

**UNIVERSITY OF THE VIRGIN ISLANDS  
RESOLUTION OF THE BOARD OF TRUSTEES ON  
THE UNIVERSITY'S APPROPRIATION REQUEST  
FOR FISCAL YEAR 2009-2010**

---

**WHEREAS**, on March 14, 2009, the Board of Trustees (the Board) of the University of the Virgin Islands (the University) ratified the action taken by the Executive Committee of the Board on February 9, 2009, authorizing the University to request an appropriation from the Government of the Virgin Islands (GVI) in the amount of \$34,500,000 for Fiscal Year 2009-2010 (FY10), the same amount that was appropriated for the University for the current fiscal year – FY09; and

**WHEREAS**, in a memorandum dated March 11, 2009, the Office of Management and Budget (the OMB) of the GVI advised the University that the budget ceiling for the University for FY10 was reduced by ten percent (10%), thereby reducing the University's maximum possible appropriation-request by \$3,450,000 from \$34,500,000 to \$31,050,000; and

**WHEREAS**, in a letter dated March 19, 2009 to the Honorable John P. deJongh, Jr., Governor of the U.S. Virgin Islands, the President of the University informed the Governor that the University was expecting some of the funds received by the GVI pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA) to be allocated to the University pursuant to the section titled "Grants to Governors for Education", which states that funds are being provided in FY09, FY10, and FY11 for public higher education institutions to restore governmental support to the greater of FY08 or FY09 levels of funding; and

**WHEREAS**, it is the understanding of the University that the States and Territories which accept funds provided by the federal government pursuant to the ARRA are required to maintain this minimum level of funding to their public institutions of higher education; and

**WHEREAS**, a reduction of \$3,450,000 of funding by the GVI would not only be contrary to the "Grants to Governors for Education" provision of the ARRA, but it would require to University to compromise its objectives stated in Vision 2012; and

**WHEREAS**, in addition, achieving this reduction would in part require reducing the cost of salaries and benefits of the University by freezing all vacancies and placing employees, including faculty, on furlough without pay for several days; and

**WHEREAS**, the latter action would undermine the plan of the University to bring up the salary of the faculty of the University over a period of years to a level on par with the average salary of faculty at its peer universities; and

**WHEREAS**, because of the above, the Finance and Budget Committee of the Board recommended on March 27, 2009, that the Board support the position of the President of the University relative to the section of the ARRA titled "Grants to Governors for Education"; and

**WHEREAS**, based on that recommendation, on March 28, 2009 the Executive Committee of the Board adopted the resolution attached hereto as Exhibit "A" resolving:

FY 2010 Appropriation Request Resolution

**Section 1.** That the University is authorized to respectfully decline the request by the OMB that the University submit an appropriation-request, or a financial contingency plan, to accommodate a reduction of \$3,450,000 in funding from the GVI in FY10 and to reiterate that the section of the ARRA titled "Grants to Governors for Education" of the ARRA require the GVI to keep the University whole from any reductions in funding for FY09, FY10 and FY11 below the greater of FY08 and FY09 funding levels.

**Section 2.** That the President of the University and the Vice President of the University for Administration and Finance are hereby authorized to take such actions as are necessary and proper to implement this resolution.

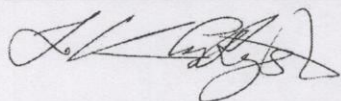
**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY:**

The action taken by the Executive Committee of the Board on March 28, 2009 in the attached resolution is hereby ratify.

CERTIFICATION

The Undersigned does hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands at its meeting on Saturday, June 13, 2009 as recorded in said minutes.

---



Secretary of the Board

June 13, 2009

Date

**EXHIBIT A**

**RESOLUTION OF THE EXECUTIVE COMMITTEE  
OF THE BOARD OF TRUSTEES OF  
THE UNIVERSITY OF THE VIRGIN ISLANDS  
ON THE UNIVERSITY'S APPROPRIATION-REQUEST  
FOR FISCAL YEAR 2009-2010**

---

**WHEREAS**, on March 14, 2009, the Board of Trustees (the Board) of the University of the Virgin Islands (the University) ratified the action taken by the Executive Committee of the Board on February 9, 2009, authorizing the University to request an appropriation from the Government of the Virgin Islands (GVI) in the amount of \$34,500,000 for Fiscal Year 2009-2010 (FY10), the same amount that was appropriated for the University for the current fiscal year – FY09; and

**WHEREAS**, in a memorandum dated March 11, 2009, the Office of Management and Budget (the OMB) of the GVI advised the University that the budget ceiling for the University for FY10 was reduced by ten percent (10%), thereby reducing the University's maximum possible appropriation-request by \$3,450,000 from \$34,500,000 to \$31,050,000; and

**WHEREAS**, in a letter dated March 19, 2009 to the Honorable John P. deJongh, Jr., Governor of the U.S. Virgin Islands, the President of the University informed the Governor that the University was expecting some of the funds received by the GVI pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA) to be allocated to the University pursuant to the section titled "Grants to Governors for Education", which states that funds are being provided in FY09, FY10, and FY11 for public higher education institutions to restore governmental support to the greater of FY08 or FY09 levels of funding; and

**WHEREAS**, it is the understanding of the University that the States and Territories which accept funds provided by the federal government pursuant to the ARRA are required to maintain this minimum level of funding to their public institutions of higher education; and

**WHEREAS**, a reduction of \$3,450,000 of funding by the GVI would not only be contrary to the "Grants to Governors for Education" provision of the ARRA, but it would require to University to compromise its objectives stated in Vision 2012; and

**WHEREAS**, in addition, achieving this reduction would in part require reducing the cost of salaries and benefits of the University by freezing all vacancies and placing employees, including faculty, on furlough without pay for several days; and

**WHEREAS**, the latter action would undermine the plan of the University to bring up the salary of the faculty of the University over a period of years to a level on par with the average salary of faculty at its peer universities; and

**WHEREAS**, because of the above, the Finance and Budget Committee of the Board recommended on March 27, 2009, that the Board support the position of the President of the University relative to the section of the ARRA titled "Grants to Governors for Education."

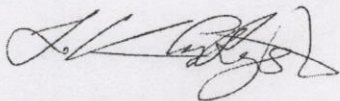
**NOW THEREFORE BE IT RESOLVED BY THE EXECUTIVE COMMITTEE OF THE BOARD AS FOLLOWS:**

- Section 1.** That the University is authorized to respectfully decline the request by the OMB that the University submit an appropriation-request, or a financial contingency plan, to accommodate a reduction of \$3,450,000 in funding from the GVI in FY10 and to reiterate that the section of the ARRA titled "Grants to Governors for Education" of the ARRA require the GVI to keep the University whole from any reductions in funding for FY09, FY10 and FY11 below the greater of FY08 and FY09 funding levels.
- Section 2.** That the President of the University and the Vice President of the University for Administration and Finance are hereby authorized to take such actions as are necessary and proper to implement this resolution.

CERTIFICATION

The Undersigned does hereby certify that the foregoing is a true and exact copy of a resolution approved by the Executive Committee of the Board of Trustees of the University of the Virgin Islands at a special meeting on Saturday, March 28, 2009 as recorded in said minutes.

---



Secretary of the Board

March 28, 2009

Date