

OLD DOMINION UNIVERSITY

BOARD OF VISITORS
Thursday, June 16, 2011

MINUTES

The Board of Visitors of Old Dominion University held its annual meeting on Thursday, June 16, 2011, at 9:00 a.m. in the Board Room of Webb University Center on the Norfolk campus. Present from the Board were:

David L. Bernd, Rector
Jeffrey W. Ainslie
Frank Batten, Jr.
Sarita E. Brown
Linda L. Forehand
Dee D. Gilmore
Luke M. Hillier
Marc Jacobson
Pamela C. Kirk
Barry M. Kornblau
Robert M. Treherne
Fred J. Whyte
Gregory Walsh (*Student Representative*)

Absent were:

Kenneth E. Ampy
David W. Faeder
Harold W. Gehman, Jr.
Conrad M. Hall
Robert J. O'Neill

Present from the administration were:

John R. Broderick, President	Jennifer Mullen
Alonzo Brandon	Tom Osha
Mike Debowes	Jerry Robertson
William Edmunds	September Sanderlin
Robert L. Fenning	Wood Selig
Velvet Grant	Carol Simpson
Deane Hennett	Bill Sizemore (<i>The Virginian-Pilot</i>)
Glenda Humphreys	Don Stansberry
Mohammad Karim	Cecelia Tucker
Patrick B. Kelly	George Votava
Donna W. Meeks	James D. Wright

Others Present:

Jerry Bowman (*Bowman Green Hampton & Kelly, PLLC*)
Chief Sharon Chamberlin (*Norfolk Police Department*)
Detective Frank Curott (*Norfolk Police Department*)
Sgt. Wayne Handy (*Norfolk Police Department*)
Sgt. J. M. Kowalski (*Norfolk Police Department*)
Lt. Don Launder (*Norfolk Police Department*)

CALL TO ORDER AND MOTION FOR CLOSED SESSION

The Rector called the meeting to order at 9:00 a.m. and recognized Ms. Kirk, who read the following motion: “Mr. Rector, I move that this meeting be recessed, and, as permitted by Virginia Code Section 2.2-3711(A) (1), we reconvene in closed session for the purpose of discussing a personnel matter, specifically the evaluation of the Old Dominion University police department, where that evaluation necessarily involves discussion of the performance of specific individuals.” The motion was seconded and approved unanimously by all members present and voting. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Kirk, Kornblau, Treherne, Whyte*)

RECONVENE IN OPEN SESSION AND FOIA CERTIFICATION

At the conclusion of the closed session, the meeting was reconvened in open session, at which time the Vice Rector called for the Freedom of Information Act certification of compliance that (1) only public business matters lawfully exempted from the open meeting requirements under the Freedom of Information Act were discussed and (2) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered. The certification of compliance vote was ten in favor and none opposed. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Kirk, Kornblau, Treherne, Whyte*)

RECESS FOR STANDING COMMITTEE MEETINGS

Due to the closed session lasting longer than anticipated, Rector Bernd asked that the Institutional Advancement and Student Advancement Committees meetings be canceled and announced the adjusted meeting times for the joint session and the Academic & Research Advancement and Administration & Finance Committees. The Board then recessed at 10:30 a.m.

RECONVENE AND APPROVAL OF MINUTES

The Rector reconvened the meeting at 1:30 p.m. and asked for approval of the minutes of the regular meeting held on April 7, 2011. A motion was made by Mr. Jacobson to approve the minutes as distributed. The motion was seconded by Ms. Kirk and approved unanimously by all members present and voting. (*Ainslie, Batten, Brown, Forehand, Gilmore, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

RECTOR’S REPORT

The Rector indicated that he had no report.

PRESIDENT’S REPORT

The Rector called on President Broderick for his report. President Broderick asked everyone to join him in a moment of silence in remembrance of Christopher Cummings. Immediately following, he stated that it has been a very sad week for the Old Dominion University

community, unequaled in the sadness Christopher's family is feeling. Christopher's fraternity brothers had a celebration of his life this past weekend. He will be attending his wake on Friday and transportation is being provided by the University for students wishing to attend the funeral on Saturday. Jake Carey, also injured in the shooting, is in the hospital and doing remarkably well. Congressman Elijah Cummings, Christopher's uncle, will be meeting with University and Norfolk Police Department representatives on Monday.

President Broderick reported on the recent hires of Dr. Peter Bernath as Chair of Chemistry and Biochemistry, Shelley Mishoe as Dean of Health Sciences, and Gil Yochum as Dean of the College of Business and Public Administration. He noted the Improving Teacher Quality State grant from SCHEV, which provides another partnership opportunity with Northampton and Norfolk Public Schools.

Research activities include publication of Drs. Jim Wang and Holly Gaff's "Mathematical Models of Cholera Epidemic in Haiti and Zimbabwe" in the prestigious *Proceedings of the National Academy of Sciences*, coordination of the Hampton Roads Emergency Response Exercises by VMASC, and the Solar Decathlon House, which has generated tremendous visibility for Old Dominion and Hampton University students.

The Office of Student Activities and Leadership coordinated ODU's Relay for Life, and the Recreation and Wellness Center hosted the annual Monarch 5K and Adventure Race, with proceeds supporting the "ForKids" organization. The Office of Intercultural Relations collaborated with Café 1201, the F.O.R.E.I.G.N.E.R.S., and Thai Student Association to bring four guest international restaurants to campus on Reading Day.

Discussions are underway in preparation for the 2012 General Assembly Session, with continued focus on base adequacy and submission of the six-year plan to SCHEV by July 1. SCHEV Director Peter Blake and council member Gil Bland visited campus in May, Councilman Rigell visited VMASC in May, and DPB Executive Director Michael Maul and Higher Education Analyst Scott Sandridge visited on June 7. Governor McDonnell and Chancellor Dubois participated in an event held in Richmond in April to commemorate ODU's new partnership with VCCS.

President Broderick noted the new reporting requirements of the Virginia Higher Education Opportunity Act of 2011 and the mandatory and optional elements the Six-Year Plans. He noted that the University is taking some aggressive steps in order to improve graduation and retention rates and resources are being dedicated to student success initiatives. He reviewed the timetable for submission of the Plan by July 1, a meeting to review the plan in Richmond on August 17, formal written feedback due to institutions by September 1, and final Plans due by October 1.

The President noted several activities in University Advancement, including the following: Community Development Corporation met with Virginia Historically Black Colleges and Universities to discuss partnership opportunities; two significant gifts received by the Office of Development; successful 2010 audits for the Foundations; new affinity partnership with Capital One for an ODU credit card; announcement of the Old Dominion Athletic Foundation (ODAF); launch of *Monarch Magazine*; a new program in conjunction with the White House Interfaith and Community Service Campus Challenge to promote inter-religious and intercultural cooperation; Life in Hampton Roads Survey sponsored by the Offices of Research and Community Engagement and conducted by the Social Science and Research Center; focus on

climate change and sea-level rise research in the Spring edition of *Community Connection*; celebration of the 20th anniversary of the Lamberts' Point summer program; ODU Day at the ODU-themed house at Homearama (with proceeds supporting the Solar Decathlon House); designation as a Military Friendly School for 2012 by *G.I. Jobs* magazine and renewal of the 1995 MOU with NATO/ACT that will enable additional scholarship opportunities for NATO families while in Norfolk; NATO ACT Supreme Allied Commander Transformation SAC-T General Stephane Abrial French Air Force confirmed as one of two December commencement speakers; and the Indo-U.S. Science and Technology Forum Tour in June.

President Broderick noted that he was appointed by Governor McDonnell to serve on the Higher Education Advisory Committee and was voted to a four-year term as the Colonial Athletic Association's representative to the NCAA.

As a follow-up to discussions regarding the proposed new Innovation Foundation at the April meeting, President Broderick, Vice President Fenning and Tom Osha have been providing additional details to board members about the proposal. Tom Osha, Jerry Robertson and Jerry Bowman were invited to today's meeting in order to address any additional questions or comments. Mr. Batten stated that the proposal is a good one and one which he endorses wholeheartedly. Mr. Jacobson and Mr. Whyte agreed. A motion was made by Mr. Ainslie that the Board of Visitors authorizes the University to create the Innovation Foundation. The motion was seconded by Ms. Forehand and was approved unanimously by all members present and voting. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte.*) President Broderick said that a member of the Board of Visitors will be chosen to serve on the Innovation Foundation's board.

REPORTS OF STANDING COMMITTEES

AUDIT COMMITTEE

The Rector called on Mr. Kornblau for the report of the Audit Committee. Mr. Kornblau reported that Deane Hennett, Internal Audit Director, provided an update on Compliance Committee activities, internal audit's participation in the SunGard consulting project, and other related projects. The University's internal audit plan for FY2012 was presented and approved by the Committee.

In closed session, Mr. Hennett reported on details of a recent audit performed on the Department of Facilities Management.

ACADEMIC AND RESEARCH ADVANCEMENT COMMITTEE

The Rector called on Ms. Brown for the report of the Academic and Research Advancement Committee. Ms. Brown reported that the Committee met in closed session to discuss the appointment of three faculty members with tenure. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved unanimously by all members present and voting. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Dr. Peter Bernath as Professor of Chemistry and Biochemistry and Department Chair with the award of tenure in the Department of Chemistry and Biochemistry in the College of Sciences, effective July 25, 2011.

Salary: \$140,000 for 10 months
Rank: Professor of Chemistry and Biochemistry (designated as Chair of the Department of Chemistry and Biochemistry)

APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Dr. Kahn Iftekharuddi as Professor with the award of tenure in the Department of Electrical and Computer Engineering in the Batten College of Engineering and Technology, effective July 25, 2011.

Salary: \$115,000 for 10 months (Includes a \$5000 stipend for serving as Director of Computational Intelligence and Machine Vision Laboratory)
Rank: Professor of Electrical and Computer Engineering

APPOINTMENT OF FACULTY MEMBER WITH TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Dr. Jay P. Scribner as Professor of Educational Foundations and Leadership and Department Chair with the award of tenure in the Department of Educational Foundations and Leadership in the Darden College of Education, effective July 25, 2011.

Salary: \$122,500 for 12 months
Rank: Professor of Educational Foundations and Leadership and designated as Chair of the Department of Educational Foundations and Leadership.

