

**OLD DOMINION UNIVERSITY
BOARD OF VISITORS
Thursday, 18 June 1998**

MINUTES

The Board of Visitors held its annual meeting on Thursday, 18 June 1998, at 9:00 a.m. in the Board Room of Webb University Center on the main campus. Present from the Board were:

James F. Babcock, Rector
Jo Ann Blair-Davis
Nancy P. Cheng
Joan D. Gifford
Mary C. Haddad
Edward L. Hamm, Jr.
Irvine B. Hill
Barry M. Kornblau
William M. Lechler
Anthony C. Paige
Patricia W. Perry
Lawrie Falck Rollison
Charles H. Rotert, Jr.
William E. Russell
Kenneth A. Samet
Lois S. Williams

Absent was:

Gerald L. Parks

Also present were:

James V. Koch, President
Ann B. Bohannon
Judith M. Bowman
John R. Broderick
Dana D. Burnett
Nancy P. Coberly
Ellie Costulis
Stephanie Crockett
Stephen P. Daniel
William A. Drewry
Jo Ann M. Gora
Karen L. Gould
David F. Harnage
Deane Hennett
Patrick B. Kelly
Donna W. Meeks
Deborah L. Swiecinski

CALL TO ORDER

The Rector called the meeting to order and recognized President Koch, who announced the retirement of Ms. Ann Bohannon and asked her to stand and be recognized by the Board. Ms. Bohannon thanked President for the opportunity to address the Board, credited the current administration, especially President Koch, for making Old Dominion University the premier institution that it is now, and expressed her appreciation to the Board for their support over the years.

After Ms. Bohannon left the room, a motion was made, seconded and unanimously approved that a Resolution of Appreciation from the Board of Visitors be prepared in honor of Ms. Bohannon.

EXECUTIVE SESSION

The Rector recognized Mr. Paige, who made the following motion: “Mr. Rector, I move that this meeting be recessed, and that we reconvene in Executive Session for the purpose of discussing a personnel matter, specifically, the annual evaluation of the President, as permitted by Subsection (A), Paragraph (1) of Section 2.1-344 of the Code of Virginia.”

RECONVENE IN OPEN SESSION AND FOIA CERTIFICATION

At the conclusion of executive session, the meeting reconvened in open session, at which time the Rector called for the Freedom of Information Act certification of compliance that (1) only public business matters lawfully exempted from the open meeting requirements under the Freedom of Information Act were discussed and (2) only such public business matters as were identified in the motion by which the executive session was convened were heard, discussed or considered. The certification of compliance vote was sixteen in favor and none opposed.

BUDGET PRESENTATION

Vice President Harnage presented to the Board the University’s proposed Operational Budget for the fiscal year 1998-99. He began by acknowledging the tremendous efforts of President Koch which resulted in an appropriation by the General Assembly which will allow the University to accomplish some very significant actions during the next fiscal and academic year.

Mr. Harnage then briefly reviewed the actions of the General Assembly which significantly related to Old Dominion University. These included funds for salary increases for faculty, administrators and classified staff, workforce development, instructional technology, the Peninsula Workforce Development Center, operation and maintenance of technology and new facilities on campus, Year 2000 compliance for the University’s information systems, and expansion of the Lambert’s Point Summer Program. On the capital side, the University received funding for maintenance reserve, the Fine Arts Building humidification system, regulatory compliance, heating and air conditioning conversion, and approval for property acquisition in the University Village, the construction of an additional parking structure, and the Constant Hall renovation and addition.

As the actions of the General Assembly are translated into the University's budget, the President sets institutional priorities for expending and allocating those funds. Those priorities for fiscal year 1998-99 include faculty and staff salary increases, expansion of the Honors Program, Library support, student recruitment and retention, decentralization, technology support, and operation and maintenance of new facilities. In the auxiliary area, priorities include salary increases, investment in residential facilities, funding for student organizations, parking, and expansion of TELETECHNET USA.

Mr. Harnage reviewed in detail a table which illustrated the change in the proposed budget from the existing budget, and indicated that the net change in revenue is proposed to be \$20,000,000 in E&G funding. He illustrated how the University's reliance on tuition and fee based revenue has decreased over the years, while the University has enjoyed a significant increase in general fund appropriations from the General Assembly over the last two years.

Revenues and expenditures of both E&G funds and auxiliaries were reviewed in detail and Mr. Harnage illustrated how organizational changes within the University have resulted in some large shifts in funding between vice presidential areas. Finally, Mr. Harnage explained the origin of fund balances and how land acquisition for the University Village will affect the fund balances in the near future.

APPROVAL OF MINUTES OF 9 APRIL 1998 AND ADOPTION OF THE 1998-99 SCHEDULE OF MEETINGS

The Rector asked for approval of the minutes of the regular meeting of the Board of Visitors of 9 April 1998. Upon a motion duly made and seconded, the minutes were unanimously approved as distributed. He then asked for approval of the Board of Visitors and Executive Committee meetings for the 1998-99 academic year, which upon proper motion, was unanimously approved.

BOARD OF VISITORS CALENDAR 1998-1999

BOARD OF VISITORS MEETINGS

Thursday, 17 September 1998
Thursday, 10 December 1998
Thursday, 15 April 1999
Thursday, 17 June 1999 (Annual Meeting)

EXECUTIVE COMMITTEE MEETINGS

(All at 3:00 P.M.)
Monday, 20 July 1998
Monday, 17 August 1998
Monday, 19 October 1998
Monday, 16 November 1998
Monday, 25 January 1999

Monday, 22 February 1999
Monday, 15 March 1999
Monday, 17 May 1999

COMMENCEMENTS

Sunday, 20 December 1998, 1:30 P.M.
Saturday, 8 May 1999, 9:30 A.M.

RESOLUTION REGARDING BOARD OF VISITORS POLICIES

The Board reviewed the Resolution to adopt Board of Visitors policies and to rescind certain policies that are no longer relevant. After a lengthy discussion, Rev. Paige made a motion that the Board approve the Resolution as contained in the agenda with the exception of the section adopting the Board of Visitors Principles, Duties and Responsibilities as policy, which will be further studied by the Board for possible consideration at a later date. The motion was seconded and the following Resolution, as amended, was unanimously approved:

RESOLUTION REGARDING BOARD OF VISITORS POLICIES

WHEREAS, the Board of Visitors, at its meeting of 9 April 1998, unanimously approved the “Board of Visitors Information System (BOVIS)” and requested that a policy statement regarding BOVIS be included as a policy in the Board of Visitors Manual; and

WHEREAS, the Board of Visitors also concurred that Policy 1634: “Investment Resolution Pertaining to Companies Doing Business in South Africa” and Policy 1634A: “Resolution Regarding Divestment of Individual Holdings in Those U.S. Companies Having Direct Investments in South Africa” are no longer relevant and should be rescinded by action of the Board.

THEREFORE, BE IT RESOLVED, that the Board of Visitors adopts Policy 1103: “Board of Visitors Information System (BOVIS).”

BE IT FURTHER RESOLVED, that the Board of Visitors rescinds Policy 1634: “Investment Resolution Pertaining to Companies Doing Business in South Africa” and Policy 1634A: “Resolution Regarding Divestment of Individual Holdings in Those U.S. Companies Having Direct Investments in South Africa.”

NUMBER: 1103

TITLE: Board of Visitors Information System (BOVIS)

APPROVED: June 18, 1998

The Board of Visitors Information System (BOVIS) provides the Board with a set of periodic reports and performance indicators designed to give an overview of the University's major goals and achievements in academic services, faculty and student body demographics, research, economic development activities, facilities development, institutional advancement, and financial management. BOVIS provides both quantitative measures, such as ratios and financial, and narrative reports on activities that cannot be adequately quantified, such as the President's annual report. The information is drawn primarily from the University's own records. However, where available, peer group statistics are included. Also included are indicators of performance requested by the State Council of Higher Education. Presentations of the indicators are designed as much as possible to show trends and comparisons to goals or other benchmarks and standards. In addition to these reports, the President and his staff provide reports on topics of current interest.

BOVIS will be updated as necessary and distributed to the Board of Visitors prior to each of its quarterly meetings.

NUMBER: 1634

TITLE: Investment Resolution Pertaining to
Companies Doing Business in South Africa

APPROVED: December 13, 1985; **Rescinded June 18, 1998**

WHEREAS, the Board of Visitors of Old Dominion University is mindful of its duties to prudently manage the university's funds; and

WHEREAS, the Board of Visitors of Old Dominion University recognizes that such sound management requires serious consideration of many factors and that among these are certain social responsibilities inherent in the administration of a great public trust; and

WHEREAS, the Board of Visitors of Old Dominion University is committed to maintaining the university as a forum for the free expression of ideas and opinions in the firm belief that such uninhibited inquiry ultimately leads to the triumph of trust; and

WHEREAS, the Board of Visitors of Old Dominion University seeks to encourage responsible activity towards constructive change in South Africa and an end to apartheid in that country.

