRESENT:

ELAINE CRIDER, Chair  
CHRISTOPHER BELL, Vice-Chair  
KENDRICK CURRY  
REGINALD FELTON, Treasurer  
GABRIELA LEMUS  
GWENDOLYN LEWIS  
BARRINGTON SCOTT  
JEROME SHELTON  
ERROL SCHWARTZ  
ANTHONY TARDD  
JOSHUA WYNER  
THEODORE WILHITE  
RONALD MASON, President

ALSO PRESENT:

BEVERLY FRANKLIN, Executive Secretary  
VALERIE EPPS, Vice President, Student Affairs  
SHELLEY BRODERICK, Dean, David A. Clarke School  
of Law  
STACIE MILLS, Assistant General Counsel  
DONALD RICKFORD, CFO  
ERIK THOMPSON, Vice President, Facilities

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## 1 P R O C E E D I N G S

2 5:21 p.m.

3 CHAIR CRIDER: Now I'd like to call to  
4 order the regular meeting of the Board of  
5 Trustees and ask Ms. Franklin to do a roll call.

6 MS. FRANKLIN: Mr. Bell?

7 TRUSTEE BELL: Here.

8 MS. FRANKLIN: Ms. Castillo? Dr.  
9 Crider?

10 CHAIR CRIDER: Here.

11 MS. FRANKLIN: Dr. Curry?

12 TRUSTEE CURRY: Here.

13 MS. FRANKLIN: Mr. Dyke? Mr. Felton?

14 TRUSTEE FELTON: Here.

15 MS. FRANKLIN: Dr. Lemus? Dr. Lemus?

16 TRUSTEE LEMUS: President.

17 MS. FRANKLIN: Ms. Lewis?

18 TRUSTEE LEWIS: Here.

19 MS. FRANKLIN: President Mason?

20 PRESIDENT MASON: Here.

21 MS. FRANKLIN: General Schwartz?

22 TRUSTEE SCHWARTZ: Here.

1 MS. FRANKLIN: Mr. Scott?

2 TRUSTEE SCOTT: Here.

3 MS. FRANKLIN: Mr. Shelton?

4 TRUSTEE SHELTON: Here.

5 MS. FRANKLIN: Dr. Tardd?

6 TRUSTEE TARDD: Here.

7 MS. FRANKLIN: Mr. Wyner?

8 TRUSTEE WYNER: Here.

9 MS. FRANKLIN: Mr. Wilhite?

10 TRUSTEE WILHITE: Here.

11 MS. FRANKLIN: Madam Chair, you have  
12 a quorum.

13 CHAIR CRIDER: Thank you, Ms.

14 Franklin. Okay. First item on the agenda is  
15 approval of the minutes from the July 14, 2015  
16 meeting.

17 TRUSTEE SCHWARTZ: So moved.

18 TRUSTEE TARDD: Second.

19 CHAIR CRIDER: Moved and second. Any  
20 discussion, corrections? Hearing none, all in  
21 favor vote aye.

22 (Chorus of ayes.)

1 CHAIR CRIDER: Any opposed or  
2 abstentions?

3 (No response.)

4 CHAIR CRIDER: Before we move into our  
5 action items, I'd like to, well, just introduce  
6 just one thing, and that is I'm sad today, I'm  
7 very sad, because Reverend Curry just handed me  
8 his official resignation, and we're going to be  
9 losing him to the Board. And it's especially sad  
10 because he and I and Trustee Felton all came on  
11 the same day, and so we're like triplets here,  
12 coming onto the Board at the same time and we've  
13 served together quite well. And then I think  
14 within a month Trustee Shelton came on and  
15 followed us, so you had four musketeers here that  
16 were all starting out fresh and new. And I can  
17 tell you the valuable contributions that Trustee  
18 Curry made, particularly as the chair of the  
19 Academic Affairs Committee. His thoughtful  
20 consideration of the issues and leadership I  
21 think was invaluable to the Board in moving to a  
22 higher standard of activity, and you have my

1 internal gratitude for what you did as a member  
2 of this Board of Trustees. And I know I'm going  
3 to miss you. So I'll give you an opportunity  
4 here.

5 TRUSTEE CURRY: Thank you, Madam  
6 Chair. It is really with deep regret that I  
7 tender my resignation. I have loved this board  
8 and really have learned so much from each and  
9 every one of my colleagues around here, and it's  
10 been so wonderful to watch the advance of this  
11 board, as well as the institution, over the years  
12 where I have been able to serve.

13 I can remember when we had eight board  
14 members and trying to have as many committees as  
15 we had board members and it seemed like we met  
16 everyday to a point now where we have a solid  
17 strategic plan, we have buzzing activities that  
18 are happening on campus, a dynamic new president,  
19 and the Board is in a very sweet spot and I think  
20 it's teed up to do great things. I am grateful  
21 for serving alongside each and every one of you,  
22 and I just appreciate your intellect, your

1 knowledge, and what you really bring to the Board  
2 for the time that you've been here.

3 I have friends here who will be  
4 friends for life, and I'm grateful for that. And  
5 I just want to say thank you, Madam Chair and Mr.  
6 President and certainly to all of my other  
7 colleagues on the Board for just allowing me to  
8 learn from you and allowing me to hold up this  
9 firebird red and gold, and I'm just so excited  
10 that, in the future, as you lead this  
11 institution, we will see great things from public  
12 higher ed and the District of Columbia.

13 So thank you so very much for the  
14 time, and you can't get rid of me that easy  
15 because I will classify myself as a former Board  
16 member and, hopefully, will be engaged and  
17 included in some other activities.

18 CHAIR CRIDER: Thank you, Mr. Curry.

19 TRUSTEE CURRY: Thank you.

20 CHAIR CRIDER: Thank you. Okay. I'd  
21 like to also entertain a motion. We have three,  
22 four items to be added to the agenda. You may



1 recall that at the Operations Committee we did  
2 not have a quorum, and, as a result, we used that  
3 as an informational meeting and we need to add  
4 three items from the Operations Committee to the  
5 agenda and then one item from the Audit, Budget,  
6 and Finance Committee meeting to the agenda  
7 because of the 2017 budget preparations. And so  
8 I'd like a motion to add these --

9 TRUSTEE SHELTON: So moved.

10 CHAIR CRIDER: Moved and second. Any  
11 discussion?

12 (No response.)

13 CHAIR CRIDER: Okay. Abstentions?

14 (No response.)

15 CHAIR CRIDER: All in favor, vote aye.

16 (Chorus of ayes.)

17 CHAIR CRIDER: Any abstentions?

18 (No response.)

19 CHAIR CRIDER: That one carries.

20 Thank you. Okay. The first item on the agenda  
21 then is the Notice of Final Rulemaking,  
22 Amendments to Chapter 2, Updating Executive

1 Appointments. And you may recall that this is  
2 something that has come back and forth to us  
3 several times now, hoping that this time it is  
4 correct so that we can move on. So Mr.  
5 President?

6 PRESIDENT MASON: Yes, I'll try to  
7 walk you through all of these. But the staff  
8 folks who are the experts in the areas, if I say  
9 something wrong, don't hesitate to stand up and  
10 correct me, okay? On the final rulemaking, this  
11 is a series of amendments that were put together  
12 that had to do with executive appointment and the  
13 authority of the President to appoint certain  
14 non-academic positions. But when you get to the  
15 bottom line, basically, any appointment over  
16 \$137,000 salary has to come back to the Board for  
17 approval, no matter what the title is.

18 So at the end of the day, that's  
19 basically the substance of the amendment. Did I  
20 miss something?

21 MS. MILLS: Stacie Mills, Office of  
22 General Counsel. I just wanted to clarify there

1 are two different rulemakings that they're going  
2 to be discussing. This first one is the one  
3 regarding the acting appointments, not the one  
4 making the other changes.

5 PRESIDENT MASON: Oh, sorry. Why  
6 don't you explain what it is?

7 MS. MILLS: Okay. So this is the  
8 final rulemaking. This is one that the Board  
9 approved in August to allow for an acting  
10 appointment to be extended for extenuating  
11 circumstances. Originally, it was only a year.  
12 Now we've done whatever time is appropriate,  
13 pursuant to some conditions that the Board wanted  
14 in place. We put it out, and there were no  
15 comments. Now we want to publish it for final  
16 rulemaking.

17 CHAIR CRIDER: All in favor of  
18 approval of this resolution to Chapter 2  
19 regarding interim appointments vote aye.

20 (Chorus of ayes.)

21 CHAIR CRIDER: Any opposed or  
22 abstentions?

1 (No response.)

2 CHAIR CRIDER: That one carries.

3 Okay. The next one then would be just the  
4 regular executive appointment; is that right?

5 Okay. So you just confused me then. So I  
6 thought what I just heard were that there were  
7 two --

8 PRESIDENT MASON: There are two under  
9 this one item.

10 CHAIR CRIDER: Oh, the other one comes  
11 later. Okay, all right, never mind. I got it.  
12 The second one, leading action is compliance with  
13 Section 702 of the Veterans Access, Choice and  
14 Accountability Act of 2014. And so who's going  
15 to take the lead on explaining that one to us?

16 PRESIDENT MASON: I'll see if I can  
17 get this one wrong, too. My recollection is that  
18 this is the issue of veterans being charged in-  
19 state tuition, no matter where they come from,  
20 when they attend UDC. I think we were the first  
21 to adopt this, and it's gone through the hearing  
22 process at the Council, and I would bring it back

1 to you for final approval.

2 TRUSTEE BELL: So moved.

3 CHAIR CRIDER: Okay. "Now, therefore,  
4 be it resolved that the tuition and fee rate for  
5 the following categories of students shall be  
6 equal to the tuition and fee rate charged at in-  
7 state students. Anyone using transferred  
8 benefits under the post 9/11 GI Bill and  
9 Montgomery GI Bill Active Duty who lives in the  
10 District of Columbia, regardless of formal state  
11 of residence or domicile, and enrolls in this  
12 institution within three years of the transfer or  
13 discharge from a period of active duty service of  
14 90 days or more; anyone using benefits under the  
15 Marine Gunnery Sergeant John David Fry  
16 Scholarship who lives in the District of Columbia  
17 regardless of formal state of residence and  
18 enrolls in the institution within three years of  
19 service member's death in the line of duty  
20 following a period of active duty service of 90  
21 days or more; and anyone described above, while  
22 he or she remains continuously enrolled, other

1 than during regularly-scheduled breaks between  
2 forces, semesters, or terms at the same school.  
3 The person so described must have enrolled in the  
4 school prior to the expiration of the three-year  
5 period following discharge, release, or death  
6 described above and must be using educational  
7 benefits under either Chapter 30 or Chapter 33 of  
8 Title 38, United States Code."

9 "Be it further resolved that the Board  
10 of Trustees adopt this policy change to comply  
11 with the tuition requirements of the Veterans  
12 Access Choice and Accountability Act of 2014 and  
13 that the University of the District of Columbia  
14 and the University of the District of Columbia  
15 Community College shall charge tuition and fees  
16 to uniform service veterans and other qualified  
17 individuals covered under 38 U.S. Code, Section  
18 3679 at a rate equal to in-state tuition and  
19 fees for that course of education. Be it further  
20 resolved that the Board of Trustees of the  
21 University of the District of Columbia hereby  
22 directs the University to incorporate the above

1 policy changes into the University tuition  
2 schedule."

3 And that is the motion resolution.

4 Any discussion or questions?

5 (No response.)

6 CHAIR CRIDER: All in favor vote aye.

7 (Chorus of ayes.)

8 CHAIR CRIDER: Any opposed or  
9 abstentions?

10 (No response.)

11 CHAIR CRIDER: Okay. And that one is  
12 also approved. Okay. The next one is the  
13 approval of proposed Contract Change Order Number  
14 11 and 12 for construction of the student center.

15 TRUSTEE SHELTON: Yes. We have Erik  
16 here if we need him. This is the final change  
17 order for the student center. We had to bring it  
18 before the Executive Committee because we had a  
19 timing issue in terms of getting it before the  
20 Council. It's been before the Council now and  
21 approved by them, and now we have to bring it  
22 back here for final approval. If you need more

1 details, Erik is here to answer them.

2 CHAIR CRIDER: Okay. Let me entertain  
3 a motion. Moved and second. And now we'll have  
4 discussion. Trustee Bell?

5 TRUSTEE BELL: I had a question about  
6 the discrepancies on the change order amounts,  
7 specifically Change Order 10, and what was the  
8 final amount that was for that change order?  
9 Because it was a significant difference.

10 VICE PRESIDENT THOMPSON: Erik  
11 Thompson, Acting Vice President for Facilities  
12 and Real Estate. So in your packet, I believe  
13 it's page five, it's called the "Council Contract  
14 Summary." That is the final negotiated value of  
15 the change orders prior to 11 and 12 and it's  
16 listing Change Order Number 10 as \$3.9 million.  
17 That was the final negotiated value of that  
18 change order. It is on your Council Contract  
19 Summary page, which should be page, one, two,  
20 three, four, five, six -- thank you -- page six  
21 of your Council Summary, I mean, sorry, your  
22 Board packet. And there it lists the final



1 negotiated prices of all the change orders  
2 through Change Order Number 12 and it's  
3 identifying Change Order Number 10 as \$3.9  
4 million.

5 TRUSTEE BELL: And then Change Order  
6 Number 11?

7 VICE PRESIDENT THOMPSON: Yes, it's  
8 for \$988,000.

9 TRUSTEE BELL: So in the, I guess, the  
10 supporting materials, and it's not numbered, but  
11 they had a price of \$116,000.

12 VICE PRESIDENT THOMPSON: Yes, that  
13 question came up before. There is a section  
14 where it referenced a BCD Number 10, and I think  
15 that's that number, as opposed to Change Order  
16 Number 10. The business clearance directives add  
17 up and are put into change orders, but that same  
18 question happened when we were reviewing it with  
19 council members. But the actual value of Change  
20 Order Number 10 is the 3.9 listed on your page  
21 six.

22 CHAIR CRIDER: Trustee Felton and then

1 . . .

2 TRUSTEE FELTON: Of course we're all  
3 excited about the student center about to be  
4 opened. I would like perhaps at some future  
5 meeting that we have sort of general free flow,  
6 you know, how we started, how we ended up with  
7 change orders that we needed, what are some of  
8 the lessons learned. My fear is that, after the  
9 excitement, then there will be rumors about what  
10 was spent, overspending, those kinds of things.  
11 And I think the Board and certainly the President  
12 ought to be equipped with the kind of responses  
13 needed to stave off any negative comments.

14 VICE PRESIDENT THOMPSON: Yes, sir.  
15 And the President, as well as Stovall, have  
16 already started preparing that information to be  
17 presented to the Board.

18 CHAIR CRIDER: Trustee Wyner?

19 TRUSTEE WYNER: Yes, when I look at  
20 the original contract of \$30 million and the  
21 ultimate cost of 51, that's a 75-percent increase  
22 in costs. And I don't recall this coming to the

1 Board prior or change orders of this magnitude.  
2 So I'm curious whether you can give us just a  
3 general sense of why this ended up costing \$20  
4 million more than we had anticipated. Obviously,  
5 that's a pretty big change, and we are asking  
6 students later today for an increase in the fee,  
7 the student fee associated. Part of that is  
8 because of the increase in the student center  
9 fee. Presumably, if this didn't cost as much, we  
10 wouldn't be having to ask students to foot that  
11 bill.

12 So I think just curious why the  
13 estimate in the original contract is so radically  
14 different from what we ended up spending.

15 VICE PRESIDENT THOMPSON: Yes. There  
16 are a number of reasons that I could go into  
17 detail with the Committee about, but I think the  
18 one that I'll pick that is the most symbolic of  
19 the changes were the decision to bid 80 percent  
20 set of documents. While that is not something  
21 that is completely never done in the industry,  
22 one of the risks it opens you up to is you're

1 bidding a set of design documents that haven't  
2 been completely coordinated and completed. So  
3 there's information missing from that 80 percent  
4 that you're asking a contractor to estimate what  
5 would be the completion information.

6 When that 20 percent is actually done  
7 by the architect and put on the street for bid,  
8 the number that you're anticipating will add to  
9 the 80 percent and come to your total estimated  
10 budget, which is what we estimated at the time,  
11 is assuming there's no coordination challenges  
12 between the documents, which is an aggressive  
13 thing to assume, and assuming that no technology  
14 will change between the time that you awarded 80  
15 percent and the 20 percent, which is also  
16 something that is aggressive to assume.

17 And while, again, there are plenty of  
18 tentacles that come off of that, the decision to  
19 not wait until we had 100-percent completed  
20 coordinated set of construction documents and  
21 bidding that set but to rather bid at 80 percent  
22 or incomplete set of documents has a lion's share

1 of the reason for the increased cost and time.

2 TRUSTEE WYNER: Looking back on this,  
3 do you think that the cost, had we bid at 100  
4 percent, would have been lower? Do you think  
5 that there might have been bidders who could have  
6 come in and delivered this building for  
7 substantially less than the \$51 million cost?  
8 Any senses of that?

9 And I guess the related question is  
10 would you do it differently if you had this to  
11 start over again or recommend doing it  
12 differently?

13 VICE PRESIDENT THOMPSON: If I had to  
14 start over again, I would not recommend bidding a  
15 partially-complete set of drawings. I would  
16 recommend that we wait until the design documents  
17 are completed at 100 percent, estimated at that  
18 time, tested in the market, and then a  
19 procurement process completed.

20 CHAIR CRIDER: President Mason?

21 PRESIDENT MASON: Just a couple of  
22 things. We did a walk-through for the press

1 today to try not only show off the building but  
2 to anticipate any questions they have about the  
3 history, and I got a pretty good talking point  
4 briefing paper that I'd be happy to share with  
5 the Board that lays out all of the -- I'm  
6 assuming Erik wrote it. It looked like his  
7 style. We can share that with you. And I  
8 actually had to explain it to the press today, so  
9 I know it's explainable.

10 And then, third, at the request of the  
11 Audit Chair, we're going to audit the whole  
12 process just to make sure that, going forward,  
13 you know, we lock down what happened in the past  
14 and what we want to celebrate in the future.

15 TRUSTEE WYNER: Thank you. I would  
16 like to see those documents.

17 VICE PRESIDENT THOMPSON: If I may, I  
18 would like to add that the student fee that was  
19 imposed was less connected with the increase in  
20 cost because the portion of the project that was  
21 going to be paid by student fee stay consistent.  
22 So the increase in cost came from capital

1 funding, as opposed to billing the students more  
2 for that increase.

3 CHAIR CRIDER: Did you have something,  
4 Trustee Schwartz? You can go ahead.

5 TRUSTEE SCHWARTZ: Yes, ma'am. I know  
6 change orders are normal with new construction,  
7 but, when I look at Change Order Number 9, which  
8 is \$13 million, could you just give us a thumb  
9 sketch of what was involved in Change Order  
10 Number 9?

11 VICE PRESIDENT THOMPSON: Change Order  
12 Number 9 was the negotiation of the 20-percent  
13 drawings when they were completed to add to the  
14 80 percent that we had to be 100-percent set of  
15 construction documents. And that negotiated  
16 price included the identifying of issues that  
17 weren't coordinated between the two documents.

18 So I'll give an example. There's a  
19 vapor barrier under the building. This separates  
20 the concrete from the soil. While there was a  
21 line in the 80-percent set of drawings, there was  
22 nothing that clearly identified that as the vapor

1 barrier. So it was not included in the 80  
2 percent, and now it had to be included in the 20  
3 percent, but some of the work was already in  
4 place. So it was an exhaustive effort to be able  
5 to get that vapor barrier in, which is a  
6 complication that comes from our earlier point:  
7 by bidding a set of documents before it's  
8 completed, you run the risk of issues like that  
9 coming up. And that's where that \$13 million was  
10 coming from.

