OLD DOMINION UNIVERSITY

BOARD OF VISITORS
Thursday, April 8, 2010

MINUTES

The Board of Visitors of Old Dominion University met in regular session on Thursday, April 9, 2010, at 1:15 p.m. in the Board Room of Webb University Center on the Norfolk campus. Present from the Board were:

Ross Mugler, Rector
Kenneth E. Ampy
Frank Batten, Jr.
Sarita E. Brown
Kendra M. Croshaw
Linda L. Forehand
Harold W. Gehman, Jr.
Conrad M. Hall
James A. Hixon
Marc Jacobson
Pamela C. Kirk
Barry M. Kornblau
Moody E. Stallings, Jr.
Katherine A. Treherne

Absent were:  
David L. Bernd  
David W. Faeder  
Robert J. O’Neill

Also present were:

John R. Broderick, President  
Alonzo Brandon  
Cathy Craft  
Robert L. Fenning  
Ron Forehand (Attorney General’s Office)  
Velvet Grant-Johnson  
Glenda L. Humphreys  
Lauryn Johnson (Student Rep)  
Patrick B. Kelly  
Elizabeth Kersey  
Gwen Lee-Thomas (and class members)  
Donna W. Meeks  
Jennifer Mullen  
Melanie O’Dell  
Carol Simpson  
Bill Sizemore (The Virginian-Pilot)  
Karen Travis  
Cecelia Tucker  
Geneva Walker-Johnson  
Dick Whalen  
Jay Wright

CALL TO ORDER AND MOTION FOR CLOSED SESSION

The Rector called the meeting to order at 1:15 and 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) (1) and (6), we reconvene in closed session for the purpose
of discussing the evaluation and compensation of the President of the University, adjunct faculty and support personnel, and contracts for services or work to be performed for the University.” The motion was seconded and approved unanimously by all members of the Board present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

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 thirteen (13) in favor and none opposed. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

MOTION REGARDING PRESIDENT’S CONTRACT

The Rector recognized Mr. Hixon, who made the following motion: “I move that the Board authorize the Rector to negotiate and execute an amended appointment agreement with this President, extending his term through June 30, 2014, with the terms and conditions consistent with discussed held in closed session.” The motion was seconded and approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

The Rector commented that the Board has been exceedingly impressed with the President’s performance and his visionary leadership, adept management of complex budget issues, and excellent communication skills that have kept the ODU community, alumni, legislators, community leaders and key business partners informed and engaged. President Broderick has increased the prominence of Old Dominion University and the Board is pleased to extend his contract until 2014.

APPROVAL OF MINUTES

The Rector asked for approval of the minutes of the regular meeting held on December 10, 2009. Upon a motion made by Ms. Croshaw, and seconded by Mr. Jacobson, the minutes were approved as distributed by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

RECTOR’S REPORT

The Rector extended his congratulations to President Broderick and welcomed the students from Professor Gwen Lee-Thomas’ class who were attending the meeting for a class project.
PRESIDENT’S REPORT

President Broderick thanked Rector Mugler and the members of the Board for their confidence in him. He also thanked his ODU colleagues who work with him and contribute to Old Dominion’s success.

In his report to the Board, President Broderick announced the appointment of Dr. Linda Irwin-Divitis as incoming Dean of the Darden College of Education. He also announced that ODU’s M.B.A. Program was listed in The Princeton Review as among the top 15 in the nation in its “Student Opinion Honors for Business Schools” for its global management emphasis, noting that this is another example of how the University is garnering national recognition.

The fourth annual ONFilm Festival: Field(s) of Dreams, hosted with the City of Norfolk, featured a screening of Rudy with guests Daniel “Rudy” Ruettiger and NFL Hall of Famer Bruce Smith.

Progress in research continues to growth, with Old Dominion’s portfolio with the National Institute of Health totaling $3.7 million, receipt of the majority of the $3.5 million in Federal stimulus funding from the National Science Foundation. The President hopes for further expansion and more involvement with other Federal agencies.

As a result of the legislative session, ODU received $2 million in nongeneral fund authority to begin planning for the new College of Education Building. This new building was approved in the 2002 Bond Referendum. Faculty and staff were pleased to hear that no additional furlough days were imposed and they will not be required to contribute to their retirement. While ODU received no new base funding, the good news is that there were no additional base cuts.

Governor McDonnell was on campus last week to sign nine energy bills. He said that he chose to do so at Old Dominion University in recognition of ODU’s leadership in this area. He will return to campus on April 13 as the keynote speaker at the “Engineering Unplugged” program. The University also recently hosted the annual meeting of the Office of Attorney General. During his visit, Attorney General Cuccinelli toured the campus and discussed the role ODU can play in job creation.

He and Vice President Brandon made development visits in Richmond, New Orleans, and Indianapolis in conjunction with the CAA and NCAA basketball tournaments. Donors were extremely excited about what is going on at ODU.

The President is continuing his Monarch Mornings with employees. Seventeen were held during the fall semester and 13 are scheduled this spring. In addition to briefing employees on the budget, these meetings provide an opportunity for him to listen to their concerns and addresses issues that are brought to his attention.

The Commencement speakers for May Commencement have been selected. Klaus Scharioth, U.S. Ambassador of the Federal Republic of Germany, will speak at the morning Commencement and Alina Cho, CNN National Correspondent, will speak in the afternoon. Honorary degrees will be awarded to Betsy Duke, ODU alum and current member of the Federal
Following his regular report, President Broderick briefed the Board on the report issued by Keeling & Associates on its review of Student Life Programs in order to develop a sustainable leadership model for the Division of Student Affairs. He shared the results and recommendations of the consultant, and noted that these recommendations have not been accepted or rejected by him. He has appointed a committee comprised of Board member Dr. Katherine Treherne, Vice President for Human Resources Glenda Humphreys, and two faculty members to review each of the recommendations and submit a proposal to him.

Overall, the student survey findings were positive in the areas of awareness and use of services, satisfaction with services, participation in student activities, student satisfaction, diversity, and likeliness to recommend ODU to others. These results, as well as a survey question asking students if they would spend more time on campus if there were various services, help drive budget and marketing decisions, and help in exploring new positions and investments in order to ensure productivity for high-use services.

He shared the eleven recommendations in the report and noted that these recommendations have not been accepted or rejected by him. He has appointed a committee comprised of Board member Dr. Katherine Treherne, Vice President for Human Resources Glenda Humphreys, and two faculty members to review and advise him on each of the recommendations.

RESOLUTION TO APPROVE BYLAWS REVISIONS

The Rector introduced the Resolution to approve the following revisions to the Bylaws: (1) change notice for special meetings from 7 days to 3 (consistent with statutory requirements); (2) change approval of annual Audit Plan from the Administration and Finance Committee to the Audit Committee; (3) change reporting relationship of internal audit director from Administration and Finance Committee to both the Administration and Finance and Audit Committees and change others functions (budget, position authorization, resignation and search for internal audit director from the Administration & Finance to the Audit Committee; and (4) title change of the Assistant Vice President for Institutional Equity and Diversity.

Upon a motion made by Ms. Croshaw and seconded by Dr. Treherne, the following resolution as approved unanimously by all members present and voting. (Amy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

PROPOSED AMENDMENTS TO THE BOARD OF VISITORS’ BYLAWS

RESOLVED, that the Board of Visitors approves the following amendments to the Board of Visitors’ Bylaws.
Approved by the Board of Visitors at its meeting of April 8, 2010

BY-LAWS
OF THE OLD DOMINION UNIVERSITY
BOARD OF VISITORS

PREFACE

The Board of Visitors adopts the by-laws that follow for the orderly and efficient conduct of its meetings and the business of Old Dominion University. This preface is to provide a brief overview of the source of the Board's authority as a public institution of higher education, and a component of the executive branch of the government of Virginia.

The Virginia statutes specific, or organic to the University, Va. Code §§ 23-49.11 through 23-49.22, might be thought of as the University's charter. These statutes constitute the Board of Visitors as a public corporation named "Old Dominion University," and set the corporation's basic purpose and authority. Other statutes apply to all of the Commonwealth's institutions of higher education to impose other duties and confer additional powers. The University is also subject, along with all agencies of the executive branch of the state government, to such statutes as, for example, the Virginia Freedom of Information Act which governs, inter alia, the circumstances under which a public body, such as this Board, may meet in closed session. Ultimately, however, the University's operations are dependent on the terms of the Appropriations Act adopted bi-annually in the even numbered years by the Virginia legislature, the General Assembly, and amended in the odd numbered years. Finally, it is to be noted that the Commonwealth's agencies and institutions are not as a rule subject to the general statutes of Virginia, as well as the ordinances enacted by the local governments, unless the General Assembly expressly provides otherwise.

Members of the Board, the University staff, and the public should be aware at all times that the authority conferred on the Board of Visitors by the General Assembly resides solely in the Board. That is, no visitor or other individual, regardless of title or position, shall speak for, or exercise the Board's authority except to the extent that the Board may so provide by delegation contained in these by-laws, or by other action of the Board.

The Commonwealth demands institutional direction by a Board composed of active, informed, and engaged visitors. As a measure of this need, the General Assembly provided that if any member of the Board should fail to perform the duties of a visitor for a year, without sufficient cause, the Board shall certify the same to the Governor; and the office of that member shall then be vacant.

ARTICLE I
Power, Authority, and Duties

1.01. Role and Responsibilities. The Board of Visitors is the body responsible for the University. The Board's trust includes the following responsibilities.

(a) Presidential Selection and Oversight. The Board's most important responsibility is selection (§ 4.04. of these Bylaws) and oversight (§ 6.01. (f) of these Bylaws) of
the University President. The President reports only to the Board and it is the responsibility of
the Board to ensure that the President is implementing the Board's formally adopted policies and
efficiently and effectively accomplishing the University's goals.

(b) University Mission. The Board is responsible for ensuring that the
University's mission reflects and directs the relative commitment to undergraduate, graduate, and
professional programs, as well as an appropriate balance among instruction, research, and
service.

(c) Strategic Planning. The Board is responsible for ensuring there is an
ongoing strategic planning process and overseeing its implementation. In conjunction with the
President, and in consultation with the faculty, other internal groups, and external constituencies,
the Board shall take an active part in developing priorities and goals essential to the
accomplishment of the University's mission, allocation of resources, and measurement of
success.

(d) University Budget. The Board is responsible for ensuring that the
University's mission, priorities, and goals are visible in and expressed through its budget. The
budget shall reflect the priorities developed in the strategic planning process. The Board shall
periodically review and approve the University's annual budget and work in conjunction with the
President and his/her administration that are accountable for directing a process that seeks input
from the Board.

(e) Academic Integrity. The Board is responsible for advancing and
protecting the academic quality of the education offered by the University including, but not
limited to considering, strategic planning, admission standards, graduation requirements,
grading policies, use of technology in the classroom, and faculty structure, development,
productivity, priorities, and incentives for outstanding teaching.

(f) Research Integrity. The Board is responsible for promoting and
preserving excellence in basic and applied research.

(g) Student Quality of Life. The Board is responsible for assuring the high
quality of student life necessary to ensure that higher education achievement can take place in an
environment conducive to a high level of learning.

