

OLD DOMINION UNIVERSITY

BOARD OF VISITORS
Thursday, September 17, 2009

MINUTES

The Board of Visitors of Old Dominion University met in regular session on Thursday, September 17, 2009, at 2:30 p.m. in the Board Room of Webb University Center on the Norfolk campus. Present from the Board were:

Ross Mugler, Rector
David L. Bernd
Sarita E. Brown
Kendra M. Croshaw
David W. Faeder
Linda L. Forehand
Conrad M. Hall
James A. Hixon
Marc Jacobson
Pamela C. Kirk
Barry M. Kornblau
Moody E. Stallings, Jr.
Katherine A. Treherne

Absent were:

Kenneth E. Ampy
Frank Batten, Jr.
Harold W. Gehman, Jr.
Robert J. O'Neill

Also present were:

John R. Broderick, President	Donna W. Meeks
Michelle Falck	Jennifer Mullen
Robert L. Fenning	Carol Simpson
Velvet Grant-Johnson	Amanda Skaggs
Deane Hennett	Deb Swiecinski
Dave Hollembeak	Karen Travis
Glenda L. Humphreys	Cecelia Tucker
Lauryn Johnson (<i>Student Rep</i>)	Geneva Walker-Johnson
Mohammad Karim	Rusty Waterfield
Patrick B. Kelly	Glenn Wilson
Richard Massey	Jay Wright

CALL TO ORDER AND APPROVAL OF MINUTES

The Rector called the meeting to order at 2:35 p.m. and asked for approval of the minutes of the regular meeting held on May 18, 2009. Upon a motion made by Mr. Jacobson and seconded by Mr. Bernd, the minutes were approved unanimously by all members present and voting. (*Bernd, Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

MOTION TO AMEND ORDER OF BUSINESS

Ms. Forehand made a motion to change the order of business and amend the agenda as follows: Approval of Minutes, Reports of Standing Committees, Old/Unfinished Business, Rector's Report, Closed Session, Reconvene in Open Session, FOIA Certification, President's Report, New Business, and Adjournment. The motion was seconded by Mr. Jacobson and approved unanimously by all members present and voting. (*Bernd, Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

REPORTS OF STANDING COMMITTEES

AUDIT COMMITTEE

The Rector called on Mr. Stallings for the report of the Audit Committee. Mr. Stallings reported that the Committee had no action items to present. Deane Hennett, Internal Audit Director, presented the proposed FY2010 Audit Plan, which was approved unanimously by the Committee. The Committee emphasized to Mr. Hennett and President Broderick the importance of requesting additional resources, if needed, to accomplish this Plan and any other subsequent audit activities which may be necessary.

Mr. Hennett presented audit reports on the Tennis Center Follow-up, Athletics (Recruiting and Sports Camps) and Voice Over Internet Protocol during closed session.

Although, in accordance with the Bylaws, full Board approval of the Audit Plan is not required, a motion was made and seconded to approve the Plan and was approved unanimously by all members present and voting. (*Bernd, Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

INSTITUTIONAL ADVANCEMENT COMMITTEE

The Rector called on Ms. Kirk for the report of the Institutional Advancement Committee. Ms. Kirk reported that the Committee had one action item for the Board's approval. The following resolution, which was brought forth as a recommendation of the Institutional Advancement Committee, was approved unanimously by all members present and voting. (*Bernd, Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**RESOLUTION TO NAME THE OFFICE OF COMPUTING AND COMMUNICATIONS
SERVICES IN THE E. V. WILLIAMS ENGINEERING AND COMPUTATIONAL
SCIENCES BUILDING
THE DAVID F. HARNAGE COMPUTER AND DATA CENTER**

WHEREAS, David F. Harnage came to Old Dominion University in May 1985 as the Associate Vice President for Computing Services, and assumed the additional duties of Acting Controller in 1989; and

WHEREAS, David F. Harnage was named Associate Vice President for Administration and Finance in 1991 and, after serving one year as Acting Vice President from 1994 to 1995, was appointed by the Board of Visitors as the Vice President for Administration and Finance on April 6, 1995; and

WHEREAS, as Associate Vice President for Computing Services, David F. Harnage positioned the University for significant growth and rapid change in information technology through major infrastructure investments and development in distributed computing and networking technologies; and

WHEREAS, among his many accomplishments as CIO and Vice President, David F. Harnage established discipline-specific computing infrastructure and support for the College of Engineering through his partnership with Control Data Corporation, resulting in a grant for minicomputers; implemented a complete administrative software suite in a record 14 months; led a partnership among researchers, IT staff, and Sun Microsystems to bring a Top 500 supercomputer to the University; and transformed business activities by overseeing the development and adoption of standard business processes that resulted in clean financial and IT audits; and

WHEREAS, David F. Harnage was widely known as the force behind the dramatic transformation of the physical campus. A visionary who oversaw numerous improvements to the grounds and physical plant, he managed projects that ranged from the creation of green spaces to new academic buildings to the planning for the University Village and Ted Constant Convocation Center; and

WHEREAS, David F. Harnage placed a high priority on providing the best work environment for the Office of Computing and Communications Services staff to include securing the funding for the E. V. Williams Engineering and Computational Sciences Building; and

WHEREAS, it is fitting that David F. Harnage's outstanding service and contributions to Old Dominion University be recognized in an appropriate manner.

THEREFORE, BE IT RESOLVED, that the Board of Visitors approves naming the Office of Computing and Communications Services on the 4th floor of the E. V. Williams Engineering and Computational Sciences Building The David F. Harnage Computer and Data Center.

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 David F. Harnage Computer and Data Center.

A written Institutional Advancement Committee report will be distributed to Board members.

STUDENT ADVANCEMENT COMMITTEE

The Rector called on Dr. Treherne for the report of the Student Advancement Committee. Dr. Treherne reported that the Committee had one action item for the Board's approval. The following resolution was brought forth as a recommendation of the Student Advancement Committee and was approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

RESOLUTION TO APPROVE THREAT ASSESSMENT POLICY

RESOLVED, that upon the recommendation of the Student Advancement Committee, the board of Visitors approves the following new Threat Assessment policy.

NUMBER:

POLICY: Threat Assessment

APPROVED: September 17, 2009

- 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. The University shall form and maintain a group committed to identify threats, evaluate risks, educate the University as to threats, insure appropriate response, monitor behaviors of concern, and to periodically evaluate the programs effectiveness with the overall goal of preventing violence.
- B. **AUTHORITY:** Virginia Code § 23-9.2:10
- C. **THE TEAM** includes the following or their designees:
 - 1. Chief of Police
 - 2. Provost & Vice President for Academic Affairs
 - 3. Dean of Students & Chief Student Affairs Officer
 - 4. Director of Human Resources
 - 5. Director of Student Judicial Affairs
 - 6. Director of Counseling Services
 - 7. Director of Institutional Equity and Diversity
 - 8. University Counsel
 - 9. Other individuals may be consulted as needed

The President shall appoint the chairperson and the chairperson 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.**
1. Any person may make a report of a concern to any member of the Team.
 2. Students, faculty, staff, volunteers and visitors may make an anonymous report by utilizing the “Silent Witness Form” located on the Old Dominion University Police Department’s website (<http://www.odu.edu/af/police/>). Reports submitted anonymously will be investigated as thoroughly as possible.
 3. Any person who believes he/she may become or is a victim of domestic violence 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 Affairs. If a protective order exists, a copy of the order should accompany the notification.
 4. 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 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. Evaluate the risk of self harm;
4. Developing the most appropriate response congruent with the investigation and risk assessment, including referrals to appropriate University officials, mental health professionals and/or law enforcement agencies;
5. Assisting the potential target(s) of violence in developing and implementing appropriate preventative safety measures;
6. Consulting with University community members who have concerns about the safety or well-being of students, faculty or staff members of Old Dominion University;
7. Creating, revising, or recommending policies and procedures that will advance campus safety and/or threat assessment team functions; and
8. Providing recommended action for those who exhibit behaviors of concern.
 - a. Any recommendations made by the Team shall be forwarded to the University vice president having general charge or supervision over the person of concern. The vice president shall be responsible for determining whether to refer the individual for counseling, if available, or whether the report otherwise suggests the need for intervention for formative or disciplinary purposes. For the purposes of this paragraph, the Chief Student Affairs Officer shall have charge and supervision over the students; the Vice President for Administration and Finance shall have charge and supervision over vendors and visitors.
 - b. In the event an investigation necessitates institutional administrative action 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.

A written Student Advancement Committee report will be distributed to Board members.

ACADEMIC AND RESEARCH ADVANCEMENT COMMITTEE

The Rector called on Ms. Croshaw for the report of the Academic and Research Advancement Committee. Ms. Croshaw presented several action items and noted that a written report will be distributed to Board members.

The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

HONORARY DEGREES

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, 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. Alina Cho, national correspondent for CNN
Doctor of Humane Letters (*honoris causa*)
2. Blythe McGarvie, Chief Executive Officer of LIF Group
Doctor of Humane Letters (*honoris causa*)
3. Marilyn Tam, consultant, speaker, author, executive director of Us Foundation
Doctor of Science (*honoris causa*)

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the award of tenure to Dr. Jing He in the Department of Computer Science, effective September 17, 2009. A copy of her curriculum vitae is on file in the Board of Visitors Office.

Salary: \$97,000 for 10 months
Rank: Associate Professor of Computer Science September 17, 2009

The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the award of tenure to Dr. Stephen B. Knisley in the Department of Mechanical Engineering, effective October 10, 2009. A copy of his curriculum vitae is on file in the Board of Visitors Office.

Salary: \$127,000 for 10 months (salary includes a \$18,000 stipend for designation as the Batten Endowed Chair in Biomedical Engineering)
Rank: Professor of Mechanical Engineering

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the award of tenure to Dr. Jean R. Delayen as Professor of Physics and Director of the Center for Accelerator Science and the award of tenure in the Department of Physics, effective November 10, 2009. A copy of his curriculum vitae is on file in the Board of Visitors Office.

Salary: \$170,000 for 10 months (salary includes a stipend of \$20,000 for serving as Director of the Center for Accelerator Science)
Rank: Professor of Physics and Director of the Center for Accelerator Science

The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**APPROVAL OF FACULTY REPRESENTATIVES TO
BOARD OF VISITORS' COMMITTEES**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the following faculty representatives to Board of Visitors' committees for the 2009-10 academic year, effective September 17, 2009: Academic and Research Advancement, Kurt Gaubatz; Administration and Finance, Ken Daley; Institutional Advancement, James English; and Student Advancement, Linda Miller-Dunleavy.

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**APPROVAL OF REQUIRED AMENDMENT TO THE SUPPLEMENTAL
DEFINED CONTRIBUTION BENEFIT PLAN AND RELATED
BOARD OF VISITORS AUTHORIZATION**

WHEREAS, Old Dominion University established a supplemental defined contribution plan (the “Plan”) to provide additional discretionary retirement benefits for eligible employees in 2005 based on the approval of the Board of Visitors; and,

WHEREAS, the Plan needs to be amended to designate the President as an eligible employee because the original provisions excluded an employee who is a participant in the Virginia Retirement System, a defined benefit plan; and

WHEREAS, Old Dominion University wants the flexibility to consider other providers of annuity contracts or custodial contracts, in addition to TIAA-CREF, the current and sole authorized provider, for the investment of plan assets in accordance with the requirements of section 403(a) of the Internal Revenue Code.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Visitors approves the amendment to designate the President as an eligible employee.

BE IT FURTHER RESOLVED, that the Board of Visitors authorizes Old Dominion University to consider other providers of annuity contracts or custodial contracts as long as they are compliant with section 403(a) of the Internal Revenue Code.

BE IT FURTHER RESOLVED that the Board of Visitors hereby delegates the authority to amend the Plan as it may be needed from time to time to the Vice President for Administration and Finance, who has previously been delegated the authority to administer the Plan.

**OLD DOMINION UNIVERSITY
SUPPLEMENTAL DEFINED CONTRIBUTION BENEFIT PLAN
EXECUTIVE SUMMARY**

Background

In September 2005, the Board of Visitors approved the establishment of the Supplemental Defined Contribution Benefit Plan (the “Plan”) to provide additional discretionary retirement benefits for employees.

Benefits counsel at Morgan, Lewis & Bockius was consulted on the applicability of the Plan to deferred compensation addressed in paragraph E.6 of President John R. Broderick’s Employment Agreement.

Benefits counsel advised that President Broderick was not eligible for contributions under the Plan because he participates in the Virginia Retirement System's Defined Benefit Plan and not the Commonwealth's Optional Retirement Plan for Higher Education.

The University requested benefits counsel to amend the Plan to permit participation by employees participating in the Virginia Retirement System.

Section 7.1 of the Plan permits the board of Visitors to amend the Plan and to delegate its authority to amend the plan to one or more officers of the University.

Purpose

The Plan has been amended to include participation by employees in the Virginia Retirement system, which will permit participation in the Plan by President Broderick.

In addition, the University wants the flexibility to consider other providers of annuity or custodial contracts, in addition to TIAA-CREF, so Board of Visitors approval is needed for this revision as well.

Finally, the University is required to amend the plan from time to time to conform with the requirements of the Internal Revenue Code. Since the Board of Visitors delegated the authority to administer the plan to the Vice President for Administration and Finance, action is requested to also delegate the authority to amend the plan to the Vice President for Administration and Finance.

FIRST AMENDMENT TO THE SUPPLEMENTAL DEFINED CONTRIBUTION PLAN FOR EMPLOYEES OF OLD DOMINION UNIVERSITY

(As Amended and Restated Effective January 1, 2009)

W I T N E S S E T H

WHEREAS, the Board of Visitors (the "Board") of Old Dominion University (the "University") entered into an Employment Agreement with the President of the University, John R. Broderick (the "President"), dated May 18, 2009 (the "Employment Agreement");

WHEREAS, Section E.6 of the Employment Agreement provides that the Board will make contributions on behalf of the President for fiscal years ending June 30, 2009, June 30, 2010, and June 30, 2011 to a deferred compensation arrangement (the "Deferred Compensation");

WHEREAS, the Board wishes to contribute all or a portion of the Deferred Compensation to the Supplemental Defined Contribution Plan for Employees of Old Dominion University, as amended and restated effective January 1, 2009 (the "Plan");

WHEREAS, the President is not currently eligible to participate in the Plan;

WHEREAS, Section 7.1 of the Plan permits the Board to amend the Plan and permits the Board to delegate its authority to amend the Plan to one or more officers of the University;

WHEREAS, the Board has delegated its authority to amend the Plan to the Vice President for Administration and Finance;

WHEREAS, the University desires to amend the Plan to permit the participation of the President and any other specified University executives who are not subject to the limits of 401(a)(17) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the University desires to amend the Plan to clarify that participants who do not participate in the Optional Retirement Plan of the Commonwealth of Virginia for Employees of Institutions of Higher Education are not eligible to receive Supplemental Employer Contributions under the Plan.

NOW, THEREFORE, in accordance with the foregoing, the Plan is hereby amended as follows effective January 1, 2009:

1. Section 1.7 of the Plan is hereby amended in its entirety to read as follows (*revised text in bold and italics*):

Eligible Employee

Any Employee of the Employer who is designated as full-time, or in the case of a faculty member, who is appointed to a full-time or a part-time position, provided *that either (a) the limitation specified in Code section 401(a)(17) applies to the Employee and the Employee participates in the Optional Retirement Plan or (b) the Employer designates the Employee as an Eligible Employee on Appendix A, as may be amended from time to time.* The term "Eligible Employee" shall not include any person who is classified by the Employer as: (a) a Leased Employee; (b) an independent contractor (regardless of the person's actual employment status under applicable law); or (c) a temporary employee.

2. The Plan is hereby amended to add the attached Appendix A to reflect the University's designation of the President as an employee eligible to participate in the Plan and the University's Discretionary Employer Contribution of \$48,520 on behalf of the President to the Plan for the fiscal year ending June 30, 2009, which amount represents a portion of the Deferred Compensation payable to the President for such fiscal year.

IN WITNESS WHEREOF, the undersigned, being an authorized officer of the University, has caused this **FIRST AMENDMENT TO THE SUPPLEMENTAL DEFINED CONTRIBUTION PLAN FOR EMPLOYEES OF OLD DOMINION UNIVERSITY** to be executed on behalf of the University this ____ day of _____, 2009.

OLD DOMINION UNIVERSITY

By: _____

Name: _____

Title: _____

**SUPPLEMENTAL DEFINED CONTRIBUTION PLAN
FOR EMPLOYEES OF OLD DOMINION UNIVERSITY**

APPENDIX A

Designated Eligible Employee

John R. Broderick – effective May 18, 2009.

Discretionary Employer Contribution

<u>Participant Name</u>	<u>Contribution Amount</u>	<u>Fiscal Year</u>	<u>Plan Year</u>
John R. Broderick	\$48,520	2009*	2009

* Represents the fiscal year ending June 30, 2009.

