

OLD DOMINION UNIVERSITY

BOARD OF VISITORS  
Friday, December 5, 2008

MINUTES

The Board of Visitors of Old Dominion University met in regular session on Friday, December 5, 2008, at 1:00 p.m. in the Board Room of Webb University Center on the Norfolk campus. Present from the Board were:

Ross Mugler, Rector  
Frank Batten, Jr.  
David L. Bernd  
Kendra M. Croshaw  
Linda L. Forehand  
Harold W. Gehman, Jr.  
Conrad M. Hall  
James A. Hixon  
Barry M. Kornblau  
Robert J. O’Neill (via telephone)  
Moody E. Stallings, Jr.

Absent were:

Kenneth E. Ampy  
David W. Faeder  
Marc Jacobson  
Pamela C. Kirk  
Katherine A. Treherne

Also present were:

John R. Broderick, President	Marie Masterson
Denise Batts ( <i>The Virginian-Pilot</i> )	Alice McAdory
Alonzo Brandon	Donna W. Meeks
Rudy Burwell	Barry Moss
Cathy Craft	Jennifer Mullen
Michelle Davis	Mel Price
R. Dillard George	Carol Simpson
Dale Feltes	Don Stansberry
Robert L. Fenning	Karen Travis
Velvet Grant-Johnson	Cecelia Tucker
Mohammad Karim	Geneva Walker-Johnson
Patrick B. Kelly	Rusty Waterfield
	James D. Wright

## **CALL TO ORDER AND APPROVAL OF MINUTES**

The Rector called the meeting to order at 1:05 p.m. and asked for approval of the minutes of the regular meeting held on September 19, 2008. Upon a motion made and seconded, the minutes were approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, Stallings*).

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

Upon a motion made and seconded, the Board of Visitors ratified by unanimous vote the action taken by the Executive Committee on October 20, 2008 to award honorary degrees to Joshua Darden, Peter Decker, Jr., and Robert L. Fodrey, Sr. (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, Stallings*).

### **HONORARY DEGREES**

RESOLVED, that the Executive Committee of the Board of Visitors approves the awarding of honorary degrees to the individuals noted below. A summary of each nominee's career is on file in the Board of Visitors Office.

1. Joshua Darden, Jr., President of Darden Properties, Inc.  
Doctor of Humane Letters (*honoris causa*)
2. Peter Decker, Jr., senior partner and attorney at Decker, Cardon, Thomas, Weintraub & Neskis, P.C.  
Doctor of Humane Letters (*honoris causa*)
3. Robert L. Fodrey, Sr., Retired Director of the U.S. Navy's Regional Office of Civilian Manpower Management  
Doctor of Humane Letters (*honoris causa*)

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Upon a motion made and seconded, the Board of Visitors ratified by unanimous vote the action taken by the Executive Committee on November 18, 2008 to award honorary degrees to Delores Johnson Brown and Patricia Turner. (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, Stallings*).

### **HONORARY DEGREES**

RESOLVED, that the Executive Committee of the Board of Visitors approves the awarding of honorary degrees to the individuals noted below. A biography for each nominee and an article on "Desegregating Norfolk's Schools" by James R. Sweeney, Associate Professor of History, are on file in the Board of Visitors Office.

1. Delores Johnson Brown, member of the Norfolk 17  
Doctor of Humane Letters (*honoris causa*)
2. Patricia Turner, member of the Norfolk 17  
Doctor of Humane Letters (*honoris causa*)

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## **RECTOR'S REPORT**

The Rector noted that the Institutional Review process has begun. The University contracted with Pappas Consulting Group last week and Dr. Stephen Portch (who conducted a similar review for VCU) will conduct ODU's review. This will be done in two phases. The first phase will involve interviews with external constituents and the Board will receive a draft report at the retreat in January. The second phase will involve interviews with internal constituents and the final report will be presented at the April Board meeting. Such a review is considered a best practice for institutions about to conduct a presidential search and will also be helpful during the strategic planning process.

## **REPORTS OF STANDING COMMITTEES**

### **AUDIT COMMITTEE**

The Rector called on Mr. Stallings for the report of the Audit Committee. Mr. Stallings reported that the Audit Committee met this morning and heard a report from Mr. Deane Hennett, University Auditor. Mr. Hennett updated the Audit Committee on the University's recent and on-going compliance efforts and on the activities of the University Auditor's Office. The Compliance Committee is now focusing upon reviewing and updating University Policies. The Office of the Internal Auditor has several on-going audit projects, including the Student Services IT, the Real Property Lease Program, Athletics (Recruiting and Sports Campus) and Special Projects.

Mr. Hennett then focused upon recent modifications to the operations of the Office of Internal Audit as a result of the recommendations from the Quality Assurance Review performed last September. These include changing the reporting structure from the Vice President of Administration & Finance to the President; meeting with each of the Vice Presidents and Deans on a regular basis; developing and implementing an Audit Committee Charter, and formalizing the Office's Risk Assessment process and several other administrative improvements. A proposed Charter was reviewed and approved by the Committee.

After an update on projects in process within the University Auditor's Office, the Committee then received, in closed session, details of recent departmental audits performed in Accounts Payable, IT Project Management, College of Engineering, Tennis Center, President's Office and Special Events.

**INSTITUTIONAL ADVANCEMENT COMMITTEE**

The Rector called on Ms. Forehand for the report of the Institutional Advancement Committee. Ms. Forehand reported that the Committee approved a motion to recommend naming two new residence halls adjacent to the Roseann Runte Quad, currently identified as E and F, the England House and the Dominion House. The following resolution was brought forth as a recommendation of the Institutional Advancement Committee and was approved unanimously by all members present and voting. (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, Stallings*).

**RESOLUTION TO NAME TWO RESIDENCE HALLS ADJACENT  
TO THE ROSEANN RUNTE QUAD**

WHEREAS, the naming of student housing at Old Dominion University is a tradition that reflects the growth and maturity of the institution; and

WHEREAS, it is fitting to recognize Old Dominion University's connection to the history that gave the institution its name.