NOW, THEREFORE, BE IT RESOLVED, that with respect to investment selections over which the university has direct control, the university will require that the companies with operations

in South Africa subscribe to the Sullivan Principles or their equivalent. Companies which indicate, either by actions or by their failure to take appropriate actions, that they will not follow such principles will be divested of university funds.

BE IT FURTHER RESOLVED, that because of the volatile situation in South Africa, the university will review this policy periodically and make change as appropriate.

NUMBER: 1634A

TITLE: Resolution Regarding Divestment of Individual Holdings in Those
U.S. Companies Having Direct Investments in South Africa

APPROVED: June 20, 1990: **Rescinded June 18, 1998**

WHEREAS, the Board of Visitors of Old Dominion University in 1985 found the apartheid policy of South Africa to be morally repugnant and adopted a policy restricting investment in companies doing business in South Africa; and

WHEREAS, the Board of Visitors desires to reaffirm its strong opposition to the policy of apartheid in South Africa; and

WHEREAS, the Governor of the Commonwealth of Virginia has issued an executive order concerning the investment of public funds in corporations which have substantive interests in South Africa; and

WHEREAS, the Board of Visitors desires to continue to address this issue responsibly, mindful of its social as well as fiduciary obligations.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Visitors of Old Dominion University, exercising its legal authority and responsibility under Virginia Code Sections 23.81 and 55.268.4, directs the vice president for administrative services to begin to implement a policy of divestment in individual holdings in those United States companies having direct investments in South Africa -- that is, material assets controlled by the home corporation, such as inventories, sales offices, manufacturing operations or employees which are so identified on lists published by the Inventory Responsibility Research Center.

BE IT FURTHER RESOLVED, that the Board periodically will reexamine the divestment issue, following closely any changes and conditions in South Africa that might warrant reinvestment.

BE IT FURTHER RESOLVED, that the pace of divestment shall be determined by the vice president for administrative services consistent with the Board's legal responsibility, as defined in Code Section 55.268.6, to "exercise ordinary business care and prudence . . . and to consider long and short-term needs of the institution in carrying out its educational . . . purposes, its present and anticipated financial requirements, expected total returns on its investment, price level trends, and general economic conditions." The vice president for administrative services is directed to report

regularly to the Finance and Audit Committee and to the full Board on actions taken pursuant to this policy.

RESOLUTION TO ADOPT AN AD HOC COMMITTEE ON PRESIDENTIAL EVALUATION AND COMPENSATION

A motion was made to appoint Ms. Gifford, Mr. Hamm, Mr. Rotert, Dr. Russell and Dr. Williams to serve on the Ad Hoc Committee on Presidential Evaluation and Compensation. The charge of the Committee would be to evaluate the president based on the on consultation with the membership of the Board and to prepare a recommendation for the adjustment of the President’s salary. The motion was seconded and unanimously approved.

PRESIDENT’S REPORT

The Rector called on President Koch for his report. President Koch introduced Ms. Ellie Costulis as his new assistant to replace Ms. Bohannon. He invited the Board members to attend the second of the series “Three Thursdays in June” scheduled for this evening on the Mall and featuring the Virginia Symphony. The third of this very popular series will be held next Thursday evening.

President Koch announced that the Sailing Team, led by Coach Mitch Brindley, won two national titles this year.

President Koch then advised the Board that in place of the scheduled Executive Committee meetings on 20 July and 17 August, he would like to hold a meeting of the Executive Committee during the first week of August in order to hear an in-depth presentation on the University Village and Convocation Center. He urged the entire Board membership to attend and indicated that a date will be scheduled soon.

REPORTS OF STANDING COMMITTEES

ACADEMIC AFFAIRS COMMITTEE

Rector Babcock called on Mr. Hamm for the report of the Academic Affairs Committee. Mr. Hamm reported that the Committee considered one tenure appeal and two appointments with tenure during Executive Session. The Committee voted to uphold the decision of the President with regard to the tenure appeal, and voted to grant tenure to the two individuals being considered. The following resolution, which was brought forth as a recommendation of the Academic Affairs Committee, was unanimously approved:

TENURE RECOMMENDATION

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the award of tenure to the following members of the faculty at Old Dominion University. The tenure would be effective with the Spring 1998 semester.????

College of Arts and Letters

Kathy Pearson, Department of History

College of Sciences

Dr. John R. Donat, Department of Chemistry and Biochemistry

Provost Gora reported on the process to develop the University's strategic plan for 2000-2005. The Strategic Planning Committee has agreed on a vision statement and emphasis for the University, and is now finalizing the initiatives for the plan. She also indicated that approximately 700 students will have summer internships, and a total of over 7,500 students have had internships as a part of the Career Advantage Program since 1995. The University is projecting a headcount enrollment of 9,900 for the 1998 summer session. Last year 57% of the full-time faculty also taught in summer school.

Faculty are participating in several summer workshops focusing on general education interdisciplinary course clusters, teaching with technology, and teaching across borders sponsored by the Department of Education to internationalize courses for the new General Education program. Finally Provost Gora noted that the University has initiated nine information technology certificate programs for degreed and non-degreed students. These certificates prepare students for the vast number of information technology jobs available in the state, and also award credit towards an Old Dominion University degree. The University projects that this program will produce 350 information technology workers per year.

The committee received information regarding six requests for leaves of absence without compensation, a report on promotions in academic rank for the 1998-99 academic year, and the annual report on Committee's actions for 1997-98. The following resolutions, which were brought forth as recommendations of the Academic Affairs Committee, were unanimously approved:

FACULTY APPOINTMENTS

RESOLVED, that upon the recommendation of the Academic Affairs 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. Collin G. Brooke Assistant Professor of English (Tenure Track)	\$38,000	7/25/98	10 mos

Dr. Brooke received a Ph.D. in Humanities in 1997 from the University of Texas at Arlington and a B.A. in English in 1990 from Carleton College. He also completed 40 graduate hours in English from Miami University (Ohio). Since the fall of 1997, he has been a Visiting Instructor/Assistant Professor in the Department of English in the College of Arts and Letters at Old Dominion University.

Dr. Maria Luisa A. Carino Visiting Associate Professor of Filipino/Filipino-American Studies	\$36,000	7/25/98	10 mos
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Dr. Carino received a Ph.D. in English/Creative Writing in 1995 from the University of Illinois at Chicago, an M.A. in Literature in 1988 from Ateneo de Manila University and a B.A. in Humanities in 1980 from the University of the Philippines College Baguio. Prior to coming to Old Dominion she taught in the English Department at the University of Illinois at Chicago and the De La Salle University Graduate School Program in Literature and Creative Writing in Manila, Philippines. Dr. Carino has received numerous awards and citations.

Ms. Mary Ann Clark Instructor of Educational Leadership and Counseling (Tenure Track)	\$40,000	7/25/98	10 mos
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Ms. Clark is currently a Ph.D. candidate in School Counseling and Guidance at the University of Florida. She received an Ed.S. in School Counseling and Guidance in 1995 from the University of Florida, an M.Ed. in Guidance and Counseling in 1971 from the University of North Carolina and a B.A. in Psychology in 1970 from Wake Forest University. Her rank will be that of Assistant Professor and the salary will be \$43,000 if all requirements for the Ph.D. degree are completed by December 31, 1998.

Ms. Elizabeth T. Cole Instructor of Accounting (Tenure Track)	\$68,000	7/25/98	10 mos
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Ms. Cole is a Ph.D. candidate in Business Administration with a major in accounting at Kent State University. She received a Master of Accountancy in Financial Accounting in 1992 from Virginia Polytechnic Institute and State University and a Bachelor of Business Administration in Accounting in 1990 from Marymount University. She is a Certified Public Accountant. Since 1993 she has been employed as a Teaching Fellow and a University Fellow in the Department of Accounting at Kent State University. Her rank will be that of Assistant Professor if all requirements for the Ph.D. degree are completed by September 1, 1998.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Mr. Joseph P. Cosco Instructor of English (Tenure Track)	\$36,500	7/25/98	10 mos

Mr. Cosco is a Ph.D. candidate in American Studies at the College of William and Mary. He received an M.A. in English in 1974 from Columbia University and an A.B. in English in 1971 from Dartmouth College. Since the fall of 1997, he has been a Visiting Assistant Professor in the Department of English in the College of Arts and Letters at Old Dominion University. His rank will be that of Assistant Professor and the salary will be \$37,500 if all requirements for the Ph.D. degree are completed by August 15, 1998.

Ms. Charlene E. Fleener Instructor of Educational Curriculum and Instruction (Tenure Track)	\$41,500	7/25/98	10 mos
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Ms. Fleener is a doctoral candidate in Supervision, Curriculum and Instruction/Elementary Education at Texas A&M University - Commerce. She received an M.S. and a B.S. in Elementary Education, in 1981 and 1978 respectively, from the University of Houston - Clear Lake. Since 1995, she has been employed as an instructor at Texas A&M University. Her rank will be that of Assistant Professor if all requirements for the Ed.D. degree are completed by August 1, 1998.

