

OLD DOMINION UNIVERSITY

BOARD OF VISITORS  
Thursday, June 12, 2014

MINUTES

The annual meeting of the Board of Visitors of Old Dominion University was held on Thursday, June 12, 2014, at 9:30 a.m. in the Board Room of Webb University Center on the Norfolk campus. Present from the Board were:

Fred J. Whyte, Rector  
Jeffrey W. Ainslie  
David L. Bernd  
John F. Biagas  
J. William Cofer  
Richard T. Cheng  
Jodi S. Gidley  
Dee D. Gilmore  
Luke M. Hillier  
Marc Jacobson  
Andrea M. Kilmer  
Barry M. Kornblau  
Mary Maniscalco-Theberge  
Frank Reidy  
Ronald C. Ripley  
Judith O. Swystun  
Robert M. Tata  
Rodin Ndandula (*Student Representative*)

Also present were:

John R. Broderick, President	Donna W. Meeks
Bruce Aird	Karen Meier
Craig Bowen	Melanie O'Dell
Alonzo Brandon	Earl Nance
Jonathan Cawley	Ellen Neufeldt
Jane Dané	September Sanderlin
Traci Daniel	Tara Saunders
Mary Deneen	Wood Selig
Robert L. Fenning	Carol Simpson
Morris Foster	Deb Swiecinski
Dillard George	Cecelia Tucker
Velvet Grant	Rusty Waterfield
David Harnage	James D. Wright
Scott Harrison	Zhao Yang
Elizabeth Kersey	Johnny Young
Rick Massey	

## **CALL TO ORDER**

The Rector called the meeting to order at 9:30 a.m. and welcomed the new student representative to the Board of Visitors, Rodin Ndandula.

## **STRATEGIC PLAN UPDATE**

President Broderick noted that a different approach was taken in development the 2009-2014 Strategic Plan. In the past the process was led by the Provost, but because of ODU's commitment to student engagement, the Provost and Vice President of Student Engagement and Enrollment Services are co-leading the effort to develop the new Plan. This effort included participation by several constituent groups across campus. He stressed the importance of identifying resources to support the strategic goals included in the Plan

Provost Simpson stated that the four goals that were identified in the preliminary plan have expanded to five: (1) enhance our national and international reputation for academic and research excellence; (2) support student success from first point of contact through graduation and beyond; (3) enrich the quality of university life; (4) engage in the greater community through intellectual, social, and economic activity; and (5) build a culture of entrepreneurship and economic development. She and Vice President Neufeldt reviewed the proposed objectives to achieve each of the goals. It was noted that the last Strategic Plan did not include community engagement objectives, but they are included in this Plan. Three proposed indicators were also shared with the Board that would measure progress toward goal completion, individual task completion, and time line indicators for specific major objectives. It was also noted that each objective has a measureable outcome and an identified responsibility individual.

Dr. Maniscalco-Theberge asked whether the graduation rates reflect only students who graduate from ODU or students who start at ODU and graduate elsewhere. Vice President Neufeldt said that both are tracked. Mr. Whyte asked if the 60% graduation rate is a six-year rate, and Vice President Neufeldt explained that the rate measures the duration of a student's time at ODU. President Broderick stressed that this measure tracks only first-freshmen and transfers are not included in the statistics. The graduation rate would be much higher if transfers were included. Rising retention rates mean roughly 1000 more students who could graduate. 70% of students who start here graduate, but not necessarily from ODU. We need to get that word out, even though it is not included in the national measures.

Dr. Maniscalco-Theberge asked if the Alumni Association will be involved in the community engagement initiatives. Vice President Neufeldt said that alumni will be involved although it is not currently mentioned in the plan.

Mr. Jacobson asked if our online program is still ranked high. The Provost said that a number of the online degree programs are ranked among the top ten by outside organizations and some are ranked among the top two. President Broderick added that the chairs of those programs have been invited to have lunch with the Board today.

## **2014-2015 TUITION & FEES AND OPERATING BUDGET**

Before presenting the specifics of the 2014-2015 Tuition & Fee proposal, a lengthy discussion ensued about the new developments in the State budget. President Broderick explained that Old Dominion was to have received \$15M in new funds, which would have increased its base adequacy and included funds for new faculty in order to improve the student/faculty ratio, and would have also assisted in raising graduation and retention rates. However, because of recent revenue projections, all new funds for higher education were removed from the budget. The news is sobering, but the administration will try to get this funding restored next year. Elizabeth Kersey noted that the House and Senate are ready to pass the budget today and then the Governor will have seven days to act. The State cannot tap into the “Rainy Day Fund” until a budget is approved by the Governor. These funds will be used for capital projects that have already been approved. Revenue forecasts are stabilizing, so although things won’t get better in the immediate future, all are hopeful that they will not get worse and budget cuts will not be required.

Chief Operating Officer Harnage said that the assumptions made when developing the budget were based on receiving the \$15M in new funding. Having the funds cut from the budget will now require the administration to regroup and bring an amended budget back to the Board in September. However, in order to continue operating, the Board needs to approve a budget today in order for the University to be able to expend funds after July 1. In addition, approval of the proposed tuition & fees is more important now than ever in order to fund the proposed \$7M in unavoidable cost increases. The proposal follows the same methodology and strategy as in the past; that is, ensuring that the cost of education for Old Dominion University students is affordable and most competitively priced. The University will continue to hold that position with a modest increase that is needed to fund cost escalations. The budget development process was once again a collaborative process, focusing on the commitment to the University’s mission and investing in its future, and using news funds while reallocating existing resources to fund the four institutional critical success factors. New resources will now only be generated from tuition & fee increases and any enrollment growth, and, again, are necessary to fund mandated and unavoidable cost increases.

Vice President Fenning provided the details of the proposed tuition & fees. He noted that it is important for tuition & fees to generate sufficient nongeneral fund revenue to fund unavoidable costs, noting that the State only funds 55% of these mandatory costs, including salary and benefits, and nongeneral funds must cover the remaining 45%. In addition, 100% of auxiliary costs must be supported with fees and/or self-generated revenue. Therefore, \$5.6M in tuition and \$1.4M in auxiliary fee revenue is needed, for a total of \$7M. The Six-Year Plan presented to the Board and accepted by the State Council of Higher Education recommended total increase of \$463 and this proposal is within those planning guidelines with a proposed \$430 increase for in-state undergraduates. Vice President Fenning shared a graph showing that ODU’s propose increase in tuition and mandatory fees is less than the average of all the institutions in the state and significantly less than increases at other institutions.

In response to a question by Mr. Reidy, Vice President Fenning stated that out-of-state students comprise 12% of the total student body. A discussion followed about how ODU might increase its proportion of out-of-states students who pay the full cost of their education. President Broderick commented that there is no question about the importance of out-of-state students, and under the leadership of Jane Dané, a plan is underway to develop those markets. The

administration must walk a fine line between affordability and accessibility for its students and gaining the resources needed to achieve its goals.

Following discussion, a motion was made by Ms. Swystun to approve the 2014-2015 Tuition & Fee proposal as presented. The motion was seconded by Mr. Jacobson and was approved unanimously by all Board members present and voting. *(Ainslie, Bernd, Biagas, Cheng, Gidley, Gilmore, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata)*

### **COMPREHENSIVE FEE RESOLUTION 2014-2015**

RESOLVED, that upon the recommendation of the President, the Board of Visitors approves the following comprehensive tuition cost per credit hour for the 2014-2015 academic year and thereafter until otherwise adjusted by the Board of Visitors.

#### **Comprehensive Fee Per Credit Hour for the 2014-2015 Academic Year**

	In-State From	In-State To	Out-State From	Out-State To
<b>Regular &amp; Summer Sessions</b>				
Undergraduate	\$285	\$299	\$807	\$838
Graduate	\$412	\$437	\$1,048	\$1,089
• Teaching Assistant	\$412	\$437	\$412	\$437
• Research Assistant	\$412	\$437	\$412	\$437
<b>Higher Education Centers &amp; Distance Learning Locations within Virginia</b>				
Undergraduate	\$285	\$299	\$807	\$838
Graduate	\$412	\$437	\$1,048	\$1,089
<b>Distance Learning Locations Outside Virginia and/or the United States</b>				
Undergraduate	\$285	\$314	\$285	\$314
Graduate	\$412	\$456	\$412	\$456

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Mr. Harnage reiterated the necessity of the Board to adopt a budget resolution in order for the institution to have expenditure authority. Vice President Fenning quickly reviewed what had been proposed in the budget; however, in light of the loss of the \$15M in new funding, the administration will need to bring an amended budget back to the Board in September. Mr. Harnage noted that the resolution before the Board states that the budget is subject to amendment based on a finalized State budget and assured that funds will be held centrally and allocated on an as-needed basis until the Board approves the amended budget in September.

A question was asked about the NCAA lawsuits and whether the potential outcomes would have any impact on ODU. Earl Nance, University Counsel, explained that the lawsuits are against conferences and not individual universities, and in only one lawsuit is Conference USA mentioned. The face of college athletics will be changing, but how we do not yet know. The O'Bannon suit focuses on the use of likenesses, so that would impact all institutions. Since Virginia does not allow negotiation with unions, the unionization impact will have zero effect on state-supported universities. President Broderick said that the Conference USA presidents agreed to look at a cost-of-attendance model, where any compensation will be based on need.

Following discussion, a motion was made by Mr. Jacobson to approve the 2014-2015 Operating Budget and Plan, subject to amendments based on a finalized state budget. The motion was seconded by Dr. Maniscalco-Theberge and was approved unanimously by all Board members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

#### **RESOLUTION APPROVING 2014-2015 OPERATING BUDGET AND PLAN**

RESOLVED, that upon the recommendation of the President, the Board of Visitors approves the proposed expenditure plan as displayed below as the University's 2014-2015 Operating Budget and Plan. This plan is based on expected budget actions of the General Assembly and Governor and is subject to amendments based on a finalized state budget.

**TABLE 2**  
**UNIVERSITY EXPENDITURE SUMMARY**  
(in thousands)

<b>EXPENDITURES</b>	<b>2013-14 Budget Plan</b>	<b>2014-15 Budget Plan</b>
<b>E&amp;G</b>		
Instruction	\$120,353	\$132,680
Research & Sponsored Programs	\$5,060	\$5,059
Public Service	\$265	\$258
Academic Support	\$45,158	\$46,938
Student Services	\$15,231	\$16,593
Institutional Support	\$34,539	\$40,375
Operations & Maintenance of Plant	\$28,852	\$29,749
Scholarships & Fellowships	\$1,800	\$1,800
<b>Subtotal</b>	<b>\$251,259</b>	<b>\$273,452</b>
Allocation to E&G Reserve		\$2,500
Auxiliary Services	\$96,726	\$102,250
Grants & Contracts	\$10,200	\$10,137
Gifts & Discretionary	\$11,435	\$11,105
Scholarships & Fellowships	\$48,895	\$50,253
Student Loan Funds	\$133,000	\$130,000
<b>Total University Expenditures</b>	<b>\$551,515</b>	<b>\$579,697</b>
<b>Summary of University Revenues &amp; Expenditures</b>		
<b>Revenues</b>	<b>\$556,373</b>	<b>\$585,284</b>
<b>Expenditures</b>	<b>\$551,515</b>	<b>\$579,697</b>
<b>Contributions to/(Use of) Fund Balance</b>	<b>\$4,859</b>	<b>\$5,587</b>
<b>Commitment to Auxiliary Capital Reserve</b>	<b>(\$4,859)</b>	<b>(\$5,587)</b>
	<b>\$0</b>	<b>\$0</b>

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## **BOARD POLICIES**

Earl Nance, University Counsel, presented the administration's recommendations on revising nine current Board policies, rescinding seven, and adopting one new policy. He explained that some policies have become outdated or are covered elsewhere and should be rescinded, while a new policy outlining qualifications and competencies for board membership was mandated by statute. Dr. Maniscalco-Theberge asked about the proposed rescission of the Admissions Policy. Mr. Nance and Vice President Neufeldt explained that admission standards will be included in catalogs and will allow the University more flexibility and agility to revise standards to meet the needs of the institution. Any such policies would be shared with the Board as information items. Dr. Maniscalco-Theberge also asked if the proposed revisions to Policy 1107 were being made in order to be less proscriptive. Mr. Nance said that was the case and Donna Meeks added that circumstances often arise that change the timing of certain Board reports and actions, so removing the timetable from the policy provides more flexibility.

Upon a motion made by Mr. Tata and seconded by Dr. Maniscalco-Theberge, the following resolution and was approved unanimously by all Board members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

### **APPROVAL OF NEW BOARD OF VISITORS POLICY, "RECOMMENDED QUALIFICATIONS AND COMPETENCIES FOR MEMBERS OF THE OLD DOMINION UNIVERSITY BOARD OF VISITORS," RESCISSION OF CURRENT BOARD POLICIES, AND PROPOSED REVISIONS TO CURRENT BOARD POLICIES**

RESOLVED, that the Board of Visitors approve the adoption of a new policy, "Recommended Qualifications and Competencies for Members of the Old Dominion University Board of Visitors," attached below; and

BE IT FURTHER RESOLVED, that the Board of Visitors approve the proposed rescission of the following Board of Visitors policies listed and attached below; and

BE IT FURTHER RESOLVED, that the Board of Visitors approve the proposed revisions to the following Board of Visitors policies listed and attached below.

#### **Proposed New Board of Visitors Policy**

NUMBER: 1103

TITLE: Recommended Qualifications and Competencies for Members of the Old Dominion University Board of Visitors

APPROVED: June 12, 2014

The Board of Visitors of Old Dominion University proposes to the Governor that he/she seek to achieve a balance of the following qualifications and competencies among the members of the Board of Visitors when considering appointments to the institution's governing board:

1. Members with the ability to dedicate the necessary amount of time and energy to fulfilling Board duties, while recognizing the Board's policy-driven role and its responsibility for hiring and evaluating the President.
2. Members with understanding of the formal and informal structure of Virginia state government.
3. Members with acumen and understanding of the formal and informal structure of Virginia's higher education system and the major issues in higher education within the Commonwealth and across the nation.
4. Members with an understanding of how to best oversee a comprehensive research university, including the implications of global interdependence and importance of global engagement.
5. Members with business acumen and experience running a large, complex organization.
6. Members with an understanding of the broad-based role of the changing academic curriculum, including modes of delivery beyond the traditional classroom setting.
7. Members with respect for diversity and the role it plays in higher education.
8. Members with the ability to community effectively.
9. Members capable of being proponents and supporters of Old Dominion University.

**Board of Visitors' Policies Recommended for Rescission**

- 1220: Faculty Personnel Actions
- 1501: Statement on the Admission of Traditional Freshmen
- 1510: University Financial Support of Student Organizations
- 1520: Proscribed Behavior for Students and Student Organizations
- 1550: Release of Educational Records of Dependent Students
- 1626: Information Technology Management
- 1660: Use of University Facilities

NUMBER: 1220

TITLE: Faculty Personnel Actions

APPROVED: December 10, 1970; Rescinded June 12, 2014

The Board of Visitors recognizes that, in the past, faculty tenure has been granted by the president, and affirms the tenure granted to all faculty before September 1, 1971.

The president shall recommend to the Board of Visitors all faculty to be considered for tenure after September 1, 1971.



The Board delegates to the president the authority for all other personnel actions (e.g., reappointment, termination, promotion).

NUMBER: 1501

TITLE: Statement on the Admission of Traditional Freshmen

APPROVED: June 16, 1988; Revised December 7, 1995; [Rescinded June 12, 2014](#)

Recent high school graduates who apply for admission to the freshman class must demonstrate that they have a reasonable probability of successfully completing academic work at Old Dominion University. Criteria used to measure probability of success constitute minimum requirements for regular admission to the class. These criteria include the following:

1. Sixteen high school academic units earned in the areas of English, Mathematics, Laboratory Science, Social Studies and Humanities; and
2. "C" average (2.00 on 4.00 scale) overall high school grade point average in the academic units, and at least "C" average in the senior year with no course grade below "C"; and
3. Class rank in the upper half of his/her graduating class; and
4. A combined math and verbal score on the Scholastic Aptitude Test of 970 with neither score below 485 (equivalent composite scores on the American College Test are also accepted).

