

**OLD DOMINION UNIVERSITY  
BOARD OF VISITORS  
Friday, April 22, 2022**

**MINUTES**

The Board of Visitors of Old Dominion University met in regular session on Friday, April 22, 2022, at 9:00 a.m. in the Kate and John R. Broderick Dining Commons on the Norfolk campus. Present from the Board:

R. Bruce Bradley, Rector  
Yvonne T. Allmond  
Robert A. Broermann  
Robert S. Corn  
Unwana B. Dabney  
Peter G. Decker, III  
Jerri F. Dickseski  
Alton J. Harris  
Toykea S. Jones  
Kay A. Kemper  
P. Murry Pitts  
Lisa B. Smith  
Armistead D. Williams, Jr.  
Omotomilola Jegede (*Student Representative*)

Absent from the Board:

Carlton F. Bennett  
Larry R. Hill  
Ross A. Mugler  
Maurice D. Slaughter

Also present:

Brian O. Hemphill, President	Tom Odom
Austin Agho	Brian Payne
Bruce Aird	Chad Reed
Alonzo Brandon	September Sanderlin
Brett Cook-Nell	Ashley Schumaker
Morris Foster	Amanda Skaggs
Jared Hoernig	Don Stansberry
Todd Johnson	Victoria Times
Amber Kennedy	Allen Wilson
Donna Meeks	

**CALL TO ORDER AND APPROVAL OF MINUTES**

The Rector called the meeting to order at 9:03 and asked for approval of the minutes of the Board meeting held on December 10, 2021. Upon a motion by Mr. Decker and seconded by Ms. Jones,

the minutes were approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickseski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

### **RATIFICATION OF ACTIONS TAKEN BY EXECUTIVE COMMITTEE**

Upon a motion made by Ms. Dickseski and seconded by Mr. Broermann, the Board of Visitors approved the ratification of actions taken by the Executive Committee at their meetings in January and March (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickseski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

### **RESOLUTION TO RATIFY ACTIONS OF THE EXECUTIVE COMMITTEE**

**Now Therefore Be it Resolved**, that the Board of Visitors hereby ratifies the actions of the Executive Committee to approve the University's exploration and work regarding the establishment of an academic health sciences center with Eastern Virginia Medical School through support from Sentara Healthcare and the Commonwealth of Virginia and in collaboration with Norfolk State University and Children's Hospital of The King's Daughters to address the health and health disparities facing our region and its people by strengthening health-focused academic program offerings, world-class research in both existing and new specialty areas, and state-of-the-art clinical care, as well as expanding the workforce pipeline for needed healthcare workers (January 31, 2022) and to approve President Brian O. Hemphill's membership on the Jefferson Science Associates, LLC (JSA) Board of Directors and Preston Hollow Community Capital Board of Managers in accordance with Section K of his employment agreement (March 28, 2022).

### **PROPOSED 2022-2023 TUITION & FEES**

President Hemphill stated that tuition has not been raised in three years as the focus has been on affordability. The Commonwealth has made investments in higher education during this timeframe, but the administration now recognizes the need for flexibility and have suggested a 3% cap on tuition.

Chad Reed, Vice President for Administration and Finance, presented the University's 2022-2023 tuition & fees proposal. He reviewed the administration's fiscal planning priorities that include student affordability, COVID-19 recovery, mandatory cost increases, and strategic growth. Four factors impact the tuition and fee proposal, and they include the economic outlook, legislative actions, enrollment, and market pricing and affordability.

Virginia is in a good position economically. The Commonwealth's general fund revenue collections are up 14% over the past year. The Virginia Revenue Stabilization and Revenue Reserve funds totals \$3.8 Billion. The Southeast Region Consumer Price Index 12-month change is up 8.4% for food, energy and commodities in general. According to Forbes, fallout from the pandemic combined with a decline in population growth, limits on immigration and the aging of the baby boomers are all contributing to an historically tight labor market. The current

unemployment rate in Virginia as of March is 3% and widespread telework is creating a broader market in which to compete for certain employees. However, Virginia minimum wage increases and overall market escalations are contributing to higher costs for the institution.

Both the House and the Senate have proposed E&G and student financial assistance resources for ODU for the biennium. Both propose \$5.6M in affordable access funding and \$3.8M for tuition moderation (if tuition increases for in-state undergraduates is no higher than 3%); \$182K (FY23) and \$726K for O&M for new facilities; and \$192K for minimum wage increases. The Senate has proposed \$264M for Virginia Space Grant internships in the second year of the biennium and both the House and Senate have proposed a one-time allocation of \$250K in FY23 in support of the ODU-EVMS partnership. The General Fund estimate for compensation and benefits differ between the House and Senate, with the House proposing \$5.3M in FY03 and \$5.8M in FY04, and the Senate proposing \$6.7M in FY03 and \$7.0M in FY04. Proposed Student Financial Assistance includes \$3.2M in FY23 for undergraduate need-based aid and for FY24 the House is proposing \$4.8M and the Senate is proposing \$20.9M. The Senate maintained the Governor's recommendation to \$5.1K in graduate student aid in FY23 and \$7.7K in FY24.

Both the House and Senate have proposed compensation increases for university employees. While the proposals vary, they are similar in terms of cost implications. Governor Northam proposed a 5% increase for all state employees; the House reduced that to 4% with a 1% bonus and the Senate kept the 5% increase and added a 1% bonus. The cost proposal is based on a 5% increase. E&G compensation, benefits and minimum wages estimates total \$12.7M. With the General Fund contribution of \$6.7M, the University's share would be \$6M. Auxiliary fees will need to cover the \$885K proposed compensation costs for those who are employed in these units.

Enrollment implications were addressed during the public comment session in March and again at yesterday's meeting of the Administration & Finance Committee. Since 2015, headcount enrollment has decreased 3.3% for all categories and 4.8% for in-state undergraduate. Graduate enrollment, however, has increased. For fiscal planning purposes, the administration is projecting headcount enrollment to remain level at around 23,500 students. Credit hour generation enrollment mirrors that same trend to a degree, with 535,000 credit hours billed this year, however it has declined at a greater rate than enrollment at 4.5%, which has resulted in a \$6.7M decline in revenue for E&G operations and \$2.7M in auxiliary operations.

In terms of market pricing, Old Dominion is an exceptional value for our students. There is not another institution in the Commonwealth of Virginia that has the facilities, infrastructure, faculty and athletics program that we have at this price. ODU's total tuition and mandatory fees are the third lowest of the 15 four-year public institutions, higher only than Norfolk State University and Virginia State University. When compared with ODU's peers – George Mason, Virginia Tech, VCU, UVa and William & Mary – ODU has the lowest tuition while running an R1 research program. The administration's focus continues to be on access and affordability. Out-of-state rates are on the high end. For an out-of-state undergraduate taking 30 credit hours per year, annual tuition and fees are \$27,707. Less than 10% of ODU's undergraduate students are out-of-state, so an increase in out-of-state tuition is not being recommended at this time.

The Rector asked about ODU’s low percentage of out-of-state students compared with the other Virginia institutions. Vice President Reed said that the tuition model will be examined during the strategic planning process to ensure that we generate the revenue to operate but also puts our Monarchs in a position to graduate in four years. President Hemphill added that Vice President Stansberry and his enrollment team are discussing the importance of encouraging students to take at least 13 credit hours per semester in order to graduate within four years. ODU’s strong online program will also be factored into the tuition modeling process.

Vice President Reed provided an overview of the resource planning on which the tuition & fees recommendation is based. He reviewed the anticipated General and Nongeneral Fund revenue and the anticipated mandatory and non-mandatory expenses. A 3% increase in in-state undergraduate and graduate rates would generate \$3.8M in revenue. He then shared proposed range of tuition increases currently under consideration by the other Virginia institutions (gathered from their public comment phase of the approval process). ODU's proposed range of 0-3.95% is the lowest of all the institutions. Most institutions are in the process of presenting their final recommendations for approval concurrent with ODU's timeline, and final rates will be made public as approved.

The annual cost increase of the proposed tuition & increase, if approved, for the typical in-state and out-of-state undergraduate and graduate students taking 30 and 24 credit hours, respectively, would be as follows. For in-state undergraduates taking 30 credit hours, the total annual increase would be \$470 (4.21%); for out-of-state undergraduates, \$260 (0.83%); for in-state graduates taking 24 hours, the annual increase would be \$530 (3.90%); for out-of-state graduates, \$218 (0.65%).

Upon a motion made by Mr. Pitts and seconded by Ms. Dickeski, the following resolution was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

**RESOLUTION APPROVING THE 2022-2023  
COMPREHENSIVE FEE PER CREDIT HOUR**

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the President, the Board of Visitors approves the proposed 2022-2023 Comprehensive Fee Per Credit Hour beginning Summer 2022 and thereafter until otherwise adjusted by the Board of Visitors.

	In-State	Out-of-State
<b>Norfolk Campus, Higher Education Centers, Distance Learning Locations within Virginia</b>		
Undergraduate	\$374	\$1,039
Graduate	\$571	\$1,394

<b>Technology Delivered Courses Outside Virginia and/or the United States</b>		
Undergraduate	\$407	\$407
Graduate	\$595	\$595

\* The comprehensive per credit hour fee includes the student activity fee of \$132.69 per credit hour.

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### **FINANCIAL UPDATE**

Rector Bradley stated that he and President Hemphill have added a Financial Update report as a standing agenda that which will be presented at each meeting by the Vice President for Administration and Finance.

Vice President Reed provided an overview of the University's current fiscal year operating revenue and expenses, E&G expenditures by expense category and program, and auxiliary expenditures supported by student fees. He distributed a 3<sup>rd</sup> Quarter financial performance report through March 20, 2022, comparing budgeted vs. actual revenue and expenditures. \$524M of the \$575M revenue has been collected thru March 30, and \$427M in expenses have accrued of the budgeted \$574M. He noted that auxiliary expenditures are down, impacted by current vacancy rates. A large portion of the gifts and discretionary funds have not yet been expensed but may be allocated during the last quarter to support programs and year-end activity.

### **PRESIDENT'S REPORT**

In his report to the Board, President Hemphill provided an update on several initiatives as the 2021-2022 academic year is nearing completion.

#### **Academic Meetings**

As part of the current academic year, I pledged to meet individually with each academic department, as well as centers and schools. During the late Fall of 2021 and throughout Spring of 2022, I have completed 40 plus meetings with a few remaining meetings scheduled in the coming weeks. These meetings have been so insightful and productive. In early Fall of 2022, I will provide an in-depth presentation to the full Faculty Senate regarding the overarching themes. The major takeaways are as follows.

- ***Student-Focused:*** *Faculty love their students.*
  - *They are impressed by them, and they are inspired by them.*

- **Great Community:** *Faculty enjoy being a part of the campus.*
  - *Many of them commented on the strength and unity of their respective areas.*
  - *Several noted strong connections across campus and beyond.*
  - *Many spoke of the level of engagement, which they described as very strong and unique.*
  - *Collaboration was a key phrase that was shared.*
  - *Several also noted a significant focus on interdisciplinary work.*
  - *Diversity was noted as a point of pride for our campus.*
  - *The flexibility and nimbleness of Monarchs are seen as very positive.*
  
- **Exposure and Research:** *A vast majority of faculty are excited about becoming an R1 institution and what that will mean for them and our University moving forward.*
  - *They are optimistic about the future in this area.*
  
- **Expertise and Reputation:** *Faculty are making a mark in their disciplines and professions.*
  - *They are proud of their regional, national, and international efforts to engage in and beyond their respective disciplines.*
  - *They noted that we need to do more to share those successes.*

Although concerns were often customized based on the activities, experiences, and needs of specific areas, there were three reoccurring items in which faculty would like to see the University make significant improvement. The first is faculty pay as there is a strong perception that faculty are underpaid at all levels. The second is faculty workload, which varies across colleges and disciplines. The third and final is graduate student stipends as the current offering is very low and makes it difficult to compete for top students.

### **National Recognition for Academic Excellence in Graduate Programs**

Late last month, the *U.S. News & World Report* released its rankings for the Best Graduate Schools for 2023, which featured a variety of well-reserved recognitions for our institution, including: Best Graduate Education School Programs; Best Graduate Public Affairs Programs; and Best Graduate Part-Time Master of Business Administration (MBA) Programs. Other highlights included the Batten College of Engineering and Technology with eight of its programs nationally ranked for the third consecutive year. The Aerospace Engineering; Environmental Engineering; Industrial, Manufacturing, and System Engineering; and Statistics programs were also ranked among the top 100 nationally in their respective disciplines. Also, the Psychology program in the College of Sciences ranked among the top 50% in the nation.

A complete list of the categories where ODU graduate programs earned national accolades in the latest rankings are as follows: Biological Sciences; MBA; Chemistry; Computer Science; Earth Sciences; Aerospace Engineering; Biomedical Engineering; Civil Engineering; Computer Engineering; Electrical Engineering; Environmental Engineering; Industrial, Manufacturing, and Systems Engineering; Mechanical Engineering; Mathematics; Psychology; Public Affairs; Physics; Public Health; and Statistics. These rankings would not be possible without the engagement and support of our world-class faculty. Their efforts are to be recognized for bringing much prestige to our institution and opportunities for our students.

## **Exemplary Awards and Service Milestones for Outstanding Monarchs**

As we approach the end of the academic year, we are hosting a number of ceremonies and events to pay tribute to our students, faculty, and staff. This is a special time in which our campus community comes together to reflect on our individual and collective successes. I want to take this opportunity to highlight a few of the many special moments and four incredible Monarchs.

***Fulbright U.S. Scholar Program Award for Victoria Time, Ph.D.:*** On April 11, 2022, it was announced that Victoria Time, Ph.D. received a Fulbright U.S. Scholar Program Award. As part of this prestigious award and incredible honor, Dr. Time will travel to Kenya in the Fall of 2022 to conduct research and teach at the University of Nairobi Law School. Dr. Time serves as a Professor in the Department of Sociology and Criminal Justice in the College of Arts and Letters and just recently celebrated a special service milestone of 25 years at ODU.

***50-Year Service Anniversary for Wayne Talley, Ph.D.:*** Earlier this week, we were honored to celebrate the 2021-2022 faculty and administrators for 20, 25, 30, 35, 40, and 50 years of service. Among them was Wayne Talley, Ph.D., a Professor and Eminent Scholar in the Strome College of Business. Dr. Talley's expertise centers around transportation, maritime, and port economics. He is a globally recognized scholar and has proudly served as a member of the ODU family for 50 years.

***45-Year Service Anniversary for Harvey Logan:*** Earlier this month, our campus came together for the Annual Staff Recognition Luncheon to celebrate the service milestones of our classified staff. During the event, Harvey Logan was honored for his 45 years of service to the ODU community. Mr. Logan currently serves as Assistant Director of Support Services and Recycling in Facilities Management. He is highly-regarded on campus for his genuine nature and work ethic.

***Diversity Champion Award for Brett Cook-Snell, Ph.D.:*** Just a few days ago, Brett Cook-Snell, Ph.D. was bestowed the top Diversity Champion Award for his outstanding work on campus and beyond. A lecturer in the Department of STEM Education and Professional Studies, Dr. Cook-Snell has provided strong leadership in the Darden College of Education and Professional Studies and across the broader institution. He has truly shared his mind with his students and his heart with this campus. He cares deeply about the personal experiences of others at both the individual and collective levels and has dedicated his teaching, research, and service to generating acceptance, accessibility, and understanding both near and far.

These are just four examples of the incredible individuals who choose to provide their time and talent to ODU as we fulfill our worthwhile mission. Their amazing accomplishments are a true testament to the collegial community that has been built by generations of Monarchs.

## **May Commencement**

On May 6-7, 2022, Monarch Nation will join together to celebrate the academic and personal achievements of 2,711 members of our campus community during four ceremonies in which 2,101 undergraduate students and 610 graduate students will receive their degrees. As part of Friday afternoon's undergraduate ceremony for the College of Arts and Letters, award-winning actress

Angela Bassett will serve as the keynote speaker and be honored for her many achievements throughout her noteworthy career. For Friday evening's graduate ceremony, Sachin Shetty, Ph.D., who serves as Executive Director of the Center for Secure and Intelligent Critical Systems at ODU's Virginia Modeling, Analysis and Simulation Center, will address the graduates and guests. During Saturday's morning program, I will provide remarks as part of the undergraduate ceremony for the Strome College of Business and Darden College of Education and Professional Studies. As part of the final ceremony on Saturday afternoon, Sentara Healthcare President and Chief Executive Officer Howard Kern will speak to the Batten College of Engineering and Technology, the College of Health Sciences, the College of Sciences, and the School of Cybersecurity graduates and guests.

## **Strategic Planning**

For my final item, I would like to provide a brief update regarding the year-long strategic planning process, which remains on track. All teams have been formally charged and have either completed their work or are currently working. The seven subcommittees around the focal areas are working toward a June 1, 2022, deadline to submit completed templates detailing their goals and strategies. Each are co-chaired by a Vice President and faculty member. Most recently, the Budget Team and Writing Team began their respective assignments, which will continue over the summer months and into early fall. We look forward to bringing a draft plan to the Board in September followed by a proposed plan in December following a campus-wide comment period.

## **RECTOR'S REPORT**

In his brief report to the Board, Rector Bradley shared a recent experience while attending a fundraising event for prospective donors to support the new baseball stadium. Of the projected \$20M cost of the project, they are hoping to raise \$10M from private donors. The President spoke at the event, as well as Wood Selig and Jena Virga. What impressed him the most was the level of respect and admiration the guests had for all three. In a span of two hours about \$1M was raised from a small group of people. President Hemphill added that, since that time, \$5M was raised from that same group of donors.

Board Operating Budget Report - The Rector called on Vice Rector Toykea Jones to provide an update on the status of the Board's operating budget. The Board's E&G budget currently has a deficit of \$2,800 due to increased travel and food costs in support of the Board's quarterly and Executive Committee meetings. Expenses associated with the Board's retreat and the purchase of AGB's OnBoard were funded with one-time funds. The Board's base budget has remained level despite increasing overhead costs, and the annual deficits are supported with one-time funds. However, it is proposed that the Board consider a base increase of \$7,500 to cover these recurring overhead costs and a one-time allocation of \$6,000 to cover the current deficit and proposed expenses through the end of the current fiscal year. It is also proposed that the Board request a base allocation of \$22,000 for its annual subscription to AGB's OnBoard. The Board's discretionary budget currently has a balance of \$601. However, a \$13,000 one-time allocation for Fiscal Year 2023 is requested to cover expenses associated with the Board's planned retreat in August. Upon a motion made by Ms. Kemper and seconded by Ms. Dickeski, the proposed budget



allocations were approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

Online Virginia Network Update – The Rector called on Murry Pitts for a report on the Online Virginia Network. Mr. Pitts shared that he replaced Ron Ripley as the Board's representative to the OVN Board which consists of representatives from the General Assembly and the boards of its member institutions, ODU, VCU, GMU and VCCS. Each institution received a base allocation in fall 2021 and additional ARPA funding in January to support program management, coaching, IT development and experiential learning. The combined funds have been allocated to the following OVN projects: transcript transmission, website refresh, enhanced marketing, outreach and surveying, experiential learning, human resources, and the transfer student portal. He shared examples of the new branding project and provided enrollment data among the four partner institutions, noting that ODU's online enrollment is second only to VCCS. With the influx of funds from the State and recruitment of new Vice President in this area, ODU will remain the heart and soul of this program. The Board has not met yet this year due to the change in the administration.

In response to a question from the Rector, Mr. Pitts emphasized that the purpose of OVN is to serve as a marketing portal to drive business into the member institutions. President Hemphill explained that one of the original concepts of OVN was to target students who had "stopped out" of college, but SCHEV owns that data and only releases it to the individual institutions and not to OVN. If it was turned over to the Online Virginia Network, then OVN could work collectively to recruit those students. Vice President Stansberry added that it is a wonderful asset to position the Commonwealth as an online resource for all Virginia residents, but it's not targeting the "stop out" groups for the reason President Hemphill mentioned. ODU is working with VCU to extract some of that information using surveys. It was emphasized that OVN is not intended to compete with ODU Online but to supplement it with additional resources.

At the conclusion of his report, the Rector announced that he and his wife will be hosting a dinner at their house on the evening of June 2 to recognize and thank the outgoing members of the Board.  
Bradley

## **REPORTS OF STANDING COMMITTEES**

### **ACADEMIC AND RESEARCH ADVANCEMENT COMMITTEE**

Ms. Jones, chair of the Academic and Research Advancement Committee, reported that the Committee discussed in closed session the appointment of a faculty member with tenure, the award of tenure to 18 faculty members, and an honorary degree designation. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

## INITIAL APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Dr. Christina Rodriguez as Professor of Psychology with the award of tenure in the Department of Psychology in the College of Sciences, effective July 25, 2022.

Salary: \$137,500 for 10 months (\$7,500 stipend for serving as Director of Clinical Training for Clinical Psychology)  
Rank: Professor of Psychology

The following contains my recommendation for the initial appointment with tenure of Dr. Christina Rodriguez as a Professor in the Department of Psychology. Dr. Rodriguez received a B.S. in Psychology from the University of Miami and an M.S. and Ph.D. in Psychology from the University of Florida. Prior to ODU, she was Associate Professor at the University of North Carolina (2008 - 2013), and Associate Professor (2013 - 2019) and Professor (2019 - Present) at the University of Alabama.

The ODU Teaching and Research Faculty Handbook states, “The main purposes of tenure are to protect academic freedom and to enable the University to attract and retain a permanent faculty of distinction in order to accomplish its mission.” [p. 56]. The Teaching and Research Faculty Handbook policy on Initial Appointment of Teaching and Research Faculty states a request for initial appointment with tenure at the rank of professor must be “initiated by the chair and reviewed by all tenure review bodies.” The policy also says, “Normally, an initial appointment with tenure will be granted only to a faculty member who already has achieved a distinguished academic record and held a tenured position.” [p. 27].

Recommendations in support of tenure at the rank of Professor for Dr. Rodriguez were received from the departmental, college, and university promotion and tenure committees and from the department chair and the college dean.

The Promotion and Tenure Committee for the Department of Psychology (12-0), the Promotion and Tenure Committee for the College of Science (6-0), and the University Promotion and Tenure Committee (5-0) unanimously recommend this appointment. The chair and dean recommend appointment with tenure.

Based on my independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Christina Rodriguez meets the standards for tenure at the rank of Professor in the Department of Psychology at Old Dominion University.

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## TENURE RECOMMENDATIONS

RESOLVED, that upon the recommendation of the Provost, the Academic and Research Advancement Committee recommends that the Board of Visitors approve the award of tenure and

promotion to associate professor for the following faculty members at Old Dominion University. The tenure and promotion will be effective with the Fall 2022 semester.

**College of Arts and Letters**

Jared T. Benton  
Department of Art

Nicole S. Hutton  
Department of Political Science and Geography

Megan Nutzman  
Department of History

Marc Ouellette  
Department of English

Kristian Petersen  
Department of Philosophy and Religious Studies

Justin Remhof  
Department of Philosophy and Religious Studies

**Strome College of Business**

Andrew Bennett  
Department of Management

Xianrong Zheng  
Department of Information Technology and Decision Sciences

**Darden College of Education and Professional Studies**

Jori Beck  
Department of Teaching and Learning

Hunter Bennett  
Department of Human Movement Sciences

Kristy Carlisle  
Department of Counseling and Human Services

Felecia Commodore  
Department of Educational Foundations and Leadership

Kimberly Murphy  
Department of Communication Disorders and Special Education

**Batten College of Engineering and Technology**

Krishnanand Kaipa  
Department of Mechanical and Aerospace Engineering

**College of Health Sciences**

Abdullah Al-Taiar\*  
School of Community and Environmental Health

**College of Sciences**

Raul Briceño  
Department of Physics  
Jing Chen  
Department of Psychology

Kayoung Park  
Department of Mathematics and Statistics

\* Already an Associate Professor

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**HONORARY DEGREE**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the award of an honorary degree to Howard P. Kern as noted below. A summary of his career is included with this resolution for information purposes.

Howard P. Kern, President and Chief Executive Officer of Sentara Healthcare  
Doctor of Humane Letters (*honoris causa*)

**HOWARD P. KERN, MHA, FACHE**  
**President & Chief Executive Officer**  
**Sentara Healthcare**

Howard Kern is President and Chief Executive Officer of Sentara Healthcare, a 134-year-old, \$10.3 billion, not-for-profit integrated health care delivery system headquartered in Virginia. The organization employs nearly 30,000 team members, including 1,375 physicians and advanced practice providers, operates 12 hospitals in Virginia and Northeastern North Carolina and serves over 900,000 members through its Sentara Health Plans division. Sentara is recognized nationally

for clinical quality and safety and is strategically focused on innovation and creating an extraordinary health care experience for its patients and members.

Sentara was named to IBM Watson Health’s “Top 15 Health Systems” in 2021 and 2018, recognized as a “Best Employer for Women” by Forbes in 2020, and ranked as one of Forbes “America’s Best Employers” in 2018. Sentara hospitals have placed in *U.S. News & World Report’s* “Top Hospitals” rankings for 18 years. Additionally, Sentara Healthcare has continually ranked as one of the most integrated health care networks in the United States by *Modern Healthcare* magazine and is the only health care system in the nation named to the top 10 continuously since the survey began.

Mr. Kern’s executive management experience includes 41 years in hospital administration, managed health insurance, ambulatory services and healthcare finance. He obtained his Master’s in Health Administration from the Medical College of Virginia where he serves as a guest lecturer in the School of Health Administration. He completed the CEO Program for Health Care Leadership at the Leonard Davis Institute for Health Economics at the University of Pennsylvania’s Wharton School, is a Fellow in the American College of Healthcare Executives and is a member of the Healthcare Executives Study Society. Mr. Kern received the “Most Transformative CEO” award from the CEO Forum in 2019 and has been recognized repeatedly by *Modern Healthcare* and *Virginia Business* in their “Most Influential People” lists. He was named to the Hampton Roads Business Hall of Fame in October, 2021 by Junior Achievement of Greater Hampton Roads, Inc

He serves on the board of numerous corporate and community organizations including the American Hospital Association Health Systems Council, Becker’s Healthcare Advisory Board, Blueprint Virginia 2030 Steering Committee, Elevate Early Education (E3), Future Hampton Roads, Hampton Roads Business Roundtable, Hampton Roads Chamber of Commerce, Hampton Roads Community Foundation, Hampton Roads Alliance, ReInvent Hampton Roads, RVA/Hampton Roads Collaborative Executive Committee, the Scottsdale Institute, Virginia Business Council, Virginia Business Higher Education Council, Virginia Symphony Orchestra, Virginia Wesleyan University. He was appointed to the Governor’s Advisory Council on Revenue Estimates in 2019 by Virginia Governor, Ralph Northam.

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Committee members approved the consent agenda items including the appointment of 31 faculty, 26 administrative faculty, 14 emeritus/emerita faculty, and the Ray Ferrari Endowed Professorship. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith; Nays: None*).

### **FACULTY APPOINTMENTS**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the following faculty appointments.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Safdar Hussain Bouk Research Assistant Professor, School of Cybersecurity	\$80,000	1/25/22	10 mos

Dr. Bouk received a Ph.D. and Masters of Engineering from Keio University, Japan and a Bachelors of Engineering from Mehran University of Engineering and Technology, Pakistan. Previously he was a Research Professor in Information and Communication Engineering at Daegu Gyeongbuk Institute of Science and Technology (DGIST), Republic of Korea. (new position)

Dr. Elizabeth Brown Assistant Professor, School of Community and Environmental Health (Tenure Track)	\$100,000	12/25/22	10 mos
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Dr. Brown received a Doctor of Philosophy in Health and Rehabilitation Science: Health Services Research from the Medical University of South Carolina, a Master of Arts in Public Administration from Walden University and a Bachelor of Arts in English-Journalism from Columbia College. Previously she was Assistant Professor and Health Services Researcher in the Department of Clinical Sciences at the Medical University of South Carolina. (\$7,000 stipend for BSPH Program Director duties during the summer)

Ms. Lindy Brown Lecturer, Department of STEM Education and Professional Studies	\$60,000	6/10/22	12 mos
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Ms. Brown received an M.S. in Library and Information Sciences from Florida State University, an M.Ed. in Student Personnel in Higher Education from the University of Florida, and a B.S. in Sociology from Oregon State University. Previously she was a Lecturer in Library and Information Studies at Old Dominion University.

Dr. Alexander Cardazzi Assistant Professor, Department of Economics (Tenure Track)	\$97,000	7/25/22	10 mos
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Dr. Cardazzi received a Doctor of Philosophy in Economics from West Virginia University and a Bachelor of Science in Mathematics from Ramapo College of New Jersey. Previously he was a Visiting Assistant Professor of Economics at West Virginia University.

Dr. John Crosby Assistant Professor, Department of Finance (Tenure Track)	\$155,000	7/25/22	10 mos
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Dr. Crosby received a Ph.D. in Finance from Imperial College London, an M.Sc. in Engineering Science from Oxford University and a B.A. and M.A. in Mathematics from Cambridge University. Previously he was a Visiting Assistant Professor in the Smith School of Business at the University of Maryland, College Park.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Sarah Ehlke Assistant Professor, Department of Psychology (Tenure Track)	\$85,000	7/25/22	10 mos

Dr. Ehlke received a Ph.D. in Psychology from Old Dominion University, an M.A. in Psychology from the University of North Carolina Wilmington, and an M.A. in Criminology and a B.A. in Psychology from the University of South Florida. Previously she was a Postdoctoral Fellow at the University of Oklahoma Health Sciences Center, Health Promotion Research Center, Stephenson Cancer Center.

Dr. Natalie Golaszewski Assistant Professor, School of Community and Environmental Health (Tenure Track)	\$90,000	7/25/22	10 mos
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Dr. Golaszewski received a Doctorate of Philosophy in Health Behavior and Health Education from the University of Texas at Austin, a Masters of Arts in Health Education from Columbia University and a Bachelor of Arts in Psychology from the University of Colorado, Boulder. Previously she was a T32 Postdoctoral Fellow, Herbert Wertheim School of Public Health and Longevity Science at the University of California, San Diego.

Dr. Sage Hawn Assistant Professor, Department of Psychology (Tenure Track)	\$85,000	7/25/22	10 mos
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Dr. Hawn received a Doctor of Philosophy and a Master of Science in Clinical Psychology and a Bachelor of Science in Psychology from Virginia Commonwealth University. Previously she was a T32 Postdoctoral Fellow in Stress and Trauma at Boston University and VA Boston Health Care System.

