

MEMORANDUM

TO: Board of Visitors Governance Committee

Jerri F. Dickeski, Chair
Yvonne T. Allmond, Vice Chair
R. Bruce Bradley (*ex-officio*)
Robert S. Corn
Peter G. Decker, III
Lisa B. Smith

FROM: Donna W. Meeks
Executive Secretary to the Board of Visitors

DATE: September 1, 2021

SUBJECT: Meeting of the Committee, September 14, 2021

The Board of Visitors Governance Committee will meet on Tuesday, September 14, 2021, from 10:00 to 11:00 a.m. in the Board Room of the Kate and John R. Broderick Dining Commons on the Norfolk campus. Enclosed for your review are the agenda and supporting documents.

AGENDA

- A. Call to Order
- B. Approval of Minutes – August 9, 2021 meeting
- C. Report from the Naming Subcommittee
- D. Approval of Proposed Revisions to Board Policy 1104, Representation to the Board of Visitors (Enclosed)
- E. Proposed Process for Board Policy Review (Enclosed)
- F. Next Steps
- G. Adjourn

NUMBER: 1104

TITLE: Representation to the Board of Visitors

APPROVED: June 14, 2002; Revised June 14, 2005

1. Student Representation

Pursuant to § ~~23-1-1300H23-9.2:5~~, *Code of Virginia*, “~~Members of Governing Boards; Removal; Terms; Nonvoting, Advisory Representatives; Residency~~Student Representatives to Boards of Visitors,” the Board establishes the following principles and regulations relating to the appointment and service of a Student Representative to the Board:

a. Status

The student shall be a non-voting, advisory representative to the Board and shall be excluded from any discussion of issues such as any recommendation or appeal concerning a specific faculty, staff, or administrative member’s appointment, salary, promotion, grievance, disciplinary or tenure status, held in a closed meeting or may be excluded from discussion of other closed meeting matters at the discretion of the Rector or Committee Chair. The incumbent shall be a Non-Board Advisor to Board of Visitors Committees (§ ~~4,065.07~~ of the Board of Visitors Bylaws).

b. Term of Service

The term of service of the Student Board Representative and alternate representatives shall be one year, beginning on the May commencement date of each year. The Student Board Representative may be reappointed for no more than one additional consecutive term in accordance with the procedures contained in subparagraphs (c) through (e) of this section.

c. Eligibility

To be eligible to serve, a student must have successfully completed at least 15 semester hours of course work at Old Dominion and possess and maintain a cumulative grade point average of at least 3.0. He/she must be registered for at least six hours per semester during the regular academic year in which he/she serves.

d. Appointment

The Board shall appoint the Student Representative from among at least three candidates provided by a selection committee consisting of the Vice President for Student Engagement and Enrollment Services, a student appointed by the Student Government Association-Senate, and the Executive Director of Student Engagement and Traditions~~Activities and Leadership~~. At least one of the nominees normally should

be an undergraduate student and one a graduate student. The Vice President for Student Engagement & Enrollment Services~~selection committee~~ shall forward its nominees to the Student Enhancement & Engagement Committee~~Board~~ with the April meeting agenda with approval of~~via~~ the President.

e. Application for Appointment and Selection

On 1 March of each year, the President or his/her designee will call for applications from students who wish to be considered for the student representative position. Applicants must submit a letter of application indicating why they wish to serve and the nature of their qualifications, a résumé, and three letters of recommendation. The selection committee shall interview the most outstanding candidates and recommend, via the President, at least three nominees to the Student Enhancement & Engagement~~Advancement~~ Committee of the Board for its action at its regular Spring meeting. The Student Enhancement & Engagement~~Advancement~~ Committee shall interview the finalists and make a recommendation to the entire Board for its action.

f. Alternate Representatives

Recognizing possible changes that occasionally might occur in student status or eligibility, the Board shall appoint a first and second alternate Student Board Representative, in ranked order, in addition to the primary appointee.