Admission will be denied to applicants with a high school grade point average less than 2.5 **and** SAT score of less than 870. Similarly, admission will not be offered to applicants with a high school grade point average less than 2.3 **and** an SAT of less than 920.

All SAT scores are recentered.

Other elements which might strengthen a student's application are submission of a graded essay; scores from the College Board Achievement Tests; teacher recommendations; and a campus interview.

\*Students who may not meet some of the criteria above may be admitted on a provisional case-by-case basis.

NUMBER: 1510

TITLE: University Financial Support of Student Organizations

APPROVED: June 19, 1986; Revised December 4, 1997; Revised June 14, 2002;  
[Rescinded June 12, 2014](#)

Mission Statement: Out of class student activities complement the University primary educational mission while adding substantial value and breadth to a student's educational experience. As members of recognized student organizations, students develop leadership skills, experientially learn about organizational dynamics, and contribute to the University and surrounding community through their programs and projects.

Recognized student organizations that have been approved through the University's annual recognition process, pursuant to Policy #4300, are eligible to be considered for university financial support.

Student organizations that receive financial support from the University must stipulate in their constitutions or by-laws that:

1. the primary purpose of the organization is educational; and
2. membership primarily consists of currently enrolled students and is open to any member of the University's student body unless membership restriction is legally permissible and consistent with University policy; and

Funds will not be provided to student organizations for activities or to pay for materials that in any way:

1. promote or oppose a political candidacy; or
2. financially support lobbying activities or religious worship services; or
3. promote violence or illegal activity, or defame individuals or groups.

Regardless of whether they receive university financial support, recognized student organizations are solely responsible for their financial obligations. The university will not be liable for debts or contracts made by them. Any obligation incurred by a student organization with a local merchant or others must be incurred in good faith and with the knowledge that the organization will be able to pay such obligation promptly. Under no circumstances may the organization use the name of the university in securing credit. The organization's sole responsibility for its obligations must be made clear to the creditor.

The president shall develop and publish specific guidelines and procedures for the provision of university financial support to recognized student organizations in accordance with this policy.

**NUMBER:** 1520

**TITLE:** Proscribed Behavior for Students and Student Organizations

**APPROVED:** November 14, 1981; Revised June 18, 1987; Revised September 14, 2001; Revised April 6, 2007; Rescinded June 12, 2014

- A. It is the responsibility of all student organizations to encourage an atmosphere of learning, social responsibility, and respect for human dignity and to provide positive influence and constructive development for members and aspiring members. As such, these organizations are expected to utilize good judgment to determine the abilities of individual students as they relate to organizational activities and requirements. Certain unproductive and hazardous customs sometimes associated with the process of initiation that are incongruous with this responsibility are prohibited. Students or organizations found to have engaged in these behaviors may be disciplined in accordance with the University's disciplinary procedures.

For the purpose of this policy, a "student organization" whether or not the organization is recognized by the Student Government Association, is defined as an organization classified as departmental interest, general fraternity, general sorority, honorary, political, professional, religious, service, special governing board, special interest, athletic or any other organization with student membership.

- B. Intentional, knowing or reckless acts taken toward any student, occurring either on or off campus, by students, or by a student organization or any of its members, or by any student perceived to be members of the organization, or by former members, which a reasonable person would perceive as humiliating, physically uncomfortable, or which results in bodily injury or public ridicule, are prohibited.
- C. The Vice President for Student Affairs is delegated the authority to discipline students and/or organizations which violate the provisions of paragraph B. The Vice President for Student Affairs may delegate all or part of this authority to such other persons as deemed appropriate.
- D. The discipline applied in violation of paragraph B may include summary dismissal from the University for serious or repeated breaches of the standards set forth in paragraph B above. The Vice President for Student Affairs is delegated the authority to determine appropriate discipline in every case.
- E. Violations of paragraph B causing bodily injury shall be reported to the Commonwealth's Attorney of the appropriate jurisdiction.

NUMBER: 1550  
TITLE: Release of Educational Records of Dependent Students  
APPROVED: June 13, 2008; [Rescinded June 12, 2014](#)

WHEREAS, House Bill 1056 passed during the 2008 General Assembly session requires adoption of policy and procedures requiring release of educational records of a dependent student; and

WHEREAS, Old Dominion University has a continued commitment to comply with the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. §1232 and the regulations promulgated thereunder by release of educational records of a dependent student when accompanied by a written release, a written statement from the student stating that the student is a dependent, or provision of a copy of the prior year's tax return showing the student to be a dependent; and

WHEREAS, Old Dominion University is committed to making the access of these records less burdensome on parents and is actively researching current technology to permit the student to declare the status as a dependent student, immediately making the student's status known to the University faculty and staff with a need for this information; and be it

RESOLVED, that in accordance with Virginia Code § 23-9.2:3(C) that records be released to a parent of a dependent student in accordance with FERPA; and be it further

RESOLVED, that the University continues efforts underway to streamline the access to this information and making the transfer less burdensome to both the dependent student and the parent.

NUMBER: 1626  
TITLE: Information Technology Management  
APPROVED: September 9, 2005; [Rescinded June 12, 2014](#)

I. Background

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

Pursuant to §23-38.88, *Eligibility for Restructured Financial and Administrative Operational Authority*, subdivision A9 states that public institutions of higher education shall "be exempt from review of their budget request for information technology by the CIO as provided in subdivision A 4 of §2.2-2007."

Although Old Dominion University already has such delegated authority, and no transition procedures are required by the Act, we are recommending the establishment of this policy in order to reaffirm Old Dominion's current authority and in anticipation of further delegated authority.

## II. Definitions

- A. Board of Visitors - The Rector and Board of Visitors of Old Dominion University.
- B. Information Technology Projects - Telecommunications, automated data processing, databases, the Internet, management information systems, and related information, equipment, goods, and services. It is in the interest of the Commonwealth and Old Dominion University that Virginia be in the forefront of developments in technology. For that reason, this policy shall not be construed to hamper the pursuit of the missions of the institutions in instruction and research.
- C. Major Information Technology Project - Any information technology project that is mission-critical or has a total estimated cost of more than \$1 million.
- D. Non-major Information Technology Project - Any information technology project that is mission-critical or has a total estimated cost of more than \$100,000 but less than \$1 million.
- E. University Advisory Council on Technology (UACT) - The institutional committee of faculty and staff charged with the responsibility to advise, review and recommend information technology actions and policies

## III. Purpose

To establish a comprehensive and uniform policy for the realignment of information technology authority and responsibilities from the Commonwealth of Virginia to Old Dominion University under the provisions of § 23-38.88, Code of Virginia,

## IV. Scope

This policy statement applies to all information technology planning, budgeting, project management, infrastructure, security, and ongoing operations performed at Old Dominion University.

## V. General Responsibilities of the Board of Visitors

The Board of Visitors shall have the following general technology management responsibilities:

- A. Appoint the Chief Information Officer as the chief administrative officer of the University to oversee operations;
- B. Approve or disapprove the development of all major information technology project estimated to cost \$1 million or more or deemed to be mission-critical.

VI. Designated Official

The Assistant Vice President of the Office of Computing and Communications Services, reporting to the Vice President of Administration and Finance, is assigned the responsibilities of the Chief Information Officer.

VII. General Responsibilities of the University Advisory Council on Technology (UACT)

The Board of Visitors delegates the following general technology management responsibilities to the institutional oversight committee:

- A. Approve technical and data standards for information technology and related systems;
- B. Approve information technology architecture and related set of system standards;
- C. Approve criteria for the review and approval of the planning, scheduling and tracking of major information technology projects;
- D. Approve strategies, standards, and priorities recommended by the Chief Information Officer for the use of information technology.

VIII. General Responsibilities of the Chief Information Officer

The Board of Visitors delegates the following general technology management responsibilities to the chief information officer:

- A. Direct the formulation and promulgation of policies, guidelines, standards, and specifications for the purchase, development, and maintenance of information technology for Old Dominion University necessary to support a unified to information technology;
- B. Direct the development of policies and procedures that are integrated into the University's strategic planning and performance budgeting processes;
- C. Review requests for information technology and make recommendations. The review shall include all projects for amounts exceeding \$100,000 in which Old Dominion University has entered into or plans to enter into a contract or other agreement. For each project, the agency or institution shall provide the CIO (i) a summary of the terms, (ii) the anticipated duration, and (iii) the cost or charges of the project;
- D. Direct the development of policies and procedures for the effective management of information technology investments throughout their entire lifecycles, including, project management, development, implementation, operation, performance evaluation, and enhancement or retirement. Such policies and procedures shall include the periodic review by the Board of information technology projects estimated to cost \$1 million or more or deemed to be mission-critical;

- E. Report annually to the Board, and to the University Advisory Committee on Technology, on the use and application of information technology at Old Dominion University;
- F. Direct the development of policies and procedures that require review information technology projects exceeding \$100,000, and recommend whether such projects be approved or disapproved. The CIO shall disapprove projects between \$100,000 and \$1 million that do not conform to the institutional plan;
- G. Ensure that copies of policies and procedures are retained by the University and available to the Commonwealth of Virginia upon request.

IX. Accountability

Audits of the planning, budgeting, project management, infrastructure, security, and ongoing operations shall be the responsibility of the institution's Internal Audit Department and the Commonwealth of Virginia's Auditor of Public Accounts.

NUMBER: 1660

TITLE: Use of University Facilities

APPROVED: December 4, 1969; Revised August 27, 1970; Revised October 12, 1978; Revised June 22, 1984; Revised September 12, 1985; Revised June 19, 1986; Rescinded June 12, 2014

1. Subject to the requirements of this policy and other applicable policies of the Board of Visitors, the president of the university shall control the assignment, reassignment, and use of university owned or controlled facilities and properties ("university facilities") and shall issue such guidelines and procedures governing the use of university facilities as the president deems appropriate.
2. The use of a university facility shall be consistent with the educational mission of the university and with the general nature of the facility. The academic work of the university shall hold a primary place in the use of facilities and all uses for purposes other than the university's academic activities must be arranged so as not to hinder or adversely affect the academic activities.
3. University facilities shall be used primarily by university groups, that is, divisions, departments or other units of the university and university related organizations and associated foundations and associations.
4. The use of university facilities by non-university groups shall be secondary to their use by university groups and must be clearly consistent with the educational mission of the university.
5. University facilities shall not be used to promote a political, economic, social, or religious cause unless the cause is sponsored by a university group.

6. The use of university facilities for commercial purposes shall be limited to those purposes which are clearly consistent with the educational mission of the university. No commercial activities shall be permitted except those sponsored by university groups.
7. A use fee shall be charged for the use of a university facility when the use is for a purpose other than a purpose related to the university.
8. Permission to use a university facility must be conditioned upon the user's assuming responsibility for the use of the facility in a manner consistent with applicable laws and regulations and university policies.
9. Keys to university facilities shall be issued only to employees of the university.

**Board of Visitors Policies Recommended for Revisions**

- 1012: Resolution Adopting Executive Order Number Two (94), "Equal Opportunity"
- 1107: Board of Visitors Meeting Scheduling and Procedures
- 1540: Notification of Parents of Tax-Dependent Students in Instances of Psychological Emergency
- 1541: Implementation of Policies Addressing the Needs of Potentially Suicidal Students
- 1602: Disposition of Unclaimed or Abandoned Property
- 1610: Charter of the Internal Audit Department
- 1624: Exercise of Autonomy for Certain Real Property Transactions
- 1801: Development Policy
- 1840: Advisory Councils

NUMBER: 1012

TITLE: Resolution Adopting Executive Order Number OneTwo (201494), "Equal Opportunity"

APPROVED: June 20, 1990; Revised April 7, 1994; Revised June 12, 2014

RESOLVED, that upon the recommendation of the president, the Board of Visitors adopts as policy the Governor's Executive Order Number OneTwo (201494), "EQUAL OPPORTUNITY" as stated below:

EQUAL OPPORTUNITY

By virtue of the authority vested in me as Governor, I hereby declare that it is the firm and unwavering policy of the Commonwealth of Virginia to assure equal opportunity in all facets of state government. The foundational tenet of this Executive Order is premised upon a steadfast commitment to foster a culture of inclusion, diversity, and mutual respect for all Virginians.

This policy specifically prohibits discrimination on the basis of race, sex, color, national origin, religion, sexual orientation, gender identify, age, ~~or~~ political affiliation, or against otherwise



qualified persons with disabilities. The policy permits appropriate employment preferences for veterans and specifically prohibits discrimination against veterans.

State appointing authorities and other management principals are hereby directed to take affirmative measures, as determined by the Director of the, Department of Human Resource Management~~Personnel and Training~~, to emphasize the recruitment of qualified minorities, women, disabled persons, and older Virginians to serve at all levels of state government. This directive does not permit or require the lowering of bona fide job requirements, performance standards, or qualifications to give preference to any state employee or applicant for state employment.

Allegations of violations of this policy shall be brought to the attention of the Office of Equal Employment Services of the Department of Human Resource Management~~Personnel and Training~~. No state appointing authority, other management principals, or supervisors shall take retaliatory actions against persons making such allegations.

Any state employee found in violation of this policy shall be subject to appropriate disciplinary action.

The Secretary of Administration is directed to review annually state procurement, employment and other relevant policies for compliance with the non-discrimination mandate contained herein, and shall report to the Governor his findings together with such recommendations as he deems appropriate. The Director of the, Department of Human Resource Management~~Personnel and Training~~ shall assist in this review.

This Executive Order supersedes and rescinds Executive Order No. 6~~Number One~~ (2010~~90~~), Equal Employment Opportunity, issued by Governor Robert F. McDonnell~~Lawrence Douglas Wilder~~ on February 5, 2010~~January 13, 1990~~.

This Executive Order shall become effective upon its signing and will remain in full force and effect unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 11~~15~~th day of January, 2014~~1994~~.

/s/ Terence R. McAuliffe~~George F. Allen~~  
Governor

NUMBER: 1107

TITLE: Board of Visitors Meeting Scheduling and Procedures

APPROVED: April 11, 2003; Revised June 12, 2014

1. It is the Policy of the Board of Visitors that the following regular meeting scheduling and procedures shall be followed consistent with the Board of Visitors Bylaws.
2. Scheduling. Regular and Executive Committee meetings shall be scheduled one year in advance with care being taken to avoid significant events which may preclude the attendance of a large number of Board members (i.e.; national holidays, school openings and closings).
3. Order of Business. ~~In accordance with §4.06. of the Board of Visitors Bylaws, t~~The order of business shall be as follows, unless modified by the Rector with the approval of the Board.

Convene Meeting  
~~Approval of Meeting Agenda~~  
~~Motion for Closed Session, if any~~  
~~Reconvene in Open Session~~  
Approval of Minutes of Previous Meeting  
Rector's Report  
President's Report  
~~Reports of the Executive Committee (regular meetings only)~~  
Reports of Standing Committees  
Reports of Special Committees  
~~Reports of Representatives to Affiliated Foundations~~  
Reports of Invited Representatives, if any  
Motion for Closed Session, if any  
Reconvene in Open Session  
Call for Unfinished Business  
Call for New Business  
Adjournment

4. Agenda Process. ~~In accordance with §4.06. of the Board of Visitors Bylaws, m~~Matters to be placed on the Board's regular and special meeting agenda and requests for public comment shall be brought to the attention of the Rector or the President in writing at least 15 days in advance of the meeting at which the issue is to be addressed or public comment accepted. The purpose of the agenda process is to ensure that: only relevant issues requiring Board action are identified; that items brought before the Board have been fully analyzed and briefed; and that issues requiring Board action contain alternative recommended courses of action, if possible, to be considered for approval.
  - a. As part of this process, the Rector shall consult with his/her active committee chairs, Board representatives, and staff, and consider written requests of interested parties. The President shall consult with his/her principal staff, ~~Deans,~~ other appropriate parties, and consider written requests. Based on these consultations, the Rector and President shall then set the agenda.

