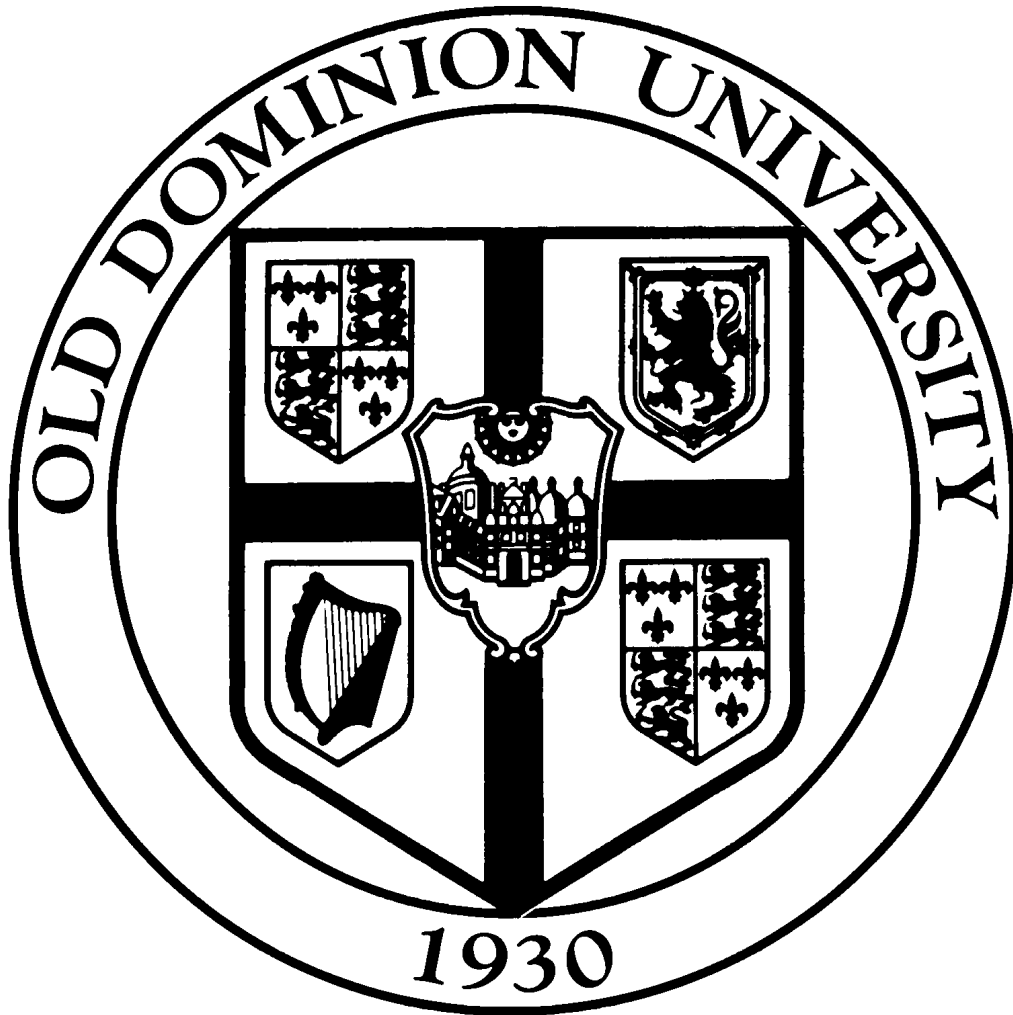


AGENDA



Old Dominion University
Board of Visitors
December 8, 2016

**BOARD OF VISITORS
OLD DOMINION UNIVERSITY
Thursday, December 8, 2016, 12:30 p.m.
Board Room, Webb University Center**

AGENDA

- I. Call to Order
Carlton Bennett, Rector

- II. Approval of Minutes – September 22, 2016 Meeting
Carlton Bennett, Rector

- III. Rector’s Report
Carlton Bennett, Rector

- IV. President's Report
John R. Broderick, President

- V. Reports of Standing Committees
 - A. Audit Committee
Fred Whyte, Chair

 - B. Academic and Research Advancement Committee
Mary Maniscalco-Theberge, Chair
 - 1. [Honorary Degrees \(pp. 4-6\)](#)
 - 2. [Award of Tenure to a Faculty Member \(p. 7\)](#)
 - 3. [Mid-Year Tenure Recommendations \(p. 8\)](#)

Consent Agenda

- 4. [Faculty Appointments \(pp. 9-10\)](#)
- 5. [Administrative Faculty Appointments \(pp. 11-14\)](#)
- 6. [Emeritus/Emerita Appointments \(pp. 15-17\)](#)
- 7. [Posthumous Emerita Appointment \(p. 18\)](#)

Regular Agenda

- 8. [Approval of a New Master of Science in Exercise Science \(p. 19\)](#)
- 9. [Approval of a New Master of Science in Speech-Language Pathology \(p. 20\)](#)

- C. Administration and Finance Committee
Robert Tata, Chair

[Resolution to Adopt Process for Determining Use of the Competitive Negotiations Method of Procurement and to Rescind Board Policy 1628 \(pp. 21-26\)](#)

- D. Student Enhancement & Engagement Committee
Jay Harris, Chair

- E. University Advancement Committee
Frank Reidy, Chair

VI. Motion for Closed Session

VII. Reconvene in Open Session and FOIA Certification

VIII. Old/Unfinished Business
Carlton Bennett, Rector

IX. New Business
Carlton Bennett, Rector

[Resolution Concerning Authority to Enter into an Asset Transfer Agreement \(p. 27\)](#)

X. Adjourn
Carlton Bennett, Rector

HONORARY DEGREES

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the awarding of an honorary degree to the individuals noted below. A summary of each nominee's career is attached to this resolution for information purposes.

