



# OLD DOMINION UNIVERSITY

## University Policy

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### Policy #1020

### CLOSURE OF THE UNIVERSITY DUE TO INCLEMENT WEATHER AND EMERGENCIES

**Responsible Oversight Executive:** Vice President for Administration and Finance

**Date of Current Revision or Creation:** May 10, 2020

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#### A. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the closure of the University due to inclement weather and emergencies.

#### B. AUTHORITY

[Code of Virginia Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

#### C. DEFINITIONS

Designated Personnel – Exempt and non-exempt employees who are required to work during an authorized closing because their positions have been designated by the hiring supervisor as essential to agency operations during emergencies.

Exempt Employees – Employees who are not subject to the provisions of the Federal Fair Labor Standards Act (FLSA). Such employees normally are in management or professional positions.

Maymester – A three-week session during the summer term that follows spring Commencement. Classes generally run from Tuesday to Friday during this session.

Non-designated Personnel – Exempt and non-exempt employees who are not required to work during an authorized closing because their positions have not been designated by the hiring supervisor as essential to agency operations during emergencies.

Non-exempt Employees – Employees whose work hours and wages are governed by the Federal Fair Labor Standards Act (FLSA).

ODU Alerts – An email and/or text sent to students, faculty and staff about weather-related or other emergencies that may require delay or cancellation of classes, closure of the University, or other emergency procedures as required.

Technology-Delivered Instruction - Online synchronous, asynchronous, and hybrid class instruction delivered using any combination of technologies including, but not limited to, an

Internet browser, Zoom, Learning Management System, Webex, Adobe Connect, etc., to students at any location.

Volunteer – An individual is considered to be a volunteer at Old Dominion University if the following conditions are met:

1. Services are performed in support of the University's mission to include civic, charitable, educational, research or humanitarian reasons without promise, expectation, or receipt of compensation for services rendered.
2. If the volunteer is a current University employee, the volunteer services are not the same type of duties for which the University employs the individual and are freely given without pressure from the University.

NOTE: The Federal Fair Labor Standards Act (FLSA) states that non-exempt employees must be compensated for all hours they are required or permitted to work. Thus, even though non-exempt employees may *volunteer* to perform the duties for which they are employed beyond their normally scheduled hours, departments must compensate the employee for those extra hours worked.

#### **D. SCOPE**

This policy applies to all employees, students, volunteers, and vendors of the institution. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Students include all persons admitted to the University who have not completed a program of study for which they were enrolled; student status continues whether or not the University's programs are in session.

#### **E. POLICY STATEMENT**

The Vice President for Administration and Finance (the VP) is designated as the authority to close the University for reasons of inclement weather or emergencies. The authority will be exercised in consultation with the President, the Provost and Vice President for Academic Affairs, other Vice Presidents, and the Assistant Vice President for Public Safety. Closing decisions will be communicated directly to the Assistant Vice President for Public Relations (or designee) as this position has primary responsibility for implementing the closing notification process. In the VP's absence, the responsibility for this function shall pass to the Provost and Vice President for Academic Affairs.

This policy applies to the operation of Old Dominion University on-campus and online classes, academic services, and administrative operations at its main campus in Norfolk, Virginia, the Virginia Beach Higher Education Center, the Peninsula Higher Education Center, the Tri-Cities Higher Education Center, and research centers as well as any other off-campus locations operated or leased by Old Dominion University.

This policy does not apply to off-campus locations not operated or leased by Old Dominion University. Students participating in internships or practicums, including but not limited to student teaching and clinical placements, are expected to follow the calendar at their assigned site.

## F. PROCEDURES

### 1. Notification

- a. In the event of inclement weather or emergencies outside of normal business hours that may affect the operation of the University, the Assistant Vice President for Public Safety and the Director of Facilities Management and Construction will notify the VP as early as possible of conditions that may require cancellation of classes or closing of the University. The VP will inform the Assistant Vice President for Public Safety of his/her decision at that time. He/she will also inform the Assistant Vice President for Public Relations.
- b. The Office of the Vice President for University Communications & Chief Marketing Officer will be responsible for informing students, faculty, and staff of a decision to close the University because of inclement weather/emergencies. Delays or closings will be announced through the University's ODU Alerts messaging system, website at [www.odu.edu](http://www.odu.edu), social media channels, and e-mail. Faculty, staff, and students can sign up for ODU Alerts at [www.odu.edu/alerts](http://www.odu.edu/alerts). Additionally, local newspapers, radio stations and television stations will be informed immediately. The Alert will communicate specifics about any operations and services that may remain open as well as events that may or may not be held as applicable.
- c. If a decision is made to close the University during hours of normal operation, each of the Deans, directors, department chairs and other supervisory personnel will be informed by email or telephone. Vice Presidents are responsible for ensuring that this notification is carried out within their respective areas. Areas that may remain open on a full or limited basis during a closure will be contacted as soon as possible.

