

**COLLEGE OF CHARLESTON  
BOARD OF TRUSTEES**

Randolph Hall Board Room<sup>1</sup>  
College of Charleston  
Charleston, South Carolina

August 27, 2010  
8:30 a.m.

Presiding:  
Marie M. Land, Chair

Members Present: Mr. Donald H. Belk, Mr. J. Philip Bell, Mr. John H. Busch, Mrs. Demetria Noisette Clemons, Dr. L. Cherry Daniel, Mr. Frank M. Gadsden, Mr. David M. Hay, Mr. James F. Hightower, Mr. William D. Johnson, Mr. G. Lee Mikell, Mr. Lawrence R. Miller, Mrs. Annaliza O. Moorhead, Mr. Gregory D. Padgett, Mr. Daniel Ravenel, Dr. Sam Stafford III, Mr. Joseph F. Thompson, Jr., and Mr. John B. Wood, Jr.

Trustee Emeriti Present: Mrs. Sylvia Harvey and Mr. David Watson

Others Present: President George Benson; Drs. Beverly Diamond, Senior Vice Provost for Academic Affairs; Bob Cape, Senior VP for Information Technology; Lynne Ford, Associate Provost for Curriculum and Academic Administration and Interim Associate Vice President for the Academic Experience; George Hynd, Provost and Executive VP for Academic Affairs; Messrs. Gus Gustafson, Chairman, Foundation Board of Directors; Mike Haskins, Executive VP for External Relations; Jack Huguley, Director of Alumni Relations; Joe Hull, Director of Athletics; Sam Jones, Director of Budgeting and Payroll Services; Bobby Marlowe, Legislative Affairs Liaison; Brian McGee, Chief of Staff and Senior Policy Advisor; Ron Menchaca, Director of Executive Communication; Steve Osborne, Executive VP for Business Affairs; Jonathan Ray, Director of Institutional Events and Chef Concierge; Tom Trimboli, Senior Vice President for Legal Affairs; George Watt, Executive VP for Institutional Advancement; Victor Wilson, Executive Vice President for Student Affairs; Ms. Beth Burke, President, Alumni Association; Priscilla Burbage, Vice President, Fiscal Services; Sherrye Carradine, Assistant Counsel; Shirley Hinson, Director of Governmental Relations; Elizabeth Kassebaum, Executive Secretary to the Board of Trustees; Gail Long, Internal Auditor; Monica Scott, VP for Facilities Planning; Isaiah Nelson, President, Student Government Association; Dr. Darryl Phillips, Speaker of the Faculty; and Mr. Mike Robertson of the Media Communications Office.

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<sup>1</sup>In accordance with requirements of the *S. C. Freedom of Information Act*, news media was notified of the time, location, and agenda for this meeting.

The regular meeting of the College of Charleston Board of Trustees was called to order at 8:30 a.m. by Chair Land.

**WELCOME AND INTRODUCTIONS:**

Chair Land welcomed everyone and briefly introduced new employees. Detailed bios can be found behind Tab II of the Board Book.

First, she welcomed David Hay, our newest trustee. David is the Governor's Appointee whose term began last month.

Next, she welcomed Gus Gustafson, new Chairman of the Foundation Board of Directors; and Beth Burke, new President of the Alumni Association.

Also, she welcomed Sylvia Harvey and David Watson, Trustee Emeriti, and introduced the following new employees:

- (1) Oneida Banks – Lieutenant/Area Manager, Department of Public Safety
- (2) Frank Budd – Director of Counseling and Substance Abuse Services
- (3) Lynne Ford – Associate Provost for Curriculum and Academic Administration and Interim Associate Vice President for the Academic Experience
- (4) Patricia Williams Lessane – Director of the Avery Research Center
- (5) Freddie Lipata – Assistant Director of Campus Recreation Services
- (6) Jennifer Lorenz – Director of Communications for Institutional Advancement, Division of Marketing and Communications
- (7) Brian McGee – Chief of Staff and Senior Policy Advisor in the President's Office
- (8) David Michener – Associate Director, Multicultural Student Programs and Services
- (9) Deborah Mihal – Director of the Center for Disabilities Services
- (10) Chris Horschel – Director of Sports Medicine
- (11) Ross Kressel – Vice President, Student Government Association
- (12) Marlene Navor – Director of Athletics Communication

**APPROVAL OF MINUTES:**

It was moved (Moorhead), and seconded (Thompson), that the minutes of the June 7, 2010 Board Meetings be approved. The Chair called for the yeas and nays and the Minutes were unanimously approved by voice vote.

**EXECUTIVE COMMITTEE:**

Trustees Marie Land (chair), Philip Bell, Cherry Daniel, Lee Mikell, and Joe Thompson attended the meeting. Others in attendance were President Benson, Sherrye Carradine, George Hynd, Brian McGee, Steve Osborne, Elizabeth Kassebaum, and Betty Craig. Special guest: Isaiah Nelson, SGA President.

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<sup>2</sup>Trustee Philip Bell joined the meeting at 8:45 a.m.