(h) Affiliated Foundations. The Board is responsible for assuring that
priorities for fund raising, research, athletics, real estate acquisition and disposal, and other
affiliated foundation activities are consistent with the University's mission, priorities, and goals.
While the Board recognizes the independent governance of these private activities, the Board is
responsible for private resources contributed to the University for public purpose. Guidelines for
the exercise of this responsibility are contained in the Board Policies and Procedures Manual (see
Article VIII of these Bylaws) and affiliation agreements.

(i) Audit Planning and Review. The Board is responsible for the selection of
accountability measures, review of results, and determination of how effectively its policies have
been implemented through the audit process; i.e., whether the University's allocation of
resources is consistent with the Board's priorities and with the University' financial position.
(j) **Fiscal Efficiency.** In its review and approval of the University's annual operating budget and the setting of tuition and fees, the Board is ultimately responsible for assuring fiscal efficiency; i.e., the cost-effective operation of the University.

(k) **Institutional Advancement.** The Board is responsible for promoting the academic purpose, strategic initiatives, service, and solvency of the University among its many constituents by communicating the institution's accomplishments, sharing its vision for the future, relating the community to the campus and the campus to the community, maintaining constituent trust, and engaging the larger local, national and international community in partnerships to achieve University goals and objectives.

ARTICLE II
Members

§ 2.01. **Resignation.** Any member of the Board of Visitors may resign at any time by providing notice to the Governor. Notice also shall be provided to the Rector so that the Board can take measures to accommodate said resignation. Such resignation shall take effect at the time specified in such notice and, unless otherwise specified therein, the acceptance of said resignation shall not be necessary to make it effective.

§ 2.02. (Reserved)

§ 2.03. **Visitors Emeriti.** In recognition of the invaluable service rendered to the University during their appointments to the Board of Visitors and the informed counsel they are capable of providing after their terms expire, former members of the Board shall be designated Visitors Emeriti. They shall be entitled to receive copies of minutes of the regular Board meetings and be invited to meet at least once each year with current members of the Board at a social or other function hosted by the Board of Visitors.

ARTICLE III
Meetings

§ 3.01. **Regular Meetings.** Regular meetings of the Board of Visitors shall be held no less frequently than four times each year on such dates and in such places as may be set by the Rector and the Board of Visitors. Regular meetings scheduled annually in excess of the four published regular meetings shall be announced to Board members, University staff, and the public at least 30 calendar days prior to the day the regular meeting is to be convened to assure maximum participation, the three day statutory notification notwithstanding. The regular meeting during the month of June of each year shall be the annual meeting.

§ 3.02. **Special Meetings.** Special meetings of the Board may be called by the Rector, or, in his/her absence or disability, by the Vice Rector, or by any three Visitors at such dates, times, and places, with agenda, as may be specified in the call for such meeting.

§ 3.03. **Emergency Meetings.** Emergency meetings are special meetings and may be called by giving reasonable notice to all members and the public whenever in the judgment of the
Rector, in consultation with the President, there is an emergency. A quorum of five voting members shall be sufficient to transact any business with respect to said emergency, except declarations of fiscal exigency. Declarations of fiscal exigency only must be made by an affirmative vote of at least 12 voting members.

§ 3.04. Special and Emergency Meeting Notice. For special meetings under normal, non-emergency circumstances, seven three days' notice shall be given of the date, time, place, and agenda of all non-electronic communication meetings, by the Secretary/Executive Secretary of the Board. Emergency meeting notice shall provided, as reasonably timely as possible under the circumstances, and be given contemporaneously to the public with notice provided to Board members.

§ 3.05. Quorum. (Effective July 1, 2002) A majority of voting members of the Board of Visitors serving at any time shall constitute a quorum (§ 23-49.17. (b), Code of Virginia).

§ 3.06. Order of Business. The order of business at meetings is set forth in the Board Policy and Procedures, unless modified at the discretion of the Rector with the modification(s) approved by a majority of the voting Board members present. Matters to be placed on the Board's regular and special meeting agenda and requests for public comment shall be brought to the attention of the Rector or the President in writing at least 15 calendar days in advance of the meeting at which the issue is to be addressed or public comment accepted. Reports of invited representatives and anticipated issues or resolutions requiring Board decisions under unfinished and new business and the point or points during the meeting where public comment will be accepted will be specified in the published pre-meeting agenda. Such agenda shall be distributed to all Board members at least seven days prior to each regularly scheduled Board meeting. Supplementary agenda items originating after distribution of the pre-meeting agenda shall be provided to all Board members as soon as they are identified and may be considered if confirmed by a majority of the voting members of the Board.

§ 3.07. Conduct of Business. All meetings shall be conducted in accordance with the Code of Virginia, these Bylaws, Board Policies and Procedures, and Robert's Rules of Order Newly Revised, in order of descending precedence. The Vice Rector shall serve as Board parliamentarian for purposes of interpreting Robert's Rules of Order Newly Revised. The Board shall request the presence of the University's legal representative at all open and closed meetings and committee meetings except those where the President is being evaluated or presenting portions of his/her Annual Report dealing with the evaluation of University officers, unless otherwise directed by the Attorney General. At the Board's discretion, it may request the presence of the University's legal representative during evaluations if it is considering: (1) whether the party or parties involved are in breach of his/her contract; (2) or the Board is seeking legal advice about the amounts and methods of compensating the President or other officers involved.

§ 3.08. Voting Procedures. Votes on substantive matters shall be taken by roll-call vote, conducted by the Secretary, of all voting members supporting, opposing, or abstaining from the matter. Incidental or procedural motions (e.g., adjournment) may be carried or defeated by voice vote, however, all votes taken during electronic communication meetings shall be by roll-call and so recorded in the meeting minutes (§ 2.2-3708.D., Code of Virginia). No proxies, secret, or written ballots are authorized in any Board meeting (§ 2.2-3710., Code of Virginia). The roll-
call vote shall be recorded in the minutes by the Secretary calling the roll. Should members attending the meeting be absent for the vote, their absence shall be noted in the minutes. The Student Representative to the Board of Visitors is a non-voting member, but his/her comment regarding an issue may be recorded in the minutes.

ARTICLE IV
Committees

§ 4.01. Executive Committee.

(a) Composition. The Executive Committee shall consist of eight members of the Board, three of whom shall be the elected officers of the Board. The remaining members of the Executive Committee shall be the chairs of each standing committee of the Board. Vacancies, other than Board officers who must be elected, may be filled at any time by appointment of the Rector and confirmation by the Board. In the event a standing committee chair is also an elected officer, the vice chair of that particular standing committee shall be a member of the executive committee to maintain the executive committee membership at eight members. A quorum of the Executive Committee shall consist of three Executive Committee members. In the absence of standing committee chairs, standing committee vice chairs may serve on the Executive Committee and count towards a quorum as directed by the Rector.

(b) Duties and Authority. The Executive Committee shall meet upon the call of the Rector or the President. The Executive Committee shall have the power of the Board to take such actions as are necessary to direct the affairs of the University between meetings of the Board. The full Board must be notified of all actions taken by the Executive Committee and all actions must be ratified by the Board at its next regular or a special meeting called for that purpose in emergency situations. The committee shall coordinate the policy development and the goals/objectives of all Board committees and shall recommend the means whereby the Board will assess its effectiveness in accordance with § 9.03. of these Bylaws. A complete record of all actions of the Executive Committee shall be maintained by the Secretary and shall be provided to each member of the Board within 15 working days after the Executive Committee meeting at which such actions were taken. All members of the Board shall be invited to attend Executive Committee meetings and all Board members in attendance at an Executive Committee shall be entitled to vote. Meeting notices shall be provided as set forth in § 3.04. of these Bylaws.

§ 4.02. Standing Committees. In addition to the Executive Committee, the standing committees of the Board shall consist of the Academic and Research Advancement Committee, Institutional Advancement Committee, Administration and Finance Committee, the Student Advancement Committee, and the Audit Committee. The chairs and members of the five standing committees shall be appointed by the Rector, after consultation with the parties involved, and approved by the Board at the meeting at which the appointments are proposed by the Rector, for terms of two years, and shall serve until their successors have been duly appointed. All members subsequently may be reappointed from year to year. Board members shall typically serve on two standing committees. The chairs of standing committees shall serve until their successors have been duly appointed. Officer vacancies shall be filled in accordance with § 5.04. of these Bylaws and Standing Committee chair vacancies (versus temporary absences) may be filled at any time by appointment of the Rector and confirmation by the Board.
A quorum of each of the standing committees shall consist of three voting Visitors who are committee members. The Rector and Vice Rector are deemed committee members for all purposes, including a quorum. The agenda for each regular Board meeting shall include reports by committees, to the Board. Unless otherwise specifically provided by the Board, decisions/recommendations of standing committees (except decisions by the Academic and Research Advancement Committee on review of negative tenure decisions and the approval of the annual internal compliance and operations audit plan by the Administration and Finance Audit Committee) are advisory and must be ratified and approved by the Board of Visitors.

(a) Academic and Research Advancement Committee. The Academic and Research Advancement Committee supports the Board's responsibility to advance and protect the academic quality of the education and research offered by the University. The Committee shall make recommendations to the Board on the academic mission, purpose, strategic plans, important academic and research initiatives, and regular and special programs of the University; on awards and honorary degrees; on faculty personnel appointments, policies and procedures, including tenured appointments, policies, and procedures; and on student recruitment and admissions criteria and policies. The Academic and Research Advancement Committee is designated by the Board as the committee with the responsibility of responding, on behalf of the Board, to requests from faculty for review of negative tenure decisions. In the case the Committee recommends in favor of tenure, this must be approved by the Board. A negative decision is final. The Committee may meet, as it deems necessary, with faculty, staff representatives, and other University members as requested through the President.

(b) Institutional Advancement Committee. The Institutional Advancement Committee supports the Board's responsibility for relations with affiliated foundations and is responsible for making recommendations to the Board on matters and policies pertaining to the University's government relations, fund raising, community (including military) and public relations, and alumni activities.

(c) Administration and Finance Committee. The Administration and Finance Committee supports the Board's responsibilities for the budget process, accountability, and fiscal efficiency in general. The Committee is responsible for making recommendations to the Board on matters pertaining to the purchase, lease, sale, construction, and maintenance of University owned or controlled land and buildings; on fiscal policies; oversight of the fiscal accounts and operations of the University, including budget, investments, and the impact of the foregoing on the University's overall fiscal condition, mission and purpose. The Committee may also receive reports from the University Auditor on matters of economy, efficiency and effectiveness of operations and internal controls.

(d) Student Advancement Committee. The Student Advancement Committee supports the Board's responsibilities for ensuring student quality of life and fiscal affordability. The Committee is responsible for making recommendations to the Board on matters and policies pertaining to students and shall continuously assess and appraise the quality of student life. It shall review policies relating to student rights, responsibilities, conduct, and discipline, including matters related to the student honor system. The Committee shall consider issues concerning student organizations and their funding, extracurricular activities, and matters related to student government and appropriate student participation in University governance by all types of
students. The Committee shall review athletic policy and programs, both intramural and intercollegiate, and shall make appropriate recommendations to the Board.