The Committee approved by unanimous vote the resolutions on 23 faculty appointments and 21 administrative appointments. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved unanimously by all members present and voting. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

FACULTY APPOINTMENTS

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

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Jan Joel Andersson Dragas Distinguished Visiting Professor of International Studies	\$24,000	7/25/11	10 mos

Dr. Andersson received a Ph.D. in Political Science and an M.A. in International Relations, in 2002 and 1996 respectively, from the University of California, Berkeley and an M.Sc. and B.Sc. in Political Science, in 1995 and 1994 respectively, from Uppsala University, Sweden. He has been Senior Research Fellow at the Swedish Institute of International Affairs and Director of the Institute's program on Security and Defense. He has taught at Uppsala University, University of California at Berkeley and Stockholm University. (Less than ½ time appointment)

Dr. Gary A. Beck Assistant Professor of Communication and Theatre Arts	\$52,000	7/25/11	10 mos
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Dr. Beck received a Ph.D. in Communication Studies in 2010 from the University of Texas at Austin and an M.A. in Communication Studies and a B.A. in American History, in 2004 and 2001 respectively, from the University of Rhode Island. Since 2005, he has been an Assistant Instructor at the University of Texas at Austin and an Adjunct Professor at both Austin Community College and St. Edward's University.

Ms. Elizabeth C. Black Instructor of Foreign Languages and Literatures (Tenure Track)	\$50,000	7/25/11	10 mos
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Ms. Black received an M.A. in French Studies in 2006 from the University of Illinois at Urbana-Champaign, an M.A. Joint Honours (equivalent of American B.A.) in French and Italian in 2001 from the University of Glasgow, UK, and is expected to receive a Ph.D. in French from the University of Illinois at Urbana-Champaign in 2011. Since 2005, she has been teaching in the Department of French at the University of Illinois at Urbana-Champaign. (rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by July 25, 2011)

Ms. Ann M. Bruhn Assistant Professor of Dental Hygiene (Tenure Track)	\$62,000	7/25/11	10 mos
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Ms. Bruhn received an M.S. and B.S. in Dental Hygiene, in 2007 and 2006 respectively, from Old Dominion University. Since 2010, she has been an Instructor in the School of Dental Hygiene at Old Dominion University. She was a Registered Dental Hygienist in private practice from 2006-10.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Brandon M. Butler Instructor of Teaching and Learning (Tenure Track)	\$57,333	7/25/11	10 mos

Mr. Butler received an M.A.T. in Secondary Education with concentration in History and a B.S. in History, in 2003 and 2002 respectively, from Georgia College and State University and is expected to receive a Ph.D. in Social Studies Education in 2011 from the University of Georgia. Since 2007, he has been a Graduate Teaching Assistant in the Social Studies Education Program at the University of Georgia. (Rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by August 31, 2011)

Ms. Sharon DiLustro Lecturer of Art	\$40,000	7/25/11	10 mos
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Ms. DiLustro received an M.A. in Art History in 2002 from the University of Colorado at Boulder and a B.A. in Economics in 1982 from the College of William and Mary. Since 2004, she has been an Adjunct Instructor in the Department of Art at Old Dominion University.

Ms. Joyce Marie Downs Assistant Professor of Dental Hygiene (Tenure Track)	\$62,000	7/25/11	10 mos
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Ms. Downs received an M.S. and B.S. in Dental Hygiene, in 2008 and 2001 respectively, from Old Dominion University. Since 2010, she has been an Instructor in the School of Dental Hygiene at Old Dominion University. Prior to that, she was a Graduate Research Assistant, Adjunct Assistant Professor and Graduate Teaching Assistant at Old Dominion.

Dr. Angela Eckhoff Assistant Professor of Teaching and Learning (Tenure Track)	\$59,000	7/25/11	10 mos
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Dr. Eckhoff received a dual Ph.D. in Educational Psychology and Cognitive Science in 2006 from the University of Colorado-Boulder, an M.S.Ed. in Educational Psychology in 2000 from the University of Kansas and a B.S. in Family Studies and Human Services in 1996 from Kansas State University. Since 2006, she has been an Assistant Professor of Early Childhood Education in the Eugene T. Moore School of Education at Clemson University.

Ms. Farideh Goldin Lecturer of English	\$40,800	7/25/11	10 mos
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Ms. Goldin received an M.F.A. in Creative Writing, an M.A. in Humanities and a B.A. in English, in 2002, 1995, and 1975 respectively, from Old Dominion University. Since 2008, she has been a Lecturer of English at Old Dominion University. (Previously on a restricted one-year appointment)

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Leslie W. Grant Assistant Professor of Teaching and Learning (Tenure Track)	\$59,500	7/25/11	10 mos

Dr. Grant received a Ph.D. in Educational Policy, Planning, and Leadership in 2006 from The College of William and Mary, an Ed.S. in Curriculum and Instruction in 1997 from The George Washington University, an M.S.Ed. in Educational Administration in 1994 from Old Dominion University, and a B.A. in History in 1990 from James Madison University. Since 2006, she has been a Visiting Assistant Professor in the School of Education at The College of William and Mary.

Ms. Ashley Green Lecturer, English Language Center	\$35,500	6/25/11	10 mos
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Ms. Green received an M.A. in Linguistics in 2009 from the University of South Carolina and a B.A. in French in 2006 from Louisiana State University. Since 2009, she has been an Instructor for the English Language Program at Kansas State University.

Ms. Janet L. Knust Instructor of Communication Disorders and Special Education, Coordinator of the Oral Preschool Program	\$55,000	8/10/11	10.5 mos
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Ms. Knust received an M.S. in Education of the Deaf in 1989 from Adelphi University and a B.A. in Special Education in 1985 from Dowling College. Since 2009, she has been Coordinator/Teacher of the Oral Preschool Program at Old Dominion University. (Previously on a restricted 1 year and now on an annual appointment)

Dr. Ann Marie Kopitzke Lecturer of Community and Environmental Health	\$52,000	7/25/11	10 mos
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Dr. Kopitzke received a Ph.D. in Health Services Research and an M.P.A., in 2009 and 2002 respectively, from Old Dominion University and a Bachelor of Business Administration in 1987 from the University of Wisconsin – Milwaukee. Since 2008, she has been Assistant Director and Advisor/Lecturer for the Bachelor of Science in Health Sciences program at Old Dominion University.

Dr. Carol Leler Mansyur Assistant Professor of Community and Environmental Health (Tenure Track)	\$74,900	7/25/11	10 mos
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Dr. Mansyur received a Ph.D. in Public Health (Behavioral Sciences) in 2006 from The University of Texas School of Public Health and an M.A. in Sociology and a B.S. in Psychology, in 1995 and 1988 respectively, from the University of Houston. Since 2009, she has been an Adjunct Assistant Professor in the Department of Health Promotion and Behavioral Sciences at The University of Texas School of Public Health at Houston. Since 2000, she has been a Primary Care Research Fellow and Research Associate in the Department of Family and Community Medicine at the Baylor College of Medicine.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Megan McKittrick Instructor of English	\$40,000	7/25/11	10 mos

Ms. McKittrick received a Professional Writing Certificate and an M.A. in English, in 2010 and 2008 respectively, from Old Dominion University and a B.A. in English in 2005 from California State University, Fresno. Since 2008, she has been an Adjunct Professor in the Department of English at Old Dominion University.

Dr. Walter Lee Melvin Lecturer/Dentist, School of Dental Hygiene	\$80,000	7/25/11	10 mos
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Dr. Melvin received a D.M.D. in 1981 from the University of Louisville School of Dentistry and a B.S. in Microbiology in 1977 from the University of Kentucky. He has been Periodontics Department Head at Branch Dental Clinic Sewell's Point and at the Naval Medical Center in Portsmouth.

Ms. Tara L. Newcomb Assistant Professor of Dental Hygiene (Tenure Track)	\$62,000	7/25/11	10 mos
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Ms. Newcomb received an M.S. and a B.S. in Dental Hygiene, in 2008 and 2002 respectively, from Old Dominion University. Since 2007, she has been an Instructor and Adjunct Instructor in the School of Dental Hygiene at Old Dominion University.

Dr. Kathryn S. Schwartz Assistant Professor of Communication Disorders and Special Education (Tenure Track)	\$63,500	7/25/11	10 mos
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Dr. Schwartz received a Ph.D. in Audiology in 2011 from the University of Memphis, a Doctor of Audiology in 2005 from the University of Louisville School of Medicine and a B.S. in Speech Pathology and Audiology in 2001 from Miami University. Since 2006, she has been a Research Associate in the Hearing Aid Laboratory and a Clinical Instructor in the University Speech and Hearing Center at the University of Memphis.

Ms. Sharon C. Stull Lecturer of Dental Hygiene	\$58,555	7/25/11	10 mos
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Ms. Stull received an M.S. and a B.S. in Dental Hygiene, in 2002 and 1996 respectively, from Old Dominion University. Since 2009, she has been Lecturer and Chief Departmental Advisor in the School of Dental Hygiene at Old Dominion University. (Previously on a restricted one-year appointment)

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Christine Ann Sump Lecturer of Nursing	\$55,000	7/25/11	10 mos

Ms. Sump received an M.S.N. and Teaching Certification, in 2007 and 1999 respectively, from Old Dominion University and a Bachelor of Science in Nursing in 1980 from St. Joseph College. Since 2010, she has been a Lecturer of Nursing at Old Dominion University. Ms. Sump has been a Staff Nurse at Chesapeake General Hospital since 1992. (Previously on a restricted one-year appointment)

Dr. James R. Van Dore Lecturer of Philosophy and Religious Studies	\$40,000	7/25/11	10 mos
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Dr. Van Dore received a Ph.D. in New Testament in 2011 from Claremont Graduate University, an M.T.S. in 1996 from Calvin Theological Seminary and a B.A. in English and Economics in 1989 from the University of Michigan. For the spring semester he has been an Adjunct Instructor in the Department of Philosophy and Religious Studies at Old Dominion University.

Dr. Xixi Wang Associate Professor of Civil and Environmental Engineering	\$77,500	7/25/11	10 mos
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Dr. Wang received a Ph.D. in Agriculture Engineering in 2001 from Iowa State University and an M.S. and B.S. in Civil Engineering, in 1993 and 1989 respectively, from Tsinghua University, Beijing, China. Since 2008, he has been Assistant Professor of Hydrology and Watershed Engineering in the Department of Engineering and Physics at Tarleton State University.

Mr. Joshua T. Weinhandl Instructor of Human Movement Sciences (Tenure Track)	\$58,000	7/25/11	10 mos
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Mr. Weinhandl received an M.S. in Exercise Science in 2007 from Ball State University, a B.S. in Health, Physical Education, and Recreation in 2005 from Greenville College and is expected to receive a Ph.D. in Health Sciences from the University of Wisconsin – Milwaukee. Since 2009, he has been Associate Lecturer at the University of Wisconsin – Parkside. (Rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by August 31, 2011)

ADMINISTRATIVE FACULTY APPOINTMENTS

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

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Kathleen Broderick Faculty and Community Liaison, Office of Educational Accessibility	\$30,000	6/25/11	12 mos

Ms. Broderick received an M.S. in Education and a B.S. in Elementary Education, in 1993 and 1990 respectively, from St. Bonaventure University. Since 2008, she has been Acting Director of the Office of Educational Accessibility at Old Dominion University. (Half-time appointment)

Mr. Kenneth L. Brown Senior Associate Athletic Director for Internal Operations and Instructor	\$125,000	6/10/11	12 mos
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Mr. Brown received a Master's degree in Sports Administration from Ohio University, a Master's in Educational Administration from Xavier University and a B.S. in Mathematics from Eastern Kentucky University. Since 2008, he has been Athletics Director at Lambuth University. Prior to that, Mr. Brown was Deputy Athletic Director at Ball State University.