- b. Chairs of standing committees shall set their respective committee agendas with the Vice President responsible.
- c. Reports of invited representatives and anticipated issues or resolutions requiring Board decisions under unfinished and new business and the point or points during the meeting where public comment will be accepted ~~and~~ will be specified in the published pre-meeting agenda. Such agenda shall be distributed to all Board members at least seven days prior to each regularly scheduled Board meeting.
- d. Supplementary agenda items originating after distribution of the pre-meeting agenda shall be provided to all Board members as soon as they are identified ~~and may be considered if confirmed by a majority of the voting members of the Board.~~
- e. ~~The following agenda items, some of which may be introduced through committee action, may be considered during the regular meeting specified, or at other meetings when appropriate.~~

Summer (Normally in September)

Election of Board officers (even years)	Board
Presidential Evaluation & Compensation Report	Board Committees
President's Annual Goals and Objectives Report	President
Operating & Capital Budget Report	Admin. & Finance VP
Biennium Budget Request Report (odd years)	Admin. & Finance VP
Honorary Degree Report	Provost

Fall (Normally in December)

Appointment of Presidential Evaluation Comm. for 3 yr. comprehensive reviews	Board
Appointment of Institutional Review Comm. for 6 yr. reviews	Board
Legislative Budget Amendments Report VP/Inst. Adv. VP	President/Admin & Finance

Winter (Normally in January)

Board Retreat & Self Evaluation	Board & Administration
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Spring (Normally in April)

Election of Nominating Committee	Board
Appointment of Presidential Evaluation Comm. for annual reviews	Board
Board Budget Report	Vice Rector
University Budget Initial Report	Admin. & Finance VP
Tuition & Fees Report	Admin. & Finance VP
University Capital Budget Request Report (odd years)	Admin. & Finance VP
Honorary Degree Report	Provost

Faculty Tenure Report \_\_\_\_\_ Provost

Annual (Normally in June)

President's Annual Report \_\_\_\_\_ President

Nominating Committee Report \_\_\_\_\_ Nominating Committee

University Operating Budget & Plan \_\_\_\_\_ Admin. & Finance VP

~~Supplementary agenda items originating after distribution of the pre-meeting agenda shall be provided to the Board members as soon as they are identified and may be considered if confirmed by a majority of Board members.~~ The Rector shall confer with all active committee chairs at least 15 calendar days before an Executive Committee meeting to determine if there are agenda items to be considered at that meeting before canceling such meeting.

5. Public Comment. Public comment shall be taken upon request of interested parties to an agenda issue. The request must be justified in writing via the President to the Rector and submitted at least 15 calendar days before the meeting at which the issue is to be addressed or public comment accepted. The points at which public comment will be accepted shall be specified in the published meeting agenda.
6. Closed Meetings. While convened in closed meetings, board members must be confident that they may engage in full and open discussion of legitimate closed meeting topics without fear or concern that comments or statements made therein will be revealed or disclosed outside the presence of the convened body. All board members and invited guests present during closed meetings should be mindful that the confidentiality of discussions is dependent on informed recognition of the confidential and potentially sensitive nature of such dialogue. Disclosure of information or documents including "working papers," revealed or discussed in closed meetings represents a breach of the confidentiality on which board members are legitimately entitled to rely. Additionally, unauthorized disclosures of closed meeting information could have the effect of inhibiting subsequent closed meetings.
7. Voting.
  - a. The authority of the Board rests in its majority, therefore, Board voting on issues or candidates for a position shall require a majority of votes cast, versus a plurality, to pass a motion or elect an officer or representative, except where otherwise specified.
  - b. In cases where there are more than two choices, the following shall apply. If on the first ballot, no choice receives a majority, the one receiving the smallest number of votes shall not be considered on the next ballot, provided that at least two choices remain on the ballot. This shall continue until a choice has received a majority of the required vote. Should two or more choices receive the same number of low votes and the total of these two choices when combined with any one other member's vote not constitute a majority, then the choices receiving the same number of low votes shall be eliminated. Should the total of the same number of low votes received by two or more choices when combined with any one other member's vote constitute a majority, then no member shall be eliminated and the balloting shall continue. Should more

than one ballot be required, the proponent of each choice shall be allowed one minute to address the membership before the next ballot.

- c. The Virginia Freedom of Information Act (Title 2.2, Chapter 37 of the Code of Virginia) precludes voting by secret ballot. However, voting procedures, using paper ballots for considering more than two alternatives, can include written responses provided such written responses are legibly signed by the voting member of the Board and duly recorded in the Board minutes so that they may not be considered secret ballots.
8. Meeting Minutes. Minutes should record action taken, policies adopted, resolutions passed, and discussions by the Board. Minutes shall be taken at all open regular, special, working session, retreat, and committee meetings as prescribed by the Freedom of Information Act (Title 2.2, Chapter 37 of the Code of Virginia). These minutes, including draft minutes, and all other records of open meetings, including audio or audio/visual records are public records and subject to the provisions of the Freedom of Information Act. Audio recordings shall be retained for three years and shall be available to the public. Minutes or audio recordings of closed meetings may be taken at the discretion of the Board by an approved motion to do so. Minutes of closed meetings, including drafts and audio or audio/visual records, are not public records and are protected by the Freedom of Information Act. Additionally, the Board shall make audio recordings of all electronic communication meetings.
9. Draft Minutes. Draft minutes are considered public documents under the Freedom of Information Act. Since they are papers designed to produce a finished document and may be incomplete or incorrect, they shall be clearly marked as drafts, handled with care, and destroyed when the minutes are approved. Draft minutes shall be circulated to all board members within fifteen working days of the meeting. Exceptions to the foregoing rule due to lengthy or complex meetings may be considered on a case-by-case basis by the Rector. If there are substantive errors, the draft minutes may be corrected by members by making a motion to correct the minutes on the agenda for the next regular meeting of the Board. Typographical type errors can be forwarded to the Secretary for correction.

NUMBER: 1540

TITLE: Notification of Parents of Tax-Dependent Students in Instances of Psychological Emergency

APPROVED: June 13, 2008; [Revised June 12, 2014](#)

WHEREAS, Virginia Code § 23-9.2:8 requires the governing boards of each public institution of higher education to develop and implement policies that advise students, faculty, and staff, including residence hall staff, of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior; and

WHEREAS, Virginia Code § 23-9.2:8 prohibits each institution from establishing policies that penalize or expel any student solely for attempting to commit suicide or seeking mental health treatment for suicidal thoughts or behaviors; and

WHEREAS, Virginia Code § 23-9.2:8 permits each institution to establish policies and procedures for appropriately dealing with students who are a danger to themselves, or to others, and whose behavior is disruptive to the academic community;

RESOLVED, the Board of Visitors of the Old Dominion University approves the following to comply with Virginia Code § 23-9.2:8; specifically:

1. The University's Office of Counseling Services shall continue to educate the University community, including Residence Life staff, regarding the manifestations of depression and risk of suicide; and
2. The University's Office of Counseling Services shall continue its comprehensive clinical assessment and treatment of students at risk of suicide; and
3. The University's Office of Counseling Services shall continue its professional education of its own staff and mental health trainees regarding the assessment and treatment of students at high risk of suicide; and
4. RESOLVED FURTHER, the Board approves ~~the~~ the foregoing being subject at all times to the ongoing authority and responsibility of the University's Vice President for Student Engagement and Enrollment Services~~Affairs~~ or officer designated by the Vice President to authorize any such improvements or revisions as may be desirable or necessary and in the best interests of the University and to report any material improvements or revisions to the Board of Visitors at its next scheduled meeting.

~~RESOLVED FURTHER, the Board approves and reaffirms the continuation of the University's longstanding policy of holding all students to the same behavioral Standards of Conduct. This includes the University's continued use of its published procedure of interim suspension, whereby the University may, as needed, immediately and temporarily suspend any student whose behavior poses a threat to himself or herself, to the health or safety of other members of the University, to University property, or to the educational process, pending a hearing on an underlying offense charged under the Standards of Conduct.~~

NUMBER: 1541

TITLE: Implementation of Policies Addressing the Needs of Potentially Suicidal Students

APPROVED: June 13, 2008; Revised June 12, 2014

WHEREAS, Virginia Code § 23-9.2:8 requires the governing boards of each public institution of higher education to develop and implement policies that advise students, faculty,

and staff, including residence hall staff, of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior; and

WHEREAS, Virginia Code § 23-9.2:8 prohibits each institution from establishing policies that penalize or expel any student solely for attempting to commit suicide or seeking mental health treatment for suicidal thoughts or behaviors; and

WHEREAS, Virginia Code § 23-9.2:8 permits each institution to establish policies and procedures for appropriately dealing with students who are a danger to themselves, or to others, and whose behavior is disruptive to the academic community;

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3. The University's Office of Counseling Services shall continue its professional education of its own staff and mental health trainees regarding the assessment and treatment of students at high risk of suicide; and
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NUMBER: 1602  
TITLE: Disposition of Unclaimed or Abandoned Property  
APPROVED: April 8, 2010; Revised June 12, 2014

### Background

The University frequently has property that is either unclaimed or abandoned. The Virginia Code §23-4.2 allows the University to regulate the care, restitution, sale, destruction or disposal of property. This policy states the policies and procedures to effectuate the disposal of this property.

### Policy

The University shall dispose of unclaimed or abandoned property in a prudent manner accounting for the rights of individuals and the recognition of the needs of the University.

### Definitions

1. Abandoned Property includes all property where the owner voluntarily relinquishes possession. Abandoned property shall include, but not be limited to, all property left by a faculty or staff member in a University facility after separation from the University. Abandoned property shall further include all items remaining in a room in a residence hall upon the earlier of the conclusion of the housing agreement or the student's separation from the University.
2. Lost Property is property where the owner does not voluntarily relinquish property and is due to accident, forgetfulness, negligence, and the property owner is ignorant of the property's whereabouts.

### Specific Requirements

1. The University shall store all lost and abandoned property at a centralized location and shall publish how lost or abandoned property can be recovered.
2. In instances where ownership of lost property can be reasonably determined, the University shall notify the person of the property's recovery. Notification by e-mail at the person's last known e-mail address shall be sufficient. No notice is required when the property is abandoned.
3. In the case of either lost or abandoned property, the University shall keep the property a minimum of 120 days after the property is recovered by the University.
4. Upon a claim by an individual of lost or abandoned property, the University may charge a reasonable sum as a storage fee.
5. In the case of tangible personal property, other than automobiles, the University shall determine the probable cost of sale and whether that cost exceeds the likely proceeds. If the property is inherently dangerous or the property may not be lawfully sold, the



University may retain the property for its own use, destroy or discard the property or donate the property to an appropriate charity.

6. If the University determines that the property should be sold, the property may be offered for sale at public auction or by sealed bid to the highest bidder. The University can decline the highest bid and reoffer the property if the University deems the bid insufficient.
7. The University shall provide notice of a sale pursuant to paragraph 6 in both the University newspaper and on the “Daily Announcements” webpage. The University shall send a copy of the notice to the last known address of the person the University has reason to believe is the owner. Should the property owner be currently enrolled or employed, notice to the individual’s campus e-mail address is sufficient notice.
8. If property is sold pursuant to paragraph 6, the University shall hold the proceeds an additional 90 days. If no claim is made by the owner of the proceeds, the proceeds may be transferred to the University’s operating fund.
9. If the property is an abandoned automobile, the University shall take the vehicle into custody. The owner and any lienholder will be notified, by certified mail that the vehicle has been taken into custody. The notice shall (i) state the year, make, model, and serial number of the abandoned automobile; (ii) set forth the location where the vehicle is being held, and (III) inform the owner and lienholder of their right to reclaim it within 15 days of the date of the notice after payment of all towing, preservation, and storage charges. The notice shall also state that failure to reclaim the vehicle shall constitute (i) waiver by the owner and lienholder of all interest in the vehicle and (ii) consent to the sale at public auction of the motor vehicle. The University shall remove from the proceeds all costs of the sale and hold the remainder of the proceeds for 90 days for the benefit of the lienholder and/or the owner of the automobile. If no one claims the proceeds in this time period, the money will be deposited to the University’s operating fund.
10. If the property is intangible personal property, the University shall report and remit the property to the State Treasurer in accordance with Virginia Code Section §55-210.12 et seq.

### Reporting

The Department of ~~Procurement Services~~~~Material Management~~ shall maintain all records to identify the sale or disposal of all property that is turned in as surplus to Procurement Services~~the subject of this policy~~.

NUMBER: 1610

TITLE: Charter of the Internal Audit Department

APPROVED: November 14, 1981; Revised May 15, 1982; Revised April 5, 1990; Revised September 13, 2002; Revised June 17, 2010; [Revised June 12, 2014](#)

### Introduction

Old Dominion University supports Internal Audit, as defined by the Institute of Internal Auditors, as "an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes." This charter as adopted herein will serve as a guide for the activities of the Internal Audit Department at Old Dominion University.

This charter does not include, nor is it intended to include, all of the department's duties or responsibilities as they may exist from time to time.

This charter will:

1. Provide a written record of formally approved policies of the Internal Audit Department;
2. Provide a basis for the evaluation of the performance of the Internal Audit Department by the management of the University and the Audit Committee of the Board of Visitors;
3. Serve as a basic document in the organization and administration of the Internal Audit Department.

### Mission

Internal Audit was established to assist the Board of Visitors and management of Old Dominion University in providing the Commonwealth and the country with the best possible educational institution for the 21<sup>st</sup> century. As appropriate to accomplish this mission, Internal Audit will have a dual focus; (1) to provide an independent and objective appraisal of the University's financial, operational and information systems, and to evaluate the internal control environment; and (2) to work with management in a proactive and creative manner to ensure the development and provision of services and processes in the most efficient and effective manner.

### Objectives

The underlying objectives for accomplishing the Internal Audit Department's mission include, but are not limited to, the following procedures:

1. Evaluating financial and operating procedures for adequacy of internal controls and providing advice and guidance on control aspects of new policies, systems, processes and procedures;

2. Ascertaining the extent of adherence, by the University and its employees, to established policies, plans, and procedures, and compliance with state and federal laws and regulations;
3. Ensuring that proper safeguards are maintained to protect University assets from loss, and if necessary, verify their existence;
4. Determining the propriety and accuracy of financial transactions and data;
5. Working with management to identify opportunities for process improvements, cost savings and revenue enhancements;
6. Evaluating the accuracy, security, effectiveness and efficiency of the University's information technology and processing systems;
7. Appraising the results of operations to ascertain the effectiveness and efficiency of organizations in accomplishing their missions, objectives and goals;
8. Assisting in the education and training of employees in University policies and procedures, as well as the need for and characteristics of good internal controls;
9. Assisting management in the deterrence of fraud and to investigate any instances of such activity discovered at the University; and
10. Coordinating audit efforts with the Auditor of Public Accounts and other external auditors.

### Standards for the Professional Practice of Internal Auditing

The Institute of Internal Auditors, Inc., an international organization dedicated solely to the advancement of the internal auditing profession, has adopted "The International Professional Practices Framework (IPPF)." [The three mandatory elements of the IPPA are the definition of internal audit, Code of Ethics, and the International Standards for the professional practice of internal auditing \(standards\).](#)

In the performance of its mission, the Internal Audit Department of Old Dominion University hereby adopts the IPPF and the "Standards for the Professional Practice of Internal Auditing," which it includes, as an integral part of the department's statement of policies.

### Other Auditing Standards

The American Institute of Certified Public Accountants has promulgated Generally Accepted Auditing Standards (GAAS) through Statements of Auditing Standards, Industry Audit Guides, and other professional releases.