Chair Land presented the following committee report:

**Resolution to Amend the By-Laws to Increase the Number of Board Members:**

The Resolution of the Board of Trustees to Amend the By-Laws to Increase the Number of Board Members was distributed and presented for approval by the Executive Committee.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO AMEND THE BY LAWS  
TO INCREASE THE NUMBER OF BOARD MEMBERS**

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**WHEREAS**, the South Carolina General Assembly has enacted House Bill 4244 that became law on June 14, 2010;

**WHEREAS**, the new statute amends S.C. Code Ann. §59-130-10 and requires that the Governor appoint an additional Trustee to this Board, “upon the recommendation of the College of Charleston Alumni Association,” and further provides that such Trustee would serve a term of four years;

**WHEREAS**, the new statute also provides that such Trustee be a South Carolina resident and “hold an undergraduate or graduate degree from the College of Charleston;”

**WHEREAS**, House Bill 4244, as enacted, is effective on July 1, 2010; and

**WHEREAS**, it is necessary to amend the By-Laws of the Board to make such By-Laws consistent with the new statute.

**NOW THEREFORE BE IT ---**

**RESOLVED**, that Section B. of the Board of Trustee’s By-Laws is hereby amended to read as follows:

**B. Membership of the Board of Trustees:**

**Composition.** The Board shall consist of 18 members as follows:

- (a) two (2) members from each of the Congressional Districts in South Carolina and three (3) at large members, all elected by the General Assembly;
- (b) one (1) *ex officio* member who shall be the Governor or his designee;
- (c) one (1) member appointed from the State at-large by the Governor; and

- (d) one (1) member appointed by the Governor, upon the recommendation of the College of Charleston Alumni Association, who shall be a South Carolina resident and hold an undergraduate or graduate degree from the College of Charleston.

**Trustee Terms.**

(a) The term of office of the at-large Trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor who appointed that at-large Trustee, but such Trustee shall be permitted to serve after the term of the appointing Governor until a successor is appointed and qualified.

(b) The member appointed by the Governor upon recommendation of the College of Charleston Alumni Association shall be for a term of four years, the first such term beginning on July 1, 2010 and expiring on June 30, 2014. Each subsequent term for that Trustee recommended by the Alumni Association shall begin on July 1 immediately after the expiration of the previous term and expire on June 30 in the fourth year thereafter, but such Trustee shall also be permitted to serve until a successor is appointed and qualified.

(c) All other trustees are elected for four year terms.

If a Trustee position should become vacant during the term of the Trustee occupying that position, it will be filled for the unexpired portion of that term in the manner prescribed by law.

**Duty of Faithful Service to the College.** Notwithstanding the manner by which a Trustee is elected or appointed to the Board, each member of the Board shall owe a duty of faithful service to the College and shall act at all times in the best interest of the College.

**RESOLVED**, that the Amendment to the By Laws approved through the adoption of this Resolution shall become effective immediately; and

**RESOLVED**, that the Executive Secretary to the Board shall revise the By Laws to conform with the Amendment and shall cause revised copies of the By Laws, as amended, to be posted on the College's official web site and to be otherwise disseminated, as appropriate.

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The committee moves that the Resolution of the Board of Trustees to Amend the By-Laws to Increase the Number of Board Members be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays and the Resolution was unanimously approved by voice vote.

**Discussion on Proposed Resolution for Future Consideration to Amend the By-Laws for Addition of Student Body President as Ex Officio Trustee:**

The proposed Resolution of the Board of Trustees to Amend the By-Laws for Addition of Student Body President as Ex Officio Trustee was discussed. More information is provided in the Student Affairs Committee Report of these minutes.

**Resolution to Approve Revised Policy on Prohibition of Discrimination and Harassment, including Sexual Harassment:**

The Resolution of the Board of Trustees to Approve Revised Policy on Prohibition of Discrimination and Harassment, including Sexual Harassment was distributed and presented for approval by the Executive Committee.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO APPROVE  
REVISED POLICY  
ON  
PROHIBITION OF DISCRIMINATION AND HARASSMENT, INCLUDING SEXUAL  
HARASSMENT**

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**August 27, 2010**

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**WHEREAS**, it is the policy of the College of Charleston to promote and protect a learning, working, and living environment where civil discourse, respect for the individual and appreciation for the diversity of human experiences are valued as compelling academic interests;

**WHEREAS**, in a community of scholars individual advancement, recognition, and achievement should be based solely on merit and not on personal prejudice or other invidious considerations;

**WHEREAS**, the College has long had policies that prohibit discrimination in employment and in the provision of academic services to our students;

**WHEREAS**, the Board has been advised by College management that our current non-discrimination policy should be revised to maintain its currency with newly enacted laws and interpretations of laws handed down by the courts, to provide better guidance to the College community, and to give the College a more suitable document for faculty and staff training on these important matters; and

**WHEREAS**, the Board has reviewed the recommended revised Policy, a true copy of which is attached hereto and incorporated herein by this reference, and believes that it serves as an appropriate declaration of the College's respect for the individual, its appreciation for the diversity of human experiences and its belief in the inherent worth of individual achievement based on individual merit.

**NOW THEREFORE**, be it --

**RESOLVED**, that the Board hereby approves and affirms the attached Policy entitled *Prohibition of Discrimination and Harassment, Including Sexual Harassment*; and

**RESOLVED**, College management shall do all things necessary and appropriate to carry out this Policy in an efficient and effective manner including, but not limiting to, adopting such procedures as may be appropriate, from time to time, to investigate alleged or apparent violations of such Policy.

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The committee moves that the Resolution to Approve Revised Policy on Prohibition of Discrimination and Harassment, including Sexual Harassment, be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays and the Resolution was unanimously approved by voice vote.

