AGENDA

Old Dominion University
Board of Visitors
April 23, 2015

BOARD OF VISITORS
OLD DOMINION UNIVERSITY
Thursday, April 23, 2015, 8:30 a.m.
Board Room, Webb University Center

AGENDA

I. Call to Order
Ronald C. Ripley, Rector

II. 2015-2016 Operating Budget and Tuition & Fees
David F. Harnage, Chief Operating Officer

Resolution Approving the 2015-2016 Operating Budget Plan and Comprehensive Fee Proposal (pp. 4-5)

III. Recess for Standing Committee Meetings
Ronald C. Ripley, Rector

IV. Reconvene
Ronald C. Ripley, Rector

V. Approval of Minutes – December 4, 2014 Meeting
Ronald C. Ripley, Rector

VI. Rector's Report
Ronald C. Ripley, Rector

A. Resolution of Appreciation – Carol Simpson (pp. 6-7)
B. 2015-2016 Board Calendar

VII. President's Report
John R. Broderick, President

VIII. Reports of Standing Committees

A. Audit Committee
Barry Kornblau, Chair

B. Academic and Research Advancement Committee
Andrea Kilmer, Chair

1. Tenure Recommendation (p. 8)
2. Appointments With Tenure (pp. 9-16)
3. Dual Employment (p. 17)

Consent Agenda

4. Faculty Appointments (pp. 18-21)
5. Administrative Appointments (pp. 22-27)
6. Emeritus Appointments (pp. 28-30)

Regular Agenda

7. Proposed Revisions to the Policy on Initial Appointment of Teaching and Research Faculty (pp. 31-37)
8. Proposed Revisions to the Policy on Tenure (pp. 38-47)
9. Proposed Revisions to the Policy on Faculty Grievance Committee and Hearing Panels: Composition and Procedures (pp. 48-61)

C. Administration and Finance Committee
Robert Tata, Chair

1. Use of Construction Manager (CM) At-Risk for New Student Union
2. Amendment of Deed of Lease for University Village Student Housing (pp. 62-63)
3. Amendment of Deed of Lease for University Village Parking Garage (pp. 64-65)

D. Student Enhancement & Engagement Committee
J. William Cofer, Chair

Resolution Appointing Student Representatives to the Board of Visitors and State Council for Higher Education in Virginia (Handout)

E. University Advancement Committee
Frank Reidy, Chair

IX. Old/Unfinished Business
Ronald C. Ripley, Rector

X. New Business
Ronald C. Ripley, Rector

XI. Adjournment
Ronald C. Ripley, Rector

RESOLUTION APPROVING 2015-2016 OPERATING BUDGET PLAN AND COMPREHENSIVE FEE PROPOSAL

RESOLVED, that upon the recommendation of the President, the Board of Visitors approves the proposed expenditure plan in the University's 2015-2016 Operating Budget and Plan and the corresponding 2015-2016 Comprehensive Fee Proposal. This plan is based on the final actions of the General Assembly.

UNIVERSITY EXPENDITURE SUMMARY
(in thousands)

EXPENDITURES	**2014-15 Budget Plan**	**2015-16 Budget Plan**
Instruction	$125,348	$131,316
Research & Sponsored Programs	$4,638	$5,253
Public Service	$258	$258
Academic Support	$45,733	$47,391
Student Services	$15,650	$17,743
Institutional Support	$37,937	$38,726
Operations & Maintenance of Plant	$29,379	$30,182
Scholarships & Fellowships	$1,800	$2,046
Allocation to E&G Reserve	$1,800	$0
Subtotal	**$262,543**	**$272,915**
Auxiliary Services	$102,250	$105,043
Grants & Contracts	$10,137	$11,217
Gifts & Discretionary	$11,105	$11,555
Scholarships & Fellowships	$50,253	$51,325
Student Loan Funds	$130,000	$130,000
Total University Expenditures	**$566,288**	**$582,055**
Summary of University Revenues & Expenditures		
Revenues	**$571,875**	**$590,908**
Expenditures	**$566,288**	**$582,055**
Contributions to/(Use of) Fund Balance	**$5,587**	**$8,853**
Commitment to Auxiliary Capital Reserve	**$5,587**	**$8,853**
	$0	**$0**

COMPREHENSIVE FEE PER CREDIT HOUR
FOR THE 2015-2016 ACADEMIC YEAR

	In-State From	In-State To	Out-State From	Out-State To
Norfolk Campus, Higher Education Centers, Distance Learning Locations Within Virginia				
Undergraduate	$299	$316	$838	$874
Graduate	$437	$464	$1,089	$1,160
• Teaching Assistant	$437	$464	$437	$464
• Research Assistant	$437	$464	$437	$464
Technology Delivered Campus Courses Outside Virginia and/or the United States				
Undergraduate	$314	$345	$314	$345
Graduate	$456	$501	$456	$501

The comprehensive per credit hour fee includes the student activity fee of $110.18 per credit hour for courses offered at the Norfolk Campus and $64.70 per credit hour for courses offered at the Higher Education Centers, Distance Learning sites and for technology delivered online courses.

OLD DOMINION UNIVERSITY
BOARD OF VISITORS

RESOLUTION OF APPRECIATION

Carol Simpson

WHEREAS, Dr. Carol Simpson has been the Provost and Vice President for Academic Affairs at Old Dominion University since January 2008; and

WHEREAS, Dr. Simpson has provided exceptional leadership overseeing, guiding and directing the academic affairs and of the University and its six schools which guidance significantly contributed to elevating the academic integrity and standing of the University; and

WHEREAS, under her leadership the university established a new *College of Continuing Education and Professional Development* to provide flexible and responsive offerings to local, regional and national needs in advanced workforce development, with emphasis on career transition opportunities for working professionals, non-traditional students and returning military veterans; and

WHEREAS, Dr. Simpson successfully oversaw the establishment of the *Strome Entrepreneurial Center* that is providing undergraduate and graduate students with innovative programming to empower them to create economic and social value in the region and beyond; and

WHEREAS, Dr. Simpson supervised the development of the *Virginia Early Childhood Policy Center* which focuses on developing and sharing resources with lawmakers, business leaders, and the public; and

WHEREAS, Dr. Simpson oversaw the creation of the *Center for Cyber Security Education and Research*, which coordinates interdisciplinary research and academic programming in a flexible and innovative manner; and

WHEREAS, she successfully implemented a University-wide Sea Level Rise/Climate Change Initiative, and supervised the establishment of the *Mitigation and Adaptation Research Institute* which brings faculty and students from each of the academic colleges together to address the mitigation of, and adaption to, rising sea levels and storm surge anomalies affecting coastal cities of the southeast USA, with a focus on the Chesapeake Bay region of Hampton Roads; and

WHEREAS, she co-chaired the steering committee for the *University's Strategic Plan 2014-2019* in close collaboration with other units in the university and helped prioritize the major goals of the university and ways of implementing them; and

WHEREAS, the excellence of her engagement with the community including her service as board member in local philanthropic and arts organizations and as well as her involvement in the ODU Women's Initiative Network has been recognized by her peers; and

WHEREAS, she will continue to contribute her service to Old Dominion University as Professor of Ocean, Earth and Atmospheric Sciences;

THEREFORE, BE IT RESOLVED, that the Board of Visitors of Old Dominion University expresses its gratitude and appreciation of Dr. Simpson for her administrative leadership and continuing dedication to the University.

BE IT FURTHER RESOLVED, that this Resolution of Appreciation be spread upon the minutes of the Board of Visitors and a framed copy be presented to Dr. Simpson.

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 Fall 2015 semester.

College of Arts and Letters

Thomas E. Chapman
Department of Political Science and Geography

Mengyan Dai
Department of Sociology and Criminal Justice

Delores B. Phillips
Department of English

David S. Roh
Department of English

Darden College of Education

Yonghee Suh
Department of Teaching and Learning

Xihe Zhu
Department of Human Movement Sciences

College of Sciences

Shuiwang Ji
Department of Computer Science

Richard N. Landers
Department of Psychology

Cathy Lau-Barraco
Department of Psychology

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. J. Andrew Hansz as Professor of Finance with the award of tenure in the Department of Finance and the Robert M. Stanton Endowed Chair in Real Estate and Economic Development in the Strome College of Business, effective July 25, 2015.

Salary: $170,000 for 10 months (salary includes a stipend of $40,000 for serving as the Robert M. Stanton Endowed Chair in Real Estate and Economic Development)
Rank: Professor of Finance and Robert M. Stanton Endowed Chair in Real Estate and Economic Development

The following contains my recommendation for the initial appointment with tenure of Dr. J. Andrew Hansz as Professor of Finance in the Strome College of Business. Dr. Hansz has most recently held the concurrent positions of Professor of Finance and Business Law in the Craig School of Business at California State University-Fresno and Visiting Professor of Real Estate at the Pennsylvania State University. He will join ODU as the Robert M. Stanton Chair in Real Estate and Economic Development in the Strome College of Business.

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. 50]. 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 Professor for Dr. Hansz were received from the departmental, college, and university promotion and tenure committees, as well as from the department's chair and the interim college dean. The only negative vote was from the Departmental Promotion and Tenure Committee, which voted 6 in favor, 1 against, without any explanation provided for the negative vote. The University's Named Chair Committee unanimously supported Dr. Hansz for the Robert M. Stanton Chair in Real Estate and Economic Development. Based on my independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Hansz easily meets the standards for tenure at the rank of Professor in the Department of Finance at Old Dominion University.

Dr. Hansz received his Ph.D. (1999) from Georgia State University and holds an M.B.A. (1993) from Lehigh University. He joined California State University-Fresno as Professor and founding Director of the Gazarian Real Estate Center in 2009. Prior to that he held the positions of Visiting Assistant Professor (1999-2001), Assistant Professor (2001-2007), and Associate Professor with tenure (2007-2009) at the University of Texas-Arlington. He also spent 8 months in 2005 as Visiting

Assistant Professor at Georgia State University. In addition to his academic credentials, Dr. Hansz is a Licensed Real Estate Broker in the state of California and a Member of the Appraisal Institute of Chicago.

An expert in the behavioral and financial theory of real estate analysis, Dr. Hansz has co-authored the text *Real Estate Analysis: Environments and Activities* (2010, Kendall/Hunt), a monograph, and a book chapter. He has published 22 refereed articles in the leading journals in his field, as well as almost 40 conference proceedings at national and international conferences. He has been active in seeking funding to support his research and has obtained a data grant from the CoreLogic Academic Research Council and 3 internal research awards. Dr. Hansz received the 2013 *Craig School of Business Faculty Award for Research* and the 2011 *Research Recognition Award* from California State University-Fresno, and won a Best Paper Award at the 2010 Middle East North Africa Real Estate Society Conference in Dubai, UAE.

Dr. Hansz has taught a wide range of undergraduate and graduate level courses in real estate, from fundamentals to financial analysis and securities, including an on-line version of Real Estate Fundamentals. He has also taught numerous short courses/workshops on various aspects of real estate. He has been an examining committee member for almost 30 graduate students and has acted as faculty advisor for interdisciplinary student teams entering national competitions. He has served as the graduate advisor for Master of Science in Real Estate and as faculty advisor for doctoral business students. Dr. Hansz has been recognized by the University of Texas-Arlington for his teaching and mentoring of students with the 2000 and 2005 *Turner Memorial Award for Excellence in Undergraduate Teaching*, the 2003 *Distinguished Teaching Innovation Award*, the 2003 *W. Paul Green Memorial Award for Excellence in Graduate Teaching*, and the 2006-2007 *Outstanding Academic Advisor Nomination*.

Dr. Hansz has indicated a strong interest in building the real estate program at Old Dominion University as well as in engaging with the broader real estate community in the region. He has an exceptional record of service through his role as Director of the Gazarian Real Estate Center at California State University-Fresno, which includes a speakers series, reports such as the 2010 *Southwest Region Economic Analysis and Forecast*, and the development and delivery workshops on topics such as retail development, student real estate elevator pitches, and ethics, among many other activities. He has served on a wide range of department, college, and university-level committees, including AACSB Accreditation committees. He has given a number of university and community-oriented presentations and has acted as advisor for certificate programs and student societies. In 2012, Dr. Hansz received the Coke and James Hallowell Faculty Service Award from the Craig School of Business.