The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**RESOLUTION TO APPROVE THE TAX DEFERRED
SAVINGS PROGRAM – 403(b) PLAN DOCUMENT**

WHEREAS, Old Dominion University has offered university employees a voluntary, tax deferred savings program for several years; and

WHEREAS, Internal Revenue Code regulations require employers to establish a comprehensive, written plan document for the administration of an employee tax deferred savings program by December 31, 2009; and

WHEREAS, the tax deferred savings program enables the University to continue to provide an excellent benefit to employees who wish to set aside discretionary earnings for retirement and receive a pre-tax benefit; and

WHEREAS, Old Dominion University must be the plan administrator according to the Internal Revenue Code; and

WHEREAS, Old Dominion University has no liability for the payment of benefits under the Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Visitors approves the establishment of the Old Dominion University Tax Deferred Savings Program – 403(b) Plan Document.

BE IT FURTHER RESOLVED that the Board of Visitors hereby delegates the authority to establish, administer, and amend the Plan to conform with the requirements of the Internal Revenue Code as it may be revised from time to time to the Vice President for Administration and Finance.

**OLD DOMINION UNIVERSITY
TAX DEFERRED SAVINGS PROGRAM
EXECUTIVE SUMMARY**

Background

For several years the University has offered a voluntary, tax deferred savings program qualified under IRS section 403(b) to eligible employees through established, internal procedures. Federal legislation was passed in 2007 which required Tax Deferred Savings Programs to operate more in-line with qualified retirement plans such as 401(k)'s. The legislation and corresponding guidance from IRS require employers to establish a plan document for the administration of these Programs. The University, in conjunction with other public universities of the Commonwealth, used the services of Morgan, Lewis & Bockius LLP benefits counsel, approved by the Office of the Attorney General, to write the plan document. The plan document for the employee voluntary tax deferred savings program must be in place by December 31, 2009.

Purpose

The Program will enable the University to continue to provide a voluntary, supplemental retirement savings/investing opportunity to eligible employees through salary deferral contributions to investment vehicles, annuities or custodial accounts, qualified under IRS section 403(b). Employee contributions will be pre-tax and tax deferred until withdrawn by the employee. A Tax Deferred Savings Program provides an excellent benefit to employees who wish to set aside discretionary current earnings for retirement and, as such, serves as an important element of the University's recruiting and retention initiatives.

Funding

The Program requires no university funding. All contributions to the Program are voluntary and made by employees from their current income. An employee selects from among seven provider companies and all investment/management fees and expenses are born by the participating employee. Investment decisions and allocations are made by the employee; the University has no fiduciary responsibility or liability for investment performance or payment of benefits under the Program.

The current seven Program provider companies are: AIG/VALIC, Ameriprise Financial, AXA/Equitable, Fidelity Investments, Lincoln Financial, MetLife and TIAA-CREF.

Eligibility

All salaried, full and part-time teaching and research faculty, administrative and professional faculty, classified employees, adjunct faculty and hourly employees of the University are eligible to participate in the Program from their first day of hire.

Vesting, Time and Form of Distributions

Participating employee contributions are 100% vested in the Program. Participating employees are eligible to receive distributions from the Program when his or her employment with the University terminates or the participant reaches age 59 and six months.

Hardship Withdrawals and Loans

The Program permits Hardship Withdrawals if the participant's hardship circumstance meets one of the six IRS established safe harbor events and the employee provides documentation of the event.

The Program permits participants to take loans from their accounts provided the loan amount and the participant's loan history meet established IRS regulations.

Administration

The University will have an obligation to keep the Program up-to-date to reflect changes in applicable IRS regulations and tax laws and to ensure employee contributions do not exceed IRS annual contribution limits.

Outside legal counsel and benefits consultants may be used to satisfy these obligations.

(The Old Dominion University 403(b) Plan Document in its entirety is contained on pp. 30-60 of the Academic and Research Advancement Agenda on file in the Board of Visitors Office.)

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

RESOLUTION TO APPROVE THE EMPLOYER 403(b) PLAN DOCUMENT

WHEREAS, Old Dominion University has made limited use of discretionary employer contributions to a tax deferred savings program (also referred to as an employer 403(b) plan) to retain and reward key employees; and

WHEREAS, Internal Revenue Service regulations require employers to establish a comprehensive, written plan document for the administration of an employer 403(b) plan by December 31, 2009; and

WHEREAS, the employer 403(b) plan provides the University with a mechanism to provide additional compensation that would enable the University to retain key employees, reward exceptional performance, maximize compensation to key employees, and minimize adverse tax consequences for the employee and the University; and

WHEREAS, Old Dominion University must be the plan administrator according to the Internal Revenue Code; and

WHEREAS, Old Dominion University has determined that it is prudent to make employer contributions to this qualified plan using our network of current providers of annuity contracts or custodial contracts as long as they are compliant with section 403(a) of the Internal Revenue Code;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Visitors approves the establishment of the Old Dominion University Employer 403(b) Plan Document.

BE IT FURTHER RESOLVED, that the Board of Visitors approves the use of the current network of annuity contracts or custodial contracts providers for the investment of Plan assets.

BE IT FURTHER RESOLVED that the Board of Visitors hereby delegates the authority to establish, administer, and amend the Plan to conform with the requirements of the Internal Revenue Code as it may be revised from time to time to the Vice President for Administration and Finance.

**OLD DOMINION UNIVERSITY
EMPLOYER 403(b) PLAN
EXECUTIVE SUMMARY**

Background

For several years, the University has provided eligible employees with a voluntary, supplemental Tax Deferred retirement Savings/investment Program qualified under IRS 403(b). This existing Program permits eligible employees to set aside current discretionary income, through pre-tax payroll deduction, to an annuity contract of custodial account selected by the employee from among the seven contract/account providers offered by the University. Old Dominion University has made limited use of discretionary employer contributions to a tax deferred savings program and wishes to expand the use of this type of program. Internal Revenue Service regulations require employers to establish a comprehensive, written plan document for the administration of an employer 403(b) plan by December 31, 2009.

The University used the services of Morgan, Lewis & Bockius LLP benefits counsel, approved by the Office of the Attorney General, to write the Employer 403(b) Plan Document (the "Plan").

Purpose

The Plan would enable the University to make discretionary contributions to a 403(b) annuity/contract above the IRSK annual limit on employee contributions. In 2009, the employee annual limit is \$16,500; however, the IRS annual limit for total employee and employer contribution to a 403(b) is \$49,000.

The Plan will provide the University with an additional tax-qualified defined contribution retirement plan for selected officers and other employees. Without an Employer 403(b) Plan, the

University's ability to make contributions on behalf of an employee is limited to the IRS 401(a) annual limit; for 2009 this limit is \$49,000.

Funding

Funding will come from non-State sources. State-allocated funds cannot be used because there is no enabling statute for this type of Plan under the Code of Virginia.

Eligible Employees

An eligible employee is an employee of the University designated by the Board of Visitors or its designee to participate in the Plan.

Vesting, Time and Form of Distributions

Participants are 100% vested in contributions made to the Plan. Distributions from a Participant's account may not be made earlier than the Participant's severance from employment, death, disability or attainment of age 59 and 6 months.

Investment of Plan Assets

Contributions will be invested in 403(b) annuity contracts or custodial accounts provided by a Vendor(s) specifically approved by the University.

Participants shall enter into individual agreements with the vendor providing the annuity contract or custodial account. Subject to the provisions of the applicable individual agreement, the participant may revise his or her participation election, including his or her investment direction and designated beneficiary.

Each Participant shall direct the investment of his or her account among the investment options available under the annuity contract or custodial account. Participants shall be solely responsible for earnings and losses resulting from the Participant's exercise of control over the investment of their Plan accounts.

Administration and Fiduciary Obligations

The University will have an obligation to ensure the Plan maintains its tax-qualified status by keeping the Plan document up to date to reflect changes in the applicable tax laws and by performing annual tests to ensure contributions do not exceed IRS limits.

The University shall be responsible for the selection and monitoring of investment options available to Participants.

The Board of Visitors will have an oversight fiduciary responsibility to select University personnel who are qualified:

1. To administer the Plan in accordance with IRS requirements;
2. To monitor the performance of the services provided by annuity contract and/or custodial account vendors; and

3. To review the quality of the investment options provided under the Plan.

Outside legal counsel and benefit consultants may be used to satisfy these obligations.

(The Old Dominion University 403(b) Plan Document in its entirety is contained on pp. 64-83 of the Academic and Research Advancement Agenda on file in the Board of Visitors Office.)

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

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>
Ms. Laura Alvarez Instructor of Early Care and Education	\$41,000	8/10/09	10.5 mos

Ms. Alvarez received an M.S. in Education, Pre-K 6 in 2005 from Old Dominion University and a B.A. in Studio Art in 2001 from Furman University. Since 2005, she has been a Pre-Kindergarten and First Grade Teacher at Saint Patrick Catholic School.

Ms. Nicole Anthony Lecturer of Communication Disorders and Special Education	\$47,457	8/10/09	10 mos
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Ms. Anthony received an Ed.S. in School Administration and Supervision in 2009 from Cambridge College, an M.S.Ed. in General Education and Special Education in 2004 from Touro College and a B.A. in Political Science in 1999 from Norfolk State University. Since 2004, she has been a First and Fifth Grade Inclusion Teacher at Tidewater Park Elementary School and an Applied Behavior Analysis Specialist/Special Instructor at TheraCare.

Dr. Sarah A. Appleton Lecturer of English	\$48,000	7/25/09	10 mos
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Dr. Appleton received a Ph.D. in English in 1995 from the University of Connecticut, an M.A. in English in 1991 from the University of Rhode Island and a B.A. in English in 1989 from Rhode Island College. Since 2007, she has been a Lecturer of English at Old Dominion University. Prior to that, Dr. Appleton was a Visiting Scholar at William and Mary and Assistant, Associate and Full Professor at Murray State University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Jay F. Bolin Post-Doctoral Research Associate in Biological Sciences	\$24,000	7/25/09	4 mos

Mr. Bolin received an M.S. in Biology in 2004 from Old Dominion University, a B.S. in Environmental Science in 2000 from Virginia Tech and is a Ph.D. candidate in Ecological Sciences at Old Dominion University. He has been a Teaching Assistant at Old Dominion University and a Fulbright Student Fellow to Namibia.

Dr. J. Christopher Brill Assistant Professor of Psychology (Tenure Track)	\$72,000	7/25/09	10 mos
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Dr. Brill received a Ph.D. in Applied Experimental and Human Factors Psychology in 2007 from the University of Central Florida, an M.A. in Industrial/Organizational Psychology in 2003 from the University of West Florida and a B.A. in Psychology in 1996 from Northern Kentucky University. Since 2007, he has been Assistant Professor of Psychology at Michigan Technological University.

Ms. Michelle Carpenter Instructor of Marketing	\$42,500	7/25/09	10 mos
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Ms. Carpenter received an M.B.A. in 2006 from Old Dominion University, an M.A. in Communication in 1992 from the University of Louisiana at Monroe and a B.A./B.S. in Public Administration and Broadcast Journalism in 1991 from Miami University. Since 2006, she has been an Instructor of Marketing at Christopher Newport University.

Ms. Catherine Chamberlayne Lecturer of Mathematics and Statistics	\$40,000	7/25/09	10 mos
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Ms. Chamberlayne received an M.S. in Horticultural Science in 2003 from Virginia Polytechnic Institute and State University, a B.S. in Statistics/Mathematical Sciences in 1985 from Virginia Commonwealth University and has taken graduate math courses at Old Dominion University. She has been an Adjunct and Full-time Faculty member at Tidewater Community College.

Dr. David W. Chapman Visiting Assistant Professor of Urban Studies and Public Administration	\$73,046	7/25/09	10 mos
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Dr. Chapman received a Ph.D. in Public Administration and Urban Policy in 2007 from Old Dominion University and an M.S. in Management of Information Systems and a B.S. in Education (Mathematics), in 2002 and 1975 respectively, from the University of Virginia. Since 2006, he has been a Research Associate and Adjunct Instructor in the College of Business and Public Administration at Old Dominion University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Thomas E. Chapman Assistant Professor of Political Science and Geography (Tenure Track)	\$53,000	7/25/09	10 mos

Dr. Chapman received a Ph.D. in Geography in 2007 from Florida State University, an M.A. in Geography in 1992 from the University of Toledo and a B.A. in Geography in 1985 from Michigan State University. Since 2007, he has been an Assistant Professor of Geography at Georgia Southern University.

Ms. Jennifer K. Clayton Visiting Assistant Professor of Educational Foundations and Leadership	\$50,000	7/25/09	10 mos
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Ms. Clayton received a Ph.D. in Educational Leadership and an Ed.S. in Educational Leadership, in 2009 and 2008 respectively, from Old Dominion University, an M.Ed. in Educational Administration and Supervision in 2003 from Rutgers University, and a B.A. in History in 1996 from James Madison University. Since 2007, she has been a Graduate Teaching and Research Assistant and an Adjunct Instructor in the Department of Educational Foundations and Leadership at Old Dominion University.

Ms. Takeyra M. Collins Instructor of Human Movement Sciences	\$42,500	7/25/09	10 mos
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Ms. Collins received a B.A. in Recreation and Leisure Studies in 2008 from Virginia Wesleyan College and is expected to receive a Master's in Recreation and Tourism Studies in August 2009 from Old Dominion University. Since 2009, she has been a Graduate Teaching Assistant in the Department of Human Movement Sciences at Old Dominion University.

Ms. Ashley Deutsch Instructor of Early Care and Education	\$39,000	7/25/09	10.5 mos
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Ms. Deutsch received an M.S.Ed. and a Bachelor's degree in Early Childhood Education, in 2009 and 2007 respectively, from Old Dominion University. Since 2006, she has been a Substitute Teacher in the Chesapeake Public School System.

Dr. Jackie Filla Assistant Professor of Political Science and Geography (Tenure Track)	\$50,000	7/25/09	10 mos
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Dr. Filla received a Ph.D. and an M.A. in Political Science, in 2009 and 2003 respectively, from the University of California, Riverside and a B.A. in Political Science in 2002 from California State University. Since 2005, she has been an Instructor in the Department of Political Science at the University of California, Riverside, California State University Fullerton and Riverside Community College.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Christianne Nesbitt Fowler Lecturer of Nursing	\$70,000	8/10/09	10 mos

Ms. Fowler received a Post Masters, Gerontological Nurse Practitioner and an M.S., Gerontological Clinical Nurse Specialist, in 1998 and 1996 respectively, from the University of Maryland at Baltimore, and a B.S. in Nursing in 1981 from the University of Texas Medical Branch. Since 1998, she has been an Assistant Professor of Medicine in the Glennan Center for Geriatrics and Gerontology at Eastern Virginia Medical School.

Ms. Vaughan B. Frederick Lecturer of Women's Studies	\$40,000	7/25/09	10 mos
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Ms. Frederick received an M.A. in Humanities from Old Dominion University and a B.A. in English and Folklore from Georgia State University. Since 2001, she has been an Adjunct Instructor at both Old Dominion University and Tidewater Community College.

Dr. Vandana Gavaskar Lecturer of English	\$40,000	7/25/09	10 mos
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Dr. Gavaskar received a Ph.D. in English from the University of Cincinnati in 1995, an M.A. in English in 1987 from Miami University, and an M.A. and B.A. in English, in 1985 and 1983 respectively, from St. Stephens University, Delhi University, India. Since 1993, she has been a Senior Lecturer at Ohio State University.

Ms. Shannon Harrington Lecturer of Nursing	\$52,000	7/25/09	10 mos
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Ms. Harrington received a Master's in the Science of Nursing in 2005 from the University of Virginia School of Nursing, a B.S. in Nursing in 2002 from Old Dominion University and is enrolled in the Ph.D. program at the University of Virginia School of Nursing. Since 2005, she has been a Travel Nurse to Tidewater and Richmond hospitals for Progressive Nursing Staffers and a Clinical Instructor at the University of Virginia Medical Center and Martha Jefferson Hospital.