**Resolution to Ratify Policy on Alcohol and Illicit Drug Testing:**

The Resolution of the Board of Trustees to Ratify Policy on Alcohol and Illicit Drug Testing was distributed and presented for approval by the Executive Committee.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO RATIFY  
POLICY  
ON  
POLICY ON ALCOHOL AND ILLICIT DRUG TESTING**

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**August 27, 2010**

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**WHEREAS**, the Board recognizes the importance of providing a working and learning environment that is drug-free to avoid the tragedies, costs and disruptions that are associated with substance abuse;

**WHEREAS**, by providing such an environment the College will better its opportunity to maximize its levels of productivity, enhance its competitive position, and reach its desired level of achievement while providing our students with a safer environment in which to learn and enjoy the benefits of their education and Campus experiences;

**WHEREAS**, while the College will offer help to those who need it, the College does not tolerate the illegal use of nonprescription or prescription drugs, the use of controlled substances or the abuse of alcoholic beverages;

**WHEREAS**, the College did not previously have a policy that provided for the testing of its employees for alcohol or drug abuse; however, College management believes that a well-reasoned policy that balances respect for the individual with the need to maintain a safe, productive, and drug-free working, learning and living environment, is a legitimate interest of the College;

**WHEREAS**, on June 21, 2010 College management adopted the Policy on *Alcohol and Illicit Drug Testing*, a true copy of which is attached hereto and incorporated herein by this reference, to be effective as of October 1, 2010;

**WHEREAS**, College management has recommended that the Board ratify such Policy; and

**WHEREAS**, the Board has reviewed the Policy and believes that it is reasonable and that it utilizes appropriate means to further the legitimate interest of the College.

**NOW THEREFORE**, be it --

**RESOLVED**, that the Board hereby approves, affirms and ratifies the Policy and the actions of College management to adopt and implement this Policy; and

**RESOLVED**, College management shall do all things necessary and appropriate to carry out this Policy in an efficient and effective manner.

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The committee moves that the Resolution to Ratify Policy on Alcohol and Illicit Drug Testing be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays. The vote was 17 yeas and 1 nay (Mr. Wood). The resolution passed.

**Board of Trustees Governance Guidelines:**

Elizabeth Kassebaum updated the Board on the Board Governance Guidelines. A copy was distributed to the full Board. The document was endorsed by the full Board and will be placed on the Board's website. This document includes a Board Member Self-Evaluation.

**Robert's Rules of Order:**

Chair Land reviewed the interpretation of Robert's Rules of Order and the College's State Statute for the College of Charleston Board regarding requirements that the Chair vote on all motions.

There are 18 Board members and the Chair does vote. If there is a tie vote, the resolution fails. Regarding election of officers, if there is a tie vote the incumbent officer would hold the position until the next election is held.

**ACADEMIC AFFAIRS COMMITTEE:**

Trustees Cherry Daniel (Chair), Don Belk, Demetria Clemons, and Dan Ravenel attended the meeting, along with Beverly Diamond, Don Burkard (Associate VP for Enrollment Planning), Deanna Caveny, Lynne Ford (Interim Associate VP for Academic Experience and Associate Provost for Curriculum and Academic Administration), George Hynd, and Andrew Sobiesuo (Associate Provost for International Education).

Dr. Daniel presented the following committee report:

**Action Items:**

**(1) Resolution to Approve Policy on the South Carolina Immigration Reform Act:**

The Resolution of the Board of Trustees to Approve the Policy on the South Carolina Immigration Reform Act was distributed and presented for approval by the Academic Affairs Committee.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO APPROVE  
POLICY  
ON THE  
SOUTH CAROLINA IMMIGRATION REFORM ACT**

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**August 27, 2010**

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**WHEREAS**, by Resolution adopted on October 17, 2008, the Board approved an Interim Process to implement the South Carolina Immigration Reform Act (S.C. Code Ann. §59-101-430) (“Act”);

**WHEREAS**, the Act provides, among other things, that an alien unlawfully in the United States is not eligible to attend a public institution of higher learning in the State and is not eligible on the basis of residence for a public higher education benefit including, but not limited to, scholarships, financial aid, grants, or resident tuition;

**WHEREAS**, this same provision of law requires that the Board of Trustees of a public institution of higher learning in this State develop and institute a process by which lawful presence in the United States is verified;

**WHEREAS**, the College timely implemented the Interim Process, as required by law;

**WHEREAS**, based on its experience with the Interim Process, College management has recommended changes to Interim Process to ease the internal administration of the law and to clarify the appeal rights of students and has also recommended that the Interim Process be re-promulgation as a formal College Policy; and



**WHEREAS**, College management recommends that the Board approve the Policy, a true copy of which is attached hereto and incorporated herein by this reference.

**NOW THEREFORE**, be it --

**RESOLVED**, that the Board hereby approves and affirms the attached Policy entitled *Policy to Comply with the South Carolina Illegal Immigration Reform Act*; and

**RESOLVED**, College management shall do all things necessary and appropriate to carry out this Policy in an efficient and effective manner including, but not limiting to, adopting such procedures as may be appropriate, from time to time, to investigate alleged or apparent violations of such Policy.

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The committee moves that the College Policy on South Carolina Immigration Reform Act be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays and the Resolution was unanimously approved by voice vote.