Ms. Erin Bunton Interim Assistant Director, Office of Student Conduct and Academic Integrity, and Instructor	\$38,000	6/10/11	12 mos
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Ms. Bunton received an M.S.Ed. in Higher Education from Old Dominion University in 2009 and a B.A. in Sociology from Bradley University in 2004. Since 2010, she has served as a Student Conduct Specialist and Academic Integrity Liaison at the University of Texas – Austin. Prior to that, Ms. Bunton served as a Student Conflict Resolution Coordinator at the University of Michigan –Ann Arbor.

Dr. Shanan Chappell Research Assistant Professor, Educational Partnerships	\$60,000	5/16/11	12 mos
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Dr. Chappell received a Ph.D. in Curriculum and Instruction from Old Dominion University in 2009, an M.Ed. from Regent University in 2002 and a B.A. in Communications from Virginia Wesleyan in 1991. She has served as a contracted research scientist for REL: Appalachia, an adjunct professor at the College of the Albermarle, and an elementary school teacher and technology specialist.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Saharay E. Cosio Professional Counselor and Instructor, Counseling Services	\$56,000	8/1/11	12 mos

Ms. Cosio received an M.A. in Clinical Psychology in 2009 from Regent University, an M.S.W. in 2005 from the University of Michigan and a B.A. in Psychology and Sociology in 2004 from The College of William and Mary. She expects to receive a Psy.D. in Clinical Psychology in 2011 from Regent University. Since 2010, she has been a Clinical Intern at Kansas State University Counseling Services.

Mr. David B. Danenberg International Admissions Coordinator/Counselor and Instructor	\$33,000	6/25/11	12 mos
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Mr. Danenberg received a Master of Education in Higher Education Administration and Student Personnel, a Certificate of Internationalization in Higher Education and a Bachelor of Education, in 2011, 2010, and 2009 respectively, from Kent State University. Since 2009, he has been a Graduate Assistant in the Undergraduate Admissions Office at Kent State University.

Mr. Jacoby A. M. DuBose Instructional Technology Specialist and Assistant Instructor	\$45,000	5/18/11	12 mos
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Mr. DuBose received a B.A. in Electronic Studio Design in 2006 from Howard University. Since 2010, he has been Mobile Application and Web Developer for Insignia Technology Services and Data & Application Analyst, Remote/Telecommuting for Berman Larson Kane/Archi-Tech, Flash & Flex Consultant.

Mr. James P. Duffy Associate Vice President for Academic Affairs and Instructor	\$125,000	5/25/11	12 mos
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Mr. Duffy received an M.P.A. in 1978 from Old Dominion University and a B.A. in Urban Affairs with studies in Architecture in 1974 from Virginia Tech. He completed all course work in the Public Administration doctoral program at Old Dominion. Since 1999, Mr. Duffy has been Associate University Budget Officer at Old Dominion University. Prior to that, he was Director of Finance and Administration for the City of Virginia Beach Community Services Board for over 21 years.

Mr. William M. Edmunds Acting Administrative Operations Officer and Instructor	\$130,000	5/10/11	12 mos
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Mr. Edmunds received an M.B.A. in Managerial Economics from Old Dominion University and a B.A. in Managerial Economics and History from Hampden-Sydney College. Since 2010, he has been Efficiency/Economy Auditor at Old Dominion University. Prior to joining Old Dominion, Mr. Edmunds served as Vice President of Administration for Zimmer Mid-Atlantic and CFO/Chief Administrative Officer/Treasurer/Controller for the Timmons Group.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Lori Friel Athletic Academic Advisor and Instructor	\$45,000	4/10/11	12 mos

Ms. Friel received an M.S. in Sport and Leisure Management from the University of Nevada, Las Vegas and a B.S. in Computer Information Systems from the University of Nevada. From 2007-2009, she was Director of Academic Services at the University of Nevada.

Ms. Erin M. Houlihan Residence Hall Director and Instructor	\$32,000	6/25/11	12 mos
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Ms. Houlihan received a Master of Arts in Student Affairs in Higher Education in 2008 from Slippery Rock University of Pennsylvania and a B.A. in History in 2005 from Edinboro University of Pennsylvania. Since 2008, she has been a Residence Hall Coordinator at Saint Louis University.

Ms. Chi'Mur S. Knight Assistant Director for Housing and Residence Life: Data Systems Management and Instructor	\$50,000	6/1/11	12 mos
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Ms. Knight received an M.B.A. in 2010 from Regent University and a B.S. in Business Administration/Management Information Systems in 2002 from Elizabeth City State University. Since 2007, she has been a Business and Technology Applications Technician with the Office of Information Technology at Elizabeth City State University.

Dr. Gwen Lee-Thomas Assistant to the President and Provost for Special Projects and Assistant Professor	\$80,000	5/25/11	12 mos
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Dr. Gwen Lee-Thomas received a Ph.D. in Educational Administration and an M.Ed. in Curriculum, Instruction and Media Technology, in 1999 and 1996 respectively, from Indiana State University and a B.A. in Office Management in 1984 from Southeastern Louisiana University. Since 2005, she has been Assistant Professor of Higher Education Graduate Programs in the Darden College of Education at Old Dominion University. Dr. Lee-Thomas is also the CEO of Quality Measures, LLC, a consulting organization with expertise in strategic planning, training, and program/project evaluation.

Mr. Charles A. Lowman Assistant Director of Residence Education/Area Coordinator and Instructor	\$40,000	7/10/11	12 mos
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Mr. Lowman received an M.Ed. in Higher Education and Student Affairs in 2005 from the University of South Carolina and a B.A. in Communication Studies in 2003 from the University of North Carolina at Charlotte. Since 2007, he has been a Residence Life Coordinator for University Housing at the University of South Carolina.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Grace Mahin Interim Assistant Director, Undergraduate Advising, College of Business and Public Administration, and Instructor	\$35,000	5/25/11	12 mos

Ms. Mahin received an M.S.Ed. in Higher Education: General Administration in 2011 from Old Dominion University and a B.A. in English and Sociology in 2006 from Hollins University. Since 2009, she has been Internship/Co-op Coordinator for the College of Business and Public Administration Career Management Center at Old Dominion University.

Mr. Kenneth V. Peifer, Jr. Residence Hall Director and Instructor	\$30,000	6/10/11	12 mos
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Mr. Peifer received a Master's of Business Education and a B.S. in Accounting, in 2009 and 2007 respectively, from Bloomsburg University. Since 2008, he has been Graduate Hall Director for Residence Life at Bloomsburg University.

Mr. James C. Raper Editor, Monarch Magazine and Assistant Instructor	\$60,000	4/10/11	12 mos
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Mr. Raper received a B.A. in Journalism in 1971 from the University of Richmond. Since 1992, he has been a free lance writer and editor for the Virginian-Pilot. Since 2005, he has been a media relations specialist/science writer in University Relations and an Adjunct Professor in the Department of English at Old Dominion University.

Ms. Tiffany N. Shahini Instructor of Early Care and Education, Child Development Center	\$43,000	5/10/11	12 mos
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Ms. Shahini received an M.S.Ed. in Early Childhood Education and a B.S. in Interdisciplinary Studies, Teacher Preparation, in 2011 and 2008 respectively, from Old Dominion University. From 2008-2009, she held positions as Teaching Assistant and Interim Lead Teacher at the Child Development Center at Old Dominion University.

Ms. Debra G. Wenger Associate Site Director, Blue Ridge Community College, and Instructor	\$23,920	3/25/11	12 mos
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Ms. Wenger received an M.B.A. in 1993 from James Madison University and a B.A. in Business/Computer Science in 1990 from Mary Baldwin College. Since 2007, she has been an Adjunct Associate Professor of Information Technology at Piedmont Virginia Community College and has also taught at Mary Baldwin College and Blue Ridge Community College. (.57 FTE position)

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Allison N. Wiggins Assistant Director for Communications, Office of International Programs, and Instructor	\$32,000	5/25/11	12 mos

Ms. Wiggins received an M.S.Ed. in Higher Education in 2011 from Old Dominion University and a B.A. in International Business and Economics in 2009 from Mount Union College. Since 2009, she has been a Graduate Assistant in the Office of Study Abroad at Old Dominion University.

Ms. Kimberly J. Williamson Instructor of Early Care and Education, Child Development Center	\$46,000	6/25/11	12 mos
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Ms. Williamson received an M.Ed. in Early Childhood Education in 1994 from Boston College and a B.A. in Sociology in 1990 from UMASS Boston. Since 2006, she has been a PALS (phonological awareness literacy screening) Teacher at Diamond Springs Elementary in Virginia Beach.

Committee members approved by unanimous vote the proposal to change the name of the Center for Learning Technologies to the Center for Learning and Teaching. The Center will help the University to advance an innovative and engaging learning environment for student success. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

**APPROVAL TO RENAME THE CENTER FOR LEARNING TECHNOLOGIES
THE CENTER FOR LEARNING AND TEACHING**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves renaming the Center for Learning Technologies the Center for Learning and Teaching effective July 1, 2011.

Rationale: As part of the University’s Strategic Plan goal to advance an innovative and engaging learning environment for student success, Old Dominion University plans to create a University Center for Learning and Teaching Excellence. The Center will be an outgrowth of the current Center for Learning Technologies (CLT), where pedagogy and content experts will provide faculty with modern tools for enhanced pedagogical effectiveness. To help in achieving this goal, it is proposed that the Center for Learning Technologies be renamed the Center for Learning and Teaching. Some of the activities of CLT will include: Disseminating best practices in teaching and learning; expanding faculty capacity and confidence in using and integrating various tools and technologies into their teaching and learning; and working collaboratively with the Vice Provost for Faculty and Program Development on workshops and seminars for faculty dealing with specific teaching and learning issues.

Committee members approved by unanimous vote the proposed revisions to the Policy on Initial Appointment of Teaching and Research Faculty. The revisions are part of a review by an ad hoc committee of the Faculty Senate to make the Faculty Handbook a more accessible, streamlined, and focused document for the faculty. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

PROPOSAL FOR REVISIONS TO THE POLICY ON INITIAL APPOINTMENT OF TEACHING AND RESEARCH FACULTY

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the revisions to the policy on Initial Appointment of Teaching and Research Faculty, effective June 16, 2011.

Rationale: The revisions to the Policy on Initial Appointment of Teaching and Research Faculty were proposed by the Faculty Senate as part of their review of policies in the Faculty Handbook. An ad hoc committee has been working for most of the year to revise and reorganize the Handbook to make it a more accessible, streamlined, and focused document for the faculty.