Dr. Emily Horvath Clinical Assistant Professor, School of Nursing	\$90,000	1/10/22	12 mos
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Dr. Horvath received a Doctor of Nursing Practice and a Master of Science, Family Nurse Practitioner from Old Dominion University and a Bachelor of Science in Nursing from the University of Texas at Arlington. Previously she was a Nurse Practitioner at the Barr Center: Innovative and Regenerative Pain Therapies, Virginia Beach.

Dr. Sarah Hosni Lecturer, Department of Computer Science	\$58,000	7/25/22	10 mos
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Dr. Hosni received a Ph.D. in Biomedical Engineering from the University of Rhode Island and an M.Sc. in Scientific Computing and a B.S. in Computer Sciences and Information Systems from Ain Shams University, Egypt. Previously she was a Postdoctoral Researcher in the Department of Electrical, Computer and Biomedical Engineering at the University of Rhode Island. (new position)

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Kevin Mallary Assistant Professor, Department of STEM Education and Professional Studies (Tenure Track)*	\$68,000	7/25/22	10 mos

Mr. Mallary received an M.A. and a B.A. in Communication from Wake Forest University and is expected to receive a Ph.D. in Communication and Information from the University of Tennessee at Knoxville. Previously he was an Instructor in the Department of Communication at Western Carolina University. (\*Rank is contingent upon successful completion of Ph.D. requirements by August 2022)

Dr. Yoseph Mamo Assistant Professor, Department of Human Movement Sciences (Tenure Track)	\$70,000	7/25/22	10 mos
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Dr. Mamo received a Ph.D. in Kinesiology-Sport Administration from Louisiana State University, an M.S. in Sport Management from Florida State University and a B.S. in Applied Information Technology and Computer Science from Royal Melbourne Institute of Technology. Previously he was an Assistant Professor-Graduate Faculty Member at Tennessee State University.

Dr. Charles Mathies Assistant Professor, Department of Educational Foundations and Leadership (Tenure Track)	\$75,000	7/25/22	10 mos
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Dr. Mathies received a Ph.D. in Higher Education from the University of Georgia, an M.Ed. in Student Personnel Services from the University of South Carolina and a B.S.B.A. in Accounting from the University of Toledo. Previously he was an Academy of Finland Research Fellow at the University of Jyväskylä, Finland.

Dr. Kate Mattingly Assistant Professor, Department of Communication and Theatre Arts (Tenure Track)	\$64,500	7/25/22	10 mos
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Dr. Mattingly received a Ph.D. in Performance Studies from the University of California, Berkeley, an M.F.A. in Dance from New York University and a B.A. in Architecture: History and Theory from Princeton University. Previously she was a Visiting Assistant Professor for the Dance Program at Old Dominion University.

Dr. Mallory McCord Assistant Professor, Department of Psychology (Tenure Track)	\$90,000	7/25/22	10 mos
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Dr. McCord received a Ph.D. and an M.S. in Industrial and Organizational Psychology from the University of Central Florida, an M.B.A. from the University of Massachusetts and a B.A. in Psychology from American University. Previously she was an Assistant Professor of Industrial and Organizational Psychology at the University of Minnesota Duluth.



<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Jeaneé Miller Assistant Professor, Department of Sociology and Criminal Justice (Tenure Track)	\$70,000	7/25/22	10 mos

Dr. Miller received a Ph.D. and M.A. from the School of Criminal Justice at the University at Albany, SUNY and a B.A. in Criminal Justice from Temple University. Previously she was a Postdoctoral Fellow in the Department of Sociology and Criminal Justice at the University of Delaware.

Dr. Najmeh Moradiyan-Rizi Assistant Professor, Department of Communication and Theatre Arts (Tenure Track)	\$63,000	7/25/22	10 mos
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Dr. Moradiyan-Rizi received a Ph.D. in Film and Media Studies from the University of Kansas, an M.A. in Humanities Interdisciplinary: Film and Media Study from the University of Buffalo, SUNY and an M.A. and B.F.A. in Cinema from Tehran University of Art, Iran. Previously she was an Instructor of Record and Graduate Teaching Assistant in the Department of Film and Media Studies at the University of Kansas.

Dr. Elaine Murphy Lecturer, Department of Psychology	\$55,000	7/25/22	10 mos
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Dr. Murphy received a Ph.D. in Applied Experimental Psychology, an M.S. in Experimental Psychology and a B.S. in Psychology from Old Dominion University. Previously she was a Lecturer in the Department of Psychology at Old Dominion University.

Dr. My Ngoc Nguyen Clinical Assistant Professor, School of Community and Environmental Health	\$79,000	7/25/22	10 mos
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Dr. Nguyen received a Ph.D. in Health Services Research, a Master of Science in Community Health and a B.S. in Environmental Health and Chemistry from Old Dominion University. Previously she was a Lecturer and Assistant Accreditation Coordinator in the School of Community and Environmental Health at Old Dominion University.

Dr. Rui Ning Assistant Professor, Department of Computer Science (Tenure Track)	\$100,000	7/25/22	10 mos
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Dr. Ning received a Ph.D. in Electrical and Computer Engineering from Old Dominion University, an M.S. in Computer Science from the University of Louisiana at Lafayette and a B.S. in Computer Science and Engineering from Lanzhou University, China. Previously he was a Research Assistant Professor in the School of Cybersecurity at Old Dominion University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Gloria Massamba N'Siala Assistant Professor, Department of Biological Sciences (Tenure Track)	\$87,000	7/25/22	10 mos

Dr. N'Siala received a Ph.D. in Environmental and Evolutionary Biology and an M.S. and B.S. in Biology from the University of Modena and Reggio Emilia, Italy. Previously she was a Research Scientist in the Department of Biology, Chemistry and Geography at the University of Québec at Rimouski, Canada.

Mr. Shon Reed Assistant Professor, Department of Sociology and Criminal Justice (Tenure Track)*	\$70,000	7/25/22	10 mos
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Mr. Reed received an M.A. and B.A. in Criminal Justice and is expected to receive a Ph.D. in Criminology and Criminal Justice from the University of Nevada, Las Vegas. Previously he was Guest Lecturer and Research Assistant at the University of Nevada, Las Vegas. (\*Rank is contingent upon successful completion of Ph.D. requirements by August 2022)

Dr. Christopher Rhea Professor, Associate Dean of Research and Innovation, College of Health Sciences	\$165,000	6/10/22	12 mos
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Dr. Rhea received a Ph.D. in Kinesiology from Purdue University, an M.S. in Movement Science from Barry University and a B.S. in Physical Education from the University of Central Missouri. Previously he was Director of Research and Instruction in STEM Education (RISE) Network at the University of North Carolina at Greensboro.

Dr. Don Rodrigues Assistant Professor, Department of English (Tenure Track)	\$68,638	7/25/22	10 mos
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Dr. Rodrigues received a Ph.D. and an M.S. in English from Vanderbilt University and an M.A. in English and a triple B.A. in English, Philosophy, and Studio Art from the University of Rhode Island. Previously he was an Assistant Professor of English in the Department of English at the University of Memphis.

Dr. Rachel Simons Assistant Professor, Department of STEM Education and Professional Studies (Tenure Track)	\$68,000	7/25/22	10 mos
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Dr. Simons received a Ph.D. in Information Studies from the University of Texas at Austin and an M.A. and B.A. in Comparative Literature from the University of Georgia. Previously she was Assistant Professor in the School of Library and Information Studies at Texas Woman's University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Stephanie Smith-Durkin Lecturer, Department of Counseling and Human Services	\$60,000	7/25/22	10 mos

Ms. Smith-Durkin received an M.S.Ed. in Counseling, a B.S. in Psychology and is expected to receive a Ph.D. in Counselor Education and Supervision from Old Dominion University. Previously she was a School Counselor at Ocean Lakes High School, Virginia Beach and an Instructor of Record at Old Dominion University.

DaShaunda Taylor Assistant Professor, School of Community and Environmental Health (Tenure Track)*	\$90,000	7/25/22	10 mos
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Ms. Taylor received a Master of Public Health, Epidemiology from Eastern Virginia Medical School, a Bachelor of Arts in Psychology and Biology from Hood College and is expected to receive a Doctorate in Epidemiology, Maternal and Child Health from Virginia Commonwealth University, School of Medicine. Previously she was a Graduate Assistant in the Center on Society and Health at Virginia Commonwealth University. (\*Rank will be Assistant Professor upon successful completion of Ph.D. requirements by August 2022) (new position)

Dr. Mona Torabizadeh Lecturer, Department of Engineering Technology	\$72,000	7/25/22	10 mos
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Dr. Torabizadeh received a Ph.D. from Clarkson University and an M.S. and B.S. from Shahid Bahonar University of Kerman. Previously she was an Adjunct Professor in the Department of Engineering Technology at Old Dominion University.

Mr. Cory Warner Lecturer, Department of Communication and Theatre Arts	\$50,000	7/25/22	10 mos
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Mr. Warner received an M.F.A. in Cinematography from the American Film Institute and a B.F.A. in Cinematography from the School of Visual Arts. Previously he was a Filmmaker. (new position)

Dr. Kevin Waymire Clinical Assistant Professor, Department of Psychology	\$74,000	7/25/22	10 mos
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Dr. Waymire received a Doctor of Philosophy and a Master of Arts in Clinical Psychology from Sam Houston State University, a Master of Education in Counseling from the University of Houston and a Bachelor of Arts in Psychology from the University of Texas at Austin. Previously he was a Licensed Clinical Psychologist at Hampton Roads Behavioral Health.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Miller Wright Assistant Professor, Department of History (Tenure Track)	\$62,000	7/25/22	10 mos

Dr. Wright received a Ph.D. and an M.A. in History from Rice University, a Ph.D. in Social History from Universidade Estadual de Campinas, an M.A. in Social Sciences from the University of Chicago and a B.A. in History; Political Science from the University of Alabama. Previously he was a Visiting Assistant Professor of Atlantic History at Wake Forest University.

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### ADMINISTRATIVE FACULTY APPOINTMENTS

RESOLVED that, upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the following administrative faculty appointments.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Rob Batchelder Director of Advising, College of Education and Professional Studies, and Instructor	\$61,000	3/25/22	12 mos.

Mr. Batchelder received a Master of Education from Notre Dame College. Previously, he worked as the Budget Manager in the College of Education and Professional Studies at Old Dominion University. Mr. Batchelder has also worked as an Academic Advisor at Saint Leo University.

Mr. Eric Baumgartner Special Teams Quality Control Coach and Assistant Instructor	\$37,800	1/10/22	12 mos.
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Mr. Baumgartner received a Bachelor of Science in Marketing from the University of Northwestern - Saint Paul. Previously, he worked as the Offensive Coordinator & Running Backs Coach at the University of Northwestern-Saint Paul and as the Defensive Quality Control Assistant at Iowa State University.

Mr. Malcolm Byrd-White Director of Compliance - Rules and Governance, Intercollegiate Athletics, and Instructor	\$49,940	3/25/22	12 mos.
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Mr. Byrd-White received a Master of Science in Administrative Studies with a concentration in Sport Management from Missouri State University. Previously, he worked as the Compliance Coordinator at Old Dominion University. Mr. Byrd-White has also worked as the Eligibility Center Representative at NAIA Eligibility Center in Kansas City, Missouri.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Briana Caldwell Instructor, Children's Learning & Research Center, and Assistant Instructor	\$39,900	2/1/22	12 mos.

Ms. Caldwell received a Bachelor of Science in Speech Pathology and Audiology from Old Dominion University. Previously, she worked as the Classroom Assistant in the Children's Learning and Research Center at the University.

Yin-Hsuen Chen Geospatial Data Scientist, Information Technology Services, and Assistant Professor	\$75,000	2/25/22	12 mos.
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Dr. Chen received B.A. and M.A. degrees in Geography from the National Taiwan Normal University and a Ph.D. in Geography from the University of Florida. Previously she was a Post-Doctoral Research Scholar with the Department of Geography at the University of Florida.

Mr. Taylor Clark Admissions Counselor and Assistant Instructor	\$39,381	3/25/22	12 mos.
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Mr. Clark received a Bachelor of Science in Sociology and Criminal Justice from Old Dominion University. Previously, he worked as the Office Manager in the Military Connection Center at Old Dominion University.

Ms. Danielle Cohea Senior Associate Athletic Director of Compliance, Conduct, & Regulatory Affairs, and Instructor	\$80,000	4/1/22	12 mos.
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Ms. Cohea received a Master of Science in Education, Sport Management from Old Dominion University. Previously, she worked as the Associate Athletic Director for Compliance and Student-Athlete Development at Cleveland State University. Ms. Cohea has also worked as the Assistant Director for Compliance at Towson University.

Ms. Carrie Duran Associate Director for Finance, Housing and Residence Life, and Instructor	\$69,000	3/25/22	12 mos.
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Ms. Duran received a Master of Science in Instructional Design from Old Dominion University. Previously, she worked as a Fiscal Manager at the University. Ms. Duran has also worked as the Budget Analyst at Tidewater Community College.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Kristin Eden Director of Engineering Student Success and Assistant Professor	\$62,000	1/10/22	12 mos.

Ms. Eden received a B.A. in Mass Communication from Pittsburg State University, a Master of Science in Recreation and Sport Administration from Western Kentucky University, and an Education Specialist in Higher Education Leadership from Old Dominion University. Previously she served as the Director of Student-Athlete Academic Services, Athletic Academic Advisor/Tutor Coordinator at Old Dominion University. Ms. Eden also served as the Athletics Academic Advisor at Tennessee State University.

Ms. Mallory Griest Residence Hall Director and Instructor	\$36,784	1/25/22	12 mos.
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Ms. Griest received a Master of Science in Counseling from Shippensburg University. Previously, she worked as the Area Coordinator for Student Housing at Dickinson College. Ms. Griest has also worked as the Interim Residence Director at Pennsylvania.

Ms. Kristen Haben College Advisor, Health Sciences, and Instructor	\$48,000	2/25/22	12 mos.
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Ms. Haben received a Bachelor of Arts in History from the University of California, Santa Cruz and a Master of Education in Curriculum and Instruction from the University of San Diego. Previously she served as the Domicile Coordinator and Enrollment Services Specialist for the Office of the University Registrar at Old Dominion University.

Mr. Justin Harper Assistant Football Coach and Instructor	\$100,000	1/25/22	12 mos.
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Mr. Harper received a Bachelor of Science in Apparel Housing & Resource Management from Virginia Polytechnic Institute & State University. Previously, he worked as the Passing Game Coordinator/Wide Receivers Coach at Towson University. Mr. Harper was also a wide receiver with the Baltimore Ravens.

Ms. Victoria Herrick Associate Director of Undergraduate Admissions - Recruitment, and Instructor	\$68,775	4/10/22	12 mos.
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Ms. Herrick received a Master of Science in Education in Higher Education Administration and Leadership from Old Dominion University. Previously, she served as the Assistant Director of Undergraduate Admissions - Transfer Admissions and a Transfer Admissions Counselor at Old Dominion University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Erica Howell Coordinator of Strategy and Marketing, College of Health Sciences, Instructor	\$65,000	11/25/21	12 mos.

Ms. Howell received an M.S. in Education, Higher Education Leadership from Old Dominion University. Previously, she served as the Donor Communications Manager in the Office of Development Alumni Relations at EVMS. Ms. Howell also was Assistant Director of Communications in the Office of Alumni Relations at Old Dominion University.

Dr. Yu Jing Core Facilities Manager, Frank Reidy Research Center for Bioelectrics, and Assistant Professor	\$60,000	1/10/22	12 mos.
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Dr. Jing received a Ph.D. in Viral Immunology and Aging from Eastern Virginia Medical School. Previously, she worked as the Health Science Technologist in the Monarch Molecular Testing Lab at Old Dominion University. Dr. Jing has also worked as a Research Scientist and Core Lab Manager. (new position)

Charlotte Kasic Executive Director, Barry Arts Museum, and Instructor	\$120,000	1/1/21	12 mos.
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Ms. Kasic received a B.F.A. from Alfred University and an M.F.A. from the Rhode Island School of Design. Previously, she served as the Interim Executive Director of the Barry Arts Museum at Old Dominion University. Ms. Kasic also previously worked at the Chrysler Museum of Art as the Founding Program Director and Glass Studio Manager.

Mr. Ryan Kirk Admissions Counselor and Assistant Instructor	\$39,381	4/25/22	12 mos.
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Mr. Kirk received a Bachelor of Arts in Communication from Old Dominion University. Previously, he served as the Guest Services Supervisor at Bretten Woods Ski Resort in Carroll New Hampshire.

Ms. Samantha Koenig Career Development Services Liaison for Science and Health Sciences Based Services, and Instructor	\$43,000	1/25/22	12 mos.
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Ms. Koenig received a Master of Engineering Management from Old Dominion University. Previously, she served as the Education Coordinator in the English Language Center at Old Dominion University.

Mr. Brandon McLean Assistant Director of Player Personnel and Instructor	\$52,500	4/6/22	12 mos.
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Mr. McLean received a Bachelor of Arts in Communications from the University at Albany. Previously, he served as the Director of Digital Design/Football Video Operations for Miami University Football.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Crystal McNamara Regulated Research Analyst/Assistant Facility Security Officer, VMASC, and Assistant Instructor	\$70,000	3/25/22	12 mos.
Ms. McNamara received a Bachelor of Science in Public Health from American Military University. Previously, she served as the Logs and Records Scheduler, Senior Specialist at Sikorsky, a Lockheed Martin Company. (new position)			
Ms. Sierra Phelps Academic Advisor, Office of Academic Success Initiatives & Support, and Instructor	\$44,000	12/10/21	12 mos.
Ms. Phelps received a Master of Science in Education: School Counseling from Old Dominion University. Previously, she served as the Graduate Assistant in the Impact Learning Communities Program at Old Dominion University.			
Mr. Tim Socha Director of Sports Performance - Olympic Sports. and Instructor	\$75,000	1/17/22	12 mos.
Mr. Socha received a Master of Education in Exercise Physiology from Auburn University. Previously, he served as the Head Strength and Conditioning Coach at the University of Washington.			
Ms. Yostina Sorial Counselor, Student Support Services, and Instructor	\$48,000	3/25/22	12 mos.
Ms. Sorial received an M.Ed. in Counseling and Human Development and a Bachelor of Arts in Psychology from Winthrop University. Previously, she served as the Trio Student Support Services Academic Counselor at Old Dominion University. (new position)			
Ms. Lenora Thorbjornsen Assistant Director of Academic Advising for the School of Cybersecurity and Instructor	\$56,638	1/25/22	12 mos.
Ms. Thorbjornsen received a Master of Science in Education in Counseling from Old Dominion University. Previously, she served as the Coordinator of First-Year Success & Cybersecurity Advisor at Old Dominion University.			
Ms. Christen Turney Director of Marketing and Branding, Strategic Communication & Marketing, and Assistant Instructor	\$70,000	2/10/22	12 mos.
Ms. Turney received a Bachelor of Arts in Cinema Television from Regent University. Previously, Ms. Turney worked as the Interim Director of Marketing and Branding at Old Dominion University. Ms. Turney has also worked as the Marketing and Advertising Coordinator at the University.			



<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Harold Williams Director of Annual Giving and Instructor	\$81,113	2/10/22	12 mos.

Mr. Williams received a Master of Science in Education, Higher Education from Old Dominion University. Previously, Mr. Williams worked as the Interim Director of Annual Giving at Old Dominion University. Mr. Williams has also worked as the Associate Director of Alumni Outreach and Business Development.

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### **EMERITUS/EMERITA APPOINTMENTS**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the title of emeritus/emerita for the following faculty members. A summary of their accomplishments is included.

<u>Name and Rank</u>	<u>Effective Date</u>
Beth Ann Dickie Director Emerita, Office of Educational Accessibility	June 1, 2022
J. Mark Dorrepaal Professor Emeritus of Mathematics and Statistics	June 1, 2022
Edward Jacobs Professor Emeritus of English	June 1, 2022
Richard Jones Senior Lecturer Emeritus of Engineering Technology	June 1, 2022
Hideaki Kaneko Professor Emeritus of Mathematics and Statistics	June 1, 2022
Janet Katz Associate Dean Emerita, College of Arts and Letters and Associate Professor Emerita of Sociology and Criminal Justice	July 1, 2022
Robin J. Lewis Professor Emerita of Psychology	June 1, 2022
NorLisa Mayes Executive Director Emerita of Academic Success Initiatives and Support	April 1, 2022
Christianne Nesbitt Associate Professor Emerita of Nursing	June 1, 2022

<u>Name and Rank</u>	<u>Effective Date</u>
Robert Ratzlaff Associate Professor Emeritus of Biological Sciences	June 1, 2022
John A. Sokolowski Associate Professor Emeritus of Computational Modeling and Simulation Engineering	June 1, 2022
Sharon C. Stull Lecturer Emerita of Dental Hygiene	June 1, 2022
Cecelia Taliaferro Tucker Assistant to the President Emerita for Community Relations	June 1, 2022
Terri N. Wheaton Director Emerita of Intake and Student Success Online	April 1, 2022

#### BETH ANN DICKIE

Beth Ann Dickie received a BS in Special Education - Severe Disabilities from George Peabody College of Vanderbilt University and an MS in Special Education - Severe Disabilities from the University of Maryland-College Park. She worked in Montgomery County Public Schools in Maryland for 13 years as a special educator and an instructional specialist supporting the education of students with disabilities and the training of county employees. Dickie joined Old Dominion University in 2009 and was named Director of the Office of Educational Accessibility in 2012. She has been recognized twice with the John R. Broderick Diversity Champion Award for her continued support of inclusion efforts across campus.

Dickie's office serves the needs of approximately 1600 students with disabilities per academic year. She has conducted extensive student, faculty, and staff training to help increase disability awareness across campus. She also spearheaded Disability Pride Month, which is comprised of various campus events during the month of October that highlight and celebrate the lived experience of people with disabilities. During Dickie's tenure as Director, Old Dominion University was ranked in the Times Higher Education World University rankings as top 10 in the country and top 100 in the world for reducing inequality in 2020. This award specifically refers to reducing inequity for people with disabilities.

Dickie is a collaborative leader who has worked with colleagues on campus and across Virginia to further disability advocacy. She has participated in numerous committees and task forces and hosts her own Faculty Advisory Committee made up of faculty from each college who provide feedback regarding office services and programs. Dickie has served as a member of the Executive Committee of AHEAD in VA (Association of Higher Education and Disability in Virginia) since 2011, and she served as the President of AHEAD in VA from 2015 to 2018. She was a founding member of VHEAP (Virginia Higher Education Accessibility Partners) in 2020 and remains an active member of their Organizing Committee. She also leads the Steering Committee of HR CHADD (Hampton Roads - Children and Adults with Attention Deficit and Hyperactivity Disorder) and coordinates their monthly meetings.

Dickie's on-going commitment to disability advocacy has greatly reduced physical, social, and technological barriers across campus so that constituents with disabilities are truly included in university life.

#### J. MARK DORREPAAL

Mark Dorrepaal received his BSc from the University of Windsor, Ontario, Canada in and a PhD in Mathematics from the University of Toronto. He joined Old Dominion as an Assistant Professor of Applied Mathematics in 1976. Dorrepaal achieved the rank of Professor in 2002. He served as chair of the Department of Mathematics and Statistics from 2001 to 2014.

Dorrepaal served as the thesis supervisor for two doctoral students at Old Dominion University and served as the external examiner for two more at other universities. His primary research was in Stokes Flow, a branch of Fluid Mechanics where viscous effects dominate. He showed that such flows can separate into eddy regions when the external flow is past a concave object, such as a spherical cap or a torus. Dorrepaal also made contributions in solving the Traveling Tournament Problem, which is a distance minimization problem where a number of teams in different geographic locations play a round-robin tournament subject to constraints.

#### EDWARD JACOBS

Edward Jacobs received a BA in English from the University Tennessee at Knoxville and an MA and PhD in English from the University of Illinois at Urbana-Champaign. He joined Old Dominion University as an Assistant Professor of English in 1992, received tenure and promotion to Associate Professor in 1999, and was promoted to Full Professor in 2010.

Jacobs has directed four MA theses and four PhD dissertations and been a member on over 20 thesis and dissertation committees. He also served as a member on six PhD dissertation committees, four MFA thesis committees, and over 130 MA in English Oral Comprehensive Examinations. Among his administrative service, Jacobs served as Graduate Program Director for the MA in English from 2000 to 2003 and as Acting Program Director for both the MA and PhD in English during 2006, the year in which the PhD in English was launched. Thereafter, he served on the PhD in English Advisory Committee from 2007 to 2017. He also served as Coordinator of the Literature Program in the Department of English from 2006 until 2020.

Beyond the Department of English, his major administrative service has been 21 years on Faculty Senate (1998-2019), where, among other duties, he was Chair of Committee B (Undergraduate Policies and Procedures) from 2006-2012 and served twice on the Faculty Senate Executive Committee (2010-2014 and 2018-2019). Outside Old Dominion, Jacobs served on the Board of Directors for Todd Rosenlieb Dance (2006-2014) and currently serves on the Advisory Board of COVE (The Collective Online Virtual Educator).

Jacobs's research focuses on British Literature 1640-1840 (especially the novel), eighteenth and nineteenth century newspapers, and the critical editing of works of literature. He has published one single authored book, and he has been the lead author of two critically edited, fully annotated editions of nineteenth century works of fiction, plus 22 peer reviewed articles. Jacobs has presented 29 papers at national and international scholarly conferences. He was twice a recipient of the Department of English's endowed Robin L. Hixon Research Fellowship.

## RICHARD JONES

Richard (Rick) Jones, Senior Lecturer, joined the Engineering Technology Department in 1994 after retiring from the USN Submarine Service as a weapons officer specializing in nuclear missile and conventional submarine weapons systems. While in the Navy, he taught senior-level mechanical engineering design at the United States Military Academy and senior-level electrical engineering at the United States Naval Academy.

While at Old Dominion, Jones taught just about every electrical engineering technology course below the 400 level. He advised students for 25 of his 29 years and served as the Chair of the College Scholarship Committee for 22 of those years. Jones also served on dozens of other University and College committees.

Jones' primary research aim was finding ways to teach electronic hardware courses on-line, while keeping the hands-on experiences that electrical engineering technology is known for without losing any of the rigor.

## HIDEAKI KANEKO

Hideaki Kaneko received a BS in Mathematics from College of Charleston and a PhD in Mathematics from Clemson University. He joined Old Dominion as an Associate Professor of Mathematics in 1986 and achieved the rank of Professor in 1991. He was recognized with the Most Inspiring Teacher Award from the College of Sciences as well as from the Batten College of Engineering and Technology. Kaneko was designated as Visiting Professor of Mathematics by Mahidol University in Bangkok, Thailand.

Kaneko has served as the major professor for four doctoral students at Old Dominion University. He is Associate Editor of two international journals in mathematical sciences. Kaneko's administrative experience includes Graduate Program Director (2004-2009) and Chair of the Department of Mathematics and Statistics (2014-2020). During his tenure as Chair, the department established a new major, Big Data Analytics, in its B.S. program, and also a new concentration, Mathematics of Data Science, in its M.S. and Ph.D. degree programs. Kaneko served as co-organizer of the International Conference of Mathematics of Data Science, which was held at Old Dominion University in 2018.

Kaneko conducted research in the areas of Fixed Point Theory, Numerical Solutions of Integral Equations, Wavelet Theory and Data Science. He has 70 published papers and book chapters and received grant and contract awards from NASA Langley and from NSF. He made more than 40 presentations at scientific meetings or invited seminars.

## JANET KATZ

Janet Katz received a BA in Sociology from Kalamazoo College and a PhD in Criminal Justice from the State University of New York at Albany. She joined ODU in 1979, was appointed Assistant Professor in the Department of Sociology and Criminal Justice in 1980 and promoted to Associate Professor in 1984. In 1986, Katz served as Director of Women's Studies and from 1987-1989 she was the Director of the Arts and Letters Office of Research Services. She served as Acting Chair of the Department of Sociology and Criminal Justice from 1990-1991 and Chair of the department from 1992-1993. Katz was appointed Associate Dean for the College of Arts and

Letters in 1993. She served as Interim Dean for the college for the 1995-96 academic year and again from 2001-2003 before returning to the position of Associate Dean in 2003.

As Associate Dean Katz established the college advising office, coordinated the renovation of the Batten Arts and Letters building, oversaw the Equipment Trust fund allocations, handled undergraduate student issues, promoted the development of learning communities, and represented the college on a myriad of university-wide committees, including assessment, accreditation, and general education development,

Katz published research on attitudes and decisions of probation offices, eugenics and crime, and violence against women in a variety of journals including *Social Justice*, *Victims and Violence*, *Contemporary Crisis*, *Criminal Justice and Behavior* and the *Journal of Social Psychology*. In 1991 she participated in the ODU-Kitakyushu semester-long exchange program where she taught a course on Women and Crime and gave a number of public talks.

#### ROBIN J. LEWIS

Robin Lewis received an Sc.B. in Psychology from Brown University and an M.A. in Psychology and a Ph.D. in Clinical Psychology from the University of Kansas. She joined the Psychology Department in 1984 and achieved the rank of Professor in 1998.

Lewis has conducted research, taught classes, mentored students, and provided service support to the University during her tenure. She served as a member or chair of numerous master's thesis and doctoral dissertation committees. She has won a variety of awards for research, teaching, and mentoring at the national and university level. Lewis has had 78 journal articles that have been published in psychological journals and 137 professional presentations. She has obtained grant funding from her research from the National Institutes of Health and the American Psychological Foundation, among others. Her current research is focused on sexual minority health, intimate partner violence, and substance abuse.

Among her many notable accomplishments, Lewis served as Director of Clinical Training from 2004-2009, and again from 2015 to present, for the Virginia Consortium Program in Clinical Psychology. She is a Fellow of the American Psychological Association and the Association for Psychological Science. She has served on six editorial boards, including the *Journal of Social and Clinical Psychology*, *Clinical Psychology Review*, *Journal of Clinical Psychology*, and *Psychology of Violence*.

#### NORLISA MAYES

NorLisa Mayes received a Bachelor of Science in Sociology and a Master of Science in Education from Old Dominion University. She joined Old Dominion as an Office Services Specialist for the Development Office in 1989 and was promoted several times within Academic Affairs to eventually hold the title of Executive Director of Academic Success Initiatives and Support (formerly Center for High Impact Practices) in 2015. Her other administrative positions include Assistant Dean of Academic Enhancement (formerly University College), Operations Administrator for University College, and Director of Continuance.