Ms. Roslyn W. Houston Instructor of Marketing	\$42,500	7/25/09	10 mos
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Ms. Houston received an M.B.A. in 1992 from Harvard University and a B.S. in Engineering Management in 1984 from the United States Military Academy. Since 2005, she has been an Adjunct Faculty member at Strayer University, Virginia Wesleyan College and Chicago State University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Stephen B. Knisley Professor of Mechanical Engineering	\$127,000	10/10/09	10 mos

Dr. Knisley received a Ph.D. in Biomedical Engineering in 1988 from The University of North Carolina at Chapel Hill and a B.S.E. in Biomedical Engineering in 1973 from Duke University. Since 2004, he has been Professor of Biomedical Engineering and Medicine and Director of Graduate Studies and Director of Graduate Programs at the University of North Carolina at Chapel Hill and North Carolina State University. Designated as Batten Endowed Chair in Biomedical Engineering. (Salary includes an \$18,000 stipend for designation as endowed chair)

Dr. Jinsun Lee Assistant Professor of Communication and Theatre Arts (Tenure Track)	\$50,000	7/25/09	10 mos
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Dr. Lee received a Ph.D. in Media Studies in 2009 from Rutgers University, an M.A. in Mass Communication in 2002 from Yonsei University, Korea, and a B.A. in Sociology in 1988 from Seoul National University, Korea. Since 2007, she has been an Instructor in the School of Communication, Information and Library Studies at Rutgers University. (Joint appointment with English)

Ms. Mingxi Li Lecturer of Art	\$40,000	8/10/09	10 mos
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Ms. Li received an M.F.A. from the Dynamic Media Institute at Massachusetts College of Art and Design in 2009 and a B.F.A. from the School of Design at China Central Academy of Fine Art, Beijing, China in 2007. She has worked at the Interrogative Design Institute, the SENSEable City Lab for Ambient Informatics, and the Mobile Experience Lab for Promoting Learning and Civic Engagement through New Media at MIT.

Dr. Anthony J. Lichi Assistant Professor of Art (Tenure Track)	\$50,000	7/25/09	10 mos
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Dr. Lichi received a double Ph.D. in the History of Art and Comparative Literature and an M.A. in Comparative Literature, in 2008 and 2004 respectively, from Indiana University, an M.A. in Humanities in 2001 from the University of Chicago, and a B.A. in English Literature in 1999 from Nyack College. Since 2008, he has been a Visiting Assistant Professor of Art at Old Dominion University. Prior to that, he was a Lecturer in Art History and a Lecturer in Comparative Literature at Indiana University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Kimberly A. Lott Lecturer of Nursing	\$52,000	7/25/09	10 mos

Ms. Lott received an M.S. in Nursing in 2006 from Old Dominion University and a B.S. in Nursing and Community Health Certificate in 1995 from California State University. She has been an Adjunct Faculty Clinical Instructor at Old Dominion University and an Instructor at Virginia Beach School of Practical Nursing.

Ms. Stephanie L. Lund Instructor of Early Care and Education	\$39,000	7/25/09	10.5 mos
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Ms. Lund received an M.S.Ed. in Early Childhood Education and a B.S. in Interdisciplinary Studies, in 2008 and 2007 respectively, from Old Dominion University. Since 2007, she has been a substitute teacher for Virginia Beach Public Schools.

Dr. Muhammad Arif Malik Frank Reidy Research Center for Bioelectrics Research Assistant Professor	\$52,000	8/25/09	12 mos
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Dr. Malik received a Ph.D. in Physical Chemistry in 1999 from Zhejiang University, PR China, an M.Phil. in Organic Chemistry and an M.Sc. in Chemistry, in 1988 and 1986 respectively, from Quaid-I-Azam University in Pakistan, and a B.Sc. in Chemistry, Botany and Statistics and an F.Sc. in Physics, Chemistry, Math and Biology, in 1984 and 1982 respectively, from FG College, Wah Cantt. Since 2004, he has been a Principal Scientist at Pakistan Institute of Science and Technology. Prior to that, Dr. Malik was a Visiting Faculty member at the Center for Bioelectrics at Old Dominion University.

Dr. Jason L. Megill Lecturer of Philosophy and Religious Studies	\$40,000	7/25/09	10 mos
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Dr. Megill received a Ph.D. in Philosophy in 2008 from the University of Virginia. Since 2008, he has been a Visiting Instructor in the Philosophy Department at the University of Colorado at Boulder. Prior to that, Dr. Megill was a Teaching Assistant at the University of Virginia.

Dr. Kevin Moberly Assistant Professor of English (Tenure Track)	\$52,000	7/25/09	10 mos
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Dr. Moberly received a Ph.D. and an M.A. in English, in 2005 and 2000 respectively, from the University of Louisiana at Lafayette and a B.A. in English in 1995 from Berry College. Since 2006, he has been teaching English at St. Cloud University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Courtney M. Monroe Lecturer of Human Movement Sciences	\$42,500	7/25/09	10 mos

Ms. Monroe received an M.S. in Kinesiology and Recreation in 2009 from Illinois State University and a B.S. in Education in 2006 from Eastern Illinois University. Since 2007, she has been a Graduate Assistant at Illinois State University.

Dr. Katherine S. Moore Visiting Assistant Professor of Counseling and Human Services	\$50,000	7/25/09	10 mos
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Dr. Moore received a Ph.D. and an M.S.Ed. in Counseling, in 2009 and 2007 respectively, from Old Dominion University and a B.S. in Speech Communication from James Madison University in 1997. Since 2007, she has been an Instructor and a Clinical Supervisor in the Counseling and Human Services Department at Old Dominion University.

Ms. Chila Nicholson Lecturer of Communication Disorders and Special Education	\$52,000	8/25/09	10 mos
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Ms. Nicholson received an M.S.Ed. in Speech-Language Pathology and a B.S. in Speech-Language Pathology and Audiology, in 2003 and 1999 respectively, from Old Dominion University. Since 2003, she has been a Speech-Language Pathologist at Suffolk Public Schools.

Ms. Elizabeth A. Pearson Instructor of Early Care and Education	\$39,000	8/10/09	10.5 mos
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Ms. Pearson received a Master's degree in Early Childhood Education and a B.S. in Occupational Technical Studies/Marketing, in 2009 and 2003 respectively, from Old Dominion University. Her recent experience includes student teaching in Norfolk Public Schools and a practicum at the Child Development Center/Child Study Center.

Dr. Jason Paul Peterson Lecturer of Music	\$40,000	7/25/09	10 mos
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Dr. Peterson received a Doctor of Musical Arts in 2008 from Peabody Conservatory, a Master of Music in 2005 from the University of Texas at Austin and a Bachelor of Music in 2003 from Eastman School of Music. In 2007-08, he was a Fulbright Scholar at Franz Liszt Academy in Weimar, Germany. Prior to that, Dr. Peterson was a Graduate Assistant at Peabody Conservatory.

Dr. Kathleen Forst Putnam Visiting Assistant Professor of Nursing	\$80,000	7/25/09	10 mos
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Dr. Putnam received a Ph.D. and an M.S. in Nursing, in 2008 and 1992 respectively, from Virginia Commonwealth University, Medical College of Virginia and a B.S.N. in 1976 from Old Dominion University. Since 2005, she has been a Women's Healthcare Nurse Practitioner in the Division of Maternal Fetal Medicine at the Naval Medical Center in Portsmouth.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Robert B. Rakove Lecturer of History	\$41,740	8/10/09	10 mos

Dr. Rakove received a Ph.D. in United States Diplomatic History in 2008 from the University of Virginia and an M.A. in European History and a B.A. in Political Science, in 2000 and 1999 respectively, from Stanford University. He has been a Graduate Teaching Assistant in the Department of History at the University of Virginia. In 2008, Dr. Rakove was a Post-Doctoral Fellow at the Mershon Center for International Security Studies at Ohio State University.

Ms. Robynne Redmon Lecturer of Music	\$40,000	7/25/09	10 mos
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Ms. Redmon received a Master of Music in Vocal Performance in 1983 from Eastman School of Music and a Bachelor of Music in 1981 from the University of Houston. Since 1999, she has owned and operated a Private Voice Studio. Ms. Redmon has more than 20 years of solo experience with opera houses and symphonies around the world.

Dr. Michelle Renaud Visiting Assistant Professor of Nursing	\$75,000	7/25/09	10 mos
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Dr. Renaud received a Ph.D. in Nursing in 2000 from the University of Washington, an M.S.N. in 1984 from the University of Colorado and a B.S.N. in 1972 from the University of Connecticut. Since 2005, she has been a Clinical Assistant Adjunct at Virginia Commonwealth School of Nursing and an Instructor at Eastern Shore Community College in the Practical Nurse Program.

Ms. Kelly Samarzea Lecturer of Music	\$42,000	7/25/09	10 mos
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Ms. Samarzea received a Master of Music in Vocal Performance in 1990 from Indiana University and a Bachelor of Music in Piano Accompanying in 1986 from the University of Arkansas and is expected to receive a Doctor of Music in Vocal Performance and Literature from Indiana University. Since 2001, she has been an Assistant Professor at Pittsburg State University and Ithaca College.

Ms. Hannah Scialdone-Kimberley Lecturer of English	\$40,000	7/25/09	10 mos
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Ms. Scialdone-Kimberley received an M.A. in Education and a B.A. in Latin American Studies and History, in 1998 and 1996 respectively, from the University of New Mexico and is a Ph.D. candidate in English at Old Dominion University. Since 2007, she has been a Doctoral Research Assistant and taught Composition at Old Dominion University. Ms. Scialdone-Kimberley taught English as a Second Language and was a Gifted Resource Teacher for Norfolk Public Schools.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Shimon Shetreet Visiting Professor of Jewish Studies/Dragas Professor of International Studies	\$60,000	8/10/09	3 mos

Dr. Shetreet received a D.C.L. and M.C.L., in 1973 and 1971 respectively, from the University of Chicago and an LL.M., and LL.B., in 1970 and 1968 respectively, from Hebrew University. He is a Full Professor at the Hebrew University-Faculty of Law and served as Director of the Sacher Institute of Comparative Law. He has also been a Visiting Professor of Law at a number of universities.

Dr. Roger Skophammer Visiting Assistant Professor of STEM Education and Professional Studies	\$52,500	7/25/09	10 mos
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Dr. Skophammer received a Ph.D. in Education in Occupational and Technology Studies in 2009 from Old Dominion University and a Master's of Science in Environmental and Technological Studies and a Bachelor of Elective Studies with a double major in Social Studies and Environmental and Technological Studies, in 2006 and 2004 respectively, from St. Cloud State University. Since 2006, he has been a Graduate Teaching Assistant at Old Dominion University.

Mr. Lee Smith Lecturer of Communication and Theatre Arts	\$40,000	7/25/09	10 mos
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Mr. Smith received an M.F.A. in Screenwriting in 1997 from the University of Southern California, a B.S. in Theatre in 1984 from the University of Louisville and is a Ph.D. candidate in Dramatic Media at the University of Georgia. Since 2008, he has been an Adjunct Assistant Professor in the Department of Communication and Theatre Arts at Old Dominion University. Prior to that, Mr. Smith was an Assistant Professor and Program Director of Theatre at Bellarmine University.

Ms. Joanne Marie Stock Instructor of Early Care and Education	\$42,000	7/25/09	10.5 mos
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Ms. Stock received an M.S. in Education with a specialization in Early Childhood Education in 1997 from Old Dominion University and a B.S. in Marketing in 1990 from Manhattan College. From 1997-2004, she was a Teacher/Instructor in the Child Development Center at Old Dominion University.

Ms. Sharon C. Stull Instructor of Dental Hygiene	\$45,558	7/25/09	10 mos
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Ms. Stull received an M.S. and B.S. in Dental Hygiene, in 2002 and 1996 respectively, from Old Dominion University. Since 1991, she has been a Registered Dental Hygienist for Dr. H. Edgar Boggs, DDS Private Practice. Ms. Stull also has taught as an Adjunct Assistant Professor in the Dental Hygiene Care Facility at Old Dominion University since 1999.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Megan M. Thompson Lecturer of Communication and Theatre Arts	\$40,000	7/25/09	10 mos

Ms. Thompson received an M.F.A. in Dance Performance in 2006 from the University of Maryland and a B.S. in Dance in 2002 from the University of Wisconsin, Madison. Since 2008, she has been an Instructor in Dance at Winona State University. She is also an independent teacher, performer and choreographer.

Ms. Kideste Wilder-Bonner Lecturer of Sociology and Criminal Justice	\$45,000	7/25/09	10 mos
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Ms. Wilder-Bonner received an M.A. in Criminal Justice in 2008 from John Jay College of Criminal Justice, City University of New York, an M.A. in Applied Sociology and a B.S. in Criminal Justice, in 2003 and 2001 respectively, from Old Dominion University and is expected to receive a Ph.D. in Criminal Justice in 2009 from City University of New York. From 2004-08, she was an Adjunct Lecturer in the John Jay College of Criminal Justice and the Department of Sociology at CUNY.

Ms. Melanie J. Wilhelm Lecturer of Nursing	\$70,000	7/25/09	10 mos
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Ms. Wilhelm received an M.S. in Nursing in 2001 from Old Dominion University and a B.S. in Nursing in 1986 from Bowling Green State University. She is enrolled in the Doctor of Nursing Practice program at Old Dominion University. Since 2002, she has been a Pediatric Nurse Practitioner for Pediatric Specialists.

Dr. Alla Zareva Assistant Professor of English (Tenure Track)	\$52,000	7/25/09	10 mos
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Dr. Zareva received a Ph.D. in Linguistics and Second Language Acquisition in 2004 from the University of Georgia, an M.A. in English and Bulgarian Philology in 1992 from Veliko Turnovo University, Bulgaria, and a B.A. in Hotel and Restaurant Management in 1984 from the College of International Tourism, Bulgaria. Since 2006, she has been a Visiting Assistant Professor in the Department of Linguistics at Ohio University.

**APPOINTMENT OF COORDINATOR OF AQUATICS
RECREATIONAL SPORTS DEPARTMENT**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Justin L. Anderson as Coordinator of Aquatics for the Recreational Sports Department, effective August 10, 2009.

Mr. Anderson received a Masters in Recreation and Sport Administration from Western Kentucky University in 2008 and a B.S. in Music Education in 2005 from Texas A&M-Commerce. Since 2008, he has been the Aquatics, Safety and Camps Coordinator at Stephen F Austin University in Texas.

Salary: \$35,000 for 12 months
Rank: Coordinator of Aquatics and Instructor

APPOINTMENT OF ASSISTANT DIRECTOR OF STUDENT JUDICIAL AFFAIRS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Denise Balfour as Assistant Director of Student Judicial Affairs, Division of Student Affairs, effective August 10, 2009.

Ms. Balfour received an M.Ed. in Educational Leadership from the University of Nevada, Las Vegas in 2008 and a B.A. in Psychology and Communication from DePaul University in 2005. Since 2008, she has served as a Resident Director at the University of California, Santa Barbara. Prior to that, Ms. Balfour served as an Assistant Residence Life Coordinator as well as a Graduate Assistant in the Office of Student Conduct at the University of Nevada, Las Vegas.

Salary: \$38,000 for 12 months
Rank: Assistant Director of Student Judicial Affairs and Instructor

**APPOINTMENT OF ASSISTANT DIRECTOR OF THE
WOMEN’S CENTER/S.A.F.E. COORDINATOR**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Joann Bautti-Roche as Assistant Director of the Women’s Center/S.A.F.E. Coordinator, effective July 10, 2009.

Ms. Bautti-Roche received a Master of Public Administration in 2007 from Oakland University and a B.A. in English and Fashion Merchandising in 1991 from Ursuline College. Since 2007, she has been a Coordinator and Internship Director at the Oakland University Gender & Sexuality Center.

Salary: \$47,000 for 12 months
Rank: Assistant Director of the Women’s Center/S.A.F.E. Coordinator and Instructor

**APPOINTMENT OF WELLNESS EDUCATION COORDINATOR
RECREATIONAL SPORTS DEPARTMENT**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Heather Benamati as Wellness Education Coordinator, Recreational Sports Department, effective August 10, 2009.

Ms. Benamati received a Master of Public Health-Community Health Education from East Stroudsburg University in 2007 and a B.S. in Health and Physical Education in 2001 from Indiana University of Pennsylvania. Since 2007, she has been the Health Educator/Human Services Coordinator for the Bernards Township Health Department in Basking Ridge, NJ.

Salary: \$35,000 for 12 months
Rank: Wellness Education Coordinator and Instructor

**APPOINTMENT OF PROGRAM MANAGER
CENTER FOR REAL ESTATE AND ECONOMIC DEVELOPMENT
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. Kyllie Brinkley as Program Manager for the Center for Real Estate and Economic Development, College of Business and Public Administration, effective August 10, 2009.

Ms. Brinkley received a B.A. in Government in 1994 from the College of William and Mary and is enrolled in the Master of Public Administration Program at Old Dominion University. Since 2008, she has been Interim Program Manager for the Center for Real Estate and Economic Development at Old Dominion University. Prior to that, she was Communication, Events and Corporate Funds Development Manager at the Council for America's First Freedom.

Salary: \$26,000 for 12 months (half-time position)
Rank: Program Manager, Center for Real Estate & Economic Development and Assistant Instructor

APPOINTMENT OF RESIDENCE HALL DIRECTOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Kristi Burch as Residence Hall Director, Office of Housing and Residence Life, effective July 16, 2009.