Most of the revisions to the Policy on Initial Appointment of Teaching and Research Faculty are not substantive but consist of reorganizing the policy so that it is clearer. In addition, language has been added to explain some of the sections in more detail, and several updates have been added, such as language referencing the newly approved Policy on Joint Appointments.

NUMBER: 1401

TITLE: Initial Appointment of Teaching and Research Faculty

APPROVED: June 12, 1980; Revised November 19, 1987; Revised April 12, 2002; Revised September 9, 2005; Revised April 7, 2011

I. Board of Visitors Policy

- A. No one has the authority to make a firm offer of employment (subject to approval by the Board of Visitors ~~and the governor~~) except the provost and vice president for academic affairs, who acts by authority of the president. Any communication at the departmental or college level with potential appointees should make it clear that approval by the provost and vice president for academic affairs is required.
- B. An initial faculty appointment should not be considered final until it has been approved by the Board of Visitors. ~~and the governor of the Commonwealth of Virginia or his/her designate.~~ All offers of employment and other communications with potential faculty members should specifically state this fact.
- C. No chair, dean, or other administrative official shall have the authority to make a statement of expectation of tenure or a written/oral commitment ~~which~~that implies in

any way a promise of tenure except as described in paragraph D below. Except as described below, all initial appointments to the faculty shall be probationary and no award of tenure or promise of an award of tenure shall be made to a faculty member except in strict accordance with the Board of Visitors Policies on Tenure, to include review of credentials by all review bodies.

- D. In the case of certain initial appointments to the rank of professor or associate professor, the president has the authority to eliminate the probationary period for tenure and to make a firm offer or promise of tenure subject to ~~H.G.11~~ II.D.1.a-e of this policy and approval by the Board. It is the sense of the Board that this authority should be exercised rarely and only when the best interests of the University require it. All such cases must be reported to the Board for approval before tenure is awarded.
- E. The president is accountable to the Board of Visitors for ~~i~~ ensuring the appointment of faculty qualified to carry out the mission of the institution, for the implementation of the University's affirmative action plan in initial appointments, for maintenance of fiscal responsibility in assignment of faculty positions, and for the establishment of procedures to carry out Board policy in initial appointments. The president may delegate some or all of these responsibilities to the provost and vice president for academic affairs.

II. Initial Appointment Procedures

A. Position Approval

1. ~~A. Department.~~ In a timetable established in accordance with the procedures for building the operating budget for the coming year, each department anticipating hiring new faculty for the coming year projects the positions it wishes to fill, (including both new positions and replacements for retiring faculty members or others known to be leaving).

a. These projections must be in accordance with the approved mission of the department and must be clearly related to demonstrable needs of the department, including at least a clear relationship between instructional faculty and projected FTE students in accordance with the departmental faculty/student ratios approved by the Office of the Provost and Vice President for Academic Affairs.

b. Other justifications for positions may include establishment of new programs ~~which~~ that may not immediately produce FTE students sufficient to justify the position, existence of substantial funded research for which time will be purchased by an outside agency, and important service activities required by the department within the University's mission.

2. ~~B. Dean.~~ The dean, once reports have been received from all departments, recommends to the provost and vice president for academic affairs in priority order new and replacement faculty positions for the coming year together with salaries required for each position. Copies of the departmental recommendations are included by the dean in the report to the provost and vice president for academic affairs.

3.C. On the basis of the projected needs of the following year, the provost and vice president for academic affairs requests a specific number of faculty positions and a budget for these positions from the president at the appropriate time in the annual budget process.

a.D. Within the budget and positions allocated to the provost and vice president for academic affairs by the president, the provost and vice president for academic affairs assigns positions and funds to each dean for new and replacement faculty positions.

b.E. The dean allocates these positions with general salary ranges to the departments in the college.

4.F. If ~~later in the year~~ a position falls vacant because of an unexpected resignation or for any other cause, this fact is reported promptly to the provost and vice president for academic affairs. 7

a. The provost and vice president for academic affairs ~~who~~ may then reassign the position to the college in which it previously existed, assign it to another college, or discontinue the position.

b. If the position is assigned to a college, the provost and vice president for academic affairs assigns additional funds to the dean of that college to cover the salary of this position. These funds are not necessarily equal to the salary of the departing faculty member.

c. The dean may then assign an additional position to the department within the college having the greatest need.

d. Positions falling vacant are not automatically assigned to the same college or department but are assigned on the basis of University and college priorities.

B. Recruitment and Interview Procedures

1.G. Once a position has been assigned to a department, the following recruitment procedure is instituted. ~~(a~~ A similar procedure will be followed for interdisciplinary faculty and joint appointments ~~);~~ (see the Policy on Joint Appointments)¹.

2.I. A statement of critical requirements for the position ~~at the time it is offered~~ is developed by the department chair or chairs in consultation with the faculty in the department and approved by the dean. The critical requirements should indicate clearly the primary responsibilities that the new faculty member will be expected to perform and the qualifications necessary for the performance of these responsibilities.

3.2. The department chair appoints a search committee.

a. The search committee ~~department~~ consults the University's assistant vice president for institutional equity and diversity ~~equal opportunity/affirmative action director~~ for advice concerning avenues for recruitment of qualified women and minority candidates and concerning the University's policies and procedures for ~~+~~ ensuring affirmative action in the recruitment process. Failure to follow the University's affirmative action policies and procedures will usually result in the refusal of the provost and vice president for academic affairs to write a contract for the faculty member recommended.

b.3. Advertisements are placed in appropriate professional journals by the Office of Academic Affairs upon the recommendation of the search committee ~~department~~. Specific procedures concerning recruitment advertising are available from the Office of Academic Affairs.

c.4. All other means are used by the department to conduct an active search for the largest possible pool of qualified candidates.

d.5. Credentials of candidates are carefully screened by the departments or interdepartmental search committee in order to determine the ones with the best qualifications for the open position.

e.6. After ~~+~~ ensuring that appropriate affirmative action policies and procedures have been met, the chair, with the approval of the dean, then chooses one or more of the most qualified candidates to visit the campus. All final candidates for a position should visit the Old Dominion University campus. Because of fund limitations, it will usually not be possible to invite more than two or three candidates for one position.

4. The following procedures for campus visitations are followed:

a. The search committee must receive P prior approval from the Office of Academic Affairs (who will check with the assistant vice president for institutional equity and diversity ~~equal opportunity/affirmative action director~~ in order to ~~+~~ ensure that procedures have been followed) ~~is obtained~~ for the expenditure of the travel funds before the candidate is invited.

b. The search committee has the responsibility for setting up the schedule of campus meetings with designated personnel.

c.b. All candidates meet with the chair, dean, all available faculty members of the department, and selected students. ~~In the case of large departments with a representative appointments committee of the faculty, the composition and size of the faculty committee is determined by the department.~~ Candidates who will be expected to teach courses on the 500 level or above and candidates for associate professor and full professor are scheduled for appointments with the provost and vice president for academic affairs or a designee whenever possible.

- ~~d.e.~~ The department chair informs the candidate ~~While on campus, candidates are given copies of the most recent Faculty Handbook and are informed of the University policies concerning moving expenses and other relevant matters. All candidates should be told understand that they may be assigned to day, evening, distance learning or off-campus classes as part of their regular loads.~~
- ~~e.d.~~ As part of campus visitation and the interview process, candidates are expected to present ~~Departments are expected to require that candidates prepare a classroom lecture, conduct a seminar, or deliver a public talk so that their potential associates and students may observe their command of subject and clarity of presentation.~~
- f.e. The department chair and search committee shall confirm a candidate's proficiency in spoken English.

C. Recommendations

- ~~1.7.~~ The chair, after receiving and considering a written recommendation from the faculty of the department or the appointments committee and after ~~ensuring that all affirmative action procedures have been followed,~~ recommends to the dean the name of ~~one of the~~ most acceptable candidates and a possible salary range and includes the recommendation of the faculty and faculty appointments committee.
 - a. If the dean approves the candidate, name, he or she assigns a salary within the budget previously assigned to the dean's office by the provost and vice president for academic affairs.
 - ~~b.8.~~ The dean recommends to the provost and vice president for academic affairs on a prescribed form that a contract be written. Appended to this form is a copy of the recommendation of the faculty or of the appointments committee together with the recommendation of the chair.
 - ~~c.a.~~ If the dean is requesting any special consideration, limitations, or exceptions to normal policy and procedure concerning the appointment, such recommendations should be transmitted to the provost and vice president for academic affairs at this time.
 - ~~d.b.~~ Any recommendation that credit toward the probationary period for tenure for prior academic experience be granted shall also accompany the request that a contract be written.
- ~~2.9.~~ The provost and vice president for academic affairs or the vice provost associate vice president for academic affairs consults with the University's assistant vice president for institutional equity and diversity ~~equal opportunity/affirmative action director~~ to ~~ensure that proper affirmative action procedures have been followed.~~

- a. If all requirements are met, the provost and vice president for academic affairs writes the contract and sends it to the candidate, together with a covering letter specifying any unusual conditions or exceptions concerning the appointment, ~~and~~ any credit toward the probationary period for tenure being granted for prior academic experience, and a deadline for returning the signed contract.
- ~~b.10.~~ If the signed contract is received by the specified deadline, it becomes effective when approved by the Board of Visitors. ~~and the governor or his or her designate.~~

D. Initial Appointment with Tenure

- ~~1.11.~~ If the initial appointment is to the rank of professor or associate professor and the department wishes to award tenure at the time of appointment, request for an initial appointment at that rank with tenure must be initiated by the chair and reviewed by all tenure review bodies. , ~~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.~~
- a. The candidate's credentials must be provided to the ~~departmental~~ promotion and tenure committee and their recommendation and vote recorded and sent to the college promotion and tenure committee.
- b. The college promotion and tenure committee reviews the credentials and the recommendation of the department promotion and tenure committee and makes a recommendation. The recommendation and vote is recorded and all materials are forwarded to the dean.
- c. The dean makes a recommendation and forwards all materials to the University promotion and tenure committee.
- d. The University promotion and tenure committee reviews the materials and recommendations and makes a recommendation to the provost and vice president for academic affairs.
- e. The provost and vice president for academic affairs makes a recommendation to the president.
- 2. The All reviews shall be based on the candidate=s normal application materials and include a statement of research and teaching philosophy and letters of reference. Evidence of teaching and research excellence should be included. Normally, an initial appointment with tenure will be granted only to a faculty member who already has achieved a distinguished academic record and held a tenured position. This policy applies to both internal candidates (~~those employed at Old Dominion University in a different department or unit~~) and external candidates. (~~those not employed at Old Dominion University~~).