(e) Audit Committee. The Audit Committee helps the Board fulfill its financial oversight and compliance responsibilities. The Committee is responsible for (1) oversight of financial reporting and financial statement matters and any critical accounting and reporting issues; (2) reviewing annually the audited financial statements with internal auditors, determining that the administration has been open and has acted in good faith in connection with the audit; and (3) oversight of the internal audit function, including receiving reports and approval of the annual audit plan. Members of the Audit Committee should have some basic knowledge of generally-accepted accounting procedures and financial reporting and controls. Members of the Audit Committee may serve on the Administration and Finance Committee; however, a majority of the Audit Committee may not serve on the Administration and Finance Committee.

(f) Additional Responsibilities. Each standing committee shall periodically review Board Policies and Procedures in its areas of responsibility and recommend revisions as necessary. The standing committees shall have such other duties and responsibilities as are assigned to them by the Board or by the Rector, subject to the Board's approval. In accordance with the preceding and after consulting with their respective committees and appropriate University officials, committee chairs shall present goals/objectives for the coming year at the Executive Committee meeting set by the Rector. Goals/objectives shall be initiatives consistent with the mission of each standing committee as set forth in subparagraphs (a) through (d) in this Bylaws section, and previously initiated goals and objectives of the University and the Board's Standing Committees.

§ 4.03. Nominating Committee. The Nominating Committee is responsible for nominating Board members for Board officer positions. In even numbered years, at the annual June meeting of the Board, a Nominating Committee of an odd number of not less than three members along with two alternates shall be elected by the Board. The Committee shall meet at the same meeting during which it is created to elect its chair. The Nominating Committee shall consult with the Rector, the President, and all other Board members about the needs of the University without being bound by their suggestions.

(a) Nominations. The Nominating Committee shall post a call for nominations for officers from the Board no later than July 15. Nominations shall be submitted in writing to the committee chair and shall be due no later than 14 days following the date of the call for nominations. Members of the Board may feel free to nominate themselves for an office to the chair of the Nominating Committee. Nominees for officers must have more than one year remaining on their terms of appointment. The Nominating Committee should give priority to nominating members for office whose terms of appointment on the Board do not expire simultaneously so the Board shall not be without a presiding officer.

(b) Presentation of Nominations. The Nominating Committee shall meet at least 30 days prior to the September Fall Board meeting to determine the nominations to be presented to the Board. The recommendation of the nominating committee shall be distributed with the announcement of the meeting of the Board of Visitors in the even numbered year in which the election of officers is to be held. At that meeting, the nominating committee shall
present one candidate for each office for election in accordance with § 5.01. of these Bylaws. Nominations from the floor may be made from the floor prior to such election.

(c) **Committee Vacancies.** In the event a member of the Nominating Committee cannot serve or becomes a candidate for an office for which the committee is selecting candidates, he/she shall resign from the committee immediately and the Rector shall immediately appoint a previously elected alternate as a replacement. Should circumstances require additional alternates, they shall be elected by the Executive Committee at a special meeting convened for that purpose.

(d) **Officer Vacancies.** The Nominating Committee may be elected by Board members at a regular or special meeting to fill vacant officer positions that may be created. The Nominating Committee shall then meet as required by § 5.04., **Vacancies**, of these Bylaws.

§ 4.04. **Presidential Search Committee.** As necessary, but not later than the first regular meeting of the Board after the President expresses to the Board his/her intent to step down or leave the University or departs under other circumstances (e.g., prolonged illness or death), the Board shall elect a Presidential Search Committee of five or more Board members, along with two alternates, and may include no more than four non-Board members as non-voting members to that committee. The Committee, whose mission is to search for and select the best possible choices for a new president, shall meet at the same meeting at which it is created to elect its chair who must be a voting Board member, regardless of whether nonmember appointments have been made. All Committee meetings shall be held in conformity with the provisions of the Freedom of Information Act and its exceptions.

(a) **University Needs.** The Presidential Search Committee shall consult with the Rector, the President, other members of the Board of Visitors, the faculty, the alumni and students, and the community about the needs of the University. The Board may secure the services of a search firm or consultant to assist in the search and selection. The Board may also immediately commission the conduct of an institutional review by a reputable agency or consultant.

(b) **Practices and Procedures.** The Committee shall prepare a search budget and a range of compensation for the next president, both of which shall be approved by the Board early in the search process. The Board shall be kept informed of the Committee’s progress and expenses incurred and anticipated at regular Board and Executive Committee meetings by the committee chair. The search committee shall consider external and internal candidates equally, based on the depth of their experience and the needs of the University. The Committee’s duties shall be completed when it recommends the requisite number of candidates previously specified by the Board to the Board for consideration, unless the Board requests that other candidates be brought forth or the search be continued. Approval of a candidate requires the affirmative vote of at least nine voting members of the Board.

(c) **Committee Vacancies.** In the event a member of the Presidential Search Committee cannot serve, he/she shall resign from the Committee immediately and the Rector shall promptly appoint a previously elected alternate as a replacement. Should circumstances require additional alternates, they shall be elected by the Board at the next regular Board or Executive Committee meeting or, if necessary, at a special meeting convened for that purpose.
(d) **Unexpected Vacancy in the President's Position.** In case of an unplanned vacancy in the position of the President, the Board shall expeditiously designate an Acting President to serve until a President shall be appointed by the Board and installed in the office. The Board shall hold an emergency meeting and proceed with the preceding provisions of this section of the Bylaws. The Presidential Selection Committee shall be tasked to select expeditiously the best possible choice for the Acting President following the procedures outlined in this section of the Bylaws. In the interim, the Provost and Vice President for Academic Affairs shall act as the University's Acting President.

§ 4.05. **Special Committees.** Special or *ad hoc* committees may be created at any time either by action of the Board of Visitors, or by written direction of the Rector with the approval of the Board. Special committees shall consist of no fewer than three members appointed by the Rector who shall appoint the chair, and fill vacancies in consultation with the Chair. The Rector shall also have the power to change the membership of special committees at any time with the concurrence of the chair and the Board, unless it is the chair who is to be removed. In making initial or subsequent assignments of individuals to special committees, the Rector shall take volunteers into account. Special committees shall have a life specified by the Board at the time of constitution, shall be subject to annual reviews, and may be renewed for a specified period by action of the Board. At the time the special committee is created, its mission shall be specifically established and articulated either by action of the Board or by written direction of the Rector with approval of the Board. The resolution of the Board or the direction of the Rector shall specify the time the special committee is to make its report to the Board.

§ 4.06. **Subcommittees.** Committees may appoint subcommittees of not less than three voting Board members from within their memberships to consider such specific business as required, subject to Board approval of such subcommittee's creation.

§ 4.07. **Appointment of Non-Board Advisors to Committees.** Non-Board members cannot be appointed to Board of Visitors committees without the Board approving each individually named proposed member. The advisors who are approved for membership shall serve under the same conditions as Board members; however, they shall serve in a non-voting, advisory capacity.

§ 4.08. **Attendance.** Board of Visitors members are entitled to attend all Board functions, including open and closed meetings of Board committees. Where conflicts arise due to several committees meeting simultaneously, the Board member shall give priority to the standing committee to which he/she has been assigned, unless excused by the standing committee chair and the Rector.

§ 4.09. **Notice and Conduct.** The chair, or vice chair acting on behalf of the chair, or a majority of the membership of the committee or subcommittee, may call meetings. Committee meetings shall be noticed in the same manner as Board meetings as set forth in § 4.04 of these Bylaws. The conduct of business of any committee or subcommittee shall be governed by the procedures set forth in these Bylaws.

§ 4.10. **Removal.** Standing and special committee chairs only may be removed by the Rector with prior approval of the Board, with at least nine voting members voting in the
affirmative for removal. Members or advisors may be removed from Board committees on the recommendation of the committee chair and approved by a majority of committee members, after an affirmative vote by a majority of Board members attending the meeting at which the recommendation is presented.

**ARTICLE V**

**Board Officers**

§ 5.01. Officers Elected from the Board. The officers to be elected from the members of the Board of Visitors shall be the Rector, Vice Rector, and Secretary. Officers must have at least one year remaining in their terms. At the first regular meeting after July 1 of even numbered years, the Board shall elect its officers from its own body (§ 23-49.17. (b), *Code of Virginia*). Newly elected officers shall take office immediately following the close of the meeting at which elected and shall serve for a term of two years, or until their successors have been elected. Officers must be elected by an affirmative vote of at least nine voting members of the Board. Officers may not hold the same office for more than one term. For purposes of the preceding sentence, service of a partial term of one year or less shall not be considered.

§ 5.02. Removal. At any meeting of the Board of Visitors, any elected officer may be removed, either with or without cause, by an affirmative vote of at least nine voting members of the Board of Visitors.

§ 5.03. Resignation. Any elected officer may resign at any time by giving written notice to the Board of Visitors, to the Rector, or to the Secretary. Any such resignation shall take effect at the time specified in such notice and the acceptance of such resignation shall not be necessary to make it effective.

§ 5.04. Vacancies. Vacancies in any office shall be reported to the Board as soon as possible after notice is received. The vacancy shall be filled for the unexpired term by the Board of Visitors at the meeting during which the vacancy is first created or discovered by immediately electing a Nominating Committee as outlined in § 4.03. of these Bylaws and electing an officer or officers at the current, or special, or next regular meeting to fill vacancies. The election shall require an affirmative vote of at least nine voting members of the Board. In the temporary absence of all three officers, the Board shall elect one of its voting members to preside.

§ 5.05. Rector. The Rector shall serve as the presiding officer, spokesperson, and designated representative of the Board.

(a) Duties. The Rector shall preside at all meetings of the Board and its Executive Committee. As presiding officer, the Rector has an obligation to ensure that all sides of a pending question are heard and, though not required, he/she may voluntarily step aside and have the next senior officer present preside or appoint a temporary chair, if the Rector wishes to enter into the debate. The Rector’s relationship with other Board members is as an equal among equals with no authority over other Board members except as stated in *Robert’s Rules of Order Newly Revised*. The Rector is the liaison between the Board and the President who works for the entire Board. The Rector shall maintain the integrity of Board procedures and facilitate a high
level of interest, involvement, and activity among the Board members (Board Policies and Procedures Manual).

(b) Authority. The Rector has no authority to act on behalf of the Board or the University except as that authority is expressly delegated to the incumbent by these Bylaws or a majority vote of the Board prior to the initiation of such activities.

(c) Committees. The Rector shall serve as ex-officio member of all committees of the Board, except the Nominating and Presidential Search Committees, and appoint all standing and ad hoc committee members with the approval of the Board, except members to the Nominating and Presidential Search Committees.

(d) Board Meeting Agenda. The Rector shall determine, in consultation with the President, committee chairs, and other Board members, business to be brought before meetings of the Board, act as the Board's spokesperson, and perform such other duties as are incident to the presiding officer of the Board, or as may be assigned by the Board.