Mr. William John Forbes Hunter Instructor of Chemistry and Biochemistry (Tenure Track)	\$42,000	7/25/98	10 mos
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Mr. Hunter is a Ph.D. candidate in Chemical Education at Purdue University. He received an M.A. in Curriculum Studies in 1994 from Dalhousie University, a B.Ed. in Science and Social Science in 1989 from Dalhousie University and a B.Sc. in Chemistry in 1988 from Mount Allison University. His rank will be that of Assistant Professor if all requirements for the Ph.D. degree are completed by June 30, 1998.

Dr. Kevin H. Johannesson Assistant Professor of Ocean, Earth & Atmospheric Sciences (Tenure Track)	\$45,000	7/25/98	10 mos
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Dr. Johannesson received a Ph.D. in Hydrology/Hydrogeology in 1993 from the University of Nevada, an M.S. in Geology and Geophysics in 1988 from Boston College and a B.S. in Geology in 1985 from the University of New Hampshire. He previously held the position of Research Hydrogeochemist and Research Chemist with the Harry Reid Center for Environmental Studies at the University of Nevada, Las Vegas.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. Jill C. Jurgens Assistant Professor of Educational Leadership and Counseling (Tenure Track)	\$41,000	7/25/98	10 mos

Dr. Jurgens received an Ed.D. in Counselor Education and Supervision in 1996 from the University of Cincinnati, an M.A. in Community Counseling in 1993 from the University of Cincinnati and a B.S. in Mental Health/Human Services in 1990 from Northern Kentucky University. Since 1996 she has been employed at the University of Cincinnati as an Assistant Director for the Career Development Center.

Dr. Paul J. Kauffmann Assistant Professor of Engineering Management (Tenure Track)	\$52,500	7/25/98	10 mos
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Dr. Kauffmann received a Ph.D. in Industrial Engineering in 1997 from The Pennsylvania State University and a Master of Engineering in Mechanical Engineering and a B.S. in Electrical Engineering, in 1976 and 1971 respectively, from Virginia Polytechnic Institute and State University. Prior to coming to Old Dominion University he was an Associate Professor in the School of Business at Christian Brothers University.

Dr. Guang-Lea Lee Assistant Professor of Educational Curriculum and Instruction (Tenure Track)	\$41,500	7/25/98	10 mos
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Dr. Lee received a Ph.D. in Early Childhood Education in 1993 from the University of Minnesota, an M.S. in Early Childhood Education in 1990 from Chicago State University and a B.H.E. in Home Economics in 1988 from the University of Suwon, Korea. Prior to coming to Old Dominion University Dr. Lee was an Assistant Professor in Elementary and Secondary Education at Murray State University.

Dr. Mark D. Lee Assistant Professor of Psychology (Tenure Track)	\$45,000	7/25/98	10 mos
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Dr. Lee received a Ph.D. and M.S. in Engineering Psychology, in 1996 and 1991 respectively, from The Georgia Institute of Technology and a B.A. in Psychology in 1988 from Montclair State University. He is currently employed as a Human Factors Consultant Engineer for NCR Retail Systems Group.

<u>Name and Rank</u>	<u>Salary</u>	<u>Effective Date</u>	<u>Term</u>
Dr. John R. Lombard Research Professor, College of Business and Public Administration	\$100,000	7/25/98	12 mos

Dr. Lombard received a Ph.D. in Economic Geography and an M.A. in Geography and International Business, in 1990 and 1985 respectively, from the State University of New York at Buffalo and a B.S. in 1982 from the University of Miami. Prior to coming to Old Dominion University he was the Vice President for Business Development for the Connecticut Economic Resource Center. (Salary will be \$8,333 for the period 5/25/98-6/24/98.)

Dr. David E. Loomis Visiting Assistant Professor of Philosophy and Religious Studies	\$35,000	7/25/98	10 mos
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Dr. Loomis received a Ph.D. in Philosophy in 1979 from the University of Notre Dame and a B.A. in Philosophy in 1964 from St. Mary's College of California. He has previously been an Adjunct Assistant Professor in the Department of Philosophy and Religious Studies at Old Dominion University.

Dr. Cynthia E. Marker Assistant Professor of Foreign Languages and Literatures (Tenure Track)	\$41,000	7/25/98	10 mos
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Dr. Marker received a Ph.D. in Romance Languages and Literatures and an M.A. in French Literature in 1996 and 1992 respectively from the University of Michigan and a B.A. in French Language and Literature in 1989 from Northwestern University. For the 1997-98 academic year, Dr. Marker was employed as a Visiting Assistant Professor of French at Hamilton College.

Ms. Jill S. Detty Oswaks Lecturer of Nursing	\$17,800	3/25/98	3 mos
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Ms. Oswaks received a B.S.N. in 1997 from Old Dominion University. Since 1997, she has been employed as an Adjunct Lecturer of Nursing at Old Dominion University.

Dr. Dale R. Russell Assistant Professor of Educational Leadership and Counseling (Tenure Track)	\$42,000	7/25/98	10 mos
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Dr. Russell received an Ed.D. in Counseling Psychology in 1995 from the University of San Francisco, an M.S.W. in 1986 from California State University and a B.A. in Criminal Justice and Psychology in 1978 from the University of Wisconsin. Since 1996, he has been employed as an Assistant Professor of Guidance and Counseling at the University of Great Falls.

Dr. David D. Selover Assistant Professor of Economics (Tenure Track)	\$54,000	7/25/98	10 mos
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Dr. Selover received a Ph.D. and an M.A. in Economics, in 1991 and 1986 respectively, from the University of California. He also received an M.A. in Economics in 1982 and a B.A. in Political Science in 1979 from San Diego State University. Since 1990, he has been employed as an Assistant Professor of Economics at Wesleyan University.

Ms. Tracey Thornton Instructor of English	\$27,000	7/25/98	10 mos
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Ms. Thornton received her M.A. and B.A. in English, in 1998 and 1996 respectively, from Old Dominion University. Since 1997, she has been employed as a Graduate Teaching Assistant in the Department of English at Old Dominion University.

Dr. Regina A. West Assistant Professor of Foreign Languages and Literatures (Tenure Track)	\$36,500	7/25/98	10 mos
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Dr. West received a Ph.D. in Hispanic Languages and Literatures in 1997 from the University of California-Berkeley, an M.A. in Spanish Linguistics and Literature in 1989 from the University of Iowa and a B.A. in Journalism and Spanish in 1987 from the University of Iowa. For the 1997-98 academic year, she was employed as a Visiting Assistant Professor at Gustavus Adolphus College.

Dr. Xiaohong Nancy Xu Assistant Professor of Chemistry and Biochemistry (Tenure Track)	\$42,000	7/25/98	10 mos
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Dr. Xu received a Ph.D. in Analytical Chemistry in 1992 from the University of Mississippi and an M.S. in Electrochemistry and a B.S. in Physical Chemistry, in 1989 and 1985 respectively, from Xiamen University, China. She is currently employed as a Postdoctoral Research Associate in the Ames Lab/US-DOE at Iowa State University.

Dr. Chen Zhu Assistant Professor of Ocean, Earth and Atmospheric Sciences (Tenure Track)	\$45,000	7/25/98	10 mos
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Dr. Zhu received a Ph.D. in Aqueous Geochemistry in 1992 from the Johns Hopkins University, an M.Sc. in Economic Geology in 1987 from the University of Toronto and a B.S. in Geology in 1982 from Chengdu Institute of Technology. He is currently employed as a Senior Geochemist at HSI GeoTrans, Inc.

APPOINTMENT OF ASSISTANT DIRECTOR OF ADMISSIONS
FOR TRANSFER AND MILITARY ACTIVITIES

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Ms. Kerry E. Beers as Assistant Director of Admissions for Transfer and Military Activities effective April 10, 1998.

Ms. Beers received an M.S.Ed. in Educational Administration in 1995 from Old Dominion University and a B.S. in Liberal Studies in 1988 from West Chester University. Since coming to Old Dominion University in November of 1992, Ms. Beers has held the position of Records Coordinator in the Office of the Registrar and in October 1994 became the Transfer Coordinator/Military Specialist in the Office of Admissions.

Salary: \$36,000 for 12 months
Rank: Assistant Director of Admissions for Transfer and Military Activities
 and Instructor

APPOINTMENT OF ASSISTANT DIRECTOR OF ADMISSIONS
FOR RECRUITMENT AND SPECIAL EVENTS

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Ms. Kym Buster-Williams as Assistant Director of Admissions for Recruitment and Special Events effective April 10, 1998.

Ms. Buster-Williams received a B.A. in English in 1995 from Old Dominion University. She is currently pursuing an M.S.Ed. in Educational Administration from Old Dominion University. Prior to joining Old Dominion, she held the position of Senior Admissions Officer at Johnson and Wales University.