E. Initial Appointment of Adjunct Faculty and Lecturers

H. The following procedures are used for initial appointment of part-time faculty:

1. Adjunct instructors and adjunct assistant instructors - The chair recommends the appointment of an adjunct instructor and adjunct assistant instructor to the dean. If the dean approves the appointment, he or she reports the appointment to the provost and vice president for academic affairs on the prescribed form.
2. Appointment to other part-time adjunct ranks such as (adjunct assistant professor, adjunct associate professor, adjunct professor, and visiting professors such as artist-in-residence, etc.) ~~are~~ is recommended by the department ~~the chair recommends the appointment~~ to the dean after consultation with the faculty of the department. If the dean approves, he or she recommends the appointment to the provost and vice president for academic affairs on a prescribed form. If the appointment is approved, ~~the~~ the provost and vice president for academic affairs, ~~if he or she approves the appointment,~~ notifies the faculty member.

F. Initial Appointment of Research Faculty:

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

¹Refer to the Hiring Procedures for Instructional and Administrative Faculty for additional information.

Committee members approved by unanimous vote the proposed revisions to the Policy on Reappointment or Nonreappointment of Faculty. The revisions are also from the ad hoc committee of the Faculty Senate. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

PROPOSAL FOR REVISIONS TO THE POLICY ON REAPPOINTMENT OR NONREAPPOINTMENT OF FACULTY

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the revisions to the policy on Reappointment or Nonreappointment of Faculty, effective June 16, 2011.

Rationale: The revisions to the Policy on Reappointment or Nonreappointment of Faculty were proposed by the Faculty Senate as part of their review of policies in the Faculty Handbook. An ad hoc committee has been working for most of the year to revise and reorganize the Handbook to make it a more accessible, streamlined, and focused document for the faculty. The revisions are not substantive but consist of reorganizing the policy so that it is clearer.

NUMBER: 1402

TITLE: Reappointment or Nonreappointment of Faculty

APPROVED: June 12, 1980; Revised June 20, 1985

I. Board of Visitors Policy

A. Nature of Appointment

1. Unless tenure has been awarded by the university, all appointments of full-time faculty are on an annual, temporary, or probationary basis, renewable one year at a time at the discretion of the university.

1. In some cases, appointments for a period of less than one academic year may be made, for example ~~as in the case of~~ initial appointments at mid-year or emergency one-semester appointments.

II. Guidelines Procedures

~~These procedures are intended to supplement the policies of the Board of Visitors concerning reappointment or nonreappointment of probationary tenurable and nontenable faculty members.~~

- A. Consideration of reappointment or nonreappointment will be according to a timetable distributed by the Office of the Provost and Vice President for Academic Affairs.¹ Consideration takes place early in the second semester for faculty members in their first year of service and early in the first semester for faculty members in the second or subsequent year of service.
- B. Initial consideration will be by the departmental tenure and promotion committee.
- C. In the case of financial constraints or demonstrable overstaffing of departments, the dean or the provost and vice president for academic affairs may require that the number of probationary tenurable and nontenable faculty members in the department be reduced.

- D. Faculty members ~~who are candidates for terminal degrees and~~ who were appointed as instructors with the expectation that the terminal degrees would be completed may not be reappointed before the award of the degree unless prior approval has been obtained from the provost and vice president for academic affairs. (See the Board of Visitors Policy and Procedures Concerning Academic Rank and Promotion in Rank)
- E. If the critical requirements of the position of a probationary tenurable faculty member are changed so as to affect the primary duties expected of the faculty member, and hence his or her consideration for tenure, the faculty member shall be fully and promptly informed of the changes in writing at least one semester before the changes are implemented.

III. Procedures

A. B- Reappointment or Nonreappointment of Probationary ~~Tenable~~ Tenure-Track Faculty²

1. ~~F.~~ The departmental committee and all subsequent persons considering the case will take into consideration the formal evaluations of the faculty member's performance by the chair and the dean, faculty information sheets, and any other relevant data, as well as the needs of the department. ~~which will have strong influence.~~
2. ~~G.~~ These procedures will be suitably adapted for faculty members who hold interdisciplinary, ~~or~~ interdepartmental or joint appointments or who hold appointments in a department with two or fewer tenured faculty members. 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 concerned and the provost and vice president for academic affairs.
3. ~~I.~~ Each department conducts an annual review of the probationary ~~tenurable~~ tenure-track faculty in that department. This review is based on the performance of the individual faculty member and the needs of the department and is initially conducted by a committee consisting of tenured members of the department.
4. ~~J.~~ The departmental committee recommends to the chair one of the following actions:
 - a. That the faculty member be considered for tenure through normal channels, if a sufficient probationary period has elapsed. (In this case, the faculty member is considered for tenure through the normal tenure procedures, and the remainder of this section does not apply.)
 - b. That the faculty member be offered an additional annual contract without tenure.
 - c. That the faculty member not be reappointed, that is, not be offered an additional contract if in the first or second year of service or offered a

terminal contract for the succeeding year if in the third or subsequent year of service.

d. A copy of the committee's recommendation shall be supplied to the faculty member.

~~5. 3.~~ Considering the written recommendation of this committee, the performance of the faculty member and the needs of the department, the chair makes a recommendation to the dean concerning reappointment or nonreappointment of each individual probationary ~~tenurable~~ tenure-track faculty member and provides the faculty member with a copy of the recommendation.

~~6. 4.~~ Considering the recommendation of the departmental committee and of the chair as well as the needs of the college, the dean makes a decision concerning reappointment or nonreappointment of each individual probationary ~~tenurable~~ tenure-track faculty member, notifies each faculty member in writing of this decision, and provides the provost and vice president for academic affairs with a copy of the decision letter.

a. 5. If the dean decides not to reappoint a faculty member, the faculty member 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.

b. 6. Notice of the dean's decision concerning reappointment or nonreappointment of probationary ~~tenurable~~ tenure-track faculty members shall be according to the following schedule:

1. ~~a.~~ Not later than March 1 of the first academic year of service.

2. ~~b.~~ Not later than December 15 of the second academic year of service.

3. ~~c.~~ Terminating appointment of one year, with notice by December 15, after two or more academic years of service.

c. Any academic year in which a faculty member has been under full-time contract to the university for one full semester or more will be counted as a full academic year for the purposes of this provision.

B. ~~C.~~ Reappointment or Nonreappointment of ~~Non-tenurable~~ Non-tenure-track Faculty

1. Each department conducts an annual review of the ~~non-tenurable~~ non-tenure-track faculty members in that department. This review is based on the performance of the individual faculty member and the needs of the department and is initially conducted by a committee consisting of tenured members of the department.

2. The departmental committee recommends to the chair one of the following actions:

- a. That the faculty member be offered an additional annual contract.
- b. That the faculty member not be reappointed, that is, not be offered an additional annual contract.

3. A copy of the committee's recommendation shall be supplied to the faculty member.

~~4.~~ 3. Considering the written recommendation of this committee, the performance of the faculty member, and the needs of the department, the chair makes a recommendation to the dean concerning reappointment or nonreappointment of each individual ~~nontenurable~~ nontenure-track faculty member and provides the faculty member with a copy of the recommendation.

~~5.~~ 4. Considering the recommendations of the departmental committee and of the chair, as well as the needs of the college, the dean makes a decision concerning reappointment or nonreappointment of each individual ~~nontenurable~~ nontenure-track faculty member, notifies each faculty member in writing of this decision, and provides the provost and vice president for academic affairs with a copy of the decision letter.

~~a.~~ 5. If the dean decides not to reappoint a faculty member, the faculty member 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.

~~b.~~ 6. Notice of the dean's decision concerning reappointment or nonreappointment of nontenurable faculty members shall be according to the following schedule:

1. ~~a.~~ Not later than March 1 of the first academic year of service.

2. ~~b.~~ Not later than December 15 of the second or subsequent academic year of service.

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

²For a definition of the academic ranks, types or appointment, and specific procedure variations, see the Policy and Procedures Concerning Academic Rank and Promotion and Rank.

Committee members approved by unanimous vote the proposed revisions to the Policy on Sick Leave. The revisions expand the definition of immediate family and extend the number of sick days for use in case of family illness or bereavement. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

PROPOSAL FOR REVISIONS TO THE POLICY ON SICK LEAVE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the revisions to the policy on Sick Leave, effective June 16, 2011.

Rationale: The purpose of the proposed revisions to the existing faculty sick leave policy is to expand the definition of immediate family so that it is more expansive and representative of diverse family constellations and living arrangements. The expanded definition and increase in the number of days faculty may designate for family sick leave provide more assistance with work-life balance.

The proposed changes are based on research of the family-friendly policies of other higher educational institutions and best practices. Old Dominion University has a stake in helping its faculty balance their work and family responsibilities.

NUMBER: 1430

TITLE: Sick Leave Policy

APPROVED: June 12, 1975; Revised September 23, 1993; Revised December 4, 1997;
Revised April 9, 1998; Revised September 9, 2005; Revised June 13, 2008

It is the policy of the university to grant sick leave with pay to faculty members or administrative and professional faculty (AP faculty) when this becomes necessary during the period covered by the person's contract. Sick leave is subject to verification. Faculty with a history of frequent and/or prolonged illness may be asked to provide a health care provider's certification. Faculty must comply with a management request for verification of the need to use sick leave. Extended absences (5 workdays or more) due to illness should be discussed with the Director of Human Resources because of the requirements of the Family and Medical Leave Act (FMLA). Sick leave will continue until the person is able to resume his or her responsibilities, but for no longer than six months of sick leave during those months normally covered by contract for teaching and research faculty or the university's fiscal year (June 10 through the following June 9) for AP faculty.

A faculty member or AP faculty may use their sick leave, up to ~~six~~ 10 days at a time, for an illness or death in their immediate families. Leave for this purpose may not exceed ~~six~~ 10 days in a ~~fiscal year~~ contract cycle for teaching and research faculty or the university's fiscal year for AP faculty. Immediate family includes parents, stepparents, spouse, partner, children, stepchildren, foster children, legal ward, grandparents, siblings, ~~stepbrothers and sisters~~ stepsiblings, corresponding in-laws, and any relative, either by blood or marriage, living in the faculty member's or ~~administrator's~~ AP faculty member's home.

Faculty or AP faculty may use sick leave with pay for the period of absence that is certified by a physician as medically necessary because of illness, health conditions, or recuperation due to pregnancy or childbirth. Therefore, the period of absence before, during and after delivery that is certified by the attending physician as medically necessary may be charged to sick leave. Any additional period of absence that the faculty member elects to take must be taken as leave

without pay. The provisions of the Family and Medical Leave Act (FMLA) apply to absences due to the birth of a child or the mother's health condition related to childbirth. The FMLA specifies the conditions under which the university is required to allow eligible faculty and AP faculty up to 12 weeks of job-protected leave (paid or unpaid) during a 12-month period for several listed reasons. Please see the Family and Medical Leave section for more specific information. All such leave should be requested in advance, or as soon as possible after an eligible need is known.

Faculty members are encouraged to carry a disability insurance policy that begins coverage after six months when sick leave is exhausted and the faculty member is removed from the payroll. Such a policy is offered through the university's Department of Human Resources. If a leave of absence without pay is granted after sick leave is exhausted, the position will be filled with a temporary appointment for the period of the leave.