1. Barry M. Kornblau, retired chairman and CEO of Summit Realty Group, Inc.
Doctor of Humane Letters (*honoris causa*)
2. Ting Xu, founder and president of Evergreen Enterprises and CEO and Co-Owner of Plow and Hearth
Doctor of Humane Letters (*honoris causa*)

Barry M. Kornblau

Barry M. Kornblau is the retired chairman and CEO of Summit Realty Group, Inc., based in Richmond, Virginia. He is a real estate broker, a certified property manager and a registered apartment manager. He served as senior vice president and director of apartment operations for United Dominion Realty Trust from January 1991 until March 1998 and was on the Trust's board of directors from 1993-2001. He was a founder and director of Commerce Bank of Virginia until it was acquired by South Trust Bank in 2001. He has been an instructor in the Richmond area for various property management courses.

Kornblau received a BA in political science from the College of Arts and Letters at Old Dominion University in 1971. Kornblau's involvement in the life of Old Dominion spans decades. He has been an active alumnus giving both of his time and support. In 1979 he was elected to the Old Dominion University Athletic Foundation, formerly known as the ODU Intercollegiate Foundation. He is the longest-tenured active member of the board of trustees of this organization serving 37 years and counting. He has held a number of ODAF board positions including board chair for two consecutive terms in 2000 and 2001.

Mr. Kornblau was first appointed to Old Dominion University's Board of Visitors (BoV) in 1997 and served until 1999. During that time he served a tenure as vice rector. He was again appointed to the BoV in 2007 and was reappointed for another term in 2011. Following this he became actively involved with Old Dominion's Alumni Association Board of Directors and served from 1999 to 2003. Later, he was elected to the Old Dominion University Educational Foundation where he served from 2003 to 2006. Over the years, Mr. Kornblau has helped the University's foundations and development office to recruit board members as well as donors.

Kornblau's involvements span throughout the University. He was on the Business School's advisory board for the Center for Real Estate Economic Development (CREED) from 2008 to 2011. The

purpose of the CREED is to connect the multi-disciplinary analyses, innovative curriculum and research underway at Old Dominion University with students, industry and the public sector interested and engaged in the real estate and economic development communities. To encourage students to study this field, he established the Barry M. Kornblau Endowed Real Estate Scholarship in 2007. It is awarded to a junior or senior in the Strome College of Business majoring in financial management with an emphasis in real estate.

For his numerous contributions to the community and to Old Dominion University, Kornblau received the Distinguished Alumni Award in 2004. In the same year, the Barry M. Kornblau Alumni Center was named in recognition of his generous gift to the Alumni Association that transformed the former Public Safety Building into a beautiful welcome center for visiting alumni. It should be noted that Mr. Kornblau is also a long-time supporter of many Monarch sport team and was recognized in 2014 with the Bud Metheny Award for his support of the annual baseball banquet and contributions to the baseball team.

With his great involvement at Old Dominion, one might think that Mr. Kornblau has had time for little else; however, this is not the case. In 1994, the Governor of Virginia appointed him to the Virginia Community Development Corporation. The mission of this organization is to raise corporate and private capital for investment in affordable housing. He served as chairman of this board in 2000. Additionally, he is a former trustee of the Steward School which is a private K-12 school in Richmond whose mission is to prepare students for college and a life in the community defined by strong academics, inspiration, engagement and care. He is the former president of the Richmond Apartment Council and also served on the National Real Estate Investor Advisory Committee from 1999-2001. He is also a past board member of the Virginia Apartment Management Association. Old Dominion and the Richmond community are better places because of Mr. Kornblau's involvement.

Ms. Ting Xu

Ting Xu's story is what American dreams are made of. A two-time Old Dominion University graduate, Xu is the founder and president of Evergreen Enterprises, the nation's largest flag designer and wholesaler. She is also the CEO and Co-Owner of Plow and Hearth, LCC, a yard and garden retailer acquired from its parent company, 1-800-Flowers.com.

Xu, a native of Shanghai, China, was sponsored by her cousin to come to the United States in the late 1980's. She was chosen because she scored the highest of her siblings on the TOEFL. Her grandmother, a University professor in China, encouraged her children to pay the cost of Xu's travel expenses to the U.S. in order for her to make the journey. After moving to the states, she was determined to create a way for her family to join her and to become prosperous. She enrolled at Old Dominion and majored in computer science because of job opportunities in the field. Both her major and the college choice were determined by her cousin.

Following graduation from Old Dominion, Xu accepted a position at the Virginia Department of Health. Soon after, she began to investigate business opportunities and was introduced to a couple

who made decorative flags in their home. After viewing their operation, she decided that she could produce flags more efficiently. In 1993, she set up a flag production business with her brother and her parents in the garage of their suburban Virginia home; and thus, Evergreen Enterprises was born.

Since its inception, the company has experienced phenomenal growth under Xu's leadership. By its third year, the company broke the \$1 million mark in sales, focusing on the development of their inventory, product design, importing, and distribution. In 1997, she expanded Evergreen by hiring more office staff and salespeople, and in 2002, the company broke ground for a new logistics facility in China. The following year, Evergreen broke ground for a warehouse storage facility at their corporate headquarters in Richmond, Virginia, to aid in faster shipping response times for customers. The Cypress Home brand of ceramic kitchen décor was also launched. In 2004, the company expanded their offerings when Ashford Court, a home textile manufacturer, was acquired. This launched Evergreen into a new product arena including bedding, pillows, throws and tabletop textiles. The addition of Ashford Court to the Cypress Home line advanced Evergreen into the entire home and earned approximately \$45 million in revenue. Plow and Hearth, a Virginia-based national catalog company, was acquired for \$17 million in 2010.