(e) Board of Visitors Operating Budget. The Rector shall provide guidance to the Vice Rector and the Executive Secretary to the Board in the development of a budget for Board operations (§ 10.04. of these Bylaws) annually as required by the budgeting cycle.

§ 5.06. Vice Rector. The Vice Rector shall serve as ex-officio member of all standing committees of the Board, except the nominating committee, and shall perform the duties of the Rector in the Rector's absence and such other special duties as are assigned by the Rector. The Vice Rector shall serve as Board parliamentarian. He/she shall be responsible for presenting Executive Committee reports at regular meetings and tracking and reporting unfinished business. The Vice Rector shall be responsible for formulating the Board of Visitors Operating Budget (see Bylaws § 9.04.) for presentation to the Board for approval at the spring regular meeting and shall regularly ensure that the status of the Board Budget Account is reported at each regular and Executive Committee meeting.

§ 5.07. Secretary. The Secretary shall take or supervise the taking of minutes of the open meetings of the Board and the Executive Committee, have constructive custody of all books and records of the Board, supervise the issuance of notices of meetings of the Board and Executive Committee in advance of the meeting, have constructive custody of the Seal of the University and affix the Seal to any instrument as authorized by the Board, the Rector, the Vice Rector, or President. The Secretary shall represent the Board and preside at the meetings of the Board and its Executive Committee in the absence of the Rector and Vice Rector, and perform such other duties as are incident to the office (see Bylaws § 7.04. and Article VIII) or as may from time to time be assigned by the Board. When directed by the Board, the Secretary shall take the minutes of closed meetings and be responsible for the security of draft minutes and audio recordings of closed meetings. The Secretary shall be responsible for ensuring that all Board of Visitors' reports required by the Commonwealth are submitted in a timely manner by the Rector.

§ 5.08. Other Representatives of the Board. From time to time, the Rector may designate a member of the Board, who is not an officer, to represent the Board on special occasions or for special ceremonies. Any member so designated shall be limited in his/her actions on behalf of the Board by the express role delegated by the Board for each occasion. The Rector only shall
delegate his/her role as Board spokesperson for policy and other Board matters to other Board officers.

ARTICLE VI
University Administrative Officers

§ 6.01. The President. The President of the University is appointed by the Board of Visitors and serves at the pleasure of the Board and may be removed only by an affirmative vote of at least nine voting Board members. The President is the chief executive and academic officer of the University and has direct charge of and is responsible to the Board for the operation of the University. The President shall submit to the Board, in writing, an annual report on the condition of the University.

(a) Responsibilities of the President include, but are not limited to:

(1) Providing leadership in the development of the University's mission and programs;

(2) Providing leadership for the governance of the University's faculty, all other University employees, and students;

(3) Balancing the University's revenues and expenditures, managing the University's funds and other resources, assuring the financial integrity of the University, and reporting the financial condition of the University to the Board, on a regular basis.

(4) Managing and personally participating in public and private fund-raising;

(5) Managing the University's facilities;

(6) Implementing the Policies and Procedures of the Board relating to University operations.

(7) Making recommendations to the Board concerning the initial appointment of faculty, the award of tenure to faculty, and the granting of emeritus status;

(8) Making recommendations to the Board concerning the comprehensive fee to be charged to students and setting other fees including, but not limited to, fees for certain vocational, non-credit, institute and specialized courses based on the type of courses and the cost of instruction;

(9) Recommending to the Board a management structure for the University and the organization of the University's academic
programs into colleges, schools, departments, divisions, and centers of instruction;

(10) Making other recommendations, as necessary, to the Board or to Board committees with regard to matters falling within the authority of the Board;

(11) Speaking on behalf of the University as its official spokesperson and representing the University as its designated representative;

(12) Presiding over official meetings and functions of the University, except Board of Visitors meetings and Board-sponsored events;

(13) Keeping the Rector informed and informing the Board of actions taken by the President on behalf of the Board and of the development of critical or controversial issues at the next regular Board meeting, or sooner via correspondence as the situation warrants;

(14) Reviewing, accepting, modifying, or rejecting recommendations of the campus governance bodies, or causing such activities to be done, with respect to any matter concerning academic policy, programs, or procedures. To present to the Board all formal recommendations on such matters, ensuring that significant dissenting positions are reported. In turn, the President formally shall inform the faculty and other governance bodies of the Board's position in those areas where their interests and well-being are affected; and

(15) Performing such other specific responsibilities as are required by the Policies and Procedures of the Board or by the laws and regulations of the Commonwealth of Virginia.

(b) As the University's designated representative, the President is delegated the general authority to act on behalf of the University and the Board of Visitors, except in the selection and contracting of a new president. The President or designee shall report to the Administration and Finance Committee, any budget changes of $250,000 or more.

(c) The authority of the President to act on behalf of the University and the Board includes, but is not limited to, the authority:

(1) To appoint and to reappoint all faculty and fix their salaries, subject to Board ratification;

(2) To approve promotions in rank of faculty and to designate faculty to the honors of eminent professor or university professor;
(3) To take final actions on behalf of the University in all other personnel matters concerning the University employees, except that the President shall not have the authority to make final decisions on faculty requests for Board review of negative tenure decisions or to make final decisions on severe faculty sanctions as set forth in the Board Policies and Procedures;

(4) To recommend to the Board for approval the awarding of degrees and certificates to candidates who have completed all degree requirements and are recommended by the faculty of the appropriate college, school, or division, and the authority to confer such degrees and certificates.

(5) To approve the use of University facilities;

(6) To approve the use of the University's name and visual identification;

(7) To execute contracts, leases and other legal instruments;

(8) To execute documents necessary to purchase, sell or otherwise convey interests in real property, subsequent to Board approval;

(9) To accept gifts;

(10) To write off uncollectible debts and to settle claims;

(11) To make final decisions on student disciplinary matters;

(12) To recommend to the Board for approval the comprehensive fee and to set other fees for certain vocational, non-credit, institute and specialized courses based on the type of courses and the cost of instruction; and

(13) To exercise such other authority as is provided by the Policies and Procedures of the Board or by the statutes and regulations of the Commonwealth of Virginia.

(d) The President may designate another University officer or employee to exercise, in whole or in part, the authority provided to the President herein, provided that the President shall be responsible to the Board for the actions of his/her designee.

(e) The authority of the President, as provided herein, shall be exercised in accordance with all applicable federal and state laws and regulations and in accordance with the bylaws, policies, procedures, and specific instructions of the Board.

(f) Evaluation of the President. The Board is responsible for oversight of the President's performance (§ 1.01. (a) of these Bylaws). The President, in open or closed session,
as appropriate, at the annual meeting of the Board, shall submit his/her annual report on objectives, specific and general, developed by the President and the Rector and agreed to by the Board for the past year. The Board shall subsequently evaluate the President's performance for the past year. Objectives for each ensuing year shall also be presented at the annual meeting of the Board for approval. At least every three years or at any time deemed desirable by the Board, the President shall be evaluated more formally. Procedures for Presidential Evaluation are contained in the Board Policy and Procedures.

§ 6.02. Vice Presidents and Deans

(a) Appointment. Vice Presidents and Deans of the University shall be appointed by the Board of Visitors on the recommendation of the President in all cases and additionally by the Provost and Vice President for Academic Affairs for Deans and shall serve at the pleasure of the President.

(b) Powers and Duties. Vice Presidents shall report directly and be responsible to the President. The Vice Presidents shall be responsible for the coordination, supervision and direction of those activities assigned by the President. Deans, as chief administrative officers of their respective colleges, are responsible to the Provost and Vice President for Academic Affairs for the operation and development of their college.

§ 6.03. Other University Officers. The University shall have such administrative officers as are appointed by the President with the approval of the Board. Such other administrative officers shall have duties and responsibilities as assigned to them by the President, and shall serve at the pleasure of the President.

ARTICLE VII
Staff Personnel Supporting the Board

§ 7.01. University Auditor. The University Auditor is appointed by the Board of Visitors and is the internal auditor for the University. The University Auditor is functionally accountable and reports to the Board, but is a University employee reporting administratively to the President. The incumbent serves as an independent appraiser within the University for the review of University operations as a service to the Board and the President. The University Auditor shall report to the Board through the Audit and Administration and Finance Committees, as directed by the Board, and shall perform such specific duties and responsibilities incident to the office as are assigned by the Board or the President. The Board shall hire, annually evaluate, recommend compensation increases, and dismiss the person serving in this position, based on recommendations of the Audit Administration and Finance Committee. The budget for, and authorization of, positions in the Office of the University Auditor shall be reviewed and recommended to the Board for approval via the Audit Administration and Finance Committee.

(a) Removal. Any recommendation by the University Administration to terminate the incumbent must be approved by the Board of Visitors. The University Auditor may be removed only by assent of at least nine voting Board members.
(b) **Resignation.** A resignation by the University Auditor must be submitted to the President, the chair of the Audit Administration and Finance Committee, and the Rector. Board members shall be notified immediately by the Rector or his/her designated representative.

(c) **Vacancy.** When there is a vacancy in this position, the Rector shall appoint a special committee from the Audit Administration and Finance Committee, with the chair’s concurrence, to seek and recommend a person to fill the vacancy. The committee shall consist of no fewer than five members, at least three of whom must be voting members of the Board. Procedures to be followed for an executive search shall be similar to those contained in § 4.04 of these Bylaws. The President may be involved in the process and an external audit of the Office of the University Auditor shall replace the institutional review if deemed necessary. Approval of a candidate requires the vote of at least nine voting members of the Board.

§ 7.02. **Legal Representation.** The University's legal counsel is appointed by the Attorney General and provides all legal services as set forth in § 2.2-507, *Code of Virginia.*

§ 7.03. **Director of Assistant Vice President for Institutional Equity and Diversity Equal Opportunity/Affirmative Action.** The University Director of Assistant Vice President for Institutional Equity and Diversity Equal Opportunity/Affirmative Action supports the Board of Visitors in assisting the University in its commitment to equal opportunity and affirmative action.

§ 7.04. **Executive Secretary to the Board.** The Executive Secretary to the Board is a university employee who shall be appointed by the President and serves at the pleasure of the Board. The Executive Secretary to the Board manages the Office of the Board of Visitors, provides staff support to the Board and its Secretary, maintains the Board of Visitors Manual and the official records of the Board, has actual custody of the Seal of the University and may affix the Seal to any instrument as authorized by the Board, the Rector, the Vice Rector, or President with approval of the Board Secretary, ensures that the content of official regulations of the University contained in its publications corresponds with the content of Board established policies and procedures, manages funds allocated to the Office of the Board of Visitors in support of the responsibilities of the Vice Rector as contained in §§ 5.06. and 9.04. of these Bylaws, in conjunction with the Office of Institutional Advancement maintains contact with Visitors Emeriti as set forth in § 2.03. of these Bylaws, issues notices of meetings of the Board, Executive Committee, and other special committees in advance of each meeting, and performs such other duties and responsibilities incident to the Office of the Board of Visitors as may be assigned by the Board and the President or his/her designee relating to the incumbent's other duties in the University, if any. The President shall annually evaluate this individual in accordance with University policy, and may dismiss the person serving in this position, with the advice and counsel of the Board.