Recognition of her accomplishments include HACE Employee of the Year, Association of University Administrator's J. Worth Pickering Employee of the Year, John R. Broderick Diversity

Champion, and Enstminger Entrepreneurship Fellow. Mayes taught university orientation courses. Her service includes the University Women's Caucus President and board member, Quality of University Life co-chair, Experiential Learning chair, Coalition of Black Faculty and Administrators advisor, and Omicron Delta Kappa advisor.

Mayes has served on many committees including the University Strategic Planning Committee, Entrepreneurship Collaborative, ODU Entrepreneurship Executive Council, Experiential Learning Committee (chair), Open Education Resources Committee, SCHEV V-TOP Internship Initiative, Association of Public and Land-Grant Universities-Metropolitan Cluster 7, and the ODU Student Success Committee.

Mayes' research and area of focus concerns academic achievement of undergraduate students with a focus on underrepresented populations. She has five published papers and one book chapter, received 10 grant awards totaling over \$4M, made over 30 presentations at institutions, invited meetings, regional and national conferences, and hosted three professional conferences.

#### CHRISTIANNE NESBITT

Christianne Nesbitt, Associate Professor of Nursing, is a Gerontological Nurse Practitioner and Psychiatric Mental Health Nurse Practitioner in the graduate nursing program. She earned a Doctor of Nursing Practice from Old Dominion University, a Master of Science in Nursing with a concentration as a Gerontological Nurse Practitioner from the University of Maryland at Baltimore, and a bachelor's degree in Nursing from The University of Texas Medical Branch. Nesbitt also worked in clinical practice as an Assistant Professor of Medicine at Eastern Virginia Medical School in the Glennan Center for Geriatrics and Gerontology.

Nesbitt joined Old Dominion University in 2009. She received the Interprofessional Education Award from the College of Health Sciences, and the Nurse Practitioner of Excellence Award from the Virginia Council of Nurse Practitioners. Nesbitt has contributed to the growth and success of the School of Nursing and the promotion of advanced practice nursing over the span of her professional career.

#### ROBERT RATZLAFF

Robert Ratzlaff (Bob) joined Old Dominion University as an Assistant Professor of Biological Sciences in 1987 and was promoted to Associate Professor in 1992. A highly skilled immunologist, he received a B.S. in Biology and a Ph.D. in Microbiology from the University of South Dakota and completed postdoctoral studies at the Yale University School of Medicine before joining ODU.

Ratzlaff offered key, highly popular undergraduate courses in immunology and molecular biology. He led an effort to organize an external review of the Biological Sciences Department, which helped the department restructure the biomedical curriculum. Among his contributions in service, Ratzlaff served as the Graduate Program Director (GPD) for the Biomedical Sciences Ph.D. program, and later as the GPD for the department's large M.S. in Biological Sciences graduate program.

Ratzlaff was a productive researcher, having trained 11 M.S. students and two Ph.D. students. He was active in seeking extramural funding, and his grant funding totaled over \$1.5M.

## JOHN A. SOKOLOWSKI

John Sokolowski received a BS in Computer Science from Purdue University, a Master's in Engineering Management, and a Ph.D. in Modeling and Simulation from Old Dominion University. After a career in the U. S. Navy spanning 27 years, he joined Old Dominion in 2001 as a senior research scientist under the ODU Research Foundation. In 2004 Sokolowski transitioned to ODU and became Chief Scientist for ODU's Virginia Modeling, Analysis and Simulation Center (VMASC). He was selected as VMASC's Executive Director and awarded the faculty rank of Associate Professor in 2010. He was awarded tenure on the Department of Computational Modeling and Simulation (CMSE) in 2016. In 2017, Sokolowski stepped down from his Executive Director role at VMASC and transitioned to teaching in the CMSE department.

Sokolowski has served as the major professor for 12 master's and doctoral students at Old Dominion University. He also served as a co-advisor for an additional 18 master's and doctoral students. He has served on ODU's Faculty Senate since 2010 and was Chair of the Senate from 2019 to 2022. Sokolowski is personally responsible for over \$8M of research funding spanning his time at VMASC. As VMASC's Executive Director he diversified the Center's research portfolio beyond that of the Department of Defense into several areas, including cyber security.

Sokolowski's research concerns the computational representation of human behavior in computer simulation. He has published four books in modeling and simulation and served as author or co-author on 16 journal articles and 46 conference papers. He has also served as President and Chairman of the board for the Society for Modeling and Simulation International.

## SHARON C. STULL

Sharon Stull received a Bachelor of Science degree in Dental Hygiene and a Master of Science degree in Dental Hygiene from Old Dominion University. She joined the Old Dominion University (ODU) School of Dental Hygiene (SODH) as an Adjunct Assistant Professor in Dental Hygiene in 1995, and achieved the rank of full-time Lecturer in 2006, which includes the following service roles: Community Outreach Coordinator, Admission Chair, BSDH Post-Licensure Degree Program Director, Scholarship Chair, and Study Abroad Coordinator. Recognition of her accomplishments in teaching, research, and service include the ADHA/Colgate Community Health Award, Proctor and Gamble National Award *Pro in the Profession*, the SODH Most Inspiring Faculty Award, John A. Broderick Diversity Champion, and the Gene W. Hirschfeld Excellence in Dental Hygiene Award.

Stull has served as the director for eight graduate students non-thesis projects, a member of three graduate student non-thesis committees and a member of two graduate student thesis committees at Old Dominion University. During her time as Admission Chair, she transformed the on-campus BSDH Degree Completion Program to an asynchronous platform resulting in a direct pipeline to the SODH graduate program applicant pool. As Study Abroad Coordinator, she has led six study abroad trips for dental hygiene students and others focusing on the dental healthcare system in Germany, Guatemala and Ireland.

Stull has seven published manuscripts in peer-reviewed journals, written a chapter in two textbooks, and was Co-PI for the Virginia Department of Health Dental Division and Old Dominion University Research Foundation Oral Health Assessment of Virginia Elders. In 2010, she received a community service grant from William Wrigley Jr. Company Foundation for Lake

Taylor Oral Health Initiative. In 2018, Stull became a member of a HRSA grant in collaboration with Eastern Virginia Medical School. Over the course of her time in the SODH, she received eight in-house service-learning grants for support of SODH community efforts to increase oral health literacy. Additionally, she has presented collaborative work at 18 professional organizations. One of the committees Stull served on resulted in ODU receiving the Carnegie Community Engagement designation.

Stull serves as Vice President of the Board of Directors for Chesapeake Care Clinic. Also, she initiated an affiliation agreement with the Virginia Commonwealth University fourth-year dental student Preceptorship Program to increase capacity for oral healthcare services for the underserved populations in Hampton Roads while involving collaboration with the senior dental hygiene students at ODU. She has created two student Oral Health Community Impact Scholarships and initiated a HOPES Clinic Kids Project, financially supporting undocumented children from EVMS HOPES clinic who serve indigent populations to receive free oral healthcare services at the ODU SODH Care Facility/Clinic.

#### CECELIA TALIAFERRO TUCKER

Cecelia Tucker, Assistant to the President for Community Relations, joined Old Dominion University in 1991. She received a B.S. in Biology Education from Virginia Union University and an M.S. in Biology from Michigan State University. She has served in a wide variety of community relations activities for the University, especially for and with the minority and African-American communities of Hampton Roads. Tucker held several positions prior to joining ODU including Acting Director of the Urban League of Hampton Roads, Women in Transition Director for the YWCA in Hampton Roads, and Interim Director of the William A. Hunton YMCA.

Tucker has served on boards of numerous community organizations, including the Virginia Stage Company, Young Audiences of Virginia, the Virginia Beach Community Services Board, the African-American Jewish Coalition, Empowerment 2010 and the Dwelling Place. She was President of the American Cancer Society's Tidewater Chapter and the Tidewater Chapter of the National Conference for Community and Justice, now, the Virginia Center for Inclusive Communities. Tucker is also the former president of the Auxiliary to the Norfolk Medical Society.

In addition to her extensive community involvement, Tucker has held three state appointments by Governors John Dalton and Charles S. Robb. She was a member of the Bi-racial Monitoring Committee for both governors and served on the Virginia Enterprise Zone Task Force for Governor Robb.

Widely recognized as a community leader, Tucker has been recognized for her works by several area organizations. She has been honored with such awards as the Martin Luther King Award and the Outstanding Service Award from the Norfolk Links, the McDonald's Hampton Roads Black Achievement Award, Tidewater Community College's Martin Luther King Award, the Alpha Kappa Alpha Sorority's Trailblazer's Award, National Conference for Community and Justice Humanitarian Award, Zonta International 2002 Women's Achievement Award, Norfolk NAACP Lifetime Investment in Freedom Award, Urban League of Hampton Roads Legacy Award, YWCA Women of Distinction Award, Old Dominion University chapter of the NAACP President's Award, the National Honor Society of Phi Kappa Phi, an Honorary Member Award from the Golden Key Honor Society of Old Dominion University, Booker T, Washington H.S. Friends and Alumni Association Distinguished Teacher and Instructor, and the Pioneer and Valuable Member



Award from the Minority Advisory Council of United Way. In 2013 Tucker received the Hampton Roads Legend Award from the Urban League of Hampton Roads Young Professionals. Further, in 2013, she received the Diversity and Inclusion Award from SunTrust Bank and in 2014, the Children's Harbor Anchor Award and the Impacting Lives Award from the Norfolk Journal and Guide. Finally, The Community Groundbreaker Award from the Norfolk Botanical Garden President's Council for Inclusion and Diversity was received in 2016 and in 2017 the Rotarian of the Year Award from the Rotary Club of Hampton Roads and the Famous Formers award from the Colonial Coast Girl Scouts. More recently, Tucker received the Education Excellence Award from the Urban League of Hampton Roads in 2020 and in 2021, the Community Impact Award from the STOP Organization.

Currently, Tucker serves as a board member of the William A. Hunton YMCA, Rotary Club of Hampton Roads, Urban League MLK Community Leaders' Breakfast Committee, Urban League Whitney M. Young Dinner Committee and the Virginia Center for Inclusive Communities Board. Further, she is a member of the Board of Trustees Ministry at the historic Bank Street Memorial Baptist Church in Norfolk.

#### TERRI N. WHEATON

Terri Wheaton joined the staff of ODU Distance Learning in 2004 as the Site Director at the Central Virginia Community College location in Lynchburg, VA. In 2005, she was named the Site Director in Roanoke at the Virginia Western Community College location, serving there and as the Old Dominion University representative at the Roanoke Higher Education Center. In 2007, Wheaton was elevated to Regional Director for the Old Dominion University Office of Distance Learning. She provided administrative leadership of eight full-service, distance learning sites and higher education centers throughout Southwest Virginia with a combined staff of over 30 professionals including faculty administrators, classified and hourly employees.

Wheaton was named Director of Advising and Coaching for the Old Dominion University Online Office of Distance Learning in 2014. She assumed the responsibility for the leadership and supervision of 16 faculty professional academic advisors in the undergraduate online environment that served approximately 3,000 completely online students. Most recently because of consistently increasing enrollment growth and the need to serve prospective students and advise enrolled students in a more targeted, efficient, and effective manner, Wheaton was named Director of Intake and Student Success Online for the College of Health Sciences.

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### **APPOINTMENT OF RAY FERRARI ENDOWED PROFESSORSHIP BATTEN COLLEGE OF ENGINEERING AND TECHNOLOGY**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Orlando Ayala to the Ray Ferrari Endowed Professorship for 2022-2023 through 2026-2027. A summary of his career is included below for information purposes.

“The purpose of the award of a named professorship is to recognize and provide support to an Old Dominion University faculty member who has exhibited sustained excellence in teaching and/or research as well as a continuing, exemplary commitment to the University. Appointments to

named professor positions are for a five-year period, and they are renewable based on an in-depth performance review. Each named professor shall receive a document from the Dean, with input from the department/school chair or center director where appropriate, outlining research, teaching, and service expectations over the next five years. The recipient will serve as a model of professional accomplishment and commitment to the mission of the University. The recipient must hold a full-time faculty or senior research appointment at Old Dominion University.”

**Orlando M. Ayala**  
**Associate Professor of Engineering Technology**

Dr. Ayala joined ODU as an Assistant Professor in 2013 and received tenure and promotion to Associate Professor in the Department of Engineering Technology in 2019. His research is focused on fluid mechanics, heat transfer, and high-performance parallel computing and scientific computation. He has authored or co-authored over 170 research papers, abstracts, technical reports, and presentations. He has contributed to more than 20 externally funded projects, exceeding \$5.2M in research expenditures. External reviewers commend his research achievements, dedicated professional service, and his strong national and international reputation in the field of engineering technology.

Dr. Ayala’s achievements are equally impressive in teaching, engaging students in meaningful activities outside the classroom, and promoting STEM careers to under-represented groups. He has strengthened the curriculum by incorporating real world problems and the computational methods used to solve them. More than 100 students have benefited from his mentorship for senior design projects. Notably, working through Engineers Without Borders, he has taken ODU engineering students to small communities in Latin and South America to provide engineering solutions to local challenges, such as obtaining safe drinking water. He was instrumental in organizing the highly successful Remote Experience for Young Engineers and Scientists (REYES) program, which has reached over 11,000 future scientists and engineers in 135 countries. Additionally, he has cultivated technology career aspirations for underrepresented high school and college students through the High Achieving LatinX in Engineering and Science (HALES) program.

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Committee members approved the creation of a School of Data Science and the initiation of a Ph.D. program in Biology. The following resolution was brought forth as a recommendation of the Academic and Research Advancement Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith; Nays: None*).

**APPROVAL TO CREATE THE SCHOOL OF DATA SCIENCE**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves creating the School of Data Science effective August 15, 2022.

*Rationale:* ODU has a unique opportunity to develop a regionally-specific data science emphasis that also can become nationally known, due both to regional employers that require a large number of operational data analytics employees and nearby national labs with research thrust areas that

can magnify ODU's investments in specific data science niches. An opportunity and need exists to create formal partnerships in data science with nearby national labs to leverage the investments those labs also are making in data science. A related opportunity is the identification of niche areas of data science in which ODU can invest limited resources in partnership with nearby national labs to be recognized as a national leader in those targeted areas.

Responding to this unique opportunity, ODU will create a School of Data Science that is designed to organize data science academic and research activities (with degrees and certificates tailored to regional workforce needs) while leveraging research partnerships with nearby national labs (JLab, NASA Langley, and Wallops Flight Facility) to develop a targeted scientific focus in data science for which ODU can become a distinctive national leader.

The success of the Center for Cybersecurity and Research, recently named the School of Cybersecurity, provides an eminently workable blueprint for moving the data science initiative forward. As a related discipline, moreover, cybersecurity and its demonstrated successes can be used to bolster data science programming. The School of Cybersecurity budget supports a small group of core faculty who coordinate cybersecurity instruction and research across the university, but it draws on a much larger group of teaching and research faculty from multiple departments, colleges, and research centers to execute those activities. This matrix structure has resulted in rapid growth, both in cybersecurity enrollments and external research funding, and positioned ODU to be a successful participant in the Commonwealth Cyber Initiative (CCI).

The School of Data Science will administer select data science degrees, certificate programs in data science, and a future minor in data science. The school's strategic priority is to deliver exceptional academic programs for both resident and distance students to cultivate the data science workforce and grow the number of data scientists in the Commonwealth and nation. The school will support undergraduate and graduate students and faculty to achieve sustainable growth of the data science programs. The school will develop meaningful relationships with regional research labs to foster joint research initiatives that promote economic development in Hampton Roads and across Virginia. The school's objectives also include developing high-impact, cross-disciplinary research initiatives that center on data science and conducting outreach and community engagement, being a source of data science expertise to the community, the Hampton Roads region, the Commonwealth of Virginia, and the nation.

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Morris Foster, Vice President for Research, presented an overview of research opportunities, including offshore wind energy, supply chain/acquisition systems, autonomous systems, and SmallSats/Wallops.

### **ADMINISTRATION AND FINANCE COMMITTEE**

Mr. Broermann, chair of the Administration and Finance Committee, reported that Chad Reed, Vice President for Administration and Finance, briefed the Committee on the Crisis and Emergency Management Plan (CEMP). The mission of the Emergency Management Program is to build, sustain, and continually improve a comprehensive, coordinated, and inclusive readiness effort that cultivates institutional capacity to prevent, mitigate against, prepare for, report to, and recover from threats to the University's mission. It is required

that each public institution of higher education in Virginia develop, adopt, and keep current a written crisis and emergency management plan with a review and revision every four years. The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

**RESOLUTION OF THE BOARD OF VISITORS OF  
OLD DOMINION UNIVERSITY**

**ADOPTION of the CRISIS AND EMERGENCY MANAGEMENT PLAN**

WHEREAS, the Board of Visitors of Old Dominion University is concerned with the health and well-being of its students, faculty and staff and desires that the best possible emergency service be available to them; and,

WHEREAS, the President is concerned with the health and well-being of its students, faculty, and staff and desires that the best possible emergency service be available to them; and

WHEREAS, the §23.1-804 of the *Code of Virginia* requires that all public institutions of higher education develop, adopt, and keep current a written crisis and emergency management plan; and

WHEREAS, and every four years, each institution shall conduct a comprehensive review and revision of its crisis and emergency management plan to ensure the plan remains current, and the revised plan shall be adopted formally by the Board of Visitors; and

WHEREAS, such review shall also be certified in writing to the Department of Emergency Management; and

WHEREAS, such a plan has been developed by the Old Dominion University Department of Emergency Management in compliance with Virginia Department of Emergency Management planning standards with input from various University departments and local municipal Emergency Management Agencies.

NOW THEREFORE, BE IT RESOLVED that Old Dominion University Board of Visitors, on this 22nd day of April 2022, does hereby officially adopt the Old Dominion University Crisis and Emergency Management Plan.

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Vice President Reed presented the Capital Outlay Projects Status Report. He noted there are currently eleven projects in various stages of pre-planning, planning, design, and construction. These projects have a total projected cost of \$381,529,860. Of note, the Whitehurst project is scheduled for completion this summer. Also projected for completion this summer are Health Sciences and the L.R. Hill Locker Room. He also commented on new construction of the Biology Building, Public Safety, Baseball Stadium and the Data Sciences Building.

Vice President Reed briefed the Committee on the current operating budget, which included an overview of the third quarter financial performance report, enrollment outlook, and an update on the legislative process and state budget.

The Committee received the Educational Foundation Investment Report from Ms. Maggie Libby, Associate Vice President for Advancement-Foundations.

### **AUDIT AND COMPLIANCE COMMITTEE**

Ms. Dickeski, chair of the Audit and Compliance Committee, reported that Amanda Skaggs, Chief Audit Executive, presented the completed audit reports on the Owens House Construction Audit, Police Department Operations, Tennis Center, Office of Visa and Immigration Service Advising, and the activity and status of open audit issues since November 2021. She then discussed the open audit projects, which include Payroll Benefits, Closeout Procedures for the Confucius Institute, Banner Workflows, University Libraries, Athletic Business Office, College of Sciences, Desktop Management, Housing and Residence Life, Cybersecurity Intrusion Detection and Incident Response, Audit Outreach, and Special Projects and other activities.

The Committee met briefly in closed session to discuss the performance of special departments which such evaluation will necessarily involve discussion of the performance of specific individuals.

### **GOVERNANCE COMMITTEE**

Ms. Dickeski, chair of the Governance Committee, reported that the Committee met twice since the last Board meeting. At its meeting on March 28, the Committee discussed the process for Board officer elections in June, a proposed revision to Bylaws Section 2.03, Removal, a new Conflict of Interest certification form also requested by the SACS reviewers and approved proposed revisions to 19 Board policies.

University Counsel Al Wilson explained that SACSCOC does not recognize that Virginia's Conflicts of Interests Act as transactional in that conflicts are identified as they arise out of the annual Financial Disclosure Statements that are required to be submitted in January of each year. So they were looking for something more from the Board as a way of acknowledging that members understand that the Act exists and they will make disclosures as required by law. Ms. Meeks has provided the form for each Board member to sign and return to her so that she can provide it them, as requested, to the SACSCOC reviewers. The following resolution was brought forth as a recommendation of the Governance Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

**RESOLUTION TO APPROVE BOARD OF VISITORS MEMBER CONFLICT OF INTEREST POLICY ACKNOWLEDGEMENT AND DISCLOSURE FORM**

BE IT RESOLVED, that upon the recommendation of the Governance Committee, the Board of Visitors approves the proposed Board of Visitors Member Conflict of Interest Policy Acknowledgement and Disclosure Form.

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The proposed revision to Section 2.01 of the Bylaws is also to satisfy a request from the SACSCOC reviewers and provides for due process to an individual Board member should that individual fail to attend Board meetings for a year or attend the required SCHEV training within the first two years of service without sufficient cause. The Board was required by statute to include in its Bylaws a provision to take action to recommend to the Governor the removal of such member, and the language adopted by all of the Virginia Boards was included. While the language was silent on notice. The Committee approved the proposed language with a 10-day notice requirement to the individual Board member but will not be presented to the Board for approval until the June meeting in order to satisfy the 30-day notice requirement in our Bylaws.

At its meeting yesterday, the Committee approved the process for Board officer elections. The following resolution was brought forth as a recommendation of the Governance Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickseski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

**RESOLUTION TO APPROVE PROPOSED OFFICER ELECTIONS PROCESS**

BE IT RESOLVED, that upon the recommendation of the Governance Committee, the Board of Visitors approves the proposed Officer Elections process, as follows:

- Following April 22 Board meeting, Governance Committee Chair will send email to Board members soliciting nominations for Board officers and not those who are eligible for consideration
- Nominations due to the Chair by May 6
- Governance Committee meets on May 11 to discuss nominations and agree on a proposed slate of officers to present to the Board on June 3
- Proposed slate of officers will be shared with the Board when the June 2-3 meeting materials are published in OnBoard
- Following presentation of the proposed slate of officers on June 3, nominations for each office will be taken from the floor and each office voted on separately

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SACSCOC is also requiring that the Board review and approve its Code of Ethics that was enacted in 2013 as required by statute. The Committee reviewed the Code of Ethics yesterday and has proposed no revisions. The following resolution was brought forth as a recommendation of the Governance Committee and was approved by all members present

and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickseski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

## **RESOLUTION TO APPROVE THE BOARD OF VISITORS CODE OF ETHICS**

BE IT RESOLVED, that upon the recommendation of the Governance Committee, the Board of Visitors approves the Board's Code of Ethics.

### **Code of Ethics**

Integrity is one of the core values of Old Dominion University. Thus, we are committed to lawful and ethical behavior in all of the University's activities. At ODU, we insist that all members of the university community – board members, employees, students, and volunteers – comply with all laws, regulations, policies, and ethical norms applicable to them. More generally, we are to be honest, fair, and trustworthy ourselves and to take care that other members of the university community are as well.

The Board of Visitors of Old Dominion University acknowledges the Code of Ethics established for its employees, students, volunteers and vendors ([University Policy 1002 – Code of Ethics](#)), and adopts its own Code of Ethics for members of the Board.

We, as members of the Old Dominion University Board of Visitors, will:

- Obey the laws, regulations, and policies applicable to our positions and university-related activities;
- Utilize our best efforts to protect and preserve university resources and ensure their proper use;
- Avoid both conflicts of interests and the appearance of such conflicts;
- Promptly complete Conflict of Interest Training and Certification as required for board membership;
- Safeguard confidential information;
- Make procurement decisions impartially and objectively;
- Ensure, through open communication with the University's internal and state auditors, that effective internal controls are in place to safeguard the transactional integrity of our activities;
- Treat other members of the University community with dignity and respect;
- Ensure, through the establishment of appropriate policies and procedures, that enforceable measures are in place to protect members of the University community from illegal discrimination or harassment; and
- Report any illegal or unethical action that comes to our attention, so the University can investigate and take corrective steps.

This Code of Ethics was adopted by the Board of Visitors of Old Dominion University on April 22, 2022.

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The Board approved a resolution in December to rescind a number of Board policies that were recommended as no longer required to be a Board-level policy. Included in that group of rescinded policies was Policy 1801, Development Policy. It has since been discovered that the Virginia Code requires a Board-level policy, so the Committee approved the reinstatement of this policy with a few minor revisions. The following resolution was brought forth as a recommendation of the Governance Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

The following resolution was brought forth as a recommendation of the Governance Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

### RESOLUTION TO REINSTATE BOARD POLICY 1801

BE IT RESOLVED, that upon the recommendation of the Governance Committee, the Board of Visitors approves the reinstatement of Board Policy 1801, Development Policy, as revised.

**NUMBER:** 1801  
**TITLE:** Development Policy  
**APPROVED:** August 14, 1981; Revised June 19, 1986; Revised June 12, 2014; Revised April 22, 2021; Revised April 22, 2022

#### I. General Policies

- A. Solicitation for gifts for the university or any of its colleges, schools, departments, centers, institutes, or programs must have the prior written approval of the president or a designated representative and comply with the following Code of Virginia statute: §23.1-1304.1, Governing board; additional duties; policy; acceptance of terms and conditions associated with donations, gifts, and other private philanthropic support.
- B. Private gifts or grants which entail a commitment on the part of the university may not be accepted without the written approval of the president or a designated representative.
- ~~C. All gifts shall be received, recorded, and acknowledged by the Office of University Advancement of the University.~~
- D. Private gifts or grants are received and acknowledged on behalf of the university by the Old Dominion University Educational Foundation, Old Dominion Athletic Foundation, Old Dominion University Real Estate Foundation, Old Dominion University Community Development Corporation, and the Old Dominion University Museum Foundation. The university (as opposed to the foundations) receives gifts when specifically requested by a donor and when it is in the best interest of the university to do so.
- E. The president of the university shall establish policies to provide for the orderly and prudent transfer of funds from the foundations to the university.



- F. The president of the university may establish additional policies governing the solicitation or acceptance of gifts in the name of the university.
- G. The President or his designee shall inform and seek the approval of the Board of Visitors ~~of shall be informed of and approve~~ gifts that direct academic decision-making or gifts of \$1,000,000 or more that impose a new obligation on the university, excluding gifts for scholarships or other financial aid.

## II. Commemorative Gift Opportunities

### A. Named Facilities

A building, a room, a space, or an area on campus may be named to recognize a substantial gift. This is provided for in the Board of Visitors' policy on the Naming of University Buildings, Building Spaces, or Areas.

### B. Named Programs

A college, school, department, center, or institute may be named by the Board of Visitors to recognize a substantial endowment gift.

### C. Eminent Scholars

The Commonwealth of Virginia established the eminent scholars program in 1964 to encourage endowment gifts to attract and retain outstanding faculty. The program provides state funds to match the income from endowments established for this purpose. Virginia was the first state to establish such a program. Old Dominion University has participated in this program from its inception and encourages such endowment gifts.

### D. Named Chair

A chair may be named in recognition of an endowment gift sufficient to provide for a significant salary supplement. Ideally, such an endowment would provide for administrative, travel, and research support in addition to compensation.

### E. Named Professorship

A professorship may be named in recognition of an endowment gift for a salary supplement sufficient to attract and retain a distinguished scholar.

### F. Named Visiting Scholar or Artist

A visiting scholar or artist may be named in recognition of an endowment gift sufficient to provide for the cost of such a program.

G. Named Lectureship

A lectureship or lecture series may be named in recognition of an endowment gift sufficient to provide for the honorarium and expenses related to the lecture.

H. Named Fellowship

A fellowship may be named to recognize an endowment gift to provide for tuition and fees assistance and a research stipend for a graduate student.

I. Named Scholarship

A scholarship may be named to recognize an endowment gift to provide for tuition and fees assistance for an undergraduate student. An athletic grant-in-aid may be named to recognize an endowment gift to provide for tuition, fees, room and board, and books assistance for a student-athlete.

J. Other Named Funds

The president of the university may establish other named funds such as library or book funds, loan funds, or prize funds when a gift or gifts are sufficient to meet an objective of the university.

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Ms. Dickseski stated that, to date, the Governance Committee has reviewed and recommended for approval 33 policies, including 24 of the 29 recommended for review for the SACSCOC reaccreditation. Of the five remaining policies, two are anticipated to be ready for review at the Governance Committee's meeting in May for approval by the Board in June, two are deferred pending the results of the strategic planning process, and one is pending the work of the Committee's Naming Subcommittee. She thanked the Committee members, President Hemphill and his team for this accomplishment. She then presented 25 policies for the Board's approval.

Upon the recommendation of the Governance Committee, the following Board of Visitors polices were approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickseski, Harris, Jones, Kemper, Pitts, Smith, Williams, Nays: None*).

**NUMBER:** 1011  
**TITLE:** Freedom of Expression  
**APPROVED:** August 27, 1970

Old Dominion University will at all times defend the right of free expression, including the right of free assembly.

This right will be protected in behalf of all persons associated with the academic community -- students, faculty, administration, and official guests. No action by an individual or a group which

seeks to restrict the exercise of these rights by any other individual or group on this campus will be tolerated.

Old Dominion University will not condone or allow any unauthorized occupation of university facilities, nor will it permit any interference with its normal and regular activities.

No discussion of any issue will be carried on or be conducted under any form of duress, nor will attempts to intimidate, frighten, or otherwise promote by force be tolerated.

The University's Demonstrations Policy articulates the University's commitment to the free and open exchange of ideas by members of the University community and establishes general provisions for orderly freedom of expression in compliance with Federal and State laws and Board of Visitors Policy.

~~Any attempt by individuals or a group to intimidate or otherwise force demands of any kind by occupation of buildings, or interference with the business and purpose of the university, will be dealt with by sufficient means to relieve the situation.~~

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**NUMBER:** 1014

**TITLE:** Threat Assessment

**APPROVED:** September 17, 2009; Revised June 13, 2013

- A. Purpose: Old Dominion University is committed to preserving an environment that enables community members to reach their fullest potential. In responding to behaviors of concern, we aspire to protect, as much as possible, the health, safety, and welfare of the University community from violence.
- B. Authority: Virginia Code §23.1-80523-9.2:10, Violence prevention committee, threat assessment team.
- C. The Threat Education Assessment and Management Team (TEAM) includes the following:
  - 1. Chief of Police or designee(s)
  - ~~1.2.~~ University Threat Assessment Coordinator
  - ~~2.3.~~ Designee(s) of the Provost & Vice President for Academic Affairs
  - ~~3.4.~~ Designee(s) of the Vice President for Student Engagement & Enrollment Services
  - ~~4.5.~~ Designee of the Vice President for Human Resources
  - ~~5.6.~~ Director of Student Conduct & Academic Integrity or designee
  - ~~6.7.~~ Director of Counseling Services or designee
  - ~~7.8.~~ University Counsel or designee (ex officio)

In addition, other individuals may be consulted as needed

The President shall appoint the chair and the chair shall serve at the will of the President

- D. Scope: "Behaviors of Concern" include actions and communications that cause concern among community members where the actor may be planning or preparing to carry out an

act of violence that places an individual or group at risk of serious harm. Warning signs of impending violence may include, but are not limited to, the following: verbal threats; written threats; homicidal/suicidal ideation or behaviors; and disturbing writings, drawings, self-produced videos, or Internet communications containing violent fantasy content. Other indicators that should raise concern about potential violence include an actor's ideas or plans about injuring him/herself or attacking an institution or its members; communications or writings that suggest the person has an unusual or worrisome interest in school attacks; comments that express or imply the person is considering mounting an attack at an institution; recent weapon-seeking behavior, especially if weapon-seeking is linked to ideas about attack or expressions about interest in attack; communications or writings suggesting the person condones or is considering violence to redress a grievance or solve a problem; and rehearsals of attacks or ambushes.