Today, Evergreen Enterprises employs close to 200 people including both Xu's husband as CEO and her brother as executive vice president and treasurer. Products are sold all over the country including Frank's Nursery, Kmart, Bed Bath and Beyond, and Neiman Marcus. Net sales top \$152 billion and the company generated \$310 million in total annual revenue in 2015.

Xu earned a B.S. in computer science in 1988 and a M.S. in computer science in 1989. She is the recipient of an Old Dominion Distinguished Alumni Award and a member of the College of Sciences Development Board. She serves on the Board of Commissioners for the Virginia Port Authority and is actively involved with the Organization of Chinese Americans, various philanthropic efforts and the Maggie Walker Governors School.

AWARD OF TENURE TO A FACULTY MEMBER

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the award of tenure to Dr. Thomas R. Allen as Associate Professor of Political Science and Geography in the College of Arts and Letters, effective December 8, 2016.

Salary: \$92,000 for 10 months

Rank: Associate Professor of Political Science and Geography (Salary includes \$5000 for coordinating Sea Level Rise/GIS activities.)

The following is my recommendation for the initial appointment with tenure of Dr. Thomas R. Allen as Associate Professor in the Department of Political Science and Geography in the College of Arts and Letters. Dr. Allen received a B.S. in Geography with a minor in Geology (1991) from Old Dominion University and his Ph.D. in Geography (1995) from the University of North Carolina Chapel Hill. He was an Associate Professor of Geography at Old Dominion University (2001-2016) before joining the Department of Geography at East Carolina University in Greenville, North Carolina as an Associate Professor (2006-2015) and as Full Professor (2015-2016). He is now returning to Old Dominion University.

The ODU *Faculty Handbook* states “The main purposes of tenure are to recognize the performance of faculty members who have given years of dedicated service to the university, to protect academic freedom, and to enable the university to retain a permanent faculty of distinction in order to accomplish its mission.” [*Faculty Handbook*, p. 44]. The *Faculty Handbook* policy on Initial Appointment of Teaching and Research Faculty provides for an initial appointment with tenure provided that the “request for an initial appointment with tenure must first be initiated by the chair, voted on by the departmental tenure committee, and approved in writing by the Dean.” The policy also says: “Normally, an initial appointment with tenure will be granted only to a faculty member who already achieved a distinguished academic reputation and holds a tenured position at another institution.”

Recommendations in support of tenure at the rank of Associate Professor for Dr. Thomas Allen were received from the departmental, college, and university promotion and tenure committees, as well as from the department’s chair and the college dean. This appointment is recommended unanimously by the Promotion and Tenure Committee of the Department of Political Science and Geography (7 for and 0 against with one abstention), the Chair, the Promotion and Tenure Committee of the College of Arts and Letters (7 for and 0 against with no abstentions) and the University Promotion and Tenure Committee (6-0). Based on my independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Allen easily meets the standards for tenure at the rank of Associate Professor in the Department of Political Science and Geography at Old Dominion University.

MID-YEAR TENURE RECOMMENDATIONS

RESOLVED, that upon the recommendation of the Provost, the Academic and Research Advancement Committee recommends that the Board of Visitors approve the award of tenure and promotion to associate professor for the following faculty members at Old Dominion University. The tenure and promotion will be effective with the Spring 2017 semester.

College of Engineering and Technology

Dr. Christian W. Zemlin
Department of Electrical and Computer Engineering

College of Health Sciences

Dr. Daniel M. Russell
School of Physical Therapy & Athletic Training

College of Sciences

Dr. James W. Lee*
Department of Chemistry and Biochemistry

Dr. Tamer M. Nadeem
Department of Computer Science

*Already an Associate Professor

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. Abby Braitman Research Assistant Professor of Psychology	\$83,200	9/16/16	12 mos

Dr. Braitman received a Ph.D. in Applied Experimental Psychology and an M.S. in Experimental Psychology from Old Dominion University and a B.A. in Psychology from the University of Maryland. Previously she was an Adjunct Assistant Professor and Research Associate in the Department of Psychology at Old Dominion University.

Dr. Cory D. Champagne Research Assistant Professor of Biological Sciences	\$29,000	12/25/16	12 mos
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Dr. Champagne received a Ph.D. in Ecology and Evolutionary Biology from the University of California Santa Cruz and an M.S. and B.S. in Biology from Sonoma State University. Previously he was a Research Scientist at Old Dominion University and the National Marine Mammal Foundation. (Half-time appointment)

Dr. Karen Eagle Lecturer of Management	\$55,000	10/25/16	10 mos
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Dr. Eagle received a Ph.D. in Occupational and Technical Studies and an M.S. in Business and Industry Training from Old Dominion University and a B.S. in Marketing Education from James Madison University. Previously she was an Adjunct Professor at Regent University and a Dissertation Fellow at Old Dominion University.

Dr. Bo Guo Post-Doctoral Research Associate, Frank Reidy Research Center for Bioelectics	\$34,000	11/1/16	12 mos
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Dr. Guo received a Ph.D. in Biochemistry and Molecular Biology from the Medical College at Xi'an Jiaotong University, China and a B.S. in Biotechnology from Guangxi University, China. He participated in several research grants as a Ph.D. student.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. He Huang Lecturer of Mathematics and Statistics	\$45,000	12/25/16	10 mos

Dr. Huang received Ph.D. in Condensed Matter Physics, an M.Sc. in Computational Engineering and Applied, and an M.Sc. in Astrophysics from Michigan State University, and an M.Sc. in Astrophysics and a B.Sc. in Astronomy from Beijing Normal University. Previously he held a joint position as a Postdoctoral Fellow in the Department of Mathematics and Statistics at Old Dominion University and the Center for the Advanced Study of Accelerators at Thomas Jefferson National Accelerator Facility.

