

# **MINUTES**

Meeting of the Board of Trustees  
of the Medical University of South Carolina

October 3, 2008

It Is Understood that the Minutes Herein Recorded Have Not as  
Yet Been Approved and Cannot be Considered as Official Action  
of the Board Until Such Approval Has Been Given

Colcock Hall  
Medical University of South Carolina  
Charleston, South Carolina

**MINUTES**  
**MEDICAL UNIVERSITY OF SOUTH CAROLINA**  
**BOARD OF TRUSTEES MEETING**  
**October 3, 2008**

The Board of Trustees of the Medical University of South Carolina convened Friday, October 3, 2008, with the following members present: Dr. Charles B. Thomas, Jr., Chairman; Thomas L. Stephenson, Esquire, Vice Chairman; Dr. Stanley C. Baker, Jr.; Mr. Melvyn Berlinsky; Mr. William H. Bingham, Sr.; Mr. William B. Hewitt; Dr. Donald R. Johnson II; Dr. E. Conyers O'Bryan, Jr.; Dr. Paula E. Orr; Dr. Thomas C. Rowland, Jr.; Mr. Charles W. Schulze; The Honorable Robin Tallon; Dr. James E. Wiseman, Jr.; Mr. Allen E. Stalvey, Emeritus. Absent: Dr. Cotesworth P. Fishburne, Jr.

The following administrative officials were present: Dr. Raymond S. Greenberg, President; Dr. John Raymond, Vice President for Academic Affairs and Provost; Dr. Jerry Reves, Vice President for Medical Affairs, and Dean, College of Medicine; Ms. Lisa Montgomery, Vice President for Finance and Administration; Mr. Stuart Smith, Vice President for Clinical Operations and Executive Director, MUHA; and Dr. Frank Clark, Vice President for Information Technology and CIO; Mr. Jim Fisher, Vice President for Development.

The following deans were present: Dr. Jack Sanders, College of Dental Medicine; Dr. Perry Halushka, College of Graduate Studies; Dr. Mark Sothmann, College of Health Professions; Dr. Jerry Reves, College of Medicine; Dr. Gail Stuart, College of Nursing; Dr. Joseph DiPiro, SCCP and Dr. Arnold Karig, College of Pharmacy.

**Item 1. Call to Order-Roll Call.**

There being a quorum present, Chairman Thomas called the meeting to order. Ms. Celeste Jordan called the roll.

**Item 2. Secretary to Report Date of Next Meeting.**

The date of the next regularly scheduled meeting is Friday, December 12, 2008.

**Item 3. Approval of Minutes of the Regular Meeting of the Medical University of South Carolina Board of Trustees of August 8, 2008.**

Board Action: It was moved that the Minutes be approved. The motion was seconded, voted on and unanimously carried.

**RECOMMENDATIONS AND INFORMATIONAL REPORTS OF THE PRESIDENT.**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Item 4. General Informational Report of the President.**

Dr. Greenberg reported that there has been a lot of hard work on the capital campaign and that he is beginning to prepare for the upcoming legislative session. He hoped everyone could attend the Drug Discovery Building Groundbreaking Ceremony after the Board meeting. There will also be a celebration of the passing of

two benchmarks – the \$200 million in total research funding and \$100 million in NIH funding.

Dr. Raymond introduced Dr. Melanie Thomas who comes to the University from the M.D. Anderson Cancer Institute. She did her undergraduate education at Boston University; went to Harvard and received a masters in engineering; went back to Boston University to complete her medical training. She has excelled as a clinical investigator and a clinician in the field of multi-center cancer trials. She was recruited to MUSC in the Centers for Economic Excellence program. She holds the 20<sup>th</sup> chair recruited to the state and is the first woman chair. She holds the Grace DeWolff Endowed Chair in addition to the GI Malignancy Center for Economic Excellence Chair and is Associate Director for Clinical Investigation in the Hollings Cancer Center.

Dr. Melanie Thomas reviewed her background and what her plans and visions are for what she hopes to accomplish at MUSC. At the conclusion of Dr. Thomas' presentation, Dr. Greenberg stated that the board members would be good allies to help develop a network across the state and they will be a good resource for Dr. Thomas. For example, Dr. O'Bryan would be helpful in Florence and Dr. Baker and Mr. Schulze in Greenwood. Dr. Greenberg concluded by saying that he was very pleased to have Dr. Thomas at MUSC and hoped the outcome of the recent site visit would be positive.

Recommendations of Administration: That these reports be received as information.

Board Action: Received as information.

**Item 5. Other Business.** None

**RESEARCH AND INSTITUTIONAL ADVANCEMENT COMMITTEE. CHAIRMAN: DR. COTESWORTH P. FISHBURNE, JR. (Detailed committee minutes are attached to these minutes).**

**OLD BUSINESS:** None.

**NEW BUSINESS:** In Dr. Fishburne's absence, The Honorable Robin Tallon served as Chair of the Committee.

**Item 6. General Report of the Associate Provost for Research.**

Statement: Mr. Tallon reported the committee has received a general report by Dr. Lanier which was received as information.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action: Received as information.

**Item 7. General Report of the Vice President for Development.**

Statement: Mr. Tallon said Mr. Fisher had given a good report which was received as information.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action: Received as information.

**Item 8. General Report of the Executive Director of the MUSC Foundation for Research Development.**

Statement: Mr. Tallon said Mr. Chip Hood reported on a recent trip to Greenwood with Dr. Greenberg to meet the international chairman of FUJI.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

**Item 9. Other Committee Business.**

Statement: Mr. Tallon reported the committee had received a research presentation by Dr. Kathleen Brady on the South Carolina Clinical and Translational Research Institute. There was also a presentation by Ms. Toni Jernigan, Director of Planned Giving, on the new Planned Giving web site.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

The committee voted, by secret ballot, to re-elect Dr. Fishburne as Chair of the Research and Institutional Advancement Committee.

**Item 10. MUSC Foundation Proposed By-Laws Change.**

Statement: Mr. Tallon said Mr. Tom Anderson had presented proposed changes to the MUSC Foundation By-Laws and the committee recommended approval.

Recommendation of Administration: That the changes to the MUSC Foundation By-Laws be approved.

Recommendation of Committee: That the changes to the MUSC Foundation By-Laws be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the changes to the MUSC Foundation By-Laws.

**EDUCATION, FACULTY AND STUDENT AFFAIRS COMMITTEE. CHAIRMAN: MR. MELVYN BERLINSKY. (Detailed committee minutes are attached to these minutes).**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Item 11. Revisions to the MUSC Faculty Handbook.**

Statement: Mr. Berlinsky asked for approval of the changes to the MUSC Faculty Handbook.

Recommendation of Administration: That the revisions to the MUSC Faculty Handbook be approved.

Recommendation of Committee: That the revisions to the MUSC Faculty Handbook be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the revisions to the MUSC Faculty Handbook.

**Item 12. Conflict of Interest Policy.**

Statement: Mr. Berlinsky stated that the committee asked that the Conflict of Interest Policy be deferred to the next board meeting.

Recommendation of Administration: That the Conflict of Interest Policy be deferred to the next board meeting.

Recommendation of Committee: That the Conflict of Interest Policy be deferred to the next board meeting.

Board Action: A motion was made, seconded and unanimously voted to defer the Conflict of Interest Policy to the December Board meeting.

**Item 13. General Report of the Vice President for Academic Affairs and Provost.**

Statement: Dr. John Raymond reported that the committee had received two reports, one from the students and another from Dr. Valerie West who summarized all the academic activity including AHEC. He was also told the meeting was conducted in 16% of the usual time.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Report received as information.