11 CHAIR CRIDER: Trustee Shelton?

12 TRUSTEE SHELTON: Just for the record,  
13 at the beginning of this project, we ran into  
14 tremendous weather and complications that slowed  
15 down the process. I think it was almost a year  
16 before we could get started in really doing  
17 anything dynamic. And weather was critical. We  
18 had the cement block of the Metro, which we had  
19 to negotiate a process to get that done. And,  
20 meanwhile, the dollars were increasing as we were  
21 forced to delay. And that storm that occurred  
22 right after we came to a consensus on this was a



1 blockbuster, and it stopped everything. And then  
2 we had a rain season.

3 So there were a number of acts that  
4 delayed any kind of reduction in this final  
5 effort, but that 80/20 was also a necessary  
6 decision that had to be made by the Board in  
7 order to complete the process. So just for the  
8 information of my colleagues, it was not  
9 something we took lightly, but we were forced  
10 into this complication. It was in place before  
11 we came on. We approved it shortly after we came  
12 on, and then we ran into the delays that no one  
13 could have foreseen and the cement block that  
14 protects the subway was the longest negotiation.

15 Madam Chair, that's just for the  
16 information of the Board. I do wish to get  
17 another discussion, you know, as a group about  
18 the bidding process because it would be very  
19 helpful as we make improvements all around the  
20 city. But at this time, if there are no further  
21 --

22 CHAIR CRIDER: I did have just one

1 other question, Mr. Thompson, and that is there's  
2 a line in here that says that the maximum, with  
3 the addition of Change Orders 11 and 12, the  
4 estimated maximum construction price for the new  
5 student center building is \$51,466,283. The  
6 total estimated maximum project cost is  
7 \$63,000,000. What's the difference in those two  
8 numbers and which --

9 VICE PRESIDENT THOMPSON: Sorry. All  
10 those numbers are typically pulled out of the  
11 hard construction number and called soft numbers.  
12 That's the delta between the 51.5, roughly, that  
13 is construction and the 63 that's anticipated to  
14 be the entire project value.

15 One other component of the delta  
16 between the two, at consultation with the city,  
17 we've included contingencies or allowances within  
18 the change order that were an estimate of what  
19 potential change orders are known to be right now  
20 and could be moving towards completion and  
21 identified an amount in the 63 that would allow  
22 us to award that, when necessary, to the

1 contractor without coming back for additional  
2 approval.

3 CHAIR CRIDER: Okay. Any other  
4 questions or discussion?

5 (No response.)

6 CHAIR CRIDER: Hearing none, all in  
7 favor of approval -- let me just read the  
8 resolution quickly. "Whereas the Board is  
9 satisfied that the proposed contract represents  
10 the proper culmination of the University's  
11 details and represents the best interest of the  
12 University and now, therefore, be it resolved  
13 that the University of the District of Columbia's  
14 is hereby authorized to forward to the Council of  
15 the District of Columbia for its approval of the  
16 proposed construction contract modification  
17 Change Order Numbers 11 and 12 for the UDC  
18 Student Center." All in favor, vote aye.

19 (Chorus of ayes.)

20 CHAIR CRIDER: Opposed?

21 TRUSTEE WYNER: I'd like to abstain.

22 Just not having been here for the original

1 conversation and seeing that kind of cost  
2 overrun, I'm uncomfortable just understanding the  
3 entire process. So I'll abstain.

4 CHAIR CRIDER: Trustee Wyner, one of  
5 the questions you asked was about why we didn't  
6 know this, and I think part of the answer to that  
7 question is that we, the Board, at some point,  
8 approved the facilities and real estate area  
9 authority to proceed with costs that were under  
10 \$4 million, and so anything that came in under \$4  
11 million, you know, just kind of one-time thing  
12 under \$4 million they didn't have to bring to us.  
13 So we didn't see, you know, because these were  
14 presented at various times, they didn't come in,  
15 except for the ones over the \$4 million, didn't  
16 come into us, and that's why I think the creep,  
17 why we felt that this building was increasing a  
18 lot more than we thought. We didn't see this  
19 cumulative total because it was coming into us  
20 under this \$4 million thing, so we didn't have to  
21 approve that, as I recall what we did with real  
22 estate.

1                   VICE PRESIDENT THOMPSON: You're  
2 correct, Madam Chair.

3                   CHAIR CRIDER: So we may need to  
4 revisit that at some point because of this  
5 experience.

6                   TRUSTEE WYNER: I do think that  
7 there's an important, a couple of important  
8 principles here. One is, if there are multiple  
9 change orders, that the Board be apprised of  
10 those things, whether it has to come to us or  
11 not. The fact of the matter is to see this at  
12 this stage at this kind of cost overrun I think  
13 puts us in quite a bind and is something that I  
14 would hope that whoever is responsible would come  
15 to us for and say, hey, look, we've got a problem  
16 here. This is not cost overruns explained by one  
17 thing or another. This is a problem.

18                   The second is this process of bidding  
19 it out 80-percent complete is very troubling  
20 because the fact of the matter is that  
21 contractors want to win the bid. I mean, we all  
22 know this. We know this for small home projects

1 to large construction projects. We've all been  
2 through this if we've been parts of large  
3 organizations or owned a home ourselves. They  
4 want to win the bid, and then things start  
5 increasing. It's information technology  
6 projects, it's construction projects. It's the  
7 back-end stuff that kills you, and so, you know,  
8 just knowing that, the notion that we would  
9 approve a project on that basis is troubling, I  
10 think.

11 The last is just a change order for  
12 \$13 million, I mean, for a project of \$29  
13 million, you know. If the people involved in  
14 construction didn't see that level of detail, I  
15 mean, underground ventilation systems, they had  
16 to have known some of that. And the question is  
17 who bears that responsibility? Because if it was  
18 being bid out below where it should have been to  
19 begin with, that's troubling, as well.

20 So I was not part of that original  
21 process. I understand that there are all kinds  
22 of considerations, but, from my perspective that

1 -- but to your point about the multiple change  
2 orders under \$4 million, whether we change the  
3 rules or not, we're here to support the  
4 University and to make sure it's operating well,  
5 as we know you are, Erik, and everybody here.  
6 And I think having that kind of open line of  
7 communication so that we can be aware when  
8 problems are emerging and be apprised of it and  
9 help make decisions with regards to it through  
10 the process, not at the back end, just is  
11 incredibly important to me to building that kind  
12 of trusting relationships. I'll stop.

13 CHAIR CRIDER: Some of the things that  
14 you're raising are things that we also raised  
15 along the way in this process because we felt,  
16 those of us that were here, felt as uncomfortable  
17 as you do with the process, and we all stepped in  
18 at some point of this is already done. And so,  
19 you know, when it's already done, you know, how  
20 do you stop the building from going up, you know,  
21 so to speak, and we certainly asked questions.

22 The idea of, let's be frank, was this

1 a lowball bid and is that what we got caught up  
2 in here is one that, you know, we talked about,  
3 and I don't know that we have a clear answer to  
4 that yet. But it certainly felt that way.

5 TRUSTEE WYNER: Right. And I  
6 appreciate, you've been very clear, Dr. Crider,  
7 that, you know, how many times do we go through a  
8 process like this before we do say no? I don't  
9 think we're in any position to be there now. I  
10 certainly am not even part of that process. But  
11 I don't think we should be in that position. I  
12 think that's the point is that this has to be  
13 unified. And so I appreciate your diligence in  
14 asking about that, and I'm sure the Committee was  
15 asking those questions, as well.

16 TRUSTEE CURRY: The last question --  
17 sorry. The last point here for us in terms of  
18 reconsidering that \$4 million and the reason we  
19 went to that is because know that construction  
20 numbers are always big. However, the Council  
21 doesn't change the amount of money that a  
22 contract has to come to it for approval, so this



1 Board was in a position where information was  
2 going to the Council for its approval that didn't  
3 have to come to us. That's uncomfortable, I  
4 think, to us as a Board, and so we really need to  
5 revisit that \$4 million threshold and let's bring  
6 it back down so that anything that goes down to  
7 the Council, we have seen it, we know what's in  
8 it, and we are either comfortable or on the  
9 record with not being comfortable, whatever. But  
10 we should never be put in a position where a  
11 contract is downtown, and that happened in this  
12 case. The contract is downtown for approval, and  
13 we know nothing about it. It's on the record  
14 again.

15 Okay, President Mason.

16 PRESIDENT MASON: Just a couple of  
17 quick things. There were a lot of unusual things  
18 that happened in connection with this facility,  
19 one of which was that there actually was a  
20 separate procurement office for construction that  
21 wasn't tied to our main procurement office and  
22 that's been resolved.

1                   But a couple of points on a high note.  
2       One, you know, Erik wasn't in charge at the time,  
3       let's just make that clear because I've been very  
4       impressed with his work. And then, two, at the  
5       end of the day, we have really ended up with an  
6       outstanding facility. So just to end up on a  
7       high note, this is a special building and a  
8       special facility that I think is going to serve  
9       us well in the future, after it's all said and  
10      done. And I think Erik should be congratulated  
11      for bringing it home, candidly.

12                   VICE PRESIDENT THOMPSON: Thank you,  
13      sir. Thank you, Trustees.

14                   (Applause.)

15                   CHAIR CRIDER: Okay, thank you. Okay.  
16      The next action item on the agenda is the  
17      appointment of -- maybe we should hold off on  
18      this one.

19                   PRESIDENT MASON: You know, well,  
20      Madam Chair, you know, the Executive Committee  
21      signed off on this. He has been working, so I  
22      think we'd like to keep him, yes. I think we'd

1       like to keep him.

2                   CHAIR CRIDER:   So this is a resolution  
3       for the appointment of Troy A. LeMaile-Stovall as  
4       Executive Vice President of the University of the  
5       District of Columbia.   Yes, this is reaffirming  
6       the Executive Committee's action.

7                   TRUSTEE FELTON:   So moved.

8                   TRUSTEE SHELTON:   Second.

9                   CHAIR CRIDER:   Any discussion,  
10      questions?

11                   (No response.)

12                   CHAIR CRIDER:   All in favor, vote aye.

13                   (Chorus of ayes.)

14                   CHAIR CRIDER:   Any abstentions or  
15      opposition?

16                   (No response.)

17                   CHAIR CRIDER:   Okay.   That motion  
18      carries.   And welcome officially, Mr. Stovall.

19                   (Applause.)

20                   CHAIR CRIDER:   And he has been  
21      working.   Okay.   The next resolution is the UDC  
22      School of Engineering and Applied Sciences tenure

1 approval for Professor Haghani.

2 PRESIDENT MASON: That would be Dr.  
3 Petty if you have any questions.

4 TRUSTEE SHELTON: So moved.

5 TRUSTEE SCHWARTZ: Second.

6 CHAIR CRIDER: Okay. It's been moved  
7 and second. Any discussion?

8 (No response.)

9 CHAIR CRIDER: Whereas, pursuant to 8  
10 BDCMR, Section 1468 and 1470, the Dean, Provost  
11 and the President have affirmed the  
12 recommendation of tenure for Professor Haghani  
13 and the President has forwarded the  
14 recommendation for tenure to the Board of  
15 Trustees. Now, therefore, be it resolved that  
16 the Board of Trustees of the University of the  
17 District of Columbia approves the award of tenure  
18 to Professor Sasan Haghani of the School of  
19 Engineering and Applied Sciences. All in favor,  
20 vote aye.

21 (Chorus of ayes.)

22 CHAIR CRIDER: Any opposed or

1 abstentions?

2 (No response.)

3 CHAIR CRIDER: Congratulations, Dr.  
4 Haghani. Okay. The next resolution is  
5 institutional aid support for the UDC David A.  
6 Clarke School of Law.

7 PRESIDENT MASON: Yes, ma'am, I'll get  
8 us started. This was presented to and I would  
9 say thoroughly vetted by the Executive Committee.  
10 It's a request for \$700,000 in institutional aid  
11 or tuition remission for the law school for two  
12 years, to be reviewed at the end of the first  
13 year. The Dean's position is that this is needed  
14 in order to make a competitive class in a highly-  
15 competitive environment. It's also in the midst  
16 of an ABA accreditation visit, which is coming up  
17 in February.

18 We had thorough discussion internally,  
19 and it was recommended to me by the Provost. And  
20 it's not what the Dean requested but, at the end  
21 of the day, I'm supporting this recommendation  
22 for a two-year with an annual review of tuition

1 remission of \$700,000 per year. And the Dean is  
2 here. If you have more questions, she'd be happy  
3 to answer them.

4 CHAIR CRIDER: I asked a bunch of  
5 questions. You all have copies of that. I'm not  
6 going to re-ask those questions here. Let me  
7 read the resolution, and then if there are, but  
8 I'll accept the resolution. "Whereas, the amount  
9 of institutional aid afforded the School of Law  
10 since 2006 has remained constant at \$700,000 per  
11 year, supporting enrollment and retentation of a  
12 student body ranging from about 234 students to a  
13 high of 366 students in 2012 and in 2015 about  
14 311 students. Whereas, the School of Law will  
15 attract entering LSAT, GPA, UGPA, UDCGPA,  
16 retention and bar passes for scholarship  
17 recipients and provide an annual report to the  
18 President of the University to demonstrate the  
19 effectiveness of institutional aid provided. And  
20 now, therefore, be it resolved that the Board of  
21 Trustees authorizes the University to remit law  
22 school institutional aid in the amount of

1       \$700,000 during each of FY 17 and 18 to further  
2       the mission and meet the financial aid  
3       requirements of the School of Law."

4               I'd like to entertain a motion.

5               TRUSTEE TARDD:   So moved.

6               TRUSTEE SHELTON:   Second.

7               CHAIR CRIDER:   Moved and second.

8       Discussion?   Trustee Felton?

9               TRUSTEE FELTON:   Yes, thanks.   I just,  
10       again, I believe this is the right thing to do,  
11       but I do believe that we have responsibilities to  
12       Board, not necessarily to take something away  
13       from something so that it will be given to  
14       someone else, but we do have undergraduate and  
15       graduate students out there who are in need and  
16       whom we might use the same concept to bring in a  
17       higher caliber of students who are also committed  
18       to residing in the District of Columbia.   And  
19       that's one of the questions we've asked is,  
20       that's one of the questions we've asked so that  
21       we're not just simply graduating top students.  
22       Our hope is that they will be engaged in the

1 District of Columbia and, thereby, bring even  
2 more credit to UDC.

3 So my hope is that we know it's  
4 difficult times right now, but there will always  
5 be difficult times. And we need to at least  
6 conceptually figure out how we're going to do a  
7 similar kind of thing for both our undergraduate  
8 students, as well as other professional schools.

9 PRESIDENT MASON: Yes. So just a few  
10 comments on that. One, you know that the Chair  
11 has a keen interest in this, and we've had, I  
12 would say, very fruitful conversations about  
13 institutional aid use and policy. The Enrollment  
14 Management group is actually developing now a  
15 comprehensive University aid policy that we'll be  
16 bringing back to the Board because what we do for  
17 the law school is what you hear about, but we  
18 actually have over \$2 million in the provost  
19 office that is distributed for institutional aid  
20 in the other units. The problem is that we're  
21 not using it strategically, so we're going to  
22 look at all of it. And sometime certainly in the



1 next two months, we'll have a policy proposal,  
2 and we'll bring it back to you to the next Board  
3 meeting so you can see what we're talking about.

4 CHAIR CRIDER: Okay. Questions or  
5 comments?

6 TRUSTEE BELL: I have a question.

7 CHAIR CRIDER: Okay.

8 TRUSTEE BELL: So we're spending  
9 \$700,000, and it says that it's a net loss of  
10 \$500,000, and I realize that the ABA  
11 accreditation is important. But how do we  
12 balance the ABA's accreditation need with the  
13 flagship's accreditation needs for having sound  
14 financial policies? Did I misread that?

15 PRESIDENT MASON: Yes, I'm not sure  
16 about the net loss because the law school's  
17 numbers are that, by spending the \$700,000, they  
18 bring in about 850 or so --

19 TRUSTEE BELL: I'm sorry. Not  
20 directly to the law school, but it says it's a  
21 loss of net tuition revenue of \$500,000 each year  
22 for 2017 and 2019.

1           PRESIDENT MASON: I don't know where  
2           that is. Where is it?

3           TRUSTEE BELL: It says the direct  
4           financial impact from this proposed resolution is  
5           the loss of net tuition revenue of \$500,000 for  
6           each, 2017 through 2019, and the opportunity cost  
7           that is incurred by the unavailability of these  
8           funds to support other critical needs of the  
9           University. So my question is how do we, you  
10          know -- I support the law school, so how do we  
11          balance the need, because we're saying that ABA  
12          accreditation support, it's beneficial for our  
13          ABA accreditation, but how does that juxtapose  
14          against our Middle States accreditation and the  
15          need to have sound financial policy?

16          PRESIDENT MASON: You want to answer?  
17          Good.

18          MR. RICKFORD: Yes, I'll answer the  
19          first question regarding the \$500,000. I'm Don  
20          Rickford, the Chief Financial Officer. There  
21          were a number of fiscal impact statements that  
22          were prepared relating to this issue, as

1 negotiations, I believe, went on between the  
2 President and the law school. And at one time,  
3 we were looking at a three-year period at  
4 \$500,000 was the discussion. In the end, so in  
5 the end the decision was made that \$700,000 for  
6 two years. Inadvertently, that fiscal impact  
7 statement was included in the package due to an  
8 error on behalf of the chief financial officer  
9 who sent the wrong document upstairs, fiscal  
10 impact statement.

11 CHAIR CRIDER: Yes, so I think you're  
12 actually talking about, there are two different  
13 issues related to the \$500,000.

14 MR. RICKFORD: Yes.

15 CHAIR CRIDER: The first issue is that  
16 your fiscal impact statement here basically says  
17 that we have available \$500,000 to support this.

18 MR. RICKFORD: Yes.

19 CHAIR CRIDER: And not \$700,000. What  
20 Trustee Bell is reading says that, basically, the  
21 impact is a net loss of tuition revenue of a half  
22 million dollars each year, which is different to

1 me than what you said is available.

2 MR. RICKFORD: Yes. Well, as I said,  
3 I issued a revised statement inadvertently. The  
4 one that the members sent up with the correction  
5 was the first fiscal impact statement that was  
6 done for the three-year period. So there are  
7 funds available to cover the \$700,000.

8 The issue with regard to what we are  
9 losing is that those students pay, on average,  
10 half of the rate for the law school tuition. So  
11 we are collecting that half from them, the net  
12 cost versus just the \$700,000.

13 Now, one may raise the issue about  
14 that we could be using those funds for different  
15 things and so on. But there's no way we can put  
16 a cost on that.

17 PRESIDENT MASON: I'm not sure I'm  
18 following you, Don. Are you saying that,  
19 originally, the request was a three-year at  
20 \$700,000 per year?

21 MR. RICKFORD: Yes. And then it  
22 changed --

1                   PRESIDENT MASON: And your fiscal  
2 impact said that that would be a \$500,000 --

3                   MR. RICKFORD: No.

4                   PRESIDENT MASON: No? Where did the  
5 \$500,000 come from? That's my --

6                   MR. RICKFORD: The \$500,000 was when  
7 a decision was made that we would support it for  
8 three years but only at \$500,000. Then there  
9 were additional negotiations that led back to two  
10 years and \$700,000.

11                  PRESIDENT MASON: So what's the impact  
12 two years at \$700,000?

13                  MR. RICKFORD: \$700,000 per year for  
14 two years. We're not collecting tuition from  
15 those students, assuming that all of them come to  
16 the University. There are a lot of assumptions  
17 there.