THEREFORE, BE IT RESOLVED, that the Board of Visitors of Old Dominion University approves naming two new residence halls adjacent to the Roseann Runte Quad, currently identified as E and F, the England House and the Dominion House.

BE IT FURTHER RESOLVED, that this resolution be spread across the minutes of the Board of Visitors, and that an appropriate plaque be prominently displayed outside each building.

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The Committee also approved a motion to recommend naming the Child Development Center and Lions Child Study Center Director's Suite for Katharine Kersey. The following resolution was brought forth as a recommendation of the Institutional Advancement Committee and was approved unanimously by all members present and voting. (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, Stallings*).

**RESOLUTION TO NAME THE  
CHILD DEVELOPMENT CENTER AND LIONS CHILD STUDY CENTER  
DIRECTOR'S SUITE FOR KATHARINE C. KERSEY**

WHEREAS, Old Dominion University's Lions Child Study Center provides prekindergarten and kindergarten classes and its Child Development Center offers on-campus day care; and

WHEREAS, through Katharine C. Kersey's leadership, the Child Development Center is a model center where Old Dominion's early childhood students also receive training; and

WHEREAS, Katharine C. Kersey, professor of early childhood education in the Department of Early Childhood, Speech-Language Pathology and Special Education, raised more than \$1 million in private and corporate gifts to match a state capital appropriation to renovate and expand the Lions Child Study Center; and

WHEREAS, Katharine C. Kersey joined Old Dominion University as an instructor in 1969, achieved the rank of professor in 1973, and served as director of the Lions Child Study Center from 1973 to May 2008 and as director of the Child Development Center from 1994 to May 2008; and

WHEREAS, she has written four books on parenting and effective teaching, “The Art of Sensitive Parenting,” “Helping Your Child Handle Stress,” “Don’t Take It Out on Your Kids” and “The First Year Teacher” (co-authored with Karen Bosch); and

WHEREAS, among her many honors is the Award for Outstanding Service to Young Children in Virginia from the Virginia Association for Early Childhood Education; and

WHEREAS, her award-winning training video, “101s: A Guide to Positive Discipline,” demonstrates how each “101” can be used in a preschool classroom by showing teachers in the Child Study and Child Development centers using these techniques in their everyday interactions; and

WHEREAS, Katharine C. Kersey has dedicated her personal and professional life to the needs and concerns of families, with the hope that some day the world will be a safer and better place for children.

THEREFORE, BE IT RESOLVED, that the Board of Visitors of Old Dominion University approve naming the Director’s Suite of the Child Development Center and the Lions Child Study Center for Katharine C. Kersey.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of the Board of Visitors, and an appropriately framed copy be displayed in the Director’s Suite.

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Jim DeAngio, Governmental Relations Coordinator, introduced Ashley Kennedy, Jamaal Williams, Sam Shinault, Erica Warden, John Davenport, Brandon Borne and Russell Wade, the ODU students who were selected to serve as interns during the upcoming session of the General Assembly.

Jennifer Mullen, Assistant Vice President for Marketing and Communications, explained the University’s emergency notification system and her office’s role in issuing alerts to the campus. She discussed a recent advertising campaign that included online banner ads targeted to prospective students and 30-second commercial spots shown in movie theaters and during televised ODU basketball games. She briefed the Committee on a faculty seminar her office sponsored, at which a New York Times science writer spoke about writing for mainstream media, and highlighted ODU stories and commentary pieces that appeared in *The Wall Street Journal*, *National Geographic*, *The Chronicle of Higher*

*Education, The New Yorker and Ladies Home Journal*, and on National Public Radio and the “Today” show.

Ms. Mullen also reported that Acting President John Broderick received the Distinguished Service Award from the College Communicators Association of Virginia and the District of Columbia. The award honors college and university professionals who have made particularly meritorious contributions in the area of communications.

Alice McAdory, Associate Vice President for Enrollment Management, gave an update on Fall 2009 admission applications. She reported an increase of 29 percent in freshmen, an 8 percent increase in transfer students, an 8 percent increase in graduate students and a 4 percent increase in international applications over the same time last year. Distance learning applications showed a slight decrease of six applications. Dr. McAdory reported that there has been a 53 percent increase in freshman applications over the past five years. This fall, admissions recruiters have visited more than 300 high schools, attended more than 140 recruitment fairs and staffed over 30 local recruitment events.

Dr. McAdory also updated the committee on the Strategic Enrollment Management Plan. She gave a report on the status of 10 of the 14 committees.

### **STUDENT ADVANCEMENT COMMITTEE**

The Rector called on Ms. Croshaw for the report of the Student Advancement Committee. Ms. Croshaw reported that the Committee received a briefing from April Brecht on the Jacobson Athletic Academic Center and its role in supporting the student athlete. Currently, the Center offers academic support, tutoring, advising, study halls, life skills and assessment tools, career development, and community outreach programs. The staff monitors class schedules to minimize missed class times and ensure practices do not conflict, and provide information on University policy and NCAA rules and regulations in order to ensure eligibility. Dr. Jarrett praised the success of Ms. Brecht’s work and the development of the program and said it has the full cooperation of the coaches and staff.

Dr. Walker-Johnson presented information on campus safety initiatives initiated to help students deal with safety concerns around the campus. She handed out the Monarch Creed as a reinforcement of the code students are to follow on and off campus. The Off-Campus Student Advisory Committee was established to help the ODU community and surrounding community members develop ways to work together for a more cohesive and safe existence. The Personal Safety and Self Defense Program was offered during Week of Welcome. The Division of Student Affairs was also involved with the following activities during the semester: establishment of the University Safety Advisory Committee, SGA Safety Walks, meetings with civic leaders, distribution of safety letters to all students prior to breaks; Adopt-a-Cop Program in the residence halls, Lights On–Crime Out in the community; and Town Hall meetings held in each residence hall and Webb Center.

Dr. Walker-Johnson also spoke briefly about the Presidential Election and the need for discretion during the transition from a Republican President to a Democrat President.