Salary: \$35,000 for 12 months
Rank: Assistant Director of Admissions for Recruitment and Special Events
 and Assistant Instructor

APPOINTMENT OF ASSISTANT TO THE PRESIDENT

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Ms. E. (Ellie) L. Costulis as Assistant to the President effective June 25, 1998.

Ms. Costulis received a B.A. in French from Old Dominion University in 1979, graduating Magna Cum Laude. She has been employed with Old Dominion University for eighteen years. She began her career at the University in the Department of Human Resources and is currently serving as Administrative Staff Assistant to the Vice President for Administration and Finance.

Salary: \$58,000 for 12 months
Rank: Assistant to the President and Assistant Instructor

APPOINTMENT OF THE EXECUTIVE ASSISTANT TO THE ASSOCIATE VICE
PRESIDENT FOR TELETECHNET AND EXTENDED EDUCATION

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Mr. Franklin T. Dunn as Executive Assistant to the Associate Vice President for TELETECHNET and Extended Education effective April 13, 1998.

Mr. Dunn is currently a Ph.D. candidate in Urban Services at Old Dominion University. He holds two Master's degrees, one in International Relations from Salve Regina University, and the second in National Security and Strategic Studies from the Naval War College, Newport, RI. He also holds a B.A. in Political Science from the University of Kansas. Mr. Dunn has been with Old Dominion University since July 1995, after completing his naval career as a Navy Captain.

Salary: \$45,000 for 12 months
Rank: Executive Assistant to the Associate Vice President for Teletechnet
and Extended Education and Instructor

APPOINTMENT OF NORTHERN VIRGINIA ADMISSIONS REPRESENTATIVE

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Ms. Amy L. Hackett as Northern Virginia Admissions Representative effective May 10, 1998.

Ms. Hackett received a B.A. in Communication Studies in 1994 from Virginia Polytechnic Institute and State University. Since 1996, she has been employed as an Admissions Counselor at Old Dominion University.

Salary: \$26,000 for 12 months
Rank: Northern Virginia Admissions Representative

APPOINTMENT OF DIRECTOR,
PENINSULA HIGHER EDUCATION CENTER

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Ms. Alice McAdory as Director of the Peninsula Higher Education Center effective May 10, 1998.

Ms. McAdory received an M.S. in Clinical Psychology and Counseling in 1985 from Valdosta State University, a B.A. in German in 1983 from the University of Maryland and is currently enrolled in the Ph.D in Educational Policy and Leadership Program with a concentration in Higher Education Administration at the College of William and Mary. Since July 1997, she has been the Acting Director of the Peninsula Higher Education Center.

Salary: \$55,000 for 12 months
Rank: Director, Peninsula Higher Education Center and Instructor

APPOINTMENT OF DIRECTOR OF COMMUNICATION AND NETWORK SERVICES

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the appointment of Mr. James R. Waterfield as Director of Communication and Network Services in the Office of Computing and Communications Services effective March 25, 1998.

Mr. Waterfield received a B.S. in Computer Science in 1984 from Old Dominion University. He has been employed at Old Dominion University since June 1986 in various positions within the Office of Computing and Communications Services.

Salary: \$71,000 for 12 months
Rank: Director of Communication and Network Services and Assistant Instructor
Office of Computing and Communications Services

ADMINISTRATIVE TITLE CHANGE

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the following title change, effective June 25, 1998, which reflects changes in assignment, role, and scope of responsibilities.

Catherine S. Austin From University Controller to Assistant Vice President for Administrative Services/Controller

EMERITUS APPOINTMENT

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the granting of the title of emeritus to the following faculty member upon his retirement from the University. A summary of the faculty member's accomplishments follows.

Name and Rank

Effective Date

Usman A. Qureshi
Professor Emeritus of Economics

July 1, 1998

USMAN A. QURESHI

Usman A. Qureshi joined the Old Dominion University Economics faculty in 1969 after receiving his Ph.D. from the University of Houston. During the course of his 28 years as an Economics professor specializing in International Economics, he served as director of the Center for Economic Education and as chair of the Economics Department. As director of the Center for Economic Education he presented Old Dominion University to the local business community in a professional and scholarly way and for many years insured the success of the Annual Economic Forecast Luncheon. Professor Qureshi served on a large array of department, college and University committees and, while serving on these committees, was always a dignified and considerate presence in the midst of solving both simple and difficult problems. Most important of his contributions, however, has been the sometimes arduous, sometimes elating, but always challenging day-to-day business of educating his students. Over his career he has educated thousands of students in the subject of Economics. As a friend to some, and a scholar to all, his students carry with them the ideas he has carefully nurtured in their minds.

APPROVAL OF THE POLICY ON FACULTY PERFORMANCE PERIOD

RESOLVED, that upon the recommendation of the Academic Affairs Committee, the Board of Visitors approves the Policy on Faculty Performance Period.

Rationale: The current policy is brief and was not originally submitted to the Board for approval. However, because the inclusion of alternative contractual periods for faculty in the policy is a substantial change, we are requesting Board approval. The new policy language establishes the guidelines for appointing faculty for alternative contractual periods consisting of two semesters or their equivalent. Thus, faculty could be appointed for the fall semester and the summer sessions rather than the traditional appointment of fall and spring semesters.

FACULTY PERFORMANCE PERIOD

Unless otherwise noted on the contract, full-time and research faculty appointments are made for a period of one academic year. ~~Faculty are expected to be on duty from the first faculty meeting of the academic year through spring commencement.~~ **In the most common case, when faculty are appointed for the fall and spring semesters, they are expected to be on duty from the first faculty meeting of the academic year through spring commencement,** except for holidays noted in the university academic calendar; this period is approximately nine months. **In general, whatever their period of appointment, faculty are expected to be on duty during the entirety of the semesters or**

terms for which they are appointed, including opening faculty meetings, final examinations, and commencement ceremonies.

However, full-time teaching and research faculty also may be appointed for “alternative” contractual periods that consist of two semesters or their equivalent. Rather than the traditional academic year consisting of the fall and spring semester, this alternative period may be comprised of only one of those semesters plus duties during summer sessions equivalent to a single semester. The following provisions apply in such cases:

- ▶ No tenured or tenure-track full time faculty member may be appointed to an alternative contractual period more than one year in every four without his/her consent. A minimum of six months advance notice shall be provided to a faculty member selected for an alternative contractual period. The date of the new alternative contract will be used to determine notification requirements.
- ▶ Faculty appointed to an alternative contractual period will receive the same salary as they would have received had they been appointed to regular fall and spring semester sessions.
- ▶ Faculty appointed to an alternative contractual period will be regarded as regular, full-time faculty for all personnel and fiscal purposes including accrued seniority, years served toward tenure, health coverage, retirement, and other fringe benefits.
- ▶ Full-time faculty who have an alternative contract are eligible to work during an “off-term” time period and earn extra compensation as set forth in the Faculty Handbook section entitled “Extra Compensation in ‘Off-Term’ Sessions”. For example, a faculty member who is appointed for the fall semester and the summer sessions will be eligible for employment (including research employment) during the spring semester, but the faculty member’s salary rate neither may exceed the weekly equivalent (1/39th) of the normal academic year salary of the individual, nor may the total in the “off-term” exceed (13/39=1/3) of the normal academic year salary. The salaries of full-time faculty members during the “off-term” period are calculated according to a step-by-rank schedule available from the Office of the Provost and Vice President for Academic Affairs.

Mr. Hamm reported that Dr. Jean Major, University Librarian, presented information on how the library is responding to its challenges and in making journal literature available to users in light of a 11-15% increase in journal costs.

ADMINISTRATION AND FINANCE COMMITTEE

Rector Babcock called on Mr. Lechler for the report of the Administration and Finance Committee. Mr. Lechler reported that the Committee considered the University’s proposed 1998-99 operating budget and plan. The following resolution, which was brought forth as

a recommendation of the Administration and Finance Committee, was unanimously approved:

RESOLUTION APPROVING 1998-99 OPERATING PLAN

RESOLVED, that upon the recommendation of the President and the Administration and Finance committee, the Board of Visitors approves the proposed expenditure plan as displayed below and as contained in TABLE 2 of the University's 1998-99 Operating Budget Plan.