18                  TRUSTEE WYNER: Well, I think that's  
19 part of the challenge we have here is that the  
20 fiscal impact statement is simply a reflection of  
21 the cost. We don't need a fiscal impact  
22 statement to tell us how much \$700,000 costs. We

1 know that's \$700,000. What we need is a question  
2 of what the fiscal impact is, and so some  
3 estimate needs to be made of what would happen to  
4 revenue should we not have this money available?  
5 And what we understand is that that \$700,000 does  
6 yield an \$850,000 tuition, but what we still  
7 don't have even in that estimate is what the  
8 impact is.

9           So I do wonder about the requirements  
10 of a fiscal impact statement and what information  
11 it's giving us and whether we can get -- I mean,  
12 surely, there's some history here, there are  
13 other schools. If you're responsible for a  
14 fiscal impact statement, knowing the fiscal  
15 impact, because this question has been raised  
16 which is that, you know, money can be used for  
17 several reasons. We need to know whether an  
18 investment here costs us X versus making that  
19 same investment somewhere else.

20           MR. RICKFORD: We've had extensive  
21 discussions with the law school, with Mr. Nelson,  
22 about this. But we could not find any

1 information, hard information, that would tell us  
2 how many of those students will not come here,  
3 and that's what we need to know to figure out  
4 what the true fiscal impact would be if we don't  
5 give that aid.

6 TRUSTEE WYNER: So it just seems to  
7 me, if we're going to say these are the costs,  
8 let's make that clear in the fiscal impact  
9 statement so that Trustee Bell -- I mean, I read  
10 it the same way, and I understand this is a  
11 different document. But even if it had said  
12 \$700,000, we'd have the same problem. If, in  
13 fact, all we're doing is reflecting costs, I  
14 think making clear the assumptions that were made  
15 in this document would be very helpful for us who  
16 are reviewing it so that we're not wondering  
17 because when I see fiscal impact statement I  
18 expect that that's what it is, and I hear you  
19 saying that we can't assume this is, in fact, the  
20 fiscal impact statement. It's all the  
21 information we have to tell us about fiscal  
22 impact, but there's a lot of unknown information.

1                   So I just think clarity in these  
2 documents about the assumptions that are made,  
3 what's not known -- just a few sentences, I'm not  
4 asking for reams of paper -- would be helpful,  
5 just as we're reviewing this.

6                   PRESIDENT MASON: I'm still trying to  
7 sort through exactly what the role is of the OCFO  
8 and whether they're supposed to do that kind of  
9 analysis because, again, in long conversations  
10 with the chair, you know, much of what we're  
11 basing this on is the opinion of the Dean, you  
12 know, in terms of what is needed to make the  
13 class and what quality class and those sorts of  
14 things. So we haven't been able to do that kind  
15 of analysis independently, but sometime between  
16 now and the next budget cycle I guarantee you we  
17 will be able to do that.

18                  TRUSTEE WYNER: Thank you.

19                  CHAIR CRIDER: Let me just say for the  
20 record that Trustee Lewis is also here. I do  
21 have some concern, though, because I'm concerned  
22 about asking us to vote to approve a request for



1       \$700,000 where we have a fisc that says \$500,000  
2       is what is approved or available.

3               TRUSTEE FELTON: We'll let Don respond  
4       to that. I think Don is just saying he's willing  
5       to just insert \$700,000.

6               CHAIR CRIDER: Well, I'm saying if we  
7       modify it that this fisc is -- what I don't want  
8       is a document on the record that says \$500,000  
9       and the Board is voting to approve \$700,000.

10              TRUSTEE FELTON: So will you have  
11       provided a corrected fisc?

12              MR. RICKFORD: Sorry. Mr. Franklin  
13       will bring up a corrected fisc in a few minutes.

14              TRUSTEE SHELTON: If I hear you  
15       correctly, we are trying to amend this one page  
16       of the document to reflect \$700,000, rather than  
17       the \$500,000. An amendment to the motion to  
18       clarify approved by the Board should be  
19       sufficient to amend this proposal to the proper  
20       language. And, therefore, when it's submitted,  
21       it would be corrected. That's one issue.

22              The second issue is an impact

1 statement that tells us what an impact statement  
2 is, a clarification on that.

3 CHAIR CRIDER: I understand all of  
4 that.

5 TRUSTEE SHELTON: Okay, good, good,  
6 because I didn't.

7 CHAIR CRIDER: What I'm saying,  
8 though, what I'm reading is a document that  
9 essentially, that we're \$200,000 short of the  
10 request. If this is the document that reflects  
11 the action and guiding the Board's decision, at  
12 some point, if a question is raised about why  
13 would we approve \$200,000 that we didn't have  
14 when, in fact, what you're saying is that we have  
15 it, this is the wrong statement, then we just  
16 need the corrected statement. That's the point  
17 I'm trying to make. What I'm uncomfortable with  
18 is having something on the record that says we're  
19 \$200,000 short in a time where we're already, you  
20 know, having some financial issues.

21 TRUSTEE FELTON: That's the reason, in  
22 my mind, that's the reason for the amending

1 motion, the corrected motion. It does take out  
2 the, the incorrect sheet and provide an  
3 opportunity to put in the correct numbers in the  
4 proper place without us having to go back and --

5 CHAIR CRIDER: I thought that was what  
6 I, I thought that's what I -- okay. Look, it is  
7 not in the packet. All I want is it in the  
8 packet, so I don't care if he has it in his  
9 pocket or on his phone. None of that matters.  
10 It's not in the packet, and that's the point I'm  
11 making.

12 I thought I said what you said, which  
13 was doing the motion based on a corrected  
14 statement here. I thought that was what I heard  
15 myself say, but I do talk a lot so I might have  
16 said something different, you know. But I  
17 thought that's what I said.

18 So Trustee Wyner and then Trustee  
19 Scott.

20 TRUSTEE WYNER: Yes, I was just going  
21 to suggest precisely that, just that we move that  
22 understanding of the fiscal impact of this is

1       \$700,000 per year, that the cost is \$700,000 per  
2       year, and that the fiscal impact statement  
3       included in the materials was not updated and  
4       should be disregarded. We would move that, and  
5       then the rest of the motion would remain.

6               CHAIR CRIDER:   Trustee Scott?

7               TRUSTEE SCOTT:   I guess I'd like to,  
8       I'm in the same mind set of you, Dr. Crider. One  
9       of the things that this Board did say that we  
10      would do is sound decisions and move with the  
11      proper documentation at all times. This is a new  
12      day. We understand that the Council is looking  
13      at our actions, and I would be remiss to not have  
14      that in place in terms of the documentation the  
15      correct way. We had enough time to make sure it  
16      was correct, and we need to have that because we  
17      are moving in a different direction than we've  
18      done in the past.

19              CHAIR CRIDER:   So the way it would  
20      happen -- sorry. I was going to say we could ask  
21      Trustee Wyner or someone to restate the motion.  
22      These resolutions come to me to sign it. Believe

1 me, I don't sign it until it's right. They've  
2 had stuff held up from me before because I  
3 refused to sign it because it wasn't right. This  
4 will be the same way, and it doesn't go into  
5 effect until I sign it.

6 TRUSTEE FELTON: I think we're all  
7 there. I think we're saying the motion simply  
8 says we approve, subject to the correction on the  
9 fiscal impact statement that reflects the  
10 \$700,000. Isn't that it?

11 TRUSTEE WYNER: The \$700,000 cost.

12 CHAIR CRIDER: Okay. Trustee Wilhite?

13 TRUSTEE WILHITE: So what constitutes  
14 the discrepancy of the \$200,000? Why was it  
15 originally at \$500,000 and now the request is  
16 \$700,000?

17 MR. RICKFORD: There were negotiations  
18 that went on when this request was made.  
19 Initially, the request was at \$700,000 for three  
20 years, and there were negotiations back and forth  
21 as to what the administration will support. My  
22 understanding was we got requests at different

1 points. We prepared fiscal impact statements,  
2 and, as a change, we got new requests. I think  
3 it changed three times with the last one being  
4 two years at \$700,000, and a fiscal impact  
5 statement was prepared for that and there was  
6 some question that came up with it last week that  
7 the request was made from, I believe, Mrs.  
8 Franklin and Mr. Nelson, and that request was  
9 handled by the staff in the finance office where  
10 they pulled the wrong document and made the  
11 change.

12 TRUSTEE WILHITE: No, I understand.

13 TRUSTEE FELTON: It started at seven,  
14 didn't work, so it went to five, and then later  
15 it went to seven.

16 PRESIDENT MASON: Yes, there were  
17 several versions. It was 700 for three years,  
18 and then it was 500 for four years or five years,  
19 and they did a fiscal impact with each negotiated  
20 point and they just happened to send up the one  
21 that was 500 a year as opposed to 700 a year.

22 TRUSTEE WILHITE: No, I understand

1       that. I just want to know, like, if their  
2       initial request was for 500 --

3               CHAIR CRIDER: No, the initial request  
4       was always 700.

5               TRUSTEE WYNER: Seven but for more  
6       years, so the negotiation was seven but for fewer  
7       years rather than five for more years.

8               CHAIR CRIDER: Trustee Schwartz and  
9       then --

10              TRUSTEE SCHWARTZ: Madam Chair, is the  
11       new fiscal impact statement available now?

12              MR. RICKFORD: Mr. Franklin will be  
13       bringing it up in a few minutes.

14              TRUSTEE SCHWARTZ: Can we table the  
15       vote until that document is --

16              CHAIR CRIDER: Okay, let's go to the  
17       next item and we'll come back to this one. Okay.  
18       The next item then is the resolution on fee  
19       increase, fee reform and increase in mandatory  
20       and special fees. And --

21              PRESIDENT MASON: Yes, ma'am. This  
22       was a broad-based committee that did a study and

1 it's been through several task forces and town  
2 hall meetings, and we brought it to the Executive  
3 Committee. It was vetted there. Academic  
4 Affairs Committee and it was vetted there,  
5 approved there, as I recall. We didn't have a  
6 quorum, but it was recommended by the group --

7 TRUSTEE WYNER: We had a quorum. It  
8 was a quorum, and it was recommended.

9 PRESIDENT MASON: We had a quorum, and  
10 it was approved there. And now it's here to be  
11 affirmed by the Board, and we have Dr. Epps if  
12 people have questions.

13 CHAIR CRIDER: Okay. So the  
14 resolution is now, therefore, be it resolved  
15 that, effective fall semester 2016, all  
16 University of the District of Columbia students  
17 shall be charged the same rates for mandatory  
18 fees, and be it further resolved that the Board  
19 of Trustees of the University of the District of  
20 Columbia hereby takes proposed rulemaking action  
21 to amend Chapter 7 of the University's rules to  
22 adopt the recommended single-fee charges by



1 college per semester, including summer term, as  
2 indicated in the attached Notice of Proposed  
3 Rulemaking, and be it further resolved that  
4 general counsel is hereby directed to publish  
5 this Notice of Proposed Rulemaking in the D.C.  
6 Register as soon as is practicable for a comment  
7 period of not less than 30 days, in accordance  
8 with the provisions of the D.C. Official Code.  
9 That is the resolution as submitted by the  
10 Academic and Student Affairs and the joint  
11 committee of Audit, Budget, and Finance and  
12 Academic and Student Affairs.

13 Is there a motion to approve?

14 TRUSTEE SCHWARTZ: So moved.

15 CHAIR CRIDER: Moved, second.

16 Discussion? Trustee Wilhite?

17 TRUSTEE WILHITE: So after our last  
18 meeting, I did raise concerns to the Board  
19 regarding the health services fee, specifically  
20 for community college students. Currently, those  
21 students who are being assessed this fee in their  
22 facilities do not have access to, there's no

1 nurse on site, there's no space that could  
2 address any type of immediate medical needs, and  
3 pretty much all those services are centered here  
4 on the main campus.

5 So the concern, as expressed by some  
6 students from the community college, was as to  
7 the logic behind them being assessed that fee and  
8 if any provision will be made to provide some  
9 service of, you know, healthcare or what have you  
10 on, you know, on the other campuses.

11 CHAIR CRIDER: Okay. And I did send  
12 that to the President, and Dr. Epps is going to  
13 address that.

14 DR. EPPS: Currently, all students are  
15 assessed \$25 for the student health fee.

16 TRUSTEE BELL: State your name,  
17 please.

18 DR. EPPS: I'm sorry. My name is  
19 Valerie Epps. I'm Vice President for Student  
20 Affairs. Currently, all students are assessed  
21 the \$25 for student health and that is toward use  
22 of the Student Health Center by all students.

1 And the way we try to accommodate or we do  
2 accommodate the students on other campuses other  
3 than the Van Ness Campus is to go to 801 North  
4 Capitol to have workshops, and just recently Dr.  
5 Elliott was the 801 North Capitol site giving out  
6 the flu vaccine. So we do take the services to  
7 the student, and we intend to certainly do that,  
8 as well as to increase.

9 Since your inquiry, Trustee Wilhite,  
10 I have asked Dr. Elliott, who is the director of  
11 the Health Center, to put in a request to Dr.  
12 Peters and to take a look at the facilities at  
13 801 North Capitol and Bertie Backus to see if  
14 it's a possibility to, if there's a place to  
15 house not a complete health service but a place  
16 where Dr. Elliott or a member of her staff can go  
17 and meet with students who have questions.

18 So just yesterday at a staff meeting,  
19 we thought about having some workshops or having  
20 her come to campus and having it announced ahead  
21 of time to ask your nurse practitioner or ask  
22 your doctor services. Also, for those students

1 who are enrolled in our University health  
2 services, they also have 24 access to health  
3 services, as well, because we have the teladoc  
4 services where students can call anytime the  
5 health service is closed.

6 So those are some of the things that  
7 we are doing to meet the needs of students who  
8 are enrolled in the University, regardless  
9 whether they are attending the 801 North Capitol  
10 classes or Bertie Backus or here on campus. And  
11 that \$25 that students pay is for the operation  
12 of the health services and staff, but it costs  
13 much more than that if you multiple that \$25  
14 times the number of students for the University  
15 to run the health service. So we are trying to  
16 accommodate the needs of all students and plan to  
17 step it up in terms of more workshops and  
18 seminars on that campus.

19 And by the way, the students at 801  
20 North Capitol really took advantage of the flu  
21 vaccine. More of them were vaccinated than here  
22 on our main campus.

1 TRUSTEE WILHITE: Okay. Well, I  
2 think, just in lieu of the fact that students  
3 have expressed a concern, I think those plans  
4 should be articulated to students or shared with  
5 them so they understand, especially when we're  
6 breaking down these fees, like they understand  
7 how they can access these services because even  
8 teladoc I've never heard of.

9 DR. EPPS: We do have that.

10 TRUSTEE WILHITE: Okay. So I think it  
11 would be really, you know, when we roll out, if  
12 we do roll on this and roll out the increased  
13 fees, that students across the board, you know,  
14 whether it's the law school or the community  
15 college, can understand what the breadth, like  
16 the services that these fees cover and how they  
17 can access it because I think the fact that they  
18 did raise a concern that they don't even have a  
19 place if they have a headache or, you know, to  
20 lay down or, you know, just take a break at 801.

21 So there may be some, you know,  
22 they're going to go through this and scrutinize

1 each fee, you know, even the athletic fee, and we  
2 kind of heard that already. So if you guys can  
3 definitely work with something that would explain  
4 to students why they're being assessed these fees  
5 and the benefits to them in detail, that would be  
6 awesome.

7 DR. EPPS: Well, one of the aspects in  
8 the proposal was that the University, regardless  
9 of whether it's Health Center fee or whatever,  
10 that we be able to be more transparent about  
11 where student fees are going. So I certainly  
12 don't have a problem in reporting out what the  
13 Health Center fee does cover. I'll just say  
14 this, and I'll sit down. One of the problems  
15 with the 801 North Capitol space is that we have  
16 looked at it before and, you know, we outgrew  
17 that space as soon as we walked in the door, so  
18 it wasn't a suitable facility to have a Cadillac  
19 space, if you will, in terms of health services.  
20 But we're going to review it again, and I've  
21 asked Dr. Elliott to get in touch with Dr.  
22 Peters, who is the Dean for Student Success, to

1 walk both of those sites to see if there's  
2 anything else that's possible.

3 TRUSTEE BELL: I'm sorry if this was  
4 discussed at the committee and I wasn't there,  
5 but I know that there was a committee, and it had  
6 students and faculty, in terms of reviewing these  
7 fees. Have these fees already been presented to  
8 the student body to get their input on it?

9 DR. EPPS: Yes, that question was  
10 asked, and now we gladly answer. One of the  
11 things that I am very proud of, and I told this  
12 story to the President, as well as Trustee  
13 Wilhite, at the time that the committee was  
14 meeting, it was composed of students, faculty,  
15 and staff, and Trustee Wilhite was, at that time,  
16 President of the Undergraduate Student  
17 Association.

18 I was very proud that both our  
19 Undergraduate Student Association President, as  
20 well as our Student Government Association, which  
21 is the community college Student Government  
22 Association, Dianne Hawkins, did host meetings,

1 had their own town hall meetings, which is  
2 something really different than we've ever had  
3 before, that they volunteered to host their  
4 meetings. I volunteered to make a PowerPoint  
5 presentation, but Trustee Wilhite, who was then  
6 student government president, made his own  
7 PowerPoint based upon the information that we  
8 provided and plus both of them serving on the  
9 committees and did report out to the students.

10 I'm not going to tell -- when we were  
11 there, it was a very positive response, but we  
12 did have some students who, last year, did come  
13 to the trustees meeting to say that they had done  
14 a survey of the students at the community college  
15 and not all of that was positive, but it was a  
16 small number of students who resonated they  
17 weren't pleased with the assessment of the  
18 community college students, which we explained to  
19 them was based on access and that whole proposal  
20 was based upon the fact that all students have  
21 equal access to the activities proposed under  
22 those fees, like the Student Center. All



1 students can go. No one is going to be at the  
2 door saying when you're from the community  
3 college it costs you more because you paid less  
4 or to the law students had not paid any Student  
5 Center fees at all. And the students, you know,  
6 at this site were paying those Student Center  
7 fee.

8 So that's one example. The technology  
9 fee, certainly all students have access to the  
10 technology on campus. And the fees were also  
11 based upon the fact that it didn't matter whether  
12 you were a full-time or part-time student, it  
13 didn't matter what campus you were from, you  
14 would have equal access. So that was what came  
15 out of the committee meeting, and so that's  
16 exactly what this whole thing is about.

17 And, of course there are two  
18 recommendations in there, and I don't have the  
19 paper before me, but one of them, like you said,  
20 was based upon if we agree, the committee agrees  
21 to recommend those fees, but we would do have to  
22 do a better job of reporting out to students and

1 tracking where those student fees were going.

2 TRUSTEE BELL: Okay. And one more  
3 question, and this may have been answered as  
4 well, but Table 3 does a comparison against our  
5 peer institutions, and I'm just curious who were  
6 our peer institutions for the purposes of  
7 assessing the fee?

8 DR. EPPS: They were universities in  
9 the area, and they were also based upon the IPEDS  
10 report and those institutions that were selected  
11 by the persons who designed the IPEDS report as  
12 our peers.

13 TRUSTEE BELL: So it was within the  
14 metropolitan area. It was public and private?

15 DR. EPPS: Now I'd have to take a  
16 look. There should be a chart in there.

17 TRUSTEE BELL: I didn't see it.

18 TRUSTEE WILHITE: I do recall that  
19 there was an extensive list, including, like, I  
20 think it was -- it was quite a number. It was at  
21 least like 20 institutions that were on the list  
22 that we reviewed.

1 DR. EPPS: And on Table 3, you're  
2 right. Those were the, those were the fees that  
3 we looked at from our regional peers, based upon  
4 the IPEDS report. And there was a larger list  
5 and many other comparisons, but we just didn't  
6 put them in this report. And we were lower. In  
7 every category, we were lower than the rest of  
8 those schools and our competitors.