Dr. Oluwaseyi Olayinka Lecturer of Community and Environmental Health	\$55,000	11/1/16	10 mos
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Dr. Olayinka received an M.Sc. and a DLSHTM in Public Health from the London School of Hygiene and Tropical Medicine and a MBChB in Medicine and Surgery from Obafemi Awolowo University. Previously she was a Clinical Extern at Chesapeake Regional Medical Center.

Dr. Sarah Peters Lecturer of Communication Disorders and Special Education	\$21,500	12/15/16	5 mos
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Dr. Peters received a Ph.D. in Education from George Mason University, an M.Ed. in Speech Language Pathology and Audiology from UNC-Greensboro and a B.A. in Education from Radford University. Previously she was a Speech Pathologist for the Henrico Parent Infant Program. (Half-time appointment)

Dr. Melanie Wilhelm Lecturer of Nursing	\$37,000	7/25/16	10 mos
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Dr. Wilhelm received a Doctor of Nursing Practice and a Master of Science in Nursing from Old Dominion University and a Bachelor of Science in Nursing from Bowling Green State University. Previously she was a Dr. of Pediatric Nurse Practitioner at Pediatric Specialists, a Clinical Assistant Professor of Nursing at the University of Virginia and an Adjunct Faculty member at Old Dominion University. (Half-time appointment)

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. Susan Boyd Executive Director of Housing and Residence Life and Instructor	\$80,000	10/10/16	12 mos

Ms. Boyd received an M.S. in Organizational Behavior from the University of Hartford. Previously, she worked for Rutgers University as the Director of Residence Life for Personnel and Organizational Development.

Mr. Stephen Chilmaid First Assistant Women's Rowing Coach and Assistant Instructor	\$46,360	9/10/16	12 mos
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Mr. Chilmaid received an M.B.A. from the University of Kingston. Previously, he worked as the Regatta Director for River City Crews in Richmond, VA.

Dr. Erin Crede Grant Development Specialist for Engineering and Assistant Professor	\$58,000	11/10/16	12 mos
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Dr. Crede received a Ph.D. in Engineering Education from Virginia Tech. Previously, she worked as a Missions Operation Commander for the Virginia Air National Guard.

Mr. Rohit Dalal Enrollment Planning and Data Analyst, Student Engagement and Enrollment Services, and Instructor	\$52,000	10/25/16	12 mos
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Mr. Dalal received an M.B.A. from Old Dominion University. Previously, he worked as a Graduate Assistant for the University's Strome Entrepreneurial Center.

Ms. Danielle Faulkner Research Compliance Coordinator, Office of Research, and Assistant Instructor	\$50,000	9/25/16	12 mos
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Ms. Faulkner received a B.S. in Exercise Science from the College of Charleston and is currently pursuing an M.B.A. from the University of Delaware. Previously, she was a Protocol and Data Management Coordinator for the BADER Consortium, located at the Naval Medical Center Portsmouth in Portsmouth, VA.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Jennifer George Creative Director, Center for Learning and Teaching, and Instructor	\$78,000	9/21/16	12 mos

Ms. George received an M.B.A. from Pennsylvania State University. Previously, she worked as a Marketing Manager for Larson Design Group in Williamsport, PA.

Ms. Tiffany Hampton Associate Budget Officer and Instructor	\$87,500	9/10/16	12 mos
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Ms. Hampton received an M.B.A. from Saint Leo University and a B.S. in Business Commerce and Finance from Norfolk State University. Previously, she served as a Financial Planning Analyst for Vista Outdoor.

Ms. Tammy Hanna Academic Advisor and Program Manager, Modeling, Simulation and Visualization Engineering, and Instructor	\$45,200	9/10/16	12 mos
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Ms. Hanna earned an M.A. in Higher Education from the University of South Carolina. Previously, she served as an Academic Advisor for the Corinthian Colleges in Ormond Beach, FL.

Ms. Dong Liu Assistant Director of Institutional Research and Instructor	\$60,000	10/19/16	12 mos
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Ms. Liu received a B.S. in Pharmaceutical Sciences from Tianjin University. Previously, she was employed as a Laboratory Assistant for the College of Sciences at Old Dominion University.

Dr. Keiwana Perryman Coordinator for Student Organizations and Leadership and Assistant Professor	\$35,000	9/10/16	12 mos
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Dr. Perryman received a Ph.D. in Adult Education from Pennsylvania State University. Previously, she was employed as the Student Engagement Director at Lenoir Rhyne University.

Ms. Leslie Person Admissions Coordinator for Student Guides and the Campus Experience, and Assistant Instructor	\$35,700	10/25/16	12 mos
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Ms. Person received a B.S. in Communications from East Carolina University and is currently pursuing an M.S. in Higher Education from Old Dominion University. Previously, she served in the Office of Undergraduate Admissions at Old Dominion University as the Future Monarch Center Office Assistant.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Delegate Kenneth R. Plum Contributing Author for the Old Dominion University State of the Commonwealth Report, Strome College of Business	\$16,000	12/1/16 - spring semester	5 mos

Delegate Plum received a B.A. from Old Dominion University and an M.Ed. from the University of Virginia. He is a retired teacher and school administrator with Fairfax County Public Schools, where he served as Director of Adult and Community Education. Delegate Plum is a member of the Virginia House of Delegates, representing the 36th District. He has served in the House of Delegates from 1978-80 and 1982-present. He has been a contributing author each year since 2004.

Ms. Elise Rankins Assistant Director for Conference Services, Housing and Residence Life, and Instructor	\$50,000	11/25/16	12 mos
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Ms. Rankins received an M.S. in Sports Leadership from Duquesne University. Previously, she worked as the Senior Event Manager for the Hampton Roads Convention Center.