g. Removal

The Board may remove any Student Board Representative that it has appointed at any time by an affirmative vote of at least nine of its voting members. The remainder of the term shall be filled by one of the two alternate Student Board Representatives as recommended by the Student Enhancement & Engagement~~Advancement~~ Committee and approved by the Board.

h. Responsibilities

The Student Board Representative shall participate in all Board activities, including standing and special committees to which he/she may have been appointed consistent with subparagraph a., above. The two alternate representatives shall serve as the State Council for Higher Education for Virginia (SCHEV) student representative and the representative to the Student Enhancement & Engagement Student Leadership Council as designated by the Board~~members of the University Honorary Degree Committee~~ and are encouraged to attend those Board Standing Committee meetings as Non-Board Advisors (§ 4.025-07. of the Board of Visitors Bylaws) that are not attended by the Student Board Representative.

2. Faculty Representation

By resolution of the Board of Visitors on June 17, 2003, one faculty member shall serve as a non-voting representative to each of the following ~~four~~ standing committees of the Board of

Visitors: ~~(1)~~ Academic and Research Advancement Committee, ~~(2)~~ Administration and Finance Committee, ~~(3)~~ Athletics Committee, ~~(4)~~ Audit & Compliance Committee, ~~Institutional Advancement Committee,~~ and ~~(4)~~ Student Enhancement & Engagement ~~Advancement~~ Committee, and University Advancement Committee. The faculty representatives will serve two-year terms and will participate in all public sessions of the Committees. The selection process shall be as follows:

- a. On June 1 of each year, the Faculty Senate Executive Committee will provide the President or his/her designee a list of names of two possible candidates for each committee. The list will be drawn up taking into account the need for Board representation of colleges, disciplines, race, gender, and expertise. The list will include a brief biographical sketch of each candidate.
- b. At the June meeting of the Board of Visitors, the ~~Provost~~President will present the list of possible candidates to the Academic and Research Advancement Committee with the approval of the President. The Committee~~which~~ will meet in closed session, to select one candidate per committee to recommend to the Board. This recommendation will then be considered at the full Board meeting.

DRAFT PROPOSAL FOR BOARD OF VISITORS POLICY REVIEW

- Board Policies are categorized to coincide, generally, with the organizational structure of the institution:
 - 1000 – Mission & Objectives – These policies address issues pertaining to the University as a whole, rather than under a specific vice presidential area, and address legal rights and responsibilities. Review of these policies may require involvement of the President, legal counsel, and others depending on the subject area.
 - 1100 – Board of Visitors – These policies address the functional responsibilities and legal obligations of the Board and would require a more hands-on review by the Governance Committee
 - 1200 – Administration – Only three policies are included here and could possibly fall under a renamed series 1000 category, "Mission, Objectives and Administration"
 - 1300 – Governance – Only one policy is included here and could possibly fall under a renamed series 1000 category, "Mission, Objectives and Administration"
 - 1400 – Academic Affairs – These policies address the rights and responsibilities of teaching, research and administrative faculty of the institution and generally fall under the purview of the Provost. Many of these are already included in the Teaching & Research and Adjunct Faculty Handbooks and the Administrative and Professional Faculty Guidebook and may no longer be required at the Board level; University Counsel has recommended several for consideration to be removed as a Board level policy.
 - 1500 – Student Affairs – These policies address the rights and responsibilities of the students and generally fall under the purview of the Vice President for Student Enhancement & Engagement
 - 1600 – Administration & Finance – These policies address the fiduciary responsibilities of the Board and University administration and fall under the purview of the Vice President for Administration & Finance. University Counsel has recommended several for consideration to be removed as a Board-level policy.
 - 1800 – University Advancement – These policies address fundraising, naming of university buildings, etc., and special awards

- Recommend that the Governance Committee request the President to assign the review of the policies as follows (see attached listing):
 - 1400 series – Provost and Vice President for Academic Affairs, Vice President for Research, or Vice President for Human Resources (as noted)
 - 1500 series – Vice President for Student Enhancement and Engagement
 - 1600 series – Vice President for Administration and Finance
 - 1800 series – Vice President for University Advancement