Ms. Burch received an M.A. in Higher Education Administration in 2008 from Appalachian State University and a B.S. in Business Administration in 2006 from East Carolina University. Since 2008, she has been Assistant Director of University Housing and Judicial Affairs at the

University of South Carolina-Aiken. Prior to that, Ms. Burch was a Residence Hall Director at Appalachian State University.

Salary: \$31,000 for 12 months
Rank: Residence Hall Director and Instructor

**APPOINTMENT OF ASSISTANT DIRECTOR OF MARKETING AND MEMBERSHIP
RECREATIONAL SPORTS DEPARTMENT**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Lorrie Carter as Assistant Director of Marketing and Membership, Recreational Sports Department, effective August 10, 2009.

Ms. Carter received an M.B.A. in Marketing in 1999 from Florida Institute of Technology and a Bachelor of Business Administration in Marketing in 1995 from the College of William and Mary. From 2006-08, she was a Marketing Manager at Perfect Commerce and Marketing Research Manager at Tribune Company.

Salary: \$42,500 for 12 months
Rank: Assistant Director of Marketing and Membership and Assistant Instructor

**APPOINTMENT OF ASSISTANT DIRECTOR OF STUDENT EMPLOYMENT
CAREER MANAGEMENT CENTER**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Pamela Marr Cornell as Assistant Director of Student Employment, Career Management Center, effective August 10, 2009.

Ms. Cornell received an M.S. in Counseling in 1982 from State University College of New York at Oneonta and a B.S. in Retailing in 1979 from Syracuse University. Since 2004, she has been Assistant Director in the Old Dominion University Executive Development Center.

Salary: \$36,000 for 12 months
Rank: Assistant Director of Student Employment, Career Management Center, and Instructor

**APPOINTMENT OF SENIOR PROJECT SCIENTIST
OFFICE OF RESEARCH**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Menion Croll as Senior Project Scientist, Office of Research, effective June 25, 2009.

Mr. Croll received an M.S. in Computer Science in 2008 from Old Dominion University and a B.S. in Computer Science in 2001 from Virginia Tech. Since 2005, he has been a Project Scientist at the Virginia Modeling, Analysis and Simulation Center.

Salary: \$75,000 for 12 months
Rank: Senior Project Scientist and Instructor

**APPOINTMENT OF INTERIM ASSISTANT DIRECTOR
DISABILITY SERVICES**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Elisabeth Vadnais Dickie as Interim Assistant Director, Disability Services, effective August 25, 2009.

Ms. Dickie received a Master of Education in Special Education in 1995 from the University of Maryland and a B.S. in Education, Special Education in 1988 from Vanderbilt University. Since February 2009, she has been working as a Learning Coordinator in Disability Services at Old Dominion University. She has also been an Instructional Specialist and Special Education Support Teacher for Montgomery County Public Schools.

Salary: \$49,500 for 12 months
Rank: Interim Assistant Director, Disability Services and Instructor

**APPOINTMENT OF COORDINATOR OF EVENING FACILITY OPERATIONS
RECREATIONAL SPORTS DEPARTMENT**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Eric Fletcher as Coordinator of Evening Facility Operations, Recreational Sports Department, effective August 10, 2009.

Mr. Fletcher received an M.S. in Administration: Sport Administration from Central Michigan University in 2009 and a B.S. in Education: Sport Leadership and Sport Humanities in 2007 from Ohio State University. Since 2007, he has been the Graduate Assistant for Facility Operations at the Student Activity Center at Central Michigan University. Prior to that, he was a Facility Manager in the Recreation and Physical Activity Center at Ohio State University.

Salary: \$35,000 for 12 months
Rank: Coordinator of Evening Facility Operations and Instructor

**APPOINTMENT OF SENIOR PROJECT SCIENTIST
OFFICE OF RESEARCH**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Peter Foytik as Senior Project Scientist, Office of Research, effective June 25, 2009.

Mr. Foytik received a B.S. in Computer Science in 2005 from Christopher Newport University and is pursuing a graduate degree in Modeling and Simulation at Old Dominion University. Since 2005, he has been a Project Scientist at the Virginia Modeling, Analysis and Simulation Center.

Salary: \$75,000 for 12 months
Rank: Senior Project Scientist and Instructor

APPOINTMENT OF ASSISTANT SOCCER COACH

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Kimberly M. Francis as Assistant Soccer Coach, Office of Athletics, effective June 10, 2009.

Ms. Francis received a B.S. in Kinesiology in 2005 from the University of Maryland, College Park. Since 2006, she has been the 1st Assistant Women's Soccer Coach at Old Dominion University.

Salary: \$29,680 for 12 months
Rank: Assistant Soccer Coach and Assistant Instructor

**APPOINTMENT OF DIRECTOR OF THE CHILD DEVELOPMENT CENTER/
CHILD STUDY CENTER**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Jane Elyce Glasgow as Director of the Child Development Center/Child Study Center, effective June 25, 2009.

Ms. Glasgow received a Master of Science in Early Childhood Education in 1993 from Old Dominion University and a B.S. in Elementary Education (NK-4) and Special Education (ED) in 1988 from Longwood College. Since 2007, she has been Director of the Child Development Lab

and an Adjunct Instructor in the Department of Early Childhood Development at Tidewater Community College.

Salary: \$68,000 for 12 months
Rank: Director, Child Development Center/Child Study Center and Instructor

APPOINTMENT OF PROFESSIONAL COUNSELOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Angela Holley as Professional Counselor, Counseling Services, effective June 25, 2009.

Ms. Holley received an M.S. in Clinical Psychology and a B.S. in Psychology, in 1990 and 1987 respectively, from Virginia State University. Since 2007, she has served as a Clinical Therapist with The Pines Residential Treatment Center in Portsmouth, VA. Ms. Holley is also a Crisis Counselor with Bon Secours DePaul Medical Center.

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

APPOINTMENT OF DIRECTOR OF ATHLETIC TICKETING

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Michael Jackson as Director of Athletic Ticketing, effective May 25, 2009.

Mr. Jackson received a M.A. in Physical Education in 1995 from Kent State University and a B.A. in Business Administration and Physical Education in 1991 from Mount Union College. Since 2005, he has been Director of Athletic Ticketing at the University of Nevada.

Salary: \$45,000 for 12 months
Rank: Director of Athletic Ticketing and Instructor

APPOINTMENT OF ASSOCIATE DIRECTOR FOR RESIDENCE LIFE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Christina M. Kaberline as Associate Director for Residence Life: Residence Education, effective July 10, 2009.

Ms. Kaberline received an M.S. in Education, Counseling Psychology and Post-Secondary/Agency, a B.A. in Psychology, and a Bachelor of Journalism Science, in 1988, 1983

and 1982 respectively, from the University of Kansas. Since 2007, she has been the Interim Director of Housing and Residence Life at Old Dominion University.

Salary: \$65,000 for 12 months
Rank: Associate Director for Residence Life: Residence Education and Instructor

**APPOINTMENT OF HEALTH SCIENCES REFERENCE LIBRARIAN
PERRY LIBRARY**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Charity Karcher as Health Sciences Reference Librarian, Perry Library, effective September 10, 2009. Ms. Karcher received a Master of Library and Information Science in 1998 from the University of South Carolina College of Library and Information Science and a B.A. in Russian Studies in 1988 from Eckerd College. Since 2001, she has been the Pharmacy Services Librarian at the University of New Mexico Health Sciences Library and Informatics Center. Ms. Karcher was also a Medical Librarian at the Bernard J. Dunn School of Pharmacy, Shenandoah University and a Medical Library Specialist at the Robert B. Greenblatt, M.D. Library, Medical College of Georgia.

Salary: \$55,000 for 12 months
Rank: Health Sciences Reference Librarian

APPOINTMENT OF PROFESSIONAL COUNSELOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Jewel A. Massenburg as Professional Counselor, Office of Counseling Services, effective August 25, 2009.

Ms. Massenburg received an M.S.Ed. in Counseling in 2009 from Old Dominion University and a B.A. in Sociology in 2007 from Norfolk State University. Since June 2009, she has been a Home Based Counselor for Family Restoration Services. Prior to that, Ms. Massenburg completed her clinical internship at the Office of Counseling Services at Old Dominion University and the Norfolk Community Services Board.

Salary: \$40,000 for 12 months
Rank: Professional Counselor and Instructor

**APPOINTMENT OF PROGRAM ADVISOR FOR INTERDISCIPLINARY STUDIES
TEACHER PREPARATION PROGRAMS AND B.A. IN INTERNATIONAL STUDIES**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Richard L. Mayo, III as Program Advisor for Interdisciplinary Studies – Teacher Preparation Programs and the Bachelor of Arts in International Studies, College of Arts and Letters, effective June 10, 2009.

Mr. Mayo received an M.S.Ed. in Higher Education Administration and a B.A. in Communication, in 2008 and 2006 respectively, from Old Dominion University. Since 2008, he has been Acting Program Advisor for Interdisciplinary Studies, Teacher Preparation Programs and the Bachelor of Arts in International Studies.

Salary: \$38,000 for 12 months
Rank: Program Advisor, Interdisciplinary Studies – Teacher Preparation Programs and Bachelor of Arts in International Studies, and Instructor

**APPOINTMENT OF ASSISTANT DIRECTOR OF
CUSTOMER SERVICE AND MARKETING
OFFICE OF HOUSING AND RESIDENCE LIFE**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Susan Mykins as Assistant Director of Customer Service and Marketing, Office of Housing and Residence Life, effective June 1, 2009.

Ms. Mykins received a Master of Higher Education Administration in 2005 from the University of Toledo and a B.F.A. in Graphic Design in 2003 from Rochester Institute of Technology. Since 2007, she has been Residence Hall Director at the State University of New York, University at Buffalo.

Salary: \$50,000 for 12 months
Rank: Assistant Director for Customer Service and Marketing and Instructor

APPOINTMENT OF INTERNATIONAL ADMISSIONS COUNSELOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Peter R. Phippen as International Admissions Counselor, effective June 25, 2009.

Mr. Phippen received a B.A. in Asian Studies in 2005 from Utah State University. Since 2008, he has been the International Admissions Office Manager at Old Dominion University. Mr. Phippen has also been a Foreign Language Instructor at Hangzhou Dianzi University, China.

Salary: \$32,000 for 12 months
Rank: International Admissions Counselor and Assistant Instructor

APPOINTMENT OF SENIOR EQUAL OPPORTUNITY INVESTIGATOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Barbara J. Reynolds as Senior Equal Opportunity Investigator, Office of Institutional Equity and Diversity, effective July 25, 2009.

Ms. Reynolds received an M.S. in Staff Development and Supervision in 1972 from the University of Southern California and a B.S. in Education in 1967 from Norfolk State College. She has been a Supervisory Equal Opportunity Specialist (Sr. Compliance Officer) for the U.S. Department of Labor in the Functional Affirmative Action Program Unit.

Salary: \$49,475 for 12 months
Rank: Senior Equal Opportunity Investigator and Instructor

**APPOINTMENT OF DIRECTOR OF THE
DOMINION FUND**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Dawn M. Richardson as Director of the Dominion Fund, Office of Development, effective August 25, 2009.

Ms. Richardson received a B.A. in English in 2008 from Old Dominion University and is currently enrolled in the M.P.A. program at Old Dominion University. Since 2005, she has been Assistant Director and Acting Director of the Annual Fund in the Office of Development at Old Dominion University.

Salary: \$65,000 for 12 months
Rank: Director, Dominion Fund and Assistant Instructor

**APPOINTMENT OF HEAD OF REFERENCE AND RESEARCH SERVICES
PERRY LIBRARY**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Nancy Schafer as Head of Reference and Research Services, Perry Library, effective June 25, 2009.

Ms. Schafer received an M.S. in Education from Old Dominion University, an AMLS in Library and Information Science from the University of Michigan and a B.A. in History and Library

Science from the College of St. Catherine. Since 2008 she has been Interim Head of Reference and Research Services and also serves as the Education Reference Librarian, a position she has held since 1989.

Salary: \$68,000 for 12 months
Rank: Head, Reference and Research Services and Librarian III

APPOINTMENT OF PROFESSIONAL COUNSELOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Melanie Scherer as Professional Counselor, Office of Counseling Services, effective July 1, 2009.

Ms. Scherer received a Master of Education in Community Counseling in 2006 from Kent State University, a B.S. in Psychology in 2003 from Baldwin-Wallace College and is a Doctor of Philosophy candidate in the Counseling and Human Development Services Program at Kent State University. Since 2007, she has been a Professional Counselor at Avenues of Counseling and Mediation, LLC in Ohio.

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

**APPOINTMENT OF LEARNING COORDINATOR
DISABILITY SERVICES**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Dawn L. Seery as Learning Coordinator, Disability Services, effective September 1, 2009.

Ms. Seery received an M.S.Ed. in Special Education and a B.S. in Psychology, in 2005 and 2000 respectively, from Old Dominion University. Since 2006, she has been a Special Education Teacher for Norfolk Public Schools.

Salary: \$45,000 for 10 months
Rank: Learning Coordinator, Disability Services and Instructor

APPOINTMENT OF ASSISTANT SPORTS INFORMATION DIRECTOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Dustin Semonavick as Assistant Sports Information Director, Office of Athletics, effective July 10, 2009.

Mr. Semonavick received a B.S. in Journalism in 2005 from the University of Delaware. Since 2007, he has been Athletic Communication Assistant at Rutgers University. Prior to that, Mr. Semonavick was a Sports Information Intern at the University of Delaware.

Salary: \$30,900 for 12 months
Rank: Assistant Sports Information Director and Assistant Instructor

**APPOINTMENT OF STUDENT/FACULTY SERVICES COORDINATOR
ENGLISH LANGUAGE CENTER**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. David H. Silvis as Student/Faculty Services Coordinator in the English Language Center, effective August 10, 2009.

Mr. Silvis received an M.A. in Applied Linguistics and a B.A. with a double major in Economics and Philosophy, in 2007 and 2004 respectively, from Old Dominion University. Since 2007, he has been an Adjunct Instructor in the English Language Center at Old Dominion University. Mr. Silvis was also an Assistant ESL Language Teacher for the Japan Exchange Teaching Program at Mito Sakuranomaki Senior High School.

Salary: \$43,000 for 12 months
Rank: Student/Faculty Services Coordinator, English Language Center and Instructor

**APPOINTMENT OF COORDINATOR OF INTERNATIONAL PROGRAMMING
OFFICE OF STUDENT AFFAIRS**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Erika D. Young as Coordinator of International Programming, Office of Student Affairs, effective August 10, 2009.

Ms. Young received a Master of Arts in Diplomacy in 2009 from Norwich University and a B.A. in Communication Science in 2004 from the University of Pittsburgh. Since 2008, she has been an Instructor/Advisor at Chiang Mai University, Thailand. Prior to that Ms. Young was a Teacher at King's College of English, Chiang Mai, Thailand.

Salary: \$32,000 for 12 months
Rank: Coordinator of International Programming and Instructor

**APPOINTMENT OF A.D. AND ANNYE L. MORGAN PROFESSORSHIP
COLLEGE OF SCIENCES**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Cynthia M. Jones as the 2009-2014 A.D. and Annye L. Morgan Professor. A summary of her career is included below for information purposes.

Professor Jones received a Ph.D. in 1984 from the University of Rhode Island and joined ODU in 1986 after spending one year as a post-doctoral fellow at Cornell University. She is currently Professor and Eminent Scholar of Ocean, Earth and Atmospheric Sciences and Director of the Center for Quantitative Fisheries Ecology. Her work on the chemical signature of fish otoliths has received widespread international recognition. She has received almost \$15M in research grants, with continuous NSF funding for 17 years, and has contributed 140 publications including 73 peer-reviewed (two award-winning) papers, eight books, and four chapters. She has been appointed to numerous National Academies of Sciences National Research Council boards in recognition of her national and international prominence in fisheries research.

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**APPROVAL OF PROPOSED REVISIONS TO THE POLICY ON
ACADEMIC RANK AND PROMOTION IN RANK**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Policy on Academic Rank and Promotion in Rank, effective September 17, 2009.

Rationale: The principal purpose of the proposed changes to the Policy on Academic Rank and Promotion in Rank is to reorganize the policy so that the criteria are clear and are separated from the process. Additional changes have been made throughout the policy to clarify and improve the process for promotion in rank. A listing of these additional changes is as follows:

- The process for external evaluation has been added to the policy rather than reference the process as contained in the Policy on Tenure.
- Regarding the external evaluation process, language has been added that the department chair will consult with the dean on the list of external reviewers prior to initiating the review process. In addition, a requirement has been added that external reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered with any exceptions to be justified by the dean.
- Additional wording has been added to specify that only faculty holding the rank of professor are eligible to vote on candidates for promotion to professor and that there should be at least three professors on the college committee.
- Language has been added that all committee members should vote yes or no.