The chair and/or dean, in conjunction with the faculty member, will be responsible for developing a work-management plan for hiring replacements or assigning work or teaching to others when a faculty member takes sick leave.

Committee members approved by unanimous vote the proposed new policy on Voluntary Phased Separation Program. The program will be offered to eligible tenured faculty members and will provide opportunities for a phased approach to separation for those who prefer a gradual transition to full retirement. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

PROPOSAL FOR A NEW POLICY ON VOLUNTARY PHASED SEPARATION PROGRAM

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the new policy on the Voluntary Phased Separation Program, effective June 16, 2011.

Rationale: The Voluntary Phased Separation Program will be optional and offered to eligible tenured faculty members at the University. It will permit them to phase down their work expectations in the final years of their career and provide opportunities for a phased approach to separation for those who prefer a gradual transition to full retirement. The proposed policy responds to the expressed desires of many faculty members to move into retirement gradually, and it enables departments/schools and colleges to plan for the replacement of faculty members in advance of their actual retirement.

Voluntary Phased Separation Program for Tenured Faculty

I. Policy Statement

An optional voluntary phased separation program is offered to eligible tenured faculty members at Old Dominion University ("University"). It permits them to phase down

their work expectations in the final years of their career and will provide opportunities for a phased approach to separation for those who prefer a gradual transition to full retirement. It responds to the expressed desires of many faculty members to move into retirement gradually, and it enables departments and schools and colleges to plan for the replacement of faculty members in advance of their actual retirement.

II. Eligibility

A full-time tenured faculty member is eligible to participate in the Voluntary Phased Separation Program if, as of the date his or her phased separation would commence under the Voluntary Phased Separation Program, he or she is at least 55 years of age and has completed at least 10 academic years of full-time employment at the University. Faculty who occupy full-time administrative positions are not eligible for the program until they vacate the administrative position. Thus, phased separation will be only for those performing teaching, research, and service duties under faculty appointment. (The Board of Visitors reserves the right, in appropriate situations deemed to be in the best interests of the University, to disregard the requirement of a faculty appointment.)

III. Participation and Compensation

- A. Phase-Down Period. Eligible faculty members may apply to take a reduced workload over a period of one year to a maximum three years (the phase-down period), followed by retirement at the end of the phase-down period.
- B. Workload During the Phase-Down Period. The workload of faculty members participating in the program would be a 50% workload as specified by the chair and approved by the Dean and Provost and Vice President for Academic Affairs. This workload could be distributed throughout the academic year. However, with the agreement of the department chair, formal class teaching duties may be executed in one semester with advising, mentoring and service obligations continuing through the academic year.
- C. Tenure. Eligible faculty members participating in the program do not enjoy the benefits of tenure. They may not serve on committees that require members be tenured. Otherwise, participants have the same academic freedoms and responsibilities as other faculty members and have access to all grievance and appeal procedures available to non-tenured members of the faculty who are not participating in the program.
- D. Compensation and Benefits. An appointment under this policy would be compensated by a salary equal to 50% of the participant's previous academic year's base salary enhanced by 50% of the cost of medical insurance. Basic and Optional Life insurance coverage will be based on the participant's 50% salary. Participants will continue to be eligible for annual merit salary increases.

Participants will continue to be enrolled in the University's retirement plans (Virginia Retirement System or Optional retirement Plan) with University and employee contributions based on the 50% salary.

- E. Limitations on Participation. Eligible faculty members do not have an absolute right to participate in the program. Departments, schools, colleges or the University may limit participation in the program if there is a finding that financial circumstances prohibit enrollment in the program by the eligible faculty member or if enrollment in the program would substantially weaken academic quality or disrupt program sequence within the department, school, college or the University. Further, a department, school, college or the University may each establish a cap or limit on the number of eligible faculty members who may enter the program.
- F. Procedure for Participation. An eligible faculty member interested in participating in the Voluntary Phased Separation Program must make a transition appointment proposal to his or her chair, by October 15 preceding the fall semester in which they intend to begin the phase down, and work with the chair and relevant Dean to develop a mutually agreeable transition appointment and set of duties for a period of one to three years leading to the date of full retirement. Eligible faculty members with joint appointments between two or more departments, schools or colleges must receive approval from each of the chairs and deans.

A Dean may refuse to recommend or alter a proposed transition appointment based on legitimate institutional need. Refusal to recommend or alter a faculty member's proposed transition appointment by the Dean, to which the faculty member objects, is subject to review and decision by the Provost and Vice President for Academic Affairs. A final determination of whether the disapproval or an alteration of a proposed transition appointment is based on legitimate institutional need will be made by the Provost and Vice President for Academic Affairs. Examples of legitimate institutional need are such situations as the unavailability of another person to offer a particular required course or the need for the individual's exclusive expertise for an externally funded research grant.

In order to participate in the Voluntary Phased Separation Program, an eligible faculty member must complete a Voluntary Agreement and General Release. When a transition appointment has been agreed to by the eligible faculty member, chair, Dean, and Provost and Vice President for Academic Affairs, the faculty member's Voluntary Phased Separation Agreement will be forwarded to the Office of Academic Affairs for processing. An eligible faculty member's Voluntary Phased Separation Agreement must be signed by the faculty member, the faculty member's Dean, and the Provost and Vice President for Academic Affairs in order for it to be final and binding.

Once the Provost and Vice President for Academic Affairs has signed the Voluntary Phased Separation Agreement, the agreement to retire within the term specified is final and binding. However, nothing in the program precludes a participating faculty member from terminating his or her phased separation in favor of complete retirement at any time.

IV. Administrative Provisions

The University may make such exceptions to the requirements of the Voluntary Phased Separation Program as the President and the Provost and Vice President for Academic Affairs jointly determine to be in the best interests of the University. In addition, the University reserves the right to formally amend the existing provisions of the Voluntary

Phased Separation Program or to terminate the Voluntary Phased Separation Program at such time(s) as it deems appropriate.

Committee members received information on one request for a leave of absence without compensation, the report on promotions in rank effective 2011-12, and the annual report on committee actions. In the report from the Provost, Carol Simpson provided a status report on the 2012 SACS/COC Reaffirmation of Accreditation. The on-site team will visit the campus April 15-20, 2012. The decision on the Reaffirmation of SACS/COC Accreditation, with any required follow-up identified, will occur in December 2012.

In the report from the Vice President for Research, Mohammad Karim reported on FY2010 R&D expenditure profile; new Facilities and Administration (F&A) rate; new faculty starts; and policies under review

ADMINISTRATION AND FINANCE COMMITTEE

The Rector called on Mr. Whyte for the report of the Administration and Finance Committee. Mr. Whyte reported that the Committee met in joint session with the Academic and Research Advancement Committee to hear a briefing from Vice President Fenning on the proposed FY2011–2012 Operating Budget and Plan. He discussed the financial circumstances and the impact of the Commonwealth’s biennial budget upon the University.

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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

(RESOLUTION APPEARS ON NEXT PAGE)

RESOLUTION APPROVING 2011-2012 OPERATING BUDGET AND PLAN

RESOLVED, that upon the recommendation of the President and the Administration and Finance Committee, the Board of Visitors approves the proposed expenditure plan as displayed below and as contained in TABLE 2 of the University's 2011-2012 Operating Budget and Plan.

TABLE 2
UNIVERSITY EXPENDITURE SUMMARY
(in thousands)

EXPENDITURES	2010-11 Original Budget Plan	2011-12 Proposed Budget Plan
E&G		
Instruction	\$106,355	\$107,305
Research & Sponsored Programs	\$4,029	\$3,624
Public Service	\$317	\$255
Academic Support	\$42,681	\$44,488
Student Services	\$12,455	\$11,665
Institutional Support	\$26,736	\$34,247
Operations & Maintenance of Plant	\$23,609	\$23,721
Scholarships & Fellowships	\$3,905	\$2,800
Subtotal	\$220,087	\$228,105
Auxiliary Services	\$86,888	\$86,973
Grants & Contracts	\$23,113	\$28,889
Gifts & Discretionary	\$10,134	\$10,978
Scholarships & Fellowships	\$41,991	\$44,331
Student Loan Funds	\$110,000	\$118,000
Total University Expenditures	\$492,213	\$517,276
Summary of University Revenues & Expenditures		
Revenues	\$494,631	\$526,162
Expenditures	\$492,213	\$517,276
Contributions to/(Use of) Fund Balance	\$2,418	\$8,886

Vice President Fenning presented the University’s proposed FY2013–2018 Six-Year Capital Budget Request for approval and submission to the Commonwealth. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

**RESOLUTION TO APPROVE THE SIX-YEAR
CAPITAL BUDGET REQUEST, 2013-2018**

WHEREAS, state agencies, including institutions of higher education, are normally requested to submit six-year capital budget requests as a part of the Governor’s development of the biennial budget; and

WHEREAS, such request was received by ODU from the Department of Planning and Budget for submission on or before May 16, 2011; and

WHEREAS, the University has been assessing its current and projected space needs relative to the State Council of Higher Education’s space guidelines and the institution’s enrollment projections, and has identified specific needs in the areas of instruction, research and support facilities consistent with the University’s Master Plan; and

WHEREAS, in addition, the University continues to identify other facilities in auxiliary and other ancillary areas supported through non-general fund resources and private funds.

THEREFORE, BE IT RESOLVED, that the Board of Visitors approves the submission of the following Six-Year Capital Budget Request for 2013-2018 to meet the critical facility and infrastructure needs of the University.

