

**OLD DOMINION UNIVERSITY
BOARD OF VISITORS
Executive Committee Meeting
Monday, November 12, 2018**

MINUTES

A meeting of the Executive Committee of the Old Dominion University Board of Visitors was held on Monday, November 12, 2018, at 12:00 Noon in the Board Room of the Kate and John R. Broderick Dining Commons. Present from the Committee were:

Lisa B. Smith, Rector
Yvonne T. Allmond
Michael J. Henry
Kay A. Kemper
Pamela C. Kirk
Ross A. Mugler

Absent from the Committee were: Alton J. Harris
Toykea S. Jones
Robert M. Tata

Also in attendance from the Board: Carlton F. Bennett

Also present were: John R. Broderick, President
Austin Agho
Alonzo Brandon
Gregory E. DuBois
Morris Foster
Donna W. Meeks
Annie Morris
R. Earl Nance
Ellen Neufeldt
September Sanderlin
Wood Selig

CALL TO ORDER AND APPROVAL OF MINUTES

The Rector called the meeting to order at 12:08 p.m. and called for approval of the minutes of the Executive Committee meeting held on March 12, 2018. Upon a motion made by Mr. Mugler and seconded by Mr. Bennett, the minutes were approved unanimously by all members present and voting (*Allmond, Bennett, Henry, Kemper, Kirk, Mugler*).

RECTOR'S REPORT

The Rector congratulated President Broderick on the upcoming opening of the Barry Art Museum. She noted that she is working on the agenda for the retreat in January and has received suggestions for topics of discussion. She thanked Ross Mugler for arranging for the guest speaker. She has also reached out to committee chairs to ask if there are any issues that should be brought to the attention of the full Board.

PRESIDENT'S REPORT

In his report to the Board, President Broderick said that he has attended several state-wide meetings regarding the Amazon proposal. This will not only impact the Commonwealth but also Hampton Roads and Old Dominion University. The Commonwealth is interested in contributing to workforce needs and a lot of those investments are in Computer Science. ODU has an excellent program and the Provost has been working with the program to discuss how we could scale it up to produce the additional graduates for Amazon. ODU is also leading the Hampton Roads group on the Commonwealth Cyber Initiative (CyberX), which also includes William and Mary, ECPI, and Thomas Nelson Community College.

The President noted the events associated with the opening of the Barry Art Museum this week and asked Vice President DuBois to brief the Committee on the construction activity that will occur over the next several months.

Vice President DuBois noted that three major construction projects – the football stadium renovation and the construction of the new Owens residence hall and chemistry buildings – will create some temporary disruption. Meetings have been held with the neighboring civic leagues and city officials to explain the football stadium construction schedule, which creates a unique challenge as it is typically an 18-month project that needs to be completed in nine months. This will require a 24/7 schedule during the first 60-day deconstruction and pile-driving phase that will begin immediately after the last football game. Activities associated with the demolition will be scheduled so as to minimize noise during the evening hours, and decibel levels will be tested both on and off campus so the noise can be monitored. Progress will be monitored on a daily and weekly basis and the schedule may be adjusted if accordingly. Construction on the new Owens House residence hall and the chemistry building will begin in January and will bring two years of construction activity to the campus. The hope is to begin building the health sciences building soon thereafter. There are also 14 other ongoing minor capital projects that will add to the construction traffic and activity on campus. The University is doing all that it can to minimize the impact to the campus community and surrounding neighborhoods.

Discussion followed about parking concerns and engagement with the community. Although the new residence hall will add 470 beds to the campus, most of the residents will be freshmen who are not allowed to bring cars to campus; on-campus parking will be available to residents who do bring their vehicles. The perception that there is a lack of available parking on campus is not supported by the data, as there are up to 1,000 empty parking spaces on any given day. President Broderick added that the neighborhood can petition the City to restrict parking along 49th Street, but if there are no restrictions people will park there. Engagement with the civic leagues has been ongoing since discussions began during the original master planning. Representatives from the

University attend civic league meetings on a regular basis and the two construction managers are very experienced in working with the community during construction and have also sent representatives to these meetings. Courtney Doyle has been very helpful as well during this process and the University has kept her, the City Manager and the Mayor informed.