The United States General Accounting Office recommends the "Government Auditing Standards" (the Yellow Book) for use by auditors who audit state organizations, programs, activities, and functions. In the performance of its mission, the Internal Audit Department will reference these additional standards as appropriate.

## Reporting Responsibilities

The Internal Audit Department is functionally accountable and reports to the Board of Visitors through the Audit Committee. The Department reports administratively to the President and works with the President or through a designated representative for the purpose of the day-to-day direction needed by the department in the mediation of audit scope and scheduling, plus budgetary and personnel concerns.

The Internal Audit Director shall have direct access to the President and to the Audit Committee of the Board of Visitors in any instance where the Internal Audit Director believes that such access is needed to fulfill the stated objectives of the department.

The Internal Audit Director shall, at a minimum, meet in executive session, to the extent permitted by law, with the Audit Committee of the Board of Visitors at each of the scheduled quarterly Board Meetings to discuss:

1. Audit reports issued;
2. Detailed audit plan for the forthcoming fiscal year and the areas of audit concerns for the subsequent two years;
3. Relationships between the Internal Audit Department and external auditors;
4. The propriety of any limitations on the scope of internal audits that may be imposed by University management.

As used herein, the term "external" shall refer to representatives of or the activities of the Auditor of Public Accounts for the Commonwealth of Virginia, individual certified public accountants (the "CPA") and auditors from organizations, governmental or commercial, outside the University.

The Internal Audit Director may also present materials, such as the annual audit plan, to the Administration and Finance Committee in an informational capacity.

## Authority

To the extent permitted by law, the Internal Audit Department shall have timely and unrestricted access to all university activities, properties, personnel, and records which are relevant to fulfillment of the department's mission to the University.

It is understood that certain items of the university are confidential in nature and special arrangements will be made by the audit department when examining and reporting upon such items.

## Independence

### *Programming*

The Internal Audit Department shall be free from control or undue influence in the selection and application of audit techniques, procedures, and programs.

### *Reporting*

The Internal Audit Department shall be free from control or undue influence in the determination of facts revealed by the examination or in the development of recommendations or opinions as a result of the examination.

### *Investigative*

The Internal Audit Department shall be free from undue influence in the selection of areas, activities, personal relationships, and managerial policies to be examined. No legitimate source of information is to be closed to the auditor.

### General

Objectivity is an essential element of independence. The independence of the department may be compromised if the internal auditor participated directly in the preparation or reconstruction of accounting systems, data, or records; thus members of the Internal Audit Department will be used only in an advisory capacity.

### System Planning and Development

The Internal Audit Department will participate, in an advisory capacity, in the planning, development, implementation, and modification of major computer-based and manual systems to ensure that:

1. Adequate controls are incorporated in the system;
2. A thorough testing of the system is performed at appropriate stages;
3. System documentation is complete and accurate; and
4. The intended purpose and objective of the system implementation or modification has been met.

The internal auditor participating in such a review should ensure that the extent of participation does not affect independence, thus suggested audit trails or other controls will be transmitted through formal correspondence.

### Responsibility for the Detection of Errors or Irregularities

The staff of the Internal Audit Department have a professional responsibility to conduct reviews with an attitude of professional skepticism, recognizing that the application of internal auditing procedures may produce evidential matter indicating the possibility of errors or irregularities.

If the internal audit staff believe that an error or irregularity may exist in an area under review or in any other area of the university, the Internal Audit Director shall be notified at once. The Internal Audit Director should consider the implications of such an error or irregularity and its disposition with the President and/or the President's designated representative. If the Internal Audit Director believes that both of the individuals are directly involved, then the disclosure of

potential errors or irregularities should be made directly to the chairman of the Audit Committee of the Board of Visitors.

The Internal Audit Department cannot be solely responsible for the detection and prevention of all errors and irregularities which may occur within the university. This is a responsibility shared by all members of the university management team.

#### Cooperation With External Auditors

The Internal Audit Director is responsible for coordinating the audit efforts of the Internal Audit Department with those of the Auditor of Public Accounts for the Commonwealth of Virginia and other external auditors that have business with the university. This coordination of audit efforts should be in the planning and definition of the scope of proposed audits so the work of auditing groups is complementary and will provide a comprehensive, cost-effective audit.

The Internal Audit Department shall assist the Audit Committee of the Board of Visitors in the evaluation of the external auditors' examination of the University.

#### Audit Plan

Each year, a proposed detailed audit plan for the next fiscal year will be submitted by the Internal Audit Director to the Audit Committee. Upon approval of the plan by the Audit Committee, the Internal Audit Director will initiate audits pursuant to the plan.

A block of time will be set aside for unexpected audits, special request audits and consulting, and cases received from the Commonwealth's fraud, waste and abuse hotline. In excess of this, any additions to the plan will require written documentation as to the need for such additions with final approval for the request being made by the President and Committee.

A copy of all approved revisions to the audit plan will be submitted to the President and the Audit Committee.

#### Audit Reports

At the conclusion of each audit, the department or activity audited will be provided an opportunity to respond in writing to the findings, conclusions, and recommendations of the Internal Audit Department. In addition, an exit conference will be held with the individual in charge of the department or activity under review. All findings, conclusions and recommendations will be discussed and any differences of opinion settled or so noted. A formal audit report will be prepared after the exit conference is held and draft report reviewed. This report will contain a summary of the function of the department or area, the objective of performing the audit, the audit methods used, detailed explanations of any issues noted and recommendations for improvements thereon. A section of the audit report will include the department's response to the recommendations made by the Internal Audit Department.

This report will be discussed with the chief operational officer (vice president) responsible for the area under review prior to the issuance to the President of the University. All final audit reports will be issued to the President of the University via the Chief Operating Officer, with copies to the ~~Vice President for Administration and Finance, the~~ Vice President of the area

audited and the department head. Executive summaries of all final audit reports will be presented to the members of the Audit Committee. Further distribution will be at the discretion of the Internal Audit Director.

The Internal Audit Department will conduct a follow-up review on audit reports issued to ensure that all recommendations have been considered and acted upon. Distribution of this follow-up report will follow that of the original report.

#### Detection, Investigation and Reporting of Fraud

The Internal Audit Department shall be notified in all cases where the discovery of circumstances suggests a reasonable possibility that assets have, or are thought to have, been lost through defalcation or other security breaches in the financial, operating or information systems. Upon such notifications, the Internal Audit Director should ensure that the proper authorities within the department and the University have been notified of the potential loss. The Internal Audit Director should work to ensure that the University promptly notifies other state departments as required under Section 30-138 of the Code of Virginia.

The Internal Audit Department will perform sufficient tests to identify the weaknesses in financial and operating procedures, both automated and manual, which permitted the loss and evaluate the impact the weaknesses have with respect to other activities of the institution. In addition, the Internal Audit Department will recommend improvements to correct the weaknesses and incorporate appropriate tests in future audits to disclose the existence of similar weaknesses in other areas of the institution.

#### Consulting Activities

As part of its mission, the Internal Audit Department will engage in evolving forms of value-added services which are consistent with the broad definition of internal auditing. As such, the Department from time to time may be asked to perform a variety of non-standard audit services, such as advisory activities and consulting engagements, both of which may involve formal or informal advice, analysis or assessment. These services will be provided at the discretion of the Internal Audit Director where they do not represent a conflict of interest or detract from the Department's obligation to the Board of Visitors or the President.

Decisions to adapt or implement recommendations as a result of consulting activities should be made by management. It must be understood that consulting services cannot be rendered in a manner that masks information that, in the judgment of the Internal Audit Director, should be provided to the Board of Visitors and senior management. In the conduct of consulting activities, the Department will be guided by the IIA Code of Ethics and the Standards for the Professional Practice of Internal Auditing.

#### Personnel

The ultimate quality of the Internal Audit Department's performance is directly related to the quality of the people employed. The internal audit function should be directed by and staffed with qualified and competent individuals.

Minimum qualifications for each position within the audit function have been established; however, additional experience, training, specialized skills, as well as intelligence, adaptability, promotability, an inquiring mind, analytical ability, good business judgment, and an ability to communicate with individuals should be considered in the employment process.

The Internal Audit Director should report annually to the Administration and Finance Committee and the President and/or a designated representative as to the effectiveness of the present staff in fulfilling the stated objective of the Internal Audit Department.

### Training

The university recognizes the need for members of the Internal Audit Department to "stay current" on accounting issues and auditing techniques in the university.

To fulfill this need, the Internal Audit Department will require each representative of the department to obtain at least forty (40) hours (1 week) of continuing education credits annually. (Training is subject to funding availability.)

### Quality Assurance Review

Old Dominion University recognizes the benefits to be derived from a quality assurance review of the internal audit functions.

A full scope quality assurance review of the University's internal audit function will be performed at least once every five years in accordance with the Institute of Internal Auditors standards.

NUMBER: 1624

TITLE: Exercise of Autonomy for Certain Real Property Transactions

APPROVED: September 9, 2005; Revised April 8, 2010; [Revised June 12, 2014](#)

#### I. Background

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

Section 4-5.08c of Chapter 912 of the 1996 Acts of the General Assembly delegated to the University the authorities otherwise granted to the Governor and the Department of General Services under Virginia Code §2.1-504.2 (now §2.2-1149) allowing the University to approve operating leases under policies, procedures and guidelines developed by the University and approved by the Secretaries of Finance and Administration. The authority has been carried-over in each subsequent year, and the §4-5.08c.1 of the 2003 Act expands the delegation to include income leases.

Pursuant to §23-38.88, *Eligibility for Restructured Financial and Administrative*



*Operational Authority*, subdivisions A4 through A7 grants public institutions of higher education the authority to:

- A. Acquire easements as provided in subdivision 4 of § 2.2-1149;
  - B. Enter into an operating/income lease or capital lease pursuant to the conditions and provisions provided in subdivision 5 of § 2.2-1149;
  - C. Convey an easement pertaining to any property such institution owns or controls as provided in subsection C of § 2.2-1150; and
  - D. Sell surplus real property valued at less than \$5 million, which is possessed and controlled by the institution as provided in with subdivision C 2 of § 2.2-1153.
- In addition, the University, from time to time, is delegated authority by Executive Order to approve certain acquisitions of fee interest in real property required to support certain delegated capital construction projects.

## II. University's Organizational Structure

The structure for administering and performing each delegated function is as follows:

- A. President or designee:
  - 1. With prior approval of the Board of Visitors, execute real property sales purchase contracts, real property sales deeds, and sale of real property transactions.
  - 2. Execute real property purchase contracts, real property purchase deeds, and purchase of real property transactions.
  - 3. With prior approval of the Board of Visitors, execute capital lease transactions conducted with the Old Dominion University Real Estate Foundation.
  - 4. Execute non-capital lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.
  - 5. With prior approval of the Board of Visitors, execute non-capital leases greater than \$150,000 per year.
- B. Vice President for Administration and Finance or designee:
  - 1. Execute non-capital leases of less than \$150,000 per year and easements except those lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.
  - 2. Approve all capital leases except those lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.

3. Approve real property sales and purchase contracts, real property deeds, and sale and purchase of real property transactions.

C. Director of ~~Facilities~~~~Real Estate and Space~~ Management:

1. Expenses Leases – Approve all non-capital leases, lease justifications and waivers of solicitation and document the reasons, ~~approve space utilization;~~ and ensure compliance with approved guidelines and applicable law.
2. Income Leases – Approve all leases and waivers (and document the reasons a particular waiver is required), and ensure compliance with approved guidelines and applicable law.
3. Income Leases (Communication Towers) - Approve all leases and waivers (and document the reasons a particular waiver is required), and ensure compliance with approved guidelines and applicable law.
4. Capital Leases – Provide all leases and waivers for approval to the Vice President for Administration and Finance of designee, and ensure compliance with approved guidelines and applicable law.
5. Acquisition of Fee Interest - Recommend approval of purchase contracts; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
6. Sale of Property (\$5M or less) - Provide purchase contracts for approval to the Vice President for Administration and Finance of designee; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law
7. Acquisition of Easement Interest - Recommend approval of deeds of easement; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
8. Granting of Easement Interest - Recommend approval of deeds of easement; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
9. Perform market surveys and prepare lease recommendations, conduct or provide guidelines in the conduct of solicitation and negotiations as set forth in the University's approved guidelines.

- D. Assistant Attorney General and University Counsel: Approve leases, sales contracts, deeds, and easements as to form.

### III. Policies and Procedures

- A. Expense Leases - The guidelines for leasing real property for the University outlined in Chapter 1 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- B. Income Leases - The guidelines for leasing real property from the University outlined in Chapter 2 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- D. Income Leases – Communications Towers - The guidelines for leasing real property from the University for the purpose of erecting communications towers or attaching communications equipment to existing buildings in Chapter 3 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- D. Capital Leases - The guidelines for capital leasing real property for the University outlined in Chapter 4 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- E. Acquisition of Fee Interests - The guidelines for acquiring fee interest in real property outlined in Chapter 5 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- F. Sale of Property (\$5M or less) - The guidelines for selling real property valued at \$5 million or less outlined in Chapter 6 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- G. Easements for the Benefit of the University - The guidelines for acquiring easements for the benefit of the University outlined in Chapter 7 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of

Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

- H. Easements for the Benefit of Others - The guidelines for granting easements for the benefit of others outlined in Chapter 8 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
- I. Records and Reviews - All records and documentation will be maintained and filed in an accessible manner and made available for review at any time. Copies of all executed leases and other real estate instruments will be forwarded to the Bureau of Real Property Management within ninety (90) days following execution.

NUMBER: 1801

TITLE: Development Policy

APPROVED: August 14, 1981; Revised June 19, 1986; Revised June 12, 2014

I. General Policies

- A. Solicitation for gifts for the university or any of its colleges, schools, departments, centers, institutes, or programs must have the prior written approval of the president or a designated representative.
- B. Private gifts or grants which entail a commitment on the part of the university may not be accepted without the written approval of the president or a designated representative.
- C. All gifts shall be received, recorded, and acknowledged by the Office of Development of the university.
- D. Private gifts or grants are received on behalf of the university by the Old Dominion University Educational Foundation, ~~and the~~ Old Dominion University Interscholastic Athletic Foundation, Old Dominion University Real Estate Foundation and the Old Dominion University Community Development Corporation. The university (as opposed to the foundations) receives gifts when specifically requested by a donor and when it is in the best interest of the university to do so.
- E. The president of the university shall establish policies to provide for the orderly and prudent transfer of funds from the foundations to the university.
- F. The president of the university may establish additional policies governing the solicitation or acceptance of gifts in the name of the university.

## II. Commemorative Gift Opportunities

### A. Named Facilities

A building, a room, a space, or an area on campus may be named to recognize a substantial gift. This is provided for in the Board of Visitors' policy on the Naming of University Buildings, Building Spaces, or Areas.

### B. Named Programs

A college, school, department, center, or institute may be named by the Board of Visitors to recognize a substantial endowment gift.

### C. Eminent Scholars

The Commonwealth of Virginia established the eminent scholars program in 1964 to encourage endowment gifts to attract and retain outstanding faculty. The program provides state funds to match the income from endowments established for this purpose. Virginia was the first state to establish such a program. Old Dominion University has participated in this program from its inception and encourages such endowment gifts.

### D. Named Chair

A chair may be named in recognition of an endowment gift sufficient to provide for the entire compensation of a distinguished scholar. Ideally, such an endowment would provide for secretarial, travel, and research support in addition to compensation.

### E. Named Professorship

A professorship may be named in recognition of an endowment gift for a salary supplement sufficient to attract and retain a distinguished scholar.

### F. Named Visiting Scholar or Artist

A visiting scholar or artist may be named in recognition of an endowment gift sufficient to provide for the cost of such a program.

### G. Named Lectureship

A lectureship or lecture series may be named in recognition of an endowment gift sufficient to provide for the honorarium and expenses related to the lecture.