**(2) Resolution to Ratify the Code of Conduct for the Administration of Title IV, HEA Loan Programs:**

The Resolution of the Board of Trustees to Ratify the Code of Conduct for the Administration of Title IV, HEOA Loan Programs was distributed and presented for approval by the Academic Affairs Committee.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO RATIFY  
CODE OF CONDUCT  
FOR THE  
ADMINISTRATION OF TITLE IV, HEA LOAN PROGRAMS**

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**August 27, 2010**

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**WHEREAS**, the Federal Higher Education Opportunity Act of 2008 (“HEOA”) conditions the eligibility of educational institutions to participate in Title IV loan programs (“Educational Loans”) on the development of, and compliance with a Code of Conduct prohibiting certain conduct by their officers, employees, or agents with respect to student Education Loans;

**WHEREAS**, the HEOA required institutions to adopt and implement such a Code on or before July 1, 2010 and the College has complied with this deadline;

**WHEREAS**, as required by law, the College’s Code contains provisions prohibiting: (a) revenue sharing arrangements; (b) the solicitation or acceptance of gifts, receipt of fees, payments or other financial

benefits from lenders for consulting services by anyone at the College with responsibilities for Education Loans; (c) the receipt of assistance from lenders with call centers or staffing; (d) the acceptance of funds from lenders to be used for private loans in exchange for providing concessions to a private lender and; (e) the acceptance of anything of value from a lender, except for reimbursement for reasonable expenses, by an employee or a College agent with responsibilities for financial assistance that sits on a lender's advisory board or commission;

**WHEREAS**, a true and accurate copy of the College's Code of Conduct is attached hereto and incorporated herein by this reference and College management has informed the Board that the Code fully complies with the law;

**WHEREAS**, the Board has reviewed such Code and College management has recommended that the Board ratify the College's Code of Conduct.

**NOW THEREFORE**, be it --

**RESOLVED**, that the Board hereby approves, affirms and ratifies the Code of Conduct adopted pursuant to the HEOA and the actions of College management to adopt and implement this Code; and

**RESOLVED**, College management shall do all things necessary and appropriate to carry out this Code of Conduct in an efficient and effective manner.

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The committee moves that the Resolution of the Board of Trustees to Ratify the Code of Conduct for the Administration of Title IV, HEOA Loan Programs be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays and the Resolution was unanimously approved by voice vote.

Information Items:

- Susan Anderson presented a report on external proposals and funded projects.
- Don Burkard reported on the Senior Exit Survey instrument and results.
- Don Burkard presented a three-year admissions and enrollment history.

**ALUMNI RELATIONS COMMITTEE:**

Trustees Frank Gadsden, Annaliza Moorhead, and Sam Stafford attended the meeting. Staff members Jack Huguley, Karen Jones, and John Hartman, also attended the meeting, along with Beth Burke (Alumni Association President), and invited guest George Watt (Executive VP for Institutional Advancement).

In Mr. Wood's absence, Frank Gadsden presented the following committee report:

BOT seat recommended by the Alumni Association and appointed by the Governor:

Mr. Gadsden expressed that although he was pleased with the outcome, he was concerned about the lack of information and communication the Alumni Relations Committee received on the issue. The Alumni Relations Committee was created to foster relationships between the Board of Trustees, the Alumni Association and The Alumni Relations Office. Mr. Gadsden expressed that in his personal opinion, that on this issue, the Committee fell short in its stated mission. Mr. Gadsden stressed that he felt strongly that the Committee should not have been involved in the process; however, the Committee should have been fully informed of the Alumni Association's intentions in seeking legislative action to create an additional Board of Trustee seat to be filled upon the recommendation of the Alumni Association.

Upcoming Events:

- Alumni Association Scholars Dinner will be held on September 30, 2010 in Alumni Hall. It will be the 49<sup>th</sup> year for this event.
- Alumni Awards Banquet will be held on November 11, 2010 in Charleston at the Marriott, 170 Lockwood Boulevard.
- Lowcountry Chapter Holiday Party will be held on December 9, 2010 in the McAlister Hospitality Suite, Carolina First Arena.
- Lowcountry Alumni Chapter Golf Tournament and BBQ will not be held this year.
- Alumni Association is planning alumni events in Seattle, WA; San Francisco, CA; and San Diego, CA in conjunction with the Admissions' West Coast initiative.

**ATHLETICS COMMITTEE:**

Trustees Dwight Johnson (chair), Philip Bell, John Busch, and Jimmy Hightower attended the committee meeting. Also present were Sherrye Carradine (Assistant Counsel), Otto German (Compliance Coordinator), Joe Hull (Director of Athletics), Laura Lageman (Associate Director of Athletics/ SWA), Andrew McGlaughon (Director of Marketing), Keith Merritt (Director of Academic Services), Tom Trimboli (General Counsel), and Charlotte Napier (Recording Secretary).

Mr. Johnson presented the following committee report:

There was a motion to convene Executive Session, but no action was taken.

Compliance and Academic Update:

- Approximately 120 new student athletes
- Student athlete cumulative GPA for Spring 2010 was 2.99.
- Fourteen of the 20 teams earned GPAs at or above the College Undergraduate GPA average of 2.95 for Spring 2010.
- Twelve teams earned academic honors with team GPA averages of 3.0 or above.

Marketing Campaign:

- "On the Prowl," a three-year campaign, is going on now.
- "Game On" Campaign for 2010-2011 – includes a 24-page book featuring one student athlete from every sport along with quick facts about the sport.

- “Nice Kitty” Campaign is a grass roots effort to energize students and enhance image advertising.