- Such review should be prioritized as follows (see attached listing)
 - Policies recommended by University Counsel for removal as Board Policy (if applicable)
 - Review of policies that have not been revised since 2018 in order of oldest to most recent review date

- Such review should include a review of the history of the policy (as contained in the Board minutes), a comparison to other institutions' board policies, and any legal requirements based on the discipline

- Review will necessarily involve support from the Executive Secretary of the Board of Visitors (BOV minutes research; manage due dates and presentation to Governance Committee) and University Counsel (as needed)
- Recommend the Governance Committee request the President to review the following policies for proposed revisions for Board approval at its meeting in April 2022:
 - 1001 – The Mission of the University (NOTE: the Committee already approved this and will take this recommendation to the full Board at the September 14 meeting) (SACSCOC Requirement)
 - 1002 – Major Goals of the University (SACSCOC Requirement)
- Recommend the Governance Committee request the President to assign the review of the following policies to University Counsel:
 - 1003 – The University's Name and Identification (2012)
 - 1011 – Freedom of Expression (1970)
 - 1012 – Resolution Adopting Executive Order Number One, "Equal Opportunity" (Note: this is updated every four years with each new Governor) (2018)
 - 1014 – Threat Assessment (2013)
 - 1210 – Authority to Act on Behalf of the University (1986)
 - 1240 – Resolution Concerning Employment (2009)
- Recommend the Governance Committee review the following policies:
 - 1102 – Communications with the Board of Visitors (2003)
 - 1103 – Recommended Qualifications & Competencies for Members of the Old Dominion University Board of Visitors (2014)
 - 1104 – Representation to the Board of Visitors (2005) (NOTE: The Committee will review proposed revisions at its September 15 meeting)
 - 1110 – Editorial Revisions to Board of Visitors Policies and Procedures When There are Title Changes and Changes in Office Names (1991)
- As proposed policy revisions are reviewed and recommended to the Board for approval, a 5-year review date is assigned to ensure the regular review of the policy on a defined schedule to be managed by the Executive Secretary to the Board under the direction of the Governance Committee
- If no revisions are recommended, the policies must still be presented to the Board by the Governance Committee as having been reviewed with no changes, and so noted and assigned a 5-year review date for subsequent review
- All existing policies that have been revised since 2018 will be assigned a 5-year review date of 2023

1400-Series Policies

Recommended by University Counsel to be removed as a Board-level Policy with consent of the Faculty Senate (Provost, unless otherwise noted) (Oldest to Newest):

- 1492 – Compensation and Personnel Administration Plan for Administrative and Professional Faculty (1988) (VP, Human Resources)
- 1493 – Extra Compensation for Administrators with Faculty Rank (1988) (VP, Human Resources)
- 1432 – Leave of Absence Without Compensation (1989)
- 1461 – Declaration of a State of Bona Fide Financial Exigency or Several Financial Difficulty (1991) (VP, Administration & Finance)
- 1462 – Policy for the Review of Academic Programs, Departments or Colleges for the Purpose of Possible Curtailment or Discontinuance (1991)
- 1463 - Dismissal of Faculty from Employment Due to Financial Exigency or Discontinuance of a Program of Study or a Department of Instruction (1991)
- 1403 – Academic Freedom (1994)
- 1404 – Professional Ethics (1994)
- 1440 – Retirement Incentive Leave Program for Faculty (1994)
- 1405 – Faculty Performance Period (1998)
- 1431 – Military Leave Policy (2008) (VP, Human Resources)
- 1433 - Civil and Administrative Leave Policy (2008) (VP. Human Resources)
- 1434 – Bone Marrow and Organ Donor Leave Policy (2008) (VP. Human Resources)
- 1435 – Emergency/Disaster Leave Policy (2008) (VP. Human Resources)
- 1436 – Recognition Leave Policy (2008) (VP. Human Resources)
- 1437 – School Assistance and Volunteer Services Leave Policy (2008) (VP. Human Resources)
- 1409 – Joint Appointments (2010)
- 1426 – Policy, Procedures and Timeline for Responding to Allegations of Misconduct in Scientific Research and Scholarly Activity (2011) (VP, Research)
- 1430 – Sick Leave Policy (2011) (VP. Human Resources)
- 1442 – Voluntary Phased Separation Program for Tenured Faculty (2011)
- 1415 – Advanced Placement, International Baccalaureate and A/AS Level Credit (2011)
- 1416 – Sudden Withdrawal and Prolonged Absence Due to Military Mobilization (2012)
- 1421 – Outside Employment (2013)
- 1484 – Outside Employment Policy for Administrative and Professional Faculty (2013) (VP, Human Resources)
- 1406 – Guidelines for Named Chairs (2014)
- 1407 – Guidelines for Named Professorships (2014)
- 1410 – Academic Rank and Criteria for Rank (2017)
- 1422 – Policy on Tenure-Track Positions Funded by Research Grants (2017)
- 1491 – Annual Leave Policy for Administrative and Professional Faculty and Eligible Instructional and Research Faculty on Twelve-Month Contracts (2017) (VP, Human Resources)
- 1417 – Evaluation of Lecturers, Senior Lecturers, and Master Lecturers and Promotion of Lecturers and Senior Lecturers (2019)