Dr. Hansz is the North American Editor and serves on the Editorial Board for the *International Journal of Strategic Property Management*. He has served as Current Journals Editor and Associate Editor for the *Journal of Real Estate Literature*, and is a frequent reviewer of manuscripts for the leading journals in his area of expertise, winning the 2002 *Red Pen Award* from The American Real Estate Society for "service above-and-beyond the call of duty" in the review of articles submitted for publication. He is an approved instructor for the Appraisal Institute in Chicago, has been oft-quoted in the media, and has been an active member for the El Dorado Park Community Development Corporation in Texas, among other community activities.

All of his external references enthusiastically support Dr. Hansz, speaking to his "strong leadership skills" and "versatility." One writes that he is "an outstanding academic with a tremendous work ethic… and an innovative approach to both teaching and research." Another notes "well over fifty percent [of his publications] appears in outlets generally considered … to reside at the A level." A third referee notes that Dr. Hansz has "built the real estate program and the real estate center [at CSU] to a substantial presence in the region" and goes on to say he has been "very active and successful in raising money for the center and conducting events related to it, and a fourth speaks to Dr. Hansz's teaching, saying he is "an outstanding teacher … and an impressive student mentor."

Therefore, in recognition of his many contributions as a scholar and teacher, his dedicated service to his profession, and in concurrence with all of the recommendations received, I recommend Dr. J. Andrew Hansz for an appointment with tenure in the Department of Finance at the rank of Professor. We are fortunate indeed to attract him to Old Dominion University.

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. Christopher A. Sink as Professor of Counseling and Human Services with the award of tenure in the Department of Counseling and Human Services and designation as the Batten Endowed Chair in Counseling in the Darden College of Education, effective July 25, 2015.

Salary: $118,000 for 10 months
Rank: Professor of Counseling and Human Services and Batten Endowed Chair in Counseling

The following contains my recommendation for the initial appointment with tenure of Dr. Christopher A. Sink as Professor of Counseling in the Department of Counseling and Human Services, Darden College of Education. Dr. Sink has most recently held the position of Professor of Counselor Education at Seattle Pacific University, concurrently with a second 3-year Visiting Professorship with York St. John University's Department of Education and Theology, York, U.K. He has also served as Associate Professor and Coordinator of School Counseling Program at Northwest Missouri State University (1989-1994) and was previously counselor and a tenured faculty member at Coastline Community College, Costa Mesa, CA (1984-1989). Dr. Sink will join ODU as the Batten Endowed Chair in Counseling, in the Darden College of Education.

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. 50]. 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."

Unanimous recommendations in support of tenure for Dr. Sink were received from the departmental, college, and university promotion and tenure committees, as well as from the department's chair and the college dean. The University's Named Chair Committee unanimously supported Dr. Sink for the Batten Endowed Chair in Counseling. Based on my independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Sink easily meets the standards for tenure at the rank of Professor in the Department of Counseling and Human Services at Old Dominion University.

Dr. Sink received his Ph.D. (1988) from the University of California, Riverside and holds an M.S. (1981) in Counseling from California State University, Fullerton. He joined Seattle Pacific University as Assistant Professor in 1994, was tenured there in 2000, and promoted to Professor in 2001. In addition to his academic credentials, Dr. Sink is a National Certified Counselor, a Licensed Mental Health Counselor for the State of Washington, and holds California Community College

Teaching, Counseling, and Special Education Certifications. He also has experience as a teacher and high school counselor in the Coastline Regional Occupational Program, Costa Mesa, CA (1980-1984).

An expert in systemic counseling interventions and research methods in counseling and education, Dr. Sink has published 50 refereed articles in the leading journals in his field, as well as 3 sole- or first-authored books, with another *in press*. He has contributed 12 chapters to professional books, more than 20 journal editorials, book, and test reviews, 14 research and technical reports, and 9 non-juried publications. Dr. Sink has presented his research at over 60 national and international professional meetings, with more than a dozen since 2010. He has also been active and successful in obtaining external funding for his research and has been lead advisor and evaluator on two U.S. Department of Education awards, each for over $1 million, to the Highline School District, WA.

Dr. Sink has been the recipient of numerous awards, including the 2012 and 2003 *Counselor Educator of the Year* award from the Washington School Counselor Association, the 2010 Seattle Pacific University's School of Education *Teacher of the Year* award, the 2002 Washington Counseling Association's *Distinguished Service Award*, and was co-recipient of the 2005 Council for the Advancement and Support of Education award for communications.

Dr. Sink has taught a wide range of Master's and doctoral level courses, mainly on School Counseling, Educational Psychology and Research Methods. He has experience in the use of technology in teaching. He has mentored numerous graduate students and has acted as senior faculty mentor for junior faculty. He has been invited as a Visiting Research Scholar at the Center for Educational Studies, University of Hull, U.K. and was appointed Adjunct Professor in the Doctoral Program in Education at Simon Fraser University, British Columbia, where he supervised a doctoral dissertation. At Seattle Pacific University's School of Education, he has served as department Chair, Program Coordinator for the Ph.D. in Counselor Education, Director of Research, and Director of Doctoral Studies. He has also served on the Graduate Committee, Spiritual Development Committee, Diversity Committee, Scholarship Committee, and Curriculum Committee for his school, as well as on a number of committees at the university level. As part of these duties, he has founded and/or directed several graduate programs in school counseling. In service to his profession, he has been both Treasurer and Secretary for the Washington Association for Counselor Education and Supervision, Editor for the *Journal of Counseling and Values* and the *Journal of Professional School Counseling*, and is currently an editorial board member for these two journals plus the *Journal of Counseling and Spirituality*, among other professional service activities.

All of his external references enthusiastically support Dr. Sink, saying he has "a very impressive national and international reputation and stature in the field of counseling and school counseling." One referee says Dr. Sink is "one of the most outstanding examples of an integrated scholar/practitioner/ teacher/servant." Another says "His leadership and research has and continues to impact the preparation of school counselors in higher education and the changing practice of school counseling nationwide." Similar comments from other referees include: "Dr. Sink has been and will continue to be a prolific, creative, and compassionate scholar," and "Dr. Sink is one of the best known and most respected faculty members in our field." Four of the six external referees highlight his effective mentorship of both students and junior professional colleagues.

Therefore, in recognition of his many contributions as a scholar and teacher, his dedicated service to his profession, and in concurrence with all of the recommendations received, I recommend Dr. Christopher A. Sink for an appointment with tenure in the Department of Counseling and Human Services at the rank of Professor. We are fortunate indeed to attract him to Old Dominion University.

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. John F. (Jeff) Tanner, Jr. as Dean of the Strome College of Business and Professor of Marketing with the award of tenure in the Department of Marketing in the Strome College of Business, effective May 25, 2015.

Salary: $280,000 for 12 months
Rank: Dean of the Strome College of Business and Professor of Marketing

The following contains my recommendation for the initial appointment with tenure of Dr. John F. (Jeff) Tanner, Jr. as Professor of Marketing in the Strome College of Business. Dr. Tanner has most recently held the concurrent positions of Executive Director of the Baylor Business Collaboratory and Professor of Marketing at Baylor University. He will join Old Dominion University as Dean of the Strome College of Business.

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. 50]. 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."

Unanimous recommendations in support of tenure for Dr. Tanner were received from the departmental, college, and university promotion and tenure committees, as well as from the department's chair and the interim college dean. Based on my independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Tanner easily meets the standards for tenure at the rank of Professor at Old Dominion University.

Dr. Tanner received his Ph.D. (1988) in Business Administration from the University of Georgia and holds an M.B.A. in Marketing (1985) from the University of North Texas. He joined Baylor University as Assistant Professor in 1988; he was promoted to Associate Professor with tenure in 1993 and to Professor in 2004. He has held numerous administrative positions while at Baylor University, including Associate Dean for Undergraduate Programs (1995-2002), Associate Dean for Faculty Development and Research (2005-2012), Interim Chair of the Marketing department (2001-2002), Research Director for the Center for Professional Selling (1989-2003) and, most recently, Executive Director of the Baylor Business Collaboratory (2010-2015). He has held several Visiting Professor positions in international universities, including: the University of Montpellier II, France; the University of West Indies; the University of Caen, France; and Monterrey Technological Institute, Mexico. Dr. Tanner is currently a director with Korcett Holdings and a partner in JKTanner, Inc. He has been a partner in BPT Partners LLC, and was a Director in four other companies during the 1990's.

Dr. Tanner's research follows two separate foci: sales and customer strategy; and public policy, including teen pregnancy prevention and summer feeding programs for children. He has published 15 books, as first or sole author on 8 of them, and over 70 peer-reviewed journal articles. Most of his books are sales-related; his most recent is *Analytics and Dynamic Customer Strategy: Big Profits from Big Data* (Wiley, 2014). He has given over 100 conference presentations, more than 40 of them since 2006, and has contributed over 100 non-refereed business articles, white papers and trade association reports. His referees say that he has published in the leading journals in his field and has been highly influential in bringing academic thought to marketing practitioners.

Dr. Tanner has been very active in seeking external funding to support his research. He is Co-Principal Investigator on a 3-year grant from the Walmart Foundation for $1 million per year, and has obtained a number of grants from agencies and foundations, including the National Institutes of Health, Texas Department of State Health Services, and Shannon Community Health in San Antonio, TX. In recognition of his research contributions, Dr. Tanner has received the 2001 Southwest Business Deans' Association Innovative Achievement Award, and the 2001 Society for Marketing Advances, Outstanding Consumer Behavior Paper. He has also received the 2006 Distinguished Faculty award from Baylor University and was named 2005 Distinguished Visiting Professor by Monterrey Technological Institute, Mexico.

Dr. Tanner has taught a wide range of undergraduate and Master's level courses, in which he focuses on challenging students to step out of their comfort zones and develop critical thinking skills through hands-on practice and assignments. Although he has been at an institution without a doctoral program, Dr. Tanner has mentored graduate students through membership on a number of dissertation committees at other institutions, including Louisiana Tech. He has authored two popular textbooks in the area of marketing. In his statement of research and teaching philosophy, Dr. Tanner states "I find that when students know you care about them and about what they learn, and when they agree that they are learning skills that will serve them wherever their life leads them, they take up the charge and become champions." He received the 2013 *Society for Marketing Advances* Distinguished Teacher award for his classroom teaching, scholarship of teaching and influence on teachers.

In addition to his appointments as Associate Dean and service on numerous university committees, Dr. Tanner has served on several Expert Advisory Panels for the U.S. Department of Health and Human Services. He has been Special Issue Editor more than once for the *Journal of Personal Selling and Sales Management*, which also gave him a Reviewer of the Year award. He has acted as track chair for several national and international conferences, recently co-chairing the Teaching Moments track for the Society of Marketing Advances.

Therefore, in recognition of his many contributions as a scholar and teacher, his dedicated service to his profession, and in concurrence with all of the recommendations received, I recommend Dr. John F. Tanner for an appointment with tenure in the Department of Marketing at the rank of Professor. We are fortunate indeed to attract him to Old Dominion University.

RESOLUTION APPROVING DUAL EMPLOYMENT

WHEREAS, pursuant to Virginia Code §2.2-3106(C)(2) immediate family members may both work at Old Dominion University if (i) they are engaged in teaching, research, or administrative support positions, (ii) this Board finds it is in the best interests of Old Dominion University to allow the dual employment, and (iii) the immediate family member does not have sole authority to supervise, evaluate or make personnel decisions regarding the other, and

WHEREAS, the following individuals both work in the same department and neither has authority to evaluate, supervise or make personnel decisions regarding the other,

Christiana Dimitropoulou and John Catravas, wife and husband,

BE IT RESOLVED that the Board of Visitors of Old Dominion University finds that it is in the best interests of the University and the Commonwealth for the dual employment of the above named to exist.

BE IT FURTHER RESOLVED, that the dual employment of those listed above is recognized and approved effective retroactively to the date of their respective hire.