### H. Named Fellowship

A fellowship may be named to recognize ~~a current gift or~~ an endowment gift ~~sufficient~~ to provide for ~~at least the full cost of~~ tuition and fees assistance and a research stipend for a graduate student.

I. Named Scholarship

A scholarship may be named to recognize ~~a current gift or~~ an endowment gift ~~sufficient~~ to provide for ~~at least one half of the cost of~~ tuition and fees ~~assistance~~ for an undergraduate student. An athletic grant-in-aid may be named to recognize an endowment gift ~~sufficient~~ to provide for tuition, fees, room and board, and books ~~assistance~~ for a student-athlete.

J. Other Named Funds

The president of the university may establish other named funds such as library or book funds, loan funds, or prize funds when a gift or gifts are sufficient to meet an objective of the university.

NUMBER: 1840

TITLE: Advisory Councils

APPROVED: August 14, 1975; Revised February 13, 1986; Revised August 27, 1987;  
Revised June 12, 2014

Old Dominion University's academic programs can benefit substantially from the advice, counsel, and support available from alumni and friends through advisory councils. The Board of Visitors encourages the development of such councils and authorizes the president of the university to establish advisory councils, where appropriate, for the university's colleges, schools, departments, and programs. The Board further authorizes the president to establish such policies and procedures governing the composition and operation of the councils as the president deems necessary and to appoint the members of the councils. Annually, by July 1, the president ~~or designee~~ shall report to the ~~University Relations-Institutional Advancement~~ Committee of the Board of Visitors the policies, procedures, and membership of the advisory councils which have been established.

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The meeting was recessed by the Rector at 11:40 a.m.

**RECONVENE MEETING AND APPROVAL OF MINUTES**

The Rector reconvened the meeting at 1:15 p.m. and called for approval of the minutes of the regular meeting held on April 24, 2014. Upon a motion made by Mr. Ainslie and seconded by Dr. Maniscalco-Theberge, the minutes were approved unanimously by all members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

## **RECTOR'S REPORT**

Rector Whyte reported that the Presidential Evaluation & Compensation Committee met on April 16 with Vice President Sanderlin, who provided benchmarking data on presidential salaries at institutions both inside and outside of the Commonwealth. President Broderick received an outstanding performance evaluation and the Committee discussed what they considered an appropriate level of compensation. He discussed this with President Broderick and they agreed on a proposed compensation adjustment. Normally the Board would vote on it today, but, in light of the current budget situation, he and President Broderick felt it would be appropriate to do so at a later time. He will keep the Board informed as they move forward.

The Rector noted the German saying, "I have two hearts beating in my chest," as he thanked Dee Gilmore, Jeff Ainslie, Luke Hillier and Marc Jacobson, whose terms on the Board have come to an end. He said each of them brought innumerable contributions to this Board and it had been a pleasure to work with them.

## **PRESIDENT'S REPORT**

In his report to the Board, President Broderick informed the Board members about a survey that is being conducted by the Joint Legislative Audit and Review Committee (JLARC) of current and former members of the Boards of Visitors of all 14 public, four-year institutions. JLARC is studying higher education in Virginia in response to legislators' concerns about rising student costs. Survey questions, the responses to which will be sent directly to JLARC and will remain confidential, relate to background, state and institutional training for board members, board composition and oversight responsibilities. The final report will be available from JLARC's website in November. The survey will be distributed by Donna Meeks this afternoon.

The President highlighted the following activities and initiatives at the University:

### Academic Affairs

- Dr. James M. Shaeffer, Sr., associate vice provost for outreach and engagement at James Madison University, has been appointed founding dean for the College of Continuing Education and Professional Development. His office will reside at the Virginia Beach Higher Education Center.
- The Virginia Early Childhood Policy Center released its first report on the state of early childhood in the Commonwealth. The report focuses on areas central to early childhood education, family support services, special populations and health and well-being.
- Six Entsminger Faculty Fellows are participating in the summer Price-Babson Symposium for Entrepreneurship Educators at Babson College.
- A new online-certificate program in Global Health in the College of Health Sciences begins in fall 2014. This correlates well with continuing education initiatives and outreach activities in business and industry.
- Old Dominion's Medical Technology program was selected as one of eight programs in the nation to offer the Veterans Affairs Learning Opportunity Residence Program (VALOR) in partnership with the Hampton Veterans Affairs Medical Center.
- The College of Business and Public Administration's certificate program in Public Procurement and Contract Management has been accredited by the International Federation

of Purchasing and Supply Management. This is the first in the western hemisphere and second in the world to achieve this level of accreditation.

- Old Dominion University's online Bachelor of Science in Criminal Justice and Bachelor of Arts in Criminal Justice programs have been independently reviewed and ranked by GetEducated.Com as a "Best Buy" for students seeking a high quality, low-cost online bachelor degree.
- Dr. Thomas Chapman, assistant professor of political science and geography, received the National Council for Geographic Education's 2014 Higher Education Distinguished Teaching Award.
- Dr. Alfred A. Roberts, a graduate of the Darden College of Education's Community College Leadership program, has been selected as the next president of Southside Virginia Community College, replacing president John Cavan.
- The Frank Batten College of Engineering was the recipient of a \$746 million in-kind grant from Siemens PLM Software which will support the College's strategic initiative in advanced manufacturing with a focus on digital manufacturing, design innovation and entrepreneurship, and product lifecycle management (PLM).

#### Governmental Relations:

- Meetings confirmed in the next month with Secretary of Commerce and Trade Maurice Jones, Secretary of Natural Resources Molly Ward, Secretary of Education Ann Holton, and Secretary of Technology Karen Jackson.
- Ray Toll, Old Dominion's Navy/NOAA liaison for the Climate Change and Sea Level Rise Initiative, was appointed to the Governor's Climate Change Commission.
- Secretary Jones recently served as the keynote speaker at Old Dominion's annual E.V. Williams Center for Real Estate and Economic Development meeting.
- Deputy Secretary of Education Dietra Trent served as a keynote speaker for the Community College Summer Institute luncheon last week.
- White House officials recently made remarks at the TechSurge Conference in support of the University's Climate Change and Sea Level Rise Initiative.

#### Student Engagement and Enrollment Services:

- The Career Management Center's Learn and Earn Advantage Program (LEAP) was selected as one of five finalists for the National Association of Colleges and Employers Career Services Excellence Award for Large Colleges.

#### University Advancement:

- Old Dominion's endowment is now valued at \$200 million, which includes the endowment pool that the Educational Foundation manages for the University, Educational Foundation, Real Estate Foundation and Athletic Foundation. Nationally, this places Old Dominion in the top one-third of all schools, the top 28% of all Virginia schools and the top half of state-support colleges and universities in the Commonwealth.
- Old Dominion University hosted 300+ girls and their parents at the Sixth Annual Conference for Girls and Young Women. This conference seeks to empower girls and young women as leaders who can influence and advance positive change in their communities.

#### Athletics:

- The Wrestling team had the second highest team GPA in the country behind Harvard. Wrestler Tristan Warner was named the recipient of the prestigious Elite 89 Award for the



2014 NCAA Division I Wrestling Championship.

- Twelve men's and women's teams had 3.0 GPAs or higher in Spring 2014.
- Of the 410 spring 2014 student-athletes, 4% (15 students) earned a 4.0 GPA and 52% (213 students) earned a 3.0 GPA or higher. 27% (111) students earned Dean's List honors during the spring 2014 semester.

President Broderick congratulated Jeff Ainslie on his LEAD Hampton Roads Distinguished Leader Award and Andrea Kilmer for her appointment to the Board Accountancy by Governor McAuliffe. He then recognized and thanked Jeff Ainslie, Dee Gilmore, Luke Hillier and Marc Jacobson for their service to the Board and Old Dominion University.

## **REPORTS OF STANDING COMMITTEES**

### **AUDIT COMMITTEE**

The Rector called on Ms. Gilmore for the report of the Audit Committee. Ms. Gilmore reported that Eric Sandridge, audit director from the Office of the Auditor of Public Accounts, presented results from the University's FY2013 year-end financial audit. The University received an outstanding audit report with the following findings: financial statements are presented fairly, in all material respects; no internal control findings requirement management's attention, and no instances of noncompliance or other matters required to be reported under Government Auditing Standards. Ms. Gilmore recognized Mary Deneen, University Controller, Associate Controller Melanie O'Dell, Karen Webb, policy and planning specialist, and Doug Streit, director of information technology security, records and project management, for their good work which culminated in an outstanding audit.

Amanda Skaggs, interim university auditor, updated the Committee on the department's operations focusing on the quality assurance review process. She also noted the status of the 2014 audit plan and discussed internal audits in progress and other initiatives underway. She then presented the department's proposed 2014-2015 audit plan, which the committee approved as submitted.

The Committee received, in closed session, information related to recent audits and reviews performed in the areas of Student Financial Aid, the Virtual Computing Environment, and the College of Business and Public Administration, as well as a personnel matter.

### **ACADEMIC AND RESEARCH ADVANCEMENT COMMITTEE**

The Rector called on Ms. Kilmer for the report of the Academic and Research Advancement Committee. Ms. Kilmer reported that the Committee met in closed session to discuss the appointment of a faculty member with tenure and the award of tenure to one faculty member.

The following resolution was brought forth as a recommendation of the Academic and Research Advancement Committee and was unanimously approved by all members

present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

### **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. Willy R. Wriggers as Professor of Mechanical and Aerospace Engineering with the award of tenure in the Department of Mechanical and Aerospace Engineering in the College of Engineering and Technology, effective July 25, 2014.

Salary: \$125,000 for 10 months  
(additional \$25,000 endowment funding for first year only)  
Rank: Professor of Mechanical and Aerospace Engineering

The following is my recommendation for the initial appointment with tenure of Dr. Willy R. Wriggers as Professor of Mechanical and Aerospace Engineering in the Batten College of Engineering and Technology. Dr. Wriggers has most recently held the concurrent positions of Associate Professor of Computational Biomedicine and Associate Professor of Biophysics in the Weill Medical College of Cornell University and Adjunct Professor of Advanced Technology at Florida Polytechnic University. He will join ODU as the Batten Endowed Professor of Mechanical and Aerospace Engineering.

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. Wriggers 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 also unanimously supported Dr. Wriggers for the Batten Endowed Professorship. Based on my own independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Wriggers easily meets the standards for tenure at the rank of Professor in the Department of Mechanical and Aerospace Engineering at Old Dominion University.

Dr. Wriggers received his Ph.D. (1998) in physics from the University of Illinois at Urbana-Champaign. He held concurrent post-doctoral positions at the University of California, San Diego (1997-1999) and Scripps Research Institute (1998-1999) before joining the Scripps Research Institute as an Assistant Professor (1999-2003). He was appointed Assistant Professor in the School of Biomedical Informatics at the University of Texas Health Science Center, Houston in 2003, where he was awarded tenure and promotion to Associate Professor in 2006.

During that period of his career, Dr. Wriggers was an Alfred P. Sloan Research Fellow (2003-2007). He moved to the Weill Medical College of Cornell University in 2007 as Associate Professor of Biophysics and Associate Professor of Computational Biomedicine, and at the same time was appointed a member of D.E. Shaw Research, a privately funded institute in New York, NY. He was awarded the position of Adjunct Professor of Advanced Technology at Florida Polytechnic University in 2014, a position he resigned in order to move to Old Dominion University.

An expert in cell and molecular biomechanics and biomedical devices, Dr. Wriggers has taught graduate level courses that include computational structural biology, image analysis, and biomolecular modeling and simulation (the latter two courses both winning awards). He has supervised almost 40 PhD students and postdoctoral fellows, and plans to develop four new courses for Old Dominion University, in modeling and simulation of biomolecular structure and materials; image processing and pattern recognition for engineers; computational biophysics; and, engineering principles of human-computer interaction and scientific visualization.

Dr. Wriggers has given numerous workshops and almost 120 invited talks and tutorials internationally. He has a very high citation index for his 60 published, peer-reviewed articles, which have appeared in the most prominent journals in his field. He has also developed open source software and has published popular science articles. He received a \$3 million R01 grant from the NIH that was renewed annually from 2000 through 2011, as well as a \$400,000 grant from the Human Frontier Science Program (2003-2007). His expertise will fit very well with that of faculty in VMASC, the Vision Lab, the Center for Bioelectronics, and computer sciences, among other areas.

Dr. Wriggers has a strong background in service as a reviewer for NSF, NIH, American Chemical Society, and Wellcome Trust grant proposals, among many others, and has served on several NIH Study Sections. He is a frequently sought-after reviewer for manuscript submissions to the leading journals in his field. He serves on the advisory board for *Zementis, Inc.*, a San Diego-based risk management and cloud computing firm, and as a member of the EM Validation Task Force for the Protein Data Bank at Rutgers University. All of his external letters praise Dr. Wriggers for his ideas and his “exciting research record,” saying that he is “one of the most creative scientists” in his field.

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. Willy Wriggers for an appointment with tenure in the Department of Mechanical and Aerospace Engineering at the rank of Professor. We are fortunate indeed to attract him to Old Dominion University.

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The following resolution was brought forth as a recommendation of the Academic and Research Advancement Committee and was unanimously approved by all members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

## AWARD OF TENURE TO A FACULTY MEMBER

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the award of tenure to Dr. Morris W. Foster as Professor of Community and Environmental Health in the College of Health Sciences, effective July 1, 2014.

Salary: \$260,000 for 12 months  
Rank: Vice President for Research and Professor of Community and Environmental Health

The following contains my recommendation for the initial appointment with tenure of Dr. Morris W. Foster as Professor of Community and Environmental Health in the College of Health Sciences. Dr. Foster has most recently held the following concurrent positions at the University of Oklahoma: Associate Vice President for Research, Deputy Director for Cancer Prevention and Control, and Special Assistant to the President. In addition, he was serving as the Deputy Director for the Oklahoma Shared Clinical and Translational Resource and Associate Vice President for Strategic Planning for the Norman and Health Sciences Center campuses of the University of Oklahoma, among other leadership positions. He will join ODU as Vice President for Research.

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. Foster were received from the school, college, and university promotion and tenure committees, as well as from the school’s chair and the college dean. Based on my own independent evaluation of the materials submitted, including the above recommendations, it is my judgment that Dr. Foster easily meets the standards for tenure at the rank of Professor in the School of Community and Environmental Health at Old Dominion University.

Dr. Foster received his Ph.D. (1988) and M. Phil. (1984) from Yale University. He was appointed Assistant Professor at the University of Oklahoma in 1989, where he was subsequently promoted to Associate Professor of Anthropology, with tenure in 1995, and to Professor of Anthropology in 2005.

Dr. Foster is an accomplished teacher, who has embraced modern forms of pedagogy including emphasis on student interactions in class. He also has a long history of funded research, as the Principal Investigator for well over \$10 million in grant funding, mainly from the National Institutes of Health. He has published almost 50 peer reviewed journal articles and book chapters, on many of which he is the sole or lead author, as well as the book *Being Comanche: A*

*Social History of an American Indian Community* (1991, University of Arizona Press). His work has been published in the top biomedical journals. In recent years he has focused more on collaborative projects on human genomics, standards of health care in underserved populations, and research ethics. He has established pioneering partnerships with Oklahoma Native Americans and has obtained funding from the Indian Health Service, as well as the NIH, under the Native America Research Centers for Health initiative for research on their extensive genealogies.

Dr. Foster has an exceptionally strong background in service. In addition to his senior appointments at the University of Oklahoma noted above, the list of his additional concurrent appointments is substantial: Faculty Fellow, Science and Public Policy Program, University of Oklahoma (1995-2014); Adjunct Associate Professor of Pediatrics, University of Oklahoma Health Science Center (2000-2014); Adjunct Associate Professor, Hematology/Oncology Section, Department of Medicine (2002-2014); Deputy Director for Cancer Prevention and Control in the Peggy and Charles Stephenson Cancer Center (2007-2014); Chair, Ethics Advisory Board, Illumina Inc. (2007-present). He also served as Acting Chair for the Department of Anthropology (2005-2006) and was Director of Outreach for the Harold Hamm Oklahoma Diabetes Center (2008-2011). In support of translational research, Dr. Foster played a prominent leadership role on the Communications Committee for the International HapMap Project, which had a budget in excess of \$110 million and involved hundreds of scientists in 5 countries. One of his referees writes of his “pioneering work on community engagement in the field of ethical, legal, and social implications research, which developed in tandem with efforts to sequence the human genome.”