**AUDIT COMMITTEE:**

Trustees Larry Miller (chair), Philip Bell, Marie Land, Lee Mikell, and Joe Thompson attended the meeting. Staff members attending the meeting included President George Benson, Priscilla Burbage, Sherrye Carradine, Gail Long, Steve Osborne, and Tom Trimboli.

Mr. Miller presented the following committee report:

Tom Trimboli gave a briefing on the S. C. Ethics Commission’s Rules of Conduct and the College’s current Ethics Policy. He provided several recommendations for strengthening the current policy. Chairman Miller asked the Audit Committee members to review the documentation that Mr. Trimboli provided and email their thoughts to him before the October Board meeting. Proposed revisions to the current Ethics Policy will be an agenda item at the October Audit Committee meeting.

Gail Long reviewed three audit reports related to General Ledger Reconciliations, Procurement Cards, and the Student Homecoming Concert.

Gail Long reviewed the status of the 2010 Audit Plan with the committee members.

**FACILITIES COMMITTEE:**

Trustees Jimmy Hightower (chair), Cherry Daniel, Dwight Johnson, and Lee Mikell attended the committee meeting. Also attending were Monica Scott (VP for Facilities Planning), John Cordray (Director of the Physical Plant), Susan Morrison (Professor, Biology Department), and Alyson Goff (Executive Assistant, Business Affairs Office). Also, Sylvia Harvey, Trustee Emeritus, made a brief appearance at the meeting.

Mr. Hightower presented the following committee report:

**Current Project Update:**

- Science Center: Majority of project is complete.
- Athletics Complex: Project is complete.
- Cato Center: Replacement of the gallery floor will begin soon.
- Dixie Plantation Phase I: Trail work has started; barn and studio restoration designs will begin soon.
- Grice Marine Lab: The College is still waiting on results of application for a second round of grant funding through the National Institute of Science and Technology
- Craig Cafeteria Conversion and Renovation: Project is complete.
- Randolph Hall/Porter’s Lodge/Towell Library: Project is 80% complete – expected completion date is mid-October which is one month behind schedule.

Old Business:

The expected completion date for the Sottile Theatre marquee is the end of November.

**FINANCE COMMITTEE:**

Trustees Joe Thompson (chair), Philip Bell, John Busch, and Frank Gadsden attended the meeting. Staff members present included President George Benson, Priscilla Burbage, Beverly Diamond, Shirley Hinson, Sam Jones, Gail Long, Amy McCandless (Dean, The Graduate School), Brian McGee, Steve Osborne, Darryl Phillips, and Kendra Stewart (Chair, Senate Budget Committee).

Mr. Busch presented the following committee report:

The Finance Committee met yesterday following a joint session with the Facilities Committee where contractual matters related to property were discussed.

The Committee was updated on current capital projects, including the Cato Center, Carolina First Arena/Johnson Center, Randolph Hall, Craig Hall, Dixie Plantation Phase I, Bell Building Social Science Research Project (a \$1.9M project for which the College has received a \$1M on a grant from NSF), Hungry Cougar, 5 College Way, and 72 George. Additional discussions centered around the Governor's call for a moratorium on capital projects and the associated impacts.

The allocation plan for the additional \$3M in financial aid included in the budget approved by the Board for the 2010-2011 fiscal year was outlined. The plan calls for \$600K for the Graduate School, \$1M for additional need-based grants, \$500K for diversity recruitment initiatives, and \$1M for restoration of, and additional, undergraduate recruitment scholarships.

The finance staff is working with its financial advisors from Bank of America in evaluating the pros and cons of rolling the bond anticipation note vs. long-term takeout of the debt in anticipation of the current BAN expiration in December. An update with the decision will be provided at the October Board meeting.

At the Board meeting, Steve Osborne reported that the Randolph Hall project is under budget and that the scheduled completion date is the end of October.

**GOVERNMENTAL RELATIONS COMMITTEE:**

Trustees Lee Mikell (chair), David Hay, Larry Miller, Greg Padgett, and Joe Thompson attended the committee meeting. Others in attendance included President George Benson, Steve Osborne (Executive VP, Business Affairs), Shirley Hinson (Director of Government Relations), Bobby Marlowe (Governmental Relations), and Mike Haskins (Executive VP, Marketing and External Relations).

Mr. Mikell presented the following committee report:

The committee discussed the College's outreach initiatives for connecting with elected officials.

Steve Osborne provided a budget update.

Shirley Hinson provided a legislative update.

For the record, Congressman Henry Brown will donate his congressional papers to the College's library.

Shirley Hinson provided an update regarding the Southern Legislative Conference held in Charleston, July 31-August 4. Fifty legislators, including Lindsey Graham, attended the conference.

The committee discussed President Benson's recent presentation to the S. C. Commission on Higher Education in Columbia on Thursday, August 5, 2010.

#### **INSTITUTIONAL ADVANCEMENT COMMITTEE:**

Trustees Greg Padgett (chair), Don Belk, David Hay, and Larry Miller were present. Also in attendance were: Mr. J. J. Lamberson (Treasurer, Cougar Club), and Committee Staff Representative George Watt (Executive VP, Institutional Advancement). Presenting to the committee were: John Gladchuk (Director of Development Programs), Jennifer Lorenz (Director of Communications for Institutional Advancement in the Division of Marketing and Communications), Cathy Mahon (Director, Major Gifts), David Masich (Director, Planned Giving Programs), Laurie Soenen (Director, Annual Giving Programs), Chris Tobin (VP for Development), and Sheila Vanek (Development Administrator).