Ms. Shannon Sauerwald Director for Webb University Center and Auxiliary Services, and Instructor	\$80,000	9/25/16	12 mos
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Ms. Sauerwald received an M.S. in Sports and Recreation Management from Old Dominion University. Previously, she was the Assistant Director for Webb University Center.

Ms. Brittany Shearer Academic Advisor and Instructor	\$41,340	9/25/16	12 mos
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Ms. Shearer received an M.S.Ed. in Educational Leadership from Old Dominion University. Previously, she worked as a Graduate Assistant for the Office of Leadership and Student Involvement at Old Dominion University.

Ms. Megan Shearin Marketing Coordinator, Housing and Residence Life, and Instructor	\$57,500	11/14/16	12 mos
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Ms. Shearin received an M.S.Ed. in Educational Policy from the College of William and Mary. Previously, she was employed by the University's Department of Housing and Residence Life as the Assistant Director for Communications.

Mr. Brett Smiley Gift Planning Officer and Assistant Instructor	\$85,000	11/10/16	12 mos
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Mr. Smiley received a B.S. in Forest Science from Pennsylvania State University. Previously, he worked as the Director of Development with Eggleston Services.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Tracy Williams Instructor of Early Care and Education	\$40,000	10/25/16	12 mos

Ms. Williams received a B.S. in Elementary Education from Eastern Mennonite University. Previously, she worked as a Title 1 reading tutor for Willard Elementary School in Norfolk, VA.

Dr. Jing Zhao Associate Director of Institutional Research and Assistant Professor	\$65,000	10/25/16	12 mos
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Dr. Zhao received a Ph.D. in Quantitative Research, Evaluation, and Measurement in Education from Ohio State University. Previously, she worked as the Assistant Director of Institutional Research at the College of William and Mary.

Ms. Xiyu Zheng Research Associate, Institutional Research, and Instructor	\$50,000	10/10/16	12 mos
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Ms. Zheng received an M.S. in Biostatistics from Virginia Commonwealth University and a B.A. in Statistics and Mathematics from the University of Virginia. Previously, she served as a Research Assistant with the Department of Healthcare Policy and Research at Virginia Commonwealth University.

EMERITUS/EMERITA APPOINTMENTS

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

<u>Name and Rank</u>	<u>Effective Date</u>
Paul Champagne Professor Emeritus of Management	January 1, 2017
Carolyn Eakin Director Emerita of Technology and Data Analysis	March 1, 2017
Richard A. Massey Associate Vice President Emeritus of Foundations	January 1, 2017

PAUL J. CHAMPAGNE

Paul J. Champagne received a B.A from Providence College, an M.A from the University of Hartford and a Ph.D. in Sociology from the University of Massachusetts at Amherst. He joined Old Dominion as an Assistant Professor of Management in 1980 and achieved the rank of Professor in 1993. During his time at Old Dominion, Champagne has been actively involved with the Faculty Senate since 1984. In addition to serving as the Chair of numerous Senate committees, he has been Senate Chair on three occasions for a total of 13 years. In addition, Champagne served as the Chair of the Management and Marketing Department from 1993-1997 and the Chair of the Department of Management from 2008-2014.

Champagne has published more than 25 articles in referred journals and has more than 30 professional papers in the Proceedings of National meetings. He has also co-authored three books. Champagne has offered and directed an array of management training workshops as well as consulted with a number of local business firms. He has served as the outside member of Dissertation Committees in both Psychology and Health Sciences.

CAROLYN S. EAKIN

Carolyn Eakin received a B.S.W. in Social Welfare and an M.A. in Guidance and Counseling from East Tennessee State University. She joined Old Dominion University in 1986 as an Enrollment and Student Services Assistant in the Office of the Registrar. During her tenure, she served as the Assistant Registrar, Acting University Registrar, Director of Enrollment Services for Registration,

Records and Military Student Services, and Director of Registration and Records. In late 2000, Eakin transitioned from the Office of the Registrar to the Office of Admissions as the Student Information Systems Administrator where she again demonstrated her leadership skills and ability to utilize technology and data to orchestrate organizational change. In 2002 she was promoted to Assistant Director for Information Technology and in 2004 was named to her current position, the Director of Technology and Data Analysis.

In her capacity within the Office of the Registrar, Eakin played a significant role in the application of numerous University technology innovations including the implementation of Banner Student (the University-wide system for student information), the Grade Forgiveness policy, the Leo Online system, the initial degree audit solution CAPP, Events 25 Scheduling software (the University's first automated scheduling system), and Voice Response (telephone) Registration aimed at improving customer service and eliminating long registration lines.

As a leader in the Office of Admissions, Eakin developed and deployed the state's first online admissions application and created the initial version of admissions notification letters generated by the Banner system. She implemented the use of Axiom, a data transfer middleware automating the transfer of application and test score data into the Banner system, and partnered with colleagues in the Information Technology Services department to implement Monarch Transformation (the transfer evaluation/articulation portal), improve the Leo Online self-service portal, create the Admissions dashboard and report generation in Insight, and implement the Banner Document Management (BDM). She assisted in the application of the Hobsons CRM, implemented countless new modules and discovered process efficiencies and automated various functional operations giving Admissions the agility to meet the changing demands of the recruitment/enrollment environment.

Eakin has served on the Ellucian Development Partner Advisory Group, operated as an officer in VACRAO and SACRAO, and presented at state, regional, and national conferences.