Therefore, in recognition of his many contributions as a scholar and teacher, his outstanding service to his profession, and in concurrence with all of the recommendations received, I recommend Dr. Morris Foster for an appointment with tenure in the School of Community and Environmental Health at the rank of Professor. We are fortunate indeed to attract him to Old Dominion University.

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Committee members approved by unanimous vote the resolutions on 27 faculty appointments, 14 administrative appointments, and three emeritus/emerita appointments. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were unanimously approved by all members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

## FACULTY APPOINTMENTS

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

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Youssif B. Al-Nashif Assistant Professor of Electrical and Computer Engineering (Tenure Track)	\$87,000	7/25/14	10 mos

Dr. Al-Nahif received a Ph.D. in Electrical and Computer Engineering in 2008 from the University of Arizona and an M.Sc. in Electronic and Communication Engineering and B.Sc. in Electrical Engineering, in 2000 and 1999 respectively, from Jordan University of Science and Technology. Since 2009, he has been an Assistant Research Professor in the Department of Electrical and Computer Engineering at the University of Arizona.

Ms. Swarnali Banerjee Instructor of Mathematics and Statistics (Tenure Track)	\$81,000	7/25/14	10 mos
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Ms. Banerjee received a Master's in Statistics in 2010 from Indian Statistical Institute, a B.Sc. in Statistics in 2008 from University of Calcutta and is expected to receive a Ph.D. in Statistics in 2014 from the University of Connecticut. Since 2013, she has been an Instructor in the Department of Statistics at the University of Connecticut, and she was a graduate assistant from 2010-14. (Rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by July 25, 2014)

Dr. Kimberly G. Baskette Lecturer of Human Movement Sciences	\$50,000	7/25/14	10 mos
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Dr. Baskette received a Ph.D. in Education in 2013 from Old Dominion University and an M.S.Ed. in Health and Physical Education and a B.S in Biology, in 2002 and 1989 respectively, from Virginia Polytechnic Institute and State University. Since 2013, she has been MonarchTeach Program Coordinator and an Adjunct Assistant Professor in the College of Education at Old Dominion University.

Dr. Christine C. Berger Assistant Professor of Counseling and Human Services (Tenure Track)	\$58,000	7/25/14	10 mos
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Dr. Berger received a Ph.D. in Counselor Education and Supervision and an M.S. in Clinical Mental Health Counseling, in 2009 and 2003 respectively, from Loyola University Maryland and a B.A. in Psychology in 1996 from the College of Holy Cross. Since 2012, she has been a Faculty Clinical Supervisor in Clinical Mental Health Counseling and most recently a Visiting Assistant Professor of Clinical Mental Health Counseling at Loyola University. Dr. Berger also has a Private Clinical Counseling Practice.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Ms. Shenita R. Brazelton Instructor of Political Science and Geography (Tenure Track)	\$52,000	7/25/14	10 mos

Ms. Brazelton received a J.D. in 2004 from Vanderbilt University Law School, a B.A. in Political Science in 2001 from Tuskegee University and is expected to receive a Ph.D. in Political Science in 2014 from Georgia State University. She was an Instructor of Political Science at Georgia State University from 2009 to 2013 and an Adjunct Professor of Political Science at Morehouse College in 2012. (Rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by September 1, 2014)

Dr. Laura Daniel Buchholz Lecturer of English	\$42,000	7/25/14	10 mos
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Dr. Buchholz received a Ph.D. in English Studies and an M.A. in English Literature in 2013 and 2009 respectively, from Old Dominion University and a B.A. in English Literature and Language/Religious Studies in 1991 from the University of Virginia. In 2010-11 and 2012-13, she was a Graduate Teaching Assistant in the Department of English at Old Dominion University.

Dr. Sarah L. Florini Assistant Professor of Communication and Theatre Arts (Tenure Track)	\$54,000	7/25/14	10 mos
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Dr. Florini received a Ph.D. in Communication and Culture and an M.A. in Musicology, in 2012 and 2006 respectively, from Indiana University and a B.A. in Music in 1999 from the University of Louisville. From 2012-2014, she has been A.W. Mellon Postdoctoral Fellow in the Department of Communication Arts and the Center for Humanities at the University of Wisconsin.

Dr. Elizabeth Groeneveld Assistant Professor of Women's Studies (Tenure Track)	\$62,000	7/25/14	10 mos
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Dr. Groeneveld received a Ph.D. in Literary Studies in 2010 from the University of Guelph, a Masters in Methodologies for the Study of Western History and Culture in 2003 from Trent University and a B.A. in Women's Studies and English Language and Literature in 2000 from Brock University. Since 2011, she has been Chair of Women's Studies and a Lecturer in Women's Studies at McGill University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Adrienne Grant Hartgerink Lecturer of Nursing	\$109,552	6/10/14	12 mos

Dr. Hartgerink received a Doctorate of Nursing Practice in 2011 from the University of Minnesota, an M.S. in Nursing in 1997 from Uniformed Services University (USU) and a B.S. in Nursing in 1987 from James Madison University. Since 2011, she has been Assistant Director of the Nurse Anesthesia Program at Old Dominion University. Dr. Hartgerink was an Adjunct Assistant Professor, USU Staff CRNA and Clinical Preceptor at the National Naval Medical Center in 2010-11. From 2006-2010, she was Program Director for the Nurse Anesthesia Program at the Graduate School of Nursing at Uniformed Services University. (Designated as Associate Director for the Nurse Anesthesia Program)

Ms. Rachel K. Johnson Instructor of Communication Disorders and Special Education (Tenure Track)	\$65,000	7/25/14	10 mos
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Ms. Johnson received an M.S. in Communication Science and Disorders in 2006 from East Carolina University, a B.A. in Biology in 1999 from the University of North Carolina at Wilmington and is expected to receive a Ph.D. in Communication Science and Disorders in 2014 from Florida State University. Since 2011, she has been an Adjunct Clinical Supervisor in the Speech and Hearing Clinic and Research Assistant in the Department of Communication Science and Disorders at Florida State University. (Rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by August 1, 2014)

Ms. Jessica R. Mayo Lecturer of Nursing	\$63,000	7/25/14	10 mos
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Ms. Mayo received an M.S. in Nursing in 2009 from Old Dominion University and a B.S. in Nursing in 1998 from George Mason University. Since 2012, she has been a Lecturer and Adjunct Faculty member in the School of Nursing at Old Dominion University and an Adjunct Faculty at Norfolk State University.

Dr. Anne M. P. Michalek Assistant Professor of Communication Disorders and Special Education (Tenure Track)	\$65,000	7/25/14	10 mos
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Dr. Michalek received a Ph.D. in Special Education, an M.S. in Speech-Language Pathology and a B.S. in Speech-Language Pathology/Audiology, in 2012, 1999, and 1997 respectively, from Old Dominion University. Since 2012, she has been a Lecturer, Clinical Coordinator and Adjunct Assistant Professor in the Department of Communication Disorders and Special Education at Old Dominion University.



<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Paul S. Moses Assistant Professor of Engineering Technology (Tenure Track)	\$70,000	7/25/14	10 mos

Dr. Moses received a Ph.D. in Electrical Power Engineering and a Bachelor of Engineering in Electrical Engineering and a B.S. in Physics, in 2012 and 2006 respectively, from Curtin University of Technology, Western Australia. Since 2012, he has been Electrical Power Systems Engineer for the Defence Science and Technology Organisation (DSTO), Department of Defence, Australian Government.

Dr. Man Wo Ng Assistant Professor of Information Technology and Decision Sciences (Tenure Track)	\$115,000	7/25/14	10 mos
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Dr. Ng received a Ph.D. in Civil Engineering/Transportation and an M.S. in Statistics in 2010 from the University of Texas at Austin and an M.S. in Applied Mathematics and a B.S. in Mechanical Engineering, in 2005 and 2002 respectively, from Delft University of Technology. Since 2011, he has been an Assistant Professor in the Department of Modeling, Simulation and Visualization Engineering at Old Dominion University.

Dr. Rajesh Paleti Assistant Professor of Civil and Environmental Engineering (Tenure Track)	\$79,000	7/25/14	10 mos
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Dr. Paleti received a Ph.D. and an M.S. in Civil Engineering, in 2012 and 2009 respectively, from the University of Texas at Austin and a Bachelor of Technology in Civil Engineering in 2008 from Indian Institute of Technology (IIT), India. From 2008-2012, he was a Graduate Research Assistant at the University of Texas.

Ms. Eun Hee Park Instructor of Information Technology and Decision Sciences (Tenure Track)	\$110,000	7/25/14	10 mos
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Ms. Park received an M.S. in Computer Information Systems in 2006 from Georgia State University, an M.B.A. and a B.A. in Social Welfare, in 2003 and 1993 respectively, from Kyungpook National University and is expected to receive a Ph.D. in Computer Information Systems from Georgia State University in 2014. Since 2008, she has been an Advanced Graduate Teaching Assistant and Graduate Research Assistant in the Department of Computer Information Systems at Georgia State University. (Rank will be Assistant Professor upon completion of all requirements for the Ph.D. degree)

Dr. Krzysztof Jakub Rechowicz Research Assistant Professor, Virginia Modeling, Analysis and Simulation Center	\$100,000	5/10/14	12 mos
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Dr. Rechowicz received a Ph.D. in Modeling and Simulation Engineering in 2012 from Old Dominion University and an M.Sc. and B.S. in Mechanical Engineering in 2006 from Warsaw University of Technology. Since 2012, he has been a Postdoctoral Research Fellow at Old Dominion University. Prior to that he was a Graduate Research Assistant.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Philip L. Sabatini Lecturer of Human Movement Sciences	\$44,000	7/25/14	10 mos

Mr. Sabatini received an M.S. in Recreation and Sport Sciences and a B.S. in Physical Education from Ohio University. Since 2007, he has been an Instructor of Physical Education and Head Football Strength and Conditioning Coach at Virginia Military Institute.

Mr. Mark Alan Schulz Lecturer of Music	\$42,000	7/25/14	10 mos
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Mr. Schulz received a Master's in Music, Music Technology and a Bachelor of Arts, Jazz Guitar, in 2006 and 2004 respectively, from the University of Akron. He has been an Adjunct Professor for the Commercial Music Program at Malone University and Kent State University, Stark Campus since 2010.

Ms. Lucia M. Tabacu Instructor of Mathematics and Statistics (Tenure Track)	\$81,000	7/25/14	10 mos
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Ms. Tabacu received an M.S. and B.S. in Mathematics, in 2007 and 2005 respectively, from the University of Bucharest, Romania and is expected to receive a Ph.D. in Statistics in 2014 from The Pennsylvania State University. Since 2011, she has been a Research Assistant and an Instructor at The Pennsylvania State University. (Rank will be Assistant Professor if all requirements for the Ph.D. degree are completed by July 25, 2014)

Dr. Balša Terzić Assistant Professor of Physics (Tenure Track)	\$76,500	7/25/14	10 mos
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Dr. Terzić received a Ph.D. in Applied Mathematics in 2002 from Florida State University and a B.S. in Mathematics and Computer Science in 1995 from Liberty University. Since 2009 he has been a Staff Scientist in the Center for Advanced Study of Accelerators (CASA) at the Jefferson Lab and an Adjunct Assistant Professor in the Department of Physics at Old Dominion University.

Ms. Amy M. Wagner Lecturer of Nursing	\$65,000	7/25/14	10 mos
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Ms. Wagner received an M.S. in Nursing in 2009 from Old Dominion University and a B.S. in Nursing in 2006 from Virginia Commonwealth University. Since 2010, she has been an Assistant Professor at Paul D. Camp Community College and also an Adjunct Faculty member at ECPI University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Shuaian (Hans) Wang Assistant Professor of Information Technology and Decision Sciences (Tenure Track)	\$115,000	7/25/14	10 mos

Dr. Wang received a Ph.D. in Transportation Engineering in 2012 from National University of Singapore, an M.S. from RWTH Aachen University in 2009, and an M.S. in Production System Engineering (RWTH) and Industrial Engineering and a B.S. in Mechanical Engineering, in 2009 and 2006 respectively, from Tsinghua University. Since 2012, he has been a Lecturer in Optimization in the Department of Engineering and Information Sciences at the University of Wollongong, Australia.

Dr. Chad E. Wiener Lecturer of Philosophy and Religious Studies	\$42,000	7/25/14	10 mos
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Dr. Wiener received a Ph.D. in Philosophy in 2008 from the University of Georgia, an M.A. in Social Sciences in 1999 from the University of Chicago and a B.A. in Philosophy and History in 1997 from the University of Georgia. Since 2012, he had been a Visiting Assistant Professor at Pacific University. Prior to that he was an Assistant Professor at Portland State University.

Dr. Nicole Willock Assistant Professor of Philosophy and Religious Studies (Tenure Track)	\$52,000	7/25/14	10 mos
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Dr. Willock received a Ph.D. and an M.A., in 2011 and 2003 respectively, from Indiana University Bloomington and a B.A. in Chinese Studies in 1994 from Australian National University. Since 2011, she has been a Postdoctoral Lecturer in the Department of Religious Studies at the University of Denver.

Ms. Chaniece J. Winfield Lecturer of Counseling and Human Services	\$47,000	7/25/14	12 mos
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Ms. Winfield received an M.A. in Urban Education and a B.A. in Sociology, in 2009 and 2007 respectively, from Norfolk State University and is a Ph.D. candidate at Capella University. Since 2011, she has been an Outpatient Counselor for Virginia Community Service Boards and an Adjunct Instructor in Human Services at Old Dominion University. (Salary includes a \$2,000 stipend for serving as Substance Abuse Credential Coordinator)

Dr. Colleen F. Wood-Fields Lecturer of Communication Disorders and Special Education	\$48,000	7/25/14	10 mos
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Dr. Wood-Fields received a Ph.D. in Special Education in 2011 from Old Dominion University, an M.Ed. in Special Education in 1990 from The College of New Jersey and a B.S. in Special Education in 1984 from Trenton State College. Since 2012, she has been an Adjunct Assistant Professor in the Darden College of Education at Old Dominion University.

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## ADMINISTRATIVE FACULTY APPOINTMENTS

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

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Vinod Agarwal Interim Dean of the College of Business and Public Administration and Professor of Economics (Tenured)	\$220,000	6/25/14	12 mos

Dr. Agarwal received a Ph.D. in Economics in 1977 from the University of California at Santa Barbara and an M.A. in Economics in 1970 from Delhi University. He is Director of the Economic Forecasting Project, Professor of Economics and served as Chair of the Economics Department from 2001 to 2006. Dr. Agarwal was a member of the Virginia College Building Authority for the Commonwealth of Virginia from 2004 to 2012 and a member of the Governor's Advisory Board of Economists from 2006 to 2010. He has been one of the principals involved in the Economic Forecasting Project at Old Dominion University since its inception in 1996.

Ms. Tekita R. Bankhead Residence Hall Director and Instructor	\$32,000	6/25/14	12 mos
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Ms. Bankhead received an M.S. in Counselor Education in 2014 from Mississippi State University and a B.S. in Nursing in 2012 from Mississippi University for Women. Since 2012, she has been Residence Director in the Department of Housing and Residence Life at Mississippi State University.

Mr. William E. Brown, III Director of Military Connection Center and Instructor	\$70,000	7/25/14	12 mos
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Mr. Brown received an M.B.A. from Webster University and a Bachelor of Business and Economics from Lafayette College. Since 2012, he served as Multinational Capability Development Team Chief at NATO-Allied Command Transformation in Norfolk. From 2007-2010, Mr. Brown served as Professor of Military Science and Academic Department Chair of Army ROTC at Old Dominion University.