Mr. Padgett presented the following committee report:

Chris Tobin presented a fundraising summary for the period January-July 2010. This includes new commitments of \$4,898,507, which is an increase of \$1,307,956 over this time last year (or 36% increase).

Major Gifts include two significant gifts – Kerrigan \$250K (\$175K Scholarship, \$50K School of Business and \$25K for Bonner) and Zucker \$1.5M for Holocaust Studies.

Laurie Soenen presented the annual giving report. The total received is \$250,835 which is slightly below last year at this time.

George Watt presented an update on endowed funds. "The Endowment" balance was \$47.7M.

Chris Tobin reviewed the charter for the new Foundation Board Development Committee, chaired by Renee Anderson.

**STUDENT AFFAIRS COMMITTEE:**

Trustees Demetria Clemons (chair), Annaliza Moorhead, Dan Ravenel, and Sam Stafford were joined by Victor Wilson, Marjorie Thomas (Assistant VP for Student Affairs), Tom Carroll (Chair, Faculty Committee on Student Affairs), Tom Trimboli (Senior VP, Legal Affairs), Kassie Kissinger (Director of Greek Life), Rachel Marsh (Assistant Director of Greek Life), Isaiah Nelson (President, Student Government Association), Ross Kressel (VP, Student Government Association), J. K. Lawler (Treasurer, Student Government Association), Libby Cole (Assistant Director for Higdon Student Leadership Center), and Susan Hartman (Executive Assistant to the Executive VP for Student Affairs).

Ms. Clemons presented the following committee report:

**Action Item:**

(1) Student Government Association Resolution:

Victor Wilson explained the continuation of a discussion from the April Board meeting whereby the Student Government Association presented an initiative to have an Ex-officio Student Trustee which requires a proposed change in the by-laws. Isaiah Nelson outlined how the current proposal differs from the Spring 2010 proposal – the non-voting student representative would not have the right of motion and would not have the right to sit in during Executive Session. The committee and legal counsel went into Executive Session to discuss the matter. The committee came out of Executive Session with a favorable recommendation of the proposal which will be presented to the full Board for future consideration.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO AMEND THE BY LAWS**

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**ADDITION OF STUDENT BODY PRESIDENT AS *EX OFFICIO* TRUSTEE**

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**Proposed For Future Consideration**

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**WHEREAS**, the South Carolina Code Annotated, Section 59-101-40, provides as follows:

*Notwithstanding any other provisions of law relating to the composition of the various boards of trustees of State-supported institutions of higher learning, the president of the student body of each of these institutions may be, ex officio, a nonvoting member of the board of trustees of the institution he attends and represents. The term of office of the student body president shall be contemporaneous with his term as president.*

**WHEREAS**, the participation of a student representative on the Board of Trustees would provide for ready access to student opinions and recommendations relative to the work of the Board;

**WHEREAS**, the appointment of a student representative to the Board would also signify the Board's desire, as recited in the Strategic Plan, to further a student-focused community of scholars where the views, desires and expectations of students are valued and actively solicited by the Board in the course of its deliberations on matters affecting the student experience;

**WHEREAS**, the South Carolina General Assembly has recognized the value of student participation on governing boards when it enacted Section 59-101-40; and

**WHEREAS**, the Board has had at least 30 days to considered the proposed Amendment.

**NOW THEREFORE, BE IT –**

**RESOLVED**, that pursuant to Section P. of the By-Laws, the Board hereby approves and adopts the Amendment attached to this Resolution and incorporates the Amendment herein;

**RESOLVED**, that the Amendment shall become effective as of the date of this Resolution; and

**RESOLVED**, that the Executive Secretary to the Board shall revise the By Laws to conform with the Amendment and shall cause revised copies of the By Laws, as amended, to be posted on the College's official web site and to be otherwise disseminated, as appropriate.

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## **ATTACHMENT**

### **THE AMENDMENT**

The Trustee By Laws are amended by adding the following new sentence to the end of Article B:

**In addition to the members appointed or elected pursuant to the preceding sentence, the Board shall also be comprised of one *ex officio*, non-voting member who shall be the duly elected president of the student body of the College and who shall serve a term on the Board that is contemporaneous with her/his term as president, provided that the rights and privileges of such student trustee shall not include the right to participate in executive sessions of the Board or its committees, to be counted for the purposes of determining a quorum, to make motions or points of order during Board proceedings, or to otherwise exercise any right other than participation in such public deliberations as may be**



**conducted by the Board and those of its committee(s) to which such student trustee may be appointment by the Chair of the Board.**

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During the Board meeting, Isaiah Nelson spoke regarding the Student Affairs Committee's favorable recommendation of the Student Government Association's Resolution for future consideration by the full Board. He asked for the full Board's support of the Resolution.

**Discussion Items:**

Greek Life Update:

In 2009-2010, charitable donations of \$136,890 were raised. There are 26 nationally affiliated chapters on the College of Charleston campus.

Off-Campus Housing:

A proposal for a third party company to service our students' off-campus housing needs is in progress. This new process will also assist, as needed, with both landlord and student issues/disputes.

Jason Mraz Concert:

The Jason Mraz Concert will take place in the Carolina First Arena on September 22, 2010.