**Item 14. Other Committee Business.**

Mr. Berlinsky asked for an executive session at the conclusion of the meeting.

The committee voted, by secret ballot, to re-elect Mr. Berlinsky Chair of the Education, Faculty and Student Affairs Committee.

**Item 15. Faculty Tenure Recommendations.**

Statement: At the request of the Deans of the Colleges of Health Professions, Medicine and Pharmacy, their respective Appointments, Promotions and Tenure Committees, and the University Tenure Committee, administration presents for approval the following faculty tenure recommendations, effective January 1, 2009:

College of Health Professions

**James S. Krause, Ph.D.**, Professor, Department of Health Professions, College of Health Professions

**Hon Keung Yuen, Ph.D., OTR/L.**, Associate Professor, Department of Health Professions, College of Health Professions

College of Medicine

**Andrew M. Atz, M.D.**, Associate Professor, Pediatrics, Division of Pediatric Cardiology

**Christopher Davies, Ph.D.**, Associate Professor, Biochemistry and Molecular Biology

**Maurizio Del Poeta, M.D.**, Associate Professor, Biochemistry and Molecular Biology

**Langdon A. Hartsock, M.D.**, Associate Professor, Orthopaedic Surgery

**Kathie L. Hermayer, M.D., M.S.**, Professor, Medicine, Division of Endocrinology

**Besim Ogretman, Ph.D.**, Associate Professor, Biochemistry and Molecular Biology

South Carolina College of Pharmacy

**Katherine D. Chessman, Pharm.D.**, Professor, Department of Pharmacy and Clinical Sciences, South Carolina College of Pharmacy

Recommendation of Administration: That the faculty tenure recommendations be approved.

Recommendation of Committee: That the faculty tenure recommendations be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the faculty tenure recommendations.

**Item 16. Faculty Appointments.**

Statement: At the request of the Deans of the Colleges of Medicine and Pharmacy, and their respective Appointments, Promotions and Tenure Committees, administration presents for approval the following faculty appointments:

College of Medicine

**Michelle I. Amaya, M.D.**, as Associate Professor, on the Clinician Educator track, in the Department of Pediatrics, Division of Pediatric Emergency Medicine, effective August 18, 2008.

South Carolina College of Pharmacy

**Sewell I. Kahn, M.D.**, as Clinical Associate Professor in the Department of Clinical Pharmacy and Outcomes Sciences, effective August 1, 2008.

Recommendation of Administration: That the faculty appointments be approved.

Recommendation of Committee: That the faculty appointments be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the faculty appointments.

**Item 17. Changes in Faculty Status.**

Statement: At the request of the Dean of the College of Medicine and its Appointments, Promotions and Tenure Committee, administration presents for approval the following changes in faculty status:

College of Health Professions

**Jennifer Horner, Ph.D., J.D.**, from Associate Professor to Adjunct Professor in the Department of Health Professions, Division of Communication Sciences and Disorders, effective January 1, 2008.

**Anne O. Kilpatrick, D.P.A.**, from Professor to Professor Emerita, effective December 31, 2008.

College of Medicine

**Richard A. Schmiedt, Ph.D.**, from Professor to Professor Emeritus in the Department of Otolaryngology – Head and Neck Surgery, effective July 1, 2008

College of Nursing

**Susan Benedict, D.S.C., R.N.**, from Professor to Professor Emerita, effective December 31, 2008.

Recommendation of Administration: That the changes in faculty status be approved.

Recommendation of Committee: That the changes in faculty status be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the changes in faculty status.

**Item 18. MUSC Trustees Leadership Academy Fellowship Nomination.**

Statement: Administration presents for approval, the following nomination for the MUSC Trustees Leadership Academy Fellowship to be effective May 15, 2008:

**Willette S. Burnham, M.Ed.**, Executive Director of Student Programs and Director, Office of Student Diversity.

Recommendation of Administration: That the nomination for the MUSC Trustees Leadership Academy Fellowship be approved.

Recommendation of Committee: That the nomination for the MUSC Trustees Leadership Academy Fellowship be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the nomination of Willette S. Burnham for the MUSC Trustees Leadership Academy Fellowship.

**FINANCE AND ADMINISTRATION COMMITTEE. CHAIRMAN: MR. CHARLES W. SCHULZE.**  
(Detailed committee minutes are attached to these minutes).

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Item 19. Financial Status Report of the Medical University of South Carolina.**

Statement: Mr. Schulze said Mr. Wamsley presented a positive report to the committee on the finances of the University.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action: Received as information.

**Item 20. Financial Status Report of University Medical Associates.**

Statement: Mr. Schulze said a positive report had been presented to the committee on the finances of University Medical Associates.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action: Received as information.

**Item 21. Financial Status Report of the MUSC Foundation for Research Development.**

Statement: Mr. Schulze said a report was given to the committee on the Foundation for Research Development.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.



Board Action: Received as information.

**Item 22. Other Committee Business.**

Statement: Mr. Schulze stated the committee had been presented the MUSC Award and Incentive/Bonus Compensation Policy for approval and the committee recommended approval.

Board Action: A motion was made, seconded and unanimously voted to approve the MUSC Award and Incentive/Bonus Compensation Policy.

The committee, by secret ballot, re-elected Mr. Schulze to serve as the Chair of the Finance and Administration Committee.

**Item 23. Resolution for Energy Service Company Performance Contract.**

Statement: The Resolution for the Energy Service Company Performance Contract was presented for approval.

Recommendation of Administration: That the Resolution for the Energy Service Company Performance Contract be approved.

Recommendation of Committee: That the Resolution for the Energy Service Company Performance Contract be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the Resolution for the Energy Service Company Performance Contract.

**UNIVERSITY PHYSICAL FACILITIES COMMITTEE. CHAIRMAN: MR. WILLIAM H. BINGHAM, SR. (Detailed committee minutes are attached to these minutes).**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Item 24. Update on Projects.**

Statement: Mr. Bingham stated that Mr. Lonnie Long had provided an update to the committee on the Drug Discovery and Bioengineering Buildings.

Recommendation of Administration: That this be received as information.

Recommendation of Committee: That this report be received as information.

Board Action: The report was received as information.

**Item 25. Other Committee Business.**

Statement: Mr. Bingham reported that he, Dr. Rowland and Dr. Wiseman had met, interviewed and selected Rosenblum Coe Architects to provide architectural service in

connection with the \$1.2 million project for the Harborview Office Tower Renovation for Neurosciences. The committee asked for approval of this selection.

Board Action: A motion was made, seconded and unanimously voted to approve the selection of Rosenblum Coe Architects to provide architectural services for the Harborview Office Tower Renovation for Neurosciences.

The committee re-elected, by secret ballot, Mr. Bingham, Chair of the University Facilities Committee.

**Item 26. Facilities Procurement/Contract Proposed.**

Statement: Mr. Bingham presented the following for approval:

- Energy Performance Contract for \$20,000,000. (Previously approved August 10, 2007 with stipulation to return to the Board with the firm selected: AMERESCO, Inc.) The scope of work includes lighting, water conservation, steam system improvements, automated building systems improvements, fume hood upgrades and chilled water system improvements including chiller replacements for the Children's Hospital and Clinical Sciences Building.
- Renewal Lease of 9,653 square feet of space located on the 4<sup>th</sup> floor of McClennan Banks. Renewal term 2 years for a total cost of \$428,400.14.
- Renewal lease of 5,404 square feet of space located at 5900 Core Avenue in North Charleston. A lease for 1 year 6 months for a total cost of \$162,000.

Recommendation of Administration: That these procurements/contracts be approved.