RICHARD A. MASSEY

After graduating from the University of Dayton in 1971, Richard A. "Rick" Massey was commissioned as a U.S. Army officer and served on active duty for 24 years, including two extended tours in the Republic of Korea. He served as a Field Artillery Officer, Army Aviator, and a Military Comptroller. In 1979, he earned a Master of Business Administration from the University of Dayton. Massey served in progressively important assignments including service on the Army General Staff with duty in the Office of the Comptroller of the Army and the Chief of Staff of the Army. His final assignment was as the Director of Resource Management for U.S. Army Cadet Command responsible for funding and logistics for the Army's ROTC program nationwide. His military decorations include the Legion of Merit.

Massey joined Old Dominion University in 1995 as the Associate University Budget Officer. In 1998, he was appointed as the first Chief Financial Officer (CFO) for the Foundations that support the University, which include the Old Dominion University Educational Foundation, Old Dominion Athletic Foundation, Old Dominion University Real Estate Foundation, and the Community

Development Corporation. As the CFO, he organized the financial and administrative functions of the Foundation to support the University's first capital campaign and the creation of the Old Dominion University Real Estate Foundation.

Massey's role was later expanded to include appointment as the Associate Vice President for Advancement for Foundations and Chief Investment Officer (CIO) for the Foundations. As CIO, he assisted in the implementation of the endowment model for the University and saw the endowment exceed \$200 million. Under Massey's leadership, the Foundations had 20 consecutive years of clean audits with no comments from the auditors.

POSTHUMOUS EMERITA APPOINTMENT

RESOLVED that, upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the posthumous granting of the title of emerita to the following faculty member. A summary of her accomplishments is included.

Name and Rank

Effective Date

Karen Polonko
University Professor Emerita and Professor
Emerita of Sociology and Criminal Justice

Posthumous

APPROVAL OF A NEW MASTER OF SCIENCE IN EXERCISE SCIENCE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposal for a new Master of Science in Exercise Science degree program to be effective with the fall 2017 semester.

Rationale: The Darden College of Education is seeking approval to initiate an M.S. in Exercise Science in fall 2017. The purpose of the M.S. in Exercise Science will be to prepare students for advanced roles in careers that utilize exercise to improve the fitness and health among a wide variety of populations: individuals with chronic disease, healthy adults, fitness enthusiasts, and athletes. Moreover, students will be prepared to engage in research and scholarship to advance the knowledge base in the field of exercise science, leading to faculty positions that require M.S. degrees or leading to entry into Ph.D. programs, as the Ph.D. is required for the majority of faculty positions.

Exercise science has been offered as a concentration within the M.S. in Education—Physical Education since the early 1980s. This proposal requests that it become a stand-alone M.S. in Exercise Science. While physical education focuses on pedagogy, exercise science focuses on understanding the physiological and biomechanical processes that explain human movement and its effect on health and human performance. It is also aimed at the preparation of professionals in fitness-related fields (such as corporate health promotion, cardiac rehabilitation, strength and conditioning) and of scholars seeking to go on to doctoral programs in exercise science, kinesiology, rehabilitation, physical therapy, and related programs. The primary sub-disciplines of exercise science are exercise physiology and biomechanics, and both are represented in Old Dominion’s existing program.

**APPROVAL OF A NEW MASTER OF SCIENCE
IN SPEECH-LANGUAGE PATHOLOGY**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposal for a new Master of Science in Speech-Language Pathology degree program to be effective with the fall 2017 semester.

Rationale: The Department of Communication Disorders and Special Education in the Darden College of Education has offered a Master of Science in Education, Speech-Language Pathology and Audiology since the early 1980s. The program title changed in 1994 to M.S. Ed. in Speech-Language Pathology. The master's degree in speech-language pathology has been accredited by the Council on Academic Accreditation (CAA) in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association since 1988. This proposal seeks to change the degree to an M.S. instead of an M.S.Ed. The M.S. is broader and will represent the professional options of a speech-language pathologist.

The purpose of the M.S. in Speech-Language Pathology is to prepare students to be certified, licensed speech-language pathologists, the entry level degree required for state licensure and certification by the Council for Clinical Certification in Speech-Language Pathology of the American Speech-Language-Hearing Association. The goal of this program is to prepare students for positions in all work settings, including schools, clinics, and medical facilities.

The only differences from the current degree program are the change to an M.S. and a change in the CIP code assigned to the program. The curriculum and admission requirements remain the same.

**RESOLUTION TO ADOPT PROCESS FOR DETERMINING USE OF THE
COMPETITIVE NEGOTIATIONS METHOD OF PROCUREMENT
AND TO RESCIND BOARD POLICY 1628: UTILIZATION OF FIXED PRICE
DESIGN-BUILD OR CONSTRUCTION MANAGEMENT CONTRACTS
AS METHODS OF DELIVERY**

RESOLVED, that upon the recommendation of the Administration and Finance Committee, the Board of Visitors approves the Department of Procurement Services' Process for Determining Use of the Competitive Negotiations Method of Procurement.

BE IF FURTHER RESOLVED, that the Board rescinds Policy 1628: Utilization of Fixed Price Design-Build or Construction Management Contracts as Methods of Delivery.



Department of Procurement Services

**PROCEDURE #16-01:
PROCESS FOR DETERMINING USE OF THE COMPETITIVE NEGOTIATIONS METHOD OF
PROCUREMENT**

I. Purpose:

To provide clear guidance on process used for determination and selection of the competitive negotiation method of procurement for construction projects, A/E professional services, and other construction related non-professional services when considering the use of (i) Design Build, or (ii) Construction Management delivery methods.

This procedure shall apply to both General Fund and Non-General Fund Capital Construction Projects, Professional A/E Services, and other construction related non-professional services.

II. Background:

Effective July, 2016, institutions of higher education governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, operating under a memorandum of understanding pursuant to §23-38.90, and those operating under a pilot program under §4-9.02, "Level II Authority", shall be required to develop a process for determining the selected

procurement method, if other than competitive sealed bidding, for construction projects and related professional A/E services.