9 TRUSTEE SCOTT: I just wanted to  
10 reiterate what Trustee Wilhite also said with  
11 regards to at least thinking about some kind of  
12 first-aid center or referral center over at North  
13 Capitol. Since there was so much support from  
14 the students there, that's telling you something  
15 right there. And then I think, you know, with  
16 all that's happening around the world, it would  
17 behoove us not to have something in place,  
18 something at least for first aid or assistance or  
19 someone at least qualified to assist students if  
20 there was an emergency or catastrophe or anything  
21 of that nature. I mean, all the elementary  
22 schools have someone in place these days to

1 assist with those kinds of issues. So it's just  
2 something to consider.

3 DR. EPPS: Thank you. We will include  
4 those ideas when they take a look at the  
5 facilities, when they re-take a look at the  
6 facilities.

7 CHAIR CRIDER: Any other questions,  
8 discussion?

9 (No response.)

10 CHAIR CRIDER: All in favor of  
11 approving the proposed fee increases vote aye.

12 (Chorus of ayes.)

13 CHAIR CRIDER: Any nays or  
14 abstentions?

15 TRUSTEE LEWIS: Nay.

16 CHAIR CRIDER: One nay vote for  
17 Trustee Lewis. And that motion carries. Okay.  
18 We have been provided then the corrected fiscal  
19 impact statement, and it shows the \$700,000.  
20 It's still, you know, the same Trustee Wyner.

21 TRUSTEE WYNER: Well, actually, it  
22 does reflect here a gross revenue of \$856,000,

1 so, while the incremental cost associated with  
2 educating those 117 students is not estimated  
3 here, we do actually here have some sense of the  
4 net revenue impact. So thank you, Mr. Rickford,  
5 for including that in this fiscal impact  
6 statement. I imagine it was here all along, and  
7 you didn't do that while we were at a little  
8 break. But this is more in keeping with the kind  
9 of thing, I think, that's helpful for us to have,  
10 so thank you for that.

11 CHAIR CRIDER: Okay. With that, if  
12 there is no more discussion, I'd like to --

13 TRUSTEE BELL: I have a question. And  
14 I guess this is for Dean Broderick. You know, we  
15 have a very good law school, and we're the  
16 cheapest date in town, so why is it hard for us  
17 to get these students to come here, given the  
18 great services that we offer?

19 DR. BRODERICK: I think it's a -- hi,  
20 I'm Shelley Broderick, the President at the UDC  
21 David A. Clarke School of Law. The lowest number  
22 of applicants to law school since 1973 is this

1 year. The fear raised by the New York Times an  
2 countless other publications are that there are  
3 no jobs, and students, for the most part,  
4 nationally, their parents' fear if they don't go  
5 to a big name they won't get the job. That is  
6 what I get from my conversations.

7 And so we try to make an argument, as  
8 lawyers will, that we have a number of 7 ranked  
9 clinical program in the country. Georgetown is  
10 ranked first. It's a lot more expensive. You  
11 can actually be a public interest lawyer if you  
12 come here and not graduate with crushing student  
13 debt. You can actually do it.

14 When I went to law school and perhaps  
15 the President, as well, law school debt, my  
16 payments every month for 20 years were the  
17 equivalent of a car payment. Now they're a  
18 mortgage. But they fear that they won't get a  
19 job. And so our job numbers aren't great, and so  
20 they look and they see the job numbers aren't  
21 great. The bar passage rate isn't terrific.  
22 It's much higher at these bigger-named schools

1       because they take all sure-thing, you know,  
2       superstars academically. You know, it's a  
3       different environment. We're learning to  
4       negotiate, right?

5               In my day and up until three years  
6       ago, nobody ever made a multi-year scholarship  
7       offer. Never. And now every school in the  
8       country is making multi-year scholarship offers  
9       like they do at the undergraduate level. That  
10      never happened, so we're competing with that.  
11      These schools are now texting transfer offers to  
12      people they didn't admit in the first year  
13      because they didn't have a great LSAT, came to  
14      our law school and proved themselves to be  
15      enormously talented. And these cynical schools  
16      don't have to report second-year LSAT scores, so  
17      their rankings stay the same but it's our law  
18      review person. They know they got a star who's  
19      going to pay some tuition. They're not at  
20      capacity and -- so it's a very complicated set of  
21      variables that we're trying to negotiate with and  
22      remain competitive.

1 I'm delighted to say, and you'll be  
2 seeing, we're doing videos now with our students  
3 talking about their experience and how very  
4 special this place is. I've got to tell you, law  
5 schools all over the country are quintupling that  
6 they're offering. They're just quintupling it,  
7 and there's newspaper articles and news reports  
8 about that all the time. We're asking to stay  
9 the same, trying to do as much as we can because  
10 our tuition is low.

11 We've got a brand new admission dean  
12 who started this month after 40 years with the  
13 same. We'll see how we undertake some more  
14 modern marketing, social media-driven kinds of  
15 things. And we're monitoring it everyday.

16 CHAIR CRIDER: Okay. I'll just say  
17 that last year when we discussed this whole point  
18 about this tuition, and so that's the President  
19 to be prepared before this comes up again to  
20 demonstrate that that's true. We cannot continue  
21 to go on anecdotal information on someone's  
22 opinion, and so I'd like some facts. And we've



1 asked the President to figure out how you can  
2 show us that.

3 Also, you know, the concern that I  
4 brought to the committee was that we have a  
5 student body that is comprised of more than just  
6 law school students. I found out today that  
7 there may, in fact, be institutional aid for  
8 those other students. The first time I'm hearing  
9 it, but there's scholarships for tuition  
10 available for other students. So the President  
11 is going to provide us some information about  
12 that, and that makes me feel better about this  
13 issue.

14 So I just wanted to make sure that we  
15 have that on the record that we will be getting  
16 some additional information because I believe all  
17 of our students, not just one segment of our  
18 population, deserves some tuition remittance and  
19 assistance, and I was fully prepared to take some  
20 of this money and give it to the rest of them  
21 until he told me that. But I decided I wouldn't  
22 do that tonight, waiting to see what he's going

1 to give me.

2 So that being said, I will move for a  
3 vote. All in favor of this vote vote aye.

4 (Chorus of ayes.)

5 CHAIR CRIDER: Any nays?

6 (No response.)

7 CHAIR CRIDER: And I'm going to go on  
8 the record for an abstention. I didn't tell you  
9 no because you moved me a little bit.

10 Okay. The next item on the agenda,  
11 and we do have one more coming out of the  
12 Operations Committee, so there will be four  
13 action items coming out of the Operations  
14 Committee. The first is the final rulemaking for  
15 the amendment to Chapter 1, the minimum number of  
16 regular meetings. And I don't think we need a  
17 lot of discussion for this. We have set the  
18 number of regular meetings at a minimum of four  
19 meetings a year.

20 So if there's no further discussion,  
21 I'll entertain a motion.

22 TRUSTEE FELTON: So moved.

1 TRUSTEE TARDD: Second.

2 CHAIR CRIDER: Moved and second. All  
3 in favor vote aye.

4 (Chorus of ayes.)

5 CHAIR CRIDER: Any opposed or . . .

6 (No response.)

7 CHAIR CRIDER: So we have approved  
8 that policy, I mean that resolution on the  
9 minimum number of meetings being four. Okay.  
10 And then in your red folders, you have the rest  
11 of the resolutions. The first is the shared  
12 lease agreement between the University and 5601  
13 East Capitol. Trustee Bell, do you want to --

14 TRUSTEE BELL: Sure. So this is the  
15 first of three items that were added to the  
16 agenda. We did not have quorum at our meeting,  
17 but these items needed to move. So they were  
18 discussed, but we obviously couldn't take a vote  
19 to vote them out of committee. So this shared  
20 lease is a lease for five years that's intended  
21 to benefit primarily the workforce program, and  
22 so you've got a copy of Erik's letter to the

1 President on that. Erik, I think, is going to  
2 stay in case there are any questions on that, so  
3 I'll yield the floor to Erik or to any questions  
4 from the trustees.

5 CHAIR CRIDER: Okay. Let me do the  
6 motion, and then we'll open it for any questions  
7 if we have any. Whereas, the University proposes  
8 to lease approximately 13,200 square feet of  
9 space for classroom and administrative and  
10 supportive uses at the property and whereas the  
11 proposed use agreement includes the following key  
12 items. Space: the UDC premises, as defined in  
13 the agreement, will consist of approximately  
14 13,200 square feet on the second floor of the  
15 property for all University programs and related  
16 uses; usage fee, i.e. rent, the University, as a  
17 tenant, will pay \$70,000 for FY 2015, the first  
18 lease year, and then shall pay \$160,000 per year  
19 for the fiscal year 2016 through 2019 or \$12 per  
20 square foot. The usage fee is inclusive of all  
21 costs for rent, utilities, gas, water,  
22 electricity, trash removal, building engineering,

1 maintenance and repair, snow removal, pest  
2 control. The usage fee does not cover the cost  
3 of security services. Term: five years beginning  
4 October 1st, 2014 to June 30th, 2019. Therefore,  
5 be it resolved that the Board approves the  
6 proposed lease agreement and authorizes the  
7 President to take on necessary actions to  
8 finalize and execute the lease submitted by the  
9 Operations Committee to the full Board.

10 I'd like to entertain a motion. So  
11 moved and second. Discussion or questions that  
12 you may have?

13 TRUSTEE FELTON: For clarification,  
14 have we not exhausted any options to actually  
15 begin a purchase negotiation?

16 VICE PRESIDENT THOMPSON: I'm sorry.  
17 I couldn't hear the question. Could you repeat  
18 it?

19 TRUSTEE FELTON: In terms of 801, have  
20 we exhausted all options that would have allowed  
21 for purchase?

22 VICE PRESIDENT THOMPSON: In terms of

1 801, yes, we have. There were two options for  
2 purchase listed in the lease, and both of those  
3 options have collapsed.

4 TRUSTEE FELTON: Thank you.

5 TRUSTEE SCHWARTZ: Question.

6 CHAIR CRIDER: Yes.

7 TRUSTEE SCHWARTZ: Did we do an  
8 estimate of what the return on this investment is  
9 and are we in the green with this lease?

10 VICE PRESIDENT THOMPSON: So the  
11 initial price we were paying to be in this space  
12 was about \$5 a square foot, \$5.30 a square foot.  
13 The building was, at that time, owned by the  
14 city, so it was a discounted rate we were paying  
15 at \$5.30. It was an all-inclusive lease, as  
16 well, excluding security. But that did not truly  
17 cover our cost for being in the building.

18 Between fiscal years '14 and '15, the  
19 building was essentially sold to a private  
20 entity. So now we've negotiated a rate that  
21 we're paying that is significantly higher than  
22 the previous rate, but it's more in line with

1        what market rate would be for that space. It is  
2        below market, but it's more in line with what  
3        market rate would be at the \$12.12 per square  
4        foot.

5                    TRUSTEE SCHWARTZ: Do we know how many  
6        students are taking advantage of the property at  
7        5601?

8                    VICE PRESIDENT THOMPSON: I'd have to  
9        rely on someone from the community college to  
10       give us that information.

11                   MS. WESTFALL: Good evening. I'm  
12       Edith Westfall, the acting Dean for Workforce  
13       Development and Lifelong Learning at the  
14       community college. Our SHADD location hosts  
15       approximately 15 classes per semester, and that  
16       serves approximately 200 to 300 students per  
17       term.

18                   TRUSTEE SCHWARTZ: Okay, thank you.

19                   CHAIR CRIDER: Trustee Shelton.

20                   TRUSTEE SHELTON: At some point, the  
21       public schools, community education from Flint,  
22       Michigan, which was a project, allowed public

1 schools to be used for classes and activities  
2 that helped the community. Have we ever explored  
3 the potential of using the high schools and those  
4 facilities for educational programs? Usually,  
5 there's an in-kind relationship for government  
6 agencies, so there's not a real fee for  
7 consideration when we're looking at our budget  
8 and looking at housing programs throughout the  
9 facility. We have a lot of new facilities that  
10 are dark in the evening and that have space. And  
11 so that's a principle that's been proven to work,  
12 and it looks like we might need to revisit it to  
13 distribute our services across the city, and I  
14 hope we'll start looking at it. That's one  
15 point.

16 Now, the security provisions, the  
17 responsibility of our security team when it's  
18 assigned to that building is for the community  
19 school service delivery. Is there any  
20 responsibility in security for the school that's,  
21 the day school that's in the lower section? What  
22 is our responsibility for security in the lower



1 area?

2 VICE PRESIDENT THOMPSON: So I'll  
3 answer the second question first. The building  
4 is physically separated from the charter school  
5 space, and they have a security team that is  
6 responsible for that area and the community  
7 college and University of the District of  
8 Columbia space. And the security team that is  
9 responsible for securing our area is one that we  
10 work in hand with the Chief Foster and his team  
11 to make sure it's one that meets the standard  
12 that is higher, quite frankly, than what is in  
13 the other half of the building.

14 TRUSTEE SHELTON: The observation that  
15 I observed was that they had several stairwells  
16 blocked totally for accessing up and down, and  
17 I'm wondering if that violates any emergency  
18 requirements.

19 VICE PRESIDENT THOMPSON: So a similar  
20 question has come from my team, as well as  
21 members from the community college. We've  
22 confirmed that the stairwell in SHADD, the

1       renovated version of SHADD, they have more access  
2       than they actually need per code. So the  
3       blockages that you've seen are not in violation  
4       of any code or regulations.

5               TRUSTEE SHELTON: Thank you.

6               CHAIR CRIDER: Trustee Scott.

7               TRUSTEE SCOTT: Yes, I just wanted to  
8       say for the record that I go by that facility  
9       everyday, and one of the positive aspects of that  
10      building being there, and the President knows I  
11      talk about marketing logo around the city, is  
12      that in that poor section of the city, Ward 7,  
13      those students, those young kids everyday see the  
14      University of the District of Columbia. Those  
15      should be the folks that we are potentially  
16      looking to come to this University by seeing that  
17      on a daily basis, and I can just tell you that I  
18      also have seen high school students from Woodson  
19      High School talk about seeing UDC on the other  
20      side of the bridge, on the other side of the  
21      city.

22              So I just wanted to say for the record

1       how positive that is for some folks that I see  
2       who look like me who recognize the potential for  
3       UDC on that side of the city and hopes to be able  
4       to come on the other side of the city in the  
5       future.

6                   CHAIR CRIDER:   Thank you, Trustee  
7       Scott.   I think the same thing is true.   As bad  
8       as we may think the P.R. Harris is, I think the  
9       same thing is true, there's a huge University of  
10      the District of Columbia banner out there that  
11      catches your attention.   And I think it has the  
12      same effect for those residents that are in my  
13      neighborhood, and I appreciate saying that out  
14      there.   You know, it wouldn't hurt if we were in  
15      a better building, but I think your point is well  
16      taken and I do think it's an incentive for kids  
17      to start to look at us.

18                   I have a question here that I don't  
19      think I noticed it before, and this is a five-  
20      year term beginning October 1st, 2014.   Why are  
21      we back approving a 2014?   I mean, if -- we were  
22      out of the building?

1                   VICE PRESIDENT THOMPSON: No, we  
2 remained in the building. It took over a year  
3 for the sale to actually take place, so there was  
4 a year we actually did not pay rent to anyone.  
5 But the rent was still owed because we were in  
6 the building. So what this lease does is it pays  
7 for our time in the building for the entire  
8 period of time from the end of the true lease  
9 with the city when the city was still owning the  
10 building to the transfer of the building to a  
11 private entity that we were renting space from.

12                  CHAIR CRIDER: Okay. So I understand  
13 that. But if the building wasn't owned by the  
14 new group that's charging us \$12 a square foot,  
15 why would we pay them for a period they didn't  
16 own the building at \$12 a square foot, rather  
17 than pay the District the \$5 a square foot? Why  
18 are we paying them when they didn't own the  
19 building?

20                  VICE PRESIDENT THOMPSON: It's the  
21 reason why we actually are not paying the \$12.12  
22 per square foot for the entire term. That first

1 year, we're paying the exact amount we were  
2 paying the District, so it's at the \$5.30 per  
3 square foot for just the first year because that  
4 was the year that, while it wasn't truly owned by  
5 the new tenant at the new rate, we were not  
6 willing to pay an amount that was greater than  
7 what we were paying until it was truly  
8 transferred. So the math adds up that the \$160  
9 per square foot we are per year is only for four  
10 years of the term. The first year is at the \$70  
11 rate per year point.

12 TRUSTEE SCHWARTZ: I have a question,  
13 Madam Chair.

14 CHAIR CRIDER: Trustee Schwartz.

15 TRUSTEE SCHWARTZ: On the security  
16 apparatus, how are you covering security at that  
17 facility? Did we have to hire additional  
18 personnel for the security force and take them  
19 over there because there are some line issues  
20 that we have to make sure we stay on top of.

21 VICE PRESIDENT THOMPSON: So there is  
22 a separate security force that has been hired for

1       that building specifically. We did select them  
2       based in no small part on the recommendations of  
3       the administration at the University Police  
4       Department before, and it has also gone through  
5       an additional level of review in the change of  
6       leadership with the University Police Department.  
7       They stay with the SHADD program. They're our  
8       authority, if you will.

9               TRUSTEE LEWIS: I just want to go back  
10       just for a second on the 2014 fiscal year. Are  
11       we allowed to backdate the lease? I mean, are we  
12       allowed to go back? Where are those funds coming  
13       from? Are they coming from 2014? Were they  
14       already set aside for this lease?

15              VICE PRESIDENT THOMPSON: So that  
16       question also came up during the fiscal impact  
17       statement development. We are allowed to pay for  
18       that value. The view is that there's a total  
19       amount for the entire five years, and that amount  
20       is what we're paying spread out over the five  
21       years, more specifically than we paid a dollar  
22       amount for '14, a dollar amount for '15, a dollar

1 amount for '16, etcetera. And it's my  
2 understanding from working with the finance  
3 office that we are allowed to make this payment  
4 and at that discounted rate.

5 TRUSTEE LEWIS: Well, it's not so much  
6 the discount rate I'm worried about. I'm  
7 thinking about the wording. I mean, is there a  
8 better way of dating this lease, rather than  
9 saying it's from October the 1st, 2014? I mean,  
10 that could be stated someplace in the lease, but  
11 I'm just concerned about us saying it's effective  
12 from October the 1st through June the 30th  
13 because that time period is gone. I don't know  
14 if there's a better way of doing it, but, from  
15 just another person that's looking at this, it  
16 would seem as if we've signed this lease as of  
17 today and then we're talking about October the  
18 1st, 2014. It's just an observation.

19 VICE PRESIDENT THOMPSON: I can talk  
20 about what the alternative was, and it would have  
21 been starting in '15, but the cost per square  
22 foot and dollars per year would be greater. The

1 total amount would be the same, but it wouldn't  
2 be spread out over five years, it would be spread  
3 out over four, so the cost per square foot would  
4 appear to be inflated. That was one of the  
5 alternatives we thought of instead of listing the  
6 full five years. There was the challenge of that  
7 but then also the challenge it wouldn't have  
8 truly reflected the period of time we were paying  
9 to be in the building. So there was a concern  
10 that a similar set of eyes would look at this,  
11 and it would say that you were paying to be in  
12 from '15 to '19, but, in fact, you were in the  
13 building in that gap of time between '13 and '14.

14 CHAIR CRIDER: But I think, though, if  
15 I heard you right, you're saying that it would  
16 have shown a higher amount per square foot, but  
17 this shows in this document a lower amount per  
18 square foot and then a higher amount. It would  
19 have just been the reverse. If the total dollar  
20 amount doesn't change, I'm not certain why we  
21 didn't do just what you're asking.