- Terms of service for members of the college and University promotion and tenure committees have been clarified to specify members are elected for a one-year term renewable twice for a total of three years.
- The policy has been updated to require that copies of the recommendations by all committees, chairs, deans and the provost be provided to the faculty member being considered for promotion in an effort to ensure that the faculty member is informed as the process proceeds.

NUMBER: 1410

TITLE: Academic Rank and Promotion in Rank

APPROVED: June 12, 1980; Revised February 24, 1984; Revised June 20, 1985; Revised December 13, 1988; Revised September 27, 1990; Revised March 11, 1991; Revised April 9, 1992; Revised April 8, 1993; Revised April 10, 1997; Revised April 9, 1998; Revised December 10, 1998; Revised April 12, 2001; Revised December 14, 2001; Revised April 12, 2002; Revised June 14, 2002; Revised December 12, 2003; Revised September 22, 2006; Revised June 15, 2007; Revised December 7, 2007; **Revised September 17, 2009**

I. Board of Visitors Definition of Academic Rank

A. Full-time faculty members holding the following academic ranks are eligible to be considered for tenure after a suitable probationary period, and time at Old Dominion University in these ranks is counted toward the probationary period.

1. Professor - Those appointed or promoted to this rank, which is one of the highest honors that the university can bestow, are teacher-scholars of genuinely national standing who have made recognized contributions to the university and to their disciplines. They are expected to have demonstrated excellence in teaching, to have performed recognized and outstanding research in their fields of specialization, and to have been pre-eminent in professional service. Although few will excel equally in the three areas of teaching, research, and service, all appointed or promoted to the rank of professor are expected to have made some demonstrable contribution in each area. Except under most unusual circumstances, the highest terminal degree in the field is required.
2. Associate Professor - Appointment or promotion to the rank of associate professor is based on established high quality of performance in teaching, research, and service and pre-eminence in at least one of these areas. Except under most unusual circumstances, the highest terminal degree normally attainable in the field is required.
3. Assistant Professor - Appointment or promotion to the rank of assistant professor requires the highest terminal degree normally held in the field or

its clear equivalent. Evidence of promise in teaching, research, and service is required. Faculty members holding the rank of assistant professor may be considered for tenure only if promotion to associate professor is simultaneously considered.

B. Full-time faculty members holding the following ranks are not eligible for tenure, but time at Old Dominion University in these ranks is counted as part of the probationary period for tenure, except as noted in paragraph 1.a. below.

1. Instructor - Appointment to the rank of instructor is based on evidence of promise in teaching. Instructors normally hold master's degrees in their areas of specialization, but occasional exceptions can be made for fields in which the master's degree is the highest terminal degree normally attainable. There are three types of instructors at Old Dominion University:

a. Faculty members normally lacking the highest terminal degree who are employed to teach undergraduate courses, usually at the freshman and sophomore levels -- They normally receive annual appointments for a period of three years, but in exceptional circumstances they may be reappointed for a maximum of three additional annual contracts. They must be informed in writing at the time of the original appointment that their positions are not permanent and that they will not be eligible to be considered for tenure.

b. Instructors who are terminal degree candidates -- Candidates for a terminal degree may be given annual appointments as instructors if they can provide evidence that they will complete all requirements for the terminal degree within the first year of teaching at Old Dominion University. An instructor in this category who completes this work, and whose department recommends reappointment, is given a second annual contract as an assistant professor and is eligible for tenure at the end of the usual probationary period. An instructor in this category who completes all degree requirements during the first semester at Old Dominion University is given the title of assistant professor for the second semester. An instructor in this category who does not complete all requirements for the terminal degree within the first year of employment is normally not reappointed for a second year, but a second annual contract as instructor may be granted with the approval of the chair, dean and provost and vice president for academic affairs; if all requirements for the degree are completed within the second year, the instructor is promoted to the rank of assistant professor. If all degree requirements are not completed during the second year, a third and terminal contract as instructor may be granted but the faculty member is not eligible for consideration for promotion or tenure.

- c. Tenure-track, master's-level instructors -- In certain professional departments in which the master's degree is the terminal degree, faculty members who have three years or less of full-time teaching experience at the college level are normally appointed initially to the rank of instructor. Such faculty members are eligible for promotion to the rank of assistant professor after two years in the instructor's rank on the recommendation of the chair and dean and on the approval of the provost and vice president for academic affairs. In exceptional cases, where professional experience is clearly demonstrated, the requirement of prior experience may be waived with the approval of the chair, dean, and provost and vice president for academic affairs. This type of instructor can be appointed only in academic fields in which the provost and vice president for academic affairs has previously approved such appointments on the recommendation of the chair and dean concerned. At present, instructors of this type are employed in the areas of applied music, dance, dental hygiene, engineering technology, nursing, physical therapy, and studio art.
- C. The following full-time academic ranks do not carry tenure, but if a faculty member who has held one of these ranks is subsequently appointed to a tenurable position as described in section A, time spent at Old Dominion University in one of these ranks may be counted as part of the probationary period for tenure.
1. Visiting professor - This rank is reserved for scholars of distinction who agree to come to the university for one year or less in order to serve a particular need in a college or department. Credentials equal to those required of a full professor are required.
 2. Visiting associate professor - This rank is reserved for scholars of distinction who agree to come to the university for one year or less in order to serve a particular need in a college or department. Credentials equal to those required of an associate professor are required.
 3. Visiting assistant professor - This rank is reserved for scholars of distinction who agree to come to the university for one year or less in order to serve a particular need in a college or department. Credentials equal to those required of an assistant professor are required.
- D. The following academic ranks do not carry tenure, and time at Old Dominion University in these ranks is not counted as part of the probationary period for tenure. These ranks are intended to meet the university's need to fill special instructional roles which differ from the traditional university faculty role, preparation, and expectation. All appointments and reappointments are contingent upon available funding.
1. Assistant instructor - This is a full-time rank requiring at least a bachelor's degree in the area of specialization. Except under unusual circumstances, assistant instructors do not teach courses carrying degree credits.

2. Lecturer - This is a full-time rank that ~~which~~ requires an appropriate master's degree and evidence of teaching ability. Demonstrated expertise in a specific field may also be required. Persons appointed to this rank are expected to assume a predominantly instructional role, at undergraduate or graduate levels, and participate in other professional service activities normally assigned to or expected of full-time faculty.

Persons initially appointed at the rank of lecturer will be evaluated and a decision made concerning their reappointment on an annual basis, according to the policy on "Reappointment or Nonreappointment of Faculty." In addition, during the fall semester of the fifth year of service, persons holding this rank will receive a major faculty review. This review will be conducted by the dean and will include an in-depth evaluation of the individual's teaching effectiveness and other professional activities, as well as the needs of the department. The purposes of this review shall be to evaluate the individual's performance and determine whether he or she should be retained beyond the fifth year. An evaluation report should be submitted to the provost and vice president for academic affairs following completion of the review at the college level.

If the evaluation is positive and the dean's recommendation on retention is affirmative, the individual may be offered an appointment for the next three academic years. Those persons who are reappointed in this manner shall be subject to another in-depth review conducted by the dean during the fall semester of the third year of the reappointment. Lecturers will be reappointed for additional three-year periods by utilizing the same procedure as described above.

If the decision is made not to retain the lecturer, either after the fifth year of initial service or subsequent three-year reappointments, he or she will be notified of termination according to the appropriate schedule contained in the policy on "Reappointment or Nonreappointment of Faculty" and may request a review of the nonreappointment decision by the provost and vice president for academic affairs, as provided by the same policy.

3. Senior lecturer - This is a full-time rank which requires an appropriate master's degree, demonstrated expertise in the field, a sustained record of effective performance in teaching and professional service, evidence of continued development and study in the field, and a minimum of five years' experience at the rank of lecturer or equivalent. Persons appointed to this rank are expected to assume a predominantly instructional role, at undergraduate or graduate levels, and participate in other professional service activities normally assigned to or expected of full-time faculty.

Persons initially appointed at the rank of senior lecturer will be evaluated and a decision made concerning their reappointment on an annual basis, according to the policy on "Reappointment and Nonreappointment of Faculty." In addition, during the fall semester of the fifth year of service,

persons holding this rank will receive a major faculty review. This review will be conducted by the dean and will include an in-depth evaluation of the individual's teaching effectiveness and other professional activities as well as the needs of the department. The purposes of this review shall be to evaluate the individual's performance and determine whether he or she should be retained beyond the fifth year. An evaluation report should be submitted to the provost and vice president for academic affairs following completion of this review at the college level.

If the evaluation is positive and the dean's recommendation on retention is affirmative, the individual may be offered an appointment for the next three academic years. Those persons who are reappointed in this manner shall be subject to another in-depth review conducted by the dean during the fall semester of the third year of the reappointment. Senior lecturers may be reappointed for additional three-year periods by utilizing the same procedure as described above.

If the decision is made not to retain the senior lecturer either after the fifth year of initial service or subsequent three-year appointments, he or she will be notified of termination according to the appropriate schedule contained in the policy on "Reappointment or Nonreappointment of Faculty" and may request a review of the nonreappointment decision by the provost and vice president for academic affairs as provided by the same policy.

Promotion to the rank of senior lecturer from the rank of lecturer shall be upon the recommendation of the department, chair, and college promotion and tenure committee to the dean of the college. If the dean decides against the promotion, the person may request a review by the provost and vice president for academic affairs. The decision of the provost and vice president for academic affairs is final.

4. Intercollegiate coach - This is a full-time rank normally requiring a master's degree and a record of demonstrated performance in the area of specialization. Persons holding this rank devote half time or less to the instruction of credit students. These positions are normally funded from both Commonwealth and non-Commonwealth sources.
5. Artist-in-residence - The holder of this position is a distinguished practitioner of the fine arts, employed either full time or part time by the university. In most cases, an artist-in-residence devotes half time or less to the instruction of credit students. The rest of the time, for a full-time faculty member, is devoted to noncredit course work and other public service activities; to unstructured instruction to university students; to professional service to the community; and to any combination of these activities. The main criterion for reappointment is pre-eminence in an artistic field, and the normal academic credentials, such as advanced degrees or experience in university teaching, are not necessarily required.

6. Performer-in-residence - The description of this position is basically equivalent to that of artist-in-residence, except that the holder is a distinguished practitioner of the performing arts whose service to the university and the community may include performances available to the university community and to the region.
7. Writer-in-residence - The description of this position is basically equivalent to that of artist-in-residence, except that the holder is a creative writer of distinction.
8. Research professor - Faculty members in this position, which may be either full time or part time, are devoting most of their efforts to research and are normally not teaching more than one course a semester. These positions are normally funded from non-Commonwealth funds. A research professor must meet the criteria demanded of a full professor in the relevant department. Personnel with the title of research professor may chair doctoral and master's committees provided they are certified as graduate faculty. Research personnel are subject to all university, college and department policies and procedures governing graduate teaching, program implementation, and oversight of graduate research and must undergo the same formal academic review and graduate certification review as required of tenured and tenure-track faculty members.
9. Research associate professor - This position has the same characteristics as that of research professor except that those holding it meet the criteria for appointment to the rank of associate professor in the department(s) to which they are attached. Personnel with the title of research associate professor may chair doctoral and master's committees provided they are certified as graduate faculty. Research personnel are subject to all university, college and department policies and procedures governing graduate teaching, program implementation, and oversight of graduate research and must undergo the same formal academic review and graduate certification review as required of tenured and tenure-track faculty members.
10. Research assistant professor - This position has the same characteristics as that of research associate professor except that those holding it meet the criteria for assistant professor in the department(s) to which they are attached. Personnel with the title of research assistant professor may chair doctoral and master's committees provided they are certified as graduate faculty. Research personnel are subject to all university, college and department policies and procedures governing graduate teaching, program implementation, and oversight of graduate research and must undergo the same formal academic review and graduate certification review as required of tenured and tenure-track faculty members.
11. Research associate - This position has the same characteristics as that of research assistant professor except that those holding it meet the criteria for instructor in the department(s) to which they are attached.

12. Postdoctoral Research Associate - This position is generally reserved for a person who has recently completed his or her doctoral degree. While the primary employment activity will be research related, some teaching may be allowed. In general, these positions are funded through non-Commonwealth funds.
13. Adjunct professor - This rank is awarded to persons engaged in part-time teaching or special services who meet the criteria demanded of a full professor in the department(s) to which they are attached.
14. Adjunct associate professor - This position is awarded to persons engaged in part-time teaching or special services who meet the criteria established for associate professor in the department(s) to which they are attached.
15. Adjunct assistant professor - This position is awarded to persons engaged in part-time teaching or special services who meet the criteria established for assistant professor in the department(s) to which they are attached.
16. Adjunct instructor - This position is held by part-time faculty members who meet the criteria established for instructor in the department(s) to which they are attached.
17. Adjunct assistant instructors - This position is held by part-time faculty members who meet the criteria established for assistant instructor in the department(s) to which they are attached.
18. Adjunct clinical faculty, adjunct community faculty - The titles adjunct clinical faculty or adjunct community faculty (as appropriate), with their respective ranks, may be awarded to persons engaged in part-time teaching or special services relating to the practical instruction of students, and who meet the professional and academic criteria for those ranks established in the department(s) to which they are attached. These titles pertain to persons who are not normally paid a salary by the university, but who supervise activities designed to give students practical experience in a given profession.
19. Other - The president may recommend to the Board of Visitors the establishment of other nontenured positions to allow the appointment of persons distinguished in their fields but not covered by any of the above.

II. Promotion in Rank

A. Board of Visitors Policy

1. Except for promotion to the rank of assistant professor, all promotions in rank are based on evaluation of the faculty member's performance in teaching, research, and service over the total time in the previous rank as compared to the criteria established by the Board of Visitors for the rank

being considered and any other criteria established by the department or college.

2. Promotion to the rank of associate professor must occur at the time of the tenure award, except in the case of certain faculty members who were tenured in the rank of assistant professor prior to June 30, 1982. Such persons may be considered for promotion to the rank of associate professor during any subsequent year under the same policy and procedures as are used for promotion to the rank of full professor.
3. Promotion to the rank of full professor is normally considered no earlier than during the sixth year of a faculty member's service as associate professor at Old Dominion University. Exceptions are made only under the following circumstances:
 - a. A faculty member who has held the rank of associate professor at another institution and was initially appointed to Old Dominion University at the rank of associate professor may be considered for promotion at the time of the award of tenure.
 - b. A faculty member of extraordinary merit may be considered for promotion to the rank of full professor before the sixth year as associate professor at Old Dominion University.
4. The president, upon the recommendation of the Faculty Senate, shall establish procedures for consideration of promotion to the rank of full professor (and designation as eminent scholar), and of promotion to the rank of associate professor for those tenured as assistant professors prior to June 30, 1982. Such procedures shall require consideration and recommendation by faculty members at the department and college level, the chair, the dean, and the University Promotion and Tenure Committee. The decision concerning promotion is to be made by the provost and vice president for academic affairs. If the provost and vice president for academic affairs decides against promotion, the faculty member may request a review by the president. The decision of the president is final.

B. Procedures for Promotion in Rank

1. These procedures apply to promotion to the rank of full professor. (In the case of those faculty members who held tenure and the rank of assistant professor in June 1982, these procedures also apply to promotion to the rank of associate professor. Otherwise, promotion to the rank of associate professor is part of the tenure consideration and is dealt with in accordance with the policy concerning tenure.) Promotion to the rank of assistant professor is made by the provost and vice president for academic affairs following recommendation by the chair and dean. These procedures are designed to implement the Board of Visitors policy concerning promotion. The board policy is governing in all promotion cases.

2. Considerations Concerning Promotion

- a. Each faculty committee and administrator considering a promotion case must specifically consider factors listed below as they apply to each case in the written recommendations that are submitted up the line to the provost and vice president for academic affairs. In the case of committees, the vote must be recorded in the recommendation, and the reasons produced by the minority members must be specified.
- b. Each committee and administrator making a recommendation concerning promotion considers evidence of the faculty member's performance over the total time in which the previous rank has been held as compared to the guidelines for the rank being considered as established by the Board of Visitors and any other guidelines established by the department or college.
- c. The total rank structure of the department should be considered.
- d. At the least, the committees and administrators should examine faculty information sheets, chair evaluations, dean's evaluations, and any other evidence submitted by the faculty member, the chair of the department, or any other relevant source. ~~In the case of promotion to full professor, external evaluation of the faculty member's research and scholarly activity by nationally recognized experts in the field of specialization will be required.~~ **It is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty being considered for promotion. The evidence should address the quality of the journals and the reputation of book and other such publishers.** The criteria and process for external review are the same as outlined under the Board of Visitors Policy on Tenure, IV Criteria for the Award of Tenure, section b.1.a.g.

3. In the case of promotion to full professor, external evaluation of the faculty member's research and scholarly activity by nationally recognized experts in the field of specialization will be required.