2013-2014 Biennium

1	Construct New School of Education	\$45,977,000
2	Construct a Joint Policing Facility	\$7,821,000
3	Improve Campus Security, ADA & Other Regulatory Compliance	\$4,842,000
4	Equipment for New Art Building	\$363,000
5	Equipment for Systems Research & Academic Building	\$1,441,000
6	Replace Mechanical Systems in Oceanography & Physics Bldg	\$3,606,000
7	Renovate Godwin Life Sciences Building	\$20,037,000
8	Construct Chemistry and Life Sciences Building	\$54,375,000
9	Construct Virginia Beach Higher Education Center, Phase II	\$23,968,000
10	Construct Campus Dining Improvements	\$24,766,000
11	Expand and Renovate Webb University Center	\$19,945,000
12	Renovate Student Housing, Phase II	\$23,113,000
13	Acquire Additional Land, Phase I	\$5,765,000
14	Construct a Basketball Practice Facility	<u>\$6,851,000</u>
Total for 2013-2014 Biennium		\$242,870,000

2015-2016 Biennium

15	Construct an Addition to Health Sciences Building	\$10,387,000
16	Renovate Spong and Rollins Hall	\$25,386,000
17	Construct New Facilities Support Building	\$30,660,000
18	Renovate Kaufman Hall	\$29,969,000
19	Construct Third and Fourth Story Addition to SRAB	\$19,011,000
20	Improve Stormwater Management	\$426,000
21	Construct Women’s Athletic Facility for Title IX Compliance	\$3,500,000
22	Construct Affinity Housing	\$25,487,000
23	Acquire Additional Land, Phase II	<u>\$3,285,000</u>
	Total for 2015-2016 Biennium	\$148,111,000

2017-2018 Biennium

24	Construct New Instructional Media Building	\$1,160,000
25	Renovate and Expand Perry Library	\$667,000
26	Construct Performing Arts/Fine Arts Building, Phase III	\$2,626,000
27	Construct New Academic and Administrative Building	\$1,465,000
28	Renovate Koch Hall and Administrative Building	\$396,000
29	Renovate Student Housing, Phase III	\$1,039,000
30	Construct Elizabeth River Waterfront, Phase II	\$3,831,000
31	Acquire Additional Land, Phase III	<u>\$2,685,000</u>
	Total for 2017-2018 Biennium	\$13,869,000

Rick Berry, Executive Director of Construction and Procurement Services, and Etta Henry provided information on the University’s SWAM performance and presented a proposed FY2011–2012 SWAM Plan. The recommended updates for the Plan include minor revisions in language and new recommended goals based on current expenditure trends. The revisions are based on expenditure projections for FY2012, which consider the anticipated decline in construction expenditures. 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. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

**RESOLUTION TO APPROVE THE UNIVERSITY'S
SWAM PROCUREMENT PLAN FOR FISCAL YEAR 2012**

RESOLVED, that upon the recommendation of the Administration and Finance Committee, the Board of Visitors approves the University's proposed SWaM Procurement Plan for Fiscal Year 2012.



**Department of Construction and
Procurement Services**

**SWaM Procurement Plan
Fiscal Year 2012**

PURPOSE: The purpose of the Old Dominion University Small, Women-Owned, and Minority-Owned (SWaM) owned program is to increase opportunities, participation and contract awards for Department of Minority Business Enterprise (DMBE) certified SWaM businesses in order to achieve the Commonwealth of Virginia's SWaM Aspirational Targets.

- I. The University's FY 2010, 2011 and 2012 SWaM aspirational target expenditures for Small, Women-Owned and Minority-Owned businesses as a percentage of projected discretionary expenditures are listed below. These targets include expenditures with both prime contractors and subcontractors.

	MBE	WBE	SBE	TOTAL
FY2010 Aspirational Targets	6.50%	4%	33%	43.50%
FY2010 Actual Expenditures	8.71%	10.51%	36.34%	55.56%
FY2011 Aspirational Targets	8%	5%	33.50%	46.50%
FY2011 Projected Expenditures*	8.18%	6.51%	32.96%	47.65%
FY2012 Aspirational Targets	8%	6.50%	33%	47.50%

*FY11 4th Quarter has been projected based on expenditures reported for the first half of the 4th Quarter.

University SWaM reporting for fiscal year 2010 was as follows:

FY2010 Quarterly Expenditure History - DMBE Certified Vendors								
Quarter	Total Quarterly Expenditures	MBE Expenditures		WBE Expenditures		SBE Expenditures		Total SWaM
	Amount	Amount	%	Amount	%	Amount	%	%
1 st	\$19,396,238	\$1,673,656	8.63%	\$2,405,776	12.40%	\$7,809,358	40.26%	61.29%
2 nd	\$8,308,634	\$844,816	10.17%	\$856,165	10.30%	\$2,357,100	28.37%	48.84%
3 rd	\$6,537,056	\$457,363	7.00%	\$845,372	12.93%	\$2,435,656	37.26%	57.19%
4 th	\$14,336,217	\$1,254,348	8.75%	\$996,683	6.95%	\$5,050,863	35.23%	50.93%
FY10 TOTAL	\$48,578,145	\$4,230,183	8.71%	\$5,103,995	10.51%	\$17,652,977	36.34%	55.56%
FY10 ASPIRATIONAL TARGETS			6.50%		4.00%		33.00%	43.50%

FY2011 Quarterly Expenditure History - DMBE Certified Vendors								
Quarter	Total Quarterly Expenditures	MBE Expenditures		WBE Expenditures		SBE Expenditures		Total SWaM
	Amount	Amount	%	Amount	%	Amount	%	%
1 st	\$14,629,567	\$552,711	3.78%	\$1,704,014	11.65%	\$7,123,033	48.69%	64.12%
2 nd	\$13,493,565	\$1,586,937	11.76%	\$940,186	6.97%	\$4,721,883	34.99%	53.72%
3 rd	\$10,909,270	\$1,226,098	11.24%	\$745,166	6.83%	\$4,788,311	43.89%	61.96%
4 ^{th*}	\$13,010,800	\$841,436	6.47%	\$847,341	6.51%	\$4,158,306	31.96%	44.94%
FY11 TOTAL	\$52,043,201	\$4,207,182	8.08%	\$4,236,707	8.14%	\$20,791,533	39.95%	56.18%
FY11 ASPIRATIONAL TARGETS			8.00%		5.00%		33.50%	46.50%

*FY11 4th Quarter has been projected based on expenditures reported for the first half of the 4th Quarter.

II. Designation of Procurement Champion

Rick Berry, CPPO
 Executive Director of Construction & Procurement Services
 Old Dominion University
 4401 Powhatan Avenue, Suite 111
 Norfolk, VA 23529-0308
 Phone: (757) 683-3109
 E-mail: rberry@odu.edu

III. SWaM Procurement Processes and Strategies

A. Summary of the Purchasing Process

Old Dominion University has implemented a combination of centralized and decentralized purchasing processes. The University utilizes the Commonwealth of Virginia's e-Procurement system, eVA, as its primary procurement tool, supplemented by the small purchase charge card. Therefore, eVA is the University's primary mechanism to; (1) solicit competition from DMBE certified small businesses, and (2) identify SWaM contract award information.

Note: Small businesses shall include businesses that have received the DMBE small business certification, which shall not exclude women-owned and minority-owned businesses when they have received DMBE small business certification.

All decentralized departments authorized to use eVA shall have \$5,000 delegated purchasing authority.

B. Procurement Process

Mandatory Sources

The University recognizes and will use those mandatory sources defined in the *Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and their Vendors*.

Contract Procurements

The University will utilize Old Dominion University, Commonwealth VaPP, VASCUPP and other cooperative contracts when deemed advantageous.

All Departmental Users:

\$0 - \$5,000

Transactions under \$5,000 may be processed via petty cash (up to \$200), purchasing charge card (PCard) up to the cardholder's transaction limit, not to exceed \$4,999.99, or eVA.

All departments shall utilize a Department of Minority Business Enterprise (DMBE) certified small business up to their delegated limit where available and when prices are fair and reasonable.

>\$5,000-\$50,000 All procurement transactions that exceed \$5,000 shall be submitted to Materiel Management via eVA (eVA users) or paper requisitions (non-eVA users) for appropriate processing.

Materiel Management's Procurement Officers are authorized to use independent judgment, analysis and eVA procurement tools available, and may award to a DMBE certified small

business up to \$10,000 where available and when prices are fair and reasonable.

All purchase transaction requests between \$5,000 - \$50,000 shall be processed via eVA QuickQuote, unless award can be made to a DMBE certified business up to \$10,000, as described above. eVA has proven to be the most efficient and effective tool to increase SWaM vendor participation in procurement processes.

\$50,001+

Materiel Management shall utilize eVA's "Virginia Business Opportunities" (VBO) to post all formal solicitations.

Sole Source

Sole source procurements shall be reviewed to ensure that only one source is practicably available. Sole source documentation is requested from University Departments, reviewed/approved by the appropriate Buyer, and the Executive Director of Construction & Procurement Services. Sole source procurements over \$500,000 require additional approval by the Vice President of Administration and Finance. All sole source procurements that exceed \$50,000 shall be posted on eVA's VBO website. The Materiel Management staff shall make every effort to encourage SWaM participation whenever available.

Emergency

Emergency purchases exist when an immediate purchase is required to protect life, safety or property, to prevent substantial economic loss or prevent interruption of services. Emergency requests are generated by University departments, reviewed/approved by the appropriate Procurement Officer, and the Executive Director of Construction & Procurement Services. Emergency procurements over \$500,000 require additional approval by the Vice President of Administration and Finance. All emergency procurements that exceed \$50,000 shall be posted on eVA's VBO website. The Materiel Management staff shall make every effort to encourage SWaM participation whenever available.

Subcontractors

The University has strengthened and revised previous language that requires bidders and offerors to provide their proposed plan of intent to utilize SWaM businesses during the performance of the contract. (See Attachment A) This information is required with bid/proposal submittals. No contract will be awarded unless this information is provided.

The University requires reports from all vendors that have been awarded contracts indicating intent to utilize SWaM businesses as subcontractors during the performance of the contract. These reports indicate the amount of spend to SWaM vendors

by the appropriate category. Reports are collected by the Department of Materiel Management. The University may deem the vendor to be in breach of contract and may withhold final payment or a part of the retainage should the vendor fail to provide required reports.

IV. SWaM Business Outreach

The University will:

- Actively participate in SWaM Vendor Fair opportunities which may include but is not limited to the following:
 - annual SWaMFest sponsored by the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP)
 - Virginia Business Opportunities Fair sponsored by the Virginia Minority Supplier Development Council (VMSDC)
 - Black Expo sponsored by Black Pages USA
 - City of Virginia Beach Minority Business Council Expo
 - Power Breakfast and Profits in Partnerships Luncheons sponsored by VMSDC
- Identify and encourage, SWaM vendors to:
 - register in eVA
 - certify as a SWaM vendor with DMBE
 - meet centralized and decentralized purchasing staff
 - participate in vendor fair opportunities
 - better understand University and Commonwealth procurement laws, policies and procedures
- conduct a SWaM/Procurement training program for all major decentralized buyers to better achieve SWaM aspirational targets.
- work with the University's prime contractors to encourage subcontracting opportunities, partnerships and joint ventures with certified SWaM firms.
- expand efforts with major University contractors to capture Tier III SWaM expenditures.
- communicate and identify supplier diversity opportunities, mentor new vendors, make referrals, capture, and monitor utilization results.
- reach out to alumni business owners to provide information regarding DMBE certification and future business opportunities.
- compare the University's self-certified vendor database with the Commonwealth of Virginia Department of Minority Business Enterprise (DMBE) database and identify self certified vendors who are not DMBE certified. Mail information to these vendors encouraging them to complete the DMBE certification process in an effort to more accurately report the University's spend to DMBE SWaM certified vendors.

- mail information regarding SWaM certification to the University's term contractors who identified their business as small, woman-owned or minority-owned but are not currently certified through DMBE.
- contact local Chamber of Commerce offices and obtain new business registration information. Provide DMBE certification and eVA registration information to these new businesses.