Recommendation of Committee: That these procurements/contracts be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the procurements/contracts as presented.

**Item 27. Facilities Contracts Awarded.**

Statement: The facilities contracts awarded since the last meeting were presented for information.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

**MEDICAL UNIVERSITY OF SOUTH CAROLINA AUDIT COMMITTEE. CHAIRMAN: THOMAS L. STEPHENSON, ESQUIRE (Detailed committee minutes are attached to these minutes).**

**OLD BUSINESS:** None

**NEW BUSINESS:**

**Item 28. MUSC Annual Compliance Report.**

Statement: Mr. Stephenson reported that Ms. Reece Smith presented the MUSC Annual Compliance Report to committee.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

**Item 29. UMA Annual Compliance Report.**

Statement: Mr. Stephenson reported that Ms. Julie Acker presented the UMA Annual Compliance report to committee.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

**Item 30. Report of Internal Auditor.**

Statement: Mr. Stephenson stated that everyone had received the written report of the internal auditor and if there were any questions, Ms. Barnhart was available to answer them.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action: Received as information.

**Item 31. Other Committee Business.**

Mr. Stephenson was re-elected Chair of the Audit committee by secret ballot of the committee.

**OTHER BUSINESS FOR THE BOARD OF TRUSTEES:**

**Item 32. Approval of Consent Agenda.**

Statement: Approval of the University Consent Agenda was requested.

Recommendation of Administration: That the consent agenda be approved.

Board Action: It was moved, seconded and unanimously voted that the consent agenda be approved.

**Item 33. New Business for the Board of Trustees.** None

**Item 34. Report from the Chairman.**

Dr. Thomas said he felt the changed format for the Thursday meeting, to give the Board the opportunity to discuss some important issues, went well. Unless there are objections from the Board, he said they would continue with that format but would cut back from four to three topics.

Dr. Greenberg said the only confirmed speaker for the December meeting was Dr. Bob Dickler from the Association of Medical Colleges. Also Speaker Bobby Harrell has tentatively agreed to meet with the Board in December.


Mr. Jim Fisher reminded the Board that their nominations for the Board of Visitors needed to be received by November 14.

Mr. Berlinsky had made a motion for an executive session to discuss contractual matters. Dr. Thomas moved the Board into executive session.

At the conclusion of the executive session, Dr. Thomas announced in open session that no action had been taken by the board.

There being no further business, the meeting of the University Board of Trustees was adjourned.

Respectfully submitted,

  
Hugh B. Faulkner III  
Secretary

/wcj  
Attachments

EDUCATION, FACULTY AND STUDENT AFFAIRS COMMITTEE. CHAIRMAN: MR.  
MELVYN BERLINSKY  
October 3, 2008

REGULAR AGENDA

Item 11. Revisions to the MUSC Faculty Handbook

Statement: At the request of the MUSC Faculty Senate, administration presents for approval revisions to Section 8.0 – Section 8.10: Faculty Grievance and Appeal, of the MUSC Faculty Handbook, effective October 3, 2008.

Recommendation of Administration: That these revisions to the MUSC Faculty Handbook be approved.

Recommendation of Committee: That these revisions to the MUSC Faculty Handbook be approved.

Board Action

Item 12. Conflict of Interest Policy.

Statement: Administration presents for approval the Unified Conflict of Interest Policy.

Recommendation of Administration: That approval of the Unified Conflict of Interest Policy be deferred.

Recommendation of Committee:

Board Action:

Item 13. General Report of the Vice President for Academic Affairs

Statement: A general report will be given by Dr. John Raymond.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee:

Board Action:

Item 14. Other Committee Business

**EDUCATION, FACULTY AND STUDENT AFFAIRS COMMITTEE. CHAIRMAN: MR. MELVYN BERLINSKY**  
October 3, 2008

**CONSENT AGENDA**

Item 15. Faculty Tenure Recommendations

Statement: At the request of the Deans of the Colleges of Health Professions, Medicine and Pharmacy, their respective Appointments, Promotions and Tenure Committees, and the University Tenure Committee, administration presents for approval the following faculty tenure recommendations, effective January 1, 2009:

College of Health Professions

**James S. Krause, Ph.D.**, Professor, Department of Health Professions, College of Health Professions

**Hon Keung Yuen, Ph.D., OTR/L.**, Associate Professor, Department of Health Professions, College of Health Professions

College of Medicine

**Andrew M. Atz, M.D.**, Associate Professor, Pediatrics, Division of Pediatric Cardiology

**Christopher Davies, Ph.D.**, Associate Professor, Biochemistry and Molecular Biology

**Maurizio Del Poeta, M.D.**, Associate Professor, Biochemistry and Molecular Biology

**Langdon A. Hartsock, M.D.**, Associate Professor, Orthopaedic Surgery

**Kathie L. Hermayer, M.D., M.S.**, Professor, Medicine, Division of Endocrinology

**Besim Ogretman, Ph.D.**, Associate Professor, Biochemistry and Molecular Biology

South Carolina College of Pharmacy

**Katherine D. Chessman, Pharm.D.**, Professor, Department of Pharmacy and Clinical Sciences, South Carolina College of Pharmacy

Recommendation of Administration: That these faculty tenure recommendations be approved.

Recommendation of Committee: That these faculty tenure recommendations be approved.

Board Action

Item 16. Faculty Appointments.

Statement: At the request of the Deans of the Colleges of Medicine and Pharmacy, and their respective Appointments, Promotions and Tenure Committees, administration presents for approval the following faculty appointments:

College of Medicine

**Michelle I. Amaya, M.D.**, as Associate Professor, on the Clinician Educator track, in the Department of Pediatrics, Division of Pediatric Emergency Medicine, effective August 18, 2008.

South Carolina College of Pharmacy

**Sewell I. Kahn, M.D.**, as Clinical Associate Professor in the Department of Clinical Pharmacy and Outcomes Sciences, effective August 1, 2008.

Recommendation of Administration: That these faculty appointments be approved.

Recommendation of Committee: That these faculty appointments be approved

Board Action:

Item 17. Changes in Faculty Status

Statement: At the request of the Dean of the College of Medicine and its Appointments, Promotions and Tenure Committee, administration presents for approval the following changes in faculty status.

College of Health Professions

**Jennifer Horner, Ph.D., J.D.**, from Associate Professor to Adjunct Professor in the Department of Health Professions, Division of Communication Sciences and Disorders, effective January 1, 2008.

**Anne O. Kilpatrick, D.P.A.**, from Professor to Professor Emerita, effective December 31, 2008.

College of Medicine

**Richard A. Schmiedt, Ph.D.**, from Professor to Professor Emeritus in the Department of Otolaryngology – Head and Neck Surgery, effective July 1, 2008

College of Nursing

**Susan Benedict, D.S.C., R.N.**, from Professor to Professor Emerita, effective December 31, 2008.

Recommendation of Administration: That these recommendations for changes in faculty status be approved.

Recommendation of Committee: That these recommendations for changes in faculty status be approved.

Board Action:

Item 18. MUSC Trustees Leadership Academy Fellowship Nomination

Statement: Administration presents for approval, the following nomination for the MUSC Trustees Leadership Academy Fellowship, to be effective May 15, 2008.

**Willette S. Burnham, M.Ed.**, Executive Director of Student Programs and Director, Office of Student Diversity

Recommendation of Administration: That this nomination for the MUSC Trustees Leadership Academy be approved.

Recommendation of the Committee: That this nomination for the MUSC Trustees

Leadership Academy be approved.