- a. The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and the University Promotion and Tenure Committee belongs to the department chair. In promotion of department chairs, the responsibility belongs to the dean.**
- b. External reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by**

the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers. The chair will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list. The chair will consult with the dean on the list of reviewers chosen prior to initiating the review process. (If one list is not submitted, all reviewers will be selected from the list that is submitted.) As a general rule, external reviewers should not be co-authors or former mentors of the candidate. The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for promotion. ~~tenure.~~

- c. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to submit evaluations. If an exception is approved, candidates for ~~tenure and/or~~ promotion will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.
- d. A curriculum vitae will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For promotion ~~and tenure~~ of department chairs, the responsibility belongs to the dean.
- e. External reviewers will be asked to evaluate all submitted material mailed to them. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work under review; and b) the scholarly reputation (regional, national, international) of the candidate.
- f. All candidates for ~~tenure and~~ promotion will be required to have their scholarship evaluated by no fewer than four external reviewers. If fewer than four reviews are received, the chair will choose additional reviewers alternately from the lists

of the department promotion and tenure committee and of the candidate.

g. The university and college administration will assist departments where reasonable expenses are necessary to obtain appropriate external reviews.

4. A candidate for promotion in rank is initially considered by the faculty members in the department who hold the rank being considered or above¹. Only faculty holding the rank of professor are eligible to vote on candidates for promotion to professor.

a. In the case of large departments, the faculty members in the rank being considered or above may select a committee from their ranks to consider and make recommendations concerning promotion. In that case, it is the responsibility of the committee to elicit opinions from all faculty members holding the rank considered or above.

b. In departments where fewer than three members **hold appointments in the rank being considered or above,** ~~are tenured,~~ the dean, in consultation with the chair, will appoint enough additional ~~tenured faculty members~~ **faculty in the rank or above from other disciplines to form a committee of at least three.**

c. Candidates for promotion should provide a statement of potential **external and/or** internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

d. No dean, associate dean, assistant dean, or other full-time administrator or department chair shall attend or participate in the deliberation of either **the** departmental, college, or ~~the~~ University Promotion and Tenure Committee. ~~All members of the college promotion and tenure committees shall be elected directly by the faculties they represent. The college committees shall consist of one tenured faculty member from each department in the college. This member shall be chosen by majority vote of all full-time teaching and research faculty members of the department, present and voting, by secret ballot before April 15 of each year for the ensuing year. The University Promotion and Tenure Committee shall consist of one tenured full professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s). The University Promotion and Tenure Committee shall elect one of its members as chair. No person shall serve on a college promotion and tenure committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.~~

¹ See the Schedules for Faculty Personnel actions in the appendix for specific dates and actions.

- e.** **The college committees shall consist of one tenured faculty member from each department in the college. All members of the college promotion and tenure committees shall be elected directly by the faculties they represent for a one-year term renewable twice for a total of three years. This member shall be chosen by majority vote of all full-time, tenure-track teaching and research faculty members of the department, present and voting, by secret ballot before April 15 of each year for the ensuing year. There should be at least three professors on the college committee. No person shall serve on a college promotion and tenure committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.**
- f.** **The University Promotion and Tenure Committee shall consist of one tenured faculty professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s) by September 15. The University Promotion and Tenure Committee shall elect one of its members as chair.² No person shall serve on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.**
- g.** The faculty member involved is informed that the committee is considering promotion in rank and is given an opportunity either to appear before the committee (or group) considering the case, or to submit a statement in writing in support of eligibility for promotion.
- h.** In case of material developments, additional documentation may be added to the portfolio with the concurrence of the department chair and dean.
- 5.** The committee or faculty group makes its recommendation concerning promotion to the chair together with reasons for the recommendation (including a minority statement in the case of a split vote), and specifies the vote of the committee. **All committee members should vote yes or no.** The chair evaluates independently the credentials of the faculty member, the rank structure of the department, and any additional evidence presented, either by the faculty member or from any other source, and makes a recommendation, with reasons, concerning promotion.

²The members of the faculty who are elected to serve on the University Promotion and Tenure Committee shall serve for the subsequent academic year. The promotion and tenure committee elected by each individual degree-granting college serve for an entire year, not for the spring semester of one year and the fall semester of the following year.

- 6.** If either the departmental committee (or group), or the chair, or both recommend promotion, the faculty member's credentials together with the recommendation of the faculty committee and the chair will be forwarded to a promotion committee of the college for consideration. This committee will make an independent evaluation and make a recommendation concerning promotion with reasons (including reasons of the minority), to the dean. The recommendations will indicate the vote of the committee. **All committee members should vote yes or no.**
- 7.** If neither the faculty committee (or group) nor the chair recommend promotion, the faculty member will not be considered for promotion in the coming year unless a review by the college promotion committee and the dean is requested by the faculty member. If a review is requested, the departmental committee and the chair forward all documents to the promotion committee of the college, which examines them and makes a recommendation concerning promotion to the dean. **All committee members should vote yes or no.** The dean examines all documents, including the recommendation of the college committee, and makes a determination concerning promotion. If the dean's determination is negative and is in accordance with the recommendations of the departmental committee, the chair, and the college committee, then the faculty member is not promoted for the coming year. If the dean's determination is negative and is not in accordance with all previous recommendations, the faculty member may request a further review by the provost and vice president for academic affairs. The decision of the provost and vice president for academic affairs is final in such cases.
- 8.** The dean, considering all previous recommendations and all credentials, then makes a recommendation concerning promotion, which is forwarded, with reasons, to the provost and vice president for academic affairs.
- 9.** The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation, and makes a recommendation (with reasons, including minority reasons, if any) concerning promotion which is forwarded to the provost and vice president for academic affairs. **All committee members should vote yes or no.**
- 10.** On the basis of all the evaluations and recommendations presented, and after consultation with staff, the provost and vice president for academic affairs makes a decision concerning promotion for the coming year. If the recommendations of the committees and administrators that have previously considered the case have not been in agreement with one another, or if the provost and vice president for academic affairs disagrees with the recommendations that have been in agreement with one another, the provost and vice president for academic affairs shall consult with the chair, the dean, and the University Promotion and Tenure Committee

before reaching a final decision. The decision of the provost and vice president for academic affairs will consist of one of the following:

- a. promotion
- b. deferral

11. If the decision of the provost and vice president for academic affairs is for promotion, the faculty member will receive the higher rank in the subsequent academic year. The decision of the provost and vice president for academic affairs will be reported to the president.

12. The faculty member may request that the president review a negative decision by the provost and vice president for academic affairs. The decision of the president is final.

13. All promotions are reported by the president to the Board of Visitors.

14. Copies of the recommendations by all committees, chairs, deans and the provost shall be provided to the faculty member being considered for promotion.

15. The above procedures at the department and college level may be suitably adapted for faculty members who hold interdisciplinary or interdepartmental appointments. The adapted procedures should be recommended by the promotion and tenure committee of the college or colleges involved and approved by the dean or deans and the provost and vice president for academic affairs. Procedures above the college level will be the same as those designated above in all cases.

C. Part-time instructional faculty may be promoted in rank (for example, from adjunct assistant professor to adjunct associate professor) upon recommendation of the chair and dean to the provost and vice president for academic affairs. Full documentation of the credentials of the faculty member being recommended for promotion is required. If the provost and vice president for academic affairs denies the promotion, the faculty member may request a review by the president. The decision of the president is final.

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

APPROVAL OF PROPOSED REVISIONS TO THE POLICY ON TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Policy on Tenure, effective September 17, 2009.

Rationale: The principal purpose of the proposed changes to the Policy on Tenure is to reorganize the policy so that the criteria are clear and are separated from the process. It is also proposed that the timetable for tenure be revised so that the process begins with the submission of a faculty member's file on September 1 rather than December 1. The proposed timetable matches the schedule that existed several years ago and provides more time for the various individuals and committees involved in the tenure process. Additional changes have been made throughout the policy to clarify and improve the tenure process. A listing of these additional changes is as follows:

- Additional wording has been added to specify that there should be at least three professors on the college committee.
- Language has been added that all committee members should vote yes or no.
- Terms of service for members of the college and University promotion and tenure committees have been clarified to specify members are elected for a one-year term renewable twice for a total of three years.
- Language has been added to specify that it is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty member being considered for tenure.
- Regarding the external evaluation process, language has been added that the department chair will consult with the dean on the list of reviewers prior to initiating the review process. In addition, a requirement has been added that external reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered with any exceptions to be justified by the dean.
- The policy has been updated to require that copies of the recommendations by all committees, chairs, deans and the provost be provided to the faculty member being considered for tenure to ensure that the faculty member is informed as the process proceeds.

A copy of the timetable for tenure is included for informational purposes. The new timetable will be implemented effective with the group of faculty who will go through the tenure process in the 2010-11 academic year.

NUMBER: 1411

TITLE: Tenure

APPROVED: June 12, 1980; Revised February 24, 1984; Revised November 19, 1987; Revised December 13, 1988; Revised September 27, 1990; Revised April 9, 1998; Revised December 10, 1998; Revised April 12, 2002; Revised April 11, 2003; Revised June 14, 2005; Revised September 9, 2005; Revised September 22, 2006; Revised June 15, 2007; Revised December 7, 2007; **Revised September 17, 2009**

I. Purpose of Tenure - The main purposes of tenure are to recognize the performance of faculty members who have given years of dedicated service to the university, to protect academic freedom, and to enable the university to retain a permanent faculty of distinction in order to accomplish its mission. For these reasons, tenure is awarded only after a suitable probationary period, and the decision to award tenure is based both on the merit of the individual faculty member and on the long-term needs and mission of the department, the college, and the university.

II. Eligibility for Tenure

~~A. The provost and vice president for academic affairs, fifteen months prior to the date for giving notification of the tenure decision, shall formally advise the professor that the limit of the probationary period is approaching, and explain what procedures should be followed by those wishing to be considered for tenure.~~

A. Only faculty members who hold the ranks of assistant professor, associate professor, or full professor are eligible to be considered for tenure. Assistant professors will be awarded tenure only if they are simultaneously being promoted to the rank of associate professor.

B. Under certain circumstances administrative faculty holding rank in a department at the assistant professor (if promotion to the rank of associate professor is being simultaneously considered), associate professor, or full professor level may be considered for tenure, as specified by the Board of Visitors policy concerning administrative faculty.

C. Since tenure is granted as a faculty member in an academic department or program, the award of tenure does not imply continuance in any full-time or part-time administrative position, nor does it imply continuance of any specific work assignment within or outside the department in which tenure is granted.

III. Probationary Period

A. The probationary period begins with the initial full-time, tenure-track appointment at Old Dominion University at the rank of instructor, assistant professor, associate professor, or full professor; only time spent in a tenure-track position at one of these ranks is counted as part of the probationary period.

Subject to agreement by the university and the faculty member, any academic year in which a faculty member was on a full-time tenure-track appointment in one of these ranks for at least one semester, may be counted as one year of the probationary period.

B. The following do not count as part of the probationary period:

1. Time in the rank of assistant instructor, artist-in-residence, performer-in-residence, writer-in-residence, research professor, research associate professor, research assistant professor, research associate, or any part-time position.

2. Time in appointment as an administrator, that is, in a position designated as a teaching/research administrative position or as a classified position in the state personnel system. (Time spent in a teaching and research faculty position as defined in the state personnel system will count as part of the probationary period, even if administrative responsibilities are assigned as part of that position; normally, departmental administrative positions such as chair or assistant chair will thus count as part of the probationary period.)
3. Time in a position ~~which~~ **that** involves no teaching of credit courses, for example as a teacher of children or a therapist in the Child Study Center or as a teacher of exclusively noncredit course work.
4. Time spent on leave of absence.
5. Time spent on faculty exchanges if the faculty member so chooses.

C. A period of time, not to exceed one year, may be excluded from the probationary period, upon the approval of the provost and vice president for academic affairs subject to the following conditions.

- 1.** That the faculty member submits a request in writing to the department chair. The department chair and the dean shall forward the request with a recommendation to the provost and vice president for academic affairs.
- 2.** The request must be the result of the occurrence of a serious event. A “serious event” is defined as a life-altering situation which requires the faculty member to devote more than eight hours of each day to alleviate the impact of the event for a period greater than six weeks and less than one year. These events may include the birth of a child, adoption of a child under the age of six years, serious personal illness or care of an immediate family member including parent, stepparent, child, or spouse.
- 3.** The faculty member shall provide documentation to justify the time requested and the seriousness of the event.
- 4.** The request shall be made no later than one year from the first day of the serious event.
- 5.** The faculty member must have been adequately performing the duties assigned prior to the first day of the serious event.
- 6.** Faculty who are awarded this exclusion shall have no requirements or expectations beyond those of any probationary faculty member.
- 7.** Work accomplished during the excluded period may be cited in the tenure case.

- 8.** Requests for exclusion may be made at any time during each academic year. No request shall be made after the application for tenure has been submitted.
- 9.** Decisions will be made within 60 days of the receipt of the faculty member's request by the department chair.
- 10.** The decision of the provost and vice president for academic affairs is final.
- D.** The maximum length of the probationary period is seven academic years. The faculty member is informed of the decision of the provost and vice president for academic affairs on tenure by **April 15** ~~June 30~~ of the sixth year of probationary service. The faculty member will receive either a tenure contract or a terminal contract in the seventh year.
- E.** The length of the probationary period may be reduced in any of the following instances:
1. A faculty member who has full-time teaching experience at the rank of instructor or above at another collegiate institution, or at Old Dominion University prior to a break in service, may have the probationary period reduced by either one or two years. If the probationary period is to be reduced, the reduction must be recommended by the chair and dean and approved by the provost and vice president for academic affairs at the time of the initial appointment. Unless such a reduction has been approved and the faculty member has been so notified in writing at the time of initial appointment, reduction for prior service will not be granted. The changes in the provisions of this paragraph as compared to the *Faculty Handbook* of 1978-79 will not apply to faculty members whose initial contract was offered prior to June 15, 1980.
 2. A faculty member initially appointed to the rank of full professor may be notified of a tenure decision by **April 15** ~~June 30~~ of the second year of service; if tenure is awarded, a tenure contract will be offered for a third year of service. In addition, the probationary period for a full professor may be eliminated, and an initial tenure appointment may be recommended to the Board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the university promotion and tenure committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.
 3. A faculty member initially appointed to the rank of associate professor may be notified of a tenure decision by **April 15** ~~June 30~~ of the fourth year of service. If tenure is approved, a tenure contract will be offered for the fifth year. In addition, the probationary period for an associate professor may be eliminated, and an initial tenure appointment may be

recommended to the board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the university promotion and tenure committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.

4. The probationary period for tenure may be shortened in the case of exceptional merit and performance. It is the sense of the Board of Visitors that this procedure be followed only in the case of demonstrably exceptional faculty members ~~and that such early award of tenure be exceedingly rare.~~

IV. Criteria for the Award of Tenure

A. The following criteria are used in the evaluation of every candidate for tenure. Each faculty committee and administrator considering a tenure case must specifically address each of these criteria as they apply to that case in the written recommendations that are submitted up the line to the provost and vice president for academic affairs. Committee votes must be recorded in the recommendations. In cases in which a vote is not unanimous, reasons for negative votes must be included.

B. Criteria to be used are as follows:

1. Since tenure may be awarded only to faculty members who hold the rank of associate or full professor or who are being simultaneously appointed to one of those ranks, any faculty member awarded tenure must meet the minimum requirements for the rank of associate professor.

2. Merit - Merit of the faculty member in teaching, research and service over the entire probationary period and the contributions made by the faculty member in these areas to the university. (For definition of teaching, research, and service and a discussion of methods of evaluation, see policies and procedures concerning evaluation of faculty members.) In addition to information supplied by faculty information sheets, the chair's evaluation and other material presented by the department, an opportunity shall be made available for the faculty member to provide in writing any other material in support of the tenure candidacy. It is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty being considered for tenure. The evidence should address the quality of the journals and the reputation of book and other such publishers.

External evaluation of the quality of the faculty member's research performance will be required from nationally recognized experts in the

faculty member's field. **Candidates for tenure should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc. In case of material developments, additional documentation may be added to the portfolio with the concurrence of the department chair and dean.**

- ~~a. — The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and University Promotion and Tenure Committee belongs to the department chair. In promotion of department chairs, the responsibility belongs to the dean.~~
- ~~b. — The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers. The chair will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list. (If one list is not submitted, all reviewers will be selected from the list that is submitted.) As a general rule, external reviewers should not be co-authors or former mentors of the candidate. The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for tenure.~~
- ~~e. — External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost before the reviewers are asked to submit evaluations. If an exception is approved, candidates for tenure and/or promotion will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.~~
- a.** A curriculum vita will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For promotion and tenure of department chairs, the responsibility belongs to the dean.
- b.** External reviewers will be asked to evaluate all submitted material mailed to them. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work

under review; and b) the scholarly reputation (regional, national, international) of the candidate.

c. All candidates for tenure and promotion will be required to have their scholarship evaluated by no fewer than four external reviewers. If fewer than four reviews are received, the chair will choose additional reviewers alternately from the lists of the department promotion and tenure committee and of the candidates.