### 2. Guidelines for Making Up Classes After a Closure or Multiple Closures of the University

- a. Fall and Spring Semester Closures
  - i. For a closure of up to two weeks at any time from week 1 through week 12 or multiple closures totaling up to two weeks of class time, individual faculty will determine how the subject matter will be covered and how the students will satisfy the requirements of the course. Fall and spring break may be cancelled.
  - ii. For a closure of up to two weeks in week 13 and 14, classes will extend for one more week, and final exams will be administered one week later, using a similar final exam schedule. For fall, final exams may be held after the winter break. For spring, the summer school schedule may be altered.
  - iii. For a closure of three to six weeks at any point in the fall semester, classes and final exams will extend into the winter break and into early January by the number of weeks lost (with only one or two days off for religious observances). Spring semester may begin a week late to accommodate the exam schedule, if needed. Fall break may be cancelled.

For a closure of three to six weeks at any point in the spring semester, classes and final exams will extend into the summer session by the number of weeks lost. Spring break may be cancelled. The first half of the summer session may be cancelled. If so, summer school will resume in late June or early July.

- iv. For a closure of seven to 10 weeks at any point in the fall semester, classes and final exams will extend into winter break and into what would have been the spring semester (by the number of weeks lost). There will be no fall break. After a one-week break, spring semester will begin and extend into summer session (by the number of weeks lost in the fall semester). The second half of summer school may be preserved. If not, the normal academic calendar will resume in the fall.

For a closure of seven to 10 weeks at any point in the spring semester, classes and final exams will extend into the summer session (by the number of weeks lost). There will be no spring break. In this scenario, the first half of summer school will be cancelled, and perhaps the entire summer session, depending upon the number of weeks lost in spring.

- v. For a partial closure during the week of final exams, the exam period will be extended by the appropriate number of days.
- vi. For a closure of 11 or more weeks at any point in the semester, the University administration will make a determination pursuant to its Continuity of Operations Plan (COOP).
- vii. Potential refunds or financial compensation to students are determined by taking into account when during the semester instruction was discontinued and the impact on the student's education.
- viii. When there are multiple closures at the University throughout the semester, the Office of Academic Affairs will review individual classes missed, including the day and length of the class, to determine whether and how classes should be made up in consultation with members of the University community (e.g., deans, department chairs, faculty members, and others as appropriate) on a case-by-case basis.
- ix. The Commencement dates and degree conferral dates for the fall and spring semesters will be adjusted as needed.

b. Summer Closures

- i. For a closure of one or two days at any time during the Maymester term, individual faculty will determine how the subject matter will be covered and how the students will satisfy the requirements of the course. For a closure of three or more days during Maymester, courses may be cancelled or extended beyond the term.
- ii. For a closure of up to one week in a six-week summer session or multiple closures totaling up to one week of class time, individual faculty will determine how the subject matter will be covered and how the students will satisfy the requirements of the course.
- iii. For a closure of up to two weeks or more in a six-week summer session, courses taken in the first half of summer will be extended into the second half of summer. The second half of summer school may be cancelled. If the closure occurs in the second half of summer school, the second summer session may be cancelled or extended.
- iv. For a closure of up to two weeks in the 12-week summer session, individual faculty will determine how the subject matter will be covered and how the students will

satisfy the requirements of the course. If the closure occurs at the end of the 12-week session, the session may be extended.

- v. For a closure of more than two weeks in the 12-week summer session, the University administration will make a determination pursuant to its Continuity of Operations Plan.
- vi. When there are multiple closures at the University throughout one of the summer sessions, the Office of Academic Affairs will review individual classes missed, including the day and length of the class, to determine whether and how classes should be made up in consultation with members of the University community (e.g., deans, department chairs, faculty members, and others as appropriate) on a case-by case basis.
- vii. The summer degree conferral date will be adjusted as needed.

### 3. Technology-Delivered Instruction

Unless an exception is indicated by the Office of Academic Affairs, all technology-delivered courses will follow the University's decision on holding classes. In the event that inclement weather prohibits students from participating in technology-delivered instruction, class activities, or testing, students will be permitted to make up missed class requirements by viewing archives and/or rescheduling exams missed without penalty. Faculty are asked to be flexible during these situations as a number of issues, both personal and work-related, arise as a result of such circumstances.