(a) **Removal.** Any decision by the University Administration to terminate the incumbent must be approved by the Board of Visitors. The Executive Secretary to the Board may be removed only by assent of at least nine voting Board members.

(b) **Resignation.** A resignation by the Executive Secretary to the Board must be submitted to the President and the Rector. Board members shall be notified immediately by the Rector or the President.
(c) **Vacancy.** When there is a vacancy in this position, the Rector shall request the President to fill the vacancy. The Board will be represented on the selection committee.

**ARTICLE VIII**

**Board Policies and Procedures**

§ 8.01. **Definition.** Actions by the Board of Visitors establishing policies or procedures shall be known as Board Policies and Procedures. Heretofore, Board Policies and Procedures have been styled "Rules and Regulations." All Rules and Regulations of the Board in existence on the date of the adoption of these Bylaws shall be considered as part of the Board Policies and Procedures and shall be referred to as such.

§ 8.02. **Adoption.** Board Policies and Procedures may be adopted, amended, modified or repealed, in whole or in part, at any meeting of the Board by an affirmative vote of at least nine of the voting members of the Board provided that notice of the proposed change has been given at least 15 calendar days prior to the meeting. Each member of the Board shall be provided a copy in manual form along with subsequent updates of the Board Policies and Procedures which shall be indexed so that Board members can find and use them expeditiously.

§ 8.03. **Effective Date.** Board Policies and Procedures shall be effective on adoption by the Board, or the Executive Committee when the Board is not in session, unless a different date be fixed by the Board.

§ 8.04. **Publication of Policies and Procedures.** The Board Secretary, assisted by the Executive Secretary to the Board, shall supervise the maintenance of all Policies and Procedures and may direct the publication of all or any part of same from time to time.

**ARTICLE IX**

**Miscellaneous Provisions**

§ 9.01. **Suspension of Bylaws.** Except as set forth in this section, sections of these Bylaws or any portion thereof may be temporarily suspended at any meeting of the Board by a three-fourths majority affirmative vote of all voting members present provided that no section shall be suspended unless at least nine members vote affirmatively therefore. Articles I and II of these Bylaws and other portions pertaining to the *Code of Virginia*, as referenced in the text, shall not be subject to suspension by the Board under any circumstances.

§ 9.02. **Institutional Review.** The Board may periodically commission an institutional review. This review may also serve as the evaluation of the president as set forth in §701. (f) of these Bylaws to preclude unnecessary duplication.

§ 9.03. **Board Evaluation.** The Board should conduct a self evaluation annually at a Board retreat. The Board should occasionally have a formal evaluation of its processes and procedures which could be conducted by an external evaluator at the discretion of the Executive Committee. In these endeavors, the candid opinions regarding the Board should be sought in an appropriate fashion from the University President, University Staff, Faculty, and Students along with the public at large.
§ 9.04. Board of Visitors Budget. The Office of the Board of Visitors shall be allocated funds in the annual University budget adopted by the Board. The Vice Rector, in conjunction with the Executive Secretary to the Board, shall be responsible for formulating the Board of Visitors Base Budget for the coming year (see Bylaws § 5.06. and § 7.04.) predicated on guidance developed by the Rector grounded on past spending patterns and anticipated needs. The Board of Visitors Budget shall be developed during the University's budget formulation process and shall be presented by the Vice Rector to the Board at the Spring regular meeting for approval. The Vice Rector, based on reports prepared by the Executive Secretary to the Board, shall regularly report on the status of the Board Budget Account at each regular and Executive Committee meeting.

ARTICLE X
Amendments and Procedural Irregularities

§ 10.01. Procedure. The Bylaws may be amended at any regular or special meeting of the Board by a vote of at least 12 voting members of the Board of Visitors provided that notice of the proposed amendment has been given at least 45 calendar days prior to the meeting.

§ 10.02. Legislative Amendments. In the event any portion of the legislation pertaining to Old Dominion University is amended by Acts of the General Assembly in a manner in conflict with these Bylaws, the laws of the Commonwealth shall control and these Bylaws will be amended thereby. Those portions of the Bylaws which are not affected by such legislation shall remain in full force and effect until and unless otherwise amended or repealed. Annual legislative amendments to the Code of Virginia may be initiated by the Board and the President; however, the Board must pass by a majority vote on all amendments, including annual budget amendments, to be submitted to the General Assembly on behalf of Old Dominion University.

§ 10.03. State Budget Requests. The Board shall participate in the formulation of the biennium budget request process. The Board or the Executive Committee must approve operating and capital requests by a majority vote. The Board shall review planning and financial feasibility studies for capital projects and approve them by a majority vote of voting members of the Board or the Executive Committee prior to submission to appropriate state agencies.

§ 10.04. Ratification of Ultra Vires Act. Any action taken in violation of these Bylaws is taken without authority. For such action to be legally binding, it must be ratified by an affirmative vote of at least nine voting members of the Board.

§ 10.05. Adoption, Effective Date and Repealer. These Bylaws are hereby adopted and shall be effective as of the 2nd 8th day of April, 2009 2010. All former Bylaws of the Board of Visitors are hereby repealed.

REPORTS OF STANDING COMMITTEES

AUDIT COMMITTEE

The Rector called on Mr. Kornblau for the report of the Audit Committee. Mr. Kornblau reported that the Audit Committee met earlier this morning and held its Exit Interview on
the audit for fiscal year 2009 with Joe Steppe, Project Director, and Lakisha Speller, auditor in-charge, from the Auditor of Public Accounts. Mr. Steppe reported that the APA issued an unqualified opinion on the University’s financial statements, which were deemed to have been presented fairly, in all material respects, with generally accepted accounting principles. No significant deficiencies or material weaknesses in internal control over financial reporting were reported, and no instances of noncompliance or other matters required to be reported were identified. In addition, there were no indications of fraudulent transactions or illegal acts, no unusual transactions or significant accounting policies in controversial or emerging issues, and no adjustments were proposed as a result of the audit. Finally, Mr. Steppe reported that adequate corrective action has been taken on prior audit comments.

The Chair thanked Mr. Steppe and Ms. Speller for their report and complimented Vice President Fenning and his staff for their excellent work. Mr. Fenning recognized Rick Fisher, Controller, and Melanie O’Dell, Associate Controller, for their leadership during the preparation of the Financial Statements and audit.

INSTITUTIONAL ADVANCEMENT COMMITTEE

The Rector called on Ms. Kirk for the report of the Institutional Advancement Committee. Ms. Kirk reported that the Committee considered one action item to name the Athletic Administration Building the Jim Jarrett Athletic Administration Building in honor of his outstanding 43 years of service and contributions to Old Dominion University and the surrounding community. The following resolution, which was brought forth as a recommendation of the Institutional Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

RESOLUTION TO NAME THE ATHLETIC ADMINISTRATION BUILDING
THE JIM JARRETT ATHLETIC ADMINISTRATION BUILDING

WHEREAS, James “Jim” Jarrett came to Old Dominion University in 1967 as an associate professor in health and physical education, and was named athletic director in 1970; and

WHEREAS, under Dr. Jarrett’s leadership, Old Dominion teams have won 28 national championship and four individual national titles, and the University has maintained a 91 percent exhausted graduation rate of its student-athletes; and

WHEREAS, Dr. Jarrett was a pioneer for Intercollegiate women’s athletics, becoming the first athletic director in Virginia to provide scholarships for female student-athletes in 1974; and

WHEREAS, among his many accomplishments, the Monarch athletic program moved from NCAA Division II to NCAA Division I, became a member of the ECAC South Conference
and won the Virginia Sports Information Directors Cup a record 12 times for posting the highest collective team winning percentage among all of the state’s NCAA Division I schools; and

WHEREAS, Dr. Jarrett saw the importance of quality athletic venues and grew the Old Dominion University facilities into one of the most comprehensive and impressive athletic physical plans in the nation; and

WHEREAS, Dr. Jarrett was a charter member of the NCAA Women’s Basketball Committee; served as president of the Colonial Athletic Association, Sun Belt Conference and Virginia Sports Hall of Fame; and was instrumental in the creation of the ODU Sports Hall of Fame; and

WHEREAS, Dr. Jarrett has been named the NACDA Southeast Regional Athletic Director of the Year, the Norfolk Sports Club’s Man of the Year and the Women’s Basketball Coaches Association’s Collegiate Director of the Year, as well as received a NACDA Lifetime Achievement Award; and

WHEREAS, Dr. Jarrett was inducted into the Hampton Roads Sports Hall of Fame in October 2009; and

WHEREAS, it is fitting that Jim Jarrett’s outstanding 43 years of service and contributions to Old Dominion University and the surrounding community be recognized in an appropriate manner.

THEREFORE, BE IT RESOLVED, that the Board of Visitors approves naming the Athletic Administration Building the Jim Jarrett Athletic Administration Building.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of the Board of Visitors, and an appropriately framed copy be displayed in the Jim Jarrett Athletic Administration Building.

------------------

The Committee met in closed session to discuss matters relating to fundraising activities with Vice President Alonzo Brandon. No action was taken after reconvening in open session.

**STUDENT ADVANCEMENT COMMITTEE**

The Rector called on Dr. Treherne for the report of the Student Advancement Committee. Dr. Treherne reported that the Committee had two action items for the Board’s approval. The following resolution was brought forth as a recommendation of the Student Advancement Committee and was approved unanimously by all members present and voting. *(Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)*
APPROVAL TO RENAME THE OFFICE OF STUDENT JUDICIAL AFFAIRS
THE OFFICE OF STUDENT CONDUCT & ACADEMIC INTEGRITY

RESOLVED, that upon the recommendation of the Student Advancement Committee, the Board of Visitors approves renaming the Office of Student Judicial Affairs the Office of Student Conduct & Academic Integrity, effective April 9, 2010.

Rationale: The request to rename the Office of Student Judicial Affairs the Office of Student Conduct & Academic Integrity serves many purposes. The change reflects the office’s educational mission and philosophical approach to managing student conduct. The inclusion of the word “judicial” in the current name inappropriately conflates the student conduct process with external legal/criminal processes; the proposed change addresses this issue.

The change also reflects recent developments in the national landscape of student discipline in higher education. In 2009, the premiere professional association dedicated to the development of student conduct administrators in higher education hanged its name from the “Association of Student Judicial Affairs” to the “Association for Student Conduct Administration” (ASCA). The organization’s name changed in 2009 after its 21-year history to better reflect its mission “. . . to facilitate best practices of student conduct administration and conflict resolution on college and university campuses” [emphasis not in original]. Furthermore, the Council for the Advancement of Standards in Higher Education (CAS) promulgates standards for “Student Conduct Programs” instead of “Student Judicial Programs.” Therefore, adoption of this name change will align Old Dominion University with CAS industry best practices.

Finally, the strategic inclusion of “Academic Integrity” in the title of the office will highlight its existing leadership in promoting a culture of academic integrity, and it will also be directive of future enforcement and educational efforts.

-----------------

The Committee interviewed three candidates for the 2009-2010 student representative to the Board of Visitors. Historically, the student representative has been an undergraduate or graduate student; however, the Student Advancement Committee recommends that the Board considers in having two student representatives in the future, to include an International, Distance Learning or Graduate student.