V. Internal Monitoring Mechanisms

The University utilizes the Commonwealth of Virginia e-Procurement system, *eVA*, as its primary procurement tool, supplemented by the Purchasing Charge Card. *eVA*, therefore, is the University's primary mechanism to:

- solicit competition from DMBE certified small businesses
- identify SWaM contract award information.

The University will:

- include terms and conditions in all formal solicitations that will state the University's SWaM aspirational targets, require prime contractors to state their intent to assist in achieving these efforts, and include a mechanism to monitor actual spend to SWaM sub-contractors. (See Attachment A)
- coordinate with other agencies and organizations in an effort to enhance the University's SWaM program.
- collect and analyze prime contractor reports that will capture SWaM sub-contractor information in order to supplement BANNER SWaM spend reports.
- evaluate the size and content of blanket and term contracts prior to solicitation to ensure they are appropriately bundled and that any negative impact on SWaM vendors is considered.
- research alternate sources (U.S. Communities, various municipal contracts, etc.) to identify additional contracts that have been awarded to SWaM vendors which the University is authorized to use.
- utilize BANNER as its primary source of information for SWaM spend reporting. SWaM sub-contractor reports have been developed to capture appropriate data for construction, services, and major goods contracts.
- capture data and report based on
 - Department of Minority Business Enterprise's certified SWaM vendor list
 - vendor's W-9 self certification
 - purchasing charge card transactions with DMBE certified SWaM vendors

- The University will collect SWaM vendor spend data and compare to the University's SWaM aspirational targets and monitor progress quarterly. Major decentralized departments will be made aware of their progress in achieving SWaM aspirational targets and will be counseled in areas where SWaM participation and awards may be increased.

VI. Compliance

The University certifies that its policies and procedures comply with the SWaM purchasing regulations and/or guidelines set forth in the Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and their Vendors.

Signature: _____

Date _____

John Broderick
President

ATTACHMENT A BID/PROPOSAL CONTRACT LANGUAGE FOR GOODS, SERVICES AND CONSTRUCTION

Small, Woman, and Minority (SWaM) Owned Business Participation:

1. Old Dominion University is committed to the establishment, preservation, strengthening of small businesses, small businesses owned by women and minorities and to encouraging their participation in State procurement activities. The University's 2012 SWaM aspirational target for firms certified by DMBE is:
 - i. Minority Business Enterprises 8%
 - ii. Women Business Enterprises 6.5%
 - iii. Small Business Enterprises 33%

Please tailor your firm's SWaM plan response to assist the University in meeting its aspirational target(s).

2. The University also encourages Bidder's/Offeror's to provide for participation of small businesses, and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses, and plans for involvement on any resulting contract are required. By submitting a response, Bidder/Offeror certifies that all information provided in response to this solicitation is true and accurate. Failure to provide the information required by this solicitation may ultimately result in response being deemed non-responsive, and ultimately rejected.
3. While it is the University's intent to enter into an exclusive agreement with one Bidder/Offeror, whenever possible, all potential Bidders/Offerors are encouraged to subcontract any applicable services by partnering with qualified vendors that have also been certified as small, small woman-owned, small minority-owned, businesses

through the Commonwealth of Virginia's Department of Minority Business Enterprise (DMBE).

4. In order for Bidders/Offerors to be given consideration for award of a contract, each Bidder/Offeror shall provide with their response (and/or no later than ten (10) business days after request, but prior to award, such statement(s) setting forth:
 - a. The good faith SWaM owned business participation efforts which the Bidder/Offeror has undertaken in the past: and
 - b. The good faith SWaM owned businesses participation efforts which the Bidder/Offeror intends to undertake in connection with the performance of this contract; including name of firm, contact name and phone number, total dollar amount to be subcontracted, category type (small, women, or minority owned), type of product/services.
5. If, in the statement submitted in the response to above sections 3.a and 3., the Bidder/Offeror indicates that it has not undertaken any good faith SWaM business participation efforts in the past and/or does not intend to undertake any such efforts in connection with the performance of any resulting contract, the Bidder/Offeror must **also** submit a statement setting forth the reason why it has not undertaken such efforts in the past and/or does not intend to undertake them in connection with the performance of this contract.
6. Any Bidder/Offeror that can qualify for certification through DMBE must do so prior to the award of any contract. The qualification information shall be evidenced by that information specified in the Bidder's/Offeror's completed and submitted W-9 form.
7. Bidder shall agree that when proposing subcontractors that **are not** certified through DMBE, it shall become the responsibility of the Bidder to ensure those proposed subcontractors become certified through DMBE, when applicable. Failure on the part of the Bidder to agree to this responsibility will result in the response being deemed non-responsive and rejected. Prior to the issuance of any contract and/or purchase order, the successful Bidder shall provide support documentation to the University validating the efforts of the Bidder to get the proposed subcontractors certified. Should the Bidder fail to get certified through DMBE those proposed subcontractors that qualify, Bidder may be deemed in "breach", and the contract and/or purchase order may be cancelled.
8. Regardless of whether or not *the* Bidder/Offeror is able to qualify for DMBE certification, selected Bidder/Offeror shall also agree to provide reports to the University's Department of Materiel Management, identifying the subcontractors used during the performance of any subsequent contract, as follows:

A. Goods and Services – Quarterly Reports:

i. DMBE Certified subcontractors:

- (a) Firm name;
- (b) DMBE certification number;
- (c) DMBE Designation (Small, Woman, Minority);
- (d) Value of subcontractor's contract;
- (e) Value as a percentage (%) of total contract;

- (f) Amount paid current quarter;
- (g) Amount paid to Date;
- (h) Percent (%) of contract paid current quarter; and
- (i) Percent (%) of contract paid to date.

ii. Non-DMBE Certified subcontractors – Contracts >\$200,000:

- (a) Firm name;
- (b) DMBE certification number;
- (c) DMBE Designation (Small, Woman, Minority);
- (d) Value of subcontractor’s contract;
- (e) Value as a percentage (%) of total contract;
- (f) Amount paid current quarter;
- (g) Amount paid to Date;
- (h) Percent (%) of contract paid current quarter; and
- (i) Percent (%) of contract paid to date.

B. Construction – Monthly in Conjunction w/Pay Requests:

i. DMBE Certified subcontractors:

- (a) Firm name;
- (b) DMBE certification number;
- (c) DMBE Designation (Small, Woman, Minority,;);
- (d) Value of subcontractor’s contract;
- (e) Value as a percentage (%) of total contract;
- (f) Amount paid current invoice;
- (g) Amount paid current quarter;
- (h) Amount paid to Date;
- (i) Percent (%) of contract paid current invoice;
- (j) Percent (%) of contract paid current quarter; and
- (k) Percent (%) of contract paid to date.

Note: *Contractor(s) may be deemed in “breach of contract” for failure to provide the required subcontractor data and reports as specified above, and the contract and/or purchase order may be cancelled. Additionally, the University will withhold payment(s) for any and all services provided and invoiced during the period, and those same services will remain unpaid until such data and reports are provided.*

9. For the purposes of this section, the following definitions shall apply:

a. Good faith SWaM owned business participation efforts:

The sum total of efforts by a particular business to provide for equitable participation of SWaM subcontractors in the operations and contracts of such businesses.

i. For past efforts, this sum total shall be comprised of the record of minority participation over the past two (2) years through employment, retention and promotion: subcontracting or joint ventures in the private sector; or a combination thereof.

ii. In connection with the performance of this contract, good faith efforts shall mean those measures which are proposed to allow equitable participation of SWaM subcontractors.

b. **Minority Owned Business Enterprise:** a business concern which is at least 51 percent owned by one or more minorities or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more minorities and whose management and daily business operations are controlled by one or more of such individuals.

c. **Minority Individual:** "Minority" means a person who is a citizen of the United States or a legal resident alien and who satisfies one or more of the following definitions:

i. **Asian Americans:** means all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including but not limited to Japan, China, Vietnam, Samoa, Laos, Cambodia, Taiwan, Northern Marianas, the Philippines, U. S. territory of the Pacific, India, Pakistan, Bangladesh and Sri Lanka and who are regarded as such by the community of which these persons claim to be a part.

ii. **African Americans:** means all persons having origins in any of the original peoples of Africa and who are regarded as such by the community of which these persons claim to be a part.

iii. **Hispanic Americans:** means all persons having origins in any of the Spanish speaking peoples of Mexico, South or Central America, or the Caribbean Islands or other Spanish or Portuguese cultures and who are regarded as such by the community of which these persons claim to be a part.

iv. **Native Americans:** means all persons having origins in any of the original peoples of North America and who are regarded as such by the community of which these persons claim to be a part or who are recognized by a tribal organization.

v. **Eskimos and Aleuts:** means all persons having origins in any of the peoples of Northern Canada, Greenland, Alaska, and Eastern Siberia and who are regarded as such in the community of which these persons claim to be a part.

d. **Small Business Enterprise:** an independently owned and operated business which, together with affiliates, has 250 or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous three years.

e. **Woman Owned Business Enterprise:** a business concern which is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is

owned by one or more women, and whose management and daily business operations are controlled by one or more of such individuals.

Vice President Fenning briefed the Committee on recent land assembly efforts in the University Village, FY2010–2011 energy conservation projects, and the upcoming recruitment process for the Director of Safety/ODU Police Chief position.

Deb Swiecinski, Associate Vice President for Administration and Finance, gave a presentation on the progress of the SunGard EA project that is focused upon improving the efficiency and effectiveness of the institution’s administrative and business services.

MOTION FOR CLOSED SESSION

The Rector recognized Ms. Kirk, who read the following motion: “Mr. Rector, I move that this meeting be recessed, and, as permitted by Virginia Code Section 2.2-3711(A) (1), we reconvene in closed session for the purpose of discussing a personnel matter, specifically the evaluation of the president of the University.” The motion was seconded and approved unanimously by all members present and voting. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

RECONVENE IN OPEN SESSION AND FOIA CERTIFICATION

At the conclusion of the closed session, the meeting was reconvened in open session, at which time the Vice 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 in favor and none opposed. (*Ainslie, Batten, Brown, Forehand, Gilmore, Hillier, Jacobson, Kirk, Kornblau, Treherne, Whyte*)

OLD/UNFINISHED BUSINESS

President Broderick commented on the announcement of Karen Barefoot as the new women’s head basketball coach. Searches are currently ongoing for the head coaching positions in baseball, women’s tennis and women’s golf. The search for the Dean of the College of Arts and Letters is also currently underway. He also recognized Vice President Glenda Humphreys on the occasion of her retirement from the University after nearly 30 years of service. He commented that her competence is only surpassed by her value as a person.

NEW BUSINESS

Mr. Jacobson noted that the terms of service for board members Conrad Hall, David Faeder, Barry Kornblau and Bobby Treherne end on June 30. Conrad Hall and David Faeder are not eligible for reappointment. President Broderick stated that retiring Board members will be formally recognized at an event in the fall.

With no further business to be discussed, the meeting was adjourned at 2:20 p.m.