- E. Reports of Behaviors of Concern: All behaviors of concern should be reported to a member of the TEAM or may be directed to the Old Dominion University Police. **In cases of imminent emergency, always contact the Old Dominion University Police Department.**

All concerns and complaints must and will be taken seriously and will be reviewed. The TEAM understands that, at times, members of the community will come to the attention of the TEAM when little or no need exists for further assessment or case management.

1. Any person may make a report of a concern to any member of the Team or ~~anonymously~~ through the Threat Education Assessment & Management Referral/Silent Witness Form. Reports submitted anonymously will also be investigated as thoroughly as possible.
2. Any person who believes he/she may become or is a victim of violence (domestic or other) should immediately notify their supervisor if the person is a member of the faculty, staff, or otherwise a University employee. If the person is a student, that person should contact the Office of Student Engagement & Enrollment Services. If a protective order exists, a copy of the order should accompany the notification.
3. Persons who report a behavior of concern and persons who assist in the investigation and disposition of such reports shall not be subject to harassment, interference, intimidation, or retaliation. It shall be a violation of University policy to submit a deliberately false or misleading report to the Police or to the Team, or to ~~knowingly or intentionally~~ provide information knowingly or intentionally one knows, or should know, to be false as part of a TEAM investigation. If a student, faculty member, employee or visitor is discovered to have provided information in violation of this policy, appropriate disciplinary action will be taken.

- F. THE Responsibilities of the TEAM:

1. Educating the campus community to identify and report threats and other behaviors of concern.
2. Evaluating the risk of targeted violence posed by an individual or group reported to the TEAM.

3. Evaluating the risk ~~for~~ self-harm.
4. Recommending an appropriate response congruent with the investigation and risk assessment, including victim assistance, referrals to appropriate University officials, mental health professionals and/or law enforcement agencies.
5. Consulting with University community members who have concerns about the safety or well-being of students, faculty, or staff members of Old Dominion University.
6. Creating, revising, or recommending policies, procedures and protocols that advance campus safety and/or threat assessment team functions; and
7. Providing recommended action for those who exhibit behaviors of concern.
  - a. Any recommendations made by the TEAM shall be forwarded to the University official having general charge or supervision over the person of concern.
  - b. In the event an investigation necessitates institutional administrative actions to condition or to terminate an individual's continued enrollment, residence, employment, or other participation in University affairs, such actions will be undertaken pursuant to those policies that are appropriate for such purposes in light of the individual's student, employment, visitor, or volunteer status.

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**NUMBER:** 1210  
**TITLE:** Authority to Act on Behalf of the University  
**APPROVED:** June 19, 1986

The official spokes~~person~~~~men~~ and designated representatives of the University are the Rector of the Board and the President. Except as otherwise specifically authorized by the Rector, ~~by~~ the President, or ~~by~~ the Bylaws or policies of the Board, no other University official, faculty member, staff member, ~~or~~ other University employee, ~~no~~ student, agent, or any other individual shall speak on behalf of the University, make commitments on behalf of the University, align the University with any cause or position, or otherwise act on behalf of the University. Any action taken or commitment made without the authority provided herein is void. Except as authorized herein, no University official, faculty member, staff member, ~~or~~ other university employee, ~~no~~ student, agent, or other individual shall give the appearance of committing the University or of aligning the University with any position or cause by the use of University stationery or by the use of a University title or position.

The President shall communicate this regulation to all University personnel by including it in handbooks and in memoranda distributed to all personnel.

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**NUMBER:** 1240  
**TITLE:** Resolution Concerning Employment of Current or Former Public Elected Officials and Executives of Governmental Agencies  
**APPROVED:** September 17, 2009

WHEREAS, Old Dominion University has enjoyed a strong and appropriate relationship with elected officials at all levels of government; local, state, and federal; and

WHEREAS, Old Dominion University has enjoyed strong and appropriate relationships with business leaders, contractors, foundation, and funding agency directors; and

WHEREAS, the unique nature of elected office and executive leadership provides an expertise to otherwise qualified individuals that fit within the curriculum of the colleges within the University; and

WHEREAS, Old Dominion University has in the past employed elected and former elected officials in teaching and administrative positions; for example, former United States Congressman William Whitehurst in teaching and former United States Senator William Spong as interim President; and

WHEREAS, notwithstanding the pedagogical benefits to students, hiring, or contracting practices with a current or former elected official, or executives of governmental agencies doing business with Old Dominion University must be transparent and clearly defined;

THEREFORE, BE IT RESOLVED, that all future employment of persons by the University, in a non-tenure track position, who serve as elected public officials, or former elected officials at any level of government, and executives of governmental agencies, shall occur only on condition that the appropriate hiring and/or procurement processes have been carefully and faithfully followed in each case; and

BE IT RESOLVED, that all such proposed hires or contracts as aforesaid, shall require approval of the President, or his specific designee, and shall be brought to the attention of the Board of Visitors to ensure compliance with applicable state and federal law, and University requirements; and

BE IT FURTHER RESOLVED, that University Counsel is directed to seek amendments to all University contracts with affiliated corporations, to require that any hire of, or contract with, elected officials, former elected officials, and executives of governmental agencies be scrutinized with special care to ensure that each such hire is open, appropriate, and necessary to the operation of the affiliated corporation.

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**NUMBER:** 1401  
**TITLE:** Initial Appointment of Teaching and Research Faculty  
**APPROVED:** June 12, 1980; Revised November 19, 1987; Revised April 12, 2002; Revised September 9, 2005; Revised April 7, 2011; Revised June 16, 2011; Revised April 23, 2015 (eff. 6/1/15); Revised September 22, 2016 (eff. 1/1/17); Reviewed and Approved with No Changes April 22, 2022

## I. Board of Visitors Policy

- A. No one has the authority to make a firm offer of employment (subject to approval by the Board of Visitors) except the provost and vice president for academic affairs, who acts by authority of the president. Any communication at the departmental or college level with potential appointees should make it clear that approval by the provost and vice president for academic affairs is required.
- B. An initial faculty appointment should not be considered final until it has been approved by the Board of Visitors. All offers of employment and other communications with potential faculty members should specifically state this fact.
- C. No chair, dean, or other administrative official shall have the authority to make a statement of expectation of tenure or a written/oral commitment that implies in any way a promise of tenure except as described in paragraph D below. Except as described below, all initial appointments to the faculty shall be probationary and no award of tenure or promise of an award of tenure shall be made to a faculty member except in strict accordance with the Board of Visitors Policies on Tenure, to include review of credentials by all review bodies.
- D. In the case of certain initial appointments to the rank of professor or associate professor, the president has the authority to eliminate the probationary period for tenure and to make a firm offer or promise of tenure subject to II.D.1.a-e of this policy and approval by the Board. It is the sense of the Board that this authority should be exercised rarely and only when the best interests of the University require it. All such cases must be reported to the Board for approval before tenure is awarded.
- E. The president is accountable to the Board of Visitors for ensuring the appointment of faculty qualified to carry out the mission of the institution, for the implementation of the University's affirmative action plan in initial appointments, for maintenance of fiscal responsibility in assignment of faculty positions, and for the establishment of procedures to carry out Board policy in initial appointments. The president may delegate some or all of these responsibilities to the provost and vice president for academic affairs.

## II. Initial Appointment Procedures

### A. Position Approval

- 1. Department. In a timetable established in accordance with the procedures for building the operating budget for the coming year, each department anticipating hiring new faculty for the coming year projects the positions it wishes to fill,

including both new positions and replacements for retiring faculty members or others known to be leaving.

- a. These projections must be in accordance with the approved mission of the department and must be clearly related to demonstrable needs of the department, including at least a clear relationship between instructional faculty and projected FTE students in accordance with the departmental faculty/student ratios approved by the Office of the Provost and Vice President for Academic Affairs.
  - b. Other justifications for positions may include establishment of new programs that may not immediately produce FTE students sufficient to justify the position, existence of substantial funded research for which time will be purchased by an outside agency, and important service activities required by the department within the University's mission.
2. Dean. The dean, once reports have been received from all departments, recommends to the provost and vice president for academic affairs in priority order new and replacement faculty positions for the coming year together with salaries required for each position. Copies of the departmental recommendations are included by the dean in the report to the provost and vice president for academic affairs.
  3. On the basis of the projected needs of the following year, the provost and vice president for academic affairs requests a specific number of faculty positions and a budget for these positions from the president at the appropriate time in the annual budget process.
    - a. Within the budget and positions allocated to the provost and vice president for academic affairs by the president, the provost and vice president for academic affairs assigns positions and funds to each dean for new and replacement faculty positions.
    - b. The dean allocates these positions with general salary ranges to the departments in the college.
  4. If position falls vacant because of an unexpected resignation or for any other cause, this fact is reported promptly to the provost and vice president for academic affairs.
    - a. The provost and vice president for academic affairs may then reassign the position to the college in which it previously existed, assign it to another college, or discontinue the position.
    - b. If the position is assigned to a college, the provost and vice president for academic affairs assigns additional funds to the dean of that college to cover the salary of this position. These funds are not necessarily equal to the salary of the departing faculty member.



- c. The dean may then assign an additional position to the department within the college having the greatest need.
- d. Positions falling vacant are not automatically assigned to the same college or department but are assigned on the basis of University and college priorities.

B. Recruitment and Interview Procedures

1. Once a position has been assigned to a department, the following recruitment procedure is instituted. A similar procedure will be followed for interdisciplinary faculty and joint appointments (see the [Policy on Joint Appointments](#))<sup>1</sup>.
2. A statement of critical requirements for the position is developed by the department chair or chairs in consultation with the faculty in the department and approved by the dean. The critical requirements should indicate clearly the primary responsibilities that the new faculty member will be expected to perform and the qualifications necessary for the performance of these responsibilities.
3. The department chair appoints a search committee.
  - a. The search committee consults the University's assistant vice president for institutional equity and diversity for advice concerning avenues for recruitment of qualified women and minority candidates and concerning the University's policies and procedures for ensuring affirmative action in the recruitment process. Failure to follow the University's affirmative action policies and procedures will usually result in the refusal of the provost and vice president for academic affairs to write a contract for the faculty member recommended.
  - b. Advertisements are placed in appropriate professional journals by the Office of Academic Affairs upon the recommendation of the search committee. Specific procedures concerning recruitment advertising are available from the Office of Academic Affairs.
  - c. All other means are used by the department to conduct an active search for the largest possible pool of qualified candidates.
  - d. Credentials of candidates are carefully screened by the department or interdepartmental search committee in order to determine the ones with the best qualifications for the open position.
  - e. After ensuring that appropriate affirmative action policies and procedures have been met, the chair, with the approval of the dean, then chooses one or more of the most qualified candidates to visit the campus. All final candidates for a position should visit the Old Dominion University campus. Because of fund

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<sup>1</sup>Refer to the Hiring Procedures for Instructional and Administrative Faculty for additional information.

limitations, it will usually not be possible to invite more than two or three candidates for one position.

4. The following procedures for campus visitations are followed:
  - a. The search committee must receive prior approval from the Office of Academic Affairs (who will check with the assistant vice president for institutional equity and diversity in order to ensure that procedures have been followed) for the expenditure of the travel funds before the candidate is invited.
  - b. The search committee has the responsibility for setting up the schedule of campus meetings with designated personnel.
  - c. All candidates meet with the chair, dean, all available faculty members of the department, and selected students. Candidates who will be expected to teach courses on the 500 level or above and candidates for associate professor and full professor are scheduled for appointments with the provost and vice president for academic affairs or a designee whenever possible.
  - d. The department chair informs the candidate of the University policies concerning moving expenses and other relevant matters. All candidates should be told that they may be assigned to day, evening, distance learning or off-campus classes as part of their regular loads.
  - e. As part of campus visitation and the interview process, candidates are expected to present a classroom lecture, conduct a seminar, or deliver a public talk so that their potential associates and students may observe their command of subject and clarity of presentation.
  - f. The department chair and search committee shall confirm a candidate's proficiency in spoken English.

#### C. Recommendations

1. The chair, after receiving and considering a written recommendation from the faculty of the department or the appointments committee and after ensuring that all affirmative action procedures have been followed, recommends to the dean the name of the most acceptable candidate and a possible salary range and includes the recommendation of the faculty or faculty appointments committee.
  - a. If the dean approves the candidate, he or she assigns a salary within the budget previously assigned to the dean's office by the provost and vice president for academic affairs.
  - b. The dean recommends to the provost and vice president for academic affairs on a prescribed form that a contract be written. Appended to this form is a copy of the recommendation of the faculty or of the appointments committee together with the recommendation of the chair.

- c. If the dean is requesting any special consideration, limitations, or exceptions to normal policy and procedure concerning the appointment, such recommendations should be transmitted to the provost and vice president for academic affairs at this time.
  - d. Any recommendation that credit toward the probationary period for tenure for prior academic experience be granted shall also accompany the request that a contract be written.
2. The provost and vice president for academic affairs or the vice provost consults with the University's assistant vice president for institutional equity and diversity to ensure that proper affirmative action procedures have been followed.
- a. If all requirements are met, the provost and vice president for academic affairs writes the contract and sends it to the candidate, together with a covering letter specifying any unusual conditions or exceptions concerning the appointment, any credit toward the probationary period for tenure being granted for prior academic experience, and a deadline for returning the signed contract.
  - b. If the signed contract is received by the specified deadline, it becomes effective when approved by the Board of Visitors.
- D. Initial Appointment with Tenure
1. If the initial appointment is to the rank of professor or associate professor and the department wishes to award tenure at the time of appointment, request for an initial appointment at that rank with tenure must be initiated by the chair and reviewed by all tenure review bodies.
- a. The candidate's credentials must be provided to the department promotion and tenure committee and their recommendation and vote recorded and sent to the college promotion and tenure committee.
  - b. The college promotion and tenure committee reviews the credentials and the recommendation of the department promotion and tenure committee and makes a recommendation. The recommendation and vote is recorded and all materials are forwarded to the dean.
  - c. The dean makes a recommendation and forwards all materials to the University promotion and tenure committee.
  - d. The University promotion and tenure committee reviews the materials and recommendations and makes a recommendation to the provost and vice president for academic affairs.
  - e. The provost and vice president for academic affairs makes a recommendation to the president.

2. All reviews shall be based on the candidate's normal application materials and include a statement of research and teaching philosophy and letters of reference. Evidence of teaching and research excellence should be included. Normally, an initial appointment with tenure will be granted only to a faculty member who already has achieved a distinguished academic record and held a tenured position. This policy applies to both internal candidates and external candidates. Current CVs for both the candidate and the references must be provided to all review bodies.

E. Initial Appointment of Adjunct Faculty and Faculty of Practice

The following procedures are used for initial appointment of part-time faculty and faculty of practice:

1. Adjunct instructors and adjunct assistant instructors - The chair recommends the appointment of an adjunct instructor and adjunct assistant instructor to the dean. If the dean approves the appointment, he or she reports the appointment to the provost and vice president for academic affairs on the prescribed form.
2. Appointment to other ranks such as adjunct assistant professor, adjunct associate professor, adjunct professor, faculty of practice and visiting professors such as artist-in-residence, etc. is recommended by the department chair to the dean after consultation with the faculty of the department. Initial appointment or reappointment of faculty of practice attached to a department must be reviewed and recommended for appointment or reappointment by the promotion and tenure committee of the department in question. If the dean approves, he or she recommends the appointment to the provost and vice president for academic affairs on a prescribed form. If the appointment is approved, the provost and vice president for academic affairs notifies the faculty member.

F. Initial Appointment of Research Faculty

1. Research faculty are normally supported in large part from non-Commonwealth funds or are expected to generate their own support from such funds.
2. The department chair recommends appointment of a full-time research faculty member to the dean. The dean recommends to the provost and vice president for academic affairs. The provost and vice president for academic affairs, consulting if appropriate with the vice president for research, makes the final decision concerning the appointment and, if the appointment is approved, notifies the faculty member.

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**NUMBER:** 1414  
**TITLE:** Policies and Procedures on Post-Tenure Review  
**APPROVED:** April 12, 2001; Revised April 12, 2002

## I. Board of Visitors Policy

The faculty and administrators of Old Dominion University are dedicated to the pursuit of excellence in teaching, research, and service. It is the role of the department chair and the dean to conduct annual evaluations of tenured faculty members, to identify the area or areas in which a particular tenured faculty member has not met expectations, to explain the rationale for that assessment, and to facilitate faculty development as needed to improve faculty performance. To this end, the post-tenure review process is intended to be developmental rather than punitive.

A tenured faculty who receives an annual review from the chair and dean stating that he or she has a serious deficiency in teaching, research, and/or service should be aware that a second annual evaluation from the chair and dean which states that he or she has not met expectations in terms of overall performance in one or more any of the three areas of responsibility could activate the post-tenure review process. It is the responsibility of the department chair to meet within 30 days with the faculty member who has received such an evaluation to present in writing and clarify through discussion the deficiencies identified in the evaluation. The chair and dean should also outline in writing the steps to be taken, the required outcomes, and the points in time at which progress will be assessed in order for the faculty member to correct identified deficiencies and thus meet expectations in subsequent annual reviews. ~~The chair will also notify the faculty member in question that his or her subsequent annual evaluation will be issued no later than January 15 of the following year.~~

~~If the post-tenure review policy is activated, the faculty member must be notified in writing by the chair and dean.~~ Post-tenure review cannot be activated unless the pattern of deficiency has been noted in two consecutive annual reviews. (See paragraph II.B.5.K. of the Policy and Procedures on Evaluation of Tenured Faculty.) If the post-tenure review policy is activated, the faculty member must be notified in writing by the chair and dean.

## II. Confidentiality

The confidentiality of the post-tenure review process must be maintained. When the decision is made to place a faculty member under post-tenure review, discussion of the post-tenure review candidate and the process should be limited to the chair, the dean, the provost and vice president for academic affairs, the president, and the tenured faculty member placed under post-tenure review. With the approval of the faculty member undergoing post-tenure review, other individuals may be involved in various aspects of the strategic development plan for the purpose of mentoring the faculty member under review. Care should be taken, however, to involve in the plan only those individuals who agree to respect the essential confidentiality of the post-tenure review process.

### III. Procedures

The chair must recommend initiation of the post-tenure review process no later than August 1~~January 15~~, and the recommendation of the dean~~s recommendation~~ must be made no later than September 1~~February 8~~. The decision of the provost and vice president for academic affairs on whether to support the post-tenure review process for the faculty member must be made no later than March 1~~October 1~~.

When the post-tenure review process has been activated, the chair and the dean will conduct an in-depth evaluation. In addition to examination of the teaching, research, and service record of the faculty member from previous evaluations, the chair and dean should evaluate the overall contribution of the faculty member to the university. Consideration and assessment of faculty performance~~a faculty member's performance~~ in a post-tenure review process must include all areas of evaluation~~aspects of the faculty member's performance and cannot be limited to teaching~~. With respect to teaching, the total evaluation of teaching must include evaluation by student questionnaires, teaching portfolio reviews, and at least one other method. If requested by the faculty member, the chair, or the dean, one or more external evaluators, with the approval of the provost and vice president for academic affairs, may be consulted~~brought into the process~~.

In addition to a thorough assessment of faculty performance, a major outcome of this process is a strategic development plan indicating a clear expectation of sustained performance~~the faculty member's expected long-range contributions to the university in specific terms~~. Where deficiencies or areas for possible improvement are noted, the strategic development plan should address ways of dealing with these problems, measures of expected outcomes, and a timetable for accomplishing these outcomes. The strategic development plan will be written by the faculty member under review in consultation with the chair and/or dean. The strategic development plan, including measures of expected outcomes, if appropriate, will be detailed in a signed agreement among the faculty member, the chair, and the dean by January 15~~March 1~~. The full text of this agreement is submitted to the provost and vice president for academic affairs. The provost and vice president for academic affairs may approve, modify or reject the strategic development plan. The implementation of the strategic development plan is expected to take place by March 10. If the dean and the chair are unable to solicit the cooperation of the faculty member in the development of the strategic plan, the dean and the chair will prepare a plan to which the faculty member will be expected to agree by February~~March 1~~. ~~If in the event that~~ the individuals involved (dean, chair, faculty member) are unable to reach an agreement on a strategic development plan by February~~March 1~~, the dean will report to the provost and vice president for academic affairs that an agreement has not been found. In such an instance, if the dean and provost and vice president for academic affairs concur, a major sanction, as described in the section of this Handbook entitled Faculty Sanctions, may be initiated~~issued to the faculty member~~ at this time. If the faculty member refuses to agree to or sign the strategic development plan and elects instead to grieve the post-tenure process, the faculty member must file a formal grievance by March 10 and follow the approved time-line for grieving the post-tenure review process.

Annual evaluations in succeeding years will specifically address progress toward meeting the goals outlined in the agreement on the strategic development plan. A faculty member who fails to achieve the outcomes identified in the in-depth evaluation within the agreed-

upon timetable may be subject to disciplinary actions up to and including a major sanction as described in the section of this Handbook entitled Faculty Sanctions.

#### IV. Appeals and Grievance

A. Appeal of Post-Tenure Review: A faculty member who disagrees with the administrative decision to initiate a post-tenure review and develop a strategic plan with a timetable may file a grievance after the conclusion of the appeal process described below (see the section of this Handbook on Faculty Grievance Policy, III.A.6.

1. To appeal the initial decision of the chair recommending post-tenure review, the faculty member must provide supporting documentation to rebut the evaluation to the dean by August 15~~February 1~~.
2. The dean reviews all available information, makes a decision, and notifies the provost and vice president for academic affairs and the faculty member by September 1~~February 8~~.
3. If the faculty member objects to the dean's decision, he or she may appeal to the provost and vice president for academic affairs. This appeal must be made by September 15~~February 15~~.
4. The provost and vice president for academic affairs must act on the faculty member's appeal and approve or reject the initiation of post-tenure review strategic development plan by October~~March 1~~. The decision of the provost and vice president for academic affairs is final.

B. Grievance of Post-Tenure Review: If a faculty member is placed on post-tenure review, then he or she must combine and respond to in one grievance all issues related to the dispute over post-tenure review: the annual evaluation, the decision to place the faculty member on post-tenure review, the requirements of the strategic plan, and the imposition of a major sanction, if issued. Regardless of the provisions of the Faculty Grievance Policy, III.A.6. and A. 7., the faculty member must file this grievance by March 10.

#### V. Annual Report on Post-Tenure Review

The provost and vice president for academic affairs will present an annual report to the deans and the Faculty Senate on the number of new and continuing post-tenure review cases and on their general outcome.

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**NUMBER:** 1416  
**TITLE:** Sudden Withdrawal and Prolonged Absence Due to Military Mobilization  
**APPROVED:** April 7, 2011; Revised April 4, 2012

The following guidelines are provided for students whose service in the armed forces of the United States ~~uniformed services~~ has required their sudden withdrawal or prolonged absence from enrollment at Old Dominion University.

The following definitions are provided in connection with these guidelines:

“Service in the armed forces of the United States” means service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve, for a period of more than 30 days under call or order to active duty of more than 30 days.

“Tuition” means the actual price of education charged to a student for the term in which service in the armed forces of the United States ~~uniformed services~~ caused his or her sudden withdrawal or prolonged absence from enrollment at a Virginia institution of higher education.

“Reinstatement” means the readmittance and reenrollment of a student whose service in the armed forces of the United States has caused his or her sudden withdrawal or prolonged absence from enrollment.

“Sudden withdrawal” means leaving an institution after a semester has begun ~~or after the tuition and required fees for a term have already been billed to or paid by the student.~~

### **Policies and Procedures**

All active-duty military students who are unable to complete course requirements due to change in employment duties, work schedule or deployment to a duty assignment may be administratively withdrawn from current semester courses. Students are required to furnish a copy of their military orders to the Office of the University Registrar. Upon receipt of the copy of military orders, the student will be withdrawn from all courses unless a faculty member objects that the student's classroom performance is such that a withdrawal (W) would not be appropriate; if a faculty member objects, the faculty member will inform the University Registrar and the original grade assigned by the faculty member will stand. ~~and~~ A refund of tuition will be processed following an audit of the student's account and returned to the appropriate party. In addition, the University Registrar will notify the following offices so that additional refunds can be processed as appropriate: Housing and Residence Life, University Card Center, Transportation and Parking ~~and Transportation~~ Services, and the University Village Bookstore. ~~Students who are deployed while actively attending the University should make an effort to notify the University Registrar as soon as possible so that records can be updated, providing a copy of military orders or verification of a new duty assignment.~~

University Housing and Dining Services – Upon notification by the University Registrar, the Executive Director of Housing and Residence Life will authorize a refund based on prorated charges for the semester calculated on the days in residence. If the student is deployed prior to the start of the semester, but has made a formal commitment for University housing, the student will be released from the housing agreement without penalty and the deposit will be fully refunded.



Dining/Monarch Plus Card/Transportation and Parking Services – Upon notification by the University Registrar, prorated refunds will be made for partially used meal plans. Funds remaining on the Monarch Plus card will be refunded to the student. Refund of payment for a parking decal will be prorated based on percentage of use.

Course Materials/Textbooks – Upon notification by the University Registrar, the University Village Bookstore will allow for full refunds/and or exchanges of course materials textbooks for any student called to official active military duty as long as the materials are book is in resaleable condition.

Deposits for Admission – Freshman and transfer students who are new applicants for admission to the University but who have not registered for classes may receive either a refund of the admission deposit or defer admission up to one year by submitting a request to the Office of Admissions.

Monarch Orientation Fee -- Students who have paid but have not attended Monarch Orientation will receive full refund of the orientation fee.

Academic Credit – If the student has begun attending classes and sufficient time has passed in the semester, the incomplete grade policy may apply.

A grade of Incomplete (I) indicates assigned work yet to be completed in a given course or absence from the final examination and is assigned only upon instructor approval of a student request. The I grade may be awarded only in exceptional circumstances beyond the student's control, such as illness, and only after 80% of the time allocated for the course has elapsed and substantial progress has been made toward completion of course requirements with the exception of courses that do not fit within the traditional semester calendar.

In cases of exceptional circumstances beyond the student's control, it is the responsibility of the student to approach the instructor to request an I grade and to provide documentation, including a written statement of when the work will be completed, to support the request. The authority to award an I grade rests with the instructor whose decision is final. Students whose requests for I grades are approved must not re-register for the class until the I grade has been resolved. The I grade becomes an F if not removed when grades are due the following term according to the following schedule: I grades from the fall semester become F's if not removed by the day grades are due for the spring semester; I grades from the spring semester and the summer session become F's if not removed by the day grades are due for fall semester.

When there is an existing incomplete grade and the instructor who assigned the incomplete has left the University or is no longer available, the chair of the department or the program director will be responsible for making sure that the completed work is graded, and a final grade is submitted.

An I grade may be changed to a W only in very unusual circumstances and when the student's situation has changed since the I grade was awarded. In these cases, the request for a change to a W must be in writing, documented, and approved by the instructor, department chair and dean. Students will not be allowed to graduate until all grades of I have been resolved.

In the case of courses that do not fit within the traditional semester calendar, the faculty member assigns the I grade. The time periods for the removal of I grades before they become grades of F are the same as those stated in the previous paragraph.

Extension of the I time limitation normally will not be approved except for reasons beyond the student's control and only if the supervising faculty member is available and willing to supervise the work beyond the normal time limit. Students should submit the request to the instructor, who should submit approval, via the chair, to the University Registrar in order to retain the I. The approval from the instructor should designate the expiration date of the extension.

If the student is unable to complete the incomplete grade because of prolonged deployment the student should provide justification and documentation directly to the course instructor. At the instructor's discretion, the course instructor can authorize the University Registrar to administratively withdraw the student using this policy. The student will be withdrawn from the course, a grade W will be posted to the academic record and refund of tuition to the appropriate party will be processed. If the instructor is no longer employed at the University, the student should consult the department chair. In the event of a disagreement about a grade, the normal grade appeal process described in the University Catalogs will apply.

Students who are administratively withdrawn from the University under this policy are strongly encouraged to maintain contact with the University through the Office of Student Engagement and Enrollment Services.

Students who are called to active duty during an academic semester who have completed 75 percent of the course requirements at the time of activation and who meet other specified requirements also have the option to accept the grade earned to date. It is the responsibility of the student to provide a copy of the military orders to the Office of the University Registrar. The Registrar will provide documentation to the instructor in support of the student's request to receive the grade earned to date.

Reinstatement – As soon as plans are made, returning students should contact the Office of Admissions to verify their student status and to reactivate their record, if necessary, prior to re-enrolling in classes. Students who leave the University in good standing remain eligible to re-enroll. A student who has left the University for more than a year must complete a reactivation/readmission form available on the Office of Admissions web site. If the separation from the University was longer than five years, the applicant will need to resubmit all official transcripts and necessary credentials. There are no additional fees if the student has previously paid the admission fee.

Students who return following a prolonged absence due to military deployment should be aware of the time limits for Catalog election.

Undergraduate Return to Program – It is presumed the undergraduate student will remain eligible to return to the same program of study. The student should contact the chief departmental advisor for the major if returning to the same program of study. The content of some programs may require that the student repeat previously passed courses to maintain currency in the field.

If the program of study is no longer available for any reason, the student should seek the assistance of the academic advising unit in the [Center for Advising Administration and Academic](#)

Partnerships University College and access the degree evaluation system, available online as DegreeWorks, to determine a suitable alternative major.

Undergraduate Time Limits -- Undergraduate students may choose to graduate under the Catalog in effect at the time of their first enrollment (part-time or full-time) or any subsequent Catalog provided that the students graduate within six years from the date of the first enrollment. Students who have prolonged deployment may be required to elect a more recent Catalog or the Catalog in effect at the term of re-enrollment at the University. Returning students should consult their academic advisors to verify the correct Catalog for graduation purposes. Students should refer to their “general student record” in LEO Online to verify the Catalog selected at the date of first enrollment. The Catalog “year” begins with the fall semester each year.