FACULTY APPOINTMENTS

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

Name and Rank	Salary	Effective Date	Term
Ms. Staci Defibaugh Instructor of English (Tenure Track)	$60,000	7/25/15	10 mos

Ms. Defibaugh received an M.A. in Linguistics and TESOL in 2010 from Ball State University, a B.A. in English in 2001 from the University of South Carolina and is expected to receive a Ph.D. in Linguistics from the University of Urbana-Champaign. She has been a Visiting Lecturer, Guest Lecturer, Lead Instructor, and Teaching Assistant at the University of Illinois. (rank will be Assistant Professor if all requirements for the Ph.D. are completed by September 1, 2015)

Dr. Christiana Dimitropoulou Research Associate Professor, Frank Reidy Research Center for Bioelectrics	$72,000	2/2/15	12 mos

Dr. Dimitropoulou received a Ph.D. in 1998 from the Department of Pharmacology at the University of Patras School of Medicine, Greece and a B.S. in Biology in 1988 from Kapodistrian University of Athens. Since 2010, she has been an Adjunct Assistant Professor and Assistant Professor in the Department of Medicine, Pulmonary and Critical Care Division, Medical College of Georgia, Georgia Regents University. She was a Postdoctoral Fellow at the Medical College of Georgia from 1998-2001. (.80 FTE) (new position)

Ms. Monica C. Esqueda Instructor of Educational Foundations and Leadership (Tenure Track)	$62,000	7/25/15	10 mos

Ms. Esqueda received an M.Ed. in 2009 from the University of Washington, a B.A. in Human Development in 2006 from the University of California, San Diego and is expected to receive a Ph.D. in Urban Education Policy from the University of Southern California. Previously, she was an Adjunct Faculty member in the College of Educational Studies at Chapman University and a Research Associate and Project Coordinator in the Hamovitch Center for Science in the Human Services at the University of Southern California. (rank will be Assistant Professor if all requirements for the Ph.D. are completed by August 1, 2015)

Name and Rank	Salary	Effective Date	Term
Ms. Michelle Fowler-Amato Instructor of English (Tenure Track)	$60,000	7/25/15	10 mos

Ms. Fowler-Amato received an M.A. in Curriculum and Instruction in 2010 from The University of Texas at Austin, a B.A. in Theatre-English Education in 1998 from the University of Maryland at College Park and is expected to receive a Ph.D. in Curriculum and Instruction from The University of Texas at Austin. Since 2011, she has been an Assistant Instructor in the Department of Curriculum and Instruction at The University of Texas at Austin. (rank will be Assistant Professor if all requirements for the Ph.D. are completed by September 1, 2015)

Mr. Justin A. Haegele Instructor of Human Movement Sciences (Tenure Track)	$60,000	7/25/15	10 mos

Mr. Haegele received an M.S.Ed. and a B.S. in Physical Education, in 2009 and 2007 respectively, from the College at Brockport, State University of New York and is expected to receive a Ph.D. in Adapted Physical Education from The Ohio State University. Since 2013, he has been a Graduate Teaching Associate in the Department of Human Sciences at The Ohio State University. (rank will be Assistant Professor if all requirements for the Ph.D. are completed by August 1, 2015)

Dr. Jingwei Huang Associate Professor of Engineering Management and Systems Engineering (Tenure Track)	$87,000	7/25/15	10 mos

Dr. Huang received a Ph.D. in 2008 in Information Engineering from the University of Toronto, a Ph.D. in 1992 in Systems Engineering from Dalian University of Technology, China and an M.S. and B.S. in Computer Science, in 1986 and 1983 respectively, from Northwestern Polytechnical University, China. Since 2009, he has been a Research Scientist in the Enterprise Integration Laboratory at the University of Toronto and the Information Trust Institute at the University of Illinois at Urbana-Champaign.

Dr. Younghan Jung Assistant Professor of Engineering Technology (Tenure Track)	$70,000	12/25/14	10 mos

Dr. Jung received a Ph.D. in Environmental Design and Planning in 2009 from Virginia Polytechnic Institute and State University and an M.S. in Civil Engineering and a B.S. in Construction, in 2003 and 2001 respectively, from Bradley University. Since 2009, he has been Assistant Professor in the Department of Civil Engineering and Construction Management at Georgia Southern University.

Name and Rank	Salary	Effective Date	Term
Dr. Sara M. Maxwell Assistant Professor of Biological Sciences (Tenure Track)	$75,000	12/25/14	10 mos

Dr. Maxwell received a Doctorate in the Department of Ocean Sciences at the University of California Santa Cruz in 2010 and a B.S. in Wildlife Ecology and Conservation in 2001 from the University of Florida. She currently holds appointments as a Postdoctoral Researcher at Hopkins Marine Station at Stanford University, Visiting Postdoctoral Researcher at NOAA Southwest Fisheries Science Center, Research Fellow at Marine Conservation Institute and Research Associate at the University of California Santa Cruz.

Dr. Olaniyi Olayinka Visiting Assistant Professor, Center for Global Health	$80,000	5/25/15	12 mos

Dr. Olayinka received an M.P.H. in 2012 from Saint Louis University School of Public Health. Since 2013, she has been an Epidemic Intelligence Service Officer at the National Center for Environmental Health/Agency for Toxic Substance and Disease Registry for the Centers for Disease Control and Prevention. She was also an Associate Professor at Xavier School of Medicine in Aruba.

Ms. Paige O'Shaughnessy Lecturer of Accounting	$60,000	7/25/15	10 mos

Ms. O'Shaughnessy received an M.B.A. with a concentration in Accounting in 2004 from Old Dominion University and a B.B.A. in Accounting in 1984 from James Madison University. Since 2014, she has been an Instructor of Accounting at Old Dominion University. She was also an Adjunct Lecturer at Tidewater Community College.

Dr. Vanessa Panfil Assistant Professor of Sociology and Criminal Justice (Tenure Track)	$61,000	7/25/15	10 mos

Dr. Panfil received a Ph.D. and an M.A. in Criminal Justice, in 2013 and 2008 respectively, from The University of Albany (SUNY) and a B.A. in Criminology in 2007 from The Ohio State University. Previously, she was a Post-Doctoral Associate in Gender, Sexuality, and Justice at Rutgers University.

Ms. Alison Reed Instructor of English (Tenure Track)	$58,000	7/25/15	10 mos

Ms. Reed received an M.A. in English in 2011 from the University of California, Santa Barbara, a B.A. in English in 2008 from Occidental College and is expected to receive a Ph.D. in English from the University of California, Santa Barbara. She has been a Teaching Assistant in the Department of English at the University of California, Santa Barbara. (rank will be Assistant Professor if all requirements for the Ph.D. are completed by September 1, 2015)

Name and Rank	Salary	Effective Date	Term
Dr. Ke Shi Assistant Professor of Mathematics and Statistics (Tenure Track)	$75,000	7/25/15	10 mos

Dr. Shi received a Ph.D. in Applied Mathematics in 2012 from the University of Minnesota and a B.S. in Mathematics in 2006 from Peking University, China. Since 2012, he has been a Visiting Assistant Professor in the Department of Mathematics at Texas A&M University.

Mr. Jeffrey A. Turner Lecturer, Academic Enhancement	$46,000	2/25/15	10 mos

Mr. Turner received an M.F.A. in Creative Writing in 2013 from Old Dominion University and a B.A. in Philosophy in 2003 from Dickinson College. Since 2013, he has been Program Manager and Writing Consultant for the JAWS Writing Program at the Joint Forces Staff College and a Higher Education Resource Analyst in the Office of Academic Enhancement at Old Dominion University.

Dr. Xianrong Zheng Assistant Professor of Information Technology and Decision Sciences (Tenure Track)	$110,000	7/25/15	10 mos

Dr. Zheng received a Ph.D. from the School of Computing at Queen's University, Canada in 2014 and a Master's from the Department of Computer Science and a Bachelor's from the Department of Electrical and Computer Engineering, in 2006 and 2001 respectively, from the University of Science and Technology of China. Since 2014, he has been an Assistant Professor in the Shenzhen Institutes of Advanced Technology at the Chinese Academy of Sciences, China and a Postdoctoral Research Fellow at the School of Computing and School of Business at Queen's College.

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.

Name and Rank	Salary	Effective Date	Term
Ms. Bethany Truax Armstrong Academic Advisor, College of Health Sciences and Instructor	$40,000	3/25/15	12 mos

Ms. Armstrong received an M.A.Ed. in Student Affairs in Higher Education and a B.A., in 2013 and 2010 respectively, from Western Kentucky University. Since 2014, she has been an Academic Advisor in the College of Health Sciences. Previously, she was an Academic Advisor in the Strome College of Business at Old Dominion University.

Dr. Spring Brennan Instructional Technology Specialist and Assistant Professor	$57,500	1/25/15	12 mos

Dr. Brennan received a Ph.D. in Instructional Technology from the University of Virginia. Since 2011, she has served as a Web Technology Consultant at the University of Virginia.

Mr. Brandon Brown Residence Hall Director and Instructor	$32,000	2/10/15	12 mos

Mr. Brown received an M.S.Ed. in Higher Education from Old Dominion University in 2012. He previously was employed with Reingold LINK as an Associate and served as an Assistant Director at Bard Educational Opportunity Programs and Assistant Director in Residence Life at Elon University.

Ms. Sarah Butler Assistant Golf Coach and Assistant Instructor	$28,000	12/10/14	12 mos

Ms. Butler received a B.A. in Communications Studies. Since 2013, she has served as the Assistant Golf Coach/Recruiting Coordinator for Shattucks – St. Mary's School. Prior to that, she was employed with the American Junior Golf Association as a Tournament Manager.

Ms. Caitlin B. Chandler Executive Director of Marketing and Communications and Assistant Instructor	$70,000	1/20/15	12 mos

Ms. Chandler received a B.B.A. in Marketing and Finance in 2007 from Ohio University and is expected to receive an M.B.A. from the University of Massachusetts at Amherst in May 2015. Since 2012, she has been a Digital Marketing Specialist at Dollar Tree, Inc. Prior to that, Ms. Chandler was a Business Development, Trademarks, and Licensing Project Coordinator with Texas A&M University.

Name and Rank	Salary	Effective Date	Term
Ms. Kimberlie Cochran Community and Student Success Director and Instructor	$52,000	2/25/15	12 mos

Ms. Cochran received a Master's of Teaching in Statistics from Virginia Commonwealth University. Most recently, she was employed with Old Dominion University as a Site Director at Fort Lee.

Mr. Cory A. Cottingim International Admissions Advisor and Recruitment Coordinator and Instructor	$36,400	2/10/15	12 mos

Mr. Cottingim received an M.A. in International Affairs and a B.A. in International Studies and Spanish Literature from Ohio University. Since 2013, he has been the International Student Coordinator and the International Student Recruiter for Latin America in the Office of International Programs at the University of Northern Iowa.

Mr. Arick Forrest Wide Receivers Coach and Instructor	$50,000	2/25/15	12 mos

Mr. Forrest received an M.S.Ed. from Old Dominion University and a B.S. in Sports Industry from The Ohio State University. Since 2012, he has been employed as an Offensive Graduate Assistant with Old Dominion University.

Dr. Barbara Blake Gonzalez Special Research Assistant, Center for Economic Analysis and Policy, and Assistant Professor	$60,000	2/25/15	12 mos

Dr. Gonzalez received an Ed.D. in Higher Education Administration from The George Washington University, an M.A. in International Studies from the University of Leeds, England, and a B.S. in International Business from High Point University. Previously she was an economics faculty member at Tidewater Community College, and she is President of her consulting business, Blake Gonzalez Associates. (new position)

Ms. Eileen Graham Director of Donor Relations and Communications and Assistant Instructor	$61,000	1/10/15	12 mos

Ms. Graham received a B.A. in English from Villanova University. She previously served as the Director of Donor Relations and Stewardships at Roger Williams University.

Ms. April Hand-Cameron Professional Counselor and Lecturer	$49,950	3/10/15	12 mos

Ms. Hand-Cameron received an M.S.Ed. in Counseling from Old Dominion University and is a Licensed Professional Counselor. She was previously in private practice with the Ocean Psychiatric Group in Virginia Beach.