Board Action:



## COMMITTEE ON FINANCE AND ADMINISTRATION

October 2, 2008

### Minutes

#### Attendees:

Mr. Charles W. Schulze, Chair  
Dr. Stanley C. Baker, Jr.  
Mr. Melvyn Berlinsky  
Mr. William H. Bingham, Sr.  
Mr. William B. Hewitt  
Dr. Donald R. Johnson II  
Dr. Paula E. Orr  
Dr. E. Conyers O'Bryan, Jr.  
Dr. Thomas C. Rowland, Jr.  
Thomas L. Stephenson, Esquire  
The Honorable Robin M. Tallon  
Dr. Charles B. Thomas, Jr.  
Dr. James E. Wiseman, Jr.  
Mr. Hugh B. Faulkner III  
Dr. Raymond S. Greenberg

Ms. Susan Barnhart  
Ms. Annette Drachman  
Ms. Susie Edwards  
Mr. Joe Good  
Mr. Chip Hood  
Dr. Steve Lanier  
Ms. Lisa McGill  
Mr. Stewart Mixon  
Ms. Lisa Montgomery  
Ms. Jody O'Donnell  
Dr. Jerry Reves  
Ms. Janet Scarborough  
Ms. Reece Smith  
Mr. Stuart Smith  
Mr. Maurice Snook  
Mr. Patrick Wamsley

Mr. Schulze called the meeting to order.

#### **REGULAR Items**

##### **Item 19. Financial Status Report of the Medical University of South Carolina**

Mr. Patrick Wamsley presented a report on University financial information as of August 30, 2008. (Attached).

Recommendation of Committee: That this report be received as information.

##### **Item 20. Financial Status Report of University Medical Associates**

Mr. Mike Keels presented a report on UMA financial information as of August 30, 2008. (Attached).

Recommendation of Committee: That this report be received as information.

##### **Item 21. Financial Status Report of Foundation for Research Development**

Ms. Janet Scarborough presented a report on MUSC Foundation for Research Development finances. (Attached).

Recommendation of Committee: That this report be received as information

**Item 22. Other Committee Business**

Ms. Montgomery presented the MUSC Award and Incentive/Bonus Compensation Policy for approval.

Recommendation of Committee: That the policy be approved.

The Committee members voted, by secret ballot, to re-elect Mr. Charles Schulze, Chair of the Committee.

Mr. Schulze also asked about the impact of possible further budget cuts from the State. Mr. Faulkner said it could be up to 6% for the year but no final determination had been made in Columbia. Mr. Schulze asked Ms. Montgomery to provide, by the December meeting, a list of capital projects that could be put on hold if the financial situation warranted it.

CONSENT AGENDA

**Item 23. Resolution for Energy Service Company Performance Contract.**

Mr. Schulze asked for approval of the Resolution as presented.

Recommendation of Committee: The Resolution be approved as presented.

There being no further business, the meeting was adjourned.

*Medical University of South Carolina*

**RESEARCH AND INSTITUTIONAL ADVANCEMENT COMMITTEE**

**MINUTES**

**October 2, 2008**

Committee Members Present: Mr. William H. Bingham, Sr., Mr. William B. Hewitt, Dr. Paula E. Orr, Dr. Thomas C. Rowland, Jr., The Honorable Robin Tallon (Acting Chair), Dr. James E. Wiseman, Jr.

Committee Members Not Present: Dr. Cotesworth P. Fishburne, Jr., Dr. Donald R. Johnson II, Mr. Thomas L. Stephenson, Esq.

Other Trustees Present: Dr. Stanley C. Baker, Jr., Mr. Charles W. Schulze, Dr. Charles B. Thomas, Jr.

Other Participants: Mr. Thomas P. Anderson, Dr. Kathleen Brady, Mr. John Cooper, Dr. John R. Feussner, Mr. Jim Fisher, Mr. Dennis Frazier, Mr. Joseph Good, Esq., Dr. Raymond S. Greenberg, Mr. William C. Hood, Ms. Toni Jernigan, Dr. Stephen M. Lanier, Dr. J.G. Reves, Ms. Margaret P. Schachte, Mr. Stuart Smith, Mr. Maurice Snook

**Regular Agenda**

Call to Order

Mr. Tallon called the meeting to order at 1:15 PM in the Colcock Hall Board Room.

Item 6.

General Report of the Associate Provost for Research

Dr. Lanier distributed the Annual Research Funding Report for FY 2007-08. MUSC achieved a new record with a total exceeding \$202 million in total extramural research funding and more than \$100 million from the National Institutes of Health. Every college exhibited growth in research awards. Dr. Lanier observed that the record levels of proposals submitted is helping sustain MUSC's research momentum. Dr. Greenberg praised Dr. Lanier's leadership role in working with the City of Charleston and SC Research Authority to make the Charleston Biotech Incubator a reality. He also noted that the National Cancer Institute Site Visit to review the Hollings Cancer Center's request for NCI-Designated Cancer Center status on Sept. 25 was exceptional. Dr. Lanier introduced Dr. Kathleen Brady for the Research Presentation, as summarized below under Item 9. Keynotes in the Meeting Program Booklet included:

- External Review of SC Centers of Economic Excellence, MUSC campus visit, Sept. 8-10
- Charleston Biotech Incubator – Press Conference Announcement, Sept. 23
- Groundbreaking Ceremony for Drug Discovery Building, Oct. 3
- Celebration of breaking the \$200 million total/\$100 million NIH research funding mark, Oct. 3
- Recruitment process initiated for Director of Hollings Marine Laboratory
- Submission of CTSA grant application, Oct. 21 – update from Dr. Kathleen Brady (also reported under Item 9)
- FY 2008-09 Extramural Awards through Aug. 31: \$46.1 million

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action:

Item 7.            General Report of the Vice President for Development

Mr. Fisher presented the institutional advancement activities report. He noted that the fundraising total of \$12.8 million as of Sept. 19<sup>th</sup> is a 2.4-fold increase over the previous year's mark of \$5 million at the same time point. The on-campus meeting of The Duke Endowment in late August went extremely well. Over the years The Duke Endowment has provided more than \$16 million to support programs at MUSC and several program requests are currently under consideration. The feedback regarding the meeting was outstanding. Mr. Fisher introduced Ms. Toni Jernigan to give the Development Presentation, as summarized below under Item 9. Keynotes in the Meeting program booklet included:

- The Duke Endowment Board of Trustees site visit, Aug. 27
- Fundraising year-to-date: \$12.8 million (as of Sept. 19)
- Capital Campaign year-to-date: \$237.9 million (as of Sept. 19)
- President's Gala for major benefactors, Oct. 10
- Board of Visitors nominations due currently

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action:

Item 8.            General Report of the Executive Director of the MUSC Foundation for Research Development

Mr. Hood reported on a recent trip with Dr. Greenberg to Greenwood, SC to meet with the international chairman of FUJI as well as the director of FUJI Medical and the head of the Greenwood division. The discussions went exceptionally well, pointing toward an expanded relationship between MUSC and FUJI. President Greenberg noted MUSC's strong ties with Greenwood, including FUJI, Self Memorial Hosp, and Greenwood Genetic Center. He thanked Mr. Schulze and Dr. Baker for their ongoing help with those relationships. Keynotes in the Meeting Program Booklet included:

- Accompanied President Greenberg to Greenwood for FUJI's 20<sup>th</sup> anniversary event to meet with the FUJI International Chairman from Japan; discussed a robust relationship with FUJI.
- Two new startups received approval for funding from SCLaunch/SCRA, including one CoEE-based startup.
- Four additional startups are in the process of being formed around MUSC IP.
- New inventions this FY to date: 9

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action:

Item 9.            Other Committee Business

RESEARCH PRESENTATION. Kathleen Brady, MD, PhD, gave an update on the development of the South Carolina Clinical and Translational Research Institute (SCTR). MUSC will submit a competitive grant application to the NIH Clinical and Translation Research Award (CTSA) Program by Oct. 21, 2008. MUSC is the academic home and

lead institution for SCTR. Dr. Brady is SCTR Director and Principal Investigator with Perry V. Halushka, MD, PhD, serving as co-Principal Investigator. SCTR affiliate organizations include Health Sciences South Carolina, University of South Carolina, Clemson University, Greenwood Genetic Center, Claflin University and South Carolina State University. Vanderbilt University's CTSA leadership team is consulting and advising on the full development of SCTR, notably in the area of Biomedical Informatics.