**AD HOC COMMITTEE ON INFORMATION TECHNOLOGY:**

Trustees Frank Gadsden (chair), John Busch, Cherry Daniel, and Dan Ravenel attended the meeting. Other guests in attendance were Brian McGee, Chief of Staff to President Benson; Deanna Caveny, Associate Provost; Elizabeth Kassebaum, President's Office and Executive Secretary to the Board of Trustees; and Bob Cape.

Mr. Gadsden presented the committee report:

Introduced were Jeremy Clement as the Interim Director of Finance & Planning for Information Technology, and Monica Harvey, recently appointed Interim Director of Teaching, Learning & Technology in IT.

Jennifer Higgins, consultant from Collegiate Project Services who partners with Priscilla Burbage as BATTERY Project Managers, gave the BATTERY report. The BATTERY project is on schedule and in budget. August 24 marks the beginning of first full semester live on the full Banner Suite - Finance, HR, Student Registration, Student Accounts & Student Records – a major project milestone.

Monica Harvey and Mendi Benigni, Instructional Technologist in Teaching, Learning & Technology in IT and Project Manager for the OAKS Project, presented a demonstration of OAKS (Online Academic Knowledge System) which is our Desire-2-Learn learning management system

Andrew Bergstrom, Director of Web Strategies in Information Technology, presented a demonstration of the Board Portal which is being created as a private website for Board members to go to retrieve Board-related information.

Two resolutions were presented and discussed. Motions to approve each and to bring them forward to the full Board were made and approved by the Committee.

**(1) Resolution to Ratify the Policy on Peer-to-Peer (P2P) File Sharing:**

The Resolution to Ratify the Policy on Peer-to-Peer (P2P) File Sharing was presented for approval by the Ad Hoc Committee on Information Technology.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO RATIFY  
POLICY ON  
PEER-TO-PEER (P2P) FILE SHARING**

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**August 27, 2010**

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**WHEREAS**, the Federal *Higher Education Opportunity Act of 2008* (HEOA) requires that an institution of higher education, as a condition of participation in Title IV, HEA programs, must certify that it has developed plans to effectively combat the unauthorized distribution of copyrighted material;

**WHEREAS**, these plans are to include the use of a variety of technology-based deterrents and must, to the extent practicable, offer alternatives to illegal downloading or illegal peer-to-peer distribution of intellectual property;

**WHEREAS**, in addition, the new law requires that an institution make available to prospective and enrolled students a description of institutional policies and sanctions related to the unauthorized distribution of copyrighted material including: (1) an annual disclosure that explicitly informs students that unauthorized distribution of copyrighted material may subject the students to civil and criminal liabilities; (2) a summary of the penalties for violation of Federal copyright laws; and (3) the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions for those who engage in unauthorized distribution of copyrighted materials using the institution's information technology system;

**WHEREAS**, in furtherance of the new law the College adopted and implemented a Policy on Peer-to-Peer (P2P) File Sharing effective as of July 1, 2010, a true copy of which is attached hereto and incorporated herein by this reference;

**WHEREAS**, such Policy sets forth the College's written plans to effectively combat the unauthorized distribution of copyrighted material by users of the College's network including the following: (1) technology-based deterrents; (2) mechanisms for educating and informing the College community about appropriate versus inappropriate use of copyrighted materials; (3) procedures for handling unauthorized distribution of copyrighted materials; (4) procedures for periodically reviewing the effectiveness of the College's plans to combat the unauthorized distribution of copyrighted materials; and (5) the annual disclosures the College will make to students about institutional policies and sanctions related to copyright infringement, including the civil and criminal liabilities and penalties associated with the unauthorized distribution of copyrighted material;

**WHEREAS**, College management has informed the Board that the Policy fully complies with the law;

**WHEREAS**, the Board has reviewed such Policy and College management has recommended that the Board ratify the College's Policy.

**NOW THEREFORE**, be it --

**RESOLVED**, that the Board hereby approves, affirms and ratifies the Peer-to-Peer (P2P) File Sharing adopted pursuant to the HEOA and the actions of College management to adopt and implement this Policy; and

**RESOLVED**, College management shall do all things necessary and appropriate to carry out this Policy in an efficient and effective manner.

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The Committee moves that the Resolution to Ratify the Policy on Peer-to-Peer (P2P) File Sharing be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays and the Resolution was unanimously approved by voice vote.

**(2) Resolution to Ratify the Policy on the Uniform Electronic Transaction Act:**

The Resolution to Ratify the Policy on the Uniform Electronic Transaction Act was presented for approval by the Ad Hoc Committee on Information Technology.

**COLLEGE OF CHARLESTON  
RESOLUTION OF THE BOARD OF TRUSTEES  
TO RATIFY  
POLICY ON  
THE UNIFORM ELECTRONIC TRANSACTION ACT**

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**August 27, 2010**

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**WHEREAS**, the *South Carolina Uniform Electronic Transactions Act* (“Act”) (S.C. Code Ann. §§26-6-10 *et seq.*) was enacted in 2004;

**WHEREAS**, the Act deals with the legality and use of electronic records and electronic signatures that are “created, generated, sent, communicated, received, or stored;”

**WHEREAS**, the Act provides in relevant part that: “Each governmental agency of this State shall determine if, and the extent to which, it will create and retain electronic records and convert written records to electronic records” and “shall determine if, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures;”

**WHEREAS**, on February 28, 2007 the South Carolina Budget and Control Board promulgated the *South Carolina Standards for Electronic Signatures* (the “Standards”);

**WHEREAS**, effective as of June 23, 2010 the College adopted a Policy to further its compliance with the Act, a true copy of which is attached hereto and incorporated herein by this reference (the “Policy”);

**WHEREAS**, the Policy specifies the terms and conditions under which the College will use electronic records and electronic signatures for the conduct of its business and academic operations and is intended to provide management with a formal process for the approval of electronic signatures and the retention of our records in electronic format; and

**WHEREAS**, College management is of the opinion that the Policy complies with the Act and the Standards and has recommended that the Board ratify such Policy.