22 TRUSTEE LEWIS: It sounds like it



1       should have been two individual actions. You  
2       have one for '14 at the \$5.30, and then you have  
3       a four-year lease, rather than a five-year lease.

4               TRUSTEE BELL: So I'm confused. Were  
5       we paying rent from October, or we were not?

6               VICE PRESIDENT THOMPSON: We did not  
7       pay rent that year. It took approximately 18  
8       months for the deal to go through between the new  
9       owner and the city, and during that period of  
10      time we did not -- I'm sorry. While we were  
11      still there, yes.

12              TRUSTEE BELL: So that was our lease  
13      occupancy date, which was one period, but then  
14      the rent commencement day should be another  
15      period.

16              CHAIR CRIDER: But does the agreement  
17      then say that we're basically paying the rent to  
18      the new owner --

19              VICE PRESIDENT THOMPSON: Yes.

20              CHAIR CRIDER: -- so that we are  
21      paying the new owner for a period that they  
22      didn't own the building. I'm sorry. I'm asking

1 the wrong question. Do we know whether or not  
2 the District sale agreement to the new owner went  
3 back to this period where we weren't paying rent?  
4

5 VICE PRESIDENT THOMPSON: It does. So  
6 the owner had a responsibility for the building  
7 even during that year, but they didn't truly own  
8 the building because the intent was that this  
9 deal would go through. The negotiation of the  
10 deal took much longer than the City, the owner,  
11 or we had anticipated.

12 CHAIR CRIDER: Okay. Mr. President?

13 PRESIDENT MASON: Yes, I'm glad I'm  
14 not a lawyer anymore and I'd have to try to  
15 figure this out. But we do have a lawyer that  
16 advises us that we actually have a technical  
17 glitch in the resolution. As I understand it, if  
18 we approved this as a five-year lease, then it  
19 would have to go to the Council for approval. So  
20 what we normally do is approve it as a series of  
21 one-year leases; is that right? And you want to  
22 explain that to us?

1 MS. MILLS: A one-year base with four  
2 one-year options is the recommended language, so  
3 I just wanted to request that that amendment be  
4 made to the resolution because the resolution  
5 says a five-year agreement. We don't have the  
6 lease document, or at least I don't have it in my  
7 materials. But, certainly, that language needs  
8 to be reflected in the lease if it's not already.

9 CHAIR CRIDER: Okay. So let me just  
10 ask so they treat a one-year lease with options  
11 as one-year leases, although it's really five  
12 years?

13 MS. MILLS: Yes, because it has to be  
14 approved and signed every year, so there's some  
15 review and you'll check if you have any money  
16 available, etcetera, is the --

17 CHAIR CRIDER: So each year it will  
18 come back to us again?

19 MS. MILLS: Well, we have taken the  
20 position that, once approved, you all can approve  
21 the five years, you know, understanding that it's  
22 going through that process, but that we would

1 have to get the document back and someone would  
2 have to sign, the President would have to sign it  
3 each year to signify that we're still going  
4 forward with the action. But the Board can say,  
5 yes, you know, pursuant to us having these funds  
6 --

7 CHAIR CRIDER: But it's going to the  
8 Council every year?

9 MS. MILLS: No, it's not going to the  
10 Council every year. If it's a five-year  
11 agreement, it has to go to the Council one time  
12 to cover the five years. If it's a one year plus  
13 the one-year options, it does not have to go to  
14 City Council.

15 TRUSTEE BELL: Could the landlord  
16 terminate?

17 MS. MILLS: Yes. So what I recall,  
18 and it's been a little while, but I recall that  
19 we had this discussion with the landlord about  
20 having a one year with four-year options and that  
21 they were amenable to that, understanding that  
22 things may change on our end. So I believe that

1 this is a term that they agreed to. I'm pretty  
2 sure. I just don't have it handy to say 100  
3 percent.

4 CHAIR CRIDER: So let me just -- we're  
5 not looking at the lease, right? We have a  
6 resolution that supposedly reflects what's in the  
7 lease, but you just said something that we go to  
8 this one-year or four-year renewal, that, of  
9 course, it's not in here, but you also said that  
10 we would have the opportunity to get out of the  
11 lease, which is also not in here. What would be  
12 the reasons, I guess, that we would be able to  
13 get out of the lease? I guess I'm wondering,  
14 yes, I guess what I'm saying what we're talking  
15 about now are things that are not a part of what  
16 -- because we don't see the actual lease. What  
17 we see is a resolution that supposedly reflects  
18 the lease, but it doesn't really reflect the  
19 lease. I thought we had seen that before. We've  
20 had some discussion about relating that in the  
21 leases, but that's not where we are right now.  
22 So I'm just wondering if this might be, we're

1 already late, but, you know, maybe this is  
2 something that we need to hold off and bring it  
3 back next meeting. We're already a year and a  
4 half, a year and three months -- Trustee Scott?

5 TRUSTEE SCOTT: Yes. Well, I guess  
6 one being are we locked into five years with  
7 options of bailing out each year? So we're  
8 locked in five years with this price, but we're  
9 coming back to the table to say that we agree  
10 that we're going to continue the relationship  
11 each year; is that what it's saying? Or do we  
12 want to bail out at any given point after each  
13 year? So we need some clarification.

14 VICE PRESIDENT THOMPSON: My  
15 understanding is that the Board would like the  
16 flexibility to opt out each year. Based on the  
17 negotiations its having with the owner of the  
18 building, I am comfortable that that is a term we  
19 can take back to them and have a part of their  
20 agreement and then adjust the resolution  
21 appropriately.

22 CHAIR CRIDER: I'm not certain that it

1 was the Board, you all raised it, which triggered  
2 a question, so I didn't know there were any such  
3 options. But Trustee Schwartz and then Trustee  
4 Wyner.

5 TRUSTEE SCHWARTZ: Yes, ma'am. We got  
6 questions earlier about the use of the building  
7 and the number of students. If the history shows  
8 that it's adequate place and the uses there, then  
9 we need to better define the terms. Do we have a  
10 one-year lease with four option years and what  
11 are the factors there? So I think this needs to  
12 come back to us with a better definition of what  
13 this is. Or is it a five-year lease?

14 CHAIR CRIDER: Trustee Wyner?

15 TRUSTEE WYNER: Same question.

16 CHAIR CRIDER: Okay.

17 TRUSTEE SCOTT: For the sake of your  
18 responsibilities that we've already paid for in  
19 2014, are you bringing to us at least the option  
20 of voting on that piece of it today so you can  
21 bring back the options at a later date?

22 VICE PRESIDENT THOMPSON: That would

1 be my desire because we can't effectively pay the  
2 bill until we have a rule to pay within that  
3 year. So a firm amendment to the resolution that  
4 we be allowed to pay the monies owed for '14, pay  
5 '15, and then I'd come back to you with the one-  
6 year options for the remaining three years.

7 TRUSTEE SCOTT: What's the annual  
8 rate?

9 VICE PRESIDENT THOMPSON: The annual  
10 rate is \$160,000 per year, minus the security.  
11 The security is an additional 90, so bringing the  
12 total cost for being in the building to \$250,000  
13 per year.

14 PRESIDENT MASON: Let's see if we can  
15 sort through this. So the lease has been  
16 negotiated; is that correct? And do we know is  
17 it negotiated as a five-year lease or as a one-  
18 year lease with four one-year options? Do we  
19 know?

20 VICE PRESIDENT THOMPSON: It is  
21 currently negotiated as a five-year lease.

22 MS. MILLS: I understood it as being



1 one year with four one-year options, which would  
2 add up to five years. So it could be that people  
3 are just saying five years, and maybe they're  
4 convinced, but I know that upon the review by the  
5 general counsel's office as one-year base, four  
6 one-year options, for a total of five years.

7 PRESIDENT MASON: So you reviewed the  
8 lease, and you guys wrote the resolution?

9 MS. MILLS: We reviewed the --

10 PRESIDENT MASON: Reviewed the  
11 resolution. So this looks like a glitch in the  
12 language of the resolution. So if we approve the  
13 resolution with the term of one year and four  
14 one-year options, would that satisfy everything  
15 that needs to happen here?

16 VICE PRESIDENT THOMPSON: Yes.

17 PRESIDENT MASON: Does that work for  
18 you, Madam Chair?

19 TRUSTEE BELL: Well, you said that the  
20 landlord was clear that we needed the one-year  
21 option for purposes of the City Council. You  
22 said the landlord was okay with that.

1 MS. MILLS: Yes, we didn't bring up  
2 the City Council discussion but, just for  
3 flexibility, they were clear that it was good for  
4 both parties to have the flexibility to terminate  
5 the contract, should we need to, within that five  
6 years.

7 CHAIR CRIDER: Trustee Felton?

8 TRUSTEE FELTON: Well, my question, I  
9 guess, is they have short memories, so what's to  
10 stop them from saying, hey, this is a five-year  
11 contract?

12 MS. MILLS: I would have to see, I  
13 believe that the document should have one year,  
14 those four one-year options.

15 PRESIDENT MASON: I think the simple  
16 answer is just approve one year plus four one-  
17 year options. That's the only option.

18 TRUSTEE WYNER: Yes, but I would go  
19 further than that, which is to say that if it's  
20 not written that way then it needs to go to City  
21 Council. I mean, you know, we can't say the  
22 contract is five years, the City Council requires

1 five years, and we're saying it's one year plus  
2 one plus one. We can't do that. So, I mean, it  
3 has to be written in the document. I understand  
4 that it is. I think contingent with the  
5 understanding that the contract itself, the lease  
6 will reflect a one-year lease with one-year  
7 optional for five years. I would move that we  
8 vote on it. I don't know that it needs to come  
9 back to us if that's the understanding. It has  
10 to be reflected in the contract.

11 TRUSTEE SCHWARTZ: Well, is it an  
12 understanding or --

13 TRUSTEE FELTON: I think it needs to  
14 be in writing.

15 TRUSTEE SCHWARTZ: Is it possible for  
16 you to take a quick look and we can table this  
17 until we get that?

18 PRESIDENT MASON: Just, again, for  
19 clarity, you approve a lease with a one-year term  
20 and four one-year options, that that is the  
21 lease, and the language has to reflect what you  
22 approve in the actual lease. The resolution

1 should say what you want to say, and then the  
2 lease will reflect what the resolution says.

3 TRUSTEE WYNER: Then there is no  
4 authorization from this body to approve a five-  
5 year lease.

6 PRESIDENT MASON: Exactly.

7 TRUSTEE SCOTT: The 2014 was already  
8 approved. Now, where do we stand for the '15?  
9 Was that budgeted at \$5, or was it budgeted at  
10 \$12?

11 VICE PRESIDENT THOMPSON: It was  
12 budgeted at the \$12. We identified where we  
13 needed to end up in the negotiations and spoke  
14 with finance about what that number would be for  
15 budgeting purposes, and we stayed a hard line  
16 during the negotiations in order to get to that  
17 net increase of \$90,000.

18 TRUSTEE SCOTT: So the money is still  
19 available for the '14 and the '15. It's sitting  
20 somewhere and you can take it out?

21 VICE PRESIDENT THOMPSON: It's  
22 available for the '15 as it was budgeted. I

1 think the identification of the '14 dollars, how  
2 that was spent, I don't have a direct answer to  
3 that. I know that, per the fisc, independent  
4 from '14 and '15, the funding to pay both the  
5 \$70,000 for the year of 2014 and the \$160,000 to  
6 pay for the year for 2015, we do have funding for  
7 that.

8 CHAIR CRIDER: I don't think this is  
9 a question, this is not available funding  
10 question. This is really what -- sorry. I don't  
11 think this is a question of funding availability  
12 as much as it is what is our obligation and what  
13 are the lease terms and our obligations under  
14 that lease is what I think the issue is. So we  
15 have before us something that says, you know,  
16 we're approving a five-year contract, but it  
17 sounds like what may be in the lease is written a  
18 little differently is where I think we are.

19 PRESIDENT MASON: The resolution  
20 should not be approved as written. It should be  
21 approved to reflect a one-year term with four  
22 one-year options. That would be the resolution,

1 and that would be the terms that they would have  
2 to put in there.

3 VICE PRESIDENT THOMPSON: Yes.

4 CHAIR CRIDER: And you're saying that  
5 you've already had that discussion with the  
6 landlord, and the landlord is amenable or  
7 understands that this is a one year with four-  
8 year renewal?

9 VICE PRESIDENT THOMPSON: Yes, and  
10 with the notion that it's absolutely the only way  
11 the lease will be signed with them agreeing to  
12 this is five one-year lease option years. I'm  
13 comfortable that that will be a term that will be  
14 adapted to the lease agreement and agreed to by  
15 the --

16 CHAIR CRIDER: You're saying you are  
17 comfortable that they will be. They will be  
18 means future, right?

19 TRUSTEE WYNER: I'm going to propose  
20 a motion that the resolution, as written, be  
21 amended to reflect not a five-year lease but a  
22 one-year lease with four options for renewal with

1 all other terms as reflected in the motion and  
2 that we, as a board, vote on that with the  
3 understanding that that authorization does not  
4 extend to a five-year lease as an alternative.  
5 And so whether it existed in writing at this  
6 point with just that understanding, the only  
7 condition under which you'll be able to execute  
8 the lease on behalf of the University with  
9 authorization from the Board is that it's under  
10 those terms.

11 I think that protects us in terms of  
12 making sure that this is with our understanding  
13 and also enables the opportunity for Erik to  
14 proceed on this without waiting for a future  
15 wording.

16 CHAIR CRIDER: So, essentially, the  
17 amendment to the motion is that the one-year term  
18 begin in 2014 with four one-year lease options to  
19 renew.

20 TRUSTEE SCOTT: At the cost of -- what  
21 is it? \$12 or some cents.

22 TRUSTEE WYNER: With all other terms

1 reflected in the resolution.

2 TRUSTEE SCOTT: You state because --  
3 that's not stating that you don't put it in  
4 there.

5 PRESIDENT MASON: Okay.

6 CHAIR CRIDER: Okay. So with that  
7 change, all in favor of approving the lease for  
8 SHADD vote aye.

9 (Chorus of ayes.)

10 CHAIR CRIDER: Any opposed or  
11 abstentions?

12 TRUSTEE FELTON: Well, my concern is  
13 that, again, the Council might interpret that  
14 differently, and you don't have any guarantee  
15 that they won't interpret it differently.

16 MS. MILLS: The one year plus four  
17 one-year options, that --

18 TRUSTEE FELTON: It's a legal term, I  
19 understand.

20 MS. MILLS: Yes, that's the usual way  
21 that lease agreements, that's very common.  
22 Whether that makes you feel more comfortable with



1       it or not, but it is very common. And so it's  
2       not, it wouldn't be seen necessarily as going  
3       around because you do, in fact, have to do  
4       something at the end of every year. So it's not  
5       like you said and they don't take any action  
6       going forward. In order for it to be renewed,  
7       there has to be a presentation by both sides and  
8       a written agreement. So some action has to  
9       happen, and some review has to take place every  
10      year.

11               CHAIR CRIDER: So is that a yea or --

12               TRUSTEE FELTON: That will be a yea.

13               TRUSTEE BELL: So the only risk then  
14      really then is that, because it's one year,  
15      either party can cancel, right? So that if the  
16      rent starts to go up and they don't want to be  
17      locked in at 12 bucks, they can then cancel.

18               CHAIR CRIDER: But you know what we  
19      end up with is we have to do this because we  
20      don't have any place to go, you know, that sob  
21      story.

22               PRESIDENT MASON: And we may want to

1 get out of it.

2 TRUSTEE BELL: Yes, conversely, we  
3 want to get out of it.

4 CHAIR CRIDER: Okay. Let's move on.  
5 The next on the agenda is, the next item is the  
6 amendment to the DCMR Chapter 2 administration  
7 and management.

8 TRUSTEE FELTON: I move approval.

9 TRUSTEE TARDD: Second.

10 CHAIR CRIDER: University  
11 administration as defined in this chapter shall  
12 be referred to, effective immediately, executive  
13 vice president shall now be titled Operating  
14 Officer; student affairs shall now be titled  
15 Student Development and Support Officer; the  
16 executive officer of the community college shall  
17 now be titled Provost of the Community College;  
18 and the provost/vice president of academic  
19 affairs shall now be titled Chief Academic  
20 Officer. Be it further resolved that the general  
21 counsel is hereby directed to publish this Notice  
22 of Rulemaking in the D.C. Register so it will be

1 practicable for a comment period of not less than  
2 30 days, in accordance with the provisions of  
3 D.C. Official Code submitted by the Operations  
4 Committee. So I'd like a motion for that.

5 TRUSTEE SHELTON: Moved and seconded.

6 CHAIR CRIDER: All in favor vote aye.

7 (Chorus of ayes.)

8 CHAIR CRIDER: Oh, I'm sorry.

9 Discussion. I'm sorry.

10 TRUSTEE BELL: So I was just going  
11 through this, and I wanted to make sure this has  
12 in here the general counsel report to the  
13 President. Did we agree to that? I thought that  
14 we'd think about it.

15 CHAIR CRIDER: I think that we  
16 especially agreed to that because of the kind of  
17 day-to-day ongoing, you know, interaction between  
18 general counsel and the office of the President  
19 and it gets to the point where the President and  
20 the Board are in a situation where it makes it  
21 difficult and probably more to look for its own  
22 counsel.

1 TRUSTEE BELL: Okay. I certainly  
2 agree with that rationale. I just thought that  
3 at the meeting we decided to take that out and  
4 consider it further, that that would be a  
5 rationale supporting that. But I thought that  
6 that was something that --

7 CHAIR CRIDER: Well, we can --

8 TRUSTEE BELL: It's proposed so --

9 CHAIR CRIDER: Would you rather --

10 TRUSTEE BELL: I just thought that  
11 there was a question about what head of agency  
12 meant and whether we were clear whether the Board  
13 chair could, in fact, the head of agency was the  
14 President and which was the chair. And I think I  
15 do agree, you know, but I thought there was a  
16 question under GMR what head of agency meant.

17 CHAIR CRIDER: And I thought we talked  
18 about changing the definition of who the counsel  
19 reports to. So we wouldn't change the head of  
20 agency from the Board. The Board will remain the  
21 head of agency, but we changed DCMR language to  
22 reflect that the general counsel reports to the

1 President on the dotted line to the Board. So  
2 the Board is not giving up its head of agency  
3 status.

4 Any other questions or discussion on  
5 this one? All in favor? Trustee Wyner?

6 TRUSTEE WYNER: Yes, so I guess  
7 there's one issue that I want to surface just so  
8 that we're all aware of it for future  
9 consideration, and that is that this has all  
10 academic programs reporting to the provost, that  
11 the provost is responsible, and you never say  
12 why. And I think we all recognize that the dean  
13 of the law school, for example, really needs to  
14 have primary responsibility for delivery of that  
15 kind of current, similarly the dean of the  
16 community college, especially on the workforce  
17 side, I would say, has unique expertise that  
18 would need to be reflected.

19 And so when I read that the chief  
20 academic officer is responsible University-wide  
21 for the academic programs, my only concern would  
22 be that the provost, certainly, I think, when it

1 comes to the flagship programs, from the  
2 undergraduate to the graduate programs, and could  
3 include the academic programs at the community  
4 college that are liberal arts-aligned, that makes  
5 a lot of sense. You want to see that all  
6 unified.