She welcomed open discussion and dialogue among instructors, students and staff as needed to calm any concerns of those uncomfortable with the transition and the diversity related to the transition.

The Office of Student Activities and Leadership had a very successful Homecoming event. Homecoming 2009 will be the week of November 1-7. The Last Lecture Series will be implemented in the spring semester.

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

The Rector called on Ms. Croshaw for the report of the Academic and Research Advancement Committee. The Committee met in closed session to discuss a recommendation for the appointment of two faculty members with tenure. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

### **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. Desh Ranjan as Professor of Computer Science with the award of tenure in the Department of Computer Science, effective July 25, 2009. A copy of his curriculum vitae is on file in the Board of Visitors Office.

Salary: \$170,000 for 10 months  
Rank: Professor of Computer Science and Computer Science Networking Endowed Chair (Designated as Chair of the Department of Computer Science)

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### **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. Steven Morrison as Associate Professor of Physical Therapy with the award of tenure in the School of Physical Therapy, effective December 5, 2008. A copy of his curriculum vitae is on file in the Board of Visitors Office.

Salary: \$90,000 for 10 months  
Rank: Associate Professor of Physical Therapy

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The Committee approved by unanimous vote the resolutions on six faculty appointments, seven administrative appointments and four emeritus appointments. The following

resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

**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. Mher Aghasyan Postdoctoral Research Associate in Physics	\$45,000	1/10/09	12 mos

Dr. Aghasyan received a Ph.D. and M.Sc. in Physics, in 2000 and 1997 respectively, from Yerevan State University. Since 2006, he has been a Postdoctoral Research Associate at LNF-INFN, Italy. Prior to that, Dr. Aghasyan was a Researcher in the Department of Solid State Physics at Yerevan State University.

Dr. Xinhua Chen Postdoctoral Research Associate, Frank Reidy Research Center for Bioelectrics	\$36,000	9/1/08	12 mos
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Dr. Chen received a Ph.D. in Biomedicine in 2008 from the joint Ph.D. Program of Eastern Virginia Medical School and Old Dominion University, a Ph.D. in Organ Transplantation in 2006 from Zhejiang University and an M.D. in General Surgery in 1999 from Xinjiang Medical University.

Dr. Terri Grant Visiting Assistant Professor of Mathematics and Statistics	\$35,400	9/10/08	9 mos
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Dr. Grant received a Ph.D. and an M.S. in Applied and Computational Mathematics, in 2007 and 2003 respectively, from Old Dominion University and a B.S. in Mathematics in 2001 from Christopher Newport University. Since 2003, she has been a Teaching Assistant and Math Lab Assistant at Old Dominion University.

Dr. Robert C. Kennedy Visiting Assistant Professor of History	\$20,000	12/25/08	5 mos
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Dr. Kennedy received a Ph.D. in History in 1993 from the University of Illinois, an M.A. in History and an M.A. in Political Science in 1986 from Western Illinois University, and a B.A. in History in 1983 from Quincy University. Since 2007, he has been teaching history at Regent University. From 1995-2007, Dr. Kennedy was a Historian, Writer, Editor, and Indexer for HarpWeek.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Margaret F. Lemaster Instructor of Dental Hygiene	\$22,779	12/25/08	5 mos

Ms. Lemaster received a B.S. in Dental Hygiene in 1992 and is expected to receive an M.S. in Dental Hygiene from Old Dominion University. Since 2004, she has been an Adjunct Faculty Clinical Instructor in the School of Dental Hygiene at Old Dominion University. Ms. Lemaster has also been in Private Practice since 1992.

Dr. Shu Xiao Assistant Professor of Electrical and Computer Engineering (Tenure Track)	\$70,000	10/10/08	10 mos
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Dr. Xiao received a Ph.D. in Electrical Engineering in 2004 from Old Dominion University, a Master's in Microwave Electronics in 1999 from the University of Electronic Science and Technology, China and a Bachelor's in Physics in 1996 from Gannan Teacher College, China. Since 2004, he has been a Graduate Research Assistant, Postdoctoral Research Associate and Research Assistant Professor in the Frank Reidy Research Center for Bioelectrics at Old Dominion University.

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**APPOINTMENT OF ACADEMIC ADVISOR AND RETENTION SPECIALIST**  
**COLLEGE OF SCIENCES**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Adrienne G. Giles as Academic Advisor and Retention Specialist in the College of Sciences, effective October 25, 2008.

Ms. Giles received a B.S. in Biology in 2004 and is expected to receive a Master of Science in Higher Education in 2009 from Old Dominion University. Since 2005, she has been Program Advisor in the College of Business and Public Administration and a Graduate Enrollment Administrative Assistant at Old Dominion University.

Salary: \$36,000 for 12 months  
Rank: Academic Advisor and Retention Specialist, College of Sciences, and Assistant Instructor

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### **APPOINTMENT OF PROFESSIONAL COUNSELOR**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. J. Thomas Lawless as Professional Counselor in the Office of Counseling Services, effective October 10, 2008.

Mr. Lawless received an M.Ed. in Counselor Education in 2001 from the University of Virginia, an M.S. in Aquatic Resource Management in 1988 from King's College, England and a B.S. in Environmental Science in 1987 from Lynchburg College. Since 2006, he has been a Counselor at the Norfolk Community Services Board.

Salary: \$41,500 for 12 months  
Rank: Professional Counselor and Instructor

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### **APPOINTMENT OF ASSISTANT STRENGTH AND CONDITIONING COACH**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Joe Makovec as Assistant Strength and Conditioning Coach, Office of Athletics, effective October 25, 2008.

Mr. Makovec received a B.S. in Health Promotion/Wellness in 2003 from the University of Wisconsin – Stevens Point. Since 2005, he has been an Assistant Strength and Conditioning Coach at Hofstra University.