Name and Rank	Salary	Effective Date	Term
Ms. Sherrell Hendrix Research Associate, Office of Institutional Research, and Instructor	$50,440	3/10/15	12 mos

Ms. Hendrix received an M.S.Ed. in Higher Education - Student Affairs Administration in 2013 from Old Dominion University, a B.A. in Sociology in 2009 from the University of Virginia and is pursuing a Ph.D. in Educational Leadership from Old Dominion University. Since 2013, she has served as the Assistant Director for Assessment and Planning in the Division of Student Engagement and Enrollment Services at Old Dominion University.

Ms. Wenting (Kayla) Jiang Instructional Designer and Instructor	$65,000	1/25/15	12 mos

Ms. Jiang received a Master of Education in Educational Technology in 2009 from the University of Missouri-Columbia, a Bachelor of Engineering in 2007 from Beijing Normal University-Zhuhai, China and is a Ph.D. candidate in Instructional Systems at Florida State University. Since 2013, she has been an Instructional Designer at Tallahassee Community College.

Mr. Keith M. Krepcho Academic Advisor, College of Sciences, and Instructor	$40,500	12/10/14	12 mos

Mr. Krepcho received a Masters of Divinity in 2012 from Southwestern Baptist Theological Seminary and a B.S. in Pastoral Ministry in 2003 from Southeastern University. Since 2012, he has been an Academic Advisor in the College of Health Sciences at Old Dominion University.

Mr. Michael P. Lawson Assistant Director of Residence Education and Instructor	$40,000	5/25/15	12 mos

Mr. Lawson received an M.B.A. and a B.S. in Accounting in 2009 from Long Island University. Since 2013, he has been a Residence Hall Director for the Rogers Complex at Old Dominion University. He was also a Residence Hall Director at Stony Brook University.

Ms. Jacqueline Lewis Instructional Technology Specialist and Instructor	$55,000	1/25/15	12 mos

Ms. Lewis received an M.A. in Media and Communications from Norfolk State University. Since 2007, she has been employed with Old Dominion University as a Media Specialist III for Tri-Cities Higher Education Center.

Name and Rank	Salary	Effective Date	Term

Ms. Melani A. Loney $65,000 2/10/15 12 mos
Program Manager, Science and Technology Education Initiatives, Center for Educational Partnerships, and Instructor

Ms. Loney received an Ed.S. in Administration and Supervision from the University of Virginia in 2006, an M.S.Ed. in Curriculum and Instruction, a B.S. in Secondary Education, and a B.S. in Biology, in 1991, 1988 and 1982 respectively, from Old Dominion University and is pursuing a Doctor of Education in Integrative STEM Education at Virginia Polytechnic Institute and State University. Since 2004, she has been a Science Coordinator for Virginia Beach City Public Schools.

Ms. Kristi M. Mantay $73,500 2/10/15 11 mos
Physician Assistant and Instructor

Ms. Mantay received a Master's of Physician Assistant Studies in 2007 from Eastern Virginia Medical School and a B.S. in Biology in 2003 from Old Dominion University. Since 2007, she has been a Physician Assistant at Sentara Family Medicine in Virginia Beach.

Mr. Jared T. Mays $35,000 1/10/15 12 mos
Admissions Counselor and Assistant Instructor

Mr. Mays received a B.S. in Communications and Political Science in 2014 from Old Dominion University. From 2012-2014, he served as a Resident Assistant in the Office of Housing and Residence Life at Old Dominion University.

Ms. Nicole Moore $52,000 3/10/15 12 mos
Community and Student Success Director and Instructor, Distance Learning

Ms. Moore received a Master of Public Administration from the University of Hawaii at Manoa in 2009. Since 2012, she has been employed with Old Dominion University as an Assistant Site Director at Quantico. She has also worked as a Senior Military Admissions Advisor at the University of Phoenix.

Mr. Samuel Perryman $50,000 3/10/15 12 mos
Assistant Football Coach and Assistant Instructor

Mr. Perryman received a B.A. in Psychology & Sociology from Lehigh University. He previously served as Cornerbacks Coach/Recruiting Coordinator and Wide Receivers Coach & Video Coordinator at Lenoir Rhyne University.

Name and Rank	Salary	Effective Date	Term
Mr. Randale Richmond Senior Associate Athletic Director for Compliance and Student-Athlete Welfare and Instructor	$102,000	2/10/15	12 mos

Mr. Richmond received an M.S. in Higher Education Administration and Student Personnel. Since 2012, he has served as the Associate Athletic Director, Student–Athlete Services at Kent State University. He also served as the Assistant Athletic Director for Compliance & Eligibility.

Ms. Amanda Skaggs Internal Audit Director and Assistant Instructor	$109,200	3/10/15	12 mos

Ms. Skaggs received a Bachelor's degree in Finance from Virginia Polytechnic Institute and State University in 2003. She became a Certified Public Accountant in 2007, a Certified Internal Auditor in 2012 and received a Certification in Risk Management Assurance in 2013. Ms. Skaggs has been the Interim University Auditor since April 2014 and has been a Senior Auditor at Old Dominion University for seven years.

Dr. Alona Smolova Director of Institutional Research and Assistant Professor	$95,000	5/10/15	12 mos

Dr. Smolova received a Ph.D. in Education: Curriculum and Instruction in 1999 from Virginia Polytechnic Institute and State University, an M.S. in Education: Curriculum and Instruction in 1995 from Radford University and an M.A. in Education in 1993 from Kherson State Pedagogical University, Ukraine. She has been Director of Institutional Research at Norfolk State University, Director of Assessment and Accreditation at Radford University, and Director of Institutional Research, Planning and Assessment at the University of North Carolina Pembroke.

Ms. Lanah K. Stafford Senior Research Associate for Assessment and Instructor	$54,000	2/25/15	12 mos

Ms. Stafford received an M.A. in Political Science in 2008 from George Mason University and a B.S. in Political Science in 2004 from the University of Wisconsin – Madison. Since 2011, she has been an Administrative Resource Analyst and most recently a Data and Assessment Manager for Academic Enhancement at Old Dominion University.

Mr. Jacob Tousignaut Academic Advisor, College of Health Sciences, and Instructor	$40,000	3/25/15	12 mos

Mr. Tousignaut received an M.Ed. in TESOL and a B.S. in Global Business, in 2013 and 2010 respectively, from Regent University. Since 2011, he has been an Academic Advisor in the College of Arts and Sciences at Regent University.

Name and Rank	Salary	Effective Date	Term
Ms. Allison N. Wiggins Outreach Coordinator, Office of International Programs, and Instructor	$34,000	12/1/14	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 2013, she has been Outreach Coordinator in the Office of International Programs. She was also Study Abroad Advisor in International Programs and Services at San Jose State University.

EMERITUS APPOINTMENTS

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

Name and Rank	Effective Date
Daniel M. Dauer Eminent Scholar Emeritus and Professor Emeritus of Biological Sciences	June 1, 2015
Robert A. Lucking Professor Emeritus of Teaching and Learning	June 1, 2015
Ahmed K. Noor Eminent Scholar Emeritus and Professor Emeritus of Modeling, Simulation and Visualization Engineering	June 1, 2015
Richard Overbaugh Professor Emeritus of Teaching and Learning	May 24, 2015

Daniel M. Dauer

Daniel M. Dauer received a B.S. in Biological Sciences from Old Dominion University in 1970 and a Ph.D. in Biology from the University of South Florida in 1974. He joined Old Dominion as an assistant professor of biological sciences in 1975, achieved the rank of professor in 1987 and was designated an eminent scholar in 1998. Recognition of his accomplishments in teaching, research and service include the Outstanding Faculty Award from the State Council of Higher Education for Virginia, ODU's Outstanding Researcher Award, ODU's Tonelson Faculty Award, and ODU's Fraternity and Sorority Life Outstanding Chapter Advisor Award.

Dauer has served as the major professor for 38 master's and doctoral students at Old Dominion University. He also served as co-director for a doctoral student from the University of Lisbon in Portugal and trained four additional doctoral students from foreign universities in his lab. Dauer's administrative experience includes director of the benthic ecology laboratory (1985 to present), principal investigator of the Chesapeake Bay Benthic Monitoring Program for the Virginia Department of Environmental Quality (1985 to present), principal investigator of the Chesapeake Bay Restoration Monitoring Program at ODU (1996 to present), associate director of the Applied Marine Research Laboratory (1985-1990 and 1996-2000), and chair of the Department of Biological Sciences (1990-1996).

Dauer's research concerns the ecology of marine and estuarine benthic communities. He has 241 published papers and technical reports, received 162 grant and contract awards totaling over $26M, made 300 presentations at scientific meetings or invited seminars, and hosted three professional society meetings.

Robert Lucking

Robert Lucking received a B.S. in Education from the University of Nebraska in 1968 and an M.S. in Secondary Education in 1969. He was awarded an ED.S. from Vanderbilt University in 1970 and a Ph.D. in Secondary Education in 1975. He was then awarded a Fulbright appointment in Denmark the following year.

After serving at another university for seven years, Lucking joined Old Dominion as an associate professor of curriculum and instruction in 1984 and achieved the rank of professor of educational curriculum and instruction in 1987. He served as chair of his academic department from 1991-96 and again in 2003-04. He then held the roles of graduate program director of secondary education and of the field-based graduate program for area teachers from 1993 until the present.

During his 31 years at Old Dominion University, Lucking maintained University relationships with area schools and their teachers. He was also a mentor to many master's and doctoral students and supervised their research projects. Throughout his career, Lucking was actively engaged in research in students' sense of community within various types of classrooms. In recognition of his scholarship, he was awarded a Fulbright Appointment in India, and he and a colleague were awarded the Hamilton Essay Award, recognizing a published article that makes a significant contribution to the professional literature concerning multicultural literary experiences for youth.

Ahmed K. Noor

Ahmed Noor, professor of modeling, simulation and visualization engineering and eminent scholar, taught at several academic institutions, including Stanford University, Cairo University (Egypt), University of Baghdad (Iraq), the University of New South Wales (Australia), George Washington University and the University of Virginia, before joining Old Dominion University in 2000. He was also adjunct professor of mechanical and aerospace engineering at the University of Florida and the Florida Space Research Institute Distinguished Scholar of Advanced Learning Systems.

Dr. Noor is a fellow of the American Society of Mechanical Engineers (ASME), the American Institute of Aeronautics and Astronautics (AIAA), the American Society of Civil Engineers (ASCE), the American Academy of Mechanics (AAM), the U.S. Association of Computational Mechanics, and the National Institute of Aerospace (NIA). He is the editor-in-chief of Advances in Engineering Software and Open Engineering and serves on the editorial board of several other journals. Noor has written several vision articles that have been highlighted on the covers of national magazines and was a keynote speaker at national and international meetings.

Dr. Noor's current professional activities focus on Cognitive Knowledge Discovery and Exploitation; Cognitive Cyber-Physical Engineering; Multisensory Immersive Visual Simulation and Cyber-learning Environments; and, Multi-scale and Multi-physics Visual Simulation.

Richard C. Overbaugh

Richard C. Overbaugh received a B.M. in Music Education from West Virginia University in 1979. After eight years as an instrumental music teacher, he received an M.A. in Curriculum and Instruction with a major in Computer Education in 1989 and an Ed.D. in Curriculum and Instruction with a specialty in Computer Education in 1992 from West Virginia University.

Overbaugh joined Old Dominion University as an assistant professor of educational curriculum and instruction in 1993 and achieved the rank of professor of teaching and learning in 2010. He served as assistant chair of the Department of Teaching & Learning from 2007-14, graduate program director of the Curriculum and Instruction Ph.D. program from 2010-15 and director of academic technology for the Darden College of Education from 1995-2002.

During his 22 years at Old Dominion University, Overbaugh taught undergraduate and graduate students in the areas of educational technology, instructional systems design, instructional design theory, and multimedia design. He also mentored many master's and doctoral students. His research agenda was in the areas of instructional strategies, academic community, and teacher professional development. Overbaugh was awarded the Tonelson Award and the Innovative Teaching and Excellence award by the Darden College of Education Faculty Governance Organization.

APPROVAL OF PROPOSED 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 proposed revisions to the policy on Initial Appointment of Teaching and Research Faculty effective June 1, 2015.

Rationale: The revisions proposed for the policy on Initial Appointment of Teaching and Research Faculty would require candidates who are being considered for initial appointment with tenure and the external referees selected by those candidates to submit current CVs. Submission of these CVs would assist the Promotion and Tenure Committees in their review of candidates and make the process of initial appointment with tenure consistent with current promotion and tenure practices.