BOARD OF VISITORS PUBLIC COMMENT

President Broderick advised the Committee about legislative efforts to formalize the requirements for public comment on proposed tuition increases by Boards of Visitors. Legislation passed last year required institutions to share their tuition proposals with students and allow an opportunity for public comment at least 30 days in advance of the meeting at which tuition will be approved. Last spring the administration's proposal was shared with students and a website was set up through the Board's student representative to invite comment.

Discussions have taken place with the Rector and the other universities as to how to meet the requirements if the legislation passes. It has been proposed that once the tuition range is prepared, a public comment session with the Board be scheduled. The President asked committee members for suggestions and all agreed that participants should be volunteers from the Board but not the full Board. He suggested that Vice President Neufeldt can work with the Rector and the Board's student representative to assign this to a specific Board committee. Mr. Bennett suggested that the panel be no more than three members. Mr. Mugler added that the purpose of the public hearing is for the Board to listen and not comment, and the protocol for the hearing should be communicated very clearly.

STUDENT DIRECTORY INFORMATION

Vice President Ellen Neufeldt explained legislation that now prohibits the publication of students' email addresses. This occurred as a result of a political action group that FOIA'd universities this past year for student directory information and one of the institutions released their email addresses. Among the unintended consequences of this new law is that student organizations cannot have students' email addresses to send out information, faculty members must use blind copy when emailing teaching assistants so they cannot see each other's email addresses, and the University has to work with vendors to communicate with organizations to protect the publication of email addresses. Faculty and students are upset about this and the administration is working with them to find ways in which to communicate with each other. The law applies only to higher education. University Counsel Earl Nance said that the Attorney General's office tried to convince the bill's patron of the unintended consequences and President Broderick said that he is hoping the legislation will be amended eventually.

TITLE IX UPDATE

Vice President September Sanderlin and University Counsel Earl Nance provided an update on Title IX activities. An interim Title IX Coordinator has been hired and the position is currently housed in the Office of Institutional Equity and Diversity. An expert has been engaged to assist in revising the Discrimination Policy, which is currently being reviewed by the solutions committee.

This committee includes representatives from University Counsel, Athletics, Student Engagement & Enrollment Services, Human Resources, Academic Affairs and the ODU Police Department, and is working to address the many operational issues and will make a recommendation as to where Title IX should fall within the organization. An intake form has been developed and implemented and a document to be provided to victims of sexual misconduct is also being developed. The Title IX coordinator and/or the deputy have attended the last several Threat Assessment Team meetings. Two meetings of the Sexual Assault Response Team, which is made up of representatives from SEES, Norfolk's Commonwealth Attorney's Office, Norfolk PD, ODUPD, and University Counsel, have been held to discuss how to increase coordination when there is a report of sexual misconduct.

MINORS ON CAMPUS POLICY

The Rector said that she asked for a briefing on the University's minors policy, which is currently in development, in light of what has been in the news recently. Vice President Sanderlin said that the University did not have one comprehensive policy to address minors on campus. University Counsel conducted an inventory of the programs we have on campus that involve minors. The new draft policy has been reviewed by the University's Policy Review Committee, chaired by Donna Meeks, and the Vice Presidents. Meetings are now being held with departments who have programs involving minors to discuss how to operationalize the policy. She recognized Chief Rhonda Harris and Rob Wells, Director of Risk Management, for the work they have done in drafting the policy and for meeting with individual departments and groups to discuss it.

The policy requires that anyone who has a supervisory role with minors must have a criminal background and sex offender registry check. For those faculty members who supervise minors but have not had a criminal background check, until this new policy is in place it has been recommended that they have a sex offender registry check. The new Criminal Background Check policy, which was approved earlier in the year, requires criminal background and sex offender registry checks for new faculty members; these checks are already done on classified employees. If someone is found to be on the sex offender registry, the nature of the offense will be determined, as well as how long ago it occurred, etc., and depending on what is found, action may need to be taken. Vice President Sanderlin pointed out that this policy does not apply to ODU students who may also be minors.

STRATEGIC PLAN

Provost Agho provided an update on the preliminary work in the development of the next Strategic Plan, a 12-16 month process. Working committees are being formed, ensuring broad representation from faculty, staff and students. A conference call is scheduled with the consultant to define the scope of the work. Deans will be involved in the process. He will give a more detailed presentation at the December Board meeting.

OLD/UNFINISHED BUSINESS

There was no old or unfinished business to come before the Committee.

NEW BUSINESS

There was no new business to come before the Committee

With no further business, the meeting was adjourned at 1:15 p.m.