DEVELOPMENT PRESENTATION. Ms. Toni R. Jernigan, Director of Planned Giving in the MUSC Office of Development, gave an update on the new Planned Giving web site at [http://muscgiftlegacy.com/plgive\\_main.jsp?WebID=GL2007-1129](http://muscgiftlegacy.com/plgive_main.jsp?WebID=GL2007-1129). Development launched the Planning Giving web site in December, and started actively marketing the site in March. The site has generated major interest, resulting in approximately 65,000 hits to date, currently at a rate of approximately 9000/month. The Financial Calculator tool appears to be especially popular with attorneys and tax advisors.

## CONSENT AGENDA ITEM FOR APPROVAL

### Item 10. MUSC Foundation Proposed By-Laws Change

Mr. Anderson addressed this Consent Agenda Item. Proposed changes to the MUSC Foundation By-Laws require the approval of the MUSC Board of Trustees. The proposed change would reduce from three years to one the minimum time to restore eligibility after an individual has served three consecutive terms on the MUSC Foundation Board. The motion to recommend approval was unanimously confirmed.

Recommendation of Administration: That this be approved

Recommendation of Committee: That this be approved.

Board Action:

There being no further business, the meeting was adjourned at 1:55 PM.

**Medical University of South Carolina  
Physical Facilities Committee  
October 2, 2008  
Minutes**

**Attendees:**

Mr. Charles W. Schulze, Chair  
Dr. Stanley C. Baker, Jr.  
Mr. Melvyn Berlinsky  
Mr. William H. Bingham, Sr.  
Mr. William B. Hewitt  
Dr. Donald R. Johnson II  
Dr. Paula E. Orr  
Dr. E. Conyers O'Bryan, Jr.  
Dr. Thomas C. Rowland, Jr.  
Thomas L. Stephenson, Esquire  
The Honorable Robin M. Tallon  
Dr. Charles B. Thomas, Jr.  
Dr. James E. Wiseman, Jr.  
Mr. Hugh B. Faulkner III  
Dr. Raymond S. Greenberg  
Ms. Susan Barnhart  
Ms. Annette Drachman

Ms. Susie Edwards  
Mr. Jack Feussner  
Mr. Dennis Frazier  
Mr. Joe Good  
Mr. Chip Hood  
Mr. Mike Keels  
Dr. Steve Lanier  
Mr. Lonnie Long  
Ms. Lisa McGill  
Mr. Stewart Mixon  
Ms. Lisa Montgomery  
Ms. Jody O'Donnell  
Dr. Jerry Reves  
Ms. Janet Scarborough  
Ms. Reece Smith  
Mr. Stuart Smith  
Mr. Maurice Snook  
Mr. Patrick Wamsley

Mr. Bingham called the meeting to order.

**REGULAR Items**

**Item 24.        Update on Projects**

Mr. Lonnie Long provided an overview of the Drug Discovery & Bioengineering Buildings design.

Recommendation of Committee: The report be received as information.

**Item 25.        Other Committee Business**

Mr. John Malmrose reported that Mr. Bingham, Dr. Rowland and Dr. Wiseman had met, interviewed and selected Rosenblum Coe Architects to provide architectural services in connection with the \$1.2 million project for the Harborview Office Tower Renovation for Neurosciences. The Committee was asked to approved this selection.

**Recommendation of Committee: To approve the selection of Rosenblum Coe Architects as presented.**

The Committee members re-elected, by secret ballot, Mr. Bingham to serve as Chair of the committee.

## **CONSENT AGENDA ITEMS FOR APPROVAL:**

### **Item 26.      Facilities Procurements/Contracts Proposed**

- Energy Performance Contract for \$20,000,000. (Previously approved August 10, 2007 with stipulation to return to the board with the firm selected: AMERESCO, Inc.) The scope of work includes lighting, water conservation, steam system improvements, automated building systems improvements, fume hood upgrades and chilled water system improvements including chiller replacements for the Children's Hospital and Clinical Sciences Building.
- Renewal Lease of 9,653 square feet of space located on the 4<sup>th</sup> floor of McClennan Banks. Renewal term 2 years for a total cost of \$428,400.14.
- Renewal Lease of 5,404 square feet of space located at 5900 Core Avenue in North Charleston. A lease for 1 year 6 months for a total cost of \$162,000.

Recommendation of Committee: That the procurements/contracts be approved.

## **CONSENT Items for Information:**

### **Item 27.      Facilities Contracts Awarded**

The facilities contracts since the last board meeting were presented for information.

Recommendation of Committee: That this report be received as information.

With no further business, the meeting was adjourned.

**Medical University of South Carolina  
Audit Committee  
October 2, 2008  
Minutes**

**Attendees:**

Thomas L. Stephenson, Esquire, Chair  
Dr. Stanley C. Baker, Jr.  
Mr. Melvyn Berlinsky  
Mr. William H. Bingham, Sr.  
Mr. William B. Hewitt  
Dr. Donald R. Johnson, II  
Dr. Paula E. Orr  
Dr. E. Conyers O'Bryan, Jr.  
Dr. Thomas C. Rowland, Jr.  
Mr. Charles W. Schulze  
The Honorable Robin M. Tallon  
Dr. Charles B. Thomas, Jr.  
Dr. James E. Wiseman, Jr.  
Mr. Hugh B. Faulkner III  
Dr. Raymond S. Greenberg  
Ms. Julie Acker

Ms. Susan Barnhart  
Ms. Annette Drachman  
Ms. Susie Edwards  
Mr. Joe Good  
Mr. Chip Hood  
Dr. Steve Lanier  
Ms. Lisa McGill  
Mr. Stewart Mixon  
Ms. Lisa Montgomery  
Ms. Jody O'Donnell  
Dr. Jerry Reves  
Ms. Janet Scarborough  
Ms. Reece Smith  
Mr. Stuart Smith  
Mr. Maurice Snook  
Mr. Patrick Wamsley

Mr. Stephenson called the meeting to order.

**REGULAR Items**

**Item 28. MUSC Annual Compliance Report.**

Ms. Reece Smith presented the MUSC Annual Compliance report.

Recommendation of Committee: That this be received as information.

**Item 29. UMA Annual Compliance Report.**

Ms. Julie Acker presented the UMA Annual Compliance report.

Recommendation of Committee: That this be received as information.

**Item 30. Report of the Internal Auditor.**

Mr. Stephenson stated that the Board had previously received the report on the activities of the office of Internal Audit. If anyone had any questions, Ms. Susan Barnhart was present to answer them.

Recommendation of Committee: That this be received as information.



**Item 31. Other Committee Business.**

Mr. Stephenson stated that Dr. Raymond had been working very hard on a unified conflict of interest policy which will b brought to the Board for consideration during the December meeting.

The committee members voted, by secret ballot, to re-elect Mr. Thomas Stephenson Chair of the Audit Committee.

Recommendation of Committee: That Mr. Thomas Stephenson be re-elected Chair of the Audit Committee.