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; Revised June 16, 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) 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. All offers of employment and other communications with potential faculty members should specifically state this fact.

C. No administrative official shall have the authority to make a statement of expectation of tenure or a written/ oral commitment 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 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 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. 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 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. 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. 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. 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. The dean allocates these positions with general salary ranges to the departments in the college.

4. If 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.

   a. The provost and vice president for academic affairs 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. Once a position has been assigned to a department, the following recruitment procedure is instituted. A similar procedure will be followed for interdisciplinary faculty and joint appointments (see the Policy on Joint Appointments).

2. A statement of critical requirements for the position 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. The department chair appoints a search committee.

   a. The search committee consults the university's assistant vice president for institutional equity and diversity 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. Advertisements are placed in appropriate professional journals by the Office of Academic Affairs upon the recommendation of the search committee. Specific

procedures concerning recruitment advertising are available from the Office of Academic Affairs.

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

d. 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. 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 prior approval from the Office of Academic Affairs (who will check with the assistant vice president for institutional equity and diversity in order to ensure that procedures have been followed) 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. All candidates meet with the chair, dean, all available faculty members of the department, and selected students. 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. The department chair informs the candidate of the University policies concerning moving expenses and other relevant matters. All candidates should be told that they may be assigned to day, evening, distance learning or off-campus classes as part of their regular loads.

e. As part of campus visitation and the interview process, candidates are expected to present 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. The department chair and search committee shall confirm a candidate's proficiency in spoken English.

C. Recommendations

1. 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 the most acceptable candidate and a possible salary range and includes the recommendation of the faculty or faculty appointments committee.

    a. If the dean approves the candidate, 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. 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. 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. 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. The provost and vice president for academic affairs or the vice provost consults with the university's assistant vice president for institutional equity and diversity 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, any credit toward the probationary period for tenure being granted for prior academic experience, and a deadline for returning the signed contract.

    b. If the signed contract is received by the specified deadline, it becomes effective when approved by the Board of Visitors.

D. Initial Appointment with Tenure

1. 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.

a. The candidate's credentials must be provided to the department 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. 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 and external candidates. Current CVs for both the candidate and the references must be provided to all review bodies.

E. Initial Appointment of Adjunct Faculty and Lecturers

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 adjunct ranks such as assistant professor, associate professor, professor, and visiting professors such as artist-in-residence, etc. is recommended by the department chair 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 provost and vice president for academic affairs 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 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 vice president for research, makes the final decision concerning the appointment and, if the appointment is approved, notifies the faculty member.

APPROVAL OF PROPOSED REVISIONS TO THE POLICY ON TENURE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the policy on Tenure effective June 1, 2015.

Rationale: The revisions proposed for the policy on Tenure are intended to clarify the policy. Section III.D. is revised to make it clear that all tenure-track faculty, whether appointed in mid-year or in fall, have a maximum of 21 semesters or seven years as their probationary period. Information in section D. that is covered elsewhere in the policy is removed. The second revision in section V.J. and K. specifies December 22 as the date for mid-year tenure candidates to be notified of their tenure decision rather than mid-December.

NUMBER: 1411

TITLE: Tenure

APPROVED: June 12, 1980; Revised February 24, 1984; Revised November 19, 1987; Revised December 13, 1988; Revised September 27, 1990; Revised April 9, 1998; Revised December 10, 1998; Revised April 12, 2002; Revised April 11, 2003; Revised June 14, 2005; Revised September 9, 2005; Revised September 22, 2006; Revised June 15, 2007; Revised December 7, 2007; Revised September 17, 2009; Revised April 8, 2010; Revised April 4, 2012; Revised June 14, 2012; Revised September 26, 2013; Revised April 24, 2014; Revised September 18, 2014

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

II. Eligibility for Tenure

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

B. Faculty members may be considered for tenure only once.

C. Under certain circumstances administrative faculty holding rank in a department at the assistant professor (if promotion to the rank of associate professor is being

simultaneously considered), associate professor, or full professor level may be considered for tenure, as specified by the Board of Visitors policy concerning administrative faculty.

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

III. Probationary Period

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

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

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

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

2. Time in appointment as an administrator, that is, in a position designated as a teaching/research administrative position or as a classified position in the state personnel system. (Time spent in a teaching and research faculty position as defined in the state personnel system will count as part of the probationary period, even if administrative responsibilities are assigned as part of that position; normally, departmental administrative positions such as chair or assistant chair will thus count as part of the probationary period.)

3. Time in a position that involves no teaching of credit courses, for example as a teacher of children or a therapist in the Children's Learning and Research Center or as a teacher of exclusively noncredit course work.

4. Time spent on leave of absence.

5. Time spent on faculty exchanges if the faculty member so chooses.

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

1. That the faculty member submits a request in writing to the department chair. The department chair and the dean shall forward the request with a recommendation to the provost and vice president for academic affairs.

2. The request must be the result of the occurrence of a serious event. A "serious event" is defined as a life-altering situation which requires the faculty member to devote more than eight hours of each day to alleviate the impact of the event for a period greater than six weeks and less than one year. These events may include the birth of a child, adoption of a child under the age of six years, serious personal illness or care of an immediate family member including parent, stepparent, child, or spouse.

3. The faculty member shall provide documentation to justify the time requested and the seriousness of the event.

4. The request shall be made no later than one year from the first day of the serious event.

5. The faculty member must have been adequately performing the duties assigned prior to the first day of the serious event.

6. Faculty who are awarded this exclusion shall have no requirements or expectations beyond those of any probationary faculty member.

7. Work accomplished during the excluded period may be cited in the tenure case.

8. Requests for exclusion may be made at any time during each academic year. No request shall be made after the application for tenure has been submitted.

9. Decisions will be made within 60 days of the receipt of the faculty member's request by the department chair.

10. The decision of the provost and vice president for academic affairs is final.

D. The maximum length of the probationary period is seven ~~academic~~ years (i.e., 21 semesters including, fall, spring and summer) . ~~The faculty member is informed of the decision of the provost and vice president for academic affairs on tenure by April 30 of the sixth year of probationary service. The faculty member will receive either a tenure contract or a terminal contract in the seventh year.~~

E. The length of the probationary period may be reduced in any of the following instances:

1. A faculty member who has full-time teaching experience at the rank of instructor or above at another collegiate institution, or at Old Dominion University prior to a break in service, may have the probationary period reduced by either one or two years. If the probationary period is to be reduced, the reduction must be recommended by the chair and dean and approved by the provost and vice president for academic affairs at the time of the initial appointment. Unless such a reduction has been approved and the faculty member has been so notified in writing at the time of initial appointment, reduction for prior service will not be granted.

2. A faculty member initially appointed to the rank of full professor may be notified of a tenure decision by April 30 of the second year of service; if tenure is awarded, a tenure contract will be offered for a third year of service. In addition, the probationary period for a full professor may be eliminated, and an initial tenure appointment may be recommended to the Board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the University Promotion and Tenure Committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.

3. A faculty member initially appointed to the rank of associate professor may be notified of a tenure decision by April 30 of the fourth year of service. If tenure is approved, a tenure contract will be offered for the fifth year. In addition, the probationary period for an associate professor may be eliminated, and an initial tenure appointment may be recommended to the board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the University Promotion and Tenure Committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.

4. A faculty member may apply for early consideration for tenure, if the faculty member believes that he or she has met or exceeded the expectations of quantity and quality of achievements for teaching, scholarship, research, and service completed at Old Dominion University needed to quality for tenure before the end of the normal probationary time period. The criteria for the award of tenure for such faculty will be the same as those who apply after the normal probationary time period. A faculty member who applies for early consideration for tenure and is denied tenure will be offered a terminal contract for the ensuring year. It is the sense of the Board of Visitors that only demonstrably exceptional faculty will be awarded tenure under this clause.

IV. Criteria for the Award of Tenure

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

B. Criteria to be used are as follows:

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

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

   External evaluation of the quality of the faculty member's research performance will be required from nationally recognized experts in the faculty member's field. Candidates for tenure are responsible for the preparation of the research portfolio and curriculum vitae to be sent to external reviewers. Candidates for tenure should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

   a. A curriculum vita will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For tenure of department chairs, the responsibility belongs to the dean.

b. External reviewers will be asked to evaluate all submitted material mailed to them. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work under review; and b) the scholarly reputation (regional, national, international) of the candidate.

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

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

a. The long-term enrollment of the department.

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

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

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

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

V. Procedures for Tenure Consideration

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

B. External review process

1. The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and the University Promotion and Tenure Committee belongs to the department chair.

2. External reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers. The chair will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list. The chair will consult with the dean on the list of reviewers chosen prior to initiating the review process. As a general rule, external reviewers should not be co-authors or former mentors of the candidate. The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for tenure.

3. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to submit evaluations. If an exception is approved, candidates for tenure will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.

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

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

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

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

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

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

5. The University Promotion and Tenure Committee shall consist of one tenured full professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s) by September 15. The University Promotion and Tenure Committee shall elect one of its members as chair. No person shall serve on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year.

D. The committee or group of tenured faculty makes its recommendations to the chair. In cases of a non-unanimous vote, a summary of minority opinion must be included. All committee members should vote yes or no. Considering this recommendation, the chair makes an additional evaluation and recommendation concerning tenure.

E. If either the tenured faculty (or their committee), or the chair, or both recommend tenure, the credentials of the faculty member together with the recommendations of the tenured faculty (or their committee) and the chair are forwarded to the tenure committee of the college, which examines the facts and the recommendations and makes a recommendation to the dean. The committee or group of tenured faculty makes its recommendations to the chair. In cases of a non-unanimous vote, a summary of minority opinion must be included. All committee members should vote yes or no. Considering this recommendation, the chair makes an additional evaluation and recommendation concerning tenure.

F. If neither the departmental committee nor the chair recommends tenure for the faculty member, tenure is not granted in the ensuing year. The faculty member is given a terminal contract for the ensuing year unless a further review is requested.

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

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

G. The dean of the college examines the facts and all previous recommendations and makes a recommendation concerning tenure, which is forwarded to the provost and vice president for academic affairs.

H. The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation and makes a recommendation (with reasons, including minority reasons, if any) concerning tenure, which is forwarded to the provost and vice president for academic affairs.

I. The provost and vice president for academic affairs, after examining all submitted documents and consulting with appropriate staff members, makes a determination concerning tenure for the faculty member. If the recommendations from all committees and administrators previously acting on the case have not all been the same, or if the provost and vice president for academic affairs disagrees with the recommendations that have been the same, then the provost and vice president for academic affairs shall consult with the University Promotion and Tenure Committee and with the chair and dean concerned.

J. If the determination of the provost and vice president for academic affairs is in favor of tenure, the provost and vice president for academic affairs forwards the faculty member's name to the president for presentation to the Board of Visitors as a candidate for tenure. The Board of Visitors will act on the case by April 30 (~~mid-~~ December 22 for mid-year tenure candidates) of the year in which it is being taken up. Upon approval of the Board of Visitors, the faculty member is offered a tenure contract for the coming year.

K. If the determination of the provost and vice president for academic affairs is against tenure, the faculty member is notified by April 30 (~~mid-~~December 22 for mid-year tenure candidates) that a terminal contract will be offered for the ensuing year.

L. The faculty member may request, within two weeks, that the president review a negative decision of the provost and vice president for academic affairs. The president should make a decision on the review within one month. If the president upholds the decision of the provost and vice president for academic affairs, the faculty member may request a further review by the Board of Visitors or its designated committee within two weeks. (Refer to the policy on Communications With the Board of Visitors for procedural information.) The decision of the Board of Visitors or its designated committee is final.

M. Copies of the recommendation by all committees, chairs, deans, and the provost shall be provided to the faculty member being considered for tenure**.** The faculty member will be provided opportunity to correct any factual misinformation in such recommendations by placing a letter in his or her tenure file at any stage, or up until March 1 to the Provost (November 22 for faculty hired mid-year).

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

APPROVAL OF PROPOSED REVISIONS TO THE FACULTY GRIEVANCE COMMITTEE AND HEARING PANELS: COMPOSITION AND PROCEDURES

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Faculty Grievance Committee and Hearing Panels: Composition and Procedures, effective June 1, 2015.