Ms. Mary Casey Second Assistant Women's Soccer Coach and Assistant Instructor	\$40,000	6/10/14	12 mos
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Ms. Casey received a B.S. in Kinesiology in 2009 from the University of Maryland College Park. Since 2013, she has been Assistant Soccer Coach at Maryland United. Previously she was Staff Coach for Chantilly Youth Association and Assistant Women's Soccer Coach at the University of North Carolina Asheville.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Laura J. Helton Edmonson Psychologist and Assistant Professor	\$60,000	6/10/14	12 mos

Dr. Edmonson received a Psy.D. in Clinical Psychology in 2010 from the California School of Professional Psychology, an M.A. in Behavioral Sciences-Psychology in 1996 from the University of Houston/Clear Lake and a B.A. in Psychology in 1992 from Texas Tech University. Since 2012, she has been a Mental Health Clinician II for the City of Virginia Beach Mental Health/Substance Abuse Services.

Mr. Jared W. Hoernig Associate Director of Emergency Management and Assistant Instructor	\$80,000	5/10/14	12 mos
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Mr. Hoernig received a B.A. in Interdisciplinary Studies in 2007 from Virginia Polytechnic Institute and State University. Previously, he was an Emergency Preparedness/Fire Safety Technician for Tidewater Community College, a Light Rail Controller/Dispatcher for Hampton Roads Transit and an Emergency Coordinator/Emergency Management Specialist for the Virginia Tech Office of Emergency Management.

Ms. Theresa Pusateri Director of Women's Basketball Operations and Instructor	\$40,000	6/10/14	12 mos
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Ms. Pusateri received an M.S. in Kinesiology and a B.A. in Communication, in 2007 and 2005 respectively, from Michigan State University. Since 2011, she has been Assistant to the Athletic Program/Coach at Rye High School/Middle School. Prior to that, Ms. Pusateri was Executive Assistant for Nancy Lieberman Enterprises.

Mr. David W. Robichaud Assistant Director of Design and Construction and Instructor	\$100,000	6/1/14	12 mos
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Mr. Robichaud received an M.B.A. in 1997 from Averett College and a B.S. in Industrial Engineering and Management in 1986 from Worcester Polytechnic Institute. Mr. Robichaud, a former member of the design and construction staff at both Old Dominion University and the University of Virginia, has more than 25 years of experience in construction management.

Dr. James M. Shaeffer Dean of the College of Continuing Education and Professional Development and Associate Professor	\$185,000	7/10/14	12 mos
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Dr. Shaeffer received a Ph.D. in Teaching-Learning Processes from Northwestern University, an M.S. in Elementary Education from Kansas State University and a B.S. in Elementary Education from Iowa State University. Since 2005, he has been Associate Vice Provost, Associate Professor and Associate Dean for Outreach Programs at James Madison University.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. John Douglas Streit Director IT Security, Records, and Project Management and Assistant Instructor	\$119,859	5/25/14	12 mos

Mr. Streit received a B.Sc. in General Engineering/Oceanography in 1983 from the United States Naval Academy. Since 2011, he has been the University's Information Security Officer and has been in the Office of Information Technology Services at Old Dominion University serving in various positions since 1997.

Ms. Ana Trepeta Instructional Designer and Instructor	\$65,000	5/25/14	12 mos
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Ms. Trepeta received an M.S.Ed. in Instructional Design and Technology in 2012 from Old Dominion University and a B.A. in English in 1993 from The College of William and Mary. Since 2013, she has been a part-time Instructional Designer in the Center for Learning and Teaching at Old Dominion University.

Mr. Michael W. Ucci Residence Hall Director and Instructor	\$32,000	6/25/14	12 mos
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Mr. Ucci received a Master of Education in Professional Counseling in 2014 from the University of West Georgia and a Bachelor of Arts in Corporate Communication in 2011 from The Pennsylvania State University. Since 2013, he has been a Resident Director at the University of West Georgia.

Ms. Lynn M. Waltz Interim Director, Peninsula Higher Education Center, and Assistant Professor	\$70,000	5/25/14	12 mos
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Ms. Waltz received an M.F.A. in Creative Writing in 2011 from Old Dominion University and a B.A. in English in 1978 from Bethany College. Previously, she was a Visiting Assistant Professor of Communication and Theatre Arts and Assistant Director and Student Success and Outreach Specialist at the Tri-Cities Higher Education Center at Old Dominion University.

Mr. J. Dan Zimmerman Residence Hall Director and Instructor	\$32,000	6/25/14	12 mos
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Mr. Zimmerman received an M.A. in Education for Higher Education in 2011 from Virginia Polytechnic Institute and State University and a B.S. in Computer Science in 2009 from Christopher Newport University. Since 2011, he has been Resident Director in Southern Pines, Eagle Village at Georgia State University.

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## EMERITUS/EMERITA APPOINTMENTS

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

<u>Name and Rank</u>	<u>Effective Date</u>
Virginia S. O'Herron University Librarian Emerita	August 1, 2014
Theodore P. Remley, Jr. Professor Emeritus of Counseling and Human Services	June 1, 2014
Gilbert R. Yochum Professor Emeritus of Economics	July 1, 2014

### VIRGINIA S. O'HERRON

Virginia S. O'Herron received a B.A. in English from Fairleigh Dickinson University, an M.S. in Library Science from Simmons College, and an M.B.A. from The University of Tampa. She joined the University as Assistant University Librarian for Public Services in 1993 and achieved the rank of Librarian IV in 2000. During her 20 years with the University, she also served as Assistant University Librarian for Information Services, Associate University Librarian, and as Acting University Librarian. In 2004, Ms. O'Herron was appointed University Librarian and has served in that capacity for the past ten years.

Over the past 30 years, O'Herron has held leadership positions in the Association of College and Research Libraries and the Library Leadership and Management Association; appointed twice as the chair of the ACRL Standards and Accreditation Committee; served as Chair of the Planning Committee of the ACRL Distance Learning Section; and was elected Chair of the LLAMA Library Organization and Management Section. She has served on the VIVA (Virtual Library of Virginia) Steering Committee, the SCHEV State Council of Higher Education of Virginia Library Advisory Council, and the Virginia Tidewater Consortium (VTC) of Higher Education Library Directors Committee, and is currently an evaluator for the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

During O'Herron's career with Old Dominion University, the University Libraries made significant strides in its evolution as a research library, expanded its research resources, integrated information literacy and library instructional programs into general education and other academic programs, developed Special Collections and University Archives into a local and regional asset, and collaborated with other campus entities ensuring the success of the Learning Commons.

## THEODORE P. REMLEY, JR.

Theodore P. Remley, Jr. received a B.A. in 1965, an M.Ed. and Ed.S. in Counseling in 1971, and a Ph.D. in Counseling in 1980 from the University of Florida. He also received a J.D. in Law from the Catholic University of America in Washington, DC in 1980.

Remley joined Old Dominion as a Professor of Counseling and as the Batten Endowed Chair in Counseling in 2006. He served as Chair of the Counseling and Human Services Department in 2009-2010 and as Graduate Program Director of the Counseling master's and Ph.D. programs in 2006-2009 and 2010-2012. Prior to joining the faculty at Old Dominion University, Remley was a full-time faculty member in counseling for 23 years at George Mason University, Mississippi State University, and the University of New Orleans. He also achieved the rank of Captain in the United States Army and was a school counselor and community college counselor for 12 years. He practiced law for seven years in Alexandria, Virginia.

During his career, Remley graduated numerous counseling Ph.D. students; wrote several books and numerous journal articles; led counseling institutes in Italy, Ireland, Bhutan, and Argentina; and served for four years as the Executive Director of the American Counseling Association. Remley was recognized with the ODU International Education Award in 2013 and was named a Fellow by the American Counseling Association.

## GILBERT R. YOCHUM

Gilbert R. Yochum earned a Ph.D. in Economics in 1974 from West Virginia University. He joined the Old Dominion University faculty in 1975 and was named Dean of the College of Business and Public Administration in 2011 after serving seven months as interim dean. A professor of Economics and University Professor, Yochum served as Chair of the Economics Department for nine years, including a three-year term as chair of the joint Department of Economics and Public Administration. During his 39-year career at ODU, he received numerous awards for excellence in teaching, service, and research. He was Director of the Old Dominion University Economic Forecasting Project from 1995-2011. He participated in and/or chaired numerous University committees, including committees on budget planning, research, executive search, and curriculum development.

Yochum served on the Governor's Advisory Board of Economists for the Commonwealth of Virginia, has been an economic consultant to more than 50 companies and government agencies, and has provided professional testimony before both state and federal government commissions. He is the author or co-author of more than 80 professional journal publications and research monographs. In addition to citations in professional journals, Yochum's work has been cited publicly in more than 130 newspapers, magazines and wire reports throughout the country, including The Wall Street Journal, Forbes, the Dow Jones Newswires, Associated Press and USA Today.

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Committee members received information on one request for leave of absence without compensation and the annual report on committee actions.

In the report from the Office of Research, Interim Vice President Rodger Harvey highlighted recent notable research activities.

### **ADMINISTRATION AND FINANCE COMMITTEE**

The Rector called on Mr. Ainslie for the report of the Administration and Finance Committee. Mr. Ainslie reported that Vice President Fenning and Executive Director for Construction and Procurement Services Rick Berry briefed the Committee on the University's Small, Women, and Minority Owned Business purchases for FY14 in response to the Board-adopted FY14 SWaM Plan. The University is required to develop and implement annually a plan for promoting discretionary spending for goods and services with small, women-owned and minority firms. Mr. Berry reviewed the University's SWaM spending versus the annual SWaM goals for the past several years, noting that the University's "spend" has achieved or exceeded the annual SWaM goals. Vice President Fenning proposed annual goals for the University's FY15 SWaM Plan of 8% for minority-owned firms, 6.5% for women-owned firms, and 33% for small firms, an overall 47.5% goal.

The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was unanimously approved by all members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

### **RESOLUTION TO APPROVE THE UNIVERSITY'S SWAM PROCUREMENT PLAN FOR FISCAL YEAR 2014**

RESOLVED, that upon the recommendation of the Administration and Finance Committee, the Board of Visitors approves the University's proposed SWaM Procurement Plan for Fiscal Year 2015.

### **SWaM Procurement Plan Fiscal Year 2015**

**PURPOSE:** The purpose of the Old Dominion University Small, Women-Owned, and Minority-Owned (SWaM) owned program is to increase opportunities, participation and contract awards for Department of Minority Business Enterprise (DMBE) certified SWaM businesses in order to achieve the Commonwealth of Virginia's SWaM Aspirational Targets. Further, the FY15 SWaM Plan incorporates the Secretary of Administration's supplier diversity memo dated April 20, 2012 as a goal statement for the University.

- I. The University's FY 2013, 2014 and 2015 SWaM aspirational target expenditures for Small, Women-Owned and Minority-Owned businesses as a percentage of projected discretionary expenditures are listed below. These targets include expenditures with both prime contractors and subcontractors.

	MBE	WBE	SBE	TOTAL
<b>FY2013 Aspirational Targets</b>	8%	6.5%	33%	47.5%
<b>FY2013 Actual Expenditures</b>	6.8%	11.6%	35.2%	53.6%
<b>FY2014 Aspirational Targets</b>	8%	6.5%	33 %	47.5%
<b>FY2014 Projected Expenditures*</b>	7.4%	9.1%	34.5%	51.0%
<b>FY2015 Aspirational Targets</b>	8%	6.5%	33%	47.5%

\*FY14 4<sup>th</sup> Quarter has been projected based on expenditures reported for the first half of the 4<sup>th</sup> Quarter.

University SWaM reporting for fiscal year 2013 was as follows:

<b>FY2013 Quarterly Expenditure History - DMBE Certified Vendors</b>								
Qtr	Total Quarterly Expenditures	MBE Expenditures		WBE Expenditures		SBE Expenditures		Total SWaM
	Amount	Amount	%	Amount	%	Amount	%	%
1 <sup>st</sup>	\$16,215,776	\$1,598,364	9.86%	\$946,902	5.84%	\$5,315,571	32.78%	48.48%
2 <sup>nd</sup>	\$9,741,363	\$692,918	7.11%	\$1,052,478	10.80%	\$2,954,495	30.33%	48.25%
3 <sup>rd</sup>	\$8,620,503	\$522,455	6.06%	\$998,080	11.58%	\$3,181,214	36.90%	54.54%
4 <sup>th</sup>	\$16,168,615	\$619,218	3.83%	\$2,908,415	17.99%	\$6,398,255	39.57%	61.39%
<b>FY13</b>	<b>\$50,746,257</b>	<b>\$3,432,955</b>	<b>6.76%</b>	<b>\$5,905,875</b>	<b>11.64%</b>	<b>\$17,849,536</b>	<b>35.17%</b>	<b>53.58%</b>
<b>FY13 ASPIRATIONAL TARGETS</b>		<b>8.00%</b>		<b>6.50%</b>		<b>33.00%</b>		<b>47.50%</b>

University SWaM reporting for fiscal year 2014 was as follows:

<b>FY2014 Quarterly Expenditure History - DMBE Certified Vendors</b>								
Qtr	Total Quarterly Expenditures	MBE Expenditures		WBE Expenditures		SBE Expenditures		Total SWaM
	Amount	Amount	%	Amount	%	Amount	%	%
1 <sup>st</sup>	\$20,811,300	\$1,563,499	7.51%	\$1,537,021	7.39%	\$6,432,298	30.91%	45.81%
2 <sup>nd</sup>	\$14,475,239	\$971,093	6.71%	\$1,675,961	11.58%	\$5,767,072	39.84%	58.13%
3 <sup>rd</sup>	\$12,618,188	\$991,621	7.86%	\$1,370,330	10.86%	\$4,830,347	38.28%	57.00%
4 <sup>th</sup> *	\$15,968,242	\$1,189,675	7.45%	\$1,222,217	7.65%	\$4,995,384	31.28%	46.39%
<b>FY14</b>	<b>\$63,872,969</b>	<b>\$4,715,888</b>	<b>7.38%</b>	<b>\$5,805,529</b>	<b>9.09%</b>	<b>\$22,025,101</b>	<b>34.48%</b>	<b>50.96%</b>
<b>FY14 ASPIRATIONAL TARGETS</b>		<b>8.00%</b>		<b>6.50%</b>		<b>33.00%</b>		<b>47.50%</b>

\*FY14 4<sup>th</sup> Quarter has been projected based on expenditures reported for the first half of the 4<sup>th</sup> Quarter.

## II. Designation of Procurement Champion

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## III. SWaM Procurement Processes and Strategies

### A. Summary of the Purchasing Process

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

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

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

### B. Procurement Process

#### Mandatory Sources

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

#### Contract Procurements

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

#### All Departmental Users:

\$0 - \$5,000 Transactions under \$5,000 may be processed via small purchase procedure (up to \$500 or as otherwise approved by Procurement Services), purchasing charge card (PCard) up to the cardholder's transaction limit, generally not to exceed \$4,999.99, or eVA.

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

>\$5,000-\$50,000 All procurement transactions that exceed \$5,000 shall be submitted to Procurement Services via eVA (eVA users) or paper requisitions (non-eVA users) for appropriate processing, unless otherwise allowed by University policies and procedures.

Procurement Services' Procurement Officers are authorized to use independent judgment, analysis and eVA procurement tools available, and may award to a DMBE certified small business up to \$10,000 where available and when prices are fair and reasonable.

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

\$50,001+ Procurement Services shall utilize eVA's "Virginia Business Opportunities" (VBO) to post all formal solicitations.