7 I think for the workforce programs for  
8 some of the graduate programs, I think just a  
9 recognition of that. And I know that's,  
10 operationally, the way it works. I just want us  
11 to be aware of that and also to be clear that  
12 workforce development programs really are quite  
13 different in nature than academic programs on the  
14 general education side and that we all recognize  
15 the importance of those programs. And I just  
16 want to make sure that, should there be any  
17 issues with regard to resource allocation on  
18 academic programs, between workforce and  
19 academic, between graduate and undergraduate,  
20 that are indicated by -- I just seen this at  
21 other universities -- that we're aware of that  
22 and that there is a sense of the Board about the

1 importance of our workforce program delivered by  
2 the community college and that, in no way, is  
3 this reassignment of academic responsibility  
4 designed to signal in any way a lack of support  
5 for the workforce development programs that we  
6 have developed, nor the primary responsibility  
7 for delivery of quality that resides with the  
8 community college's now provost, rather than CEO.

9 But I think with that change and the  
10 effort to try to unify responsibilities came this  
11 one thing that I just wanted to raise to the  
12 Board because I think it's a very important  
13 point, which is that when you have workforce  
14 development programs in a community college under  
15 a flagship institution, there is a risk that the  
16 workforce programs will get short-tripped, and  
17 that's really fundamentally what the concern is  
18 that I'm raising. And the way this is written  
19 with that primary responsibility I think suggests  
20 that that could happen. I'm not suggesting that  
21 there's any, I'm not suggesting that that has  
22 happened. But I'm saying, with this structure,

1       that is something we need to be vigilant about.

2       Does that make sense?

3               TRUSTEE SCOTT:  Yes.  I mean, I agree  
4       that we should monitor.  And I take the other  
5       position that this raised the level so that, if  
6       we had a situation where at the community college  
7       they weren't doing or meeting their higher  
8       standard that we believe should be met, we now  
9       have an organizational structure that can deal  
10      with that without it being, you know, we've got  
11      to move the President from the Board.

12              So I guess I do agree that it has to  
13      be monitored because we don't want to take it so  
14      high that the folks who would best benefit feel  
15      like they weren't part of the discussion.  But I  
16      see this as being the ability to apply more  
17      pressure to make sure --

18              TRUSTEE WYNER:  Because?  Help me  
19      understand why --

20              TRUSTEE FELTON:  Because it's the  
21      academic officer who's now responsible to ensure  
22      that UDC's total efforts move toward a higher



1 standard.

2 TRUSTEE WYNER: In my experience where  
3 you have unified community colleges with four-  
4 year universities that the workforce programs at  
5 the community college are not a priority. And I  
6 think that is something that we see in other  
7 places, and I don't want to get into where, but  
8 I'm happy to talk about examples from around the  
9 country. But there is a tension between -- and  
10 it's a healthy tension. We should want to deliver  
11 both. This is not making that choice. But there  
12 is a tension between, you know, the liberal arts  
13 or the general education side of the house and  
14 the workforce side of the house.

15 You see this in community colleges,  
16 too, alone. Those that are more transfer-  
17 oriented, they can get short-tripped to the  
18 workforce side and vice versa.

19 So this is simply, as we have a  
20 fledgling community college with pretty new  
21 workforce programs that are growing, the point to  
22 be made here is that when you put all academic

1 programs under a provost whose primary  
2 responsibility traditionally may have been very  
3 important to the large programs that we have  
4 here. There is a tension that will exist, and I  
5 think we all need to be vigilant about that. And  
6 it's simply, I guess, a conversation that we  
7 started to have, that the President and I had  
8 briefly.

9 But I think it's important for the  
10 Board to understand that when you reside at all  
11 with the provost, who is tied primarily to the  
12 liberal arts general education, again, the  
13 biggest part of what we do, you can find these  
14 other things are not getting the attention that  
15 they deserve.

16 So I think it's really responsibility  
17 of the President ultimately to make sure that  
18 that balance is kept. I want to make that public  
19 statement about the importance of those programs  
20 as a part of what we do.

21 CHAIR CRIDER: I don't think anybody  
22 wants to give the impression that those programs

1 are not important. And, ultimately, we hold the  
2 President accountable to make sure that what  
3 you're talking about does not happen. At the  
4 same time, we need to make sure that we avoid  
5 what has been almost routine occurrences here  
6 where we have multiple messages going out, you  
7 know, from the community college, from the  
8 flagship, and we have to have one voice. So I  
9 think this helps us to consolidate where that  
10 responsibility sits, and I believe that the  
11 provost would delegate to the appropriate,  
12 whether it's the law school dean or the community  
13 college provost, that, you know, would have that  
14 responsibility delegated appropriately to those  
15 areas. Ultimately, the responsibility rests on  
16 him.

17 PRESIDENT MASON: If you guys wanted  
18 a public statement, here's another because we  
19 haven't talked about this and I want to make a  
20 few things clear. One, at some level, it's all  
21 workforce, and you know that. We've reduced  
22 workforce at every degree level and every

1 certificate level. Second, let's be real clear  
2 that this is in no way a diminishment of our  
3 commitment to build a comprehensive community  
4 college, including workforce, because, you know,  
5 our goal and our vision to build a unique system  
6 of higher learning with several paths into the  
7 institution, one of which is what we now call the  
8 workforce development path.

9           So this is almost the opposite, Josh,  
10 of what you're saying because, in fact, what we  
11 walk into is a situation where it wasn't clear  
12 who the faculty of the community college and who  
13 the workforce team reported to. But now we've  
14 made it very clear that this is a branch campus  
15 and, as the head of the branch campus, you know,  
16 the head of the branch campus is responsible for  
17 the faculty, is responsible for the budget, and  
18 is responsible for building a program that we  
19 need built for it to be a comprehensive community  
20 college that's part of a larger system. So we're  
21 right on the same page.

22           TRUSTEE WYNER: Thank you. And,

1 indeed, it's that conversation that we've had  
2 that gives me great assurance that that's not the  
3 intent here. I think for the Board, as a whole,  
4 I think understanding that that risk does exist  
5 in the long run and being clear that we're  
6 monitoring, that all of this matters, is simply  
7 the statement that I wanted to make. And it's  
8 only that I've observed in other places. I'm not  
9 suggesting it's a challenge we have here. But as  
10 we develop a system, that system can create the  
11 opportunity for challenges and risks that exist  
12 down the road, so it's simply a statement to that  
13 effect, which I think we all just need to monitor  
14 and be aware of.

15 CHAIR CRIDER: Yes, and I'm sort of  
16 hoping that what we have is some balance and  
17 that, you know, again, all components of the  
18 system are viewed and their needs are looked at  
19 equally, and I don't think we have that, you  
20 know. It should be, at the end of the day, the  
21 President makes decisions around resources and  
22 all those things, and I think this helps to do

1 that and should be clear who the head of the  
2 system is and even with the dean of the law  
3 school.

4 So I think it's a great change. It  
5 doesn't back away from the community college  
6 commitment. That's not what we're doing here.

7 TRUSTEE WILHITE: I think it's a great  
8 response from the President from our retreat  
9 where I raised a concern about the two-year  
10 program, the four-year programs not being  
11 seamless everywhere they could be and there was  
12 that breakdown of communication between the  
13 community college and the faculty here at the  
14 flagship, you know, with some students facing  
15 challenges trying to leave the associates  
16 program. You know, I think this addresses that,  
17 and I think I applaud you for just creating that  
18 seamless, you know, oversight that will hold the  
19 faculty not accountable but just create -- that  
20 shows that there's a dialogue or exchange between  
21 the community college and the four-year, so  
22 students won't have any misinformation. So,

1 again, I applaud the President for this.

2 TRUSTEE LEWIS: I commend you for  
3 bringing up the retreat because we did, we  
4 discussed this completely among all of us at the  
5 retreat, and I think we all made it very clear  
6 that we wanted the community college to be a part  
7 of the entire university and we wanted them to  
8 feel like they were a part. And I think the  
9 President really has thought this through a lot  
10 to make sure that change in the name of the  
11 community college did not appear to her or to  
12 anyone else to be less than what it was meant to  
13 be in the first place. The title is one thing,  
14 but the entire system is what is going to make  
15 the community college all that it can be and the  
16 University, as well. So I'm very proud of the  
17 work that has been done thus far to start that.

18 TRUSTEE BELL: And I support the  
19 change, as well. I just have a question. By  
20 creating a provost at the community college and  
21 the chief academic officer, are we running the  
22 risk of creating confusion down the road like we

1 had with the President of the University and the  
2 CEO of the community college? Both of those, in  
3 my mind, connote something related to academics,  
4 and so, while I agree that there should be a  
5 change, I'm just curious why they're thinking  
6 that provost would be the title because the  
7 purpose of the community college is so much more  
8 than just academics, so I was just curious why  
9 we're thinking of provost and chief academic  
10 officer.

11 PRESIDENT MASON: But provost can be  
12 a broad title, first of all. It would include  
13 executive responsibilities, as well as academic  
14 responsibilities. And as head of a branch  
15 campus, the person who runs that campus's primary  
16 responsibility is one is the budget and one is  
17 the faculty. So I don't know that the title is  
18 inappropriate. And we struggled with, you know,  
19 what the appropriate title would be, and, at the  
20 end of the day, after talking to someone who ran  
21 a campus, a branch campus in Virginia and was a  
22 provost of a community college, that's why we



1 settled on that title.

2 So we gave it a lot of thought, and,  
3 you know, there is a difference between a  
4 university-wide chief academic officer and a  
5 provost on campus. But there was -- the only  
6 real challenge was that we had two CEOs and one  
7 assistant, and it was just very confusing to a  
8 lot of people, so we had to come up with  
9 something else.

10 CHAIR CRIDER: Any other questions?  
11 All in favor of the approval to the rulemaking  
12 for Chapter 2 administrators and management vote  
13 aye.

14 (Chorus of ayes.)

15 CHAIR CRIDER: Any opposed or  
16 abstentions?

17 (No response.)

18 CHAIR CRIDER: That will carry. The  
19 next one is the resolution on the capital  
20 improvment plan budget and whereas the proposed  
21 capital improvement plan budget is reflective of  
22 the estimated budget required for the capital

1 project consistent with industry practices and it  
2 is in line with the President and Board's vision  
3 for the University, now, therefore, be it  
4 resolved that the attached capital improvement  
5 plan is approved by the Board of Trustees for  
6 submission to the Office of the Mayor submitted  
7 by the Operations Committee.

8 TRUSTEE SCHWARTZ: So moved, Madam  
9 Chair.

10 TRUSTEE WYNER: Second.

11 CHAIR CRIDER: Moved and seconded.

12 Discussion? Any discussion or questions? All in  
13 favor of approving the capital improvement plan  
14 budget vote aye.

15 (Chorus of ayes.)

16 CHAIR CRIDER: Any opposed or  
17 abstentions?

18 (No response.)

19 CHAIR CRIDER: That one carries.  
20 Okay. The last action item is, the last item is  
21 the FY 2017 budget, and I will read the  
22 resolution, we'll have the motion, and then we'll

1 have discussion. Whereas, the proposed budget is  
2 reflective of the projected revenue consistent  
3 with prudent fiscal and accounting practices and  
4 it's in line with the President and Board's  
5 vision for the University, now, therefore, be it  
6 resolved that the attached proposed budget  
7 request for fiscal year 2017 is approved by the  
8 Board of Trustees with submission to the Mayor by  
9 Board. And I would turn the discussion over to  
10 the President.

11 TRUSTEE SCHWARTZ: So moved.

12 TRUSTEE WYNER: Second.

13 CHAIR CRIDER: Sorry. Discussion.

14 PRESIDENT MASON: So we were given a  
15 number by the Mayor called the MARC adjustment.  
16 MARC stands for Mayor's Allowable Resource  
17 Ceiling, which is the amount that the Mayor gives  
18 us. The number was \$69 million, which was  
19 actually \$2 million less than we had last year.  
20 And the reason it was less was because if  
21 remember last year they took \$3.5 million out of  
22 the budget and then put it back in, they took it

1 out of operations and put it back in as one-time  
2 money. So they took the one-time money out,  
3 added a million and a half for inflation, and  
4 that's how we ended up with \$2 million less this  
5 year than we did last year.

6 So when you add that \$2 million less  
7 than last year to the \$2.2 million that is  
8 reflected in the structural cost of rent at 801,  
9 tax increases, rented SHADD, you end up with a  
10 \$4.4 million hole. In order to fill that hole,  
11 we went through a process of identifying revenue  
12 enhancers, and that's in the budget that we  
13 reviewed, and expense reductions. Those total  
14 about \$4 million. The one-time piece of the  
15 revenue enhancers is going to be available after  
16 this year, we're talking this upcoming year, is  
17 the sale of the President's house which we should  
18 bring to your attention which is booked at about  
19 a million dollars and a rental from the library  
20 at Cleveland Park. They're building a new  
21 library. They need temporary space, so we're  
22 going to rent them some space in the Wilson

1 Building for \$250,000 and then some efficiencies  
2 on the business side from paying off bills a  
3 little bit earlier. We think we can pull some  
4 money in there. I'm not looking at it now, but  
5 there's about four or five in there for a total  
6 of \$2.25 million of which 1.25 is one-time money.

7 And then on the expense side, we're  
8 recommending a \$500,000 reduction in the adjunct  
9 budget from \$7 million to \$6.5 million,  
10 recommending eliminating the housing subsidy,  
11 which means we get out of the housing business  
12 for non-student athletes; eliminating the food  
13 subsidy because we have a new contract on the  
14 street and we're not going to subsidize food  
15 operations at the end of the day; eliminating all  
16 the non-critical hires. We went through a list  
17 of open positions and we made a determination  
18 about which ones were critical and which ones  
19 weren't and removed all the non-critical ones  
20 from the list. So the other one was eliminating  
21 or reducing the outside council budget from about  
22 a million to about \$750,000.

1                   So when you add those up, the  
2                   combination of revenue enhancers and expense  
3                   reductions, a total of \$4.2 million hole that we  
4                   have to cover. And that's how we propose to  
5                   balance the budget.

6                   Now, in addition to that, we're  
7                   requesting authority to spend \$2 million out of  
8                   the fund balance. The fund balance is a little  
9                   over \$20 million, and we feel like there's some  
10                  things that we need to invest in now in order to  
11                  start to build a future for the institution. And  
12                  those things are security, marketing, support, in  
13                  that order. Those would all be one-time  
14                  investments.

15                  Now, again, we have a number of people  
16                  here with details if you need more. We went  
17                  through a process of first working with a core  
18                  group of about five people from across the  
19                  system. Once they settled on what they  
20                  recommended, it went to a larger budget  
21                  committee. Once the larger budget committee  
22                  approved it, we had a town hall meeting with

1 about 200 in attendance. And then we've also had  
2 training sessions with Board members so they can  
3 ask for details about the budget.

4 And then before I give you the big  
5 presentation, we're actually going to submit a  
6 memo to the Mayor explaining the impact for  
7 different budgets. One is the MARC budget, the  
8 \$69 million. The second is what would happen if  
9 she covered what we're calling the '15 - '16  
10 level budget, which would put the active \$2  
11 million in there and have us feed our own deficit  
12 on the rent and taxes. The third would include  
13 the rent and taxes and so forth, and then the  
14 fourth is a dream budget where she would actually  
15 add \$10 million to what she's marked, and we  
16 could change the world with that. So we've given  
17 her a memo showing her the impact of all four of  
18 those budgets.

19 So now we have an official detailed  
20 presentation by the budget folks that I just gave  
21 you too long an introduction to.

22 MR. STOVALL: Troy Stovall, Chief

1       Operating Officer. I'm official tonight. Thank  
2       you. As usual, the President did a great job of  
3       covering 90 percent of what we were going to  
4       cover, but I do want to point out a few items in  
5       addition to, if I may. And you do have a  
6       presentation in front of you. We'll just go  
7       through a couple of these slides. We will not go  
8       through all of them. Obviously, we'll take any  
9       questions.

10               On page three, I think one thing, a  
11       couple of things I want to point out, when we met  
12       with the Audit, Budget, and Finance Committee  
13       about a month ago and Trustee Felton, we brought  
14       up that we had, at that time, about \$10 million  
15       of potential pressures, as we called them,  
16       including all the things the President brought  
17       up, like the COLAs, like the rent escalations,  
18       and the like. The big number that was in that  
19       \$10 million was \$6 million of depreciation.

20               Since that time, through the work of  
21       the CFO's office, we understand now that we no  
22       longer have to take that \$6 million as part of



1       our operating budget. It's still part of, you  
2       know, the way we operate, still a depreciation  
3       expense, it just does not have to flow through  
4       the operating budget.

5               So as the President pointed out to  
6       you, the pressures that we had to address in the  
7       fiscal '17 budget were \$4.4 million, which is  
8       obviously a dramatic difference from the \$10  
9       million that we thought we would have to address.

10              So if I go to page four, again, it's  
11       just repeating what the President said. I won't  
12       waste any time on this, but we did address the  
13       \$4.4 million with a combination of revenue  
14       enhancements, as well as reductions. And within  
15       those revenue enhancements, there's about \$1.25  
16       million, all one time. And there's a couple of  
17       points that tonight I'm going to be repeating,  
18       but I think they're worth repeating, and this is  
19       one of them, that the 1.25, when we get to  
20       talking about this a year from now with fiscal  
21       '18, will be something that we have to address.  
22       But also let me introduce another point that the

1 Budget Committee, which I'll talk about here in a  
2 moment, and the budget workgroup, we plan on  
3 working with the institution starting in January  
4 using the three scenarios that the President  
5 talked about to develop a real multi-year budget  
6 model. And the point of building that model is  
7 to think that one of the investments, one of the  
8 scenarios that we need to be thinking about, so  
9 whatever the MARC comes back with a year from  
10 now, whether that's the MARC that we'd really  
11 like to have or, frankly, a MARC that we're not  
12 too happy with, we will have already thought  
13 through the scenarios and it's really just a  
14 combination of putting into a spreadsheet. And,  
15 hopefully, over the course of the year, we'll be  
16 having those conversations with this body,  
17 obviously with the Audit, Budget, and Finance  
18 Committee, so that is a continued conversation  
19 and not just a conversation tonight about it  
20 right now.

21 So the larger point is having more  
22 transparency and having a model that really looks

1 at being more holistic about this, so we're not  
2 sitting here worrying about a MARC at \$68 million  
3 or \$70 million, we'll have already thought about  
4 what our options are.

5 Page five, as the President already  
6 mentioned, this is the third year of having the  
7 Budget Committee, a very transparent Budget  
8 Committee. And within the Budget Committee, we  
9 had the budget workgroup, and many of them are  
10 here tonight. And, frankly, I'd like to ask them  
11 to stand because they do a tremendous amount of  
12 work for the institution, and so if they can  
13 stand just to be recognized, the Budget Committee  
14 workgroup. Thank you.

15 (Applause.)

16 MR. STOVALL: But the logic and the  
17 conversations, they had very lively conversations  
18 about how to allocate the monies. You know, it  
19 goes through this filtering process of how to  
20 think about what are the strategic options that  
21 we have to think about, what are all the  
22 pressures that we have to think about, and then

1 we have to obviously fund the position that we  
2 have, mandatory NPS, the non-personal services,  
3 which, for us, is primarily the rent at our  
4 facilities, but there are other pieces in that,  
5 as well, and, obviously, discretionary NPS. And  
6 as this body remembers, most of the discretionary  
7 NPS, frankly, has been taken out of most of the  
8 budgets through previous budget reductions that  
9 have happened over the past. But if you look at  
10 the options that is presented to the Mayor, we  
11 also look at how we can look at compensating our  
12 folks, which brings me to page six. Again, this  
13 is one of the points that need to be repeated.  
14 What is not included, what is not included in  
15 this fiscal '17 budget that we have to submit by  
16 December the 15th upon your approval tonight,  
17 what is not included is cost-of-living  
18 adjustments for the non-union faculty and staff  
19 that are here at the University of the District  
20 of Columbia. Those non-union individuals have  
21 not gotten a raise in over five years.