**NOW THEREFORE**, be it --

**RESOLVED**, that the Board hereby approves, affirms and ratifies the Policy and the actions of College management to adopt and implement the Policy; and

**RESOLVED**, College management shall do all things necessary and appropriate to carry out this Policy in an efficient and effective manner.

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The committee moves that the Resolution to Ratify the Policy on the Uniform Electronic Transaction Act be approved as presented. After discussion on the Resolution, the Chair called for the yeas and nays and the Resolution was unanimously approved by voice vote.

Information Technology is working with Legal Affairs on a contract with Google for student email and related services. There is no progress to report.

Establishment and initial purchases made under new Equipment Replacement fund in support of the College Strategic Plan are already yielding very favorable faculty praise and appreciation for technology enhancements in classrooms. IT expresses deep appreciation for the important funding and the ability to address some College critical needs.

**[Break at 10:15 a.m.]**

**The Board reconvened at 10:30 a.m.**

**PRESIDENT'S REPORT:**

President Benson provided an update on two open searches:

- (1) Dean, School of Sciences and Math – candidate came in for a second interview on August 23. A decision should be made within the next couple of weeks.
- (2) Director, Lowcountry Graduate Center – Kathleen Lally's appointment as Interim Director will end soon, and we are looking for a substitute replacement for the position. A search for a permanent director will be opened in the future.

Also, President Benson briefed the Board on the role the College plays in our community:

- (1) American College of Building Arts – The College is assisting them with reaccreditation.
- (2) Gaillard Renovation – He has been invited to serve on two committees: Gaillard Stakeholders Committee and the Gaillard Performance Foundation.
- (3) Symphonic Music Committee – He is chair of a Steering Committee to communicate what needs to be done to restore the Symphony.

At the Board's request, the newly proposed "Comprehensive Program for Quality and Efficiency" was created. The program consists of two phases. Each division will choose two targets and make recommendations to the President's Office. A consultant will probably be used from time to time. A report will be provided on this initiative at each Board meeting.

There are two finalists for the position in Corporate Foundation Giving. Someone should be on board within the next two weeks.

The Strategic Plan calls for a Capital Campaign, and plans should be in place by the end of the year.

Executive VP of Institutional Advancement, George Watt, gave the Board an overview of the process underway in planning for a future fund-raising campaign.

**NEW BUSINESS:**

Chief Verrecchia presented an update on the College's Emergency Preparedness Management Plan.

George Hynd reported that the College has four National Merit Scholars – two are from South Carolina and two are from out-of-state.

Elizabeth Kassebaum informed the Board that the Board Engagement Program is now located on the Board's website. The program's first year was very successful. She and Chair Land will present "Increasing Board Engagement" during a concurrent session at the CHE Trusteeship Conference in Columbia on Thursday, October 7. Elizabeth asked Board members to return their Board Engagement forms for next year by Monday, September 6, if they haven't already done so. The Mentoring Program will begin at the October meeting and continue through the spring.

Also, Elizabeth Kassebaum thanked the Board members who have already scheduled Strategic Plan presentations in their communities.

She reminded the Board that a new statute requires that the Economic Interest Forms must be filed electronically this year.

And finally, she announced that the Board of Trustees' license plate information will be sent to all Board members sometime in September.

Mike Haskins presented an update on the Crisis Communication Plan.

**[Break for lunch]**

**The Board reconvened at 12:20 p.m.**

It was moved (Stafford), and seconded (Thompson), to go into Executive Session at 12:20 p.m. to consider contractual and personnel issues. All in favor.

Chair Land asked the following staff members to remain and attend the Executive Session: George Hynd, Steve Osborne, Tom Trimboli, Sherrye Carradine, Elizabeth Kassebaum, Brian McGee, and Betty Craig.

It was moved (Bell), and seconded (Thompson), to continue Executive Session for the purpose of discussing a personnel matter. Only the Board shall remain and attend Executive Session at this time. All in favor.

It was moved (Miller), and seconded (Daniel), to come out of Executive Session at 2:45 p.m. All in favor.

It was moved (Thompson), and seconded (Busch), to approve the following motion:

“WE HAVE ADOPTED OR RATIFIED FIVE POLICIES TODAY, SOME OF WHICH WERE RATHER VOLUMINOUS AND TECHNICAL IN NATURE. I ASK FOR UNANIMOUS CONSENT THAT COUNSEL BE PERMITTED TO CORRECT TYPOGRAPHICAL ERRORS AND TO MAKE SUCH NON-SUBSTANTIVE TECHNICAL CHANGES AS MAY BE NECESSARY TO PREPARE THESE DOCUMENTS FOR PUBLICATION.”

HEARING NO OBJECTION, THE MOTION IS ADOPTED.

Chair Land stated for the record that no action was taken during Executive Session.

It was moved (Thompson), and seconded (Bell), that the meeting be adjourned at 2:45 p.m.