Sole Source Sole source procurements shall be reviewed to ensure that only one source is practicably available. Sole source documentation is requested from University Departments, reviewed/approved by the appropriate Buyer up to \$100,000, and the Executive Director of Construction & Procurement Services for purchases over \$100,000. Sole source procurements over \$500,000 require additional approval by the Vice President of Administration and Finance. All sole source procurements that exceed \$50,000 shall be posted on eVA's VBO website. The Procurement Services staff shall make every effort to encourage SWaM participation whenever available.

Emergency Emergency purchases exist when an immediate purchase is required to protect life, safety or property, to prevent substantial economic loss or prevent interruption of services. Emergency requests are generated by University departments, reviewed/approved by the appropriate Procurement Officer up to \$100,000, and the Executive Director of Construction & Procurement Service for purchases over \$100,000. Emergency procurements over \$500,000 require additional approval by the Vice President of Administration and Finance. All emergency

procurements that exceed \$50,000 shall be posted on eVA's VBO website. The Procurement Services staff shall make every effort to encourage SWaM participation whenever available.

Subcontractors

The University has strengthened and revised previous language that requires bidders and offerors to provide their proposed plan of intent to utilize SWaM businesses during the performance of the contract. (See Attachment A) This information may be required with bid/proposal submittals.

The University requires reports from vendors that have been awarded contracts indicating intent to utilize SWaM businesses as subcontractors during the performance of the contract. These reports indicate the amount of spend to SWaM vendors by the appropriate category. Reports are collected by the Department of Procurement Services. The University may deem the vendor to be in breach of contract and may withhold final payment or a part of the retainage should the vendor fail to provide required reports.

IV. SWaM Business Outreach

The University will:

- Actively participate in SWaM Vendor Fair opportunities which may include but is not limited to the following:
  - Annual SWaMFest sponsored by the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP)
  - Virginia Business Opportunities Fair sponsored by the Virginia Minority Supplier Development Council (VMSDC)
  - Grow Sales Seminars sponsored by Department of Business Assistance
  - City of Virginia Beach Minority Business Council Expo
  - Power Breakfast and Profits in Partnerships Luncheons sponsored by VMSDC
- Identify and encourage, SWaM vendors to:
  - register in eVA
  - certify as a SWaM vendor with DMBE
  - meet centralized and decentralized purchasing staff
  - participate in vendor fair opportunities
  - better understand University and Commonwealth procurement laws, policies and procedures
- conduct a SWaM/Procurement training program for all major decentralized buyers to better achieve SWaM aspirational targets.
- work with the University's prime contractors to encourage subcontracting opportunities, partnerships and joint ventures with certified SWaM firms.

- expand efforts with major University contractors to capture Tier III SWaM expenditures.
- communicate and identify supplier diversity opportunities, mentor new vendors, make referrals, capture, and monitor utilization results.
- compare the University's self-certified vendor database with the Commonwealth of Virginia Department of Minority Business Enterprise (DMBE) database and identify self-certified vendors who are not DMBE certified. Send information to these vendors encouraging them to complete the DMBE certification process in an effort to more accurately report the University's spend to DMBE SWaM certified vendors.
- distribute information regarding SWaM certification to the University's term contractors who identified their business as small, woman-owned or minority-owned but are not currently certified through DMBE.
- contact local Chamber of Commerce offices and obtain new business registration information. Provide DMBE certification and eVA registration information to these new businesses.

#### V. Internal Monitoring Mechanisms

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

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

The University will:

- include terms and conditions in all formal solicitations, where appropriate, that will state the University's SWaM aspirational targets, require prime contractors to state their intent to assist in achieving these efforts, and include a mechanism to monitor actual spend to SWaM sub-contractors. (See Attachment A)
- coordinate with other agencies and organizations in an effort to enhance the University's SWaM program.
- collect and analyze prime contractor reports that will capture SWaM sub-contractor information in order to supplement BANNER SWaM spend reports.
- evaluate the size and content of blanket and term contracts prior to solicitation to ensure they are appropriately bundled and that any negative impact on SWaM vendors is considered.

- research alternate sources (U.S. Communities, various municipal contracts, etc.) to identify additional contracts that have been awarded to SWaM vendors which the University is authorized to use.
- utilize BANNER as its primary source of information for SWaM spend reporting. SWaM sub-contractor reports have been developed to capture appropriate data for construction, services, and major goods contracts.
- capture data and report based on
  - Department of Minority Business Enterprise’s certified SWaM vendor list
  - vendor’s W-9 self certification
  - purchasing charge card transactions with DMBE certified SWaM vendors
- The University will collect SWaM vendor spend data and compare to the University’s SWaM aspirational targets and monitor progress quarterly. Major decentralized departments will be made aware of their progress in achieving SWaM aspirational targets and will be counseled in areas where SWaM participation and awards may be increased.

#### VI. Compliance

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

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

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

1. Old Dominion University is committed to the establishment, preservation, strengthening of small businesses, small businesses owned by women and minorities and to encouraging their participation in State procurement activities. Subsequently, the University is committed to achieving its FY2015 aspirational target of forty-seven and one-half percent (47.5%) with firms certified by the Commonwealth’s Department of Minority Business Enterprise (“DMBE”) for combined prime contractor and subcontractor participation and spend. The University requests assistance from all potential prime contractor’s in reaching this goal by specifically meeting or exceeding expenditure targets equal to (i) 8% for MBE spend, (ii) 6.5% for WBE spend, and (iii) 33% for SBE spend.
2. The University’s goal is to reach these targets through Bidder’s/Offeror’s willingness to provide for participation of small businesses, and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses, and plans for involvement on this contract are required. By submitting a response, Bidder/Offeror certifies that all information provided in

- response to this solicitation is true and accurate. Failure to provide the information required by this solicitation may ultimately result in the response being deemed non-responsive, and ultimately rejected.
3. The University also encourages Bidder's/Offeror's to provide for participation of small businesses, and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, or other contractual opportunities. Submission of a report of past efforts to utilize the goods and services of such businesses, and plans for involvement on any resulting contract are required. By submitting a response, Bidder/Offeror certifies that all information provided in response to this solicitation is true and accurate. Failure to provide the information required by this solicitation may ultimately result in response being deemed non-responsive, and ultimately rejected.
  4. While it is the University's intent to enter into an exclusive agreement with one Bidder/Offeror, whenever possible, all potential Bidders/Offerors are encouraged to subcontract any applicable services by partnering with qualified vendors that have also been certified as small, small woman-owned, small minority-owned, businesses through the Commonwealth of Virginia's Department of Minority Business Enterprise (DMBE).
  5. In order for Bidders/Offerors to be given consideration for award of a contract, each Bidder/Offeror shall provide with their response (and/or no later than ten (10) business days after request, but prior to award, such statement(s)) setting forth:
    - A. The good faith SWaM owned business participation efforts which the Bidder/Offeror has undertaken in the past: and
    - B. The good faith SWaM owned businesses participation efforts which the Bidder/Offeror intends to undertake in connection with the performance of this contract; including name of firm, contact name and phone number, total dollar amount to be subcontracted, category type (small, women, or minority owned), type of product/services.
  6. If, in the statement submitted in the response to above sections 4.a and 4.b, the Bidder/Offeror indicates that it has not undertaken any good faith SWaM business participation efforts in the past and/or does not intend to undertake any such efforts in connection with the performance of any resulting contract, the Bidder/Offeror must also submit a statement setting forth the reason why it has not undertaken such efforts in the past and/or does not intend to undertake them in connection with the performance of this contract.
  7. Any Bidder/Offeror that can qualify for certification through DMBE must do so prior to the award of any contract. The qualification information shall be evidenced by that information specified in the Bidder's/Offeror's completed and submitted W-9 form.
  8. Bidder/Offeror shall agree that when proposing subcontractors that **are not** certified through DMBE, it shall become the responsibility of the Bidder/Offeror to ensure those proposed subcontractors become certified through DMBE, when applicable. Failure on the part of the Bidder/Offeror to agree to this responsibility will result in the response being deemed non-responsive and rejected. Prior to the issuance of any



contract and/or purchase order, the successful Bidder/Offeror shall provide support documentation to the University validating the efforts of the Bidder/Offeror to get the proposed subcontractors certified. Should the Bidder/Offeror fail to get certified through DMBE those proposed subcontractors that qualify, Bidder/Offeror may be deemed in “breach”, and the contract and/or purchase order may be cancelled.

9. Regardless of whether or not the Bidder/Offeror is able to qualify for DMBE certification, selected Bidder/Offeror shall also agree to provide reports to the University’s Department of Procurement Services, identifying the subcontractors used during the performance of any subsequent contract, as follows:

A. Goods and Services – Quarterly Reports:

- i. DMBE Certified subcontractors:
  - (a) Firm name;
  - (b) DMBE certification number;
  - (c) DMBE Designation (Small, Woman, Minority);
  - (d) Value of subcontractor’s contract;
  - (e) Amount paid current quarter
  
- ii. Non-DMBE Certified subcontractors – Contracts >\$200,000:
  - (a) Firm name;
  - (b) DMBE certification number;
  - (c) DMBE Designation (Small, Woman, Minority);
  - (d) Value of subcontractor’s contract;
  - (e) Amount paid current quarter

B. Construction:

- i. *DMBE Certified* subcontractors:
  - (a) Firm name;
  - (b) DMBE certification number;
  - (c) DMBE Designation (Small, Woman, Minority);
  - (d) Value of subcontractor’s contract;
  - (e) Value as a percentage (%) of total contract;
  - (g) Amount paid current quarter

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

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

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

- i. For past efforts, this sum total shall be comprised of the record of minority participation over the past two (2) years through employment, retention and promotion: subcontracting or joint ventures in the private sector; or a combination thereof.
  - ii. In connection with the performance of this contract, good faith efforts shall mean those measures which are proposed to allow equitable participation of SWaM subcontractors.
- B. Minority Owned Business Enterprise: a business concern which is at least 51 percent owned by one or more minorities or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more minorities and whose management and daily business operations are controlled by one or more of such individuals.
- C. Minority Individual: "Minority" means a person who is a citizen of the United States or a legal resident alien and who satisfies one or more of the following definitions:
- i. Asian Americans: means all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including but not limited to Japan, China, Vietnam, Samoa, Laos, Cambodia, Taiwan, Northern Marinas, the Philippines, U. S. territory of the Pacific, India, Pakistan, Bangladesh and Sri Lanka and who are regarded as such by the community of which these persons claim to be a part.
  - ii. African Americans: means all persons having origins in any of the original peoples of Africa and who are regarded as such by the community of which these persons claim to be a part.
  - iii. Hispanic Americans: means all persons having origins in any of the Spanish speaking peoples of Mexico, South or Central America, or the Caribbean Islands or other Spanish or Portuguese cultures and who are regarded as such by the community of which these persons claim to be a part.
  - iv. Native Americans: means all persons having origins in any of the original peoples of North America and who are regarded as such by the community of which these persons claim to be a part or who are recognized by a tribal organization.
  - v. Eskimos and Aleuts: means all persons having origins in any of the peoples of Northern Canada, Greenland, Alaska, and Eastern Siberia and who are regarded as such in the community of which these persons claim to be a part.
- D. Small Business Enterprise: an independently owned and operated business which, together with affiliates, has 250 or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous three years.

- E. Woman Owned Business Enterprise: a business concern which is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more women, and whose management and daily business operations are controlled by one or more of such individuals.

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The Committee received a report from Dale Feltes, Director of Design and Construction, on the status of Capital Outlay Projects and an Educational Foundation investment report from Rick Massey, Associate Vice President for Foundations.

### **ELECTION OF NOMINATING COMMITTEE**

The Rector stated that the President suggested that he, Mr. Bernd and Mr. Jacobson (who, as former rectors, are ineligible for office) serve as the Nominating Committee. Dr. Maniscalco-Theberge made a motion that Mr. Whyte, Mr. Bernd and Mr. Jacobson serve as the Nominating Committee. The motion was seconded by Mr. Ainslie and was unanimously approved by all members present and voting. *(Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata)*

### **OLD/UNFINISHED BUSINESS**

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

### **NEW BUSINESS**

Mr. Hillier introduced two resolutions to naming resolution that had previously been discussed and approved by the Institutional Advancement Committee. Upon a motion made by Mr. Hillier and seconded by Ms. Gilmore, the following resolution to name the James A. Hixon Art Studio Building and Annex was approved unanimously by all Board members present and voting. *(Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata)*

### **RESOLUTION TO NAME THE ARTS STUDIO BUILDING AND ANNEX AS THE JAMES A. HIXON ART STUDIO BUILDING AND ANNEX**

WHEREAS, Old Dominion University has been granted authority by the Commonwealth of Virginia to construct new a new arts building and art studio building to house the Old Dominion University Art Department and programs; and

WHEREAS, the “Arts in the Village” project brings many of the arts from across the ODU campus to one location in the University Village, and as part of ODU's master plan, the project creates a dynamic arts community along Monarch Way by centralizing the fine, studio,

and theatre arts, and in such an atmosphere, inspiration, creativity, and collaboration will thrive; and

WHEREAS, the new art studio building will house modern, state-of-the-art offices, classrooms and studio spaces for ceramics, sculpture, welding and forging, metalworking, screen printing, and lithography; and

WHEREAS, James A. Hixon is a former member and rector of the Old Dominion University Board of Visitors, honorary Old Dominion University alumnus, and Old Dominion University parent; and

WHEREAS, James A. Hixon's philanthropy includes numerous contributions to the University and overwhelming support to countless community organizations; and

THEREFORE, BE IT RESOLVED, that the Board of Visitors of Old Dominion University approve the naming of the Art Studio Building and Annex as the James A. Hixon Art Studio Building and Annex, and

BE IT FURTHER RESOLVED, that this Resolution be spread across the minutes of the Board of Visitors and an appropriately framed copy be presented to James A. Hixon and signage be prominently displayed outside of the James A. Hixon Art Studio Building and Annex.

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Upon a motion made by Mr. Hillier and seconded by Ms. Gilmore, the following resolution to name the Strome College of Business and the Strome Entrepreneurial Center was approved unanimously by all Board members present and voting. (*Ainslie, Bernd, Biagas, Cheng, Cofer, Gidley, Gilmore, Hillier, Jacobson, Kilmer, Kornblau, Maniscalco-Theberge, Reidy, Ripley, Swystun, Tata*)

**RESOLUTION TO NAME THE COLLEGE OF BUSINESS AND PUBLIC  
ADMINISTRATION AS THE STROME COLLEGE OF BUSINESS  
AND  
THE ENTREPRENURIAL CENTER AS THE  
STROME ENTREPRENURIAL CENTER**

WHEREAS, the College of Business and Public Administration mission is to prepare students in a global context, both professionally and ethically, for successful careers in business, government, and non-profit sectors; to perform relevant basic, applied and educational research; all for the regional, national and global economic communities; and

WHEREAS, the creation of a university-wide culture of entrepreneurial learning will help students build knowledge, develop innovations and implement their ideas into well-planned businesses; and

WHEREAS, Mark Strome is a 1978 graduate of Old Dominion University, is a former member of the Old Dominion University Educational Foundation and Board of Visitors, and honorary Old Dominion University doctorate recipient; and

WHEREAS, the Strome Family Foundation is run by Mark and Tammy Strome who have been and continue to be generous supporters and leaders in numerous local, and national philanthropic causes, boards, colleges and universities; and

WHEREAS, the Strome's philanthropy includes lead support for the College of Business and Entrepreneurial Program and numerous other contributions to the University and overwhelming support to countless community organizations; and

THEREFORE, BE IT RESOLVED, that the Board of Visitors of Old Dominion University approve the naming of the College of Business and Public Administration as the Strome College of Business and to name the Entrepreneurial Center as the Strome Entrepreneurial Center, and

BE IT FURTHER RESOLVED, that this Resolution be spread across the minutes of the Board of Visitors and an appropriately framed copy be presented to Mark and Tammy Strome and signage be prominently displayed outside of the facility(s).

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With no further business to be discussed, the meeting was adjourned at 1:50 p.m.