TABLE 2
UNIVERSITY EXPENDITURE SUMMARY
(in thousands)

<u>Expenditure Categories</u>	Budget 1997-98	Proposed 1998-99
<u>Expenditures and Transfers</u>		
Educational Programs		
Instruction	\$ 70,303	\$ 74,600
Research & Sponsored Programs	1,937	1,864
Public Service	638	893
Academic Support	18,539	20,863
Student Services	6,493	6,618
Institutional Support	15,891	21,691
Operations & Maintenance of Plant	8,307	8,744
Scholarships & Fellowships	60,019	67,246
Transfers		
Debt Transfer (Mandatory)	0	0
Non-Mandatory	<u>(1,858)</u>	<u>(2,244)</u>
Total Educational Programs	\$180,269	\$200,275
<u>Auxiliary Enterprises</u>		
Expenditure	17,072	17,377
Transfers		
Debt Service (Mandatory)	3,781	4,302
Non-Mandatory	<u>3,398</u>	<u>3,351</u>
Total Auxiliary Enterprises	<u>\$24,251</u>	<u>\$25,030</u>
Total Expenditures & Transfers	<u>\$204,520</u>	<u>\$225,305</u>
Summary of University Revenues, Expenditures and Transfers		
Revenues	\$208,056	\$229,238
Expenditures and Transfers	<u>204,520</u>	<u>\$225,305</u>
Contributions to/(Use of) Fund Balance	\$3,536	\$3,933

Mr. Lechler reported that Vice President Harnage announced that Old Dominion University received decentralization authority from the Commonwealth of Virginia Department of Accounts effective July 1, 1998 for non-payroll disbursements. This delegation of authority means that the University can locally disburse Commonwealth funds for general accounts payable transactions. On January 1, 1999, the University will receive decentralized authority for all payroll transactions. Mr. Harnage explained the significance of these actions and the confidence the Commonwealth's central offices have in the University's ability to conduct its business.

Mr. Harnage reported on land acquisition activities associated with the University Village. The University is beginning to accumulate the required documents such as real estate appraisals, environmental studies, physical surveys, and title searches for submission to the Bureau of Real Property Management for approval. It is anticipated that by July 1 the first acquisition offer will be made. He added that the City of Norfolk's approved 98-99 budget included a \$3 million allocation, the first installment of their \$15 million commitment to infrastructure improvements for the Hampton Boulevard Redevelopment Plan. He advised the Committee that Mrs. Joan Nusbaum donated apartments located at 49th and Kellam and a few other pieces of property along Colley Avenue to the Old Dominion University Real Estate Foundation, which are appraised at \$890,000.

Mr. Harnage provided an update on the Convocation Center planning process. He reported that the Convocation Center Advisory Committee has been examining the programmatic design for the Center and hopes to bring this to the Board for its review and comment by the fall semester.

The Committee received a presentation from Mr. Dave Slovik, urban planner and designer, who reported on the design guidelines for the University Village. The focus of his presentation was primarily on streetscape guidelines. The Committee was pleased to see that the Village was beginning to take shape and become a reality, and looks forward to future updates.

The Committee concluded its regular agenda with a review of the standing reports, including the annual report. It reconvened in executive session for the purpose of reviewing certain departments of the university. Following executive session, the committee reconvened in open session and approved the 1998-99 audit plan.

INSTITUTIONAL ADVANCEMENT COMMITTEE

The Rector called on Mr. Hill for the report of the Institutional Advancement Committee. Mr. Hill reported that Steven Winter, president of the Alumni Association, reviewed alumni activities for the past year. His remarks focused on the partnerships that have been forged across campus. He also introduced Mr. Thomas W. Sweeney of Lynchburg, incoming president of the Alumni Association, effective July 1.

Vice President John Broderick shared several national media highlights recorded by the University, including a national public radio piece on the University's virtual graduation ceremony, Bill Cosby's graduation address as aired on C-Span, and a faculty member's participation on a nationwide NPR call-in show that focused on fraternities and sororities. Mr. Broderick also highlighted some of the notable achievements in institutional advancement during the academic year, including a 15% increase in student applications; initiation of *Quest* magazine and the University's *Style Manual*, the successful coordination of more than 125 events; and alumni participation in volunteer projects.

Ms. Nancy Coberly, Capital Campaign Director, reported that the Campaign has raised \$34,426,488, which is 72% of the overall goal of \$47,850,000. The campaign is still active in Hampton Roads, Chicago, Atlanta and Richmond. She reported on events and campaign activities, and provided an update on the Annual Fund, including challenges and strategies for the coming year.

Jim Shultz, *Quest* magazine editor, and Victoria Burke, Director of University Publications, briefed the committee on the publication's first year as well what could be expected in future issues.

Michael O'Connor, Director of Admissions, and Dick Whalen, Director of Military Activities, presented information on the Office of Admissions and military affairs partnerships to recruit students. Their presentation included a brief history of military involvement at Old Dominion University, the number of military students and dependents, an update on the military distance learning adventures, and the status of ROTC programs.

Karen Travis, Associate Director of University Events, provided an overview of "An Evening With Bill Cosby." The presentation illustrated the teamwork required to organize a high-profile event of this caliber and highlighted the changes needed to facilities, such as the Field House, in order to do such a large audio/visual event.

Chuck Thomas, University Photographer, demonstrated ways the institution presents itself through photographs. Mr. Thomas contributed eight photos that attracted visibility for the University in 1997-98.

STUDENT AFFAIRS COMMITTEE

Mr. Babcock called on Charles Rotert for the report of the Student Affairs Committee. Mr. Rotert reported that the Committee considered proposed changes to the Student Disciplinary Policies and Procedures. If approved, these changes will define responsibilities for a vice chair for the Student Conduct Committee, embellish the University's definition of plagiarism, expand the jurisdiction of this policy to include student organizations, add an option to mediate disputes between students, and clarify the appeals function of the Student Conduct Committee.

The following resolution, which was brought forth as a recommendation of the Student Affairs Committee, was unanimously approved:

REVISION TO BOARD OF VISITORS POLICY 1530:
STUDENT DISCIPLINARY POLICIES AND PROCEDURES

RESOLVED, that upon the recommendation of the Student Affairs Committee, the Board of Visitors approves revisions to the Student Disciplinary Policies and Procedures as shown below.

NUMBER: 1530

TITLE: Student Disciplinary Policies and Procedures

APPROVED: August 27, 1970; Revised April 5, 1979; Revised April 6, 1984;
Revised February 14, 1985; Revised February 12, 1987;
Revised December 8, 1994; Revised June 20, 1996, Revised June 1998

I. Preamble

Students are expected and required to assume the responsibility for their own behavior and to abide by the laws of the Commonwealth of Virginia and the rules and regulations of Old Dominion University. A student who violates the following general standards of conduct may be subject to administrative actions (as defined in Section III-G), or to one or more disciplinary sanctions (as defined in section VI), whether or not civil authorities choose to prosecute.

II. Authority

Old Dominion University is governed by its Board of Visitors and supported by the Commonwealth of Virginia. The Board is specifically authorized to regulate student conduct by state statute.

III. Definitions

As used in this document, the following terms shall have the meanings ascribed to them as follows:

- A. Vice President for Student Services: The University official who has primary responsibility for the administration of all student discipline. He/she serves as the appeals officer for cases which have been heard by the Student Conduct Committee. The vice president may delegate all or part of this responsibility to such other persons as he/she deems appropriate;
- B. Code of Student Conduct: The statement of rules and regulations governing student conduct as established by the Board of Visitors and contained in Section IV herein;

- C. Chair: The head of the Student Conduct Committee and presiding officer at Student Conduct Committee hearings; **The Vice Chair shall assume the duties of Chair, when the Chair is unavailable.**
- D. Student: A person who (1) has been admitted to or **has** enrolled at the University, and (2) has not completed a program of study for which she/he was enrolled ~~at the time of the violation at the University.~~ Student status continues whether or not the University's academic programs are in session.
- E. The Student Conduct Committee: A faculty/student judicial body authorized to hear and adjudicate alleged violations of the Code of Student Conduct.
- F. Plagiarism: A student will have committed plagiarism if he or she reproduces someone else's work without acknowledging its source; **or if a source is cited which the student has not cited or used. Examples of plagiarism includes: submitting a research paper obtained from a commercial research service; the Internet, or from another student as if it were original work;** making simple changes to borrowed materials while leaving the organization, content, or phraseology intact; **or copying material from a source, supplying proper documentation, but leaving out quotation marks.** Plagiarism also occurs in a group project if one or more of the members of the group does none of the group's work and participates in none of the group's activities, but attempts to take credit for the work of the group.
- G. Administrative Action: The issuance of an oral or written warning, admonition, reprimand, and/or use of counseling procedures.
- H. University Hearing Officer: The University official or officials assigned by the Vice President for Student Services to conduct disciplinary proceedings and administrative action.
- I. Disciplinary Proceedings: Those proceedings initiated by a notice of charges and governed by the provisions of Section VII. The term Disciplinary Proceedings does not include Administrative Action.
- J. Honor Council: A student organization which educates members of the academic community about the University's standards of academic integrity. The Council also monitors student adherence to these standards, and provides panel members to serve on the Student Conduct Committee.