In all cases, students must have been duly admitted to the University and an academic program of study and meet all of the requirements for graduation in one Catalog. Students may not “tailor make” their own degree requirements by selecting partial requirements from more than one Catalog.

Graduate Return to Program – It is presumed the graduate student will remain eligible to return to the same program of study. The student should contact the graduate program director prior to resuming studies. If the program of study is no longer available for any reason, the student should consult the graduate program director or the college dean for alternatives.

Graduate Time Limits – All requirements for a graduate doctoral degree must be completed within eight calendar years from the date of beginning the initial course following admission to the ~~doctoral~~ program. Exceptions to these time limits must be approved by the graduate program director and the college dean. Academic credits older than eight years at the time of graduation must be validated by an examination before the work can be applied to a graduate doctoral degree. See the “Policy on Re-Validation of Out-of-Date Graduate Credit.” Students whose graduate study is interrupted for military service will be granted an extension of time for the period of their military service, not to exceed five years. Courses older than eight years at the end of the extension, however, must be re-validated.

Re-Validation of Out-of-Date Out-of-Date Graduate Credit – Academic credit granted outside the eight-year time limit established for graduate degrees (~~six years for master’s and education specialist degrees and eight years for doctoral degrees~~) must be re-validated by an examination. To be re-validated, the work must have been completed at Old Dominion University or be acceptable as transfer credit in lieu of an Old Dominion University course.

The following procedure shall be used to re-validate out-of-date work. The student must receive the permission of his or her graduate program director and the chair of the department/school or dean of the college in which the course is offered to re-validate the course credit. The form for validation of out-of-date credit shall be used to record all transactions and submitted to the Office of the -University Registrar\_’s-~~Office~~ upon completion of re-validation of work. The graduate program director, department/school chair or dean shall make appropriate referrals to faculty member(s) (an individual or a committee) teaching the course to request that an examination be prepared and evaluated. Before the examination, the faculty member(s) shall inform the student of the area of knowledge or course content on which he or she is to be examined. After the examination has been completed, the re-validation form shall be filled out, signed by the examining faculty member(s), and forwarded to the dean of the academic college offering the

graduate degree program for approval. Copies of the completed form shall be sent to the student, the graduate program director, and the Office of the University Registrar. Re-validation ~~reValidation~~ for any given course normally can be sought only once.

The Office of the University Registrar will maintain records of administrative withdrawals completed under this policy.

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**NUMBER:** 1424  
**TITLE:** Policy on Intellectual Property  
**APPROVED:** June 20, 1991 (Supersedes Policy Number 1422 on Copyrights and Policy Number 1423 on Patents Approved on April 10, 1975); Revised September 14, 2000; Revised April 8, 2010 (Policy Revised in its Entirety)

## PREAMBLE

Old Dominion University's support of the research efforts of its employees creates an intellectual environment that fosters the commercial development of new discoveries and creations which may be enhanced by patents and copyrights. As a state-supported institution of higher education, Old Dominion University has the responsibility of ensuring that these discoveries and creations are protected in the best interests of our researchers, creators, the University, and the public, in compliance with the laws of the Commonwealth of Virginia. At the same time, Old Dominion University recognizes the importance of its commitment to the principles of academic freedom and the tradition of free and open discussion of research and scholarly investigation. For the reasons specified in this preamble, the Old Dominion University Intellectual Property policy was written.<sup>1</sup>

## I. PURPOSES

The purposes of this policy are to encourage research and scholarship by protecting the interests of creators and the University in intellectual property; to define the responsibilities, rights and privileges of Old Dominion University, and those individuals covered under this policy; and to provide basic guidelines for the administration of all matters related to Intellectual Property in which the University has a proprietary interest in accordance with the policy guidelines developed by the State Council of Higher Education in Virginia ("SCHEV") and as required by state law and provide for the distribution of royalties as described herein.

## II. DEFINITIONS

- A. Assigned Duty - Intellectual Property created by an author or inventor where the University has specifically directed the author or inventor to develop/produce the intellectual property.
- B. Copyrighted Work - An original work of authorship fixed in any tangible medium of expression, including but not limited to literary, musical, dramatic, pantomimes and choreographic, pictorial, graphic and sculptural materials, sound and visual recordings, motion pictures, architectural works, computer software programs, and

transcripts, published or unpublished, and which property rights are protected by common law and Federal copyright law, as further defined by [Title 17 of the U.S. Code](#). [This protection is available to both published and unpublished works and gives the copyright owner the exclusive right to reproduce, distribute, sell, perform, display, or prepare derivatives of the work, and to protect a copyright against infringement. Copyright protection does not extend to any idea, procedure, system, method of operation, concept, principle, or discovery, regardless of the form.](#)

- C. Creator - Either an inventor in the context of an invention, or an author in the context of a copyrighted work.
- D. Development Expenses - All reasonable expenses incurred by the University for goods and services to administer, protect, develop, and/or enhance the marketability or other aspect of an Intellectual Property, including, but not limited to, patent expenses, protection or litigation of Intellectual Property rights, marketing expenses, consulting fees, expenses incurred in dealing with equity interests.
- E. Disclosure - A report of a development, invention, or creation of an original work of authorship.
- F. Gross Revenue - Proceeds actually received by the University from the license, sale, transfer, or other conveyance of an intellectual property, including license fees, running royalties, and equity interests paid to the University for such intellectual property, except that such equity interests, or portion thereof, shall not be considered “gross revenue” unless and until the equity interests, or portion thereof, are sold by the University.
- G. Invention - A new, useful, and non-obvious discovery, process, composition of matter, article of manufacture, design, mask-work, model, technological development, biological or plant material, strain, variety, culture or portion, modification, improvement, translation, or extension of these items.
- H. Intellectual Property - An invention, know-how, mark, or copyrighted work of authorship developed by anyone covered under this policy, ~~regardless~~[respective of whether formal protection is sought](#).
- I. Net Revenues - Gross revenue less all incurred or accrued development expenses and holdbacks for any known contingent liabilities.
- J. Patent Management Agent - Any organization which specializes in review of inventions, patent administration and commercialization of intellectual property.
- K. Proprietary Interest - Rights held by the owner of intellectual property that have not been waived or otherwise assigned by a separate written agreement.
- L. Sponsored Research - Research performed under the support of, and compensated by, a sponsoring agency.

- M. Significant Use of University Facilities or Equipment - The use of facilities or equipment owned by or under the control of the University of a reasonable value, as defined by ~~the SCHEV's guidelines~~ for the development of patent and copyright policies and procedures by state-supported institutions for higher education. For example, utilization of university laboratories or special instrumentation, dedicated services provided by University employees, special financial assistance or extensive use of shared facilities constitutes significant use. In contrast, the use of a computer in a faculty office, other commonly used equipment for teaching and learning activities, use of incidental supplies, and nominal use of University personnel or shared facilities are not considered significant use.
- N. University - Old Dominion University, its Board of Visitors, and any and all sub-agencies of the University.
- O. University Designated Research Officer - The Vice President for research or ~~his/her~~ designee will serve as the University's authorized agent for matters regarding the application of this policy.
- P. University Research - Research and allied activities ~~that~~which are directly related to the normally expected or assigned duties and responsibilities of University employees.
- Q. Work Made for Hire - A creation or original work of authorship created by a University employee within the scope of his or her employment or specified by agreement and as further defined by §101 US Copyright Act.

### III. APPLICABILITY

This policy applies to all University employees and students who receive compensation through sponsored research, tuition/fee waivers, scholarships, assistantships, or other financial arrangements and to other individuals who make significant use of University facilities and equipment owned or otherwise made available by the University, ~~as described in VA CODE S 23-4.3.~~

Pursuant to the Memorandum of Understanding between Old Dominion University and the Old Dominion University Research Foundation, employees of the Research Foundation are ~~subject to~~ adhere to this policy.

Matriculated Students who are not employed by the University ODU own their Inventions and Copyrighted Works unless they are developed through significant use of Uuniversity resources. The Uuniversity does not make claim to iInventions and cCopyrights made by students while satisfying regular course requirements. Faculty are not permitted to assert ownership of student iInventions and cCopyrights as a condition of student participation in a course, nor are they permitted to claim personal ownership over or control of student iInventions and cCopyrights created in courses they teach.



## IV. OWNERSHIP

### A. Inventions

An invention developed by any person to whom this policy is applicable as defined in Section III ~~above~~ shall be the property of the University if the development or invention is a product of University ~~or employment~~, sponsored research ~~or, as part of an~~ assigned duty, or was developed with the significant use of University facilities, equipment, or funds, or employee time. Nothing contained in this policy shall be construed as prohibiting the University's acceptance of an agreement which requires a different disposition of patents or patent rights than the disposition created hereunder. In the absence of terms in an agreement governing the disposition of patents, or patent rights, this policy shall apply. Absent a written agreement to the contrary, inventions by non-employees, including but not limited to visiting faculty and volunteers, shall be subject to this policy when significant use is made of the University's facilities or equipment pursuant to Section III above.

Release of Rights to the Inventor - If the University elects not to file a patent application for an invention in which it has a proprietary interest, which is by extension a proprietary interest by the Commonwealth of Virginia, as such, in accordance with Virginia Code § 23.1-1301(B)(9), rights to the invention may be released to the inventor. ~~who may~~Upon receiving rights to the invention, the inventor may individually file for a patent subject only to restrictions which may be imposed by prior agreement ~~or F~~federal requirements. If the invention was developed with F~~federal funds, the inventor must petition the F~~federal government for a release of invention rights.

Release of rights for inventions may be conditioned by the inventor(s) to all of the following:

1. To grant back to the University an irrevocable, perpetual, royalty-free, non-exclusive, worldwide right and license to use the intellectual property for its research and education purposes and a right to grant the same rights to other non-profit institutions.
2. To other terms or conditions reasonably requested by the University.

### B. Original Works of Authorship

The University exercises its ownership rights as an employer under the concept of work-for-hire or when the materials subject to copyright, represent work performed by an employee under the direction of, or assignment by, the University. In the case of a work made for hire, the work belongs to the University as the employer of the author, and the University will be considered the author for purposes of copyright. Ownership of copyrights concerning works developed in the course of a written agreement shall be determined in accordance with the agreement.

1. Books, journal articles, papers, and similar works. Subject to Section VI and the University's rights as further defined herein, the University hereby transfers to the author(s) its copyrights in such original works as papers, books, articles, musical, pictorial, and similar works created by its employees when such works are not expressly made pursuant to an assigned duty. The protection and maintenance of such copyrights shall be the sole responsibility of the author(s). The University retains exclusive ownership of the rights in the inventions incorporated in such original works, pursuant to section IV.A. ~~above~~ and the rights to utilize such papers and articles for purposes of commercializing the inventions inherent in such original works.
2. All other original works of authorship. For all other original works of authorship, including but not limited to lecture/instructional materials, computer software and all associated programmer and/or user manuals and other documentation, related to the employee's teaching or research responsibilities, collectively "Other Works," the University herewith gives the author(s) (subject to the rights of the other co-authors) of the copyrighted material, in which the University has a proprietary interest, a non-exclusive, non-transferable, royalty free license to make and distribute copies, to perform or display the work publicly, or to make derivative works for any non-commercial or teaching purposes, without the right to grant sublicenses. This non-exclusive license continues in force when the employee leaves the University and personally teaches a course assigned by another educational institution. The employee acknowledges and agrees that he/she has the following material obligations: (a) to notify any and all of his/her subsequent employers (and/or academic or business partners or joint-venturers) of the University's ownership of the copyrights in the Other Works; and (b) to give the University reasonable notice prior to making any commercial use of any Other Work or any invention or work of authorship that the employee, whether alone or in conjunction with others, creates or derives from any Other Work. The protection and maintenance of copyrights in such works will be at the sole discretion of the University.
3. University's rights in such copyrighted material. Except for works created under a specific written agreement, the University will give credit to the author on any copies and derivative works. Prior to using the author's name on any derivative works, the University will seek the author's prior approval. Such approval may not be unreasonably withheld by the author. In the case of any disputes, such disputes will be resolved pursuant to Section X of this policy.

Notwithstanding the above, all rights in copyrightable material, including but not limited to instructional materials produced through ~~the facilities of Academic Technology Services~~ ODU Online, will be governed by a separate written agreement.

Nothing contained in this policy shall be construed as prohibiting the University's acceptance of an agreement ~~that~~which requires a different disposition of copyrights in which the University has a proprietary interest.



Release of Rights to the Author – If the University does not wish to exploit copyrighted works in which it has a proprietary interest, ~~it may at its option convey the copyrights to the original author in~~ accordance with Virginia Code § 23.1-1301(B)(9), that interest may be transferred to the original author. If the copyrighted work was developed with ~~F~~ederal funds, the original author must petition the ~~F~~ederal government for a release of rights.

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Release of rights of copyrighted works may be conditioned upon agreement by the author(s) to all of the following:

1. To grant back to the University an irrevocable, perpetual, royalty-free, non-exclusive, worldwide right and license to use the intellectual property for its research and education purposes and a right to grant the same rights to other non-profit institutions.
2. To other terms or conditions reasonably requested by the University.

## V. ADMINISTRATION

### A. University Patent and Copyright Committee

The University Patent and Copyright Committee shall be appointed by the President of ~~the Old Dominion~~ University to serve staggered three-year terms. The Committee shall consist of no more than eleven (11) members ~~a majority of that which~~ will ~~include~~consist of full-time teaching and research faculty members, each from a different University department or school, with representation from all colleges, and one faculty member who shall serve as committee chair. Research Centers with more than \$5 million in annual research expenditures also will be entitled to one faculty member on the committee. A majority of members will be holders of U.S. patents. ~~Members shall be appointed by the President of the University to serve staggered three (3) year terms.~~ The University's designated research officer or ~~his/her~~ designee and ~~the general~~ University Counsel shall serve as ex-officio members.

The University Patent and Copyright Committee shall have the following responsibilities:

1. Recommend to the President any amendments to the policy;
2. Review and make recommendations to the President concerning ~~their~~ resolution of disputes involving University-owned intellectual property ~~and make recommendations to the president concerning their resolutions;~~
3. Provide guidance and assistance to the University designated research officer in matters involving University-owned patents and copyrights.
4. Perform such other responsibilities as the President of the University may assign.

B. University Designated Research Officer

The University designated research officer shall be the Vice President for Research and shall have the following responsibilities:

1. Ensure compliance with patent and copyright provisions of University and sponsored research grants and contracts;
2. Establish and distribute procedures for the reporting of intellectual properties in which the University has a proprietary interest;
3. Perform initial reviews of the disclosures submitted to the University to determine the subsequent rights thereto;
4. Manage the evaluation, protection, marketing, and commercialization of University intellectual property, that in his/her judgment is worth pursuing, through internal and/or external resources, including but not limited to patent management agents, consultants, and lawyers;
5. Ensure that required agreements regarding the administration of intellectual property in which the University has a proprietary interest, and consequent rights of all parties concerned, are properly executed;
6. Assist in increasing patent awareness among faculty and staff;
7. Provide annual reports of intellectual property in which the University has a proprietary interest to SCHEV in accordance with state law; and
8. Perform such other responsibilities as required to comply with state law with regard to University intellectual properties and this policy.

VI. NOTIFICATION

Those inventors and authors subject to the provisions of this policy shall report their inventions and original works of authorship in which the University has a proprietary interest to the University designated research officer. Disclosure must be complete and reasonably in advance of any public disclosure, or any other act that which might result in a loss of patent rights, so as to allow the University ~~or~~, Funder, or combination thereof, to protect any intellectual property ~~that needs~~ deemed in need of protection. The University may ~~not suppress nor unduly~~ delay the publication, without the consent of the authors, where such publication threatens to compromise the ability to procure intellectual property rights domestically or internationally. Where necessary, the University may take custody of the original copies of scientific data and/or research records.

## VII. PROTECTION AND COMMERCIALIZATION

### A. Inventions

1. The University, at its discretion, through the University designated research officer, may submit any disclosure of a new development or invention in which it has a proprietary interest to a patent management agent for a determination of patentability and commercialization. The University may also direct negotiations, through the University designated research officer, with profit, non-profit, or governmental entities desiring to utilize and/or further develop and market an invention in which the University has a proprietary interest.
2. An invention which is the sole property of the inventor normally will not be accepted by the University for review or administration. The inventor, however, may request that the University designated research officer review his or her invention for patentability, in which case, the inventor must assign the rights to his or her invention to the University.

### B. Original Works of Authorship

The University requires employees to affix a copyright notice on any original works of authorship which they have developed and in which the University has a proprietary interest. The copyright notice should be affixed to the work in the form of a small “c” in a circle, or the word “Copyright,” the year of publication, and the name of the University.

## VIII. REVENUE DISTRIBUTION

Where the University has a vested interest in a patent or copyright, the inventor(s) or author(s) and the University will share in any net revenues received by or on behalf of the University.

Except as provided for in a prior written agreement, the distribution of net revenues shall be as follows

- Inventor/Author: 50%
- University: 50%

In the absence of a written revenue distribution agreement [or invention disclosure allocating the respective contribution share](#) between the inventors/authors, the University will distribute such net revenue equally between the inventors/authors.

[The first \\$5M of the University's share of revenues will be distributed as follows, based on shares assigned each Inventor:](#)

- [Department or research center to which each Inventor's salary line was located at the time of disclosure: 25%](#)

- College or Division in which the department or research center of each Inventor reported at the time of disclosure: 25%
- Technology Transfer Office (for a fund to pay for future patent and commercializations expenses): 50%

After the University's share of revenues exceeds \$5 million, the Vice President of Research will appoint a faculty committee to recommend a new distribution that will invest in the University research enterprise. The Vice President for Research will take that recommendation into account in advising the President, who will make the final decision as to the distribution of any future revenues above \$5 million.

## IX. TRANSFER OF INTELLECTUAL PROPERTY

~~Except when~~When the Governor's prior written approval is required, the University's governing board may transfer ownership of any intellectual property in which it claims an interest upon receipt of such approval.

The Governor's prior written approval is required for transfers of title to patents and copyrights that were:

- A. developed wholly or significantly through the use of state general funds by an employee of the University acting within the scope of his or her assigned duties; or
- B. developed wholly or significantly through the use of state general funds and are to be transferred to an entity other than the Old Dominion University Research Foundation~~following:~~
  - ~~The Innovative Technology Authority; or~~
  - ~~an entity whose purpose is to manage intellectual properties on behalf of nonprofit institutions; or~~
  - ~~an entity whose purpose is to benefit the transferring institution.~~

When prior written approval is required, the University should send a description of the intellectual property and the proposed transaction to SCHEV~~the State Council of Higher Education for Virginia~~. Within thirty (30) days, SCHEV~~the Council~~ will recommend action to the Governor, including any conditions SCHEV~~the Council~~ thinks should be attached to the proposed transfer. The Governor also may attach conditions to the transfer.

Any decisions that the Old Dominion University Research Foundation makes regarding protection and commercialization of intellectual property shall be in accordance with University policies and subject to prior University approval.

It should be noted that the Governor's approval is not required for the granting of a license to use an intellectual property, but only when the actual title is to be transferred.

X. DISPUTE RESOLUTION AND RIGHT TO APPEAL

Individuals covered by this policy shall have the right to appeal the application of this policy regarding ownership, equity, classification, sharing of revenues, disposition, management, or exploitation of any patent or copyright, or any procedure relating thereto, to the University Patent and Copyright Committee. A written request for appeal must be made to the Chair of the University Patent and Copyright Committee and a copy of the appeal forwarded to the University designated research officer. The request must contain a statement of the specific nature of the appeal, the grounds upon which the appeal is based, and a summary of the facts supporting the applicant’s position, and any material the applicant believes is relevant.

<sup>1</sup>This policy may be amended, from time to time, upon recommendation to the chair of the University Intellectual Property Policy Committee, subject to approval by the President of Old Dominion University.

<sup>2</sup>Old Dominion University Research Foundation [and University Patent and Copyright Committee](#)

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**NUMBER:** 1450  
**TITLE:** Faculty Sanctions  
**APPROVED:** February 13, 1982

I. General

A sanction may be imposed on a faculty member to document, correct, and/or take disciplinary action for behavior that violates the standards of faculty conduct as articulated in the Teaching and Research Faculty Handbook, other university policies, and applicable local, state, and federal laws. A sanction may not be imposed upon a faculty member unless the faculty member has been notified in writing of the charges upon which the sanction is based and has been provided with an opportunity to respond to those charges.

Under no circumstances shall the imposition of sanctions or the threat of the imposition of sanctions be used to restrain a faculty member’s exercise of academic freedom or exercise of any of the rights guaranteed by the Constitution of Virginia or by the Constitution of the United States.

All notifications required under this policy shall be presumed delivered upon an email sent to the faculty member’s ODU email address.

II. Definitions

A. A Major Sanction is an action that negatively affects the faculty member’s property interest including but not limited to salary and rank. Examples may include but are not limited to actions that involve the dismissal, suspension without pay, reduction in salary, loss of salary increases, or reduction in rank of a faculty member.

B. A Minor Sanction includes all other disciplinary actions imposed on a faculty member and placed in the personnel file including letters of reprimand.

### III. Minor Sanction

#### A. Authority

A minor sanction, ~~i.e., a written reprimand~~, may be imposed upon a faculty member by a department chair, a dean, the provost and vice president for academic affairs, or the president.

#### B. Procedure

1. Before a minor sanction may be imposed upon a faculty member, the faculty member must be notified in writing of the charges for which a sanction might be imposed. Charges should be related to violations of university policies or rules, or laws. The university policies should be specified in any charges leveled. The faculty member then must be provided with an opportunity to meet with and to present a statement in defense or in mitigation of the charges to the individual with the authority to impose the sanction. That opportunity shall be provided no less than ten (10) and no more than thirty (30) days following the faculty member's receipt of notification of charges.
2. Before a department chair or a dean exercises the authority to impose a minor sanction upon a faculty member, the decision to impose the sanction and the reasons therefore must be reviewed and approved by the immediate administrative supervisor of the individual imposing the sanction.
3. Within sixty (60) days of the date of the faculty member's receipt of notice of charges, the faculty member shall be notified as to whether a minor sanction has been imposed and acknowledge receipt of the notice of imposition of the sanction. If a minor sanction has been imposed, the notice shall include a statement of the reasons for the sanction, the faculty member's right to respond in writing, and refer to the information in the Faculty Sanctions policy. Any sanction imposed and the reasons therefore shall be notified in the faculty member's permanent personnel file but if no sanction is imposed, there shall be no notation or reference to the charges in the file.
4. The faculty member may respond in writing to the imposition of a minor sanction but must do so within thirty (30) days following the faculty member's receipt of notice of the sanction. The faculty member's written response to the charges will be included in the faculty member's permanent personnel file unless the faculty member requests otherwise.
5. All documents related to an imposed sanction must be retained in a secure location at the college level for five years.

- C. A faculty member who desires a review of the minor sanction imposed may file a grievance against the administrative official imposing the sanction in accordance with the Faculty Grievance Policy.

#### IV. Dismissal and Other ~~Major~~Severe Sanctions

##### A. Authority

Only the Board of Visitors has the authority to dismiss a faculty member and only the Board of Visitors or the president has the authority to impose upon a faculty member a ~~major~~ severe sanction short of dismissal, i.e., reduction in current salary level ~~or rank~~ or suspension from service for a stated period with or without pay. "Dismissal" as used in this policy means the termination of a tenured faculty member or the termination of a nontenured faculty member prior to the end of a term appointment to which the faculty member would otherwise be entitled ~~under~~ ~~upon~~ the policies of the university but does not include the termination of faculty due to financial exigency, severe financial difficulties or extensive curtailment in or discontinuance of a program of study or department of instruction.

##### B. Grounds for Dismissal or for the Imposition of Other ~~Major~~Severe Sanctions

The dismissal of a faculty member or the imposition upon a faculty member of another ~~major~~ severe sanction shall be only for adequate cause. Such adequate cause must be related, directly and substantially, to the faculty member's performance of professional duties or responsibilities or to the fitness of the faculty member in his or her professional capacity.

##### C. Proceedings to Dismiss or to Impose Other ~~Major~~Severe Sanctions Upon a Faculty Member

1. The dismissal of a faculty member or the imposition upon a faculty member of other ~~major~~ severe sanction(s) shall be only in accordance with the procedures described herein.
2. It is solely within the discretion of the president to determine those cases in which the institution of proceedings to dismiss or to ~~impose a major~~ sanction ~~severely~~ ~~on~~ a faculty member might be appropriate. In deciding whether to initiate such proceedings, the president may act upon the recommendation of a department chair, a dean, the provost and vice president for academic affairs, or upon his own initiative.
3. Except in extraordinary circumstances, if the president decides to initiate proceedings to dismiss or to ~~impose a major~~ sanction ~~severely~~ ~~on~~ a faculty member, either the president or an administrative official designated by the president shall ~~offer to~~ discuss the matter in private conference with the faculty member. The faculty member should respond to the offer to meet with the president or designee and schedule the meeting within 30 days. The meeting should normally be scheduled during the faculty member's contract period. At that time the matter may be resolved by agreement. If the agreement includes the



faculty member's acceptance of dismissal or another major severe sanction, that agreement shall be in writing and shall be placed in the faculty member's permanent personnel file.

4. If the president decides to proceed with dismissal or a major sanction, the president shall commence a proceeding to dismiss or to impose a major sanction severely on a faculty member and will by designatinee an the appropriate administrative official to present charges against the faculty member and by requesting that the chair of the Faculty Grievance Committee initiate the applicable procedures of the committee. The Faculty Grievance Policy and the policy on Faculty Grievance Committee and Hearing Panels: Composition and Procedures can be found in the Teaching and Research Faculty Handbook.
  5. Upon the conclusion of the Faculty Grievance Committee's procedures and upon the president's receipt of the recommendation and report of the committee issued as described therein, the president may decide to accept, alter, or reject the recommendation of the committee as the president sees fit. If the president decides to alter or reject the committee's recommendation, the president must state in writing the reasons for that decision.
  6. The president must notify the faculty member and the committee of the president's decision and, if required, the reasons therefore, within thirty (30) days of the president's receipt of the committee's report. If the president fails to forward notice to the faculty member and the committee within thirty (30) days, the president shall be deemed to have accepted the committee's recommendation.
    - a. If the president decides to dismiss the charges or to impose a minor sanction upon the faculty member, the president's decision shall be final.
    - b. If the president decides to impose a major severe sanction other than dismissal upon the faculty member, the president's decision shall be final unless appealed to the Board of Visitors by the faculty member. In order to so appeal, the faculty member must notify the president in writing of the appeal within thirty (30) days after the faculty member's receipt of the president's decision.
    - c. If the president decides to recommend dismissal of the faculty member, the president shall forward that decision to the Board of Visitors at the time of notification of the faculty member and the committee as provided above in paragraph 6.
- D. Actions by the Board of Visitors
1. During its consideration of a presidential recommendation to dismiss a faculty member or during its consideration of a faculty member's appeal of a presidential decision to impose another major severe sanction, the Board shall review the record of the case, including the report of the Faculty Grievance Committee, and shall provide the faculty member (~~or his or her designated representative~~) and the president (or the president's designated representative) with an opportunity to



make a written statement and, if either party should so choose, an oral statement. Generally, these statements will be based upon the record of the case. Advisors (including attorneys) are not permitted to directly address the designated Board of Visitors Committee. The Board, in its discretion, may request additional evidence from either party or may permit either party, upon the party's request, to present additional evidence so long as the other party has the opportunity to examine and to respond to the additional evidence. Any additional evidence presented to the Board by either party shall be fully disclosed to the other party prior to presentation of the evidence to the Board.

2. After its consideration of a presidential recommendation to dismiss a faculty member, the Board may decide to dismiss the faculty member. If it should decide to dismiss the faculty member, the Board shall provide written notification of this decision to the faculty member and to the president. Written notice shall include the effective date of the dismissal which may be any time following the date of notice.

~~After such consideration,~~ The Board may decide instead to impose a major severe sanction, other than dismissal, to impose a minor sanction, to dismiss the charges or to withhold final decision and to remand the matter to the Faculty Grievance Committee for further proceedings in accordance with the Board's directions. The Board shall provide written notice of its decision to the president and to the faculty member.

3. After its consideration of an appeal of a presidential decision to impose a major severe sanction other than dismissal upon a faculty member, the Board may decide to sustain the president's decision, to reduce the sanction (see D.1. above for relevant procedures), to dismiss the charges, or to withhold final decision and to remand the matter to the Faculty Grievance Committee for further proceedings in accordance with the Board's directions. The Board shall provide written notice of its decision to the faculty member and to the president.

If the matter is remanded to the Faculty Grievance Committee, the committee shall conduct additional proceedings in accordance with the Board's directions. Following the conclusion of such proceedings, the committee shall transmit its report to the Board and shall furnish copies of its report to the president and to the faculty member. After receipt of the committee's report, the Board shall make its final decision and shall provide written notice of its decision to the president and to the faculty member.

4. In every case, the decision of the Board is final.

#### E. Limitations Upon the Imposition of More than One Sanction

The imposition upon a faculty member of a minor or major severe sanction shall preclude the imposition upon that faculty member of another sanction based upon the same incident. Previous sanctions imposed on a faculty member may be taken into account when considering new sanctions based on a different incident or a repeat of sanctioned behavior. This limitation shall not preclude the consideration of a sanction

~~previously imposed upon a faculty member during the determination of the sanction to be imposed or sought to be imposed as a result of another incident involving the same faculty member.~~

F. Suspension Prior to the Completion of Proceedings

Prior to the completion of proceedings under this policy, a faculty member may be suspended by the president or assigned other duties in lieu of suspension if serious harm to the faculty member or to others is threatened by the faculty member's continued performance of regular duties. Salary shall continue during suspension. Suspension pursuant to this section does not release the university from its obligation to complete proceedings as described in this policy within a reasonable time after suspension.

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**NUMBER:** 1462  
**TITLE:** Policy for the Review of Academic Programs, Departments or Colleges for the Purpose of Possible Curtailment or Discontinuance  
**APPROVED:** March 11, 1991; Reviewed – No Proposed Changes

A. General Statement of Policy

This policy provides the process for evaluation that shall be followed for the review of academic programs, departments or colleges for the purpose of possible curtailment or discontinuance.

The process described in this policy should be conducted expeditiously by all participating, reviewing, recommending, and deciding bodies. Failure to comply with the time limits may cause of forfeiture of the right to comment, review or recommend. Time limits shall be calculated in calendar days.

B. Process for the Evaluation of Programs, Departments or Colleges

The following process shall be followed in evaluating academic programs, departments, or colleges for possible curtailment or discontinuance.