Salary: \$30,000 for 12 months  
Rank: Assistant Strength and Conditioning Coach and Assistant Instructor

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### **APPOINTMENT OF ACADEMIC ADVISOR**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Morgan Morrison as Academic Advisor, Office of Advising and Transfer Programs, effective September 25, 2008.

Ms. Morgan received an M.S.Ed. in Higher Education in 2008 from Old Dominion University and a B.S. in Sociology in 2004 from Longwood University. Since 2007, she has been an Intern and an Academic Advisor for the Center for Major Exploration at Old Dominion University.

Salary: \$36,000 for 12 months  
Rank: Academic Advisor and Instructor

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**APPOINTMENT OF DIRECTOR OF EVENT MANAGEMENT**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Robin Siedman as Director of Event Management, Office of Athletics, effective September 10, 2008.

Ms. Siedman received an M.S. in Physical Education in 1987 from Ithaca College and a B.S. in Physical Education in 1979 from Central Connecticut State University. Since 2002, she has been Director of Event Management in the Department of Intercollegiate Athletics at the University of Minnesota-Twin Cities.

Salary:           \$36,000 for 12 months  
Rank:             Director of Event Management and Instructor

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**APPOINTMENT OF ACADEMIC ADVISOR**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Leanne Sutton as Academic Advisor in the College of Sciences, effective September 10, 2008.

Ms. Sutton received an M.A. in History and a B.A. in Communication, in 2007 and 2002 respectively, from Old Dominion University. Since 2007, she has been NewPAGE Academic Coordinator and Assistant Director in the Office of New Student and Parent Programs at Old Dominion University.

Salary:           \$37,000 for 12 months  
Rank:             Academic Advisor, College of Sciences, and Instructor

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**APPOINTMENT OF MAJOR GIFTS OFFICER FOR THE  
COLLEGE OF BUSINESS AND PUBLIC ADMINISTRATION**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Jean W. Virga as Major Gifts Officer for the College of Business and Public Administration, Office of Development, effective October 25, 2008.

Ms. Virga received an M.B.A. and a B.S. in Business Administration, in 1981 and 1979 respectively, from Old Dominion University. Since 1999, she has been Development Officer at the Children’s Hospital of the King’s Daughters.

Salary:           \$55,000 for 12 months  
Rank:             Major Gifts Officer for the College of Business and Public Administration and  
                      Instructor

## EMERITUS APPOINTMENTS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the granting of the title of emeritus/emerita to the following faculty members. A summary of each faculty member's accomplishments is included.

<u>Name and Rank</u>	<u>Effective Date</u>
Hiroyuki Hamada Associate Professor Emeritus of Exercise Science, Sport, Physical Education and Recreation	January 1, 2009
John Holsinger Eminent Scholar Emeritus and Professor Emeritus of Biological Sciences	January 1, 2009
Katharine C. Kersey Director Emerita of the Child Development Center and Child Study Center	December 5, 2008
Raymond F. Morgan Professor Emeritus of Educational Curriculum and Instruction	January 1, 2009

### HIROYUKI HAMADA

Hiroyuki Hamada, associate professor of exercise science, sport, physical education, and recreation and martial artist in residence, received a B.A. in sociology from Greensboro College and an M.A. in sociology and Ed.D. in higher education from the College of William and Mary. In addition, he holds the highest martial art title of Hanshi, (Illustrious Master) in four major classical disciplines, Japanese Martial Art, Karatedo, Aikido, Jiu-jitsu and Kobudo, bestowed by the prestigious Dai Nippon Butoku Kai from Kyoto, Japan. The Old Dominion University martial arts program was started in 1975 under Hamada's leadership.

Hamada has served as the chairman of Dai Butoku Kai International Division (DBKID) which has membership in over twenty nations. DNBKID is the sole legitimate representative of Dai Nippon Butoku Kai, Japan's premier martial art society. The ODU martial arts curriculum is accredited by Dai Nippon Butoku Kai and students may receive the international certificate and recognition of formal ranks and titles in the prospective discipline.

Hamada has been offering the most comprehensive martial arts curriculum based on the classical Japanese martial art tradition. The curriculum focuses on the total individual development in terms of mind and body synthesis and spiritual harmony. He has published five textbooks on Japanese martial arts. Hamada's professional service includes serving as special assistant to the president of Old Dominion University in the Japanese Exchange Program.

## JOHN R. HOLSINGER

John R. Holsinger received a B.S. from Virginia Tech, an M.S. from James Madison University, and a Ph.D. in Biological Sciences from the University of Kentucky in 1966. He joined Old Dominion University as an Assistant Professor of Biology in 1968 after teaching at East Tennessee State University for two years. He achieved the rank of Professor of Biological Sciences in 1978, was appointed Eminent Scholar of Biological Sciences in 1990, and received the ODU Faculty Research Award in 1995. He served as Graduate Program Director for the M.S. degree in Biological Sciences for two years and for the Ecological Sciences Ph.D. program from 2005 to 2008.

Holsinger supervised the research of 16 doctoral and master's students and served on the committees of many other graduate students. Throughout his career, Holsinger has been actively engaged in research in the area of systematics, evolution and biogeography of subterranean groundwater crustaceans. His publications include 118 scientific papers and monographs, a book titled "Descriptions of Virginia Caves," and many other short articles and abstracts. In addition, Holsinger has had research funding totaling more than \$600,000 from the National Science Foundation, U. S. Park Service, Environmental Protection Agency, and several smaller agencies. He has served on the Virginia Cave Board more or less continuously since it was formed in 1978, and is a Research Associate at both the Smithsonian Institution and Virginia Museum of Natural History.

In recognition for his accomplishments, Holsinger was designated a Fellow and Honorary Life Member of the National Speleological Society and has also received a Certificate of Merit and Science Award from the Society. He received the 1992 Thomas Jefferson Medal for Outstanding Contributions to Natural Science from the Virginia Museum of Natural History, and the 2002 Karst Waters Institute Award in recognition of Outstanding Contributions to Karst Science. In 2007 his work was honored by a special symposium at the annual convention of the National Speleological Society.