Respectfully submitted,

Celeste Jordan

**Report of President's Activities  
Medical University of South Carolina  
to Board of Trustees  
October 3, 2008**

Since the August 8, 2008 meeting of the MUSC Board of Trustees, Dr. Greenberg's activities have been concentrated in the following areas:

**1. Meetings with public officials:**

- a. Congressman Clyburn – 8/22
- b. Rep. Tracy Edge – 8/27
- c. State Treasurer Chellis – 9/4
- d. CoEE Review Board – 9/8
- e. Speaker Harrell – 9/15, 9/24
- f. Senator McConnell – 9/24
- g. Senator Hollings – 9/24

**2. Media Interviews/Invited Public Presentations**

- a. *Inside Healthcare* article on A.R.T. – 8/12
- b. Mt. Pleasant Business and Professional Association – 8/21
- c. *Charleston Regional Business Journal* – 8/21
- d. Welcome Nuclear Alternatives conference – 8/22
- e. Phi Lambda Sigma students – 8/25
- f. Press conference re incubator facility – 9/24
- g. SCE TV radio – 9/25

**3. Presentations to/Meetings with MUSC constituencies:**

- a. Memorial service for Dr. Pratt-Thomas – 8/8
- b. Memorial service for Dr. Frei-Lahr – 8/12
- c. VP Retreat – 8/13
- d. Leadership Diversity Institute – 8/15
- e. New student orientation – 8/18
- f. CTSA Town Hall meeting – 8/18
- g. Faculty Convocation – 8/19
- h. Neurosciences faculty – 8/22
- i. Trustees Leadership Academy reception – 8/26
- j. President's Council – 8/26
- k. Palmetto Portraits Project committee – 9/9
- l. Presidential Scholars Orientation – 9/9
- m. Vice Presidents – 9/10
- n. Seinsheimer Heart program – 9/10

- o. Foundation for Research Development Board – 9/12
- p. CHP Alumni Day and presentation of Presidential Merit Award – 9/12
- q. DDC Advisory Board
- r. MUSC Advisory Board chairs – 9/16
- s. Palmetto Portrait Project III opening – 9/24
- t. MUHA administrators – 9/25

**4. Meetings with outside constituencies:**

- a. LS3P – 8/19
- b. C3 External Advisory Board – 8/19
- c. Bioengineering building architects – 8/21
- d. Washington Advisory Group, Six-Year Accreditation Team – 9/9
- e. KPMG external auditors – 9/12
- f. National Cancer Institute site visit – 9/25
- g. SCRA Executive Committee – 9/26
- h. Sea Grant Board – 9/29
- i. Sodexo personnel – 9/29

**5. Meetings with donors:**

- a. Development phone calls – 8/19, 9/4
- b. Development visit, Greenwood: Fujifilm – 9/15
- c. Development lunches – 8/21
- d. Development dinners – 8/14, 8/21, 9/4, 9/16, 9/26, 9/27
- e. The Duke Endowment Board – 8/27
- f. V. K. Rasmussen Foundation – 9/17
- g. Reverse site visit to Reynolds Foundation, Las Vegas – 9/22

**6. Collaborative discussions:**

- a. HSSC – 8/12
- b. VAMC – 8/25
- c. Presidents Barker and Pastides – 8/25, 9/8
- d. College of Charleston: Presidents and Provosts – 9/9
- e. Sea Grant – 9/11
- f. Self Regional Hospital – 9/15
- g. Presidents Benson, Rosa – 9/16
- h. Francis Marion University – 9/23

**Section 4.3. Terms of Appointment.** Terms of appointment shall be three years with appointments made annually on a staggered schedule so that nine (9) at large members and one University/Authority Trustee member are elected each year. Unless recommended by the Nominating Committee and authorized by a vote of two-thirds (2/3rds) of the Directors then in office, a Director shall serve no more than three consecutive three year terms. After a lapse of ~~one or more years~~, a Director may be re-elected.

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## 8. FACULTY GRIEVANCE AND APPEAL

The right to grieve and appeal by any member of the faculty is recognized by the administration and the Board. Presentation of grievances is made through the following procedures established by and for the faculty and approved by the administration and the Board of Trustees.

### 8.01 Faculty Grievance and Appeal Procedure

In any community of free people, even under the best of circumstances, complaints will be generated from time to time by individuals or groups who feel that a condition exists that is detrimental to their professional careers or personal well-being.

A community of academicians operates on the premise that a complaint brought by one or more of its members against another or against the institution itself is best resolved when the parties involved are encouraged to seek a just and equitable solution.

When individual efforts fail to produce a satisfactory resolution of a complaint, it behooves the greater academic community to intercede so that an equitable solution is obtained with dispatch.

Therefore, a grievance and appeal procedure is established to handle complaints that cannot be resolved in an informal way at the department or college level and which are not covered by other procedures.

Participation in a grievance procedure in any capacity, including as a griever, within the scope of such grievance proceeding is considered by the University to be within the scope of duties of a faculty member. The faculty member shall be afforded the same protection for such participation as for any other faculty duties subject to the provisions of the liability insurance policies purchased to cover liability of faculty members.

The granting or the failure to grant tenured status to ~~clinical~~ teaching or research faculty, professional librarians, academic administrators and all other persons holding faculty appointments or nonrenewal of employment contracts at the end of the contract term shall not be subject for consideration by ~~any person~~ <sup>any person</sup> ~~subject to~~ <sup>subject to</sup> this grievance procedure (Section 8-17-380, S.C. Code of Laws 1976). ~~For non-tenured persons, including teaching, of faculty appointment contracts, the grievance procedure shall apply.~~

### 8.02 Initial Stage and Grievance Procedure

A complaint concerning any condition that is felt to be detrimental to the complainant's professional development or personal well-being shall first be directed as described below:

- (1) Complaints against a member of the complainant's department shall be explained to the departmental chair. When the complaint is against the chair, it is lodged with the dean of the college.

- (2) Complaints against a member or chairman in the complainant's college, but not a member of the complainant's department, shall be lodged with the dean of the college.
- (3) Complaints against a member of another college shall be lodged with the dean(s) of the college(s) involved.
- (4) Complaints against any administrator shall be lodged with the next higher level of administration.

The person with whom the complaint is lodged shall attempt to mediate an amicable solution through his/her good offices, or to suggest another person who might effectively mediate an amicable solution.

### 8.03 Grievance Procedure

- (1) In the event that the complaint is not resolved within a reasonable period of time, the complainant may submit a written request for a hearing. The proper avenue for such a request is through established channels of authority to the Vice President for Academic Affairs and Provost. Once initiated, a grievance or appeal must be afforded full due process regardless of changes in employment status.
- (2) The grievance or appeal shall be referred by the Vice President for Academic Affairs and Provost to a **grievance committee** consisting of **three** members, one of whom shall be a **member** recommended by the Deans' Council, and one or more members selected by the Vice President for Academic Affairs and Provost. The Committee may elect a chair, or may request that the Vice President for Academic Affairs and Provost designate one of the seven individuals serving on the Deans' Council to serve as chair. All individuals serving on the grievance committee shall be members of the Library System, and the Deans' Council may nominate individuals to receive training and to serve in the pool of potential Hearing Committee Members. A pool of individuals to the Standing University Faculty Hearing Committee will be composed of representatives from each college and the Library System nominated by the Faculty Senate, and up to two members from each college and the Library System recommended by the Deans' Council. **Standing University Faculty Hearing Committee members shall serve** up to three years, staggered such that one-third be serving each year, and may be re-elected.
- (3) The grievance or appeal shall be in writing and shall specify the condition(s) felt to be detrimental to the individual's professional development or personal well-being and the manner in which it may affect the complainant adversely. The statement shall specify the reason(s) why such a condition is felt to be the responsibility of a person or persons named in the grievance or appeal, and it shall suggest the changes in conditions that would satisfy the complainant.