The following resolution, which was brought forth as a recommendation of the Student Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

RESOLUTION APPOINTING STUDENT REPRESENTATIVE
TO THE BOARD OF VISITORS

RESOLVED, that in accordance with the Board of Visitors policy, and upon the recommendation of the Student Advancement Committee, the Board of Visitors approves the appointment of Krista Harrell-Blair as the student representative to the Board, whose normal term shall expire May 7, 2011.
BE IT FURTHER RESOLVED, that in accordance with the Board of Visitors policy, and upon the recommendation of the Student Advancement Committee, the Board of Visitors approves the appointment of Kevin W. Muchiri as the alternate student representative to the Board of Visitors.

------------

Lauryn Johnson, the student representative to the Board, thanked the committee for allowing her to serve as the 2009-10 representative and for the opportunity to speak on behalf of the students. She reported on the concerns of students in the following areas: Parking, Safety, Remodeling/Reconstruction/Renovation, Resources and Facilities on Campus, Tuition, and Communication.

Due to time constraints Dr. Geneva Walker-Johnson did not give her report but will submit her written report with the minutes.

Chief Rudy Burwell of the University Police Department attended the meeting to provide updates on campus safety and security and to respond to questions. He distributed ODUPD security tags, which contain emergency information and escort service telephone numbers. He will be invited to attend future meetings of the Committee.

ACADEMIC AND RESEARCH ADVANCEMENT COMMITTEE

The Rector called on Mr. Ampy for the report of the Academic and Research Advancement Committee. Mr. Ampy reported that the Committee met in closed session to consider the award of an honorary degree, the appointment of a faculty member with tenure, adjunct faculty and support personnel, and contracts for services or work to be performed by the University.

The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

HONORARY DEGREE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the awarding of an honorary degree to the individual noted below. A summary of the nominee's career is included in the Academic and Research Advancement Agenda, on file in the Board of Visitors Office.

Dr. Klaus Scharioth, German Ambassador to the United States
Doctor of Humane Letters (honoris causa)

------------
The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. *(Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)*

**APPOINTMENT OF FACULTY MEMBER WITH TENURE**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Dr. Linda Irwin-DeVitis as Dean of the Darden College of Education and Professor of Teaching and Learning with the award of tenure in the Department of Teaching and Learning, effective June 25, 2010. Dr. Irwin-DeVitis’ curriculum vitae is included in the Academic and Research Advancement Agenda, on file in the Board of Visitors Office.

Salary: $185,000 for 12 months  
Rank: Dean, Darden College of Education, and Professor of Teaching and Learning

The Committee approved by unanimous vote with one abstention the resolutions on 29 faculty appointments, 22 administrative appointments, and seven emeritus appointments. The following resolutions were brought forth as recommendations of the Academic and Research Advancement Committee and were approved by majority vote, with one abstention, by all members present and voting. *(Approved: Ampy, Batten, Brown, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne. Abstained: Croshaw.)*

**FACULTY APPOINTMENTS**

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

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. He Yan Beal</td>
<td>$66,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
</tbody>
</table>

Associate Professor of STEM Education and Professional Studies (Tenure Track)

Dr. Beal received a Ph.D. in Clothing, Textiles and Merchandising in 1997 from Florida State University, an M.S. in Computer Sciences and Telecommunication in 1987 from Shanghai Institute of Railway Technology and a B.S. in Electrical Engineering in 1984 from Northern Jiaotong University, Beijing. Since 2008, she has been an Associate Professor of Fashion Merchandising in the Department of Child, Family and Consumer Sciences at California State University, Fresno. Prior to that, she was an Assistant Professor of Fashion Merchandising and Design in the Department of Child, Family and Consumer Sciences at California State University, Long Beach.
Ms. Blanco received an M.F.A. in Visual Communication in 2003 from the University of Oklahoma School of Art and a B.F.A. in Graphic Design in 1997 from Oklahoma State University. Since 2003, she has been an Assistant Professor in the Communication Design Program in the Department of Art and Design at Texas State University.

Dr. Cuckov received a Ph.D. in Electrical and Computer Engineering, an M.S. in Electrical Engineering and a B.S. in Computer Engineering, in 2009, 2005 and 2003 respectively, from Old Dominion University. Since 2006, he has been a Research Assistant in the Department of Electrical and Computer Engineering Wireless Communication and Networking Lab at Old Dominion University.

Ms. Elya-Stephan received an M.S.N. in 1999 from Old Dominion University and a B.S.N. in 1989 from the University of Michigan. Since 2000, she has been a Certified Registered Nurse Anesthetist for Atlantic Anesthesia, Inc.

Dr. Fantz received a Ph.D. in Education and Human Resource Studies – Interdisciplinary Studies: Engineering Education in 2009 from Colorado State University, an M.A. in Curriculum and Instruction, Science Education in 2002 from the University of Colorado, Denver and a B.S. in Civil Engineering in 1995 from the University of Colorado, Boulder. Since 2009, he has been a coordinator of First-Year Instruction at the University of Northern Colorado. Prior to that, he was a Graduate Research Assistant at Colorado State University.

Dr. Frazier received a Ph.D. in Organizational Behavior in 2009 from Oklahoma State University, an M.B.A. from Oklahoma City University and a B.S. in Accounting from Oklahoma State University. He is currently a Visiting Assistant Professor in the Department of Management at Oklahoma State University. From 1997-2005, he was a Senior Technical Analyst at MCI in Tulsa, OK.
<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. David M. Godden</td>
<td>$48,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Assistant Professor of Philosophy and Religious Studies (Tenure Track)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dr. Godden received a Ph.D. in Philosophy in 2004 from McMaster University, an M.A. in Philosophy in 1997 from York University and a B.A. in Philosophy in 1995 from Wilfrid Laurier University. Since 2008, he has been a Lecturer in the Department of Philosophy and Religious Studies at Old Dominion University. Prior to that, he was a Visiting Assistant Professor in the Department of Philosophy at the University of Winnipeg.

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Holly A. H. Handley</td>
<td>$75,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Assistant Professor of Engineering Management and Systems Engineering (Tenure Track)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dr. Handley received a Ph.D. in Information Technology and Engineering in 1999 from George Mason University, an M.B.A. in Management Information Systems in 1995 from the University of Hawaii, an M.S. in Electrical Engineering in 1987 from the University of California at Berkeley and a B.S. in Electrical Engineering in 1984 from Clarkson College. Since 2002, she has been Principal Investigator for Pacific Science and Engineering Group, San Diego, CA. Prior to that, Dr. Handley was a Research Associate Professor at George Mason University.

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Loree C. Heller</td>
<td>$90,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Associate Professor of Medical Laboratory and Radiation Sciences</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dr. Heller received a Ph.D. in Medical Sciences with a specialization in Biochemistry and Molecular Biology in 1993 from the University of South Florida College of Medicine, an M.S. in Medical Microbiology and Immunology in 1984 from Long Island University and a B.S. in Microbiology in 1979 from Oregon State University. Since 2008, she has been a Research Associate Professor for the Center for Bioelectronics at Old Dominion University. From 2004-2008 she was a Research Assistant Professor in the Department of Molecular Medicine at the University of South Florida College of Medicine.

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Karen E. Higgins-Gillikin</td>
<td>$18,356</td>
<td>3/1/10</td>
<td>3 mos</td>
</tr>
<tr>
<td>Lecturer of Nursing</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ms. Higgins-Gillikin received an M.S. in Nurse Anesthesia in 1996 from Virginia Commonwealth University, an M.S. in 1991 also from Virginia Commonwealth University, and a B.S. in Nursing in 1987 from Old Dominion University. Since 1997 she has been a Certified Registered Nurse Anesthetist with Atlantic Anesthesia, Inc. Since 2000, Ms. Higgins-Gillikin has been an adjunct faculty member at Old Dominion University.
<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Tara M. Hill</td>
<td>$55,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Assistant Professor of Counseling &amp; Human Services (Tenure Track)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dr. Hill received a Ph.D. in Counselor Education and Supervision in 2009 from the University of Toledo and an M.A. in Counseling in 2000 from Heidelberg College. She is anticipating a Ph.D. in Foundations of Education, Research and Measurement in 2011 and a School Counselor Endorsement in 2010. Dr. Hill is a licensed Professional Clinical Counselor with Supervisory Endorsement (PCCC-S) and a licensed Professional Counselor. Since 2006 she has also been an Instructor, Graduate Assistant and Research Assistant in the Department of Counselor Education and School Psychology at the University of Toledo. Dr. Hill has also been a Clinical Counselor with Ackerman-Spain Counseling Services, Perrysburg, Ohio.

| Dr. Rachel Schmidt Jabaily | $13,750 | 1/10/10 | 5 mos |
| Post-Doctoral Research Associate in Biological Sciences | |

Dr. Jabaily received a Ph.D. in Botany in 2009 from the University of Wisconsin-Madison and a B.S. in Botany with a minor in Environment & Natural Resources in 2004 from the University of Wyoming. Since 2009, she has been an Associate Lecturer at the University of Wisconsin: Vascular Flora of Wisconsin, and she held several teaching assistantships at the University of Wisconsin between 2004 and 2009.

| Ms. Susan L. Jackson | $45,000 | 7/25/10 | 10 mos |
| Instructor of Management | |

Ms. Jackson received an M.S. in Administration, Personnel Management in 1981 from George Washington University and a B.S. in Business Administration, Marketing in 1978 from Old Dominion University. Since 1999, she has been in residential real estate and property management. She has also been an adjunct professor at Old Dominion University since 2008.

| Ms. Margaret F. Lemaster | $26,651 | 12/5/09 | 5 mos |
| Assistant Professor of Dental Hygiene (Tenure Track) | |

Ms. Lemaster received an M.S. in Dental Hygiene in 2009 from Old Dominion University and a B.S. in Dental Hygiene in 1992, also from Old Dominion University. Since 1992 she has been working in private practice. She has also been an adjunct faculty member and clinical instructor in the Department of Dental Hygiene at Old Dominion University since 2003.
<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Alison McCrowell Lietzenmayer Lecturer of Communication and Theatre Arts</td>
<td>$20,000</td>
<td>12/25/09</td>
<td>5 mos</td>
</tr>
</tbody>
</table>

Ms. Lietzenmayer received an M.A. in Humanities: Communication in 2004 from Old Dominion University and a B.A. in Communications with an emphasis in Public Relations in 2002, also from Old Dominion University. Since 2004 she has been a substitute teacher with Virginia Beach City Public Schools.

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Guido Wilfred Lopez Associate Professor of Engineering Technology (Tenure Track)</td>
<td>$65,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
</tbody>
</table>

Dr. Lopez received a Ph.D. and M.S. in Engineering in 1993 from Northeastern University and a B.S. and M.E. in Mechanical Engineering in 1979 from the National Polytechnic School. He has more than 25 years of experience teaching at the University level and is currently teaching in the Department of Engineering Technology at Old Dominion University.