## KATHARINE C. KERSEY

Katherine C. Kersey, professor of early childhood education in the Department of Early Childhood, Speech-Language Pathology and Special Education, joined Old Dominion University as an Instructor in 1969 and achieved the rank of Professor in 1973. She served as director of the Old Dominion University Child Study Center from 1973 to May 2008 and as director of the Old Dominion University Child Development Center from 1994 to May 2008. The Child Study Center provides pre-kindergarten and kindergarten classes while the Child Development Center provides on-campus day care. Through Kersey's leadership, the Child Development Center is a model center where early childhood students also receive training. When the center opened in 1994, there were 13 children, five full-time master's-level teachers and an administrative assistant. The center quickly grew to full capacity and today has a long waiting list. Kersey also raised over \$1 million in private and corporate gifts to match a state capital appropriation to renovate and expand Old Dominion's Child Study Center.

Kersey has written four books on parenting and effective teaching, *The Art of Sensitive Parenting*, *Helping Your Child Handle Stress*, *Don't Take It Out on Your Kids*, and *The First*

*Year Teacher* (co-authored with Karen Bosch). Among her honors is the Award for Outstanding Service to Young Children in Virginia from the Virginia Association for Early Childhood Association. Her award-winning video training tool, “101s: A Guide to Positive Discipline,” demonstrates how each “101” can be used in a preschool classroom with real children by showing teachers in the Child Study and Child Development Centers using these techniques in their everyday interactions.

Kersey has dedicated her personal and professional life to the needs and concerns of families in today’s world, with the hope that some day the world will be a safer and better place for children. She continues her work as professor of early childhood education.

#### RAYMOND F. MORGAN

Raymond F. Morgan, professor of reading education in the Department of Educational Curriculum and Instruction, received his doctorate degree from the University of Virginia in 1974 and has taught at Old Dominion University since that time. While at ODU, he twice served as Graduate Program Director of the Master’s in Reading Program. He also served as faculty governance chair of the College of Education, was secretary of the Faculty Senate, and served on the Faculty Senate of Virginia as a representative from Old Dominion.

Morgan has over 60 publications in the field of reading education, including 14 co-authored textbooks. His most recent textbook is the 7<sup>th</sup> edition of *Reading to Learn in the Content Areas* (2009). He has made over 1500 presentations in workshops and consultancies and at national, regional, state, and local conferences. He has been featured speaker at both the International Reading Association (IRA) national conference and the Southern Regional Education Board (SREB) national conference. He has consulted with many school systems throughout the country and with dependent schools outside of the country. He has done major consultative work with SREB and Educational Testing Service (ETS). Currently, Morgan serves on the editorial review board of *Reading Improvement*, a refereed national journal of reading education. Also, he has served as co-editor of the *Journal of Virginia College Reading Educators* and on the editorial board of the journal *Reading In Virginia*. He has been the recipient of over \$4 million in grants for service and research.

Morgan has been named to Marquis Who’s Who in America and to the 2009 edition of Marquis Who’s Who in the World. He also has been a member of Phi Kappa Phi, the National Society for the Study of Education, Directory of Distinguished Leaders in Education, and Who’s Who in American Education. He has won The Darden College of Education Tonelson Award for Teaching, Research, and Service.

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The Committee approved by unanimous vote the termination of the Early Retirement Plan for the 2007-08 and 2008-09 academic years. The University did not reach its goal of participation by 60 faculty members in the plan and, in some cases, the salary retained by the University was not sufficient to hire replacements at the assistant professor rank. The following resolution was brought forth as a recommendation of the Academic and Research Advancement Committee and was approved unanimously by all members

present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

**APPROVAL TO TERMINATE THE EARLY RETIREMENT PLAN FOR  
2007-08 AND 2008-09 ACADEMIC YEARS**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the termination of the early retirement plan for the 2007-08 and 2008-09 academic years.

Rationale: The early retirement plan was approved for the 2007-08 and 2008-09 academic years. The goals of the plan were to encourage the retirement of senior faculty, retain sufficient salary to hire replacements at the assistant professor rank, and create additional positions with the salary remainder.

While 36 faculty members participated in the plan, the University did not reach its goal of participation by 60 faculty members. In some cases, the salary retained by the University was not sufficient to hire replacements at the assistant professor rank. Moreover, all of the University's qualified plans are required to be submitted to IRS for a determination letter by January 31, 2009. The current plan would require extensive revision and review by legal counsel prior to submission to IRS with additional cost to the University. If and when Old Dominion decides to offer a new early retirement incentive plan, a new plan document would be required to comply with regulations in place at that time.

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Dr. David Metzger, the new Dean of the Honors College, described new and proposed programs and activities that address four key elements of the Honors College's mission: recruiting and retaining students of accomplishment; providing support for prestigious scholarship applications; reviewing student appeals regarding scholarship continuance decisions; and administering Old Dominion's Undergraduate Research Program.

In her report to the Committee, Provost Simpson discussed the effects of the 5% budget cuts and described changes that will take place at the Child Development Center. She announced the names of the faculty members nominated by Old Dominion for the SCHEV outstanding faculty awards program and informed Committee members that ODU is offering the undergraduate program in motorsports technology and the master's program in counseling at the New College Institute in Martinsville.

Vice President Mohammad Karim reported that FY2008 externally funded research expended through the ODU Research Foundation totaled \$43M, the highest ever, with an indirect cost return of almost 20%. In FY2008, the College of Health Sciences exceeded Arts & Letters in annual R&D expenditures. In addition, the NIH portfolio is growing, with ten of these prestigious grants having been awarded to ODU faculty and two pending. In the fall competition for multidisciplinary seed funding, a total of 21 teams that included 65 faculty participants applied for the program along with five external partners and three industries. The five winning teams include three from the College of

Engineering and Technology and two from the College of Sciences, and they will receive a total of almost \$400,000. The teams are comprised of 18 faculty from ODU and three from EVMS.