Rationale: Changes have been made in order to clarify the policy and its implementation. In addition, a section prohibiting retaliation has been added.

NUMBER: 1471

TITLE: Faculty Grievance Committee and Hearing Panels: Composition and Procedures

APPROVED: May 15, 1982; Revised June 15, 1989; Revised December 3, 1992; Revised June 22, 1995

I. Composition and Term of Services

A. Composition and Selection of the Committee

1. The Faculty Grievance Committee shall consist of three ~~five (5)~~ full-time faculty members and two administrative faculty according to the following guidelines. ~~two of whom shall be tenured full-time teaching and research faculty members and shall be appointed by the Faculty Senate, two of whom may be administrative faculty members and shall be appointed by the president as described in paragraph 2 below, and the fifth of whom shall be a tenured full-time teaching and research faculty member and shall be selected by the other four. The fifth member of the committee, as selected by the other four, shall be the committee's chair.~~

a. Three tenured full-time teaching and research faculty members appointed by the Faculty Senate.

b. Two administrative faculty members appointed by the president as described in paragraph I(A)(2) below.

c. The chair shall be a tenured faculty member elected by the Faculty Grievance Committee.

2. Presidential appointment~~(s)~~ to the Grievance Committee shall be made as follows.~~:~~ After consultation with the president, the Executive Committee of the Faculty Senate shall recommend to the president five ~~(5)~~ administrative faculty members for service on the Grievance Committee. From the

recommendations of the Executive Committee, the president shall choose two ~~the presidential~~ appointee~~(s)~~ to the committee.

B. Term of Service

1. Except as otherwise provided herein, a Faculty Grievance Committee member shall serve a term of two calendar years, commencing August 1 in a year and ending July 31 of the second year thereafter.

2. All members of the committee, including those initially appointed to one-year terms, may be reappointed to consecutive terms.

3. The chair shall serve a two-year term and may be appointed to serve consecutive terms.

4. If a position is vacated ~~vacancy in a position on the committee occurs~~ during mid-term, it shall be filled as the position was filled according to the rules in I(A)., ~~at the commencement of the term~~ and the individual designated to fill the position shall serve until the expiration of the original term, unless reappointed.

5. Members of the committee shall make diligent efforts to attend all meetings of the committee. The committee may declare vacant the position of a member who is absent from three ~~(3)~~ committee meetings during the course of a year.

II. Faculty Grievance Committee Procedures ~~of the Committee~~

A. General

1. All questions to be decided by the committee shall be decided by a majority of the committee members present and voting. A quorum of the committee shall be four members. Unless otherwise provided herein, all questions to be decided by the chair and all actions to be taken by the chair may be decided or taken by the chair's designated representative on the committee if the chair is unavailable to make such decisions or to take such actions.

2. It shall be the responsibility of the chair of the Grievance Committee to initiate the proper procedures for review of a matter that ~~which~~ is referred to the committee. A matter arising under the Faculty Grievance Policy shall be reviewed in accordance with the procedures described in section II(B). A matter arising under section III of the Faculty Sanctions Policy shall be reviewed in accordance with the procedures described in section II(C). A matter arising under the policy on Dismissal of Faculty from Employment Due to Financial Exigency or Discontinuance of a Program of Study or Department of Instruction shall be reviewed in accordance with the procedures described in section II(D).

3. All notices required by these procedures to be given shall be in writing and shall be considered given as required when delivered electronically or hand delivered to the grievant and respondent. ~~party to whom notice is being given or when delivered by certified mail to the party's residence address, as currently on record with the university, or to such other address as the party may provide to the individual giving notice.~~ Notice to the chair of the Grievance Committee, to the chair of the Hearing Panel, or to an administrative officer in a matter before the committee shall be considered given as required when hand or electronically delivered to the office where the chair or such administrative officer receives mail.

4. Except as provided in paragraphs II(A)(5-6), ~~and 6,~~ designated university vacation days ~~of the university~~ and days between the end of one academic year and the beginning of the next academic year shall not be included in calculations of the time periods specified in these procedures. This provision is applicable only to the Faculty Grievance Policy, the Faculty Sanctions Policy, or any other university policy or procedures, unless otherwise provided in that policy or procedure.

5. Generally, the committee will not be active during the months between the end of one academic year and the beginning of the next academic year. However, the committee may continue its activity after the end of an academic year when necessary to complete review of a matter pending before the committee, particularly if, in the committee's judgment, a delay until the beginning of the next academic year would have a substantial adverse effect upon a party's interests. Under such circumstances, the time periods described in these paragraphs shall be calculated by excluding only designated university vacation days. ~~of the university~~.

6. The president may request that the chair of the committee initiate the applicable procedures of the committee during the months between the end of one academic year and the beginning of the next academic year when necessary for review of a matter arising during those months under the Faculty Sanctions Policy. Upon receiving such a request, the chair shall initiate the applicable procedures of the committee and may calls meetings of the committee as necessary. During those months, a quorum of the committee shall be three ~~(3)~~ members, so long as one Faculty Senate appointee and one presidential appointee are present, and the time periods described in these procedures shall be calculated by excluding only designated university vacation days. ~~of the university.~~

B. Procedures for Review of a Faculty Grievance

1. Within ~~thirty (~~30~~)~~ days of the chair's receipt of a written statement of faculty grievance, the committee shall determine whether the written statement was filed in a timely manner, is adequate in that it meets the requirements of section

III(A)(2) of the Faculty Grievance Policy, and describes a matter that ~~which~~ the committee has the authority to review under the Faculty Grievance Policy.

a. If the Faculty Grievance C~~c~~ommittee determines ~~should decide~~ that the written statement of grievance ~~is inadequate in that it~~ does not meet the requirements of section III(A)(2) of the Faculty Grievance Policy, the grievant shall be advised of the deficiencies in the statement and shall be provided a reasonable time, as determined by the committee, within which to forward an adequate statement to the chair. If the faculty member does not file a statement that ~~which~~ the committee determines to be adequate within such reasonable time, the committee may decide not to review the grievance. If the committee so decides, it shall notify the faculty member accordingly. If the faculty member does file a statement that ~~which~~ the committee determines to be adequate within such reasonable time, the committee shall have ~~fourteen (~~14~~)~~ days from the chair's receipt of the adequate statement within which to determine whether the grievance was filed in a timely manner and whether the committee has authority to review the matter described in the statement. The timeliness of the filing of the grievance shall be determined by the date the initial statement was filed, although the committee may have determined it to be inadequate, so long as the committee has not closed the matter by deciding not to review the grievance.

b. If the committee determines ~~should decide~~ that the written grievance was not filed in a timely manner or that the matter described in the grievance is not within the authority of the committee to review, the committee shall ~~decide~~ not ~~to~~ review ~~of~~ the grievance. The faculty member shall be notified of the committee's decision and the reasons therefore.

c. If the committee should decide that the written statement was filed in a timely manner, is adequate, and describes a matter over which the committee has authority, the grievant and the administrative officer against whom the grievance was filed shall be notified that the committee will review the grievance, and the administrative officer shall be provided a copy of the written statement filed by the grievant.

2. Within ~~fourteen (~~14~~)~~ days of receipt of the committee's decision that it will review a grievance, the administrative officer against whom the grievance was filed shall provide to the chair and to the grievant a written response to the written statement of the grievance. The response should be filed electronically, be no more than 1,000 words in length and should include, as attachments, copies of relevant documentation.

3. Within ~~fourteen (~~14~~)~~ days of the chair's receipt of the administrator's response, the chair shall impanel a Hearing Panel as described in section III(A). The Faculty Grievance Committee chair shall provide the written statement of

grievance, the administrator's response, and attached documentation to the chair of the Hearing Panel.

4. The proceedings on the grievance before the Hearing Panel shall be in accordance with the procedures of the Hearing Panel as described in section IV.

5. Upon concluding its hearing procedures and upon making its findings on the merits of the grievance, as described in section IV, the panel shall determine its recommendation for dismissal or remedy of the grievance and shall report to the chair of the Grievance Committee as described in section IV.

C. Review by Hearing of Matters Arising Under Section III of the Faculty Sanctions Policy

1. Prior to the president's request that the chair of the Grievance Committee initiate the applicable procedures to dismiss or to sanction severely a faculty member, the administrative official designated by the president shall notify the faculty member of the president's intent to make such a request. This notice to the faculty member shall include a statement of charges.

2. The president's request to the chair of the Grievance Committee shall include a copy of the statement of charges provided to the faculty member.

3. The statement of charges shall include a specific description of the charges, a summary of the evidence upon which the charges are based, a list of witnesses whose identities are known, a summary of the expected testimony of those witnesses, and a recommendation of sanctions.

4. The Grievance Committee shall determine whether the statement of charges is procedurally adequate in that it meets the requirements of paragraph 3 above. If the committee should decide that the statement of charges is procedurally inadequate in that it does not meet the requirements of paragraph 3 above, the administrative official shall be advised of the deficiencies in the statement and within a reasonable time, as determined by the committee, shall forward an adequate statement to the faculty member and to the chair. The chair shall not initiate the following procedures until the administrative official has presented an adequate statement of charges.

5. Within ~~fourteen (~~14~~)~~ days of the chair's receipt of an adequate statement of charges, the chair of the Grievance Committee will impanel a Hearing Panel as described in section III(A). The chair shall provide the written statement of the charges and the responses of the faculty member, if any, to the chair of the Hearing Panel.

6. The faculty member may respond in writing to the statement of charges at any time prior to the hearing. The faculty member's failure to respond to the charges shall not constitute an admission of the charges. The faculty member's response, if any, shall be made to the chair of the Grievance Committee. Upon receipt of a faculty member's response, the chair of the Grievance Committee shall forward a copy to the administrative official who presented the charges and a copy to the chair of the Hearing Panel, if the panel has been constituted.

7. During each and every stage of the proceedings on the statement of charges, the faculty member may choose to appear, to be heard or not.

8. Each party may be represented by legal counsel or by an adviser or both during each and every stage of the proceedings.

9. The burden of proving the charges shall be on the administrative official.

10. The proceedings before the Hearing Panel on the statement of charges shall be in accordance with the procedures of the Hearing Panel as described in section IV(A) and IV(B).

11. If the panel should conclude that none of the charges against the faculty member were proven, the proceedings before the panel will terminate and the panel will report to the chair of the Grievance Committee as described in section IV(C) with a recommendation that the charges be dismissed.

12. If the panel should find the charges proven in whole or in part, it shall convene a hearing on the sanction.

13. At the sanction hearing: ~~on the sanction~~:

    a. The administrative official and the faculty member shall have the right to present evidence, including witnesses and documentary evidence, and to present arguments on the question of the appropriate sanction, including evidence in mitigation or aggravation of the seriousness of the charges and evidence as to the implications of the charges for the welfare of the university.

    b. The previous disciplinary record of the faculty member may be considered by the panel but becomes relevant only at this stage of the proceedings.

    c. Except as otherwise provided in this paragraph, the sanction hearing ~~on the sanction~~ shall be conducted in accordance with the procedures described in sections IV(A) and IV(B).

14. At the close of the presentation of evidence on the sanction, the Hearing Panel shall adjourn the hearing and shall reconvene with only members of the panel present and shall determine its recommendations as to the sanction(s) to be imposed upon the faculty member. Panel members who disagree with the Hearing Panel's recommendations may provide an explanation and rationale for the disagreement.

15. The panel may recommend dismissal of the faculty member or the imposition of another severe sanction, or if it finds that the proven charge does not warrant imposition of a severe sanction, it may recommend that a minor sanction be imposed.

16. Upon determining its recommendation, the chair of the Hearing ~~p~~Panel shall report to the chair of the Grievance Committee as described in section IV(C).

D. Procedures Governing ~~Upon~~ Review of a Matter Involving the Dismissal of Faculty From Employment Due to Financial Exigency, Etc.

1. Within ~~fourteen (~~14~~)~~ days of the chair's receipt of a request from the president that the Grievance Committee review ~~the appeal of~~ a faculty member's appeal of ~~from~~ a notice of termination issued to that faculty member under the policy for Dismissal of Faculty From Employment Due to Financial Exigency, etc., the chair of the committee shall impanel a Hearing Panel.