### 4. Intercollegiate Athletics

Decisions on whether to cancel or postpone athletic events will be made by the Director of Athletics or the designated athletic administrator, in consultation with the President and/or Vice President for Administration and Finance, in accordance with NCAA Guidelines and any conference guidelines in consultation with the opposing head coach and officials. Announcements will be made on the Athletic Department website at [www.odusports.com](http://www.odusports.com), media outlets throughout Hampton Roads, and social media. Every attempt will be made to conduct an athletic event, barring any unsafe local or regional conditions, especially if the visiting opponent has arrived at the athletic venue or is in the city limits. The [Athletic Department's Inclement Weather Policy](#) will be followed should an athletic event be held as scheduled.

### 5. Old Dominion University Children's Learning and Research Center

The Old Dominion University Children's Learning and Research Center follows the University's Inclement Weather and Emergencies closure policy. Parents and faculty will be informed when the University closes due to weather. Announcements of University closings are given on all major TV and radio outlets in the local area. No refunds will be made for days or parts of days missed because of such closings. If, for any reason, one of the Center buildings is without power, flooded, or cannot be used (even though the rest of the University has reopened), an additional effort will be made to notify all parents of those children affected through e-mail and phone calls by Center staff. In the event of a delayed opening, the Children's Learning and Research Center will open to children and staff at the same time the University opens.

## 6. Designated Facilities to Remain Open During a University Closure

Certain designated facilities (University Libraries, Webb Center, some dining facilities, Student Recreation Center, Student Health Services, etc.) may remain open on a full or limited basis during a University closure. The Office of the Vice President for University Communications and Chief Marketing Officer will include a list of the facilities that will remain open (and their operating hours) in the notices announcing the closing.

## 7. Designated Personnel

When the University is closed due to inclement weather or emergencies, only "designated personnel" will be required to work. Such personnel will be credited with compensatory leave time for hours worked during such periods in accordance with [Virginia Department of Human Resource Management Policy 1.35 - Emergency Closings](#). Other persons may be identified as designated personnel in view of circumstances at the particular time. Hiring supervisors are responsible for notifying personnel under their supervision of their "designated employee" status.

Non-designated personnel should not come to campus during an emergency closure unless authorized by their hiring supervisor.

## 8. Leave and Compensation for Designated Personnel

- a. Employees who work their normally scheduled shifts during authorized closings will be credited with compensatory leave for the hours worked up to eight hours.
- b. Non-exempt employees required to work hours beyond their normally scheduled shift will be compensated in accordance with the Fair Labor Standards Act (normally overtime pay or overtime leave).
- c. Employees who arrive late to work due to transportation difficulties should not be charged leave when the supervisor believes that the delay was justifiable in view of the conditions.
- d. Designated personnel who fail to report to work as scheduled must charge missed time to annual, sick, compensatory or overtime leave, or leave without pay, as appropriate, unless the employee was in a previously approved leave with pay status on the day of the closing. Employees who fail to report to work as scheduled may also be subject to disciplinary action.
- e. Designated hourly or student employees required to work during an emergency closure will be paid for the hours actually worked.
- f. Designated hourly or student employees required to work in excess of normally scheduled shifts will be paid at time-and-one-half overtime if:
  - i. their position is considered non-exempt and
  - ii. the total number of hours worked in the work week exceeds forty.

## 9. Leave and Compensation for Non-Designated Personnel

- a. To be eligible for pay during an authorized closing, employees must work or be on paid leave the workday prior to and the workday after the closing.
- b. Employees who are on an approved paid leave on the day of an authorized closing will not be charged leave.
- c. Employees who report to work during an authorized closing will not be credited with compensatory time unless approved by the President.
- d. For partial shift closings (late openings or early closings), employees must work all or part of the work schedule (or be in paid leave status) the day before and the day after the authorized closing.
  - i. Employees who are allowed to leave work prior to the effective hour of the closing must charge the difference between that time and the official closing time to leave.
  - ii. Employees who arrive late to work due to transportation difficulties should not be charged leave when the supervisor determines the late arrival to be justifiable in view of the conditions.
  - iii. Employees on paid leave on a day of partial shift closing shall not have those hours of the shift closing charged to their leave balances.
  - iv. Hourly and student employees shall be paid for those hours that they actually work. Therefore, hourly and student employees shall not be paid during the time the University is closed if they do not work.

## 10. Employees who Work Remotely

Employees who are scheduled to work remotely (telework) during the time of the emergency closure are expected to follow the guidance for employees outlined in the employee's Telework Agreement.

## 11. Continuity of Operations

The University's Continuity of Operations Plan (COOP) will be invoked when an inclement weather or other emergency situation results in the need to close the University for an extended period of time.

## **G. RECORDS RETENTION**

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

## **H. RESPONSIBLE OFFICER**

Assistant Vice President for Public Relations

**I. RELATED INFORMATION**

[Fair Labor Standards Act](#)

[University Policy 1021 – Emergency Management Policy](#)

[University Policy 6200 - Hours of Work Policy](#)

[University Policy 6202 - Telework Policy](#)