- (4) Upon receipt of a grievance or appeal, and in no case longer than thirty (30) days after the receipt thereof, the Vice President for Academic Affairs and Provost will convene a Hearing Committee at full strength from individuals selected from the appropriate faculty, staff, and student community.

#### 8.04 Action by the Hearing Committee

- (1) When a grievance or appeal is referred to the Hearing Committee, the chair of the Committee shall distribute true copies of all pertinent materials to the parties involved who have not already received them and to the members of the Committee within one week of the referral.

The Committee shall refuse to hear a grievance or appeal if it determines that:

- (a) The parties have made inadequate effort to resolve the dispute by discussion and agreement or have not utilized other reasonably available avenues for relief within the division, department, college(s);
  - (b) The dispute is patently frivolous or plainly without merit;
  - (c) The relief sought is beyond the power of the University to grant;
  - (d) The grievance is insufficiently related to the concerns of the academic community;
  - (e) The dispute is within the jurisdiction of another committee or unit of the University.
- (2) Within twenty-one (21) days of the distribution of the materials pertinent to the grievance or appeal, the Committee shall meet and decide whether to hear the case. If the Committee decides to hear the case, it shall immediately notify the principals and shall commence hearings within another seven (7) days. As it deems appropriate, the Committee may call any witnesses and examine any documents in addition to those presented by the parties to the grievance or appeal. The Committee shall prepare and keep a transcript of its proceedings.
  - (3) After hearing the parties to the grievance or appeal and the witnesses, the Committee shall deliberate in secret. It shall then determine to: (a) recommend an appropriate action or (b) dismiss the grievance. The chair shall send, in writing, the Committee's recommendation to the parties. It shall then declare the hearing concluded.
  - (4) The chair also shall send the Committee's recommendation and rationale for it to the Vice President for Academic Affairs and Provost of the University for consideration and recommendation by that officer. This report shall be submitted within ten (10) days after the conclusion of the hearing.

- (5) In reaching the written recommendations to the Vice President for Academic Affairs and Provost the Committee shall consider only the evidence presented at the hearing and such written and oral arguments as the Committee, in its discretion, may allow.
- (6) Under unusual and compelling circumstances, the Committee, with the concurrence of the Vice President for Academic Affairs and Provost, may extend any deadlines upon written notification to the parties to the grievance or appeal.

#### 8.05 Action by the Administration of the University

Within thirty (30) days of the receipt of the Hearing Committee recommendations and rationale, the Vice President for Academic Affairs and Provost of the University, who is ordinarily appointed by the President to act on her/his behalf, shall review the record and notify the parties to the grievance or appeal and the chair of the Hearing Committee of his/her recommendation in the case. In the event that the Vice President for Academic Affairs and Provost has been a participant in the hearing of the aggrieved faculty member or for other valid reasons, the Vice President for Academic Affairs and Provost may disqualify herself/himself and request the President to appoint another designee for said review.

If the Vice President for Academic Affairs and Provost concurs in the recommendation of the Committee that is favorable to the faculty member, no further action in the matter may be taken. If the Vice President for Academic Affairs and Provost either declines to accept a Committee recommendation that is favorable to the faculty member, or concurs in a Committee recommendation that is unfavorable to the faculty member, the faculty member may appeal to the Board for review. The appeal shall be submitted in writing to the Secretary of the Board within ten (10) days following the decision of the Vice President for Academic Affairs and Provost who ordinarily acts as the designee of the President. It shall state the decision complained of and the redress desired.

#### 8.06 Action by the Board

The appeal shall be placed on the next regular Agenda of the Board for the consideration of the Board.

The Board in its sole discretion may grant a review, but if granted the Board shall not be required to conduct an additional hearing or hear arguments of the faculty member or counsel but may review the record of the proceedings. The Board, at its discretion, may elect to hear arguments, oral or written, by both of the principals or their representatives and may consult with the hearing Committee.

Any action taken by the Board shall be final.

#### 8.07 Definition of Rights and Challenges in a Grievance Procedure

- (1) Challenge of Committee Members:



(a) Upon the request of a party to a grievance, a member of the Committee may be removed from considering a case if deemed biased or in conflict of interest. If a member of the Committee refuses to remove herself/himself when challenged for such cause, the challenging party may appeal to the entire Committee which shall make a final determination of the challenge. A Committee member may disqualify herself/himself.

(b) If s/he so desires, each party shall have, in addition, a challenge without stated cause. A member so challenged shall not consider the case.

(2) To Present Witnesses and Supporting Materials:

Each party involved in a grievance or appeal may: (1) submit any written materials in support of his/her position; (2) present witnesses at hearings.

(3) To Have an Advisor During the Hearing:

(a) Each party to a grievance or appeal may be accompanied in the hearing by a nonparticipating advisor of his/her choice and may consult with the advisor throughout the hearing.

(b) If any party chooses to have participating legal counsel present, written notification must be presented to the chair of the Committee at least five (5) days before the hearing. The chair shall then promptly notify the other parties. ~~The hearing shall be conducted in a fair and impartial manner, neither party shall be allowed to participate in the hearing if they are not properly notified. The chair of the hearing shall have the authority to remove any advisor from the hearing should said advisor persist in attempts to participate in the hearing (either directly, indirectly, or in any other manner).~~

(4) To Have an Observer Attend Hearings:

At the request of any party to a grievance or appeal, or at the request of the Committee hearing the case, a representative of a responsible professional or educational association shall be permitted to attend hearings as an observer. The chair will determine the qualifications and responsibility of the association.

8.08 Access to Records of Hearings:

(1) A written record shall be made of the proceedings during hearings.

(2) Each party to a grievance or appeal shall have access to all records of the hearing and, should s/he request it, shall be furnished, upon payment of reasonable charges for transcription or reproduction, a record of the proceedings. (A copy of the official record of the proceedings, in whatever form it is made, shall satisfy this requirement.)

8.09 To Receive Expeditious Consideration:



**MUSC Award and Incentive/Bonus Compensation  
For Board of Trustees Approval  
October, 2008**

**I. POLICY**

The Medical University of South Carolina (MUSC) strives to ensure fair, consistent and equitable compensation practices for its employees. MUSC also seeks to reward exemplary performance. Under certain circumstances, MUSC may use incentives/bonuses as outlined in this policy a part of its comprehensive compensation plan. This policy applies to employees funded or employed by any MUSC entity.

**II. ELIGIBILITY**

This policy applies to all permanent and probationary employees and makes them eligible for consideration for an award or incentive pay increase within their respective organizational units. This policy does not guarantee nor specifically require that bonuses/incentives be used; the use of bonuses and incentives is contingent upon the respective area Vice President's approval and upon budget availability.

Temporary and research grant employees may be eligible under the parameters set herein if funding allows for such increases.

An incentive or bonus may be used for an individual employee or groups of employees whose performance directly affects the University in part or as a whole.

MUSC may spend federal and other non-state sources of revenue to fund a bonus or incentive payment to eligible employees under this policy.

State appropriated funds may also be used as outlined in Section IV, Bonus Compensation, of this policy, but are limited to \$3,000 per fiscal year.

A lump sum incentive/bonus payment is not a part of the employee's base salary. These payments are also subject to the supplemental tax rate and are not used for retirement calculation purposes.