IV. Code of Student Conduct

University students shall conduct themselves in a manner compatible with the University's educational mission and shall be disciplined only for misconduct adversely affecting that mission. Specifically, students are subject to disciplinary action for the following:

- A. Academic dishonesty, including but not limited to plagiarism and all forms of academic cheating, and failure to report known violations of the honor pledge;
- B. Forgery, alteration, or misuse of University **or other official** documents, records, or identification;
- C. Knowingly furnishing false information to the University;
- D. Obstruction or disruption of University operations;
- E. Obstruction or disruption of University-authorized activities;
- F. Physical or violent verbal abuse of any person on property owned or controlled by the University, or at functions sponsored or supervised by the University;
- G. Conduct that threatens or endangers the health or safety of any person, including oneself, on property owned or controlled by the University or at functions sponsored or supervised by the University;
- H. Theft of or damage to University property;
- I. Theft of or intentional damage to private property on premises owned or controlled by the University;
- J. Unauthorized entry of University facilities or property;
- K. Unauthorized **access**, use or misuse of University property including, but not limited to: attempting to leave the library with library materials which have not been properly borrowed; unauthorized use or misuse of computer equipment, computer accounts, computer software and hardware; or misuse of University telephones;
- L. Violation of University regulations or campus policies approved by either the Board of Visitors or the president and described in official University publications;
- M. Use or possession of **alcohol**, marijuana, narcotics, or ~~dangerous~~ **illicit** drugs (except as expressly permitted by law **or University regulations**) on property owned or controlled by the University;
- N. The sale or distribution of marijuana, narcotics, or dangerous drugs (except as expressly permitted by law) on property owned or controlled by the University or at functions sponsored or supervised by the University;
- O. Violation of University housing policies;

- P. Lewd, indecent, or obscene conduct on property owned or controlled by the University or at functions sponsored or supervised by the University **or University-related organizations**;
- Q. Drunken or disorderly behavior on property owned or controlled by the University or at functions sponsored or supervised by the University **or University-related organizations**;
- R. Intimidating behavior directed toward any student, faculty member, staff member, or administrator;
- S. Failure to comply with the directions of a University official acting in the performance of his or her duties;
- T. Violation of the University's firearms policy;
- U. Circulating a report or warning that property under University control or supervision may be subject to a bombing, fire, crime, emergency, or other catastrophe, knowing that the report or warning is false;
- V. **Tampering with safety equipment or the illegal inappropriate** use or possession of ~~(or the tampering with)~~ safety equipment on property owned or controlled by the University;
- W. Giving false testimony or evidence at any official University hearing **or to any university official**;
- X. Conduct deemed unlawful by the criminal statutes of the Commonwealth of Virginia or the United States of America and conduct that endangers or threatens the security of the University community;
- Y. Violations of the conditions of a sanction imposed through University disciplinary procedures;
- Z. Violation of the University's sexual assault policy;
- AA. The unreasonable use of complimentary materials and/or supplies provided for the benefit or consumption of the University community;
- AB. Retaliation.

Any student who conspires to commit, or who participates in an action that results in a violation of the Code of Student Conduct, shall be bound by the acts of every person participating in such an action and shall be disciplined accordingly.

V. Violations of Residence Hall Rules and Regulations

It is recognized that living in groups requires a certain amount of tolerance and conformity by all concerned. Rules controlling conduct within housing owned or controlled by the University are promulgated by the Office of Residence Life to enhance the freedom and comfort of everyone living in the residence halls. These rules, along with procedures for their enforcement and applicable sanctions, are published in the Residence Hall Handbook available from the Office of Residence Life.

The Old Dominion University Code of Student Conduct and disciplinary procedures apply to all students, including those who live in the residence halls. Alleged violations of the Code by residence hall students will be forwarded to the vice president for student services or his/her designee.

VI. Sanctions

A student who violates the Code of Student Conduct may be subject to the following sanctions:

A. Restitution

Restitution may include payment for damage to University property or facilities, payment for damage to the property or person of a member of the University community, and repayment of misappropriated or misused University funds.

B. Disciplinary Probation

Disciplinary probation for a period of fixed duration during which the fitness of a student to continue at the University is evaluated. Disciplinary probation serves as a warning to the student that future violations of the Code of Student Conduct may result in more serious sanctions including suspension or dismissal. Disciplinary probation may include mandatory conditions such as the following by way of illustration:

- * Exclusion from privileged or extracurricular activities at the University;
- * Suspension of residence privileges in property owned or controlled by the University;
- * Mandatory participation in classes, and/or other lawful activities deemed appropriate, as a means of rehabilitating the student found in violation of the Code of Student Conduct.

In cases where misconduct is the result of abuse of alcohol or other drugs, mandatory alcohol or drug education may be a required condition of the probation.

C. Disciplinary Suspension

Disciplinary suspension is the temporary separation of a student from the University.

D. Disciplinary Dismissal

Disciplinary dismissal is the permanent separation of a student from the University.

E. Summary Disciplinary Dismissal

Summary disciplinary dismissal is the immediate separation of a student from the University and is authorized by the Vice President or a designated representative when the continued presence of the student at the University constitutes a danger to the health, safety, or welfare of the University community. At the time a student is summarily dismissed, the student shall be informed of his or her right to a hearing in accordance with the procedures contained in section VII below. Such hearing shall be held without undue delay and the student shall remain dismissed until the hearing determines the student's status.

Sanctions of suspension, dismissal and any sanction resulting from an act of academic dishonesty will be recorded on the student's official University transcript. Other sanctions will be recorded in the student's discipline file, which will be retained by the hearing officer for a period of ~~ten~~ five years. **With the exception of cases of academic dishonesty, records of disciplinary probation will be retained for one year after the conclusion of the probationary period.**

VII. Disciplinary Procedures

A. Administrative Action Proceedings

Administrative action proceedings are informal investigations conducted by a University Hearing Officer for alleged violations of University regulations by a student or a student organization. Administrative action may be taken by the hearing officer without instituting disciplinary proceedings, and such action shall be final and not subject to further hearing or appeal. A disciplinary penalty may not be imposed without first instituting disciplinary proceedings pursuant to Section VII-C.

B. Academic Dishonesty Procedures

1. Faculty members should clearly identify course specific standards which interpret University, college, and departmental policies related to academic integrity. These explanations should appear in the course syllabus and in all other explanations of course requirements. Faculty should require the inclusion of the honor pledge on all academic work submitted for grading.

2. Faculty members who discover evidence of academic dishonesty will arrange to meet with the student(s) suspected of the alleged infraction as soon as possible. Prior to this meeting the faculty member may choose to consult with the Vice President for Student Services or the University Hearing Officer.
3. If the student(s) acknowledge(s) the act of academic dishonesty, and the faculty member is satisfied that the incident can be effectively resolved with a grade sanction:
 - a. The faculty member will assign either an F in the course, or an F for the assignment or exam during which the cheating occurred; and
 - b. A written summary of the incident will be forwarded by the faculty member to the University Hearing Officer.
 - c. The hearing officer will contact the student to arrange a conference to review the Standards of Conduct related to academic dishonesty.
 - d. If the student is currently in good disciplinary standing, the student will be placed on disciplinary probation for one calendar year.
 - e. If the student is not in good disciplinary standing, or if the student has previously acknowledged an act of academic dishonesty and received a grade sanction as a result, disciplinary proceedings will be instituted in accordance with section VII C to determine the appropriate disciplinary sanction. Such sanction may include suspension or dismissal from the University.
 - f. All official disciplinary sanctions, including grade sanctions, which are assigned to a student as a result of an act of academic dishonesty, will be recorded on the student's official University transcript.
4. If the student denies the allegation of academic dishonesty, or if the faculty member believes the severity of the incident may warrant a sanction more severe than disciplinary probation:
 - a. The faculty member will forward a written summary of the incident to the University Hearing Officer. The summary must contain copies of all evidence including the names of any known witnesses to the alleged act of academic dishonesty.
 - b. The University Hearing Officer will institute Disciplinary Proceedings in accordance with section VII C.
 - c. No grade penalty should be assigned by the instructor until the case is finally resolved, including the processes of hearing the student's appeal, if any. If the charges cannot be resolved prior to the end of semester, a grade of "I" should be assigned by the instructor.
 - d. The faculty member will be notified of the final outcome in order that the appropriate grade may be assigned.

5. Students may file a grade appeal if a grade penalty for alleged academic dishonesty violation occurs without proper adherence to the above procedures.