1. The affected unit's program director, chair, academic dean, or provost and vice president for academic affairs ("initiator") may initiate the action for possible curtailment or discontinuance. The initial recommendation, with the approval of the provost and vice president for academic affairs, if he/she is not the initiator, shall be in written form and provided simultaneously to the dean(s) of the affected unit(s), and the affected unit(s). The initial recommendation shall specify the facts precipitating the need for change, the proposed change and rationale and preliminary analysis of financial impact. This document shall also project the possible impact upon affected faculty, staff, and students; a revised human resource plan for these individuals; and the desired timetable for implementation.
2. The initiator shall consult closely with the administrators and faculty of the affected unit(s).

3. Upon receipt of the initial recommendation, and within forty-five (45) days, the dean(s) and the unit(s) to be affected, including the relevant college governance unit(s), shall, either jointly or separately, conduct an appropriate review of the program, department, or college, considering, among other things, the following criteria. The criteria need not be evenly weighted, nor should the list be considered exclusive.
  - a. The relevancy and relationship of the program to the mission and objectives of the college and university.
  - b. The overall quality of the affected unit presently and potentially.
  - c. Cost and revenues associated with the affected unit.
  - d. Student enrollment/productivity.
  - e. The current and projected relationship to other programs, departments, or institutions.
  - f. Distinctive and unique features in concept, design or implementation.
  - g. Impact on women and minorities.
  - h. Implications with respect to research.
  - i. Impact on student needs.
  - j. Placement and employment opportunities for students.
  - k. Alternatives to curtailment, discontinuation, consolidation, or significant reorganization.
4. Within fifteen (15) days prior to expiration of the time for review, the provost and vice president for academic affairs shall notify the chairs of the Senates that materials will be sent to them for action pursuant to this policy.
5. After review at the college level, the academic dean (including the college's governance unit(s), and the affected unit will forward their recommendations, with all supporting documentation, within the time prescribed, simultaneously to the Faculty Senate, Student Senate and provost and vice president for academic affairs for review.
6. Within thirty (30) days of receipt of materials, the Faculty and Student Senates shall forward their recommendations to the provost and vice president for academic affairs.
7. The provost and vice president for academic affairs shall conduct an independent analysis of the initial recommendation (unless he/she initiated the process). Within fifteen (15) days of receipt of recommendations from the Senates, the provost and vice president for academic affairs shall review the recommendations of the dean(s), affected unit(s), Faculty Senate and Student Senate and make a recommendation of proposed action to the president.

8. Within fifteen (15) days of receipt of the provost and vice president for academic affairs' recommendations, the president shall review the recommendation of proposed action, consult any parties which are deemed appropriate, and make a final decision on whether or not the program, department or college shall be curtailed or discontinued. Upon completion of this review, the president shall make a recommendation on the matter to the Board of Visitors for action. After the Board has made its decision on the matter, the president shall inform all members of the university community in an appropriate manner.
- C. To the greatest extent possible, the status quo shall be maintained within and with respect to the affected unit(s) until such time as a final decision has been reached by the Board of Visitors and it has directed the president to take action.

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**NUMBER:** 1470  
**TITLE:** Faculty Grievance Policy  
**APPROVED:** June 15, 1978; Revised May 15, 1982; Revised June 15, 1989; Revised November 14, 1990; Revised June 22, 1995; Revised December 4, 2014 (eff. 1/1/15); Reviewed and Approved with No Changes April 22, 2022

I. General

A. Purpose

The purpose of this policy is to supplement the administrative and academic procedures of Old Dominion University and to provide a grievance procedure which will insure academic due process and fair treatment for faculty.

B. Application

Only faculty under full-time teaching and research contracts and professional librarians may use the procedure described in this policy. A teaching and research administrator with departmental designation may use the procedure but only to grieve, in accordance with the requirements described herein, an action concerning the academic promotion of or the award of tenure to that administrator.

C. Definition of Grievance

As used in this policy, a grievance is an allegation by a faculty member that he or she has suffered direct injury as a result of the following:

1. An action, refusal to act, or a failure to act by an administrative officer of the university which deviated materially from the existing policies or procedures of the university; or
2. An action by an administrative officer of the university which was arbitrary, capricious, unreasonable, or contrary to the facts.

"Administrative officer," as used in this policy, refers to any individual exercising administrative authority, including, but not limited to, a department chair or a program director.

D. Remedies

1. Except as otherwise provided herein, a faculty member who chooses to grieve under this policy may seek any remedy appropriate to the grievance which the university has the authority to provide.
2. The remedy available to a faculty member who chooses to grieve a personnel action, i.e., a nonreappointment, promotion, evaluation, salary increment, a decision not to award tenure, or appointment to emeritus status, is the initiation of a proper reconsideration of that decision through the applicable procedures of the university.

E. Limitations Upon the Application of the Grievance Policy

1. Except as provided in I.E.3 herein, a faculty member must exhaust existing administrative or academic procedures for review of an action about which the faculty member chooses to grieve prior to filing a grievance under this policy.
2. An action concerning the imposition of a sanction upon a faculty member or the dismissal of faculty from employment member due to a financial exigency, etc. must be reviewed in accordance with the applicable policies for review of such an action and may not be reviewed under this Grievance Policy unless the applicable policies so provide.
3. An action concerning the promotion of a faculty member or the award of tenure to a faculty member must be grieved by that faculty member after action by the provost and vice president for academic affairs but before the faculty member's request for review by the president.
4. An action concerning the promotion of a faculty member, the nonreappointment of a faculty member, or the award of tenure to a faculty member only may be grieved by that faculty member upon the ground that there was a material deviation from the applicable procedures of the university during the process leading to the action.

F. Maintenance of Records

1. The complaint and all records developed during the investigation of the complaint shall be considered confidential and shall not be released except as required by law or by the provisions of this policy.
2. The complaint and all records developed during the investigation of the complaint shall be retained in the University Counsel's Office for a period of three years after the date of the final determination. Records developed as a result of the

grievance will be filed separate from the faculty member's official personnel file. Thereafter the records shall be destroyed unless state or federal action is pending.

## II. Informal Resolution of a Grievance

- A. A faculty member who chooses to grieve under this policy should first discuss the matter with the administrative officer whose action or failure to act is the basis for the grievance.
- B. If the discussion does not produce a resolution, the faculty member may request mediation provided by the Faculty Mediation program through the Faculty Senate Office.
- C. If, as a result of the faculty member's discussion with the administrative officer, the matter is not resolved to the faculty member's satisfaction, the faculty member shall discuss the matter with the immediate supervisor of the administrative officer whose action is the basis of the grievance. The faculty member shall not discuss the matter with the immediate supervisor of the administrative officer if the immediate supervisor is the president.
- D. If, as a result of these discussions and/or mediation, the matter is not resolved to the faculty member's satisfaction, the faculty member may proceed to formal resolution of the grievance.

## III. Formal Resolution of a Grievance

### A. Written Statement of Grievance

- 1. A faculty member shall initiate formal resolution of a grievance by filing a written statement of grievance with the chair of the Faculty Grievance Committee.
- 2. The written statement filed electronically by the faculty member shall contain, as a minimum, the following:
  - a. a description of the action, refusal or failure to act by the administrator that the faculty member is grieving;
  - b. the grounds upon which the faculty member is grieving the action, including an identification of the applicable policy or procedures, if any;
  - c. a description of the events leading to the action, refusal or failure to act the faculty member is grieving;
  - d. a statement of the injury suffered by the faculty member and the date thereof; and
  - e. a statement of the remedy sought by the faculty member.
- 3. The written statement should be no longer than 1,000 words.

4. The faculty member should attach to the written statement copies of relevant documentation.
5. Except in cases involving personnel actions, the written statement of grievance shall be filed with the chair of the Faculty Grievance Committee within ninety (90) days of the date that the faculty member suffers the alleged injury. In those exceptional cases when the faculty member can demonstrate that he or she did not know, or have reason to know, of the grievance within ninety (90) days, the Grievance Committee may extend this period to one hundred and eighty (180) days. If the faculty member's grievance concerns a series or pattern of injurious decisions, the period shall run from that date of the latest alleged injury; however, the committee may review all of the decisions in the alleged pattern and the committee may make recommendations concerning all of the decisions in the alleged pattern if it finds that such a pattern did exist and that any incident of the pattern occurred within the number of days specified herein.
6. In a case involving a personnel action, i.e., a nonreappointment, promotion, evaluation, salary increment or a decision not to award tenure, the written statement of grievance shall be filed with the chair of the Faculty Grievance Committee within thirty (30) days of the date that the faculty member is provided notice of action taken after administrative and academic review procedures have been exhausted as required by paragraphs I(D)(2) and I(E)(3) herein.
7. If the period described in paragraph 5 or paragraph 6 above would expire ordinarily between the university's regular semesters, the period shall be extended and shall expire fifteen (15) days after the beginning of the next regular semester.

B. Review by the Faculty Grievance Committee

Upon a faculty member's filing of a written statement of grievance with the chair of the Faculty Grievance Committee, the Grievance Committee shall review the statement, and, if appropriate, proceed with a review of the grievance in accordance with its applicable procedures, as described in sections II and III of Faculty Grievance Committee and Hearing Panels: Composition and Procedures.

C. Withdrawal and Settlement of Matters Before the Committee

The faculty member in any matter before the Grievance Committee may withdraw the matter at any time during the committee's proceedings without the need of the committee's or a hearing panel's approval. Such a settlement removes the matter from the jurisdiction of the committee and closes the case. The committee or a hearing panel may take whatever steps it deems necessary and appropriate to encourage settlement.

IV. Decision by the President

- A. Upon the conclusion of the applicable procedures of the Grievance Committee and upon the president's receipt of the committee's report and recommendation issued as described therein, the president may decide to accept, alter, or reject the recommendation of the committee as the president sees fit.

- B. Before deciding whether to accept, alter, or reject the recommendations of the committee, the president may request and consider written or oral statements from the parties to the grievance or their designated representatives. Each party must be provided a copy of the written statement filed by the other party and each party must be provided the opportunity to be present when an oral statement is made by the other party. The president shall not discuss the matter with either party prior to making a decision except as provided herein.
- C. If the president decides to alter or reject the recommendations of the committee, the president must state in writing the reasons for that decision.
- D. The president must provide notice to the grievant and to the Grievance Committee of the president's decision, and, if required, the reasons therefore, within thirty (30) days of the president's receipt of the committee's recommendation and report. If the president fails to forward notice to the grievant and to the committee within thirty (30) days, the president shall be deemed to have accepted the committee's recommendation.
- E. The president shall cause the implementation of any remedy provided to the grievant as a result of the president's decision.

V. Review and Evaluation of the Policy and Procedures

The president or his/her designated representative(s) and the Faculty Senate or its designated representative(s) shall jointly review and evaluate this policy every five years. At a Board of Visitors' meeting near the end of an academic year after the review, the president shall present to the Board of Visitors a report describing the results of the review and evaluation and recommending necessary changes, if any. The Faculty Senate, through the designated faculty representative, may present a separate report containing other recommended changes if it should choose to do so.

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**NUMBER:** 1490  
**TITLE:** Administrative and Professional Faculty  
**APPROVED:** June 12, 1980; Revised June 22, 1995; Revised September 9, 2005; Revised June 17, 2010

I. Background

Pursuant to [§23.1-100238-88, Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits](#), subdivision ~~A~~B10 states that public institutions of higher education ~~shall be allowed to establish~~ may "adopt policies for the designation of administrative and professional faculty positions at the institution pursuant to the conditions and provisions provided in subsection E of [§2.2-2901](#)." These designations shall be reserved for positions that require a high level of administrative independence, responsibility, and oversight within the organization or specialized expertise within a given field as defined by the Board of Visitors.



## II. Definitions for Administrative and Professional Faculty (A/P Faculty)

Administrative faculty normally report no lower than two levels below the President. Administrative faculty typically serve in executive level leadership roles such as vice president, vice provost, dean, and assistant or associate vice president or dean. Administrative faculty require the performance of work directly related to the management of the educational and general activities of the institution, department, or subdivision. Incumbents in these positions should exercise discretion and independent judgment, ~~and~~ generally direct the work of others, and regularly exercise discretionary actions.

Professional faculty normally report three or more levels below the President. Professional faculty may direct or provide support for vital university functions such as academic, administrative, outreach, athletic or other programs. Professional faculty must regularly exercise professional discretion and judgment and the work produced must be intellectual and varied in character and should not be standardized. Professional faculty required advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category is normally limited to librarians, counselors, coaches, lawyers, physicians, and other professional positions serving education, research, athletic, medical, student affairs, and development functions or activities. Some information technology positions may also be included in this category.

Qualification criteria:

- must perform the duties and responsibilities associated with this category 50 percent or more of the contractual time;
- must have advanced degree, or training and work experience at a level that equates to an advanced degree
- ~~must regularly exercise discretionary actions;~~
- ~~the organization reporting relationship normally must not go lower than three (3) levels below the President.~~

Requests for any exception to these criteria must be made to the President. The Vice President for Human Resources, Diversity, Equity and Inclusion may provide assistance as required by the President.

~~Professional faculty require advanced learning and experience acquired by prolonged formal instruction and/or special work experience. This category is normally limited to librarians, counselors, coaches, lawyers, physicians, and other professional positions serving education, research, athletic, medical, student affairs, and development functions or activities. Some information technology positions may also be included in this category.~~

~~Qualification criteria:~~

- ~~must perform the duties and responsibilities associated with this category 50 percent or more of the contractual time;~~
- ~~must have advanced degree, or training and work experience at a level that equates to an advanced degree;~~
- ~~just regularly exercise professional discretion and judgment ;~~

- ~~• work product must be intellectual and varied in character and should not be standardized.~~

~~Requests for any exception to these criteria must be made to the President. The Vice President for Human Resources may provide assistance as required by the President.~~

Professional librarians are covered by a separate policy concerning rank and term appointments.

### III. Academic Rank

A. Two types of academic rank are awarded to administrative and professional faculty members at Old Dominion University:

1. Rank without academic departmental designation - On initial appointment, an administrative and professional faculty member may be assigned rank without academic departmental designation to perform service in that department in teaching, research, or professional service upon recommendation of the appropriate vice president or director and approval of the president, the Board of Visitors, and the governor. Normally only holders of the earned doctorate will be awarded ranks above that of instructor, but exceptions may be made on the basis of experience and training.
2. Rank with academic departmental designation - Upon initial appointment, an administrative and professional faculty member may be awarded rank in an academic department upon recommendation of the chair of the academic department (after consultation with the Promotion and Tenure Committee of the department or with the tenured faculty of the department) and the dean to the provost and vice president for academic affairs. Award of rank in an academic department usually implies that the faculty member will be performing service in that department in teaching, research, or professional service.

B. A/P faculty members initially appointed to rank without academic departmental designation may request consideration for granting of rank with academic departmental designation from ~~of~~ the chair of the academic department. The procedures for the granting of academic departmental designation are the same as for initial appointment with the academic departmental designation.

### IV. Promotion in Rank

A. For A/P faculty members holding rank without academic departmental designation the following terms apply:

1. An A/P faculty member without academic departmental rank may be proposed for promotion by that person's immediate supervisor. The supervisor should clearly indicate criteria being used and reasons for promotion. Normally promotion should not take place in a shorter time

period that would be used for promotion to the same rank for teaching and research faculty.

2. In areas reporting to the provost and vice president for academic affairs, the initial recommendation is made through the normal administrative line to the Provost and Vice President for Academic Affairs, who approves or disapproves the recommendation. The A/P faculty member has the right to request that the President review the decision of the Provost and Vice President for Academic Affairs. The decision of the President is final.
3. In areas not reporting to the Provost and Vice President for Academic Affairs, the recommendation is considered through the normal administrative line and a final recommendation made by the appropriate vice president, or director, to the President. The President, after consultation with the Provost and Vice President for Academic Affairs concerning the appropriateness of the rank within university practices, takes final action on the recommendation.

B. For persons holding rank with academic departmental designation the following apply:

1. Persons who have held rank with academic departmental designation for the normal length of time before consideration for the next higher rank may request that the chair of the academic department evaluate their performance. In this evaluation, it is appropriate that the departmental chair take into consideration the fact that the faculty member cannot have performed the quantity of teaching, research, and departmental service that would be expected of a full-time member of the teaching faculty of the department. On the other hand, it should be expected that the A/P faculty member would hold credentials such that, if the person were being appointed initially to an administrative or professional post, the faculty and chair of the academic department would be willing to grant the rank to which promotion is proposed.
2. Consideration of the promotion should begin with the academic department's ~~sa~~ promotion committee and proceed in exactly the same manner as for full-time teaching faculty members<sup>1</sup>.

#### V. Tenure for A/P Faculty Members

- A. No administrative or professional faculty member holds tenure or other right of continuance in their appointment.
- B. Time spent at Old Dominion University in an A/P faculty appointment does not count toward the probationary period for tenure. If a nontenured faculty member accepts a full-time A/P faculty post, the time spent in that position is not counted toward the probationary period for tenure.

- C. Tenured faculty members who accept administrative posts retain tenure in their academic departments.
- D. An A/P faculty member may request tenure consideration by an appropriate academic department. Such consideration begins with the academic department/school Promotion and Tenure Committee and then proceeds to the department chair. From there, the application for tenure proceeds to the College Promotion and Tenure Committee, then the dean, then the University Promotion and Tenure Committee, then the Provost and Vice President for Academic Affairs. The department/school standards that have been approved by the tenured faculty (as well as the College Dean and the Provost) in that unit should set the criteria by which tenure consideration should be determined~~an evaluation by the departmental chair of the training, experience, and performance of the faculty member. Thereafter, beginning with the consideration by the departmental tenure committee or the total tenured faculty of the department, the policy and procedure for the award of tenure to AP faculty members is identical with the policy and procedure for teaching and research faculty members.~~
- E. An A/P faculty member initially appointed to the rank of full professor with academic departmental designation may be considered for award of tenure without probationary period in accordance with the policy and procedures governing full-time faculty members initially appointed to the rank of full professor.

## VI. Notice of Termination of A/P Faculty Members

- A. No person has a right of continuance in a specific administrative assignment, and any administrative or professional faculty member may be reassigned to different responsibilities at any time. The following policies and procedures, therefore, refer to continuance of salary and of appointment to the university.
- B. Administrators or professionals holding rank without academic departmental designation:
  1. A/P Faculty in this category shall be given the following notice of termination:
    - a. At least ninety (90) days for A/P faculty in their first twenty-four months of service.
    - b. At least one hundred and eighty (180) days for A/P faculty with more than twenty-four months of service.
  2. Initial notification of termination is by the A/P faculty member's immediate supervisor. The A/P faculty member has a right to request a review up the chain of command to the President. The decision of the President concerning termination is final.
  3. Effective July 1, 1995, in the event an administrative or professional faculty member is involuntarily separated from employment by the University for

reasons that are not performance or behavior related, the notice of termination period (provided in paragraph VI.B.1 and 2 above) will be reduced by the number of weeks of severance pay benefits provided by the Workforce Transition Act of 1995. The net benefit for the dismissed employee shall not be less than that which is provided by this policy. This paragraph shall be in force and effect only so long as the Workforce Transition Act of 1995, or successor legislation, is effective. Involuntary separation is defined as position elimination due to budget reductions, work force downsizing, university or departmental reorganization or other causes not related to performance or employee conduct but shall not include voluntary resignations. Notice of termination of appointment is not an involuntary separation that qualifies for severance benefits.

4. A shortening of the termination notice for cause can take place under the following conditions:

a. Inability, unwillingness, or failure to perform assigned duties and professional responsibilities at a satisfactory level. Termination for this reason may not be undertaken until the A/P faculty member has been advised, in writing, of the deficiencies of his/her performance and afforded a reasonable opportunity (at least 90 days) to correct such identified deficiencies.

b. Violation(s) of University policies and/or procedures.

c. Violation(s) of applicable administrative or professional ethics or responsibilities.

d. Criminal convictions for acts of conduct occurring on or off the job ~~that which~~ are related to job performance or are of such a nature that to continue the A/P administrative faculty member in the assigned position could constitute negligence in regard to the University's responsibilities to the public or to its students or other employees.

e. In the event the appointing official or other appropriate supervisory administrative officer determines that termination of an A/P faculty member's employment is warranted, the A/P faculty member shall be advised, in writing, of the intended action and the reason(s) therefore, and shall be afforded the opportunity to respond, in writing and in person, to the intended action and the reasons upon which the intended action is based.

~~f. Termination by reason of inability, unwillingness or failure to perform one's duties and professional responsibilities at an acceptable level, may not be undertaken until the faculty member has been advised, in writing, of the deficiencies in his/her performance and afforded a reasonable opportunity (at least 90 days) to correct such identified deficiencies.~~

- f. If the A/P faculty member elects to respond to the notice of intended termination, and the response is deemed unsatisfactory, the appointing official should proceed to implement the termination action by notifying the A/P faculty member, in writing, of the termination action and the effective date thereof. The written notification shall state specifically the reasons for the termination and shall inform the individual of the right to appeal the termination decision.
  - h. A/P faculty members may appeal a dismissal for cause through the Grievance Policy for Administrative and Professional Faculty Administrators—if they believe the dismissal resulted from an improper application of policy or is arbitrary and capricious.
- C. A/P Faculty holding rank with academic departmental designation:
- 1. A/P faculty in this category who do not hold tenure are entitled to the same notice as that given to nontenured A/P faculty members.<sup>ii</sup> During all or a portion of the time under which the A/P faculty member is on terminal notice, reassignment to the academic department as a teaching faculty member may be made.
  - 2. A/P faculty holding rank with academic departmental designation but not having tenure may request a review of the termination decision through the President. The decision of the President is final.
  - 3. A/P faculty holding rank with academic departmental designation and tenure return to the tenured teaching faculty of the department if they leave their administrative post for any reason. Dismissal from the university can only occur under the policies and procedures for dismissal of tenured faculty members.

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**NUMBER:** 1502  
**TITLE:** Student Rights and Freedoms  
**APPROVED:** August 12, 1971; Revised April 13, 1978; Revised June 13, 2019

A statement of the rights and freedoms of students in attendance at Old Dominion University is set out in this document. Such rights and freedoms will be recognized by the administration until changed or otherwise modified by the Board of Visitors.

Rights and freedoms should always be exercised within a framework of responsible behavior. They should not be used as a vehicle for division. Rather, they should serve as a point of departure from which administration, faculty, and students can work together to continue the advancement of Old Dominion University as an outstanding institution.

## I. Access to Higher Education

### A. Admissions

Admission to Old Dominion University is open to all qualified students giving equal opportunity for all persons regardless of race (or traits historically associated with race including hair texture, hair type, and protective styles such as braids, locks, and twists), color, national origin, age, marital status, sex (including pregnancy, childbirth, or related medical conditions), political affiliation, marital status, sexual orientation, gender identity, genetic information, disability, religion, or veteran status.~~Admission to Old Dominion University is open to all qualified students without regard to race, sex, color, age, religion, national origin, veteran status, sexual orientation, gender identity, political affiliation, or otherwise qualified persons with disabilities.~~

### B. Continuance

Continuance requirements are set by the University. The policies for continuance shall be made clear and orderly procedures shall be established for appeal if extenuating circumstances warrant such action.

## II. Academic Affairs

Instructors shall always endeavor to provide opportunities for discussion, inquiry, and expression in an atmosphere conducive to learning. Academic performance shall be evaluated solely on an academic basis.

### A. Protection of Freedom of Expression

Students shall be free to take reasoned exception to the material or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study in which they are enrolled.

### B. Protection Against Improper Academic Evaluations

Students shall have protection against prejudiced or capricious academic evaluations. Orderly procedures have been established (see "Grade Appeals" section of the Undergraduate or Graduate Catalog) through which students may appeal grades judged to have been given as result of prejudice or caprice. However, students are responsible for maintaining the standards of academic performance established for each course in which they are enrolled.

### C. Protection Against Unprofessional Academic Conduct (see [Teaching and Research Faculty Handbook](#) and [AAUP Joint Statement on Rights and Freedoms of Students](#))

Students shall have protection against the improper and unprofessional conduct of faculty members. Such behavior could include the following:



1. Repeated failure to meet classes;
2. Repeated failure to be available for conferences during published office hours;
3. Repeated failure to present relevant, in-class materials, and to provide assessment on such materials; and
4. Discriminatory actions in the classroom against individuals or groups.

Orderly procedures have been established through which students may lodge complaints of unprofessional conduct without jeopardizing their grades.

D. Protection Against Improper Disclosure of Personal Information

Information of judgments about a student's views, abilities, or character (information faculty members acquire in the course of their work as instructors, advisors, or counselors) may be discussed by those faculty members only if such discussion is guided by standards of professional obligation. Private or confidential matters brought by a student to the attention of a faculty member should not be disclosed without the prior consent of the student, except where required by law.

III. Student Engagement and Enrollment Services

A. Freedom of Association

1. Students shall be free to organize and join associations that promote common interests.
2. Affiliations with external or national organizations shall not of themselves disqualify student organizations from institutional recognition.
3. Honorary and professional organizations may restrict their membership on the basis of clearly established and published criteria that have been approved by the University as part of the recognition process.
4. The facilities and services of the institution shall be open to all enrolled students through established procedures and used in accordance with University Policies [3200, "Use of Facilities and Grounds,"](#) and [1700, "University Demonstrations Policy."](#)

B. Freedom of Inquiry and Expression

1. Students and student organizations shall be free to examine and discuss all questions of interest to them and to express opinions privately and publicly. They should always be free to support causes by orderly means that do not disrupt the regular and essential operations of the institution.



2. In their discussion of issues and expressions of opinions, students shall be free from duress, coercion, attempts to intimidate, or attempts to otherwise persuade by use of force.
3. Institutional control of campus facilities shall not be used as a device of censorship, but student organizations will be required to adhere to [University Policy 3200, "Use of Facilities and Grounds."](#)
4. The University shall not tolerate actions by individuals or groups that seek to restrict the exercise of the rights just described in sections 1 through 3. In accordance with [Code of Virginia Section 23.1-401.1](#), members of the campus community cannot obstruct speakers and presenters. While students and members of the university community cannot disrupt a speaker or free speech, they can assemble to express alternate points of view (see [University Policy 1700, "University Demonstrations Policy."](#))

C. Student Media

1. Student media shall be free of censorship and advance approval of copy.
2. All student publications published and financed by the University shall explicitly state that the opinions expressed therein are not necessarily those of the University or the student body.
3. Students shall be free to publish, distribute, and, in accordance with university regulations, post literature on campus.

E. Financing of Student Organizations

After considering student recommendations, the University shall establish orderly procedures for financing student activities. These procedures and the criteria for funding recognized student organizations will be publicized and uniformly observed. The budget for student activities shall annually be made available to the student body.

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**NUMBER:** 1602  
**TITLE:** Disposition of Unclaimed or Abandoned Property  
**APPROVED:** April 8, 2010; Revised June 12, 2014; Revised December 7, 2017

Background

The University frequently has property that is either unclaimed or abandoned. [The Virginia Code §23.1-104](#) allows the University to regulate the care, restitution, sale, destruction, or disposal of property. This policy states the policies and procedures to effectuate the disposal of this property.

## Policy

The University shall compliantly dispose of unclaimed or abandoned property in a prudent manner accounting for the rights of individuals and the recognition of the needs of the University.

## Definitions

1. Abandoned Property includes all property that the owner voluntarily relinquishes possession. Abandoned property shall include, but not be limited to, all property left by a faculty or staff member in a University facility after separation from the University. Abandoned property shall further include all items remaining in a room of a residence hall upon the earlier of the conclusion of the housing agreement or the student's separation from the University.
2. Lost Property is property that the owner does not voluntarily relinquish due to accident, oversight, inadvertence, or negligence, and the property owner is unaware of the property's whereabouts.

## Specific Requirements

1. The University shall store all lost and abandoned property at a centralized location and shall publish how lost or abandoned property can be recovered.
2. In instances in which ownership of lost property can be reasonably determined, the University shall notify the owner of the property's recovery. Notification by e-mail at the person's last known e-mail address shall be sufficient. No notice is required when property is abandoned.
3. In the case of either lost or abandoned property, the University shall retain the property a minimum of 120 calendar days after the property is recovered by the University.
4. Upon receiving a claim for lost or abandoned property, the University may impose a reasonable storage fee.
5. In the case of tangible personal property, other than automobiles, the University shall determine the probable cost of sale and whether that cost exceeds the likely proceeds. If the property is inherently dangerous or the property may not be lawfully sold, the University may retain the property for its own use, destroy or discard the property or donate the property to an appropriate charity.
6. If the University determines that the property should be sold, the property may be offered for sale at public auction or by sealed bid awarded to the highest bidder. The University can decline the highest bid and reoffer the property if the University, in its sole discretion, deems the bid unsatisfactory.
7. The University shall provide notice of a sale pursuant to paragraph 6 on the "Daily Announcements" webpage. The University shall send a copy of the notice to the last known address of the last known owner. Should the property owner be currently enrolled or

employed, notice to the individual's campus e-mail address shall constitute sufficient notice.

8. If property is sold pursuant to paragraph 6, the University shall hold the proceeds an additional 90 days. If no claim is made by the owner of the proceeds, the proceeds may be transferred to the University's operating fund.
9. Whenever a motor vehicle is lost or abandoned on a campus of Old Dominion University that is located in a locality with an ordinance as provided in [Chapter 12 \(§ 46.24-1200 et seq.\) of Title 46.2](#), such motor vehicle shall be disposed of as provided in that ordinance. If a motor vehicle is lost or abandoned in a locality without such an ordinance, the University shall take the vehicle into custody. The owner and any lienholder will be notified, by certified mail that the vehicle is in University custody. The notice shall (i) state the year, make, model, and serial number of the abandoned automobile; (ii) set forth the location where the vehicle is being held, and (III) inform the owner and lienholder of their right to reclaim it within 15 days of the date of the notice after payment of all towing, preservation, and storage charges (or, if the vehicle is a manufactured home or mobile home, 120 calendar days from the date of notice). The notice shall also state that failure to reclaim the vehicle shall constitute (i) waiver by the owner and lienholder of all interest in the vehicle and (ii) consent to the sale at public auction of the motor vehicle. The University shall remove from the gross proceeds all costs of the sale holding the proceeds for 90 calendar days for the benefit of the lienholder and/or the owner of the automobile. If no one asserts a claim for the net proceeds during this time period, the money will be deposited to the University's operating fund.
10. If the property is intangible personal property, the University shall report and remit the property to the State Treasurer in accordance with [Virginia Code Section §55.1-2524210.12 et seq.](#)

## Reporting

The Department of Procurement Services shall maintain all records to identify the sale or disposal of all property that is turned in as surplus to Procurements Services.