**III. INCENTIVE COMPENSATION**

A department may develop an incentive compensation plan as part of an employee's total compensation, placing a portion of the employee's salary at risk for the year. Specific guidelines must be developed by the department, approved in advance by HRM and be clearly communicated to the employee prior to its implementation.

**The incentive plan must not exceed 5% of the employee's base salary and will be paid as a lump sum bonus.** The compensation should be determined in keeping with the organization's pay philosophy of targeting the market median (50<sup>th</sup> percentile) as a competitive pay rate.

**MUSC Award and Incentive/Bonus Compensation  
For Board of Trustees Approval  
October, 2008  
Page Two**

**A. Procedure**

In developing a proposal, departments should identify key performance metrics and establish "SMART" goals (Specific, Measurable, Attainable, Realistic, and Timely) for each metric and prior to the plan going into effect. The following items must be included in each proposal, using the attached form:

- Purpose
- Affected positions/employees
- Baseline/historical data
- "SMART" Target goals
- Funding
- Recommended awards/increases
- Verification/audit of data

**B. Exceptions**

Exceptions that target bonuses in excess of 5% will be allowed if first reviewed and approved through the respective Vice President and the Department of Human Resources. These requests must meet specific criteria that justify such exceptions. Under no circumstances will an exception be approved for increases that exceed **10% of the employee's base salary**.

**IV. BONUS COMPENSATION (Standard State Bonus Awards):**

**A. Lump sum payments**, not to exceed \$3,000 in a fiscal year, may be awarded after the fact to recognize one of the following:

- Contributions to increased organizational productivity;
- Development and/or implementation of improved work processes;
- Exceptional customer service;
- Exceptional patient satisfaction;
- Realized cost savings
- Recruitment and retention (requires plan specifically approved for difficult to recruit positions and the amount will be determined based on market data with Vice President and Human Resources approval).

**B. Group Bonuses**

A department may develop a group incentive plan by following the criteria outlined above. Group incentive awards may not exceed \$3,000 per employee in a fiscal year, including any awards received as individual lump sum bonuses.

**MUSC Award and Incentive/Bonus Compensation  
For Board of Trustees Approval  
October, 2008  
Page Three**

**V. ORGANIZATIONAL PAY FOR PERFORMANCE**

Each year a specific organizational pay for performance plan may be approved by MUSC executive leadership and the academic deans. This plan may include a provision for employees that are at or near the pay band maximum to be eligible for a lump sum bonus. Specific details will be available each fiscal year regarding this provision. Receipt of a bonus under this program does not prohibit an employee from receiving a bonus as outlined in Section IV, Bonus Compensation, of this policy.

**VI. REPORTING AND EFFECTIVE DATES**

All entities will provide a list of incentive award recipients and the amount of incentive received on an annual basis to the Board of Trustees. This policy will be effective upon approval by the Board of Trustees retroactively to July 1, 2008.

MEDICAL UNIVERSITY OF SOUTH CAROLINA  
BOARD OF TRUSTEES  
OCTOBER 3, 2008

RESOLUTION

WHEREAS, in August 2007 the Board of Trustees authorized the Medical University of South Carolina (the University) to advertise for an Energy Service Company (ESCO) performance contract estimated at \$20,000,000.

WHEREAS, the University desires to enter into a financing agreement through the South Carolina Treasurer's Office (Master Lease Program) to borrow the funds needed to purchase and implement energy conservation measures to benefit both the University and the Hospital Authority and to repay such measures over the term of eight (8) years such that the repayments fall as closely as possible to the cost savings generated.

THEREFORE, BE IT RESOLVED that the University is authorized to utilize the South Carolina Master Lease Program for the purpose of financing approximately \$20,000,000 of the costs of purchasing and implementing energy conservation measures that will benefit both the University and the Hospital Authority with the understanding that debt service payments are generated from energy savings.

**FACILITIES**  
**ENERGY PERFORMANCE CONTRACT**  
**FOR APPROVAL**

**October 3, 2008**

PROJECT TITLE:     Energy Performance Contract

PROJECT NUMBER:         To Be Determined

TOTAL ESTIMATED BUDGET:     \$20,000,000

SOURCE(S) OF FUNDS: State Treasurer's Office Master Lease Program/Guaranteed Savings

JUSTIFICATION:     The MUSC Board approved an Energy Performance Contract not to exceed \$20,000,000 in cost and with a payback of 8 years or less at the August 10, 2007 Board meeting. Once the project was approved by the Budget and Control Board, we were to return to the MUSC Board to name the company that we are recommending to enter into a contract with and to outline the specific scope of work for approval.

We are requesting approval to enter into an Energy Performance Contract with the following:

AMERESCO, Inc.  
5200 77 Center Drive, Suite 300  
Charlotte, NC 28217

The scope of work includes lighting, water conservation, steam system improvements, automated building systems improvements, fume hood upgrades, and chilled water system improvements including chiller replacements for the Children's Hospital and Clinical Sciences Building.

**FACILITIES  
ACADEMIC  
LEASE RENEWAL  
FOR APPROVAL**

**OCTOBER 3, 2008**

DESCRIPTION OF LEASE RENEWAL: This lease renewal is for 9,653 square feet of space located on the fourth floor of McClennan Banks. The purpose of this lease is to continue to provide space for the Department of Psychiatry, Family Services Research Center. The per square foot rate for this renewal is \$22.19. The monthly rental rate will be \$17,850.00, resulting in an annual rent amount of \$214,200.07.

NEW LEASE AGREEMENT \_\_\_\_\_  
RENEWAL LEASE AGREEMENT   X  

LANDLORD: Medical University Hospital Authority

LANDLORD CONTACT PERSON: Stuart Smith, Executive Director, 792-4000

DEPARTMENT NAME AND CONTACT: Ann Ashby, Administrative Coordinator,  
876-1835

SOURCE OF FUNDS: Provost Office and College of Medicine

LEASE TERMS:

RENEWAL TERM: Two (2) years  
COST PER SQUARE FOOT: \$22.19  
ANNUALIZED LEASE COST: \$214,200.07  
TOTAL COST OF RENEWAL TERM: \$428,400.14

EXTENDED TERM(S): One (1) term, two (2) years, same terms and conditions  
TOTAL COST OF EXTENDED TERM: \$428,400.14

OPERATING COSTS:

FULL SERVICE   X    
NET \_\_\_\_\_



**FACILITIES  
ACADEMIC  
LEASE RENEWAL  
FOR APPROVAL**

**OCTOBER 3, 2008**

DESCRIPTION OF LEASE RENEWAL: This lease renewal is for 5,404 square feet of space located at 5900 Core Avenue in North Charleston. The purpose of this lease renewal is to continue to provide space for the Department of Psychiatry, Geriatric Research Center. The cost per square foot for this renewal is \$19.99 (rounded). The monthly rental rate will be \$9,000.00, resulting in an annual rent amount of \$108,000.00. An initiative is underway to relocate this group back on campus.

NEW LEASE AGREEMENT \_\_\_\_\_  
RENEWAL LEASE AGREEMENT   X  

LANDLORD: 5900 Core Avenue, LLC

LANDLORD CONTACT: Jeremy Willits, Property Manager, 856-1540

DEPARTMENT NAME AND CONTACT: Psychiatry, Dr. Jacobo Mintzer, Professor,  
740-1592

SOURCE OF FUNDS: College of Medicine Dean's Office

LEASE TERMS:

RENEWAL TERM: One (1) year, six (6) months  
COST PER SQUARE FOOT: \$19.99  
TOTAL COST OF RENEWAL TERM: \$162,000.00

EXTENDED TERM(S): N/A

OPERATING COSTS:

FULL SERVICE   X    
NET \_\_\_\_\_