Resolution 1

Mr. Poorman reported that the institutional advancement committee recommends the approval of the New Orleans Endowed First Generation Scholarship Trust Fund established as an endowed fund, the income of which shall be used to establish the Derby and Claire Gisclair Athletics Scholarship for First Generation Students. (Resolution attached.)

It was so moved and unanimously approved by the Board.

Resolution 2

Mr. Poorman reported that the committee recommends Board approval of the appointment of Deloitte & Touche as external auditors for the 2012-13 fiscal year.

It was so moved and unanimously approved by the Board of Trustees.
Michael Braden, S.J., Dennis Cuneo, Donald C. Faust, M.D., David M. Ferris, John Finan, Jr.,
Anne Gauthier, Robert Gerlich, S.J., S. Derby Gisclair, Gail W. Jock, Rachel Kent, Rita Benson
LeBlanc, Robert A. LeBlanc, Jr., Joseph O’Keefe, S.J., Kevin Poorman, Peter Rogers, S.J.,

Absent: James Bowler, S.J., Robert Brown, Carolyn Callahan, T. Frank Kennedy, S.J., Floyd J.

Guests: Archbishop Gregory Aymond (March 7 only), Bill Bishop, Gita Bolt, Jay Calamia,
James Carter, S.J., Ted Dziak, S.J., Barbara Ewell, Bret Jacobs, Elizabeth Kordahl, Kristine
Lelong, Ted Long, Ph.D., Sal Liberto, Marc Manganaro, Ph.D., M. L. “Cissy” Petty, Ph.D., and
Tommy Screen.

Board Retreat

On the afternoon of March 7 and the morning of March 8, a Board Retreat was held at the Windsor
Court Hotel in New Orleans. Dr. Ted Long, a consultant from the Association of Governing Boards,
facilitated the retreat which focused on what the Board responsibilities are for mission and identity and
in a specific sense for Catholic Jesuit institutions. He also discussed mission and identity as it relates to
the institution’s academic programs. On Thursday afternoon, Archbishop Gregory Aymond spoke to the
Trustees about the mission and identity of Catholic universities.

1. Opening of Quarterly Meeting

Mr. Kevin Poorman, Board chair, called the business meeting to order at 11:15 a.m. on Friday, March 8,
2013.

2. Approval of Minutes

The minutes of the December 7, 2012 Board Meeting were approved.

The minutes of the February 7, 2013 Executive Committee Meeting were approved.
3. Business Meeting/Action Items

Institutional Advancement

Mr. Poorman reported that the institutional advancement committee recommends the approval of the New Orleans Endowed First Generation Scholarship Trust Fund as an endowed fund with the income of which shall be used to establish the Derby and Claire Gisclair Athletics Scholarship for First Generation Students.

It was so moved and unanimously approved by the Board.

Audit

Mr. Poorman reported that the audit committee discussed the selection of an external auditor for the university and that Deloitte & Touche presented an engagement letter and action plan for 2013 to the committee. It was noted that the fees for this year will remain the same as last year. Mr. Poorman reported that the committee recommends Board approval of the appointment of Deloitte & Touche as external auditors for the 2012-13 fiscal year.

It was so moved and unanimously approved by the Board.

4. Legal Presentation

Ms. Gita Bolt, university general counsel, conducted a training session from a legal perspective for the Trustees regarding their fiduciary responsibilities as Trustees. She stressed that the fiduciary care that is owed to the institution is the highest standard of care imposed at either equity or law and that duty can be breached by not asking proper questions and not providing the necessary oversight as a governing board.

Ms. Bolt highlighted the following five points:

1. Boards should ensure that institutions assess and minimize the risk associated with having children on campus. She noted a university policy regarding minors on campus is currently being drafted and will address requiring background checks on those individuals who work with children and mandatory training.
2. General Counsel to the university should ensure they fully disclose to the Board present and potential risks that may impact the institution.
3. The Board must exercise appropriate oversight and ensure accountability of the administrators. They must ask the proper questions. As a Board, Trustees have a duty to inquire further.
4. Ensure that athletics operates in a culture of compliance.
5. Boards should ensure that the university has appropriate legal counsel.

She further discussed two topics impacting higher education that the Board should be made aware of and how the administration is addressing those issues. First is the Cleary Act which requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about
crime on and near campus by publishing and distributing an annual security report. The report is due by October 1 each year. Failure to comply with the Cleary Act could result in fines up to $35,000 per infraction as well as reputational risk to the institution. Monitoring Loyola’s compliance of the Cleary Act is one of the top priorities for the new compliance officer.

The second issue is the Dear Colleague letter of April 4, 2011, which is the Department of Education’s guidance for handling allegations of sexual assault under Title IX. Although it is guidance, failing to comply will result in penalties. Title IX prohibits discrimination on the basis of sex in institutions of higher education that receive federal financial aid. The Dear Colleague letter includes sexual violence as sex discrimination thus prohibited by Title IX. Furthermore, if an individual was impaired by drugs and/or alcohol, they cannot consent. This changes how investigations are handled. In addition to changing the standard used in investigation, university-wide sexual harassment training is required and students now must be included in such training so that they know that sexual violence is sex discrimination. University administrators attended extensive training regarding compliance with the Dear Colleague letter and Title IX.

5. Executive Session

There was no Executive Session.

6. Adjournment

The meeting ended at 11:50 a.m.

___________________________    _______________________
PRESIDENT       SECRETARY

_______________________
DATE
RESOLUTION
BOARD OF TRUSTEES
LOYOLA UNIVERSITY NEW ORLEANS

THE DERBY AND CLAIRE GISCLAIR ATHLETICS SCHOLARSHIP FOR FIRST GENERATION STUDENTS

RESOLVED: that the Loyola University New Orleans Endowed First Generation Scholarship Trust Fund be, and hereby is, established as an endowed fund, the income of which shall be used to establish the DERBY AND CLAIRE GISCLAIR ATHLETICS SCHOLARSHIP FOR FIRST GENERATION STUDENTS.

EXPLANATION:

This fund is established with $60,000 on deposit with the State Street Bank and Trust Company in North Quincy, Massachusetts, dedicated to the purposes of the DERBY AND CLAIRE GISCLAIR ATHLETICS SCHOLARSHIP FOR FIRST GENERATION STUDENTS.

Loyola University New Orleans has established the Loyola University New Orleans Endowed First Generation Scholarship Trust Fund as an endowed fund to receive private contributions and matching funds from the State of Louisiana, the income of which shall be used for the exclusive benefit of an endowed first-generation scholarship.

The funds used to establish the trust fund consist of contributions from a private source collected after June 1, 2000.

The funds used to establish the Loyola University New Orleans Endowed First Generation Trust Fund were dedicated to the purposes of the DERBY AND CLAIRE GISCLAIR ATHLETICS SCHOLARSHIP FOR FIRST GENERATION STUDENTS.

I hereby certify that the above and foregoing is a true and correct resolution adopted at the meeting of the Board of Trustees at Loyola University New Orleans held on the 8th day of March 2013,

JOHN K. POORMAN
Chair, Board of Trustees
LOYOLA UNIVERSITY NEW ORLEANS

WITNESSES:

SWORN TO AND SUBSCRIBED
before me, Notary on this
8th Day of March 2013

Monique G. Gardner
Notary Public