22 And, again, in the President's

1 scenarios that he talked about a few months ago,  
2 we're calling the third one, we call it hold  
3 harmless, there is monies there, and I'll talk  
4 about in a minute how the budget process, so  
5 that's the process that he's going through of  
6 working with the Mayor we will talk about here in  
7 a minute. Submissions process, formally, that  
8 actually includes those cost-of-living  
9 adjustments that we actually are asking for.

10 Also, what's not included, we're in  
11 negotiations right now for our master agreement  
12 with the faculty. There are no funds included in  
13 the fiscal '17 budget for negotiations with our  
14 faculty. I'll say that again: there are no funds  
15 available for negotiations for our faculty right  
16 now, as the budget is constructed today.

17 TRUSTEE SHELTON: So how much for  
18 COLAs for non-union? I mean --

19 MR. STOVALL: I'm going to get to that  
20 in a second. Let me get to that. Thank you for  
21 that lead-in. What is included, as we've already  
22 discussed, is the \$1.25 million of one-time

1 monies. Again, we still don't have the  
2 structural deficits that are there. The rents at  
3 our facility are going to go up every year. The  
4 COLAs are going to be there every year.

5           So on top of the structural deficit  
6 that we have, the 1.25 will also be there in  
7 fiscal '18, if nothing changes as of right now.  
8 And as the President already mentioned, the \$2  
9 million in one-time authority to spend out of  
10 fund balance. Of the \$2 million, we plan on  
11 spending that across the following four items.  
12 We plan to spend it on marketing. We talked a  
13 little bit about that tonight, the need to think  
14 about how do we invest in our marketing and  
15 really look at that. We'll spend half a million  
16 dollars on student support. We talked a lot  
17 about how we need to make sure that we've got  
18 programs that address the retention and the  
19 graduation rates of our students. We'll spend  
20 \$500,000 on a technology infrastructure. We  
21 talked, again, some of that tonight. We have  
22 challenges on technology infrastructure that need

1 to be addressed. And, last, we want to spend  
2 half a million dollars on looking at our security  
3 technology. We need to look at our cameras, we  
4 need to look at the fine work that the chief is  
5 doing with his force but he doesn't have the  
6 staffing levels he needs, so how do we use  
7 technology to supplement that? So that's what  
8 the \$2 million that we're asking for will be  
9 spent on.

10 Lastly, well, not lastly, one point,  
11 so, again, as I said, the budget is due by  
12 December the 15th. There are four things that  
13 have to get submitted with the budget.  
14 Obviously, the numbers, and we'll talk about that  
15 here in a moment. The numbers themselves have to  
16 be submitted and the detail of the personal  
17 service costs and the non-personal service costs.  
18 That has to be submitted.

19 The second thing that has to be  
20 submitted is the impact. You know, what will  
21 this do to the institution if we submit and have  
22 to live with the fiscal '17 budget, and that is

1 summarized in the President's memo that he's  
2 talked to you about.

3 The other two items that I want to  
4 spend a moment with you talking about, one is  
5 what's called enhancement requests and the second  
6 is if the Mayor's MARC was just at two percent,  
7 what would we do? So the first one, the  
8 enhancement request, we're requesting \$5.5  
9 million in addition to the \$69 million, 3.5  
10 million that we'll use for the COLAs, and another  
11 2 million will be used for an effort that Dr.  
12 Phillips presented but it would be broadly put  
13 across the institution called Strong Start. It  
14 really looks at how we really empower and drive  
15 better retention, better graduation, and better  
16 support of our students. And so we put that on  
17 the table. But full disclosure, the Council  
18 clearly have authority to award all or none or  
19 parts of this \$5.5 million request.

20 And then, lastly on this page, if the  
21 current MARC is reduced by ten percent, which is  
22 about \$1.5 million, frankly, our only option is



1 furloughs. And just so you're aware, if we had  
2 had to deal with the \$10 million deficit that I  
3 talked about earlier, furloughs were at the top  
4 of the list. So that's kind of where we are with  
5 our ability to cut costs.

6 The last, and I will stop on this  
7 point, I want to just point out, if I may, page  
8 11. As presidents do when they come in, they  
9 reorganize the price and you approved the chief  
10 operating officer's, the chief student affairs  
11 officer, and provost and the changing of that.  
12 The accounting needs to align to the  
13 organizational structure, and so the accounting  
14 that was in place for fiscal '16 will be  
15 different for the accounting that we use in  
16 fiscal '17 because we have a new organizational  
17 structure which will reflect the accounting  
18 structure.

19 So what page 11 shows you is where  
20 things were in fiscal '16 and where they will be  
21 in fiscal '17. The impact of that shows up on  
22 page 12, as you see different units having more

1 or less money. For instance, where it says  
2 executive direction for the President, there were  
3 a number of units that are now under that office,  
4 including athletics, university communications,  
5 advancement, government relations. And so the  
6 movement of those things around, so there's no  
7 new money here, it's just the movement of monies  
8 that were already in place.

9 One last point, and I will close on  
10 this, the budget does go from 108 million and 110  
11 million. The reason for that is for those one-  
12 time funds that we have in the budget.

13 That is it, Madam Chair. So are there  
14 any questions? Trustee Bell?

15 TRUSTEE BELL: I think the discussions  
16 were very thoughtful among Board members. I  
17 think that, obviously, it's a tough, it's, again,  
18 a tough budget. It's not a budget what we want  
19 to have, but it's a budget that we've been given  
20 and we're hoping that we'll have some relief.  
21 But we've got to be prepared in the event that  
22 there isn't.

1           One of the other things we talked  
2           about was, from a student perspective, how will  
3           their life be changed? Because, obviously, the  
4           redirection of funds, in some cases elimination  
5           of funds, and, again, throughout the discussion,  
6           and, again, you might want to hear it that you  
7           didn't have that in your discussion, but do you  
8           want to just comment on --

9           MR. STOVALL: Yes. The idea was to  
10          construct a budget in difficult circumstances and  
11          inflict as less pain as possible in making this -  
12          - and, at the same time, do things to the benefit  
13          of the students. So when you see things in there  
14          like some extra money in student support, you  
15          know, that's all about trying to move forward in  
16          the process of still having to cut the budget.

17          So there was a lot of conversation  
18          among the committee and the task force and even a  
19          little bit at the town hall meeting about making  
20          sure we do not negatively impact the experience  
21          of the student. And at the same time that this  
22          other work is going on that we want to invest in,

1 we're still doing the work in enrollment  
2 management, we're still doing the work in  
3 reorganizing the academic programs, we're still  
4 doing the work in creating a seamless division of  
5 student support, all of which, in my opinion, at  
6 the end of the day, is actually going to enhance  
7 the student experience, even though we're cutting  
8 the budget.

9           So we had a long conversation about  
10 that, and I think, at the end of the day, from  
11 the students' point of view, it will be a more  
12 positive experience under any circumstances.

13           TRUSTEE LEWIS: My question is on the  
14 student administrative services. We did cut  
15 their budget almost two million. Does that mean  
16 that their fees now will be incorporated? Is  
17 that part of this budget?

18           MR. STOVALL: So let me try to explain  
19 page 12. So it's difficult to compare fiscal '16  
20 to fiscal '17. If you remember what I mentioned  
21 at the beginning, there is a lot of movement  
22 going back and forth, and so a lot of what's

1       happening is because we move units out of student  
2       administrative services to other parts of the  
3       organization.

4               So, for instance, if you look at admin  
5       affairs, the \$3.2 million, a lot of that is in  
6       management there in our reports into what is now  
7       called agency management, which is my operation,  
8       okay? And so there is, to look at this,  
9       actually, they didn't lose \$1.7 million. It's  
10      just a reorganization that took place in the  
11      institution.

12             TRUSTEE LEWIS: Okay. I understand  
13      that now. But then the increased fees that the  
14      students are going to pay, where does that fit?

15             MR. STOVALL: That fee, that is in,  
16      you know, so there's an accounting fee, so those  
17      funds are in here, but they are designated to  
18      spend at the Student Center.

19             TRUSTEE WILHITE: Okay. So my  
20      question is I guess regarding all this, and that  
21      is the elimination for non-athletes, and I have a  
22      couple of questions with regards to that. I'm

1       curious as to, I know other institutions,  
2       athletic programs generate revenue, and that's  
3       the logic behind having a robust athletics  
4       program. I'm curious as to how many athletes  
5       versus non-athlete students that will be impacted  
6       by this housing situation and elimination of the  
7       program. Also, I'm curious as to know what  
8       positive revenue does the athletics program  
9       generate to the University to justify because, as  
10      a student leader, you know, both for student  
11      government association and now the Board of  
12      Trustees, those types of services or benefits are  
13      not afforded, and so I know there's some STA  
14      officers that, on an undergraduate level  
15      especially, that are working without getting any  
16      type of subsidies, you know, tuition remiss, or  
17      anything. And it requires late nights. It's  
18      8:00, and I'm still here, and I have to commute  
19      home, you know.

20               So what's the logic behind maintaining  
21      housing for athletes? What's the benefit of the  
22      athletic program, and how many students will be

1 impacted by the removal of this . . .

2 PRESIDENT MASON: That's a really,  
3 really good question. First of all, very few  
4 athletic organizations make money across the  
5 country. And every institution makes the  
6 decision about whether or not they want to  
7 subsidize athletics. We made a decision here to  
8 subsidize athletics to the tune of about \$3.2  
9 million, as I recall; is that right? And  
10 included in that subsidy is aid that includes  
11 housing costs, right?

12 So the subsidy for housing for  
13 students is actually part of the athletic aid in  
14 general that's part of that \$3.2 million subsidy.  
15 Now, we made a decision, and right or wrong, that  
16 that \$3.2 million expense was not a conversation  
17 we were ready to take on right now. It was  
18 really a conversation about whether you want to  
19 have athletics at UDC. So it's a very difficult  
20 conversation to have. Now, you know, depending  
21 on what happens with the MARC next year, we may  
22 have to have that conversation, okay?

1                   Now, when it comes to the other  
2           student housing, we're not abandoning working  
3           with students to find housing. What we're saying  
4           is that we need a different strategy because now  
5           we're subsidizing student housing on a first-come  
6           first-serve basis. We provide certain students  
7           with housing subsidies that requires a housing  
8           scholarship or whatever you want to call it  
9           because they're the first one in line. We think,  
10          if you're looking at an institutional aid  
11          strategy and that's part of the institutional aid  
12          at \$300,000, that, you know, what we do with our  
13          housing subsidies should be part of the strategy.  
14          So we've already started talking to consultants  
15          and brokers about helping us identify housing  
16          units that we can refer students to and how to  
17          fold the housing subsidy into our institutional  
18          aid strategy, if that makes sense.

19                   So, you know, with the students that  
20          are in housing now, we've already sent out a  
21          survey asking what are your needs, what is this  
22          going to do to impact your life, and how can we



1 help you, you know, with your housing situation  
2 in the future? But to subsidize housing at  
3 \$300,000 a year the way we're doing it is not a  
4 sound strategy, and we just need to re-think  
5 strategy. Does that make sense?

6 TRUSTEE WILHITE: It makes sense. And  
7 does the strategy involve -- I mean, housing is,  
8 I think, a critical --

9 PRESIDENT MASON: We've already  
10 started looking at permanent housing options, and  
11 we're not far down the road but I'll say we're on  
12 the road of identifying, you know, facilities to  
13 renovate or cost-effective options in available  
14 housing because we think that's the future of the  
15 institution. But we're not ready to bring it to  
16 the Board yet.

17 MS. GRAY: Juanita Gray, Director of  
18 Residence Life. To answer your question about  
19 the numbers we currently have, roughly 90 student  
20 athletes and 60 non-student athletes in student  
21 housing. And the 60 non-student comprises  
22 undergraduate, community college, and law school,

1 and graduate.

2 CHAIR CRIDER: Trustee Scott?

3 TRUSTEE SCOTT: I just wanted to, you  
4 know, off the top of my head, explain to  
5 everybody that's here today a lot of decisions  
6 are very hard to make, especially when you love  
7 this university, were a student here, and you  
8 know the importance of where we'd like to take  
9 the University. However, the trustees that were  
10 in all of this dialogue, we went all the way back  
11 to our tree when we sat down with the Council,  
12 and they wanted to, they really meant seeing some  
13 changes in the University. The president that's  
14 on the right, on the right direction, but I'm  
15 just glad you know it's going to take all of us.  
16 It's going to take all of us to buy in to  
17 graduating students. I'm going to say it again:  
18 graduating students.

19 And I'm saying that because yesterday,  
20 as I left the Board meeting, I went down to the  
21 restaurant and I was eating, and I heard two  
22 professors talking. They didn't know who I was,

1 and they were talking about the University. And  
2 after they finished talking and I finished  
3 eating, I decided to go over to them and I gave  
4 them my business card and I told them the say  
5 thing. You can complain, you can make comments,  
6 but the most important thing: are you graduating  
7 our students? That's what they're here for. And  
8 I'm just telling you all it's a new day. We are  
9 the fiber of the nation, and we want to tell the  
10 world that we are graduating students. And if  
11 you're not graduating students, you've got to  
12 look down at yourself and say why am I here?  
13 Maybe it's time to go, maybe it's time to pass  
14 the charge to somebody else. But it's all about  
15 us graduating students. That's why we're here.

16 (Applause.)

17 CHAIR CRIDER: Thank you, Trustee  
18 Scott. Other questions, comments?

19 TRUSTEE BELL: Yes, I would just say,  
20 you weren't here, Trustee Wilhite -- oh, sorry.  
21 You weren't here, but we did have an extensive  
22 discussion about the athletic department and

1 whether that should go all together, should it be  
2 scaled back, should we change divisions. And  
3 where we came out at was that it went to the  
4 unique structure of the University and the fact  
5 that we're a public institution and the students  
6 that we serve and the commitment to look at ways  
7 at expanding and presenting a plan to grow  
8 revenues through athletics, and that's what  
9 bought us more time on the athletic side. But no  
10 one was in favor of eliminating athletics. Well,  
11 the majority was not in favor of eliminating  
12 athletics at that time, and we received  
13 assurances that there were plans in place to grow  
14 revenue and think of ways for revenue generation  
15 through our athletics department.

16 CHAIR CRIDER: Trustee Wyner?

17 TRUSTEE WYNER: So I want to support  
18 the good work that the committee did on the  
19 budget and the administration. This is a sound  
20 budget, and, certainly in the first few months of  
21 the new administration, I think it's a thoughtful  
22 way of dealing with a budget shortfall.

1           Also, I'm supportive of the notion of  
2 looking at the subsidies we provide to students.  
3 I think Trustee Wilhite makes a very important  
4 point, which is we have to decide where the  
5 priorities are and where students are returning  
6 to the University and we can be supportive of  
7 that, we should. And the notion of taking all of  
8 the subsidies we're providing and trying to  
9 figure out how we strategically use them to  
10 increase the success of our students but also to  
11 enhance enrollment.

12           And the last thing I just want to  
13 mention that I appreciate is in two different  
14 places, and it's the first time since I've been  
15 here, a direct investment in student services  
16 designed to increase student success. I know one  
17 of them is aspirational, based on whether we can  
18 get revenue enhancements from Council. But I  
19 think the signal is a very strong one and  
20 important one. And as we discuss reallocation of  
21 funds, wherever they may be in the future, I  
22 think that's the place where we're going to need

1 to do more work.

2 So I appreciate the hard work that  
3 you've done, and I'm supportive of the -- really,  
4 it's not a reduction of support. It's a  
5 reevaluation of where the housing subsidy as a  
6 support for students should go. So I appreciate  
7 the characterization and the thoughtfulness that  
8 went into that.

9 TRUSTEE FELTON: I had talked earlier.  
10 I don't have anything else to add.

11 CHAIR CRIDER: All in favor of  
12 approving the '17 budget request vote aye.

13 (Chorus of ayes.)

14 CHAIR CRIDER: Any opposed or  
15 abstentions on that motion? Wilhite abstains,  
16 and that motion carries. Okay. That is the last  
17 action item. We had a heavy set of action items  
18 tonight, and I really appreciate -- oh, I'm  
19 sorry, we had the one that we were going to come  
20 back to, the SHADD lease. We did not vote that.  
21 Oh, that's right. So that's done.

22 I'm going to ask just for your

1       patience a little while longer. We have a few  
2       other items on the agenda, not many, but there's  
3       one that I think is critically important, and I'm  
4       going to thank them in advance for being so  
5       patient and sitting here waiting. I believe it  
6       was the Operations Committee, we had a  
7       presentation from our security staff on active  
8       shooter. And I think, you know, everybody is  
9       heightened right now to these issues of security  
10      and safety, and so I think that the presentation  
11      that they provided for us is worthwhile, and I'm  
12      going to plead your indulgence to go through  
13      this. They are both UDC graduates, so we're  
14      doubly proud.

15                   (Applause.)

16               CHIEF FOSTER: Ladies and gentlemen,  
17      Board of Trustees, the President, cabinet  
18      members, ladies and gentlemen, for those whom  
19      I've not had the pleasure of meeting, my name is  
20      Marieo Foster. And on April 1st of this year, I  
21      was given the distinct honor to take command as  
22      the Chief of Police and the Director of Public

1 Safety for the University of the District of  
2 Columbia higher-learning system.

3 (Applause.)

4 CHIEF FOSTER: As I said, I'm going to  
5 have Lieutenant Barnes dim the lights because  
6 some of these slides are a little bit darker and  
7 I want everyone to have an opportunity to see.

8 So as we all know, the climate that  
9 we're living in right now is one that's extremely  
10 dangerous. This morning, prior to the national  
11 media making acknowledgment of it, our seasoned  
12 intelligence report on a report of a gunman on  
13 the campus of Catholic University. For those who  
14 are not aware, Catholic University is an unarmed  
15 private institution.

16 The University of the District of  
17 Columbia is the only agency in the entire  
18 District of Columbia, as far as higher learning  
19 is concerned, have a governmental law enforcement  
20 agency. Every other university is a private  
21 institution so, therefore, in essence, private  
22 security, whereas we are government law



1 enforcement officers. It's a very critical  
2 distinction.

3 Contact information, as you can see  
4 here, where we're located and the general number  
5 if ever you should need us, that's sort of,  
6 that's your bat phone number.

7 TRUSTEE LEWIS: Could you roll that  
8 back just one second? I'm trying to write down  
9 the number.

10 CHIEF FOSTER: So I want to give a  
11 quick overview of some of the services that we  
12 provide. First, escorts. A lot of times, like  
13 now, we have staff, student, faculty that may  
14 have to go to their vehicles after sunset, they  
15 feel uneasy. My officers will provide actual  
16 escorts to folks for their vehicles to ensure  
17 that they get where they need to be safely.  
18 Also, do safety checks of any of our facilities,  
19 and that being the flagship campuses or any of  
20 the community college locations. That's part of  
21 our responsibility: constant security checks.

22 We also do vehicle assistance, jump

1 start. We have a jump box in police headquarters  
2 that we utilize in case someone is having vehicle  
3 trouble. We also assist with vehicle lock-outs.  
4 This is something that we do that I found in my  
5 time here we seem to do quite a bit.

6 Presentations similar to what you're  
7 experiencing right now. We have, obviously, a  
8 multitude of different things that occur that are  
9 criminal in nature, whether that be theft of  
10 personal property, theft of government property,  
11 so forth and so on, we have different  
12 presentations tailored to the specific concern  
13 and issue, i.e. like our active shooter  
14 presentation this evening.

15 The DC ONEcards are the identification  
16 cards that we should all have. I have one, and  
17 I'm showing it to you. And this is, we provide  
18 these. At the flagship campus, we provide them  
19 at the police headquarters. But at some of our  
20 satellite locations, we have setups there, as  
21 well, where those DC ONEcards or those  
22 identification cards are provided. And through

1 the police department, through our technology  
2 system, we program the access. And those areas  
3 where access control is a necessity, keycarded  
4 doors, we grant permissions based on what a  
5 supervisor is giving that particular individual  
6 that access.

