

# SENATE OF VIRGINIA

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GENERAL LAWS AND TECHNOLOGY  
LOCAL GOVERNMENT  
PRIVILEGES AND ELECTIONS  
REHABILITATION AND SOCIAL SERVICES  
TRANSPORTATION

September 14, 2016

Ms. Teresa Sullivan  
President  
University of Virginia  
Post Office Box 400224  
Charlottesville, VA 22904-4224

Dear Ms. Sullivan:

I write once again regarding the University of Virginia's \$2.3 billion stockpile of surpluses. The good that can be accomplished with that kind of resource and how it can be best used to advance the interests of all Virginians remain priorities for me.

Many elected officials and citizens from all over the Commonwealth agree that the yearly earnings on \$2.3 billion in principal are more than enough to create more in-state seats for Virginia's best students, lower and then freeze tuition, and allow the University to pursue new initiatives. These things can, and should, still happen.

However, another grave concern is why you continue to refuse to provide the public records requested by my colleagues and me. On that point, I find your latest letter as misleading as many of the University's earlier press releases and statements. While you may have produced "thousands" of pages, most were simply copies of the same few items of correspondence sent to a large number of individuals. And though you may be working with some members of the General Assembly, that fact in no way relieves you from your obligation to cooperate with all of us.

What is clear from the very limited release is that well before your improper closed-door session in June when the University's Board of Visitors was broadly briefed by Rector Bill Goodwin, a private exchange of emails among a very small number of administrators and Board members demonstrates there was agreement and a very clear direction on how to direct funds towards status rather than students. In fact, you confirmed in our recent meeting that most on the Board of Visitors were not told of the fund's existence as it was created, much less provided an option to use it to lower the cost of a U.Va. degree. Your account also comports with my conversations with a number of uninformed Board members who have opened up to me regarding the lack of information coming from your administration and about what happened in the closed-door meeting.

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You can understand, then, why statements to the contrary made by your chief operating officer are disturbing. I was also troubled when Mr. Hogan said he should not have to provide any additional information to the legislators, asked what documents I might publicly reveal, and when this would end. On top of your refusal to provide requested records, his are just the latest in a series of mixed messages and contradictory statements put out by University leaders over the last three months.

Now let me tell you why that attitude and those expressions are of great concern to me.

Years ago, I served as an Intelligence Officer with Naval Special Warfare and with the Naval Investigative Service. That experience taught me to be dogged in the pursuit of the facts and take people at their word until I learned otherwise. But if I came to understand that misdirection and deflection were at work, my search for the truth would be relentless.

Sad to say, my confidence in the forthrightness of the University's leadership has been undermined by its own contradictory statements and numerous private conversations about public matters. In turn, both have confirmed my worst fear, which is that the plain facts have been laminated with a veneer of convenience that lacks the glue of veracity.

I do not intend to reach additional conclusions until all the facts are known and I do not intend to forego any avenue of unearthing them. Nor am I concerned about the optics of the effort. Others will think what they may, but that cannot have a place at the table. In that respect, I hope you will choose to assist in the search for truth and ensure that requests for documents and other materials as outlined in my August 30, 2016 e-mail to you are met in a timely and unfiltered manner.

In the alternative, if you and the University's leaders persist with obviously disingenuous efforts to keep the doors closed and Virginia in the dark—and as even the University's most ardent supporters have already opined—you will only reinforce the notion that something's seriously amiss. And by abrogating your responsibility to maintain good relations with members of Virginia's governing bodies, you have put at risk not only each member of the Board of Visitors but also the University's own stellar credit rating and its conformance with the core principles of its accreditor, the Southern Association of Colleges and Schools.

As I am sure you have undoubtedly been reminded on more than one occasion, the fearless search for the unvarnished truth has always been central to the mission and integrity of the school you are privileged to lead.

It is incumbent upon you to restore one to prevent the loss of the other. On behalf of Virginia and the very public university you lead please do so.

Sincerely,



Bill DeSteph  
Senator, 8<sup>th</sup> District