2. The chair of the Grievance Committee shall provide a copy of the faculty member's appeal and notice of termination to the chair of the Hearing Panel.

3. The Hearing Panel shall review the notice of termination in accordance with the procedures described in section IV.

4. The president or an administrative official designated by the president shall appear in proceedings before the Hearing Panel in support of the notice of termination issued to the faculty member.

5. The faculty member shall bear the burden of proving that the president's decision to issue notice was arbitrary, capricious, unreasonable, or contrary to the facts or that there was a material deviation from the university's policies or procedures in the issuance of the notice.

6. Each party may be represented by an adviser who may be legal counsel.

7. Faculty members from the same department of instruction or program of study may appear before the Hearing Panel collectively if they should so choose.

III. Hearing Panels

A. Composition of the Panels

1. The committee shall not hear matters brought before it but shall designate Hearing Panels for that purpose. A Hearing Panel shall consist of five ~~(5)~~ full-time faculty members and shall be selected on a case-by-case basis.

2. Each member of the Faculty Grievance Committee, including the chair, shall designate one member of a Hearing Panel.

3. After committee members have designated the Hearing Panel members, the chair of the Grievance Committee shall appoint one of the Hearing Panel ~~designate~~d members as ~~to be the~~ chair. ~~of the panel.~~

4. A Grievance Committee member who has taken a prejudicial public position on a matter before the committee, who has a personal interest in a matter before the committee, or who has a close personal or direct professional relationship with either of the parties in a matter before the committee shall not designate a member of the Hearing Panel for that matter. Such Grievance Committee member shall disclose the relevant conflict of interest and recuse him/herself. ~~disqualify himself or herself and shall disclose to the committee the grounds for disqualification.~~ No person may serve on the Grievance Committee or a Hearing Panel if he/she is the person against whom the grievance is brought.

5. In the event that a member of the Grievance Committee appointed by the president is disqualified or is otherwise unable to designate a Hearing Panel member, the other presidential appointee on the committee shall designate one additional Hearing Panel member. In the event that a member of the Grievance Committee appointed by the Faculty Senate is disqualified or is otherwise unable to designate a Hearing Panel member, the other Faculty Senate appointee on the committee shall designate one additional Hearing Panel member. In the event that the disqualified or otherwise unavailable member of the Grievance Committee is the chair, the remaining four members of the Grievance Committee shall designate the fifth member of the Hearing Panel and appoint its chair.

6. Only full-time faculty members whose duties are primarily nonadministrative in nature are eligible to serve on Hearing Panels. A Hearing Panel constituted to hear the case of a tenured faculty member shall consist of tenured faculty members. A Hearing Panel constituted to hear the case of a nontenured faculty member shall consist of at least one ~~(1)~~, but not more than two ~~(2)~~ nontenured faculty members. No ~~more than two (2)~~ members of the panel may be from the college of the faculty member whose case will be heard by the panel. No ~~more than one (1)~~ member of the panel may be from the library if the faculty

member whose case will be heard is from the library. There shall be no restriction as to the colleges of panel members selected to hear the case of an administrative faculty member who has no departmental designation.

~~7.~~ ~~The department chair and other members of the department of the faculty member whose case will be heard are ineligible to serve on the Hearing Panel constituted to hear the case.~~

7~~8~~. Department chairs are ineligible to serve on a Hearing Panel constituted to hear a grievance in which the action of a department chair is the action being grieved.

8~~9~~. It shall be the responsibility of the chair of the Faculty Grievance Committee to assure that members of the Hearing Panel meet the requirements described herein. In order to assure that such requirements are met, the chair may limit, as to college and as to tenure status, the designations made by Grievance Committee members. Limitations upon such designations should be evenly applied to designations made by Faculty Senate appointees on the committee and to designations made by presidential appointments on the committee.

9~~10~~. Either party in a case may challenge individual members of the Hearing ~~p~~Panel for cause. "Cause" may include the taking of a prejudicial public position on the matter to be heard, a personal interest in the matter to be heard, or a close, personal or direct professional relationship with either of the parties. The Grievance Committee shall determine ~~decide disputes over~~ the legitimacy of a challenge.

10~~11~~. Members of a Hearing Panel should voluntarily recuse themselves from hearing matters if their participation on the Hearing Panel could result in legitimate ~~disqualify themselves from hearing matters which raise as to them grounds for~~ challenges for cause, whether or not such challenges have been made.

11~~12~~. Any Hearing Panel member who has a close personal or direct professional relationship with the person filing a grievance or the administrator against whom the grievance is filed must disqualify herself/himself from serving on that case.

IV. ~~Procedures of the~~ Hearing Panel Procedures

A. Prior to the Hearing

1. The Faculty Grievance Committee chair will provide contact information for the Hearing Panel chair to the grievant and respondent.

2. At least five working days prior to a hearing all parties must submit all written documents and exhibits to be considered at the hearing to the chair of the Hearing Panel~~. The chair~~ who will distribute, or otherwise make available, all materials to both parties at least two working days before the hearing.

3. The Hearing Panel shall be provided and shall review all statements and attached documentation filed by the parties in the cases before the panel.

4. The Hearing Panel~~, with the consent of both parties,~~ may ~~meet~~ hold a pre-hearing conference with or without the parties prior to the hearing to discuss procedures, to clarify the issues, to exchange documentary evidence, to make stipulations of fact, and to take any other actions necessary to expedite the proceedings.

5. At any stage of the proceedings, the Hearing Panel may call upon the University Counsel, the chair of the Grievance Committee, or the Grievance Committee as a whole for procedural advice concerning the matter before the panel.

6. The ~~chair of the~~ Hearing Panel chair shall set the date, time, and place of the hearing. Insofar as is possible within the guidelines described in paragraphs 5 and 6, the hearing shall be set at a date and time which is convenient to all parties and continuance of the hearing date may be granted by the chair of the Hearing Panel upon the request of either party or upon the panel's own motion.

7. A hearing on a matter arising under the Faculty Grievance Policy and under the policy on Dismissal of Faculty from Employment Due to Financial Exigency, etc. should be held no less than ~~fourteen (~~14~~)~~ days and no more than ~~forty-five (~~45~~)~~ days after impaneling of the Hearing Panel. Upon agreement of all parties, a hearing may be held earlier than ~~fourteen (~~14~~)~~ days and, in extraordinary cases as determined by the chair of the Grievance Committee in consultation with the University Counsel, a hearing may be held later than ~~forty-five (~~45~~)~~ days.

8. A hearing on a matter arising under the Faculty Sanctions Policy shall be held no less than ~~thirty (~~30~~)~~ days and no more than ~~sixth (~~60~~)~~ days after notice of the statement of charges is given to the faculty member. Upon agreement of all parties, a hearing may be held earlier than ~~thirty (~~30~~)~~ days and, in extraordinary cases as determined by the chair of the Grievance Committee, a hearing may be held later than ~~sixty (~~60~~)~~ days.

9. Fourteen ~~(14)~~ days prior to the hearing, the chair of the Hearing Panel shall notify each party of the date, time, and place of the hearing. A party may agree to waive this notice. All parties not given timely notice must agree to waive notice before the hearing may be held as scheduled.

10. Except as provided in paragraph II(C)(7), each party who has been given timely notice or who has waived timely notice is expected to appear in person at the hearing. If any such party should fail to appear, the chair of the Hearing Panel may decide, in the chair's sole discretion, to proceed with the hearing in the party's absence. If the chair of the Hearing Panel should decide to proceed, the party's absence shall not invalidate the hearing.

B. At the Hearing

1. The administrative official and the faculty member in the case before the panel shall present evidence by calling and questioning witnesses, by introducing the documentary evidence, or otherwise. Each party shall have the right to ask questions of witnesses called by the other party or by the Hearing Panel.

2. During the hearing, ~~proceedings on the grievance before the Hearing Panel,~~ each party to the grievance and the Hearing Panel may have one advisor ~~adviser~~. The advisor ~~adviser~~ may serve as a consultant to the party/panel during ~~assist the party in~~ the presentation of the matter before the Hearing Panel. The advisor is not permitted to address the Hearing Panel, the other party, witnesses, or other individuals present at the hearing. The advisor may confer only with the individual or the panel for whom he or she is the designated advisor. Failure to comply with this rule will result in removal of the advisor for the duration of the hearing.

3. The burden of proving the allegations of the grievance shall be upon the faculty member.

4. Access to the hearing shall be limited to the panel, parties, advisors, and witnesses. ~~The hearing shall be closed. The faculty member may request that the faculty and administrative staff of the university be invited to attend the hearing. If the faculty member so requests, the hearing shall be open to as many members of the faculty and administrative staff as can be accommodated in the hearing room.~~

5. In conducting the hearing, the Hearing Panel shall admit all evidence determined by it to be relevant and not cumulative and shall accord such evidence the merit it deserves. The panel may limit the number of witnesses to prevent repetitive or cumulative testimony and may grant adjournments as it deems necessary.

6. The Hearing Panel may determine, on its own motion, the necessity of calling witnesses additional to those called by the parties and of examining documentary evidence additional to that presented by the parties.

7. The university will make its best efforts to assist the parties and the Hearing Panel in obtaining witnesses and documentary evidence. Each party in a case

before the panel shall have access to all records needed to present that party's case except as follows:

a. Access to records covered by the Family Education Rights and Privacy Act of 1974, as amended (Section 438 of the General Education Provisions Act, Title IV of Public law 90-247, as amended) shall be in accordance with the provisions of that act.

b. Access to records covered by the Virginia Privacy Protection Act of 1976 (2.1-377 et seq. of the 1950 Code of Virginia, as amended) shall be in accordance with the provisions of that act; and

c. There shall be no right of access to records excluded absolutely by the provisions of the Virginia Freedom of Information Act (2.1-340 et seq. of the 1950 Code of Virginia, as amended).

8. The ~~chair of the~~ Hearing Panel chair will preside at the hearing and will rule, on the panel's behalf, on all procedural questions which arise during the hearing. A panel member who disagrees ~~does not agree~~ with the chair's ruling on a procedural question may ask that the question be decided by the panel and the question shall be so decided. All questions on the merits will be decided by the panel.

9. A digital audio ~~transcript or~~ recording shall be made of the hearing and shall be kept securely in the University Counsel's office.

C. After the Hearing

1. At the close of the presentation of evidence, the Hearing Panel shall adjourn the hearing and shall reconvene with only members of the panel present to make its findings and to arrive at its conclusions and recommendations for dismissal or remedy of the grievance.

2. The Hearing Panel shall create a report which shall include the following:

a. Copies of statements and attached documentation filed by the parties in the matter before the panel;

b. The names of the parties and their advisers;

c. The names of witnesses appearing before the panel;

d. The findings and recommendations of the panel which must include addressing the charges brought by the faculty member; and

e. The recommendations and rationale of the panel. ~~and the reasons therefore.~~ Panel members who disagree with the Hearing Panel's recommendations may provide an explanation and rationale for the disagreement.

3. The report shall be certified as correct by each Hearing Panel member who participated in the decision.

4. The ~~chair of the~~ Hearing Panel chair shall provide copies of the report to the chair of the Grievance Committee and ~~shall provide a copy of the report~~ to each party.

5. A digital audio ~~copy of the transcript or~~ recording of the hearing shall accompany the report provided to the chair of the Grievance Committee~~. The transcript or recording~~ and shall be made available to the parties.

D. Decisions by a Hearing Panel and Its Chair

1. All questions to be decided by a Hearing Panel shall be decided by a vote of panel members present and voting.

2. A quorum of the panel shall be four members.

3. Generally, a panel member who has not attended a substantial portion of each hearing session held in a case should not vote in the panel's decision on the merits of the case or on the panel's recommendation in the case. In the event that a question is raised by either party or by other panel members as to the propriety of a panel member's vote because of that panel member's absences, the question shall be referred to the Grievance Committee for determination.

4. All questions to be decided by the ~~chair of the~~ Hearing ~~p~~Panel chair and all actions to be taken by the chair may be decided or taken by the chair's designated representative on the panel if the chair is unavailable to make such decisions or take such actions.