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lieutenant General James J. Lovelace, Jr. (Ret) Senior Research Fellow, Virginia Modeling, Analysis and Simulation Center</td>
<td>$1,500/day</td>
<td>10/1/09</td>
<td>22 days</td>
</tr>
</tbody>
</table>

Lieutenant General Lovelace received a Master's degree in Physical Education from Indiana University, a Master's degree in Management from Salve Regina College, and a Master's degree in National Security and Strategic Studies from the U.S. Naval War College. He has served in a variety of command and staff positions and commanded batteries in the 2d Infantry Division and XVIII Airborne Corps Artillery. He assumed command of U.S. Army Central and Coalition Forces Land Component Command on December 18, 2007. (Salary and fringe benefits reimbursed to the University from the U.S. Joint Forces Command)

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>General David D. McKiernan (Ret) Senior Research Fellow, Virginia Modeling, Analysis and Simulation Center</td>
<td>$1,800/day</td>
<td>3/8/10</td>
<td>3 days</td>
</tr>
</tbody>
</table>

General McKiernan received a Master’s degree in Public Administration from Shippensburg College. He has served from platoon leader to numbered Army/Combined Joint Task Force Commander in Europe, CONUS, Korea, Southwest Asia and Afghanistan. He has also served as the Operations Officer at every level of command from battalion to HQDA DCSOPS, to include service as the DCOS G2/G3 in Bosnia-Herzegovina (IFOR) with the Allied Command Europe Rapid Reaction Corps (AARC). (Salary and fringe benefits reimbursed to the University from the U.S. Joint Forces Command)
<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Katrina L. Miller-Stevens, Instructor of Urban Studies and Public Administration (Tenure Track)</td>
<td>$85,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Dr. Anna Mirkova, Assistant Professor of History (Tenure Track)</td>
<td>$50,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Senator Frederick M. Quayle, Adjunct Faculty Member</td>
<td>$5,000 per course</td>
<td>8/28/10</td>
<td>5 mos</td>
</tr>
<tr>
<td>Ms. Laura E. Ray, Lecturer, English Language Center</td>
<td>$16,667</td>
<td>1/10/10</td>
<td>5 mos</td>
</tr>
</tbody>
</table>

Ms. Miller-Stevens received a Master of Nonprofit Management in 2004 from Regis University and a B.A. in History in 1999 from Colorado State University. She is expected to receive a Ph.D. in Public Affairs in 2010 from the University of Colorado Denver. Since 2007, she has been a Lecturer and Research Assistant in the School of Public Affairs at the University of Colorado and a Research Assistant with Denver Options, Inc of Denver, CO. (Rank will be Assistant Professor if all requirements for the Ph.D. are completed by August 1, 2010.)

Dr. Mirkova received a Ph.D. and an M.A. in History in 2006 from the University of Michigan and a B.A. in History in 1998 from Lawrence University. Since 2009, she has been the Max Weber Fellow at the European University Institute. Preceding that, she was a Returning Scholar Fellow in the Department of History and Theory of Culture at Sofia University in Bulgaria.

Senator Quayle received a B.A. in Economics from the University of Virginia and an LL.B. from T.C. Williams School of Law. He has been a member of the Virginia Senate since 1992 and represents District 13. He was a full-time faculty member at Old Dominion University from 2007-2009, teaching courses in the Department of Political Science and Geography and the Department of Finance.

Ms. Ray received an M.A. in TESOL and Sociolinguistics in 2008 from Old Dominion University and a B.S. in Wildlife Biology in 2005 from the State University of New York College of Environmental Science and Forestry. She also has a Graduate Certificate in Teaching English to Speakers of Other Languages (TESOL). Since 2009, Ms. Ray has been an interim faculty member and administrative coordinator for the English Language Center at Old Dominion University. She is also an adjunct ESL instructor at the ODU English Language Center and at Tidewater Community College.
<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Salary</th>
<th>Effective Date</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Corrin G. Richels</td>
<td>$61,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Assistant Professor of Communication Disorders and Special Education (Tenure Track)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dr. Timothy Mark Robinson</td>
<td>$57,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Assistant Professor of English (Tenure Track)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dr. John A. Sokolowski</td>
<td>$43,750</td>
<td>3/10/10</td>
<td>3 mos</td>
</tr>
<tr>
<td>Associate Professor of Modeling &amp; Simulation, Executive Director of the Virginia Modeling, Analysis and Simulation Center</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dr. Christine A. Ward</td>
<td>$52,000</td>
<td>7/25/10</td>
<td>10 mos</td>
</tr>
<tr>
<td>Assistant Professor of Counseling and Human Services (Tenure Track)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dr. Richels received a Ph.D. in Speech-Language Pathology in 2004 from Vanderbilt University, an M.S. in Speech-Language Pathology in 1996 from James Madison University, and a B.S. in Speech-Language Pathology and Audiology in 1994, also from James Madison University. Since 2007, she has been a Speech-Language Pathologist for Chesapeake City Public Schools as well as an adjunct Assistant Professor at Old Dominion University.

Dr. Robinson received a Ph.D. in English in 2004 from Pennsylvania State University, an M.A. in English in 2000, also from Pennsylvania State University, and a B.S. in English in 1998 from State University New York College at Brockport. Since 2007, he has been a Visiting Assistant Professor at Bates College in Lewiston, Maine. Preceding that, he was a Visiting Assistant Professor and Scholar-in-Residence at Southwestern University in Georgetown, TX.

Dr. Sokolowski received a Ph.D. in Engineering with a concentration in Modeling and Simulation in 2003 from Old Dominion University, an M.S. in Engineering Management in 1998, also from Old Dominion University, and a B.S. in Computer Science in 1974 from Purdue University. Since 2009, he has been Interim Executive Director of the Virginia Modeling, Analysis & Simulation Center (VMASC) at Old Dominion University. Prior to that, he was a Research Professor and Director of Research, Acting Chief Scientist, and Senior Research Scientist for VMASC.

Dr. Ward received a Ph.D. in Counselor Education in 2009 from Texas A&M University, an M.Ed. in Counselor Education in 2005 from the University of North Florida, and a B.S. in Business Administration in 2001 from Trinity University. Since 2009, she has been a Research Scientist for the Darden College of Education’s Program for Research and Evaluation in Public Schools. Prior to that, Dr. Ward was a Graduate Counseling Supervisor and School Counselor at the Antonio E. Garcia Arts and Education Center and the Early Childhood Development Center in Corpus Christi, TX.
Effective Name and Rank Salary  Date  Term
Dr. John Weber $48,000  7/25/10  10 mos
Assistant Professor of History (Tenure Track)

Dr. Weber received a Ph.D. in 2008 from William and Mary, an M.A. in 2002, also from William and Mary, and a B.A. in 2000 from Vanderbilt University. Since 2009, he has been a Visiting Assistant Professor for Texas A&M University. Prior to that, he was the Summerlee Foundation Fellow in Texas History for the Clements Center for Southwest Studies at Southern Methodist University. He has held adjunct teaching positions at the College of William and Mary, University of Richmond, and Thomas Nelson Community College.

Dr. George O. White, III $107,000  7/25/10  10 mos
Assistant Professor of Management (Tenure Track)

Dr. White received a Ph.D. in International Business in 2008 from the University of Texas at El Paso, an M.B.A. in General Management in 2006, also from the University of Texas at El Paso, an LL.M. in International Commercial Law in 2002 from Emory University, a J.D. in International Law in 2001 from Thomas M. Cooley Law School and, a B.A. in Asian History in 1995 from the University of Alabama. Since 2008, he has been an Assistant Professor of International Business at the University of Michigan. Prior to that, he served as Honorary Professor of Global Commerce at Hebei Normal University in China.

Ms. Kelly Tanner Williams $22,000  12/25/09  5 mos
Visiting Assistant Professor of Dental Hygiene

Ms. Williams received an M.S. in Dental Hygiene in 2002 from Old Dominion University and a B.S. in Dental Hygiene in 1996, also from Old Dominion University. Since 2006 she has been President and Owner of Exceed Dental, LLC, Consulting and Recruiting. Prior to that, Ms. Williams was Assistant Professor of Dental Hygiene at Virginia Commonwealth University.

---------------

APPOINTMENT OF ASSOCIATE SITE DIRECTOR
FORT MYER/PENTAGON
(Change in Category of Position)

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Iva Armstrong as Associate Site Director, Fort Myer/Pentagon, Military Distance Learning effective January 25, 2010.

Ms. Armstrong received an M.A. in Business Administration from Central Michigan University and a B.A. in Psychology from East Carolina University. Since 2005 she has been a program
advisor for Old Dominion University at Ft. Meyer. (Category of position changed to conform with December 2009 Board Resolution Concerning Employment)

Salary: $23,700 for 12 months
Rank: Associate Site Director, Fort Myer/Pentagon and Instructor

---------------

APPOINTMENT OF ASSESSMENT COORDINATOR FOR ENGINEERING

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Fred Butler as Assessment Coordinator for Engineering, Batten College of Engineering and Technology effective January 10, 2010.

Mr. Butler received an M.P.A. in Public Policy and Public Financial Management in 2002 from Old Dominion University and a B.S. in Political Science and in Business Administration in 1982 from Oregon State University. He has held several positions at Old Dominion University since 1993, including accountant and business manager and fiscal technician.

Salary: $46,000 for 12 months
Rank: Assessment Coordinator for Engineering and Instructor

---------------

APPOINTMENT OF INSTRUCTIONAL TECHNOLOGY SPECIALIST

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Yong Chen as Instructional Technology Specialist, Center for Learning Technologies, effective January 10, 2010.

Mr. Chen received an M.A. in Educational Technology in 2009 from San Diego State University, an M.A. in Advertising in 2005 from Michigan State University and a B.A. in Advertising in 1999 from Beijing University, China. Since 2009 he has been an Instructional Designer for Speakeasy Consulting in San Diego, CA. Prior to that Mr. Chen was a Technology Coach at San Diego State University.

Salary: $48,298 for 12 months
Rank: Instructional Technology Specialist and Instructor

------------
APPOINTMENT OF SENIOR ASSISTANT REGISTRAR FOR GRADUATION AND RECORDS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Christopher A. Davis as Senior Assistant Registrar for Graduation and Records, effective January 10, 2010.

Mr. Davis received an Education Specialist degree in Educational Leadership in 2008 from Old Dominion University, a M.S. in Computer Science in 2003, also from Old Dominion University, and a B.S. in Business Administration in 1998 from Averett College. He expects to complete a Ph.D. in Higher Education in 2010. Mr. Davis has been Senior Assistant Registrar for Degree Evaluation and NCAA Athletic Eligibility since 2004.

Salary: $54,533 for 12 months
Rank: Senior Assistant Registrar for Graduation and Records and Instructor

---------------

APPOINTMENT OF DEFENSIVE BACKS COACH

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Jarod Dodson as Defensive Backs Coach, Athletics, effective March 25, 2010.

Mr. Dodson received an M.A. in H.Y.P.E.R. in 2000 and a B.S. in Recreation in 1999 from the University of South Dakota. In 2009 he was Special Teams Co-Coordinator and Defensive Backs Coach at the University of Buffalo. Prior to that Mr. Dodson was with the University of South Dakota as Defensive Coordinator, Special Teams Coordinator, and Offensive Passing Game Coordinator.