### **ADMINISTRATION AND FINANCE COMMITTEE**

The Rector called on Mr. Hixon for the report of the Administration and Finance Committee. Mr. Hixon stated that the Committee considered seven actions. Vice President Fenning provide a detailed breakdown of the proposed FY2009 5% budget reduction plan in the Board materials. This information was previously presented to the Executive Committee at the November 18<sup>th</sup> meeting. The University was instructed by the Department of Planning & Budget on September 26, 2008 to reduce the FY2009 base budget to reflect substantially reduced revenue collections by 5% or \$5,497,415. The instructions require the Board of Visitors to approve the budget reduction plan.

The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

### **RESOLUTION TO APPROVE OLD DOMINION UNIVERSITY'S 5% REDUCTION PLAN FOR FY2009**

WHEREAS, state agencies, including Old Dominion University, were instructed by the Governor to reduce their FY2009 base budgets to reflect substantially reduced revenue collections; and

WHEREAS, Old Dominion University was instructed to reduce its FY2009 base budget by 5% or \$5,497,415.60 by the Department of Planning & Budget on September 26, 2008; and

WHEREAS, Old Dominion University submitted its budget reduction plan on September 26, 2008; and

WHEREAS the instructions from the Department of Planning & Budget require the respective Boards of Visitors to approve these budget reduction plans.

THEREFORE, BE IT RESOLVED, that the Board of Visitors approves the University's FY2009 Budget Reduction Plan.

**OLD DOMINION UNIVERSITY  
5% BASE BUDGET REDUCTION**

	Dollar	
	Amount	FTE
President's Area		
Abolished Positions (filled)	33,087.00	1.00
Benefits	12,321.60	
President's Area Total	45,408.60	1.00
Human Resources		
Abolished Positions (filled)	16,667.00	1.00
Benefits	26,470.00	
Human Resources Total	43,137.00	1.00
Development		
Abolished Positions (vacant)	48,786.00	1.00
Benefits	18,168.00	
Development Total	66,954.00	1.00
Academic Affairs		
Abolished Positions (vacant)	1,322,188.00	15.00
Abolished Positions (filled)	779,919.00	14.00
Hourly	80,187.00	
Student Wages	6,434.00	
Part-time Faculty	63,565.00	
Consulting/Temp Services	62,575.00	
Graduate Students	38,276.00	
Benefits	687,051.00	
Non-Personal Services	338,057.00	
Travel	12,275.00	
Equipment	290,025.00	
Academic Affairs Total	3,680,552.00	29.00
Student Affairs		
Abolished Positions (vacant)	75,963.00	2.00
Benefits	28,289.00	
Student Affairs Total	104,252.00	2.00
Administration & Finance		
Abolished Positions (vacant)	544,541.00	17.00
Abolished Positions (filled)	55,942.00	2.00
Create 1 Public Safety Position from 2 Abolished Positions	(44,775.00)	(1.00)

Shift Positions to Non-E&G Budgets	94,022.00	3.00
Benefits	231,878.00	
Student Wages	36,111.00	
Consulting/Temp Services	55,687.00	
Non-Personal Services	62,100.00	
Utility Savings	29,497.00	
eVA Fees	164,720.00	
Administration & Finance Total	1,229,723.00	21.00
Institutional Advancement		
Abolished Positions (vacant)	49,013.00	2.00
Hourly	25,000.00	
Student Wages	1,018.00	
Benefits	16,976.00	
Non-Personal Services	100,269.00	
Travel	21,069.00	
Equipment	3,000.00	
Institutional Advancement Total	216,345.00	2.00
Research		
Abolished Positions (vacant)	83,114.00	1.00
Benefits	27,930.00	
Research Total	111,044.00	1.00
University Total		
Abolished Positions (vacant)	2,123,605.00	38.00
Abolished Positions (filled)	885,615.00	18.00
Create 1 Public Safety Position from 2 Abolished Positions	(44,775.00)	(1.00)
Shift Positions to Non-E&G Budgets	94,022.00	3.00
Hourly	105,187.00	
Student Wages	43,563.00	
Part-time Faculty	63,565.00	
Consulting/Temp Services	118,262.00	
Graduate Students	38,276.00	
Benefits	1,049,083.60	
Non-Personal Services	500,426.00	
Utility Savings	29,497.00	
eVA Fees	164,720.00	
Travel	33,344.00	
Equipment	293,025.00	
	5,497,415.60	58.00

Dillard George, Director of Facilities Management, and Barry Moss, principal of Tymoff+Moss Architects, briefed the Committee on the current status of the President's House. Estimated costs for long-term renovations are \$2.1M and estimated costs for new construction are \$2.2M - \$2.6M, depending on the level of finishes selected. Short-term renovations could be accomplished for approximately \$1.2M, but would not address the structural concerns related to the current facility's capacity for hosting official functions, providing adequate off-street parking, presenting a "presidential" appearance, and room for entertaining larger groups. Concept designs for both renovation and new construction options were presented. Options for the project executing and financing as either a state project through BCOM or as a Real Estate Foundation project were reviewed. The ad hoc President's House subcommittee, chaired by Mr. Kornblau has recommended that the current structure be conveyed to the ODU Real Estate Foundation which would then demolish the house, design a more appropriate presidential residence of approximately 5,400 square feet, and finance and construct this new facility. In turn, the University would master lease the new President's House from the Foundation. The Administration and Finance Committee recommends this course of action with a preliminary overall project budget of \$2.2M and requested that the final, proposed design and pricing, be brought back to the Committee at the April meeting. A motion was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

Jay Wright, Associate University Counsel, advised the Committee that the United States Congress passed a law known as "Fair and Accurate Credit Transaction Act" (FACTA), which requires the University to adopt "red flag" policies to catch identity theft. If a red flag occurs, the transaction is stopped until the University can verify the identity of the person requesting the transaction. Although the University is only at times a creditor, issues debit cards or conducts credit checks, the University is required to have a policy in place. These policies are already being followed but the legislation requires the governing board to formally adopt this policy as presented. A motion to approve the following policy was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

### **POLICY- IDENTITY THEFT PROTECTION**

- A. The University is a user of consumer reports and is required to have protections in place to prevent identity theft. The University conducts background checks of certain employment applicants. To prevent identity theft, review of the applications should be thorough. The review shall include review of documentation. The University requires employees, who view suspected altered documents, questionable documentation, or any irregularity in the information provided by applicants, to bring it to the attention of supervisors.