~~g. The university and college administration will assist departments where reasonable expenses are necessary to obtain appropriate external reviews.~~

3. The determined long-term needs of the department, college, and university, including at least the following:

a. The long-term enrollment of the department.

b. The need for an additional specialist in the faculty member's area of specialization as a permanent member of the department in terms of the mission of the department, the college, and the university.

c. The tenure structure of the department. (Although no maximum percentage of faculty members on tenure is established, all committees and administrators considering tenure must take into account the need for flexibility in course offerings and the desirability of a tenure structure that will allow openings for new tenured faculty members in the ensuing decades so that new areas of specialization and new needs can be met. The position of other nontenured faculty members in the department, anticipated retirements, or other known departures, and projected new programs or changes in directions must be considered.)

4. No person can be awarded tenure unless convincing evidence is provided of effective teaching.

5. In departments offering graduate work, no faculty member can normally be awarded tenure unless convincing evidence is provided of successful performance in research. (Exceptions can be made only if the department can demonstrate a long-term need for an additional tenured faculty member who will not be teaching graduate students.)

~~5. Since tenure may be awarded only to faculty members who hold the rank of associate or full professor or who are being simultaneously appointed to one of those ranks, any faculty member awarded tenure must meet the minimum requirements for the rank of associate professor.~~

V. Procedures for Tenure Consideration³

- A. The provost and vice president for academic affairs, fifteen months prior to the date for giving notification of the tenure decision, shall formally advise the professor that the limit of the probationary period is approaching, and explain what procedures should be followed by those wishing to be considered for tenure.**
- B. External review process**
- 1. The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and the University Promotion and Tenure Committee belongs to the department chair. In promotion of department chairs, the responsibility belongs to the dean.**
 - 2. External reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers. The chair will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list. The chair will consult with the dean on the list of reviewers chosen prior to initiating the review process. (If one list is not submitted, all reviewers will be selected from the list that is submitted.) As a general rule, external reviewers should not be co-authors or former mentors of the candidate. The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for tenure.**
 - 3. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to submit evaluations. If an exception is approved, candidates for tenure and/or promotion will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.**

³See the Schedules for Faculty Personnel Actions in the appendix for specific dates and actions.

4. The university and college administration will assist departments where reasonable expenses are necessary to obtain appropriate external reviews.

C. Initial consideration of tenure cases is conducted by the tenured faculty of the department.

1. The tenured faculty of a department may determine that a tenure committee of a specified size will be selected from their membership to conduct the tenure deliberations and make recommendations to the chair. In this case, the entire full-time department faculty will elect the committee. It is the responsibility of this committee to determine the opinions of tenured members of the department not serving on the committee.

2. In departments where fewer than three members are tenured, the dean, in consultation with the chair, will appoint enough additional tenured faculty members to form a committee of at least three members.

3. No dean, associate dean, assistant dean, or other full-time administrator or department chair shall attend or participate in the deliberation of the departmental, college, University Promotion and Tenure Committee, or the tenured faculty of the department serving as a group to consider tenure, except in those cases when such committees or groups may, at their discretion, request administrators or chairs to answer specific questions concerning tenure cases. ~~All members of the college promotion and tenure committees shall be elected directly by the faculties they represent.~~

4. The college committee shall consist of one tenured faculty member from each department in the college. **All members of college promotion and tenure committees shall be elected directly by the faculties they represent for a one-year term renewable twice for a total of three years.** This member shall be chosen by majority vote of all full-time, **tenure-track** teaching and research faculty members of the department, present and voting, by secret ballot before April 15 of each year for the ensuing year. **There should be at least three professors on the college committee. No person shall serve on a college promotion and tenure committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.**

5. The University Promotion and Tenure Committee shall consist of one tenured full professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s) **by September 15.** The University Promotion and Tenure Committee shall elect one of its members as chair.⁴ **No person**

⁴The members of the faculty who are elected to serve on the University Promotion and Tenure Committee

shall serve on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.

~~No person shall serve on a college promotion and tenure committee or on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.~~

- ~~3. In departments where fewer than three members are tenured, the dean, in consultation with the chair, will appoint enough additional tenured faculty members to form a committee of at least three.~~
- ~~4. Candidates for tenure should provide a statement of potential internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.~~
- ~~5. In case of material developments, additional documentation may be added to the portfolio with the concurrence of the department chair and dean.~~

D. The committee or group of tenured faculty makes its recommendations to the chair. **All committee members should vote yes or no.** Considering this recommendation, the chair makes an additional evaluation and recommendation concerning tenure.

E. If either the tenured faculty (or their committee), or the chair, or both recommend tenure, the credentials of the faculty member together with the recommendations of the tenured faculty (or their committee) and the chair are forwarded to the tenure committee of the college, which examines the facts and the recommendations and makes a recommendation to the dean. **All committee members should vote yes or no.**

F. If neither the departmental committee nor the chair recommends tenure for the faculty member, tenure is not granted in the ensuing year. If the faculty member is being considered in the year preceding the limit of his or her probationary period, as defined by the Board of Visitors policy on tenure, that faculty member is given a terminal contract for the ensuing year unless a further review is requested.

If the faculty member requests further review, all materials, including departmental and chair evaluations and recommendations are forwarded to the college tenure committee, which makes a separate recommendation to the dean. **All committee members should vote yes or no.** The dean then makes a decision concerning tenure and informs the faculty member.

shall serve for the subsequent academic year. The promotion and tenure committees elected by each individual degree-granting college serve for an entire academic year, not for the spring semester of one year and the fall semester of the following year.

If either the decision of the college committee or that of the dean is positive, the faculty member's case is considered in accordance with the procedures in the following paragraphs. If both decisions are negative, the faculty member may request a further review by the provost and vice president for academic affairs, who makes a final determination concerning further consideration of tenure.

- G.** The dean of the college examines the facts and all previous recommendations and makes a recommendation concerning tenure, which is forwarded to the provost and vice president for academic affairs.
- H.** The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation and makes a recommendation (with reasons, including minority reasons, if any) concerning tenure, which is forwarded to the provost and vice president for academic affairs.
- I.** The provost and vice president for academic affairs, after examining all submitted documents and consulting with appropriate staff members, makes a determination concerning tenure for the faculty member. If the recommendations from all committees and administrators previously acting on the case have not all been the same, or if the provost and vice president for academic affairs disagrees with the recommendations that have been the same, then the provost and vice president for academic affairs shall consult with the University Promotion and Tenure Committee and with the chair and dean concerned.
- J.** If the determination of the provost and vice president for academic affairs is in favor of tenure, the provost and vice president for academic affairs forwards the faculty member's name to the president for presentation to the Board of Visitors as a candidate for tenure. The Board of Visitors will act on the case by ~~June 30~~ **April 15** of the year in which it is being taken up. Upon approval of the Board of Visitors, the faculty member is offered a tenure contract for the coming year.
- K.** If the determination of the provost and vice president for academic affairs is against tenure and the decision is made in the year preceding the end of the limit of the probationary period, the faculty member is notified by ~~May~~ **April 15** that a terminal contract will be offered for the ensuing year. A faculty member who has not reached the limit of the probationary period may be offered either one subsequent annual contract or a terminal contract for the ensuing year.
- L.** The faculty member may request by May ~~1 22~~ that the president review a negative decision of the provost and vice president for academic affairs. The president should make a decision on the review by **June 1** ~~May 29~~. If the president upholds the decision of the provost and vice president for academic affairs, the faculty member may request a further review by the Board of Visitors or its designated committee by June ~~7 5~~. (Refer to the policy on Communications With the Board of Visitors for procedural information.) The decision of the Board of Visitors or its designated committee is final. The Board of Visitors will make its decision by **July 25** ~~June 30~~.

M. Copies of the recommendation by all committees, chairs, deans, and the provost shall be provided to the faculty member being considered for tenure.

- N.** The above procedures at the departmental and college level may be suitably adapted for faculty members who hold interdisciplinary or interdepartmental appointments. The adapted procedures should be recommended by the promotion and tenure committee of the college or colleges involved and approved by the dean or deans and the provost and vice president for academic affairs. Procedures above the college level will be the same as designated above in all cases.

Schedule for Faculty Seeking Tenure

- 5/1 Faculty member and department/school promotion and tenure committee identify potential external reviewers and begin the process to request the evaluations.
- 5/15 ~~12/1~~ Department/school chair provides names of external evaluators to provost and vice president for academic affairs.
- 9/1 ~~12/1~~ Faculty member submits his or her tenure file to department/school chair.
- 9/15 ~~2/1~~ Department/school chair submits the faculty member's tenure file, including external evaluations, to department/school committee.
- 10/1 ~~2/15~~ Department/school committee submits its recommendation on tenure based on merit and needs of the department/school to the department/school chair and provides a copy to the faculty member. Refer to the Board of Visitors Policy on Tenure as contained in this Handbook.
- 10/15 ~~3/1~~ Department/school chair submits recommendations on tenure, together with all documents, to the dean for review by the college committee, if either the department/school committee or the department/school chair or both are recommending tenure and provides a copy of the recommendation to the faculty member.
- 10/15 ~~3/4~~ Department/school chair advises the faculty member, providing a copy to the dean and provost and vice president for academic affairs, if neither the department/school committee nor the department/school chair recommends tenure.
- 11/1 ~~3/8~~ Faculty member may request a review by the college committee and the dean, if neither the department/school committee nor the department/school chair recommends tenure. If further review is requested, all materials including departmental and chair evaluations and recommendations are forwarded to the college tenure committee, which makes a separate recommendation to the dean. The dean then makes a decision concerning tenure and informs the faculty member. If either the decision of the college committee or that of the dean is positive, the case is considered in accordance with the procedure for tenure consideration as found in the Board of Visitors Policy on Tenure and the remainder of this schedule.
- 11/15 ~~3/22~~ College committee submits its recommendations on tenure to the dean, based on merit and needs as defined by the Board of Visitors Policy on Tenure, and provides a copy to the faculty member.
- 12/15 ~~4/1~~ Dean makes recommendation on tenure, with reasons, to the provost and vice president for academic affairs and provides a copy to the faculty member.

- 12/20 4/8 In those cases where the faculty member requested further review because neither the department/school committee nor the department/school chair recommends tenure, the faculty member may request a review by the provost and vice president for academic affairs if neither the college committee nor the dean recommends tenure.
- 1/5 4/22 Provost and vice president for academic affairs replies on the further consideration of tenure requested by the faculty member who was not recommended by the college committee or the dean. The decision of the provost and vice president for academic affairs on further consideration of tenure is final.
- 1/5 4/4 Provost and vice president for academic affairs forwards information on tenure cases for review to the University Promotion and Tenure Committee.
- 1/15 Provost and vice president for academic affairs provides a list to the dean of faculty eligible for consideration for tenure during the next academic year.
- 2/15 5/4 University Promotion and Tenure Committee makes recommendations (with reasons, including minority reasons, if any) concerning tenure to the provost and vice president for academic affairs and provides a copy to the faculty member.
- 3/15 5/15 Provost and vice president for academic affairs makes determinations on tenure. Determinations from the provost and vice president for academic affairs in favor of tenure are submitted to the president for presentation to the Board of Visitors, and a copy is provided to the faculty member. If the recommendations from all committees and administrators previously acting on the case have not all been the same, or if the provost and vice president for academic affairs disagrees with the recommendations that have been the same, then the provost and vice president for academic affairs shall consult with the University Promotion and Tenure Committee and with the chair and dean concerned.
- 4/15* Board of Visitors or its designated committee makes its decision on tenure. Upon approval of the Board or its designated committee, the faculty member is offered a tenure contract for the coming year.
- 4/15* 5/15* Provost and vice president for academic affairs notifies faculty member if his/her decision is against tenure. If the decision against tenure is made in the year preceding the end of the limit on the probationary period, the faculty member is notified that a terminal contract will be offered for the ensuing year.
- 5/1* 5/22* Faculty member may request a review by the president of a negative tenure decision by the provost and vice president for academic affairs.
- 6/1* 5/29* President replies to the faculty member on results of review of denial of tenure.
- 6/7* 6/5* Faculty member may request a review by the Board of Visitors or its designated committee of a negative tenure decision that has been reviewed by the president.
- 7/25* 6/30* Board of Visitors or its designated committee makes its decision on the review of a negative tenure decision. The decision of the Board or its designated committee is final.
- ~~6/30* Board of Visitors or its designated committee makes its decision on tenure. Upon approval of the Board or its designated committee, the faculty member is offered a tenure contract for the coming year.~~

*Mandated by policy

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

APPROVAL OF PROPOSED REVISIONS TO THE POLICY ON EVALUATION OF FACULTY

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Policy on Evaluation of Faculty, effective September 17, 2009.

Rationale: The proposed changes to the section of the Policy on Evaluation of Faculty pertaining to pre-tenure review involve changing the due date for the evaluation report from the dean from September 15 to no later than May 1 in an effort to provide feedback to the faculty member as early as possible. Under the current schedule, it is difficult to complete the process during the summer months because of the different committees involved. The due date for faculty hired mid-year is also moved forward. In addition, it is proposed that language be added to the policy to specify that a copy of the evaluation reports from each review committee, the department chair and the dean be sent to the faculty member.

SECTION ON PRE-TENURE REVIEW FROM THE POLICY ON EVALUATION OF FACULTY

- J. Non-tenured faculty members, without prior teaching service credit toward tenure, who are in their third year ~~have completed three years~~ of probationary service at Old Dominion University will receive a major faculty review. This review will be conducted by the dean and will begin in the spring ~~in the summer~~ of the third year of faculty service. ~~and~~ The review will include a meeting with the faculty member and chair. The review process, conducted by the department promotion and tenure committee, department chair, college promotion and tenure committee, and dean, will include an in-depth evaluation of teaching effectiveness, scholarly works, grant and contract efforts, and other professional activities. An evaluation report emphasizing the long-range impact of the faculty member on the university should be submitted to the provost and vice president for academic affairs by May 1 ~~September 15~~ (December 1 ~~May 15~~ for faculty hired mid-year) following the completion of the review at the college level with a copy provided to the faculty member at all evaluation levels.^[1] It is important that the review extend beyond certifying adequate teaching performance and focus on creative ability, productivity, and potential to excel.

The concept of a major review of faculty performance is intended to serve the purpose of giving the faculty member a clear indication of progress toward tenure and to offer constructive suggestions for self-improvement.

In situations where a faculty member receives one or two years of credit toward tenure, the review process will be conducted after the second year of service at Old Dominion University.

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

APPROVAL OF THE 2009-2014 STRATEGIC PLAN

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the *Old Dominion University Strategic Plan for 2009-2014*, effective September 17, 2009.

Rationale: The *Old Dominion University Strategic Plan for 2009-2014* was developed in consultation with all key University constituencies and reflects a plan to enhance the quality and reputation of the University. The Plan recognizes the University's many accomplishments and current challenges while providing clear priorities for the next five years. Particular areas of emphasis in the plan include: student success, quality academic programs and scholarship, research and economic development, campus life, expanding international connections, and building strong civic and community partnerships. Further, the Plan reaffirms the University's commitment to serving its students, the community, the Commonwealth, the nation and the world.

The operational and business plans and detailed measures of success will be presented at the December meeting.

ADMINISTRATION AND FINANCE COMMITTEE

The Rector called on Mr. Hall for the report of the Administration and Finance Committee. Mr. Hall presented two action items and noted that a written report will be distributed to Board members.