Remaining Policies, Oldest to Newest (excluding those reviewed 2018 and later):

- 1420 – Faculty Salary Increments (1996)
- 1414 – Policies and Procedures on Post-Tenure Review (2002)
- 1414 – Policies and Procedures on Post-Tenure Review (2002)
- 1424 – Policy on Intellectual Property (2010) (VP, Research)
- 1490 – Administrative and Professional Faculty (2010)
- 1418 – Priority Preregistration for Active Duty, Veterans, Reservists and Virginia National Guard Members (2014)
- 1441 – Emeritus/Emerita Appointments (2015)
- 1401 – Initial Appointment of Teaching and Research Faculty (2016)

1500-Series Policies

Oldest to Newest (excluding those reviewed 2018 and later):

1540 – Notification of Parents of Tax-Dependent Students in Instances of Psychological Emergency (2014)

1541 – Implementation of Policies Addressing the Needs of Potentially Suicidal Students (2014)

1530 – Code of Student Conduct (2015)

1600-Series Policies

Recommended by University Counsel to be removed as a Board-level Policy with consent of the Vice President for Administration & Finance (Oldest to Newest):

1633 – Quasi Endowment and current Funds Reserve Portfolio Pool A and Pool B (1990)

1630 – Statement of Responsibility Regarding University Investments (2011)

1631 – Spending Policy for Endowed Funds (2012)

1632 – Investment Authorization (2014)

1639 – Transfer of University Funds (2014)

1602 – Disposition of Unclaimed or Abandoned Property (2017) (Required by statute, but the Board could delegate it and require a University policy)

Remaining Policies, Oldest to Newest (excluding those reviewed 2018 and later):

1650 – Guidelines for Old Dominion University Related Corporations (1989)

1625 – Certification of Small, Women, and Minority-Owned Business Enterprises (2005)

1622 – Authority to Contract with Local Building Official for Design Review and Inspections of Capital Projects (2006)

1640 – Debt Management Policy (2007)

1601 – Identity Theft Protection (2010)

1621 – Asset and Surplus Property Disposition (2012)

1623 – Administration of Capital Outlay Non-General Fund Construction Projects Under Level II Delegated Authority (2012)

1624 – Exercise of Autonomy for Certain Real Property Transactions (2014)

1800-Series Policies

Oldest to Newest (excluding those reviewed 2018 and later):

1850 – Recognition of the Alumni Association (1985)

1820 – The University Medal (1991)

1810 – Naming of University Buildings, Building Spaces, or Areas (2011)

1801 – Development Policy (2014)

1802 – Acceptance of Gifts-in-Kind to the University (2014)

1840 – Advisory Councils (2014)