A verified address is submitted to the consumer reporting agency providing background checks to the University. Verification of address may include but not be limited to the following:

1. Internal Sources such as Banner when available (i.e. Applicant was a former student.) or the application documents themselves which are contained in our on-line Position Action, Performance Evaluation, and Recruitment System (PAPERS)
2. Official documents such as a driver's license and others.
3. Documents from third party sources such as utility bills, etc.
4. Any other reasonable means

In the event the University receives a Notice of Address Discrepancy or an alert from a credit reporting agency, the University shall confirm the address of the applicant to avoid potential identity theft. The University will notify the agency conducting the background check of the confirmation of the address.

In the event that significant doubt remains as to the identity of the applicant, the application process shall be terminated until such time that the discrepancy is cleared.

- B. The University is a creditor in many transactions. The Board of Visitor's shall periodically review the methods used to open accounts to protect against identity theft. The University recognizes that the University needs to protect an account holder's identity. Each issuer of credit on behalf of the University will submit a written plan for preventing identity theft to the University Controller. The plan shall include means of detection of identity theft and verification of information on the credit application. The plan shall provide for employee training in the prevention of identity theft. The University Controller shall annually review the application procedures and training programs to insure that safeguards from identity theft are in place. The Office of Computing and Communications Services shall annually review the procedures used to store personally identifiable information to protect information from improper use.
- C. The University must provide protections to debit card users to verify a change of address request within 30 days from the date of the request. The University shall verify the change of address request by e-mail to the University e-mail address. The Cardholder shall promptly notify the University within three calendar days by return e-mail of an incorrect address change.

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Vice President Fenning briefed the Committee on the Reimbursement Resolution for Powhatan Sports Complex expenditures. The University intends to reimburse itself, in accordance with Section 1.150-2, with the proceeds of the 9d bond sale in January. The maximum principal amount of indebtedness expected to be issued for the project is \$19,500,000. The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

**RESOLUTION OF THE BOARD OF VISITORS OF  
OLD DOMINION UNIVERSITY  
DECLARING THE INTENTION TO REIMBURSE  
THE COST OF CERTAIN EXPENDITURES**

WHEREAS, Old Dominion University (the “Institution”) has undertaken the construction of its Powhatan Sports Center (the “Project”); and

WHEREAS, the Institution has made or will make expenditures (the “Expenditures”) in connection with the Project; and

WHEREAS, the Institution may determine that the funds advanced and to be advanced to pay Expenditures will be reimbursed to the Institution from the proceeds of one or more debt obligations to be issued by or on behalf of the Institution (the “Indebtedness”); provided that, pursuant to federal Treasury Regulations Section 1.150-2(c), any such reimbursement generally must be made no later than 18 months after the date on which any expenditure is made.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF VISITORS OF THE INSTITUTION:

1. The Board of Visitors of the Institution hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the Institution intends to reimburse itself, in accordance with such Section 1.150-2, with the proceeds of Indebtedness for Expenditures made on, after or within 60 days prior to the date of the adoption of this Resolution with respect to the Project, except that Expenditures made more than 60 days prior to the date hereof may be reimbursed as to certain *de minimis* or preliminary expenditures described in Treasury Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.
2. The maximum principal amount of Indebtedness expected to be issued for the Project is \$19,500,000.
3. This Resolution shall take effect immediately upon its adoption.

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A similar Reimbursement Resolution for the 49<sup>th</sup> Street Parking Garage was reviewed. The maximum principal amount of indebtedness expected to be issued for the project is \$4,000,000. The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O’Neill, Stallings*).

**RESOLUTION OF THE BOARD OF VISITORS OF  
OLD DOMINION UNIVERSITY  
DECLARING THE INTENTION TO REIMBURSE  
THE COST OF CERTAIN EXPENDITURES**

WHEREAS, Old Dominion University (the “Institution”) has undertaken the construction of its 49<sup>th</sup> Street Parking Garage (the “Project”); and

WHEREAS, the Institution has made or will make expenditures (the “Expenditures”) in connection with the Project; and

WHEREAS, the Institution may determine that the funds advanced and to be advanced to pay Expenditures will be reimbursed to the Institution from the proceeds of one or more debt obligations to be issued by or on behalf of the Institution (the “Indebtedness”); provided that, pursuant to federal Treasury Regulations Section 1.150-2(c), any such reimbursement generally must be made no later than 18 months after the date on which any expenditure is made.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF VISITORS OF THE INSTITUTION:

1. The Board of Visitors of the Institution hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the Institution intends to reimburse itself, in accordance with such Section 1.150-2, with the proceeds of Indebtedness for Expenditures made on, after or within 60 days prior to the date of the adoption of this Resolution with respect to the Project, except that Expenditures made more than 60 days prior to the date hereof may be reimbursed as to certain *de minimis* or preliminary expenditures described in Treasury Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.
2. The maximum principal amount of Indebtedness expected to be issued for the Project is \$4,000,000.
3. This Resolution shall take effect immediately upon its adoption.

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The Committee considered a revised capital budget request for FY2010. The Board is required to approve all capital budget request submissions and has previously approved these but for a higher amount. The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O’Neill, Stallings*).



student housing project to be located south of the University Village. Residential Housing Development, LLC of Houston, Texas, plans to build this approximately \$60,000,000 development, including 1,600 new student beds over the next several years. Phase I of the development includes 910 beds and will be completed by Fall 2010. The complex will be a “class A” housing development that includes a club house, outdoor pool, fitness center, computer lab and many other amenities.