V. Faculty Grievance Committee's Review and Report

A. Review and Report of the Hearing Panel

1. Within ~~thirty (~~30~~)~~ days of the chair's receipt of the Hearing Panels report, the Grievance Committee shall review the report and shall determine whether the procedural requirements of the committee and of the Hearing Panel were met and whether the recommendations made by the panel were within the authority of the Grievance Committee and the panel to make.

2. Before making such a determination, the committee may request and consider written or oral statements from the parties or their designated representatives on questions of procedure or on questions regarding the committee's authority to make the recommendations proposed by the panel. Each party must be provided a copy of any written statement filed by the other party and each party must be provided the opportunity to be present when an oral statement is made by the other party.

B. Action and Report of the Grievance Committee

1. If the Grievance Committee should decide that procedural errors were committed which were substantially prejudicial to either party, the committee may refer the matter to the original Hearing Panel for a rehearing of the matter or may impanel another Hearing Panel for a rehearing of the matter. The committee shall provide a reasonable time within which the rehearing must be completed and a report provided to the chair of the committee.

2. If the Grievance Committee should decide that the recommendations made by the panel are not within the authority of the committee or of the panel to recommend, the committee shall refer the matter to the Hearing Panel for a redetermination of its recommendations. The Hearing Panel shall report its revised recommendations to the committee within a reasonable time, as determined by the committee.

3. Upon the Grievance Committee's determination that procedural requirements were met and that the recommendations of the Hearing Panel were within the authority of the committee or the panel to make, the Grievance Committee shall so certify and shall adopt the report and recommendations of the Hearing Panel as the report and recommendations of the Grievance Committee.

4. The chair of the Grievance Committee shall advise the chair of the Hearing Panel and both parties of any action taken by the Grievance Committee upon its review of the report of the Hearing Panel. Both parties shall be provided copies of any new or revised reports issued by the Hearing Panel.

5. The chair of the Grievance Committee shall transmit the report and recommendations of the Grievance Committee to the president (see section IV of the Faculty Grievance Policy).

VII. Retaliation Prohibited

Retaliation against witnesses for any party is prohibited, and University Policy 3020 applies to all alleged retaliation that arises from or as a result of a grievance matter. Witnesses are defined as persons that provide actual testimony or provide documentary evidence.

RESOLUTION APPROVING THE AMENDMENT OF THE DEED OF LEASE LEASING THE OLD DOMINION UNIVERSITY REAL ESTATE FOUNDATION STUDENT HOUSING, LLC STUDENT HOUSING PROJECT AND OTHER ACTIONS RELATED TO THE REFINANCING OF STUDENT HOUSING LOCATED IN UNIVERSITY VILLAGE

WHEREAS, at the request of the Old Dominion University Real Estate Foundation Student Housing, LLC, a Virginia limited liability company (the Lessor), whose sole member is the Old Dominion University Real Estate Foundation, a Virginia non-stock corporation (the Company), the Norfolk Redevelopment and Housing Authority, a political subdivision of the Commonwealth of Virginia (the Authority), issued its Variable Rate Demand Revenue and Refunding Bonds (Old Dominion University Real Estate Foundation Student Housing, LLC University Village Student Housing Project), Series 2008 (the Series 2008 Bonds) in the aggregate principal amount of $52,810,000 and the Lessor, the Company, the Authority and Old Dominion University (the University) executed and delivered, either contemporaneously with the issuance of the Series 2008 Bonds or thereafter, certain related documents and instruments, including a First Amendment to Deed of Lease dated as of August 1, 2008, between the Lessor and the University amending the Deed of Lease dated as of August 1, 2006, between the Lessor and the University (collectively, the Lease) to assist in the (i) the refinancing of the cost of acquiring, constructing and equipping student housing facilities consisting of ten three-story buildings (and adjacent surface parking areas) that house approximately 962 student beds in approximately 278 units of one, two and four bedroom apartments and office and retail space located on the ground floor of selected buildings, all located in the area known as the University Village (the Project) by the refunding in full of the Authority's Variable Rate Demand Revenue and Refunding Bonds (Old Dominion University Real Estate Foundation Student Housing, LLC University Village Student Housing Project), Series 2005 (the Prior Bonds), which were issued to refinance the acquisition, construction and equipping the Project, and (ii) paying the costs of issuance for the Series 2008 Bonds;

WHEREAS, contemporaneously with the execution and delivery of the Series 2008 Bonds, Bank of America, N.A. (the Credit Provider) issued its letter of credit (the Letter of Credit) obligating the Credit Provider to pay principal and interest on the Series 2008 Bonds;

WHEREAS, pursuant to Chapter 3, Item C-110.30, page 492 of the 2006 Acts of Assembly, the General Assembly of the Commonwealth authorized the University to enter into the Lease for the purpose of occupying, operating and maintaining the Project and under which the University provides for the payment of debt service on the Series 2008 Bonds;

WHEREAS, by resolutions adopted September 22, 2006, and June 13, 2008, the Board of Visitors of Old Dominion University approved the execution and delivery of the Lease;

WHEREAS, as debt service payments on the Series 2008 Bonds and other required payments relating to the Series 2008 Bonds are paid from the University’s payment of Basic Rent (as defined in the Lease), the Treasury Board of the Commonwealth of Virginia, as required by Virginia law, approved the Lease and the amendment thereof on August 16, 2006 and August 13, 2008;

WHEREAS, Bank of America, N.A. has presented to the Lessor a plan of refinance that due to current market conditions will substantially reduce the University's obligation to pay Basic Rent under the Lease, terminate the risk of non-renewal of the Letter of Credit by the Credit Provider and eliminate annual letter of credit, remarketing and trustee's fees and expenses, and the Lessor and the University's financial officers have determined that it is in the best interest of the Project, the Lessor, the Company and the University to redeem in full the Series 2008 Bonds by the issuance by the Authority of refunding bonds (the Series 2015 Bonds) to be privately placed with Bank of America, N.A. as sole registered owner of the Series 2015 Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF VISITORS OF OLD DOMINION UNIVERSITY:

1. The University hereby approves amending the Lease in connection with the issuance of the Series 2015 Bonds, including amending the Basic Rent payment obligation to provide for the payment of debt service under the Series 2015 Bonds rather than the Series 2008 Bonds.

2. The President or the Chief Operating Officer of the University, each of whom may act, is authorized to approve the amendments to the Lease to be made in connection with the issuance of the Series 2015 Bonds, subject to the approval by the President or the Chief Operating Officer of the University, each of whom may act, of the principal amount of the Series 2015 Bonds, the interest rate with respect to the Series 2015 Bonds, the maturity schedule with respect to the Series 2015 Bonds and all other financial terms, conditions and costs related to the issuance of the Series 2015 Bonds. The execution and delivery of the amendment to the Lease by the President or the Chief Operating Officer of the University is hereby approved and such execution and delivery shall evidence conclusively approval of the financing terms of the Series 2015 Bonds and any related documents.

3. The appropriate officers of the University are hereby authorized and directed to seek the approval of the terms of the amendments to the Lease by the Treasury Board of the Commonwealth of Virginia, as required by Virginia law, and to take such other actions as may be consistent with this resolution and to carry out the transactions authorized hereby or contemplated herein.

4. The President or the Chief Operating Officer of the University shall report to this Board the financial terms with respect to the Series 2015 Bonds and the projected savings in Basic Rent and other benefits resulting from the issuance of the Series 2015 Bonds.

5. This resolution shall take effect immediately.

RESOLUTION APPROVING THE AMENDMENT OF THE DEED OF LEASE LEASING THE OLD DOMINION UNIVERSITY REAL ESTATE FOUNDATION PARKING GARAGE, LLC PROJECT AND OTHER ACTIONS RELATED TO THE REFINANCING OF A PARKING GARAGE LOCATED IN UNIVERSITY VILLAGE

WHEREAS, at the request of the Old Dominion University Real Estate Foundation 45th Street Parking Garage, LLC, a Virginia limited liability company (the Lessor), whose sole member is the Old Dominion University Real Estate Foundation, a Virginia non-stock corporation (the Company), the Norfolk Redevelopment and Housing Authority, a political subdivision of the Commonwealth of Virginia (the Authority), issued its Variable Rate Demand Revenue and Refunding Bonds (Old Dominion University Real Estate Foundation 45th Street Parking Garage, LLC Project), Series 2008 (the Series 2008 Bonds) in the aggregate principal amount of $12,555,000 and the Lessor, the Company, the Authority and Old Dominion University (the University) executed and delivered, contemporaneously with the issuance of the Series 2008 Bonds, certain related documents and instruments, including a Second Amendment to Deed of Lease dated as of August 1, 2008, between the Lessor and the University amending a Deed of Lease dated as of May 1, 2006, between the Lessor and the University, as amended by a First Amendment to Deed of Lease dated as of August 1, 2006, between the Lessor and the University (collectively, the Lease), to assist in the (i) refinancing of the cost of constructing a multi-story parking garage also containing a University art gallery and folk art museum on the ground floor located on 45th Street near and east of the northeast corner of the intersection of Hampton Boulevard and 45th Street in Norfolk, Virginia (the Project), and (ii) paying the costs of issuance for the Series 2008 Bonds;

WHEREAS, contemporaneously with the execution and delivery of the Series 2008 Bonds, Bank of America, N.A. (the Credit Provider) issued its letter of credit (the Letter of Credit") obligating the Credit Provider to pay principal and interest on the Series 2008 Bonds;

WHEREAS, pursuant to Chapter 951, Item C-52.40, page 554, of the 2005 Acts of Assembly, the General Assembly of the Commonwealth authorized the University to enter into the Lease for the purpose of occupying, operating and maintaining the Project and under which the University provides for the payment of debt service on the Series 2008 Bonds;

WHEREAS, by resolutions adopted April 7, 2006, and June 13, 2008, the Board of Visitors of Old Dominion University approved the execution and delivery of the Lease;

WHEREAS, as debt service payments on the Series 2008 Bonds and other required payments are paid from the University's payment of Basic Rent (as defined in the Lease), the Treasury Board of the Commonwealth of Virginia, as required by Virginia law, approved the Lease on April 19, 2006, and August 13, 2008;

WHEREAS, Bank of America, N.A. has presented to the Lessor a plan of refinance that due to current market conditions will reduce the University's obligation to pay Basic Rent under the Lease, terminate the risk of non-renewal of the Letter of Credit by the Credit Provider, and eliminate annual letter of credit, remarketing and trustee's fees and expenses, and the Lessor and the University's financial officers have determined that it is in the best interest of the Project, the Lessor, the Company and the University to redeem in full the Series 2008 Bonds by the issuance by the

Authority of refunding bonds (the Series 2015 Bonds) to be privately placed with Bank of America, N.A. as sole registered owner of the Series 2015 Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF VISITORS OF OLD DOMINION UNIVERSITY:

1. The University hereby approves amending the Lease in connection with the issuance of the Series 2015 Bonds, including amending the Basic Rent payment obligation to provide for the payment of debt service under the Series 2015 Bonds rather than the Series 2008 Bonds.

2. The President or the Chief Operating Officer of the University, each of whom may act, is authorized to approve the amendments to the Lease to be made in connection with the issuance of the Series 2015 Bonds, subject to the approval by the President or the Chief Operating Officer of the University, each of whom may act, of the principal amount of the Series 2015 Bonds, the interest rate with respect to the Series 2015 Bonds, the maturity schedule with respect to the Series 2015 Bonds and all other financial terms, conditions and costs related to the issuance of the Series 2015 Bonds. The execution and delivery of the amendment to the Lease by the President or the Chief Operating Officer of the University is hereby approved and such execution and delivery shall evidence conclusively approval of the financing terms of the Series 2015 Bonds and any related documents.

3. The appropriate officers of the University are hereby authorized and directed to seek the approval of the terms of the amendments to the Lease by the Treasury Board of the Commonwealth of Virginia, as required by Virginia law, and to take such other actions as may be consistent with this resolution and to carry out the transactions authorized hereby or contemplated herein.

4. The President or the Chief Operating Officer of the University shall report to this Board the financial terms with respect to the Series 2015 Bonds and the projected savings in Basic Rent and other benefits resulting from the issuance of the Series 2015 Bonds.

5. This resolution shall take effect immediately.