7 What you'll find over on the table is  
8 some handouts for LiveSafe. It's an application  
9 that can provide you text alerts for anything  
10 that occurs within our university community.  
11 It's updated and pushes that information out.

12 Additionally, you can utilize that  
13 same app to report anything you see, anything  
14 from a pothole to a lightbulb that's out. It's a  
15 way to wi-if, if you will, to give constant  
16 communication with the police department as it  
17 relates to the things you see when you're out and  
18 about in the community.

19 The annual security report, which is  
20 required by the United States Department of  
21 Education, is something we produce annually, and  
22 it's put in a public place on the website, which

1 is on the UDCPD, or the University of the  
2 District of Columbia Police Department, on our  
3 home page, and it's a link that you can click on  
4 and it shows you the statistical values of the  
5 crimes we reported to the U.S. Department of  
6 Education.

7 So when should you call the police?  
8 If you have an injured or sick person. As I'm  
9 monitoring my radio throughout the day, I've  
10 heard many calls, a faculty member, a student, a  
11 visitor, someone has just fallen, slipped and  
12 fallen, fallen ill, fainted for no apparent  
13 reason. We get a lot of calls like that. That's  
14 a time that you want to call us because we're  
15 going to activate the EMS system to ensure that  
16 aid is given to whoever it may be at that given  
17 time.

18 Again, this kind of goes back to the  
19 whole escort. If you're afraid in any shape,  
20 form, or fashion or fear for your safety, you  
21 give us a call because we are here to serve you  
22 as our community and to ensure that you can

1 operate and be in a safe environment.

2 If you see any crime being committed,  
3 and, again, not that anyone is an expert, but  
4 like the old saying goes, if you see something,  
5 say something, even if it's out of caution.  
6 We'll determine if it's a crime or not. You're  
7 just reporting that information to us.

8 Any suspicious activities. Again,  
9 vigilance is the key. We want to ensure that  
10 we're paying attention to our surroundings at all  
11 given times because you never know what it is  
12 that you're seeing. Something that may seem  
13 unassuming could actually be something more. So,  
14 again, never be afraid to report what you see.

15 And any safety concerns. While we  
16 don't necessarily work for facilities, we have a  
17 wonderful relationship with facilities. And I  
18 can't tell you the amount of times when I make my  
19 rounds throughout the University, just saying  
20 hello to people, sticking my head in offices,  
21 they say, "Oh, by the way, Chief, did you know  
22 that the elevator sticks," or, "Did you know that

1       this door doesn't lock?" And while I don't  
2       necessarily deal with those things specifically,  
3       we have a wonderful relationship with our  
4       facilities folks because, as law enforcement  
5       specialists, we are also physical security  
6       specialists, so we have to work hand-in-hand with  
7       our partners to ensure that the University is  
8       always maintained at the highest level of safety.  
9       So, therefore, these things that you see, when  
10      you report them to us, we can report them to the  
11      necessary working elements within the University  
12      to rectify or mitigate those particular problems.

13               Again, this is the motto: if you see  
14      something, say something. You can never go  
15      wrong.

16               Again, this is exactly how you contact  
17      us, just in case anybody didn't get it the first  
18      time. It's not red this time. 911 is what you  
19      call if you're off campus, but if you're on  
20      campus you call us.

21               And by the way, if you call 911 and  
22      you're on campus, that's fine because what will

1       happen is the dispatch will then get in touch  
2       with us. The D.C. government metropolitan police  
3       dispatch will notify us that there's an issue,  
4       and they will dispatch our officers or let us  
5       know and we'll dispatch our officers to a  
6       particular call for service.

7               TRUSTEE BELL: So is off-campus  
8       housing, like Metro, is that considered --

9               CHIEF FOSTER: Sir, that's an  
10      excellent point. Off campus, housing is not  
11      considered off campus because we have  
12      jurisdictional responsibilities within a unit  
13      that we have responsibility for. But, again, if  
14      you call 911, eventually that call will be  
15      filtered to us through their dispatch system, and  
16      we will be able to respond, even if sometimes if  
17      it's in concert with the Metropolitan Police  
18      Department. That's the way that we work.

19              I spoke to you again about the  
20      LiveSafe app. If you look there, you can  
21      download it at the App Store or Google Play.  
22      And, again, it's a free app, and you'd be

1 surprised when you pick up the promotional  
2 material over there and you'll see exactly what  
3 that application can do for you.

4 Okay. With that being said, I'm going  
5 to give the floor to Lieutenant Barnes for a  
6 quick second. She's going to go over some safety  
7 tips that you should all be aware of.

8 LT. BARNES: So, yes, the three key  
9 items that I'm going to be speaking about is  
10 protecting yourself, your property, and your  
11 identity. So protecting your property. When you  
12 leave the house, you should make sure that you  
13 only have what's necessary on you. So you don't  
14 want to have too much money or too many credit  
15 cards because, if something does happen or if you  
16 lose it or misplace it or if it gets stolen, then  
17 everything is gone.

18 As you see on the picture there with  
19 the vehicle, you know, make sure that you remove  
20 all of your personal items out of your vehicle  
21 because there are people that are watching at all  
22 times for you to just make that one mistake and



1 they're waiting on that opportunity so that they  
2 can get your belongings. So just make sure that  
3 you're always protecting your property.

4 Laptops, cell phones, we run into that  
5 a lot of times here at the University where a  
6 student may feel that they can get up and go to  
7 the restroom and leave their laptop or their book  
8 bag behind. And just that pass, it will be gone.

9 Protecting yourself. You always want  
10 to make sure that you protect yourself. If  
11 you're traveling, whether it's in daytime or in  
12 the evening, you want to travel in pairs, have  
13 someone with you. One of the good things about  
14 the LiveSafe app that the Chief mentioned earlier  
15 was that you can actually walk with someone with  
16 the app. So you can contact us at police  
17 communications, and we can see you and we can  
18 walk together if you don't have anybody to walk  
19 with you. So there's a lot of benefits to using  
20 that app.

21 Also, with the ATM, of course it's  
22 best not to use it at night, but if you do have

1 to use it, use it in a well-lit area and, again,  
2 with a partner. And as you can see in the  
3 picture where the gentleman is on the bus or the  
4 plane, he's not protecting himself. You know, he  
5 has earphones in his ear, and, if anything was to  
6 happen, someone can easily take something from  
7 him because he's not paying attention. So it's  
8 also about remaining alert.

9 At the bottom, you'll see a sample of  
10 one of our UDC alerts or a mass communication  
11 that comes out if there is some type of crime  
12 committed near one of our campuses. And this is  
13 an example of what you would get in your email  
14 just letting you know what occurred, where it  
15 happened, and, you know, to be cautious.

16 And protecting your identity. That  
17 goes back to, you know, you definitely do not  
18 want to have your Social Security card with you.  
19 That's something that you should not have on your  
20 person because once somebody gets that identify,  
21 you know, they can do a lot with it. It's very  
22 important to also check your credit reports

1 annually. If you can do it more than annually,  
2 you should because someone, as you know, people  
3 are always looking for opportunities to benefit  
4 from you, from you not paying attention or you  
5 just not being alert.

6 So, again, it mentions here about  
7 strengthening your passwords, credit reports  
8 annually, personal information. And, again, like  
9 I mentioned earlier, when you carry your purse,  
10 there's no need to have everything in it. Just  
11 carry what's necessary for the day. And, you  
12 know, if possible, please discuss these tips with  
13 your friends.

14 So I'm going to pass this back to  
15 Chief Foster.

16 (Applause.)

17 CHIEF FOSTER: Thank you. I spoke  
18 earlier about some of the emerging trends and the  
19 changes in criminal behavior that we've seen  
20 nationally across the country. ABC News came to  
21 our campus and did an interview with me as it  
22 relates to the emerging trends and what's

1       happening and how we deal with it. Once upon a  
2       time, what we discussed with folks in these  
3       safety briefings was, hey, if something happens,  
4       just wait for us to get there, don't act, don't  
5       do anything. But we've honestly noticed that  
6       there is a change in those bad actors and their  
7       processes and what they're doing. Like most  
8       things, we have to evolve to defend against the  
9       threat.

10               With that being said, we're going to  
11       show you a quick video that was produced by the  
12       Texas Department of Public Safety. It's  
13       something that we've used in the Department of  
14       Homeland Security and other agencies. It's  
15       widely accepted as the gold standard right now.  
16       So with that being said, if I could direct your  
17       attention back here and we'll watch a short  
18       video.

19               (Beginning of video.)

20               VIDEO: It may be another day at the  
21       office, but, occasionally, it feels more like an  
22       action movie than reality. The authorities are

1 working hard to protect you and to protect our  
2 public spaces. But sometimes bad people do bad  
3 things. Their motivations are different. The  
4 warning signs may vary, but the devastating  
5 events are the same. And, unfortunately, you  
6 need to be prepared for the worst.

7           If you are ever to find yourself in  
8 the  
9 middle of an active shooter event, your survival  
10 may depend on whether or not you have a plan.  
11 The plan doesn't have to be complicated. There  
12 are three things you could do that make a  
13 difference: run, hide, fight.

14           First and foremost, if you can get  
15 out, do. Always try to escape or evacuate, even  
16 when others insist on staying. Encourage others  
17 to leave with you, but don't let them slow you  
18 down with indecision.

19           Remember what's important: you, not  
20 your  
21 stuff. Leave your belongings behind and try to  
22 find a way to get out safely. Trying to get

1 yourself out of harm's way needs to be your  
2 number-one priority.

3           Once you are out of the line of fire,  
4 try to prevent others from walking into the  
5 danger zone and call 911.

6           If you can't get out safely, you need  
7 to  
8 find a place to hide. Act quickly and quietly.  
9 Try to secure your hiding place the best you can.  
10 Turn out lights and, if possible, remember to  
11 lock doors. Silence your ringer and vibration  
12 mode on your cell phone. And if you can't find a  
13 safe room or closet, try to conceal yourself  
14 behind large objects that may protect you. Do  
15 your best to remain quiet and calm.

16           As a last resort, if your life is at  
17 risk, whether you are alone or working together  
18 as a group, fight. Improvise weapons. Commit to  
19 taking the shooter down, no matter what.

20           Try to be aware of your environment.  
21 Always have an exit plan. Know that an incident  
22 like this, victims are generally chosen randomly.

1 The event is unpredictable and may evolve  
2 quickly. The first responders on the scene are  
3 not there to evacuate or tend to the injured.  
4 They are well trained and are there to stop the  
5 shooter.

6 Your actions can make a difference for  
7 your safety and survival. Be aware and be  
8 prepared. And if you find yourself facing an  
9 active shooter, there are three key things you  
10 need to remember to survive: run, hide, fight.

11 (End of video.)

12 CHIEF FOSTER: So as you all saw,  
13 those are three critical elements to the pyramid.  
14 Run if you have a path and you can do so safely.  
15 If you cannot, hide. Hide in an area where you  
16 can potentially barricade yourself behind a door  
17 or with other objects. And absolutely the last  
18 resort, don't sit and be a victim, fight. Again,  
19 we've noticed that the bad actors are no longer  
20 waiting. They're taking lives, so we have to  
21 adjust to the criminal behavior that we see.

22 This card that you see on the right,

1 I've also provided for you all a stack of those,  
2 the active shooter event card. There are three  
3 elements that are over there for your taking, and  
4 if you run out of any of them please feel free to  
5 call 274-5050, and we'll be happy to provide you  
6 with additional resources if you run out on the  
7 table over there.

8 Our Community Awareness Program, or  
9 CAP, what that consists of is a weekly, two to  
10 four hours at various locations throughout the  
11 University and where we talk about some of these  
12 core elements in these core areas. And, again,  
13 it also speaks to what I said earlier in  
14 reference to teaching mobile training, mobile  
15 training on crime awareness and those sort of  
16 things.

17 So, again, with that being said, I  
18 know some of you are meeting me for the first  
19 time. I appreciate the opportunity to be here  
20 with you. Certainly, I take what I'm doing very  
21 seriously. Twenty-four years in this profession,  
22 and this is my community. Student, staff,



1 faculty, and visitors, my sole mission is to  
2 ensure each one of you can operate safely in this  
3 environment and also to create an expectation of  
4 my officers of professionalism and a community-  
5 based policing mind set.

6 With that being said, Madam Chair, I  
7 give back my time, unless anybody has any  
8 questions.

9 TRUSTEE TARDD: Are these materials  
10 distributed to students during orientation?

11 CHIEF FOSTER: Absolutely. They are,  
12 sir. As a matter of fact, this presentation is  
13 done at every orientation.

14 TRUSTEE TARDD: Okay.

15 TRUSTEE BELL: Is this video online?

16 CHIEF FOSTER: This video is commonly  
17 found online. You can YouTube it. As I said,  
18 it's the gold standard, yes.

19 TRUSTEE TARDD: And then one more  
20 question.

21 CHIEF FOSTER: Yes, sir.

22 TRUSTEE TARDD: In the event something

1 happens on the campus or there's a threat, how do  
2 you notify the campus community?

3 CHIEF FOSTER: Well, right now, we  
4 have, as I stated before, the LiveSafe  
5 application, but there's also UDC communications,  
6 which is that single voice that goes out mass  
7 emails. Once that information is fed to them,  
8 much like the crime report you saw, anything that  
9 needs to go out to the University as a whole, we  
10 go through the University communications and they  
11 push all that information out to everyone.

12 TRUSTEE FELTON: Are there safety  
13 assessments done on the campuses, and, if so, how  
14 do we fare?

15 CHIEF FOSTER: Well, right now, that's  
16 an excellent question, Trustee Felton, and what  
17 we're doing right now, at least what I'm doing  
18 since I've taken command here, is I'm working  
19 with the President's cabinet team and we're doing  
20 those things as we speak as it relates to  
21 understanding where our vulnerabilities lie and  
22 then working mitigation strategies to decrease

1       those vulnerabilities. Yes, sir?

2                   TRUSTEE SCOTT: Chief, are you guys,  
3       because, you know, you said you do not work  
4       directly with the University. Who do you work  
5       for?

6                   CHIEF FOSTER: I'm sorry. Say that  
7       again, sir.

8                   TRUSTEE SCOTT: He does work for the  
9       University. And I just wanted to know whether or  
10      not the trend, the trend of the whole campus. I  
11      know that's something that's -- the body camera.

12                  CHIEF FOSTER: Oh, the body cameras.  
13      Right now, we have not opined on the use body-  
14      worn cameras in this environment because of  
15      privacy concerns. If the event that should be  
16      brought to me, I would sit with the President and  
17      his staff and also the Office of General Counsel  
18      to determine if that's something that would  
19      benefit us. Because our interactions with the  
20      students is much different than the city police.  
21      Anymore questions?

22                  CHAIR CRIDER: Yes, I think, again,

1 that this was important for us to see and to  
2 really understand. And also, if you recall, part  
3 of the \$2 million that the President would like  
4 to use out of the fund balance is a half a  
5 million to enhance the security around the  
6 campus. And so, you know, I think that's  
7 something that is needed that should help to  
8 facilitate your ability to be able to keep all of  
9 us safe, and we appreciate that. So thank you  
10 for the presentation.

11 (Applause.)

12 CHAIR CRIDER: Okay. So we'll move  
13 quickly because I don't think there's much in  
14 terms of reporting. I know the Chair doesn't  
15 have a report right now. Mr. President, your  
16 report is in the package. Is there anything that  
17 you'd like to highlight for us?

18 PRESIDENT MASON: I would just  
19 encourage you to take a look at the concept paper  
20 that we wrote on regenerating UDC as an advanced  
21 public system of higher learning because that is  
22 the framework that we're going to use to build

1 the detailed budget and plan that Troy talked  
2 about. So if you have any comments, I'd love to  
3 hear them. Some of you all have already  
4 commented, but I'd like to hear from everybody.

5 CHAIR CRIDER: No Executive Committee  
6 or Committee of the Whole. Academic and Student  
7 Affairs, anything, Trustee Wyner?

8 TRUSTEE WYNER: No, we covered all the  
9 items in the resolutions. Thank you.

10 CHAIR CRIDER: Okay, great. Trustee  
11 Shelton on the Alumni Task Force, any report or  
12 anything?

13 TRUSTEE SHELTON: Oh, I'm sorry.  
14 Tomorrow at Brookland, Busboys and Poets, at  
15 5:00, there's a toy drive. Come by and drop off  
16 a toy or a donation for the Alumni Association.

17 CHAIR CRIDER: The Student  
18 Communications Task Force, Mr. Wilhite?

19 TRUSTEE WILHITE: I'll just briefly  
20 state, from the Communications Task Force, it was  
21 a success. We actually identified an editor for  
22 the Free Voice. She was in attendance. I had no

1 clue she was writing already through the College  
2 of Arts and Science. However, we have, we were  
3 able to connect her with the editor position, and  
4 she got some assistance from the students. And  
5 they're posting it online, as well, so she's done  
6 a great job.

7 PRESIDENT MASON: Just one last thing,  
8 I neglected to mention as part of our report that  
9 I became aware that the Chair's birthday was on  
10 November 30th.

11 CHAIR CRIDER: December 1st. Thank  
12 you, Mr. President, I appreciate that. The  
13 Audit, Budget, and Finance, anything else --

14 TRUSTEE FELTON: No, we have nothing  
15 else.

16 CHAIR CRIDER: Community College, Dr.  
17 Tardd?

18 TRUSTEE TARD: We met but no report.

19 CHAIR CRIDER: And, Mr. Bell,  
20 Operations?

21 TRUSTEE BELL: We're good.

22 CHAIR CRIDER: Great. I did forget

1 one other thing. I was supposed to read  
2 something in another meeting, and I just  
3 remembered, so let me do that. Yes, something  
4 for the record. Do you have another one, Mr.  
5 Franklin? I don't know where I put it. Okay.  
6 And then after this, we will adjourn.

7 Okay. "An executive session was held  
8 at the regular meeting of the Board of Trustees  
9 on July 14, 2015. All matters acted upon in  
10 executive session were brought." And that's so  
11 that that is on the record.

12 All right. I will entertain --

13 TRUSTEE FELTON: So moved.

14 CHAIR CRIDER: Oh, yes, and this is it  
15 for 2015. I'll see you guys at 2016. Have a  
16 wonderful holiday. Our next meeting will be in,  
17 I think it's March.

18 DR. EPPS: Dr. Crider, before you  
19 dismiss us all --

20 CHAIR CRIDER: You know what, Dr.  
21 Epps? I'm about to send you home.

22 DR. EPPS: This is a good thing, this

1 is a good thing. I just wanted to remind the  
2 trustees that we will have an official opening  
3 for the Student Center on January 20th, and since  
4 this is the December Board meeting and I won't  
5 see you again until next year, I just want to  
6 remind you to please put that on your calendar.  
7 And you will receive an official invite with the  
8 time of the activities.

9 CHAIR CRIDER: Right. Ms. Franklin  
10 actually sent that to us. We have it on our  
11 schedule.

12 DR. EPPS: Thank you, Madam.

13 CHAIR CRIDER: Thank you.

14 DR. EPPS: Would you please stand?  
15 This is the Director of the Student Center.

16 (Applause.)

17 DR. EPPS: He's been working very  
18 hard, and I believe Brian has another reminder  
19 for you. Thank you.

20 MR. REBA: These are some coffee mugs  
21 with the save the date for the Student Center on  
22 January 20th.



1 CHAIR CRIDER: All right. Thank you,  
2 everybody, for your patience. This is one of our  
3 longer meetings.

4 (Whereupon, the above-referenced  
5 matter went off the record at 8:38 p.m.)  
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