In his report to the Committee, Vice President Fenning noted that the Governor will release the FY2010 budget on December 17<sup>th</sup> and discussed the internal process for the University’s reductions. He also discussed the Higher Education Restructuring Act Level II Authority and noted that Old Dominion submitted the application for Level II Authority on November 10<sup>th</sup>. ODU was joined by GMU, JMU, VMI and Radford in the submission. Concurrent with the Level II submission, ODU submitted new Proposed Educational Goals to SCHEV for approval and SCHEV and ODU are negotiating these new goals. On December 1<sup>st</sup>, ODU asked that the Level II application be placed “on hold” until February 16, 2009 at the request of the Secretary of Finance. Vice President Fenning also briefed the Committee on the leasing activity in the University Village for retail, the Innovation Research Park and recent land acquisition.

The Committee received the standing reports from Dale Feltes on the Capital Outlay Projects Status Report and Vice President Brandon on the status of investments.

## **ACTING PRESIDENT’S REPORT**

Acting President Broderick reported on the Enrollment Management initiative. He highlighted the work of the Transfer Subcommittee and noted that the University recognizes the associate’s degree as a significant point of entry. The subcommittee has therefore made recommendations regarding transfer students who come to Old Dominion without first receiving the associate’s degree from a community college. He added that even if we enroll fewer freshman and transfer students, as the result of retention, the University will still experience an enrollment increase next fall. He also noted that while the number of high school graduates in Virginia is projected to grow, this population will remain level in most of the feeder states, and will likely result in increased focus on international students. The Budget Subcommittee is also looking at the possibility of differential tuition rates and adding fees for certain degree programs. A common theme among the Continuing Education, International and Military Subcommittees is a shift back to a more centralized process.

In the area of marketing and branding, the University is exploring new media to reach students. These include Facebook, Youtube and advertising in movie theaters. The 90-second Modern Minds video is currently running at area movie theaters and 30-second versions are playing on selected cable TV stations and during televised men’s and women’s basketball games.

The President reported on countries visited by ODU’s international recruiters during the fall semester. He noted that more faculty will be used as international recruiters. He also highlighted the new “Last Lecture Series” sponsored by Student Affairs, which offers interested faculty the opportunity to provide a lecture on any topic of their choosing.

Old Dominion University continues to strengthen its relationship with the military. BGEN Katherine Kasun, Commandant of the Joint Forces Staff College, was recently hosted on campus and a new MOU for an expanded relationship with the College is being developed.

The University also continues to strengthen its community partnerships to reach a suitable Town/Gown balance. The Off-campus Advisory Committee has been formed to create more positive, collaborative and enduring relationships with the surrounding neighborhoods. A joint statement was issued by Mayor Paul Fraim and the Acting President informing the community of efforts to combat a recent rise in criminal activity in the area. President Broderick distributed a letter that he sent to the campus community outlining the additional measures that are being put into place by the University and the City. A joint meeting with city officials will take place next week. Rudy Burwell, ODU Chief of Police, spoke about his meeting with Norfolk Sheriff Bob McCabe and discussed the University's concurrent jurisdiction with the Norfolk Police Department.

The President shared renderings of Foreman Field showing the placement of the logos on the field. He highlighted notable achievements of two faculty members and reported that the Quality of University Life Survey for teaching and research faculty is currently underway. Human Resources also implemented the Administrative and Professional Faculty Pay Practices Guidelines on November 1<sup>st</sup>.

President Broderick noted recent and upcoming events at the University, including the Veteran's Day Celebration which featured ODU alum Lt. Jason Redman as guest speaker and attracted over 300 attendees, a CNN Heroes segment that was filmed on campus featuring Carolyn LeCroy (who works very closely with ODU's Criminal Justice program) and was televised on Thanksgiving day, Congressman-elect Glenn Nye's visit to campus, and Commencement ceremonies on December 13 featuring speakers Governor Kaine and syndicated columnist Kathleen Parker.

At the conclusion of his report, President Broderick announced a \$1M gift from George and Grace Dragas. He also noted that Ken Ampy tore his Achilles' tendon and will be out of commission for a while.

### **PROPOSED REVISIONS TO THE BOARD OF VISITORS BYLAWS**

The Rector announced that this action item would be tabled due to lack of the requisite twelve members to vote on the proposed revisions.

### **MOTION FOR CLOSED SESSION**

The Rector recognized Ms. Forehand, who made the following motion, "Mr. Rector, I move that this meeting be recessed, and, as permitted by Virginia Code Section 2.2-3711(A)(7) and (10), we reconvene in closed session for the purpose of of consultation with legal counsel regarding potential litigation, specifically, a vendor of services to the University, and to consider an honorary award for an ODU faculty member." The motion was seconded and approved

unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

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

At the conclusion of the closed session, the meeting reconvened in open session, at which time the Rector called for the Freedom of Information Act certification of compliance that (1) only public business matters lawfully exempted from the open meeting requirements under the Freedom of Information Act were discussed and (2) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered. The certification of compliance vote was ten in favor and none opposed (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

### **OLD/UNFINISHED BUSINESS**

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

### **NEW BUSINESS**

The Rector indicated that he has surveyed the board members as to their preference for starting the new presidential search. Most indicated a preference for either December or the March/April timeframe. The timing of the Institutional Review would suggest the latter and the Rector asked the Board to consider delegating authority to the Executive Committee to begin the process of hiring a search firm.

A motion was made by Admiral Gehman that the Board delegate, to the Executive Committee, the authority to issue a RFP for a search firm, select a search firm, execute the contract, and report to the full Board. The motion was seconded by Mr. Bernd and approved unanimously by all members present and voting (*Batten, Bernd, Croshaw, Forehand, Gehman, Hall, Hixon, Kornblau, O'Neill, Stallings*).

The Rector indicated that the search would likely begin in April with the election of the search committee at the meeting on April 2<sup>nd</sup>.

Mr. Kornblau expressed his concern regarding attendance at Board meetings. Following a brief discussion, Rector Mugler said that he would contact any individuals who have missed several meetings and ascertain interest in continuing to serve.

With no further business to be discussed, the meeting was adjourned at 2:30 p.m.