

FINAL – APPROVED BY COMMITTEE 2/23/09

**OLD DOMINION UNIVERSITY
Board of Visitors Executive Committee Meeting
Tuesday, November 18, 2008**

MINUTES

The Executive Committee of the Board of Visitors met on Tuesday, November 18, 2008, at 12:00 Noon in the Board Room of Webb University Center on the Norfolk campus. Present from the Executive Committee were:

Ross A. Mugler, Rector
Linda L. Forehand
Harold W. Gehman, Jr.
Moody E. Stallings, Jr.

Absent from the Committee: Kendra M. Croshaw
Conrad M. Hall
Pamela C. Kirk
Katherine Treherne

Also present from the Board Marc Jacobson

Also present: John R. Broderick, Acting President
Denise Batts (*The Virginian-Pilot*)
Alonzo Brandon
Robert L. Fenning
Glenda Humphreys
Patrick B. Kelly
Donna W. Meeks
Geneva Walker-Johnson
Carol Simpson

CALL TO ORDER AND APPROVAL OF MINUTES

The Rector called the meeting to order at 12:10 p.m. and asked for approval of the minutes of the Executive Committee meeting held on October 20, 2008. Upon a motion made by Adm. Gehman and properly seconded, the minutes were approved unanimously by all members present and voting (*Forehand, Gehman, Stallings*).

RECTOR'S REPORT

The Rector announced that a Board member has resigned from the Board and he has been told that the Secretary of the Commonwealth that the Governor will be appointing a new member soon.

ACTING PRESIDENT'S REPORT

Acting President Broderick began his report to the Committee with a quote from Senator Mary Margaret Whipple that appeared in *The Washington Post* saying that ODU is “a real up and coming college providing a great education to both full-time and part-time students with a particular emphasis on distance learning.” He reported on the Enrollment Management initiative, focusing on the Military and Transfer Committees.

In the areas of branding and marketing, the President shared the various methods the University uses to communicate with students and showed a 30-second ad that is being shown at movie theaters and during the men’s and women’s basketball games. The Rector asked if there are any plans to advertise with TCC. President Broderick responded that he and Provost Simpson are currently discussing this with their counterparts at TCC.

The President reported on countries visited by ODU’s international recruiters during the fall semester and described the new “Last Lecture Series” sponsored by Student Affairs, which offers interested faculty the opportunity to provide a lecture on any topic of their choosing. Efforts to build community partnerships continue with the formulation of an Off-Campus Advisory Committee, whose goal is to create more positive, collaborative and enduring relationships with neighbors in the surrounding communities. He thanked Dr. Walker-Johnson and Chief Burwell for their leadership roles in this initiative.

President Broderick noted that ODU joined with George Mason, VCU, VMI and Radford in submitting a request for Level II authority. The University also submitted two new required academic measures to SCHEV for review and approval.

The President highlighted notable achievements of two faculty members and reported that the Quality of University Life Survey for teaching and research faculty is currently underway. Human Resources also implemented the Administrative and Professional Faculty Pay Practices Guidelines on November 1st.

In the area of research, the U.S. Department of Education has become ODU’s second largest source of grant dollars at \$6.7 million, ahead of NASA (\$5.2 million) and the National Science Foundation (\$4.4 million).

President Broderick noted recent and upcoming events at the University, including the Veteran’s Day Celebration which featured ODU alum Lt. Jason Redman as guest speaker and attracted over 450 attendees, a CNN Heroes segment that was filmed on campus featuring Carolyn LeCroy (who works very closely with ODU’s Criminal Justice program) and will be televised on Thanksgiving day, visits by Governors Kaine and Warner and Congressman-elect Glenn Nye, and Commencement ceremonies on on December 13 featuring speakers Governor Kaine and syndicated columnist Kathleen Parker.

At the conclusion of his report, the President noted his receipt of the Distinguished Service Award from the College Communicators Association of Virginia and the District of Columbia.

Vice President Fenning followed with a report on budget reductions. He distributed a handout noting, by vice presidential area, the cuts taken in order to meet the University’s 5% goal, or \$5.5

million. He noted that 80% of the cuts were in personnel, with 40 of the 58 full-time positions currently vacant. Non-personnel services accounted for less than \$1 million of the reduction. These cuts will result in an adjustment of service levels. For the 18 filled positions that are being abolished, the University will implement the Commonwealth's defined layoff policy.

Additional budget reductions are anticipated when the Governor releases his budget on December 17. These reductions, which are estimated in the range of 10%, would become effective on July 1, leaving six months to begin taking steps to meet the reduction targets. President Broderick commented that he and the vice presidents will look at things with a mission-critical eye since across-the-board cuts are not feasible. They will also explore ways of growing our own resources to address both immediate and future reductions from the state.