C. Institution of Disciplinary Proceedings

Disciplinary charges brought against a student or a recognized student organization shall be adjudicated in the following manner:

1. ~~Upon written notice of an alleged violation of the Code of Student Conduct~~ Disciplinary proceedings shall be instituted by a University hearing officer by the issuance of notice of charges. ~~The written notice of complaint may be initiated by faculty, staff, students or through a campus police summons.~~
2. The notice of charges (and all other written notices ~~given to a student against whom disciplinary proceedings are initiated~~) shall be delivered by the method deemed most effective by the hearing officer to the student's ~~or organization's~~ address as it then appears on the official records of the University. ~~If the address is not current, other reasonable attempts will be made to deliver the notice.~~ The notice shall ~~include~~ inform the student of the portion of the Code of Student Conduct allegedly violated; ~~inform the student of~~ the reported circumstances of the alleged violation; and request the student ~~or organizational representative~~ to appear at a specified time, date and place for a hearing. ~~Failure of the student to have a current address on record with the University shall not invalidate the notice.~~ A copy of these regulations shall accompany each notice of charges. A copy of the notice of charges may be sent to the parent or guardian of ~~the~~ a student if the student is dependent as defined in Section 152 of the Internal Revenue Code of 1954.
3. If the notice of charges requests ~~an student to appear~~ ~~ance at~~ for a hearing, and if ~~a the~~ student fails or refuses to appear, the University hearing officer may, after such investigation that is deemed sufficient: dismiss the charges; take administrative action; or impose a disciplinary penalty. ~~Requests for continuance must be timely and made by the student in writing to the hearing officer, who may reschedule the hearing if the request is timely and for good cause.~~ If the hearing officer takes administrative action, the accused student ~~or organization~~ shall be notified in writing of such action and such action shall not be subject to further hearing or appeal. If the hearing officer imposes a disciplinary sanction, the student ~~or organization representative~~ shall be notified in writing of such action. ~~and the student may appeal such action to the Vice President for Student Services. Appeals to disciplinary sanctions imposed at a hearing held in the absence of the accused student or organizational representative shall follow the procedures outlined in Section VII.C.6 of these regulations.~~
4. When an accused student ~~or organizational representative~~ appears in response to the notice of charges, the hearing officer shall ~~advise the student of~~ review

the facts ~~of concerning~~ the alleged violations, and of the names of witnesses then known to the hearing officer. The student **or organizational representative** shall be advised that no response is required and that any statement made shall become a part of the official evidence of the case. The **accused student** may advise the hearing officer of any witnesses or evidence supporting the student's position. The hearing officer shall also advise the **accused student** that if any new evidence is discovered during an investigation subsequent to the hearing, it will be shared with the accused. The **student accused** will have an opportunity to respond to the evidence.

5. After the hearing with the student **or organizational representative** and such further investigation as the hearing officer deems necessary, the hearing officer shall proceed as follows: 1) If the hearing officer determines that the alleged violation is not supported by the evidence, the charges shall be dismissed and the accused student so notified. 2) If the hearing officer is satisfied that the violation occurred as alleged, but that no disciplinary sanction should be imposed, the hearing officer may levy administrative action and notify the student accordingly. 3) If the hearing officer is satisfied that the violation occurred as alleged and that a disciplinary penalty should be imposed, the hearing officer shall so notify the accused student **or organizational representative**, describing the sanction which the hearing officer will impose.
6. The accused ~~student~~ may accept the decision and sanction(s) proposed by the hearing officer and waive her/his right to any further hearing or appeal. Or, the accused ~~student~~ may reject the decision of the hearing officer and request an appeal hearing before the Student Conduct Committee as provided for in VII-D.

The ~~An~~ accused student **or organization** appealing the decision of the Hearing Officer should file a notice of appeal to **the Student Conduct Committee via** the Office of the Vice President for Student Services. Such an appeal must be physically received in the Vice President's office within seven business days (from the date of the letter containing the findings in the case.) The appeal must include the specific grounds for the appeal and must be personally signed by the student **or an organizational officer**. The notice of appeal shall contain, at a minimum, a statement of grounds for appeal and a summary statement of the facts supporting such grounds. Grounds for appealing ~~shall be based upon the following~~ **may include:**

- a. A claim that the decision was not made in accordance with prescribed procedures and identifying the procedures which were not followed;
- b. A claim that the sanction(s) imposed was (were) inappropriate or overly harsh;
- c. A claim that the decision was clearly erroneous;

- d. New evidence, not available in a previous hearing, which could exonerate the accused student.

7. Rules of Procedure in Hearings:

- a. In cases involving more than one student, the Hearing Officer may consolidate the cases for hearing, but shall make separate recommendations for each accused student.
- b. The accused student may have an adviser of the student's choice present during the hearing. Generally, the adviser shall be present for consultation purposes only and shall not be permitted to speak on the student's behalf. However, an adviser may be permitted to address the committee at the discretion of the Hearing Officer. If an accused student elects to be represented by a third party adviser,

the accused must provide a signed letter designating that person as their official representative before the university can communicate otherwise privileged information to the adviser.

- c. Rules of common courtesy and decency shall be observed.
- d. The questioning of any person appearing before the Hearing Officer by any individual participating in a hearing shall not be in a badgering, unduly repetitious, or irrelevant manner. It shall be at the discretion of the Hearing Officer to curtail a participant's further opportunity for questioning if such behavior occurs.
- e. Any person may be dismissed from the hearing who interferes with or obstructs the hearing or who fails to abide by the rulings of the Hearing Officer.
- f. The Hearing Officer shall have the right to call additional witnesses, require the presentation of additional evidence, and require additional investigation.
- g. A taped or stenographic record of a hearing shall be maintained. The notice, exhibits, taped or stenographic record shall become the record of the case and shall be filed in the Office of the Vice President for Student Services. This hearing record shall be retained for a period of no more than five years.

D. The Student Conduct Committee

The Student Conduct Committee is the appellate body within the University disciplinary system. It shall hear all appeals of disciplinary sanctions imposed by a hearing officer. It shall consist of: twelve faculty members appointed by the Vice President from a list of nominees submitted by the Faculty Senate; or from a list of faculty who have previously served; twelve students appointed by the Vice President from a list of nominees submitted by the Student Senate or from a list of students who have previously served; and a chair from the faculty appointed by the Vice President. Student nominees should consist primarily of members of the Honor Council. The term of office for these positions shall be one year and shall be renewable.

In order to provide for the prompt consideration and disposition of all cases, appeal hearings shall be conducted according to the following procedures:

1. The ~~hearing officer~~ Vice President shall initiate a Student Conduct Committee appeal hearing by notifying the chair of the need for a hearing and advising him or her of a proposed hearing date. Upon receiving such notice, the chair shall designate three faculty members plus one alternate and three student members plus one alternate of the Student Conduct Committee to serve with the chair on a hearing panel. Five of the six appointed panel members constitute a quorum for a hearing. The chair will preside, but will not vote, except in the event of a tie. Notwithstanding the foregoing, the

Committee shall not consist of more than three faculty and three students plus the Chair.

2. The ~~hearing officer~~ Vice President shall provide written notice to the student who filed the appeal including the date, time, and place of the hearing. This written notice will also contain a statement of the grounds for appeal to be considered by the Committee, the names of witnesses the hearing officer will call to the hearing, and a statement of procedural protection afforded the student as described in section VII.D.108. This notice shall be delivered, by the most effective means available as determined by the ~~hearing officer~~ Vice President, to the student's address currently on record with the University. If the student's address is not current, other reasonable attempts will be made to deliver the notice. Failure of the student to have a current address on record with the University shall not invalidate the notice. The notice shall be given (e.g. mailed or delivered) at least seven consecutive days before the hearing date, unless the hearing officer, for good cause, shall fix a shorter time. If a student who has been properly notified fails to appear for the hearing at the scheduled date, time, and place, the hearing panel may hear the evidence and make its findings in the student's absence.
3. A continuance of the hearing date may be requested by either the accused student or the hearing officer. Such requests must be timely and made in writing to the chair, who shall have the authority to reschedule the hearing if the request is timely and for good cause. Usually, only one such continuance is granted to each of the parties. If a continuance is granted, the chair shall notify both the student and the Student Conduct Committee of the new date for the hearing.
4. The format for the hearing shall be as follows: The chair shall call the hearing to order, call the roll of the panel in attendance, note the presence or absence of the student appealing the decision, read the notice of hearing, verify the notice of charges given to the student, report any continuances granted, establish the presence of any adviser for the student, call to the attention of the student any special or unusual procedures to be used during the hearing, and permit the student to state the grounds for the appeal. Only evidence or witnesses that the Chair deems relevant to the stated grounds for appeal will be heard.