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**NUMBER:** 1621  
**TITLE:** Asset and Surplus Property Disposition  
**APPROVED:** September 9, 2005; Revised September 13, 2012

## I. Background

~~The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allows public institutions of higher education restructured financial and operational authority as described in subdivisions A1 through A13 of Section 23-38.88 of the Act.~~

Pursuant to ~~§23-38.88.1-1002~~, Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits, subdivision ~~AB~~1 states that “a public institution of higher education may dispose of their surplus materials at the location where the surplus materials are held and to retain any proceeds from such disposal as provided in subdivision B14 of §2.2-1124, provided that the responsible University area Board of Visitors adopts policies and procedures for handling surplus property. These policies and procedures must incorporate Code requirements regarding donations, and the reporting of proceeds from the sale of recycling of surplus materials, and a copy of such policies and procedures must be made available to the Department of General Services upon request.

## II. Board of Visitors Policy

It is the policy of the Board of Visitors to optimize the University’s return-on-investment in assets, while maximizing the useful life of same. The *Asset and Surplus Property Disposition Policy* establishes guidelines and procedures for the centralized control for the disposition of excess, obsolete, salvageable, or damaged University assets, to include (i) capitalized inventory, (iii) equipment trust fund (ETF) inventory, (iii) non-capitalized inventory with salvage value, (iv) non-capitalized inventory without salvage value, and (v) donated equipment or inventory.

## III. Authority

The Vice President for Administration and Finance or ~~the Vice President's~~ designee shall be responsible for interpretation interpretation and, implementation of and compliance with this policy. ~~The Vice President for Administration and Finance may delegate this authority by letter.~~

~~The Department of Procurement Services shall maintain all records to identify asset sales and disposals with annual reports developed to summarize revenue generated by the surplus program.~~

## IV. Definitions

- A. ~~Asset~~ Any tangible personal property owned by the University, either with or without value, excluding real property.
- B. ~~Budget Unit~~ A University agency, college, department, office or school to which a budget unit number has been assigned by the University’s Budget Office.
- C. ~~Capitalized Assets~~ All assets carried on the University’s inventory, which is managed and reported the Department of Procurement Services with a dollar value greater than \$5,000.00.
- D. ~~Disposal/Disposition~~ The sale, replacement, trade-in, transfer, loan, scrap, discard or any other means of disposing of assets.
- E. ~~Equipment Trust Fund (ETF)~~ Assets purchased with annual Commonwealth provided ETF monies, having a minimum purchase value of \$500.00, and owned by the University for the time as specified by the Commonwealth.

- ~~F. — Non-Capitalized Assets with Salvage Value — Assets which no longer serve a functional purpose for the *Organization*, but which may be of use to another budget unit, or may be auctioned, sold, transferred, or otherwise exchanged for value.~~
- ~~G. — Non-Capitalized Assets without Salvage Value — Assets which no longer serve a functional purpose for the *Organization*, **and** have no market or resale value, or have no value for any other organization.~~
- ~~H. — Organization — University budget units responsible for inventory, care, control, custody and maintenance of *capitalized or non-capitalized assets*.~~
- ~~I. — Surplus Assets — Any excess, obsolete, salvageable or non-salvageable capitalized or non-capitalized assets which are sold, replaced through the budget process, transferred or loaned to another organization, scrapped, discarded or otherwise removed from service by any other means of disposal. ETF assets age cannot be placed in surplus and must be retained by the organization for the time as specified by the Commonwealth.~~

~~V. — Specific Requirements~~

~~A. — Organization Responsibilities:~~

~~The organization and their budget unit directors shall be responsible for the inventory, care, control, custody and maintenance of University assets purchased for and/or assigned to their respective budget units, and, except as otherwise set forth herein, written authorization from the Department of Procurement Services shall be obtained prior to the disposition of University assets and inventory, as described herein.~~

~~B. — Disposal Methods:~~

~~The Department of Procurement Services may use any of the following methods to dispose of *surplus assets*:~~

- ~~1. — Auction — Primarily used for the disposal of large pieces of equipment, vehicles, and rolling stock, and will include both on-site and electronic auctioning;~~
- ~~2. — Competitive Bids — Both sealed and unsealed, to be determined based on the surplus asset value;~~
- ~~3. — Donations — The University may donate surplus assets for:
 
  - ~~a. — Emergencies declared in accordance with *Code of Virginia*, §44-146.18.2 or §44-146.28; or~~
  - ~~b. — As set forth in the budget bill as defined by *Code of Virginia*, §2.2-1509, provided the conditions therein are met.~~~~
- ~~4. — Loan — Temporary use of the surplus asset is granted to a Budget Unit other than the Organization, or, with prior written approval from the Executive Director of Construction and Procurement Services, to another public entity or not-for-profit organization;~~
- ~~5. — Negotiated Sale — Primarily for circumstances when, despite efforts at public auctions, competitive bids or set price sales, asset has not been sold.~~

~~6. — Set Price Sales — Surplus Assets are offered to the public at predetermined "set prices".~~

~~7. — Transfer — Used to transfer to another public agency for a negotiated price or, with written justification, at no cost.~~

~~C. — Surplus Asset Disposition Forms:~~

~~The Organization shall record the disposition of all surplus assets on the Property Control Equipment Turn In Form. A copy of this form may be obtained from the Department of Procurement Services' website.~~

~~D. — Determination of Surplus Asset Value:~~

~~The determination of the salvage value of all surplus assets and inventory shall be the sole responsibility of the Department of Procurement Services.~~

~~E. — Recycling of Surplus Assets or Materials:~~

~~The University strongly encourages, when appropriate, the recycling of surplus assets and materials. The Department of Procurement Services will coordinate these type efforts with the University's Office of Environmental Health & Safety, and other state and federal agencies as required.~~

~~F. — Proceeds from Surplus Asset Disposition or Recycling of Surplus Materials:~~

~~All proceeds from the disposition or recycling of surplus assets and inventory, with the exception of associated costs for surplus disposal preparation and transfer, will be collected and recorded by the Department of Procurement Services, and deposited into the appropriate University accounts.~~

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**NUMBER:** 1622

**TITLE:** Authority to Contract with Local Building Official for Design Review and Inspections of Capital Projects

**APPROVED:** September 22, 2006

I. Background

~~The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allows public institutions of higher education restructured financial and operational authority as described in subdivisions A1 through A13 of Section 23-38.88 of the Act.~~

Pursuant to §23.1-1002 38.88, Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits, subdivision ~~AB2~~ states that a public institutions of higher education may shall, be eligible ~~"to have the option, as provided~~

~~in~~“pursuant to the conditions of Subsection C of [§2.2-1132](#), ~~and pursuant to the conditions and provision under such subsection to~~, contract with a building official of the locality in which the construction is taking place and for such official to perform any inspection and certifications required ~~for the purpose of complying to comply~~ with the [Uniform Statewide Building Code \(§36-97 et seq.\)](#), pursuant to subsection C of [§36-98.1](#).”

## II. Board of Visitors Policy

It is the policy of the Board of Visitors of Old Dominion University to utilize the City of Norfolk, Department of Planning, or that of any municipality within which the University currently has or may require facilities, as its building official to perform all design review and inspections of capital projects in order to ensure compliance with the Uniform Statewide Building Code ~~when~~ ~~where~~ permitted and deemed appropriate. The Vice President for Administration and Finance or designee shall determine the appropriateness for use of the City of Norfolk, Department of Planning, for any authorized project that achieves the University’s best interests.

## III. Authority

The Vice President for Administration and Finance or ~~the Vice President's~~ designee shall be responsible for interpretation ~~and~~ implementation ~~of~~, and compliance ~~with of~~ this policy. ~~The Vice President for Administration and Finance may delegate this authority by letter.~~

## ~~IV. —~~ Procedures

~~The University shall:~~

~~A. — Comply with the requirements of the Virginia Public Procurement Act (‘2.2-4300 et seq.);~~

~~B. — Meet the goals as established in *Eligibility of Restructured Financial and Administrative Operational Authority* (‘23-38.99, Subdivision B);~~

~~C. — With the exception of the use of the City of Norfolk, Department of Planning, as the University's Building Official, the University shall comply with the design review process as described in the Commonwealth of Virginia "Construction and Professional Services Manual;"~~

~~D. — Utilize General Terms and Conditions for those forms of procurement as approved by the Department of General Services and the Office of the Attorney General;~~

~~E. — Follow all guidelines established by the Secretary of Administration; and~~

~~F. — Follow all administrative procedures established by the Department of General Services.~~

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**NUMBER:** 1623  
**TITLE:** Administration of Capital Outlay Non-General Fund Construction Projects Under Level II Delegated Authority  
**APPROVED:** September 9, 2005; Revised June 14, 2012

I. Background

~~The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allows public institutions of higher education restructured financial and operational authority as described in subdivisions A1 through A13 of Section 23-38.88 of the Act.~~

~~Pursuant to §23.1-100238.88, Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits, subdivision AB3 states that a “public institutions of higher education that has have in effect a signed memorandum of understanding with the Secretary of Administration regarding participation in the non-general fund decentralization program as set forth in the appropriation act, as provided in Subsection C of §2.2-1132 ~~to~~ enter into contracts for specific construction projects without the preliminary review and approval of the Division of Engineering and Buildings of the Department of General Services, provided such institutions are in compliance with the requirements of the Virginia Public Procurement Act (§2.2-4300 et seq) and utilize the general terms and conditions for those forms of procurement approved by the Division of Engineering and Buildings and the Office of the Attorney General.”~~

~~The 2016 2008 General Assembly session recodified the higher education Title of the Code, which, and the Governor approved, Chapters 824 and 829 of the Acts of Assembly of Virginia. These are two identical Acts that amended and re-enacted §23.1-100338.90 of the Code of Virginia providing that:~~

~~“Effective July 1, 2008, any Each public institution of higher education that meets the state goals set forth in subsection A of §23.1-1002 may enter into a memorandum of understanding with the appropriate Cabinet Secretary ~~or Secretaries~~, as designated by the Governor, for restructured additional operational authority in any operational area adopted by the General Assembly in accordance with law, provided that the authority granted in the memorandum of understanding is consistent with the institution’s ability to manage its operations in the particular ~~area or areas~~.”~~

~~To promulgate expanded operational authority in the area of procurement, Old Dominion University entered into a memorandum of understanding (MOU) with the Secretary of Administration in July, 2009, which was renewed in April, 2012, for a term of five years, with automatic renewals of five-year terms thereafter. Among other powers, this MOU grants the University additional operational authority in the area of procurement as authorized by Chapters 824 and 829. The legislation required that the University adopt the “Rules Governing Procurement of Goods, Services, Insurance and Construction by a Public Institution of Higher Education of the Commonwealth of Virginia” (the “Rules”) contained in Attachment I of §3.0 in lieu of the Virginia Public Procurement Act (VPPA).~~

~~Pursuant to §23-38.90, specifically under §3.0 IV.5.E., Implementation, the University is exempt from use and oversight of many Commonwealth policies and agencies, including~~



~~specific sections of the Virginia Public Procurement Act (VPPA), Department of Blind and Vision Impaired (VIB), and the Division of Purchases and Supplies of the Virginia Department of General Services (DPS/DGS). Additionally, and more specifically related to this policy, pursuant to the same section of §3.0 IV.5.E., Implementation, the University is also exempt from the oversight of the Division of Engineering and Buildings of the Virginia Department of General Services, as follows:~~

~~any other state statutes, rules, regulations, or requirements relating to the procurement of goods, services, insurance and construction, including but not limited to Article 3 (§2.2-1109, et seq.) of Chapter 11 of Title 2.2, regarding the duties, responsibilities, and authority of the Division of Purchases and Supply of the Virginia Department of General Services, and Article 4 (§2.2-1129 et seq.) of Chapter 11 of Title 2.2, regarding the review and the oversight by the Division of Engineering and Buildings of the Virginia Department of General Services of contracts for the construction of the Institution's capital projects and construction-related professional services."~~

## II. Board of Visitors Policy

Having signed Memoranda of Understanding (MOU) with the Secretary of Administration concerning the administration of capital outlay construction contracts under the Non-general Fund Decentralization Program, and an additional MOU for Level II delegated authority, it is the policy of the Board of Visitors that the University administers such contracts in accordance with those MOUs and any properly approved amendments thereto. It is also the Board's policy that the administration of non-general fund capital outlay projects adheres to the requirements of the "Rules Virginia Public Procurement Act", ~~the Purchasing Manual for Institutions of Higher Education and their Vendors (the Higher Ed Manual)~~ and incorporates the procurement forms and terms and conditions approved by the Division of Engineering and Buildings and the Commonwealth's Office of the Attorney General.

~~The Vice President for Administration and Finance shall have the authority to approve the use of alternative delivery methods for non-general fund projects.~~

## III. Authority

The Vice President for Administration and Finance or ~~the Vice President's~~ designee shall be responsible for interpretation and implementation of, and compliance with of this policy. The Vice President for Administration and Finance may delegate this authority by letter.

## IV. Definitions

~~A. Alternate Project Delivery Methods — Design-Build and Construction Management services as defined herein and in §4 of the “Rules”.~~

~~B. BCOM — The Commonwealth's Bureau of Capital Outlay Management, an entity of the DGS reporting to DEB.~~

~~C. Construction — Building, altering, repairing, improving or demolishing any structure, building or highway, and any draining, dredging, excavation, grading or similar work upon real property.~~

- ~~D. Construction Management — Services provided under a contract with the Owner, which generally include coordinating and administering construction contracts for the benefit of the Owner, but may also include, if provided in the contract, furnishing construction services to the Owner.~~
- ~~E. CPSM — The Commonwealth’s Construction and Personal Services Manual issued by BCOM~~
- ~~F. DEB — The Commonwealth’s Division of Engineering and Buildings which reports to DGS.~~
- ~~G. DGS — The Commonwealth’s Department of General Services which reports to the Secretary of Administration.~~
- ~~H. Design Build — Services under a contract with the Owner in which the party contracting with the public body agrees to both design and build the structure, roadway or other item specified in the contract.~~
- ~~I. Professional Services — As used in these procedures, the services of licensed architects, engineers and other professionals as defined in the “Rules”.~~

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**NUMBER:** 1624  
**TITLE:** Exercise of Autonomy for Certain Real Property Transactions  
**APPROVED:** September 9, 2005; Revised April 8, 2010; Revised June 12, 2014

I. Background

The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allowed public institutions of higher education restructured financial and operational authority as described in subdivisions A1 through A13 of Section 23-38.88 of the Act. The Act was updated under Chapter 10 of Virginia Code §23.1.

Section 4-5.08c of Chapter 912 of the 1996 Acts of the General Assembly delegated to the University the authorities otherwise granted to the Governor and the Department of General Services under Virginia Code §2.1-504.2 (now §2.2-1149) allowing the University to approve operating leases under policies, procedures and guidelines developed by the University and approved by the Secretaries of Finance and Administration. The authority has been carried-over in each subsequent year, and the §4-5.08c.1 of the 2003 Act expands the delegation to include income leases.

Pursuant to ~~§23.1-100223-38.88~~, *Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits*, subdivisions ~~AB4~~ through ~~AB7~~ grants public institutions of higher education the authority to:

1. Acquire easements as provided in subdivision 4 of § 2.2-1149;
2. Enter into an operating/income lease or capital lease pursuant to the conditions and provisions provided in subdivision 5 of § 2.2-1149;

3. Convey an easement pertaining to any property such institution owns or controls as provided in subsection C of § 2.2-1150; and
4. Sell surplus real property valued at less than \$5 million, which is possessed and controlled by the institution as provided in with subdivision C 2 of § 2.2-1153.

In addition, the University, from time to time, is delegated authority by Executive Order to approve certain acquisitions of fee interest in real property required to support certain delegated capital construction projects.

## II. University's Organizational Structure

The structure for administering and performing each delegated function is as follows:

### A. President or designee:

1. With prior approval of the Board of Visitors, execute real property sales purchase contracts, real property sales deeds, and sale of real property transactions.
2. Execute real property purchase contracts, real property purchase deeds, and purchase of real property transactions.
3. With prior approval of the Board of Visitors, execute capital lease transactions conducted with the Old Dominion University Real Estate Foundation.
4. Execute non-capital lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.
5. With prior approval of the Board of Visitors, execute non-capital leases greater than \$150,000 per year.

### B. Vice President for Administration and Finance or designee:

1. Execute non-capital leases of less than \$150,000 per year and easements except those lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.
2. Approve all capital leases except those lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.
3. Approve real property sales and purchase contracts, real property deeds, and sale and purchase of real property transactions.

### C. ~~Director of~~ Assistant Vice President Facilities Management and Construction:

1. Expenses Leases B Approve all non-capital leases, lease justifications and waivers of solicitation and document the reasons, and ensure compliance with approved guidelines and applicable law.

2. Income Leases B Approve all leases and waivers (and document the reasons a particular waiver is required), and ensure compliance with approved guidelines and applicable law.
  3. Income Leases (Communication Towers) - Approve all leases and waivers (and document the reasons a particular waiver is required), and ensure compliance with approved guidelines and applicable law.
  4. Capital Leases B Provide all leases and waivers for approval to the Vice President for Administration and Finance of designee, and ensure compliance with approved guidelines and applicable law.
  5. Acquisition of Fee Interest - Recommend approval of purchase contracts; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
  6. Sale of Property (\$5M or less) - Provide purchase contracts for approval to the Vice President for Administration and Finance of designee; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law
  7. Acquisition of Easement Interest - Recommend approval of deeds of easement; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
  8. Granting of Easement Interest - Recommend approval of deeds of easement; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
  9. Perform market surveys and prepare lease recommendations, conduct or provide guidelines in the conduct of solicitation and negotiations as set forth in the University's approved guidelines.
- D. Assistant Attorney General and University Counsel: Approve leases, sales contracts, deeds, and easements as to form.

### III. Policies and Procedures

- A. Expense Leases - The guidelines for leasing real property for the University outlined in Chapter 1 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

- B. Income Leases - The guidelines for leasing real property from the University outlined in Chapter 2 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- C. Income Leases B Communications Towers - The guidelines for leasing real property from the University for the purpose of erecting communications towers or attaching communications equipment to existing buildings in Chapter 3 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- D. Capital Leases - The guidelines for capital leasing real property for the University outlined in Chapter 4 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- E. Acquisition of Fee Interests - The guidelines for acquiring fee interest in real property outlined in Chapter 5 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- F. Sale of Property (\$5M or less) - The guidelines for selling real property valued at \$5 million or less outlined in Chapter 6 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- G. Easements for the Benefit of the University - The guidelines for acquiring easements for the benefit of the University outlined in Chapter 7 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- H. Easements for the Benefit of Others - The guidelines for granting easements for the benefit of others outlined in Chapter 8 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

- I. Records and Reviews - All records and documentation will be maintained and filed in an accessible manner and made available for review at any time. Copies of all executed leases and other real estate instruments will be forwarded to the Bureau of Real Property Management within ninety (90) days following execution.

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**NUMBER:** 1625  
**TITLE:** Certification of Small, Women, and Minority-Owned Business Enterprises  
**APPROVED:** September 9, 2005

I. Background

Pursuant to ~~§23.1-1002-38.88~~, Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits, subdivision ~~AB~~8 states ~~that~~ “for purposes of compliance with §2.2-4310,” a public institution of higher education ~~that meets the conditions prescribed in subsection B of 23-38.88~~ may “procure goods, services, and construction from vendors ~~identified by such public institutions of higher education that the institution has certified as a~~ small, women-owned, ~~or and~~ minority-owned business enterprises ~~that the institution has certified as such based on criteria approved by the Department~~enterprise pursuant to the conditions and provisions in §2.2-1609.” An institution exercising the authority granted by this section shall establish and follow internal procedures and processes designed to verify whether or not a vendor qualifies to be certified as a small, women-owned, ~~and or~~ minority-owned business enterprise under the Department approved criteria and the certification requirements.

II. Board of Visitors Policy

It is the policy of the Board of Visitors to support the Commonwealth’s Small, Women-owned, and Minority-owned business (SWaM) program. Old Dominion University has chosen not to develop its own SWaM certification program but to utilize the Virginia Department of Minority Business Enterprise (DMBE)-Small Business and Supplier Diversity (SBSD) certification program for identifying and reporting procurement activity with small, women-owned, and minority-owned (SWaM) business enterprises. The University shall report certified SWaM utilization as required by the Commonwealth of Virginia.

III. Authority

The Vice President for Administration and Finance or ~~the Vice President's~~ designee shall be responsible for interpretation and implementation of, and compliance with this policy. ~~The Vice President for Administration and Finance may delegate this authority by letter.~~

~~IV. Procedures~~

~~Old Dominion University staff shall direct all SWaM vendors to the DMBE website to apply for certification. All SWaM reports will be developed utilizing the DMBE SWaM database, and submitted per the schedule and format provided by DMBE.~~

**NUMBER:** 1627  
**TITLE:** Procurement Reporting Exemption  
**APPROVED:** September 9, 2005; Revised June 17, 2010; Revised July 1, 2019

I. Background

~~The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allows public institutions of higher education restructured financial and operation authority as described in subdivisions A1 through A13 of Section 23-38.66 of the Act.~~

Pursuant to ~~§23.1-1002-38.88, *Eligibility for Restructured Financial and Administrative Operational Authority and Financial Authority*~~, subdivision ~~AB~~11 states that ~~for~~ a public institution of higher education ~~to may~~ “be exempt from reporting its purchases to the Secretary of Education, provided that all purchases, including sole source purchases, are placed through the Commonwealth’s electronic procurement system using proper system code for methods of procurement.” ~~the Board of Visitors shall establish policies and procedures that provide for compliance with the Commonwealth's Purchase Program Standards for Electronic Payment.~~

II. Board of Visitors Policy

It is the policy of the Board of Visitors for Old Dominion University to utilize eVA as its primary procurement tool, supplemented by the small purchase charge card, including receipt of requisitions, source for quotes via Quick Quote, Invitation for Bids and Request for Proposals when available, and shall award all formal contracts in eVA in compliance with the Commonwealth of Virginia objectives.

III. Authority

The Vice President for Administration and Finance or ~~the Vice President's~~ designee shall be responsible for interpretation and implementation of, and compliance with this policy. ~~The Vice President for Administration and Finance may delegate this authority by letter.~~

~~IV. Procedures~~

~~A. Business Rules~~

- ~~1. All non-exempt procurement transactions \$5,000 or greater shall be entered into eVA, unless otherwise approved by Procurement Services.~~
- ~~2. Transactions under \$5,000 may be processed via petty cash (up to \$200), small purchase charge card (SPCC), Purchase Authorization Form (PA01), or eVA.~~
- ~~3. SPCC authorization in excess of \$5,000 may be granted by Procurement Services for special needs as petitioned by University departments after approval from the Department of Accounts (DOA).~~
- ~~4. eVA users are authorized to utilize SPCC up to \$5,000 per procurement.~~

- ~~5. QuickQuote shall be utilized for all non-exempt, non-contract procurements in excess of \$5,000 and shall be encouraged below \$5,000, unless otherwise approved by Procurement Services, to increase competition and potential SWAM spend.~~
- ~~6. Procurement Services shall have authority to award contracts to SWAM vendors up to \$10,000 if prices/fees are fair and reasonable.~~
- ~~7. eVA eProcurement tools shall be utilized for all non-exempt, non-contract procurements in excess of \$100,000.~~
- ~~8. Procurement Services shall use new eProcurement tools as they are made available and shall cooperate with the Department of General Services (DGS) in development, enhancement and/or pilot programs to support improvement in eVA.~~
- ~~9. Quarterly spend reports shall be generated by the Director of Procurements Services and submitted to the Department of Small Business and Supplier Diversity (DSBSD).~~

#### ~~B. Exemptions~~

~~Old Dominion University recognizes the exempt categories as defined by Department of General Services in the Agency Procurement and Surplus Property Manual, Section 14.9.b.~~

#### ~~C. Procurement Procedures for Procurement Services (Centralized Purchasing Officers) are as follows:~~

##### ~~1. Contract Purchases~~

###### ~~a. Orders may be issued using:~~

- ~~(1) SPCC up to cardholder's transaction limit.~~
- ~~(2) eVA Requisition (contract number must be referenced in contract number field). Orders for more than \$5,000 will automatically be forwarded to Procurement Services via eVA for review/approval.~~

##### ~~2. Non-Contract Purchases — only to be used when a contract is not available~~

###### ~~a. SPCC — \$0 to \$5,000 (not required to be entered in eVA)~~

~~Obtain one quote, utilizing SWAM vendors to the maximum extent practicable. (SWAM means small, woman and minority owned businesses as adopted by Executive Order 20 and certified by the Department of Small Business and Supplier Diversity)~~

###### ~~b. eVA — \$0 to \$5,000~~

~~Obtain one quote from an eVA registered vendor, utilizing SWAM vendors to the maximum extent practicable.~~



~~e. eVA Quick Quote — \$5,000 to \$100,000~~

~~(1) Orders for more than \$5,000 will automatically be forwarded to Procurement Services via eVA for review/approval.~~

~~(2) Purchasing Officers may not de-select a small, minority or woman-owned business from the bidder list generated by eVA.~~

~~d. Sole Source — Sole source procurements shall be purchases for which only one source is practicably available.~~

~~(1) Orders may be issued using:~~

~~a) eVA Requisition — Orders for more than \$5,000 will automatically be forwarded to Procurement Services via eVA for approval and shall have sole source justification form electronically attached. Sole source form on Procurement Services' webpage under Forms.~~

~~b) SPCC up to cardholder's transaction limit. Justification shall be attached to the cardholder's copy of the monthly log.~~

~~e. Emergency — Emergency purchases occur when an immediate purchase is required to protect life, safety or property, to prevent substantial economic loss or prevent interruption of services.~~

~~(1) Order may be issued using:~~

~~a) eVA Requisition — Orders for more than \$5,000 will automatically be forwarded to Procurement Services via eVA for review/approval and shall have emergency justification form electronically attached. Emergency form on Procurement Services' webpage under Forms.~~

~~b)a) SPCC up to cardholder's transaction limit. Justification shall be attached to the cardholder's copy of the monthly log.~~

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**NUMBER:** 1630

**TITLE:** Statement of Responsibility Regarding University Investments

**APPROVED:** December 9, 1983; Revised December 14, 2001; Revised April 7, 2011

A. The Administration and Finance Committee and the vice president accountable for investments held at the University shall have the obligation to

1. Establish investment goals, objectives, and policies;
2. Communicate the above goals and policies and an understanding thereof to the external managers;
3. Assure that the University's investment policies are executed in a manner consistent with its goals;

4. Monitor the comparative investment performance of the external managers:
  - a. relative to each other;
  - b. relative to other managers with similar investment philosophies, and
  - c. relative to the performance of the Old Dominion University assets being managed within the universe of assets invested by each manager.

~~5. Report to the Board of Visitors on a quarterly basis on the state of endowments.~~

B. By action of the Administration and Finance Committee on August 27, 1987, management of the University endowment and quasi-endowment funds was transferred to the Investment Committee of the Educational Foundation. The Investment Committee shall have the following responsibilities:

1. Allocate existing and newly received endowment assets among the external managers, or to other types of investments as appropriate. Such allocations shall be based on factors such as the desired debt-equity ratio and the performance of each external manager in both its peer group and its past and prospective contribution to Old Dominion University's investment results.
2. Review, approve, add, delete, and change all external investment managers;
3. Within the investment policies of the Committee and after consulting with knowledgeable investment managers, adjust the investment asset mix for those funds allocated to external managers who do not adjust the investment asset mix. Such changes shall be reported to the Administration and Finance Committee at its next regular meeting.

4. Report to the Board of Visitors on a quarterly basis on the state of endowments and quasi-endowments.

C. On an annual basis ~~at the September meeting of the Board of Visitors~~, the Rector, in consultation with the Chair of the Administration and Finance, shall appoint one member of the Board of Visitors as a voting member of the Investment Committee.

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**NUMBER:** 1631  
**TITLE:** Spending Policy for University Endowed and Quasi-Endowed Funds  
**APPROVED:** March 29, 1989 (by Finance and Audit Committee); Revised December 14, 2001; Revised September 13, 2002; Revised December 6, 2012

Spending Policy for all Old Dominion University Endowments and Quasi-Endowments (specifically excluding the quasi-endowment and funds established by documentation containing specific spending provisions)

Unless otherwise specified by the donor, beginning July 1, 2013, ~~distributions from the Endowment Pool will be equal to 4.3% of a trailing twelve-quarter moving average of the market value of each endowment for the period ending on the previous September 30. Further, beginning July 1, 2014~~ and beyond, distributions from the Endowment Pool will be equal to 4.0% of a trailing twelve-quarter moving average of the market value of each endowment for the period ending on the previous September 30.

For endowments with less than 12 quarters participation in the Endowment Pool, average market value is based on the average market value for the number of participating quarters. A minimum of three quarters participation is required. Funds so provided and not spent during the fiscal year will be returned to the endowment. Spending under this policy must not invade the historical dollar value of the endowment unless specifically authorized by agreement with the donor.

The Board of Trustees of the Educational Foundation, or the Executive Committee acting on its behalf, must specifically authorize exceptions to this policy.

The Administration and Finance and Audit Committee of the Board of Visitors authorizes the President to expend annually up to 8.0% of the market value of the quasi-endowments. Any unexpended prior year spendable income shall be maintained in a restricted account to support future spendable income requirements for land acquisition. Spend in excess of 8.0% including invasion of the original principal is permitted subject to the approval of the Administration and Finance Committee of the Board of Visitors.

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**NUMBER:** 1632  
**TITLE:** Investments Held at the University Authorization  
**APPROVED:** August 19, 1977; Revised April 15, 1983; Revised April 4, 1986; Revised June 18, 1987; Revised June 12, 2014 (Editorial Revisions Only; Board Approval Not Required)

BE IT RESOLVED, that the below named officers are hereby authorized and empowered to open and maintain an account with any bank or brokerage firm for the purpose of investing the University's funds in compliance with the Cash Management Objectives and Policies for Institutional Funds issued by the Finance Committee of the Board of Visitors of Old Dominion University on August 19, 1977, and that any of the officers hereinafter named be, and hereby is, authorized to give written or verbal instructions by telephone, or telegraph, or otherwise, to the bankers or brokers to buy or sell securities, but not including stocks, either for immediate or future delivery and, if deemed proper, to secure payment therefore with property of this corporation; and shall at all times have authority in every way to bind and obligate this University for the carrying out of any contract, arrangement or transaction which shall, for or on behalf of this University, be entered into or remain in full force and effect until notice of the revocation hereof shall be delivered to the bankers or brokers. The officer(s) herein referred to are named as follows, to wit:

1. Vice President for Administration and Finance
- ~~2. Associate Vice President for Administration and Finance~~
- ~~3.2.~~ Assistant Vice President for Finance/University Controller
- ~~4.3.~~ Associate Controller
- ~~5.4.~~ ~~Assistant Controller~~—General Accounting Manager

BE IT FURTHER RESOLVED, that the President is hereby authorized and empowered to add and delete specific officers from the above referred authorized officers.