III. Definitions:

1. **BCOM:** Bureau of Capital Outlay Management.
2. **BOV:** Board of Visitors.
3. **CM:** Construction Management delivery method.
4. **COO:** Chief Operating Officer
5. **DB:** Design Build delivery method.
6. **DBB:** Design-Bid-Build delivery method.
7. **DGS:** Department of General Services.

IV. Applicability and Governance:

This procedure is in compliance with HB30, as amended and enrolled during the 2016 General Assembly Session, specifically Part 4 – Capital Procurement Process, Item 4-4.01#1c, as applicable.

V. General Guidelines:

The following general guidelines shall apply to selected delivery method:

- a. Use of competitive sealed bidding will typically be used for projects with a construction value of \$10,000,000 or less.
- b. Use of construction management will typically be limited to projects with a construction value of \$10,000,000 or more.
- c. Cost, schedule, complexity and building use are components of the process for selecting the design-build or construction management procurement method. Further, when selecting the construction management procurement method, cost and project timeline are critical components of the process.
- d. A construction management contract will be initiated no later than the completion of the project schematic design phase unless prohibited by funding delays or authorization restrictions.
- e. A design-build contract may be used to minimize the project risk for the owner and to reduce the delivery schedule by overlapping the design phase and construction phase of a project.
- f. The Request for Qualifications for a design-build or construction management delivery method will include language to state that sealed bidding was not practicable, and that the method chose was more fiscally advantageous is more advantageous than competitive sealed bidding.
- g. The Request for Qualifications will include criteria for contractor selection and basis of the award.
- h. The Request for Qualifications, to include the approved procurement method, will be posted for no less than 30 days on eVA, the Commonwealth's statewide electronic procurement system.
- i. The Request for Qualifications evaluation process will result in a short list of two to five offerors to receive the Request for Proposals.

- j. As the approving authority for the selection of the appropriate delivery method for capital outlay construction, the COO may authorize exceptions, other than those items specifically required by Chapter 780, to these General Guidelines on a project specific basis.

VI. Procedures:

The process for determining and selecting competitive negotiations as the alternative procurement method for Construction Projects, Professional A/E services, and other construction related non-professional services shall include collaborative efforts between Procurement Services, Design and Construction, and any other affected agency, and prior to the final decision, those collaborative efforts shall include for consideration, review, documentation and support, the following:

1. **Project Summary:** Provide a complete project summary, to include at a minimum:
 - a. Project description;
 - b. Funding source;
 - c. Facility type;
 - d. Construction type, i.e., new, renovation, occupied, phased, etc.;
 - e. Facility size
 - f. Construction environment;
 - g. Additional caveats or peripheral components

2. **Qualifying Summary Statement:** Must definitively explain why competitive sealed bidding and the DBB delivery method is not practicable or fiscally advantageous.

3. **Additional Factors That Must Be Considered and Addressed:**
 - a. Is fast tracking the process necessary, how will it meet the University's needs, and what benefits will be realized?
 - b. What are the programmatic requirements, including target audience and time frame, and how will the programming efforts be more advantageous and efficiently achieved using competitive negotiations versus being completed via the competitive sealed bid process for DBB delivery method?
 - c. What are the advantages to the Owner, A/E and Contractor in having both the constructability analyses and value engineering efforts conducted with the design phase, and why are they important?
 - d. Construction site location and associated constraints, including restricted access.
 - e. How important are coordination efforts with Owner for potential street closures, deliveries from vendors, off-site staging areas crucial for the safety of passing students and traffic flow, etc., that may not only reduce costs, but minimizes impacts to pedestrians, vehicular traffic, adjacent buildings, businesses and neighborhoods.

4. **Initial Review and Approval of Summary Project Information:**

The responsible Procurement Officer shall be responsible for compiling the information and responses to questions requested in above section V. into a summary format, signing off on same, and routing for review and approval as follows:

 - a. Director for Design and Construction;
 - b. Assistant Director, Procurement Services;
 - c. Director of Procurement Services;
 - d. Chief Operating Officer

5. Final Review and Approval:

a. General and Non-General Fund Capital Construction Projects:

After final review and approval by the Chief Operating Officer, as specified in above section VI.4., the request is approved, and Procurement Services may proceed with the related procurement processes.

NUMBER: 1628

TITLE: Utilization of Fixed Price Design-Build or Construction Management Contracts as Methods of Delivery

APPROVED: September 9, 2005; Revised June 14, 2012; Rescinded December 8, 2016

I. Background

The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allows public institutions of higher education restructured financial and operational authority as described in subdivisions A1 through A13 of Section 23-38.88 of the Act.

Pursuant to §23-38.88, *Eligibility for Restructured Financial and Administrative Operational Authority*, subdivision A13 states public institutions of higher education may utilize as methods of procurement a fixed price, design-build or construction management contract provided that the Board of Visitors adopts policies and procedures which are consistent with the requirements of the Virginia Public Procurement Act and the procedures adopted by the Secretary of Administration for such methods of procurement.

The 2008 General Assembly session enacted, and the Governor approved, Chapters 824 and 829 of the Acts of Assembly of Virginia. These are two identical Acts that amended and re-enacted §23-38.90 of the *Code of Virginia* providing that:

“Effective July 1, 2008, any public institution of higher education may enter into a memorandum of understanding with the appropriate Cabinet Secretary or Secretaries, as designed by the Governor, for additional operational authority in any operational area adopted by the General Assembly in accordance with law provided that the authority granted in the memorandum of understanding is consistent with the institution’s ability to manage its operations in the particular areas or areas.”