The appeal hearing shall be limited to testimony and evidence related to the grounds for appeal as stated by the accused student. The hearing officer will brief the panel on the charges and nature of the case, introducing any evidence and witnesses relevant to the appeal. After the hearing officer has introduced and questioned a witness, the witness may then be questioned by the panel members and the accused student, respectively. The accused student shall then have the opportunity to introduce any evidence and witnesses relevant to the grounds for appeal. After the accused student has

questioned such a witness, the witness may then be questioned by the panel members and the hearing officer. At the conclusion of the presentation of evidence, the hearing officer and the accused student shall have the opportunity to make summary statements **pertaining to the appeal. The Chair shall rule on the relevance of evidence and testimony, if necessary.**

5. At the conclusion of the summary statements, the hearing panel shall recess the hearing and meet in executive session (out of the presence of all parties to the hearing) to determine its findings. ~~Separate findings shall be made on the guilt of the student, the sanction(s) to be imposed, and the effective date of such sanction(s)~~ **The panel shall either recommend upholding the findings of the Hearing Officer or recommend that the decision of the Hearing Officer be overturned. If the panel recommends that the Hearing Officer's decision be overturned, the panel shall recommend either a different finding and/or sanction to the Vice President.** There shall be no findings ~~of guilt to uphold~~ unless ~~four~~ **a majority of** members of the hearing panel agree that a preponderance of the evidence presented supports the ~~charge(s) against the student~~ **decision of the Hearing Officer.** Any sanction(s) imposed shall be determined by a simple majority vote of the hearing panel. All hearing panel members are expected to cast a vote. **The Chair shall not be entitled to vote, except in the case of a tie vote.**

6. Upon making its decision, the Student Conduct Committee shall so advise the Vice President of Student Services in writing within 5 business days after the date of the appeal hearing. The Vice President will review the student's appeal and determine if the student has presented sufficient evidence for the appeal. ~~If the Vice President decides that sufficient grounds have not been presented, he/she will advise the accused student of this fact, and the decision of the University Hearing Officer will become final.~~ **the recommendations of the Student Conduct Committee.**

The Vice President shall examine the record of the case and any additional evidence provided. The Vice President may interview witnesses to the case, or engage in whatever investigation he/she deems appropriate to fully hear the student's appeal. The Vice President shall consider the recommendations of the Student Conduct Committee and may accept or reverse the finding by reducing or increasing the sanctions imposed by the Hearing Officer.

~~If the Vice President concludes that sufficient grounds have been stated, he/she shall examine the record of the case and any additional evidence provided by the student. The Vice President may interview witnesses to the case, or engage in whatever investigation he/she deems appropriate to fully hear the student's appeal.~~

Within seven working days after receiving the **decision recommendation** of the Student Conduct Committee, the Vice President will advise the accused student of his/her decision concerning the final disposition of the case.

The decision of the Vice President is final.

79. Rules of Procedure in **Appeal** Hearings:

- a. In cases involving more than one student, the Vice President for Student Services may consolidate the cases for hearing, but the committee shall make separate recommendations for each accused student.
- b. The appealing student may have an adviser of the student's choice present during the hearing. Generally, the adviser shall be present for consultation purposes only and shall not be permitted to speak on the student's behalf. However, an adviser may be permitted to address the committee at the discretion of the chair. **If an accused student elects to be represented by a third party adviser, the accused must provide a signed letter designating that person as their official representative before the university can communicate to the adviser otherwise privileged information.**
- c. Rules of common courtesy and decency shall be observed.
- d. The questioning of any person appearing before the hearing panel by any individual participating in a hearing shall not be in a badgering, unduly repetitious, or irrelevant manner. It shall be at the discretion of the chair to curtail a participant's further opportunity for questioning if such behavior occurs.
- e. Any person may be dismissed from the hearing who interferes with or obstructs the hearing or who fails to abide by the rulings of the chair.
- f. The Hearing Officer (at a hearing before the Hearing Officer) or the chair (at Student Conduct Committee hearings) shall have the right to call additional witnesses, require the presentation of additional evidence, and require additional investigation.
- g. A taped or stenographic record of a hearing shall be maintained. The notice, exhibits, taped or stenographic record, and vote of the panel shall become the record of the case and shall be filed in the Office of the Vice President for Student Services. This hearing record shall be retained for a period of ten years.

810. The accused is entitled:

- a. To be present at the hearing and hear all testimony presented. If a student, who has been properly notified, fails to appear at the scheduled date, time, and place for the hearing, the panel may hear the case and make its findings in the student's absence;

- b. To examine, prior to the hearing, evidence to be presented at the hearing, to the extent that it is available;
- c. To be provided, prior to the hearing, with the names of witnesses whom the university hearing officer has asked to appear at the hearing;
- d. To question witnesses in accordance with the rules;
- e. To present evidence in accordance with the rules;
- f. To remain silent during the hearing;
- g. To a closed hearing, unless an open hearing is requested by the student and such request is made in writing to the Vice President within forty-eight hours of the hearing time.

E. Additional Procedures in Cases of Sexual Assault

1. The vice president for student services shall schedule special training for the Student Conduct Committee and the hearing officer(s) once each semester covering the University's policies governing sexual assault, and the special needs of the accuser and the accused in these cases.
2. Upon notification of an alleged violation, the accused shall not initiate any contact, directly or indirectly, with the accuser. Retaliation against the accuser or against any witness involved in the case by the accused or others acting on behalf of the accused shall be considered violation of the Code of Student Conduct.
3. During a hearing, no evidence may be presented which pertains to the past sexual history of the accuser or of any witness.
4. During a hearing, unrelated past sexual history of the accused may not be entered as evidence nor discussed in the hearing.
5. The accused and accuser will be notified in writing of the outcome of Disciplinary Proceedings, any sanctions imposed and of the final action taken by the Vice President on any appeal.
6. In cases where a sanction of disciplinary suspension or dismissal is imposed, a notation of the sanction will be recorded on the student's official University transcript.
7. The accuser shall have the right to have an accompanying advisor throughout a hearing.
8. The accuser shall be informed of all witnesses to be called, to the extent known, during a hearing.
9. A hearing involving charges of sexual assault shall be closed.

10. All proceedings in cases involving sexual assault will be treated confidentially, to the extent provided by law, and the identities of any involved party will not be disclosed to anyone not directly involved with the University's disciplinary process.

F. Mediation Option

Students seeking to file charges against another student that have arisen out of personal or group conflict may choose the mediation option instead of formal disciplinary proceedings. All parties to the conflict must agree in writing to have their dispute mediated.

The University Hearing Officer may assist the student in determining if the concern should be mediated or handled through the student judicial system.

Mediation is confidential and mediation agreements will be binding. Violation of such agreements may be referred to the student judicial process. The University Hearing Officer using trained, mediators will schedule mediation sessions.

The Student Affairs Committee met with the yearbook staff, received a copy of *The Laureate* and learned how the yearbook is produced. The Committee also met and congratulated the members of the University Sailing Team, who recently captured the two national championships.

REPORT OF THE NOMINATING COMMITTEE

Rector Babcock called on Dr. Russell for the report of the Nominating Committee. Dr. Russell reported that the Nominating Committee, comprised of himself, Ms. Perry, Mr. Parks, recommend the following slate of officers for the 1998-2000 term:

RECTOR	Mr. Charles H. Rotert, Jr.
VICE RECTOR	Mr. Edward L. Hamm, Jr.
SECRETARY	Ms. Lawrie Falck Rollison

Mr. Babcock asked if there were any other nominations from the floor for Rector. Dr. Williams nominated Ms. Joan Gifford, whereupon Ms. Gifford expressed her support of Mr. Rotert's nomination and withdrew her name from consideration. Mr. Babcock asked for a vote by a show of hands. Mr. Rotert was elected by unanimous vote for Rector.

Mr. Babcock then asked if there were any other nominations from the floor for Vice Rector. Hearing none, he called for a vote by a show of hands and Mr. Hamm was unanimously elected as Vice Rector.

Finally, Mr. Babcock asked if there were any other nominations from the floor for Secretary. Hearing none, he called for a vote by a show of hands and Ms. Rollison was unanimously elected as Secretary.

Following elections, Mr. Lechler voiced his concern about the elections process and suggested that elections not take place until the new board members are appointed. Mr. Babcock indicated that the Ad Hoc Bylaws Committee, and indeed the entire Board, has had thorough discussions about this issue. The issue revolves around the timing of the Governor's appointments to the Board, which sometimes do not occur until late summer, and the need for the Board to be functional in the interim. If an elected officer is **not** reappointed by the Governor, the Bylaws include procedures for filling the particular vacancy at a subsequent meeting.

CALL FOR NEW BUSINESS

President Koch expressed his appreciation to those board members whose terms of service expire at the end of June - Mr. Babcock, Ms. Blair-Davis, Mr. Parks, Mr. Hill and Mr. Rotert. Mr. Babcock thanked the Board for their support, and particularly his fellow officers Ms. Gifford and Rev. Paige. He then called on Mr. Rotert for a report on the Council of Visitors meeting he recently attended.

Mr. Rotert stated that the State Council of Higher Education sponsored this informational meeting to see if there was enough interest in reconstituting the Council of Visitors. The general consensus of the group was that it would be helpful to have a Council of Visitors, but that it should be an information sharing group and not a policy-making board. Each Board would appoint its own representative, but all board members would be welcome to attend meeting. The group decided to distributed a questionnaire to all board members to determine the level of interest, what the Council should do and how it would go about doing it. Dr. Williams, who also attended, commented that she was impressed with the interest expressed in educating new board members and keeping all board members apprised of current issues.

Mr. Babcock asked Mr. Rotert to comment on the Board of Visitors Principles, Duties and Responsibilities document. Mr. Rotert recommended that each board member review the document in detail and provide him with their comments, and perhaps a committee would be formed at a later date to discuss these issues.

Dr. Russell, on behalf of the Board, expressed his appreciation and well wishes to Mr. Babcock in his new endeavors.

With no further business, the meeting was adjourned.