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**NUMBER:** 1640  
**TITLE:** Debt Management Policy  
**APPROVED:** April 6, 2007

### Overview

Old Dominion University ("ODU" or the "University") utilizes a long-term strategic plan to establish institutional priorities and objectives. Within this strategic plan is a capital funding plan, which sets out the projects to be undertaken and the method of funding for each project. The University incorporates debt as part of its capital plan to help it achieve its goals. The proper use of debt is critical in meeting the goals of the strategic and capital plans.

### Objectives

This Debt Management Policy (the "Policy") establishes a control framework to ensure that appropriate discipline is in place regarding capital allocation, debt portfolio composition, debt servicing and debt authorization. It establishes guidelines to ensure that existing and future debt issues are consistent with financial resources to maintain the proper leverage, a strong financial profile and credit rating. It is the intention of ODU to use debt in a manner consistent with an investment grade borrower with a goal of obtaining and maintaining a minimum credit rating in the "A" rating category from one or more of the nationally recognized credit rating agencies. It is the policy of the University to meet periodically with the credit rating agency(s) to review debt strategy and determine positive refinements to the Policy. A more long-term rating goal is the achievement of a rating in the "AA" credit rating category.

### Oversight

The Vice President for~~Office of~~ Administration and Finance has overall responsibility for implementing this policy and any debt financing activities of the University. The University's Board of Visitors (the "Board~~OV~~") must approve this policy, and any subsequent, material changes made to it. The Board~~OV~~ is also required to approve each debt issuance. The Vice President for Administration and Finance will be responsible for monitoring compliance with the guidelines and regularly reporting his findings to the Board~~OV~~.

### Debt Management Guidelines

These debt management guidelines apply to all forms of debt including long-term, short-term, fixed-rate, and variable-rate debt.

*Amortization* - The amortization of debt will be based on the types of assets financed, the expected availability of cash flows to meet debt service requirements, and tax regulations. In general, the amortization tax-exempt debt should not exceed the useful life of the financed asset and may never exceed the IRS limit of 120% of the useful life of the financed asset

Debt Service should be structured to meet the financial and strategic management goals of the University. The structures may include, but are not limited to, level annual debt service, level annual principal, accelerated principal, deferred principal, and bullet maturities.

*Fixed and Variable Rate Bonds* - When issuing fixed rate bonds, the University will analyze the slope of the yield curve and tend to issue bonds for new real estate-related projects with long-term final maturities because most of the assets financed have useful lives in excess of 30 years. If the University is concerned that interest rates may trend lower, then the University should explore shortening the non-redemption period to less than the traditional 10-year term. Bonds without an optional redemption feature should be limited in the University's debt portfolio and should be issued only when investors are willing to pay a substantial premium. Credit enhancements will be used only when necessary for cost effectiveness and/or marketability.

The University will consider utilizing variable rate debt to lessen the potential interest costs over the life of a debt issue and to provide greater flexibility in its debt management. In considering variable rate debt, the University will evaluate the risks involved, which include liquidity risk and short- and long-term interest rate risk. The University may utilize different forms of variable rate debt including variable rate demand bonds, auction rate securities and commercial paper.

The University will utilize variable rate debt when deemed appropriate for the following purposes:

- Asset/Liability Management - for matching debt to useful life of the financed asset or to match debt with investment portfolio
- Achieve interest rate savings as compared to other alternatives
- Provide flexibility in principal repayment
- Diversify investor base
- Utilize a portfolio approach to debt to diversify exposure

Bank liquidity facilities may be used to offset liquidity risk of variable rate securities and, in addition to the long-term rating assigned to the bank letter of credit or liquidity facility, such facilities should also carry a minimum short-term rating of MIG 1 or VMIG 1 from Moody's and/or A-1 or SP-1 from Standard & Poor's. (The short-term rating portion of the overall rating reflects the rating agency's view of the liquidity facility provider's ability to make timely payments of debt service on a short-term bond or variable rate demand obligation).

When the University decides to issue variable rate debt, it will generally limit net variable rate debt to not more than 30% of its capital structure. The specific amount of variable rate exposure would depend on market conditions and the type of facility to be financed. Before issuing variable rate bonds, the University will determine the assumed variable rate for budget purposes, and its plans to address positive and negative variances from the assumed rate. Additionally, unrestricted endowment assets, interest rate caps and swaps, and rate stabilization reserve funds can all help to manage the variable rate exposure.

The level of variable rate debt will also be managed in conjunction with the University's levels of cash and short-term investments, which serve as a natural hedge against rising interest rates. The actual percentage for outstanding variable rate debt will vary due to financing needs, asset/liability management goals, interim financing structures, and prevailing interest rates at the time of each borrowing.

*Tax-exempt and Taxable* - Tax-exempt debt will be the preferred method of financing projects. However, in instances where the capital projects do not qualify for tax-exempt financing, the University will consider taxable alternatives.

*University-issued vs. Commonwealth-issued debt* - In determining the most cost-effective means of issuing debt, the University will evaluate the merits of issuing debt directly as compared to Commonwealth issuance, either directly by the Commonwealth or through one of its issuing entities (such as the Virginia College Building Authority). This analysis will include an evaluation of cost, timing, and future management flexibility.

*Alternative Financing Sources* - There are alternative financing sources that may be considered, such as off-balance sheet financings. These financings may be more costly than traditional structures and will be used only when the economic benefit and likely impact on the University's debt capacity and credit quality are fully understood. Specifically, for any third party or developer-based financing, management will determine and quantify the full credit impact of the structure.

*Debt Capacity & Affordability Measures* - The University will utilize the following ratio as guidelines for issuing new debt.

Debt Burden no greater than 7%  
(Debt Burden Ratio = Annual debt service / Total operating expenses)

This ratio is adjusted to reflect any non-amortizing or non-traditional debt structures that could result in significant single year fluctuations. The debt burden ratio may exceed 7% in instances involving debt of revenue producing projects when the debt used to finance the project is secured by income from the operation of the project.

*Refinancings* - The University will consider refinancing existing debt when net present value savings are positive. Federal tax law limits advance refunding of tax-exempt bonds. Consequently, it is vitally important to use these opportunities wisely. The Vice President for Administration and Finance will evaluate refinancing opportunities considering the value of the call option to be exercised, including the time period to the call date and the time period from the call date to final maturity. Based on this analysis, the Vice President of Administration and Finance will establish the minimum savings threshold for each refinancing. There are cases where refundings that do not produce savings will be considered, including eliminating restrictive bond covenants.

### Capital Funding Source

- *Debt Service Funding* - Prior to the issuance of any amount of debt, the **Vice President for Office of Administration and Finance or designee** will identify and analyze the funding source(s) for the debt repayment. Sources may include but are not limited to:
  - State appropriations
  - The general revenue pledge of the University
  - Revenues from the specific project being financed
  - Indirect cost recoveries from sponsored programs
  - Gifts and bequests
  - University affiliated foundations
  - Unaffiliated third parties including joint ventures with private sector entities and grants from private foundations

- *Capital Maintenance Funding* - The University will determine how to fund the ongoing capital maintenance cost for each capital financed project prior to issuing the debt. If it is anticipated that additional borrowing will be required to fund the capital maintenance for a project, then the amount of additional borrowing will be taken into account in its debt capacity analysis.

#### Statement of Effect on Student Costs

The ~~Vice President for~~Office Administration and Finance ~~or designee~~ will determine if the proposed debt will result in additional cost to University students. A Statement of Effect on Student Costs will be included in the annual Debt Management Report material presented to the Board and any time the Board is asked to approve a debt issuance.~~University BOV during the debt approval process and annually in the Office of Administration and Finance report.~~

#### Interest Rate Risk Management Guidelines

The University will consider the use of interest rate swaps and other interest rate risk management tools after carefully evaluating the risks and benefits of any proposed transactions. These tools will be employed primarily to manage the University's variable rate debt exposure. The use of these instruments in conjunction with variable interest rate exposure will be evaluated within prudent guidelines to achieve more flexibility in meeting the University's overall financial objectives. Interest rate swaps will be evaluated in light of existing market and interest rate conditions, the savings that can be achieved as compared to other debt structures available in the bond market, and the overall asset/liability management practices of the University.

Risk management strategies will not be utilized unless the contract or structure is fully understood, can be monitored and managed, and the risk imposed has been evaluated and concluded to be appropriate for the University. Prior to entering into any risk management agreement, the University will have received evidence of legal authorization to enter into such agreement. The Vice President for Administration and Finance, in consultation with the Administration & Finance Committee of the Board~~OV~~, is authorized to enter into any risk management contract or agreement that is determined to be necessary or appropriate. Interest rate management tools shall not be used for speculative purposes or in cases involving Financial Instruments that create extraordinary leverage or financial risk.

*Financial Instruments* - The University may utilize the following Financial Instruments after identifying the specific financial objective to be realized and the assessment of associated risks:

- Interest Rate Swaps - Spot or forward starting interest rate swaps may be utilized to capture current market rates, eliminate variable rate exposure, or create incremental variable interest rate exposure.
- Interest Rate Caps or Collars - Interest Rate Caps, Collars and Floors may be utilized to limit or bound exposure to interest rate volatility.
- Swap Options - The sale or purchase of options may be utilized to commence or cancel interest rate swaps. Potential option structures can range from vanilla to more exotic, but must meet Transaction Approval guidelines as outlined in this policy.

- Basis Swaps - May be utilized to manage basis or tax risk and manipulate the basis on which cash flows are determined.
- Rate-locks - May be utilized to hedge interest rate exposure on anticipated bond issuances.
- Constant Maturity Swaps
- Total Return Swaps

Other Financial Instruments may be utilized provided the requirements for a transaction approval are met.

*Financial Instruments Risk Analysis*

<b>Risk Type</b>	<b>Description</b>	<b>Evaluation</b>
<b>Basis Risk</b>	The mismatch between two variable rate indices.	Review historical differentials between the indices.
<b>Tax Risk</b>	The risk created by certain tax events that could impact swap cash flows.	Review the potential impact of tax events & perform cash flow sensitivity analysis.
<b>Counterparty Risk</b>	The risk of default by the University's swap counterparty.	Monitor exposure levels, ratings thresholds & collateralization requirements.
<b>Termination Risk</b>	The need or requirement to terminate a swap transaction prior to maturity in a market dictating a termination payment to the swap counterparty.	Analyze its potential termination exposure upon entrance into a transaction and perform termination sensitivity analysis.
<b>Rollover Risk</b>	The mismatch of the maturity of a swap transaction and the credit enhancement on underlying variable rate debt.	Review its capacity to maintain variable rate debt.
<b>Liquidity Risk</b>	The inability to continue or renew a liquidity facility.	Evaluate the expected viability of liquidity support.

The University will not enter into agreements involving Financial Instruments for speculative purposes or involving Financial Instruments that create extraordinary leverage or financial risk.

*Procurement and Execution* - The University has authority to enter into Financial Instrument transactions either through a competitive bid or a negotiated process. The University must take



reasonable steps, such as hiring a qualified advisor, to ensure that the economics involved in a negotiated transaction represent a fair market price taking into consideration the terms of the agreement and the University's current financial status.

*Swap Counterparties Policy* - The University will execute Financial Instrument transactions with counterparties with credit ratings in the "A" category or above as of the transaction date.

The University may seek credit enhancement in the form of collateral, guarantees, and/or termination events in the agreement for counterparty downgrades below the "A" category. The University will seek to maintain voluntary termination rights in all transactions it undertakes.

*Swap Documentation* - The University will utilize standard International Swap Dealers Association swap documentation, including the Schedule to Master Agreement and Credit Support Annex (if applicable).

*Active Management* - The University will seek to maximize the benefits it accrues and minimize the risks it bears by actively managing its interest rate risk management program. This will entail monitoring of market conditions (such as current interest rates, counterparty credit ratings and other relevant factors) in conjunction with the swap counterparty and the University's advisors for potential opportunities and risks. Active management may entail modifications of existing transactions including:

- Early termination;
- Shortening or lengthening the term of the agreement;
- Sale or purchase of options; and
- Application of basis swaps.

Each proposed modification must be consistent with this policy and should be expected to further the goals of the University interest rate risk management program.

*Rating Agencies* - The University will seek Rating Agency review to determine materiality of any financial instrument transaction on the credit quality of the University as part of its overall rating agency strategy.

*Financial Instrument Analysis* - The University will undertake a financial risk analysis of the application of Financial Instruments prior to entering any proposed transaction. Utilizing Financial Instruments requires an ongoing commitment for the University's management. Therefore, to help ensure understanding and knowledge of considered transactions, a specific approach will be developed for each potential transaction evaluating the risks, rewards and exit strategies. The approach will include, but not necessarily be limited to the following:

- The goals the University is trying to achieve by implementation.
- The swap counterparty's rating and the University's credit exposure to the counterparty.
- Cash flow projections and sensitivity analysis.
- An evaluation of potential risks, including basis risk, tax risk, rollover risk, termination risk and counterparty risk.
- Events that may trigger an early termination under the agreement.

- A sensitivity analysis of potential market valuations in various market conditions.
- A discussion or example of how the University plans to report and monitor the transaction in the future.

Disclosure & Reporting Requirements

*Disclosure* - The University will provide updated financial information and operation data and timely notice of specified material events to each nationally recognized municipal securities information repository and any State information depository, pursuant to its continuing disclosure undertakings with respect to SEC Rule 15c2-12.

*Reporting Requirements* - On an annual basis the ~~Vice President for~~ Office of Administration and Finance will prepare a report for the ~~Board~~ that will include the following items:

- Composite debt service schedule
- Financial ratio analysis
- Debt use and purpose
- Current and future debt as it relates to the strategic plan and debt strategy
- Financial instrument review

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**NUMBER:** 1650  
**TITLE:** Guidelines for Old Dominion University Related Corporations  
**APPROVED:** November 16, 1989

A. Structural Guidelines

1. A university-related corporation is an organization that is created and operated exclusively to benefit the University or one or more of the University's colleges, schools, or departments, and has as its purpose one or more of the following:
  - a. To facilitate fundraising programs and contributions from private sources for the benefit of the University or one or more of its colleges, schools, or departments;
  - b. To manage and invest private gifts and/or property for the benefit of the University or one or more of its colleges, schools, or departments;
  - c. To promote, sponsor, and complement educational, scientific, research, athletic, charitable, or cultural activities for the benefit of the University or one or more of its colleges, schools, departments; or
  - d. To encourage the participation and activities of alumni in furtherance of the University's mission.
2. University-related corporations may be created only with the approval of the Board of Visitors after a review of the purpose of the corporation, its proposed organizational format, and the scope of its activities.

3. Each corporation shall select a senior administrator of the University from the areas supported by the corporation, to serve on the corporation's governing board.
4. Each corporation shall establish an audit committee to report to the board of the corporation.
5. Each corporation's charter and bylaws shall provide that in the event of dissolution of the corporation, the corporation's assets will be distributed in the best interests of the University and, if applicable, the college, school, or department within the University that the corporation was created to support.

B. Guidelines for Contractual Relationships with the University

1. Each corporation shall execute a formal agreement specifying the responsibilities of the corporation, acknowledging restrictions on its fundraising activities, and including other provisions of general application as may be specified by the Board of Visitors.
2. This formal agreement will contain the following provisions:
  - a. The corporation will coordinate with the University and its other related organizations with respect to all fundraising activities undertaken in the name of the corporation.
  - b. The corporation will provide the University with an advance copy of any amendments, additions, or deletions to its articles of incorporation or bylaws.
  - c. The University and the corporation acknowledge the independent status of the corporation and agree that the University and the state are not liable and will not be held out by the corporation as liable, for any of the corporation's contracts, torts, or other acts or omissions, or those of the corporation's trustees, directors, officers, members, staff, or activity participants.
  - d. All correspondence, solicitations, activities, and advertisements concerning the corporation will be clearly discernible as being from the corporation and not the University.
  - e. The corporation will not offer a post-secondary course, seminar, workshop, or similar instruction, whether or not for credit, using the name of the University or any of its colleges, schools, or departments. Any publicity concerning such a course must make clear that it is not being offered by the University or any of its academic departments. This does not apply to athletic scholarship fundraising projects, such as the baseball clinic, where instruction is only an incidental aspect of the project.
  - f. Funds or gifts payable to the Board of Visitors, and/or Old Dominion University, or to any other university component shall not be considered as an asset of a related corporation. Such gifts may be deposited with a corporation, however, pursuant to an appropriate asset/investment management contract as provided hereinafter.

- g. Any transfer of endowments or other assets by the University to a corporation, or by a corporation to the University, for management or investment will be formalized in a memorandum of agreement to assure, among other things, that any restrictions governing the future disposition of funds are observed.
- h. The University will obtain approval from the board of the corporation, the University's Board of Visitors and the State in order to borrow funds from the corporation to the extent permitted by law.
- i. The University is entitled to recover its costs incurred for personnel, use of facilities, or other services provided to the corporation.
- j. The University is obligated to comply with the Virginia Public Procurement Act. Even though not required to comply with that Act, the corporation may deem it advisable and appropriate to employ competitive practices in purchasing goods and services. If the University has agreed in writing to reimburse the corporation for goods or services acquired on behalf of the university, the corporation must comply with state procurement requirements.

C. Financial Reporting Guidelines and Audit Requirements

- 1. At the request of the president of the University, the corporation will forward to him or her a financial report on an annual basis, including a copy of the corporation's annual audited financial statement. This report shall include a description of all expenditures by program and an identification of all investments, including real estate.

Corporations recording annual revenues of less than \$50,000 will not be required to present an audited financial report, but only a financial report compiled by a qualified accounting firm, including the items previously mentioned.

- 2. The following items shall supplement the annual financial report to the president of the University:
  - a. Notice of any litigation or threat of litigation brought against the corporation, its officers, or directors.
  - b. Notice of any planned major capital expenditure.
  - c. A copy of each IRS form 990, and 990T if applicable, as filed.
  - d. A detailed list of any compensation, prize or award paid to any university employee or member of the employee's "immediate family" as that term is defined in [§2.2-3101 of the Code of Virginia](#), whether in the form of money or property or the use of money or property.
  - e. An annual report on investments and a quarterly statement of account with respect to managed Endowment Funds, if any.

- f. Notice of any audit or review by any tax authorities or action taken, or threatened action, that would adversely affect the tax-exempt status of the corporation.

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The Committee discussed the need for the development of Committee Charters for each of the Board's standing committees. Currently, a charter exists only for the Audit & Compliance Committee. This is not only an AGB best practice but was a recommendation from the Board's Governance Audit in 2019. A committee's charter should include, at a minimum, the following elements: committee's charge or mission statement; authority and responsibilities of the committee; composition, including guidelines for appointing members, the committee chair and any professional staff relationships; and when and how meetings will be held, how meeting agendas will be handled, how minutes will be drafted, reviewed and approved, and quorum requirements. Ms. Dickeski asked the Chairs of each of the standing committees to work with their respective administrative liaison to develop a draft charter for the committees to review and approve in June for recommendation to the Governance Committee for review and approval and final approval by the Board at its meeting in September.

Following today's meeting, Donna will send out an email, soliciting nominations for Board office including a list those who are eligible to serve. Ms. Dickeski asked Board members to submit nominations and, if eligible, consider nominating themselves if interested. Nominations are due to me by May 6. Donna will also send the notice of the proposed Bylaws revision.

The Committee will meet again on May 11 to develop its proposed slate of officers based on nominations submitted by the Board.

### **STUDENT ENHANCEMENT AND ENGAGEMENT COMMITTEE**

Mr. Corn, chair of the Student Enhancement and Engagement Committee, reported that three candidates were interviewed for consideration as the student representative to the Board. The following resolution was brought forth as a recommendation of the Student Enhancement and Engagement Committee and was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

### **RESOLUTION APPOINTING STUDENT REPRESENTATIVE TO THE BOARD OF VISITORS**

RESOLVED, that in accordance with the Board of Visitors policy, and upon the recommendation of the Student Enhancement and Engagement Committee, the Board of Visitors approves the appointment of Antra Patel as the student representative to the Board, whose normal term shall expire May 7, 2023; and

RESOLVED, that in accordance with the Board of Visitors policy, and upon the recommendation of the Student Enhancement and Engagement Committee, the Board of Visitors approves the appointment of Melanie Graham as the representative to the State Council of Higher

Education for Virginia Student Advisory Committee, whose normal term shall expire May 7, 2023; and

BE IT FURTHER RESOLVED, that Imani Bradford serve on the Student Engagement & Enrollment Services Leadership Council, whose normal term shall expire May 7, 2023.

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Traci Daniels, Special Assistant to the Vice President for Student Engagement and Enrollment Services, proposed an overview of the review of the Code of Student Conduct. Feedback on the policy was obtained from student leadership and the Faculty Senate and consultation was obtained from University Counsel. Proposed changes to the Code include reorganizing and summarizing content, including a Hazing Policy, adding a section to address interim suspensions and measure; and modifying provisions to ensure compliance with law.

Vice President Stansberry highlighted the success of the spring semester and the collaboration across campus in terms of COVID compliance.

Lola Jegede, student representative to the Board, reported on initiatives to improve awareness of the BOV student representative position, which included expanded social media presence and various meetings attended or hosted by the student representative. She provided updates on mental health wellness, Monarch Pantry food drive, and promoting campus resources including safety, counseling, and math and statistics resources for students. She gave an overview of challenges facing students to include advising and registration, mental health, inflation, student engagement, and security around ODU. Suggested solutions to the challenges included providing seasoned advisors for each college, increasing the number of counselors on campus, increasing stipends for graduate assistants, promoting campus events and resources, and increased security measures around ODU. She expressed her appreciation to the Board for allowing her the opportunity to represent the student body during the past year.

The Rector recognized Ms. Jegede for her service as the Board's student representative for the past year. She shared her thoughts about her time as the student representative and thanked the Board and administration for this opportunity.

### **UNIVERSITY ADVANCEMENT COMMITTEE**

Ms. Dabney, chair of the University Advancement Committee, reported that Vice President Brandon presented dashboard items measuring productivity in the area of University Advancement. Fundraising progress for this fiscal year totaled \$23.5M, broken out to \$20.3M for the Educational Foundation and \$3.2M for the Athletic Foundation. He also gave a quarterly review of events for alumni relations, donor relations and athletic development.

Dan Genard, Associate Vice President for Advancement, reviewed Board of Visitors policies that have been moved to university policies. He also gave an update on software

used by University Advancement including Gravyty, an artificial intelligence software that will increase fundraising productivity.

Joy Jefferson, Associate Vice President for Alumni Relations, presented on alumni events and engagement activities including new regional chapters in Southside Hampton Roads, Peninsula Hampton Roads, Roanoke, Charlottesville, Atlanta and the Carolinas.

### **MOTION FOR CLOSED SESSION**

The Rector recognized Ms. Almond, who read the following motion: “Mr. Rector, I move that this meeting be convened in closed session, as permitted by Virginia Code Sections 2.2-3711(A), subsections (1), (6), and (7) for the purposes of discussing the appointment and performance of specific employees; the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the University would be adversely affected; consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the University. The motion was duly seconded and approved all member presenting and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

In addition to the Board members in attendance, President Brian Hemphill, Provost Austin Agho, Vice President Ashley Schumaker, Vice President Morris Foster, Vice President Chad Reed, Vice President September Sanderlin, and University Counsel Allen Wilson were present during portions of the closed session.

### **RECONVENE IN OPEN SESSION AND FOIA CERTIFICATION**

At the conclusion of Closed Session, the Rector reconvened the meeting and the following Freedom of Information Act Certification was read: “Any person who believes that the Board discussed items, which were not specifically exempted by law or not included in the motion, must now state where they believe there was a departure from the law or a departure in the discussion of matters other than that stated in the motion convening the closed session. I shall now take a roll call vote of the Board. All those who agree that only lawfully exempted matters and specifically only the business matters stated in the motion convening the closed session were discussed in closed session say “aye.” All those who disagree say “nay.” The certification was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

### **RESOLUTION APPOINTING VICE PRESIDENT OF UNIVERSITY COMMUNICATIONS AND CHIEF MARKETING OFFICER**

Upon a motion duly made and seconded by Ms. Kemper, the following resolution was approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

**Vice President for University Communications and  
Chief Marketing Officer Appointment**

**Now Therefore Be it Resolved**, the Board of Visitors hereby approves the appointment of Nicola Ziady as Old Dominion University's Vice President for University Communications and Chief Marketing Officer, effective July 11, 2022, under the terms and conditions determined by President Brian O. Hemphill, Ph.D. and communicated to the Board in closed session.

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**RESOLUTION TO APPROVE AMENDMENTS TO THE PRESIDENT'S DEFERRED  
COMPENSATION PLANS**

Upon a motion made by Mr. Harris and duly seconded the following resolutions were approved by all members present and voting (*Ayes: Allmond, Broermann, Corn, Dabney, Decker, Dickeski, Harris, Jones, Kemper, Pitts, Smith, Williams; Nays: None*).

**SECOND AMENDMENT TO THE  
OLD DOMINION UNIVERSITY TAX DEFERRED SAVINGS PROGRAM  
(As Amended and Restated Effective January 1, 2015)**

**WITNESSETH**

WHEREAS, the Board of Visitors (the "Board") of Old Dominion University (the "University") established and maintains the Old Dominion University Tax Deferred Savings Program (the "Plan"), a defined contribution retirement plan under Section 403(b) of the Internal Revenue Code, most recently amended and restated effective January 1, 2015;

WHEREAS, Section 9.2 of the Plan permits the University to amend the Plan at any time;

WHEREAS, the Board entered into an Employment Agreement with the President of the University, Dr. Brian O. Hemphill (the "President"), dated February 19, 2021 and amended once thereafter (the "Employment Agreement");

WHEREAS, Section F.10 of the Employment Agreement provides that the Board will make contributions on behalf of the President each fiscal year during the term of the Employment Agreement to a deferred compensation arrangement ("Deferred Compensation");

WHEREAS, the Board wishes to contribute a portion of the President's Deferred Compensation to the Plan;

NOW THEREFORE, in accordance with the foregoing, the Plan is hereby amended as follows effective as of the dates set forth below:

1. Effective July 1, 2021, an Appendix A is hereby added to the Plan as attached hereto.
2. In all other respects the Plan shall be and remain unchanged.

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**FIRST AMENDMENT TO THE  
SUPPLEMENTAL DEFINED CONTRIBUTION PLAN  
FOR EMPLOYEES OF OLD DOMINION UNIVERSITY**  
(As Amended and Restated Effective January 1, 2015)

**WITNESSETH**

WHEREAS, the Board of Visitors (the "Board") of Old Dominion University (the "University") established and maintains the Supplemental Defined Contribution Plan for Employees of Old Dominion University (the "Plan"), a defined contribution retirement plan under Section 401(a) of the Internal Revenue Code, effective July 1, 2005, and most recently amended and restated effective January 1, 2015;

WHEREAS, Section 7.1 of the Plan permits the University to amend the Plan at any time;

WHEREAS, the Board entered into an Employment Agreement with the President of the University, Dr. Brian O. Hemphill (the "President"), dated February 19, 2021 and amended once thereafter (the "Employment Agreement");

WHEREAS, Section F.10 of the Employment Agreement provides that the Board will make contributions on behalf of the President each fiscal year during the term of the Employment Agreement to a deferred compensation arrangement ("Deferred Compensation");

WHEREAS, the Board wishes to contribute a portion of the President's Deferred Compensation to the Plan;

NOW THEREFORE, in accordance with the foregoing, the Plan is hereby amended as follows effective as of the dates set forth below:

1. Effective July 1, 2021, Appendix A to the Plan is hereby amended in its entirety to read as attached.
2. In all other respects the Plan shall be and remain unchanged.

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**FIRST AMENDMENT TO THE  
QUALIFIED GOVERNMENTAL EXCESS BENEFIT ARRANGEMENT FOR  
EMPLOYEES OF OLD DOMINION UNIVERSITY**  
(As Amended and Restated Effective January 1, 2015)

**WITNESSETH**

WHEREAS, the Board of Visitors (the "Board") of Old Dominion University (the "University") established and maintains the Qualified Governmental Excess Benefit Arrangement for Employees of Old Dominion University (the "Plan"), a qualified excess benefit arrangement under Section 415(m) of the Internal Revenue Code, most recently amended and restated effective January 1, 2015;

WHEREAS, Section 5.1 of the Plan permits the University to amend the Plan at any time;

WHEREAS, the Board wishes to amend the Plan to make certain discretionary changes;

NOW THEREFORE, in accordance with the foregoing, the Plan is hereby amended as follows effective as of the dates set forth below:

1. Effective July 1, 2021, Section 4.1 of the Plan is amended to read as follows:

**4.1 Election of Distribution**

A Participant shall elect the form and timing of commencement of the distribution of his or her Excess Benefit Account on or before his or her date of Severance from Employment. If the Participant does not make a timely election, his or her Excess Benefit Account shall be distributed in the form of a lump sum on the later of (i) first day of the first month following 180 days from the Participant's date of Severance from Employment, or (ii) the first day of the Plan Year following the Plan Year in which the Participant had a Severance from Employment.

The amount to be distributed to the Participant under this Section 4.1 shall be determined based on the value of the Participant's Excess Benefit Account as determined on the last day of the month in which the Participant has a Severance from Employment.

2. Effective July 1, 2021, Section 4.1 of the Plan is amended to read as follows:

**4.2 Forms and Timing of Commencement of Distribution**

A Participant may elect to receive a distribution of his or her Excess Benefit Account in one of the following forms:

(a) lump sum; or

(b) equal annual installments over a period of five (5) years.

If the Participant elects option (b), no additional earnings shall be credited to the Participant's Excess Benefit Account pursuant to Section 3.2 during the period over which the Excess Benefit Account is distributed.

A Participant may elect to commence distribution of his or her Excess Benefit Account on any date following his or her Severance from Employment, but no later than age 72 or, if later, the first day of the Plan Year following the Plan Year in which the Participant had a Severance from Employment.

3. In all other respects the Plan shall be and remain unchanged.

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**OLD/UNFINISHED BUSINESS**

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

**NEW BUSINESS**

There was no new business to come before the Board.

With no further business to discuss, the meeting was adjourned at 12:36 p.m.

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