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

RESOLUTION OF THE BOARD OF VISITORS OF OLD DOMINION UNIVERSITY

WHEREAS, pursuant to Chapter 3.2, Title 23 of the Code of Virginia of 1950, as amended (the "Act"), the General Assembly of Virginia has authorized the Virginia College Building Authority (the "Authority") to develop a pooled bond program (the "Program") to purchase bonds and other debt instruments issued by public institutions of higher education in the Commonwealth of Virginia (the "Institutions") to finance or refinance the construction of projects of capital improvement specifically included in a bill passed by a majority of those elected to each house of the General Assembly of Virginia (the "Projects");

WHEREAS, the Authority intends to issue from time to time under the Program its Educational Facilities Revenue Bonds (Public Higher Education Financing Program) (the “Bonds”) to finance the purchase of notes and other debt instruments issued by the Institutions to finance or refinance the Projects, all in the furtherance of the purposes of the Act and the Program;

WHEREAS, the Board of Visitors of Old Dominion University (the “Board”) may from time to time wish to finance or refinance Projects of Old Dominion University (the “Participating Institution”) through the Program;

WHEREAS, if the Participating Institution wishes to finance or refinance a Project through the Program, it will be necessary for the Participating Institution to enter into a Loan Agreement (a “Loan Agreement”) between the Authority and the Participating Institution and, to evidence the loan to be made by the Authority to the Participating Institution pursuant to the Loan Agreement, to issue the Participating Institution’s promissory note (the “Note”), and pursuant to Section 23-19 of the Code of Virginia of 1950, as amended, and the Loan Agreement, the Authority will agree to issue its Bonds and to use certain proceeds of the Bonds to purchase the Note issued by the Participating Institution, and the Participating Institution will agree to use the proceeds of the Bonds received from the Authority to finance or refinance the construction of the Project and to make payments under the Loan Agreement and the Note in sums sufficient to pay, together with certain administrative and arbitrage rebate payments, the principal of, premium, if any, and interest due on that portion of the Bonds issued to purchase the Note;

WHEREAS, the Participating Institution now proposes to sell to the Authority the Participating Institution’s Note (the “2009 Note”) to be issued under a Loan Agreement (the “2009 Loan Agreement”) to finance or refinance from all or a portion of the proceeds of certain new money Bonds issued by the Authority in 2009, with appropriate series designation depending on their issuance date, (the “2009 Bonds”) a portion of the costs of construction and/or improvements of the Webb Center Expansion ([collectively,] the “2009 Project”), which has been authorized for bond financing by the General Assembly; and

WHEREAS, it is the desire of the Board to delegate to such Authorized Officers (as hereinafter defined) of the Participating Institution the authority to approve, on behalf of the Board, the forms of the 2009 Loan Agreement and the 2009 Note and, similarly, to authorize such Authorized Officers of the Participating Institution to execute, deliver and issue in the name of and on behalf of the Participating Institution, the 2009 Loan Agreement, the 2009 Note and any and all documents necessary or desirable to effectuate the financing or refinancing of all or a portion of the costs of the 2009 Project through the Program with the Authority and to facilitate the purchase of the 2009 Note by the Authority.

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

Section 1. The 2009 Project is hereby designated a Project to be undertaken and financed or refinanced by the Authority and, accordingly, the President and Vice President of Administration and Finance of the Participating Institution (collectively, the “Authorized Officers”), are each hereby delegated and invested with full power and authority to approve the forms of the 2009 Loan Agreement and 2009 Note, and any pledge to the payment of the 2009 Note of the Participating Institution’s total gross university sponsored overhead, unrestricted

endowment income, tuition and fees, indirect cost recoveries, auxiliary enterprise revenues, general and nongeneral fund appropriations and other revenues not required by law or by previous binding contract to be devoted to some other purpose, restricted by a gift instrument for another purpose or excluded from such pledge as provided in the 2009 Loan Agreement, and such approval is hereby authorized, subject to the provisions of Section 3 hereof.

Section 2. Subject to the provisions of Section 3 hereof, the Authorized Officers are each hereby individually delegated and invested with full power and authority to execute, deliver and issue, on behalf of the Board, (a) the 2009 Loan Agreement and the 2009 Note with the approval of such documents in accordance with Section 1 hereof by any such officer evidenced conclusively by the execution and delivery of the 2009 Loan Agreement and 2009 Note, respectively, and (b) any and all other documents, instruments or certificates as may be deemed necessary or desirable to consummate the financing or refinancing of all or a portion of the costs of the 2009 Project through the Program, the construction of the 2009 Project and the Participating Institution's participation in the Program, and to further carry out the purposes and intent of this Resolution. The Authorized Officers are directed to take such steps and deliver such certificates prior to the delivery of the 2009 Note as may be required under existing obligations of the Participating Institution, including bond resolutions relating to the Participating Institution's outstanding general revenue pledge bonds.

Section 3. The authorizations given above as to the approval, execution, delivery and issuance of the 2009 Loan Agreement and the 2009 Note are subject to the following parameters: (a) the principal amount to be paid under the 2009 Note allocable to each Project constituting part of the 2009 Project, together with the principal amount of any other indebtedness with respect to such Project, shall not be greater than the amount authorized for such Project by the General Assembly of Virginia, plus amounts needed to fund issuance costs and other financing expenses, including capitalized interest, or any other increase permitted by law, (b) the aggregate principal amount of the 2009 Note shall in no event exceed \$780,000, as the same may be so increased, (c) the interest rate payable under the 2009 Note shall not exceed a "true" or "Canadian" interest cost more than 50 basis points higher than the interest rate for "AA" rated securities with comparable maturities, as reported by Delphis Hanover, or another comparable service or index, on the date that the interest rates on the 2009 Note are determined, taking into account original issue discount or premium, if any, (d) the weighted average maturity of the principal payments due under the 2009 Note shall not be in excess of 20 years, (e) the last principal payment date under the 2009 Note shall not extend beyond the period of the reasonably expected average weighted economic life of the 2009 Project, and (f) subject to the foregoing, the actual amount, interest rates, maturities, and date of the 2009 Note shall be approved by an Authorized Officer, which approval will be evidenced by the execution of the 2009 Note.

Section 4. The Board acknowledges, on behalf of the Participating Institution, that if the Participating Institution fails to make any payments of debt service due under any Loan Agreement or Note, including the 2009 Loan Agreement and the 2009 Note, the Program authorizes the State Comptroller to charge against the appropriations available to the Participating Institution all future payments of debt service on that Loan Agreement and Note when due and payable and to make such payments to the Authority or its designee, so as to ensure that no future default will occur on such Loan Agreement or Note.

Section 5. The Board agrees that if the Authority determines that the Participating Institution is an "obligated person" under Rule 15c2-12 of the Securities and Exchange Commission with respect to any issue of Bonds, the Participating Institution will enter into a

continuing disclosure undertaking in form and substance reasonably satisfactory to the Authority and the Participating Institution and will comply with the provisions and disclosure obligations contained therein.

Section 6. This resolution shall take effect immediately upon its adoption.

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. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**RESOLUTION OF THE BOARD OF VISITORS OF OLD DOMINION UNIVERSITY
APPROVING AMENDMENT TO FUND MANAGEMENT AGREEMENT**

WHEREAS, pursuant to an agreement dated July 1, 1988 (the "Agreement"), by and between Old Dominion University Educational Foundation (the "Educational Foundation") and Old Dominion University ("ODU"), the Funds (as defined in the Agreement) are held by the Educational Foundation as agent for ODU, with the authority to invest, manage and administer the Funds on behalf of ODU for the benefit of ODU; and,

WHEREAS, under certain circumstances it may be prudent for the Educational Foundation to borrow funds and loan some or all of the proceeds therefrom to ODU by using some or all of such proceeds to finance transactions that further the interests of ODU and the investment objectives for the Funds; and,

WHEREAS, it is desired that the Agreement be amended to clearly grant the Educational Foundation the authority to loan such proceeds to ODU under such circumstances and to draw from the Funds as necessary to repay such loans and reimburse the Educational Foundation for any costs it incurs associated with providing such loans; and,

WHEREAS, an amendment to the Agreement consistent with the foregoing recital (the "Amendment"), in substantially final form, has been presented to the Board of Visitors;

NOW, THEREFORE, BE IT RESOLVED:

1. The Amendment, as attached, is hereby approved.
2. The President or any Vice President of ODU is hereby authorized to execute and deliver the Amendment in the form presented to the Board of Visitors, with such changes as may be approved by the President or any Vice President of ODU, upon advice of counsel to ODU.

The undersigned hereby certifies that the foregoing resolution was duly adopted by the Board of Visitors of Old Dominion University at a meeting on the matter held on _____, 2009, and that such resolution is in full force and effect on the date hereof.

AMENDMENT TO ENDOWMENT FUNDS MANAGEMENT AGREEMENT

THIS AMENDMENT TO ENDOWMENT FUNDS MANAGEMENT AGREEMENT is made this _____ day of _____, 2009, by and between Old Dominion University, an institution of higher learning, public body and governmental instrumentality of the Commonwealth of Virginia (the "University"), and Old Dominion University Educational Foundation, a Virginia non-stock corporation (the "Foundation").

WITNESSETH:

WHEREAS, by agreement dated July 1, 1988, by and between the University and the Foundation (the "Original Agreement"), the parties agreed, among other things, that the Endowment Funds (as defined in the Original Agreement) would be held by the Foundation as agent for the University, with the authority to invest, manage and administer the Endowment Funds on behalf of the University for the benefit of the University; and,

WHEREAS, the undersigned parties recognize that under certain circumstances, it may be prudent for the Foundation to borrow funds and loan some or all of the proceeds therefrom to the University by using some or all of such proceeds to finance transactions that further the interests of the University and the investment objectives for the Endowment Funds; and,

WHEREAS, the undersigned parties acknowledge that any such use of loan proceeds by the Foundation for the benefit of the University constitutes a loan to the University that may be repaid from the Endowment Funds; and,

WHEREAS, the undersigned parties desire to amend the Original Agreement so that the Foundation has the clear authority under such circumstances to loan such proceeds to the University and to draw from the Endowment Funds as necessary to repay such loans and reimburse the Foundation for any costs it incurs associated with providing such loans;

NOW THEREFORE, in consideration of the foregoing premises, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Section 2 of the Original Agreement is hereby revoked and canceled, and in lieu thereof the following is substituted:

Section 2. The Endowment Funds shall be held by the Foundation as agent for the University separate and apart from other funds and property of the Foundation. The Foundation shall have the same power and authority to invest, manage, and administer the Endowment Funds as it has with respect to the funds and property of the Foundation, including complete discretion to delegate any such authority to such investment counsel as may be selected by the Foundation. Furthermore, if the Foundation incurs indebtedness and uses some or all of the proceeds therefrom for the benefit of the University by financing transactions that further the investment objectives for the Endowment Funds (any such indebtedness is hereinafter referred to collectively as the "Debt"), then, unless otherwise agreed by the parties hereto, such use of said proceeds shall be treated as a loan to the University (any such use of Debt proceeds is hereinafter referred to collectively as the "Loan"); provided, however, that the Foundation shall notify

the University in advance of any such use of proceeds. The Foundation is authorized to draw from the Endowment Funds at any time and from time to time for purposes of repayment of some or all of the Loan and/or reimbursement of any costs and fees incurred by the Foundation in connection with the Debt, to the extent reasonably and appropriately allocable to the Endowment Funds. The Foundation shall also invest, manage and administer the earnings and profits derived from the investment of the Endowment Funds. Such earnings and profits shall be deemed a part of the Endowment Funds and be subject to the terms of this Agreement. The foregoing notwithstanding, nothing herein shall be construed as a commitment or pledge of the full faith and credit of the Commonwealth of Virginia for the debts of the University, nor a pledge by the University of its assets, except to the extent University assets under management by the Foundation are used to collateralize debt created by the Foundation in carrying out its purposes articulated in this Agreement.

2. Section 3 of the Original Agreement is hereby revoked and canceled, and in lieu thereof the following is substituted:

Section 3. Other than the repayment of the Loan, reimbursement for costs and fees incurred by the Foundation in connection with the Debt (including, but not limited to, any premium, interest and/or late charges), and payment of reasonable costs and expenses related to the investment, management and administration of the Endowment Funds, the Foundation agrees to expend the Endowment Funds only for the programs and activities of the University and only as requested in writing by the University. The University agrees that any such request shall be consistent with any restriction applicable to the portion of the Endowment Funds to be expended.

3. The said Original Agreement, as amended hereby, is hereby ratified and confirmed in all respects.

4. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment under seal, effective as of the day and year first above written.

OLD DOMINION UNIVERSITY

By: _____
Name: _____
Title: _____

OLD DOMINION UNIVERSITY EDUCATIONAL FOUNDATION

By: _____
Name: _____
Title: _____

OLD/UNFINISHED BUSINESS

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

RECTOR'S REPORT

Rector Mugler commended the University community for a very successful football kickoff. He also recognized Sonny Stallings for his role in bringing football back to Old Dominion.

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 Section 2.2-3711(A) (1), we reconvene in closed session for the purpose of discussing the evaluation of departments or schools of the University where that evaluation necessarily involves discussion of the performance of specific individuals; specifically, to discuss the College of Education and the CTQEL Program.” The motion was seconded and approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

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 eleven (11) in favor and none opposed (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

After reconvening in open session, the Rector made the following statement, “During the closed session, members of the Board of Visitors were presented with a detailed audit report from the University Auditor, Deane Hennett, on the Center for Teacher Quality and Educational Leadership. In an effort to be as responsive and transparent as possible to the public and to news organizations, the Board of Visitors has agreed to release the full audit without any edits whatsoever. And now President Broderick will respond to the audit.”

PRESIDENT'S REPORT

President Broderick referenced his slides that presented each of the audit points and his responses, and made the following statement: “In terms of the issue about CTQEL, what you can see and what’s being reported to you today is that I asked it to specifically address financial issues and hiring practices, and the goal of that was to identify problems with contracting processes, one of which resulted in Delegate Hamilton’s employment by the University, and to

recommend changes to bring CTQEL in compliance with University policy. As a result of that, I have directed the Provost and Vice President for Academic Affairs to appoint a person, other than the director of PREPS and the dean of Education to take charge of both CTQEL and PREPS. She has appointed David Hager, former acting provost and emeritus faculty member, who has accepted the charge. This also means the existing organizational structure is being abolished. In addition, [the Provost and Dr. Hager have been asked] to ensure that the funds of the program are maintained separately from those of the Research Foundation, and to review the employment status of all employees and contractors of CTQEL and PREPS.

“Point two in the audit talks about our 4031 hiring process that was not properly used. In this instances, I’ve appointed a group broadly representing Human Resources, Administration and Finance and Academic Affairs, which is chaired by Jay Wright, Associate University Counsel, to review the use of the 4031 hiring process and to prepare a new University policy addressing how, when and under what circumstances this type of hire may be used. That committee has met and the policy has been drafted and will be acted upon. In addition, I will ask you as a Board today to consider a resolution specifically regarding the hiring of elected officials by the University to ensure that such hires receive both presidential and Board scrutiny in the future.

“The third audit point talks about how CTQEL did not always properly follow procurement procedures for selecting and paying independent contractors. In this instance I have asked Dr. Hager to put in place a special system, which requires specific contact with the Materiel Management Department each time an outside contractor is considered. This will ensure that only competitive procurement processes are used, unless it is clearly appropriate to use some other method of procurement.

“The fourth audit point talks about how documentation of services provided by both 4031 employees and independent contractors was often not adequate to verify the delivery of services. In this instance, I have asked the committee examining the 4031 process to write requirements in each such contract for goals, performance testing and expected outcomes statements. Prior to any payment under this type of hire, a report will be required demonstrating that goals were met, performance tested and outcomes achieved, and identifying any unanticipated barriers that prevented the planned outcomes. I have also directed the Provost to cease processing any 4031 contract that lacks the three requirements noted above. To the extent a contract is entered into, other than an employment contract, the process for determining its appropriateness must be vetted and/or handled by Materiel Management, and must contain, at a minimum, the same three requirements noted above. In addition, contract performance must be tested with periodic performance reports.”

President Broderick then presented a proposed hiring resolution and read aloud the last three paragraphs. He made the following statement before a motion was made, “Before you talk about the resolution, I would also like to say to all of you that clearly mistakes were made at Old Dominion, and I know that members of the University community and the Board have been disappointed by what’s happened. After review of the audit and the results, as well as consulting with the Provost, I have asked the Special Assistant to the Provost, David Hager, to assume full responsibility for the activities of PREPS and CTQEL. These units are being reorganized into a new entity to take effect at the end of the year, or sooner, and the existing organizational structure (as I mentioned to you in the slides) would be abolished. We will begin the search for a new director when the reorganization is finalized. PREPS and CTQEL in its form will report directly to the Provost until such a time I am certain that all activities are being appropriately

managed. As you also know, Dean Graves earlier indicated this year his intention to retire at the end of the academic year, and a nationwide search is already underway for his replacement as the head of the Darden College of Education. Mr. Rector, that concludes my report.”

The Rector asked if there were any comments or discussion about the President’s audit report or the President’s action plan. Mr. Stallings expressed his appreciation to President Broderick for authorizing this thorough report and the action plan he has developed. Rector Mugler stated that he is satisfied that the President and the administration have taken the appropriate steps to fill the gaps that caused the situation with Delegate Hamilton, and this resolution, along with new policies and tighter controls, will ensure that this situation does not happen again.

A motion to approve the resolution was made by Mr. Hixon, seconded by Mr. Hall, and approved unanimously by all members present and voting. (*Brown, Croshaw, Faeder, Forehand, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.*)

**BOARD OF VISITORS
OLD DOMINION UNIVERSITY
RESOLUTION CONCERNING EMPLOYMENT**

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.

NEW BUSINESS

There was no new business to come before the Board.

With no further business to be discussed, the meeting was adjourned at 3:55 p.m.