To promulgate expanded operational authority in the area of procurement, Old Dominion University entered into a memorandum of understanding (MOU) with the Secretary of Administration in July, 2009, which was renewed in April, 2012, for a term of five years, with automatic renewals of five-year terms thereafter. Among other powers, this MOU grants the University additional operational authority in the area of construction authorized by §3.0 of Chapters 824 and 829. The legislation required that the University adopt the “Rules Governing Procurement of Goods, Services, Insurance and Construction by a Public

Institution of Higher Education of the Commonwealth of Virginia” (the “Rules”) contained in Attachment I of §3.0 in lieu of the Virginia Public Procurement Act (VPPA).

Pursuant to §23-38.90, specifically under §3.0 IV.5.E., Implementation, the University is exempt from use and oversight of many Commonwealth policies and agencies, including specific sections of the Virginia Public Procurement Act (VPPA), Department of Blind and Vision Impaired (VIB), and the Division of Purchases and Supplies of the Virginia Department of General Services (DPS/DGS). Additionally, and more specifically related to this policy, pursuant to the same section of §3.0 IV.5.E., Implementation, the University is also exempt from the oversight of the Division of Engineering and Buildings of the Virginia Department of General Services, as follows:

any other state statutes, rules, regulations, or requirements relating to the procurement of goods, services, insurance and construction, including but not limited to Article 3 (§2.2-1109, et seq.) of Chapter 11 of Title 2.2, regarding the duties, responsibilities, and authority of the Division of Purchases and Supply of the Virginia Department of General Services, and Article 4 (§2.2-1129 et seq.) of Chapter 11 of Title 2.2, regarding the review and the oversight by the Division of Engineering and Buildings of the Virginia Department of General Services of contracts for the construction of the Institution’s capital projects and construction-related professional services.”

II. Board of Visitors Policy

It is the policy of the Board of Visitors to use fixed-price design build and construction management contracts for general fund projects only as allowed under the “Rules”, the Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and Their Vendors (the “Higher Ed Manual”), any MOUs between the University and the Secretary of Administration, and other policies adopted by the University. The Board of Visitors shall approve the use of these processes in advance of solicitation on a case-by-case basis.

In the case of Non-General Fund projects, the Vice President for Administration and Finance shall have the authority to approve the use of alternate delivery methods under the Pilot Decentralization Program as updated by Level II delegated authority and Board of Visitors Policy 1623. The use of these alternate delivery methods will be consistent with the provisions of the Memorandum of Understanding (MOU) Concerning Capital Outlay Projects executed by the University with the Secretary of Administration and any properly approved amendments or additional MOUs.

III. Authority

The Vice President for Administration and Finance or the Vice President’s designee shall be responsible for interpretation, implementation and compliance of this policy. The Vice President for Administration and Finance may delegate this authority by letter.

IV. Definitions

- A. BCOM - The Commonwealth's Bureau of Capital Outlay Management, an entity of the DGS reporting to DEB.
- B. Construction - Building, altering, repairing, improving or demolishing any structure, building or highway, and any draining, dredging, excavation, grading or similar work upon real property.
- C. Construction Management - Services provided under a contract with the Owner, which generally include coordinating and administering construction contracts for the benefit of the Owner, but may also include, if provided in the contract, furnishing construction services to the Owner.
- D. CPSM - The Commonwealth's Construction and Personal Services Manual issued by BCOM
- E. DEB - The Commonwealth's Division of Engineering and Buildings which reports to DGS.
- F. DGS - The Commonwealth's Department of General Services which reports to the Secretary of Administration.
- G. Design-Build - Services in which the party contracting with the public body agrees to both design and build the structure, roadway or other item specified in the contract.

**BOARD OF VISITORS
OLD DOMINION UNIVERSITY
RESOLUTION CONCERNING AUTHORITY TO ENTER INTO AN ASSET
TRANSFER AGREEMENT**

WHEREAS, Old Dominion University and Mid-Atlantic Broadband Communities Corporation jointly applied and were awarded a grant under the U.S. National Telecommunications and Information Administration's Broadband Technology Opportunities Program to revitalize the regional economy of southern Virginia. The goals were to build a cost-effective, carrier-class telecom infrastructure that would expand broadband services in the region, provide unique opportunities for research and development and create opportunities for the private sector to deploy competitive broadband services to promote commercial innovation and high-technology sector competitiveness, and

WHEREAS, Old Dominion University and Mid-Atlantic Broadband Communities Corporation have completed the construction of the Project, which required, among other items, the purchase of the Transferred Assets (the "Purchase"), using a combination of proceeds from the Grant and a 20% matching amount contributed by Old Dominion University and Mid-Atlantic Broadband Communities Corporation in equal amounts (collectively, "Matching Amount"), and

WHEREAS, pursuant to that certain Agreement between Old Dominion University and Mid-Atlantic Broadband Communities Corporation, as successor-in-interest to Mid-Atlantic Broadband Cooperative, regarding NTIA BTOP Fiber Project Award NT10BIX5570087 dated February 16, 2011, as amended, Seller was obligated to repay Buyer its 50% portion of the Matching Amount, and

WHEREAS, since the Purchase, (i) Mid-Atlantic Broadband Communications Communities has repaid to Old Dominion University in full for its 50% portion of the Matching Amount contributed by Old Dominion University to construct the Project, less the 20% of the total purchase price of the Transferred Assets and other amounts pursuant to that certain Contract Modification Agreement dated June 16, 2014; and

WHEREAS, Mid-Atlantic Broadband Communities Corporation now wishes to transfer and assign to Old Dominion University, and Old Dominion University wishes to accept and assume from Seller, the rights and obligations of Seller to the Transferred Assets (as defined in the attachment hereto), subject to the terms and conditions set forth in the attached Asset Transfer Agreement:

BE IT RESOLVED, that the President or a delegated person is authorized to execute, deliver and perform the Asset Transfer Agreement attached as an exhibit hereto.