The importance of the Board's decision regarding tuition & fee increases was discussed. The Rector commented that he anticipates the largest tuition increases in over twenty years at most of the colleges and universities, which underscores the need for careful planning and strategic decisions. The economy's impact on fundraising was also discussed.

Vice President Fenning indicated that legislation requires that the Board adopt the institution's budget reduction plans, so this will be included on the agenda for the December meeting.

INSTITUTIONAL REVIEW

The Rector reported that there had been consensus among board members that an institutional review be conducted before restarting the presidential search. He noted that the last Fisher report had been sent to each Board member. Working with the administration, a two-phase format for the review has been proposed. The first would involve interviews with external constituents, to be conducted before the end of the calendar year and reported at the January retreat. The second phase would involve interviews with internal constituents during the months of January and February, with the report issued by March 1 and reviewed by the Executive Committee in March and the full Board at the April meeting. An RFP will be issued and responses will be received in order for the Board to vote on the consultant at the December meeting.

Ms. Stallings asked about the cost of such a review, and it was reported by Bob Fenning that it could range from a minimum of \$30,000 to \$40,000 to a maximum of \$75,000 to \$80,000.

MOTION FOR CLOSED SESSION

The Rector recognized Ms. Forehand, who made the following motion: "Mr. Rector, I move that this meeting be recessed, and, as permitted by Virginia Code Sections 2.2-3711(A) (7) and (10), we reconvene in closed session for the purpose of consultation with legal counsel regarding potential litigation, specifically, a vendor of services to the University, and consideration of two nominees for honorary degrees." The motion was seconded and approved unanimously by all members present and voting (*Forehand, Gehman, Stallings*).

RECONVENE IN OPEN SESSION AND FOIA CERTIFICATION

At the conclusion of the closed 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 closed session was convened were heard, discussed or considered. The certification of compliance vote was three in favor and none opposed (*Forehand, Gehman, Stallings*).

HONORARY DEGREE RESOLUTION

Upon a motion made by Ms. Forehand and seconded by Mr. Stallings, the following resolution was approved unanimously by all members present and voting (*Forehand, Gehman, Stallings*).

HONORARY DEGREES

RESOLVED, that the Executive Committee of the Board of Visitors approves the awarding of honorary degrees to the individuals noted below. A biography for each nominee and an article on "Desegregating Norfolk's Schools" by James R. Sweeney, Associate Professor of History, are on file in the Board of Visitors Office.

1. Delores Johnson Brown, member of the Norfolk 17
Doctor of Humane Letters (*honoris causa*)
2. Patricia Turner, member of the Norfolk 17
Doctor of Humane Letters (*honoris causa*)

The Rector stated that the Committee discussed a legal item with General Counsel during closed session and will follow the advice of Counsel.

OLD/UNFINISHED BUSINESS

Mr. Jacobson said he would not be able to attend the December Board meeting but wanted to voice his concerns with the proposed Bylaws revision that would allow voting privileges to all members who attend meetings of the Executive Committee. He also suggested that the Board may want to consider changing the notification for policy changes from 45 to 30 days, versus the 15 proposed. The Rector said that he would relay Mr. Jacobson's concerns to Mr. Ampy, who is the chair of the Bylaws Revisions Committee.

NEW BUSINESS

The Rector reported that the President's House ad hoc committee met last week and will make a recommendation to the Administration and Finance Committee at the December meeting.

Mr. Stallings asked about the complaints from the neighbors recently reported in the press. President Broderick commented that the administration is investigating the complaints (which are mainly noise-related) and taking action when warranted. He noted that many times these occurrences are happening beyond the campus boundaries and involve non-ODU students. The administration has been discussing code enforcement issues with the neighborhood civic leagues and a proposal is being developed by some of the Civic Leagues to cost-share with the City on code enforcement.

Dr. Walker-Johnson indicated that all students are governed by the Monarch Creed and Honor Code and only need authorization from the Board as to the process for enforcing them. Mr. Jacobson suggested that the administration may want to consider sending out something to the students emphasizing that the Creed applies also to off-campus behavior.

The President shared plans to continue open communication with the neighbors. In addition to a newsletter sent twice a year to each resident, the University will also begin sending (and publishing on the web) information regarding home football games once the season begins in Fall, 2009. Vice President Fenning also reviewed the activities of the Football Gameday Planning Committee, and suggested that the Board receive a detailed briefing at a future meeting.

With no further business to be discussed, the meeting was adjourned at 1:30 p.m.