Salary: $55,000 for 12 months
Rank: Defensive Backs Coach

---------------

APPOINTMENT OF SITE DIRECTOR, SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER
(Change in category of position)

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Connie Estep as Site Director, Southwest Virginia Higher Education Center, effective January 25, 2010.

Ms. Estep received an M.S. in Counseling and Human Development in 2002 from Radford University and a B.S. in Human Services Counseling in 1997 from Old Dominion University. She has been a site director at Danville Community College and Southwest Virginia Higher Education Center since 2003. (Category of position changed to conform with December 2009 Board Resolution Concerning Employment)
Salary: $40,000 for 12 months
Rank: Site Director, Southwest Virginia Higher Education Center and Instructor

----------

APPOINTMENT OF ASSISTANT DIRECTOR OF MARKETING AND COMMUNICATIONS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Michelle M. Falck as Assistant Director, Marketing and Communications, Office of Institutional Advancement, effective January 25, 2010.

Ms. Falck received an M.B.A. in Business Administration for Development in 1995 from Universidad San Francisco de Quito in Ecuador and a B.A. in English and Spanish in 1992 from Dickinson College. She has served in a classified position as Assistant Director for Marketing and Communications at Old Dominion University since 2008. Prior to that, Ms. Falck was a Public Relations/Marketing Specialist at Old Dominion.

Salary: $51,997 for 12 months
Rank: Assistant Director of Marketing and Communications and Instructor

----------

APPOINTMENT OF ASSOCIATE DIRECTOR OF HOUSING & RESIDENCE LIFE BUSINESS OPERATIONS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Cynthia A. Glavas as Associate Director, Housing & Residence Life Business Operations, effective February 25, 2010.

Ms. Glavas received an M.B.A. in Management Information Systems in 1996 from American University and a B.S.B.A. in International Business with a concentration in Finance in 1994, also from American University. Since 2005, she has been the Financial Manager for Auxiliary Services at American University.

Salary: $73,680 for 12 months
Rank: Associate Director of Housing and Residence Life Business Operations and Instructor

----------

APPOINTMENT OF AREA COORDINATOR FOR FIRST-YEAR LIVING

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Natina R.
Gurley as Area Coordinator for First-Year Living, Housing and Residence Life, effective February 25, 2010.

Ms. Gurley received an M.S. in College Student Personnel Services and Administration in 2006 from the University of Central Arkansas and a B.S. in Physiological Sciences in 2003 from the University of California at Los Angeles. Since 2008, she has been Assistant Director of Residential Education for the Sophomore Year Experience at Colgate University. Prior to that Ms. Gurley was Area Coordinator for Housing & Residential Life at Middle Tennessee State University.

Salary: $38,000 for 12 months
Rank: Area Coordinator for First-Year Living and Instructor

---------------

APPOINTMENT OF SITE COORDINATOR, NORTHERN VIRGINIA HIGHER EDUCATION CENTER (Change in category of position)

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Kara Gwaltney as Site Coordinator, Northern Virginia Higher Education Center, effective January 25, 2010.

Ms. Gwaltney received an M.Ed in 2001 from George Mason University and a B.S. in Education in 1994 from the University of Delaware. Since 2007, she has been Site Coordinator and Academic Advisor for the Northern Virginia Testing Center. Prior to that, she was an academic advisor at the Northern Virginia Higher Education Center. (Category of position changed to conform with December 2009 Board Resolution Concerning Employment)

Salary: $30,800 for 12 months
Rank: Site Coordinator, Northern Virginia Higher Education Center and Instructor

---------------

APPOINTMENT OF EDUCATION REFERENCE LIBRARIAN AND LIBRARIAN I

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Matthew Jabaily as Education Reference Librarian and Librarian I, effective January 25, 2010.

Mr. Jabaily received a Master of Library and Information Studies in 2009 from the University of Wisconsin-Madison and a B.A. in English in 2004 from Carleton College. Since 2007, he has worked at the MERIT (Education) Library at the University of Wisconsin-Madison.

Salary: $49,000 for 12 months
Rank: Education Reference Librarian and Librarian I
APPOINTMENT OF ASSISTANT TO THE PRESIDENT FOR FEDERAL, STATE AND LOCAL GOVERNMENTAL RELATIONS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Elizabeth Kersey as Assistant to the President for Federal, State, and Local Governmental Relations, effective January 5, 2010.

Ms. Kersey received a B.S. in Political Science in 1998 from Old Dominion University. Since 2006, she has been Director in Intergovernmental Affairs for the City of Hampton. From 2004-2006, Ms. Kersey was Director of Government Relations and Communications for the State Council of Higher Education for Virginia. Prior to that she was Director of Governmental Relations for Old Dominion University.

Salary: $100,000 for 12 months
Rank: Assistant to the President for Federal, State and Local Governmental Relations and Assistant Instructor

---------------

APPOINTMENT OF ASSISTANT DIRECTOR, CAREER MANAGEMENT CENTER/CYBER CENTER SUPERVISOR

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Nakia Madry as Assistant Director for the Career Management Center/Cyber Center Supervisor, effective March 10, 2010.

Ms. Madry received an M.B.A. in Marketing in 2005 from Old Dominion University and a B.S. in Music Engineering Technology in 1999 from Hampton University. She previously was employed by Career Connection.com at Landmark Communications as a Recruitment Consultant and with multiple musical and public relations organizations involving voice, dance and theatrical productions, including managing the business aspects.

Salary: $31,000 for 12 months
Rank: Assistant Director for the Career Management Center/Cyber Center Supervisor and Instructor

---------------

APPOINTMENT OF ASSISTANT DIRECTOR FOR HOUSING AND RESIDENCE LIFE CONTRACTS & ASSIGNMENTS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Ramonsa D. May as Assistant Director for Housing and Residence Life Contracts & Assignments, effective January 10, 2010.
Ms. May received an M.A. in Applied Sociology in 1999 and a B.S. in Criminal Justice in 1992 from Old Dominion University. Since 1993 she has been Assistant Director of Administration for Housing Services at Old Dominion University. Since 2000 Ms. May has been an Adjunct Instructor in the Criminal Justice Program at Old Dominion University.

Salary: $50,000 for 12 months
Rank: Assistant Director for Housing and Residence Life Contracts & Assignments and Instructor

---------------

**APPOINTMENT OF ACADEMIC SERVICES COORDINATOR, DEPARTMENT OF MODELING AND SIMULATION ENGINEERING**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Richard L. Mayo III as Academic Services Coordinator for the Department of Modeling and Simulation Engineering, effective March 10, 2010.

Mr. Mayo received an M.S.Ed. in Higher Education Administration in 2008 and a B.A. in Communication in 2006 from Old Dominion University. He anticipates completion of a Graduate Certificate in Technology and Communication in 2010. Since 2008, Mr. Mayo has been a Program Advisor for the Interdisciplinary Studies Teacher Preparation and International Studies Programs and an Adjunct Instructor at Old Dominion University.

Salary: $40,000 for 12 months
Rank: Academic Services Coordinator in the Department of Modeling and Simulation Engineering and Instructor

---------------

**APPOINTMENT OF UNDERGRADUATE/TRANSFER ADVISOR, PENINSULA HIGHER EDUCATION CENTER**

**Change in category of position**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Connie J. Morgan as Undergraduate/Transfer Advisor, Peninsula Higher Education Center, effective January 10, 2010.

Ms. Morgan received an M.B.A. in 2007 from St. Leo University and a B.A. in Sociology in 2002 from Christopher Newport University. Since 2005, she has been Site Director/Transfer Advisor at the Peninsula Higher Education Center. She has also been an Adjunct Instructor and an Academic Planning Specialist/Advisor for Thomas Nelson Community College. (Category of position changed to conform with December 2009 Board Resolution Concerning Employment)
Salary: $31,000 for 12 months
Rank: Undergraduate/Transfer Advisor, Peninsula Higher Education Center and Instructor

------------------

APPOINTMENT OF MARKETING COORDINATOR, SCHOOL OF NURSING

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Ms. Jacquelyn M. Nielson as Marketing Coordinator, School of Nursing, effective April 10, 2010.

Ms. Nielson received an A.A.S. in Nursing in 1998 from Tidewater Community College, a B.S. in Education/Vocational Education Studies in 1992 from Southern Illinois University and an A.A.S. in Marketing and Merchandising in 1979 from Tidewater Community College. Since 2005, she has been an Administrator with the Virginia Surgery Center. Prior to that, Ms. Nielson was a Surgical Coordinator with Virginia Eye Consultants.

Salary: $38,000 for 12 months
Rank: Marketing Coordinator, School of Nursing and Assistant Instructor

------------------

APPOINTMENT OF CONTRIBUTING AUTHOR FOR THE OLD DOMINION UNIVERSITY STATE OF THE REGION REPORT

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Delegate Kenneth R. Plum as Contributing Author for the Old Dominion University State of the Region Report, College of Business and Public Administration, effective February 1, 2010.

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

Salary: $6,000 for 6 months
Rank: Contributing Author for the Old Dominion University State of the Region Report, College of Business and Public Administration

------------------

APPOINTMENT OF ACTING HEAD EQUIPMENT MANAGER

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Mr. Thomas G. Rapier II as Acting Head Equipment Manager, effective November 25, 2009.
Mr. Rapier received a B.S. in Education in 2008 from the Virginia Polytechnic Institute and State University. His is currently the Assistant Equipment Manager at Old Dominion University. From 2005-2007, Mr. Rapier was the Assistant Equipment Manager for the Athletic Department at Virginia Tech.

Salary: $34,500 for 12 months
Rank: Acting Head Equipment Manager and Instructor

---------------

APPOINTMENT OF DIRECTOR OF INTERCOLLEGIATE ATHLETICS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment of Dr. Camden Wood Selig as Director of Intercollegiate Athletics, effective May 10, 2010.

Dr. Selig received a Doctorate in Education Leadership in 1999 from the University of Virginia, an M.S. in Sports Administration in 1987 from Ohio University and a B.A. in Psychology in 1983 from Washington & Lee University. Since 1999 he has been Director of Athletics for Western Kentucky University. From 1988-1999 Dr. Selig was with the University of Virginia as the Director of Sports Promotions, Assistant Athletic Director for Marketing and Promotions, and Associate Athletics Director for External Operations.

Salary: $250,000 for 12 months
Rank: Director of Intercollegiate Athletics and Assistant Professor

---------------

APPOINTMENT OF LICENSING ASSOCIATE

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment Ms. Ying Song as Licensing Associate, Office of Research, effective February 25, 2010.

Ms. Song received an M.B.A. in 2003 from Carnegie Mellon University, an M.S. in Pharmacology in 1997 from St. John’s University and a B.S. in Biology in 1994 from Trent University. Since 2009, she was been a Technology Licensing Associate for Old Dominion University. From 2003-2006 Ms. Song was a Founder with United Biotechnology, Inc.

Salary: $53,169 for 12 months
Rank: Licensing Associate and Instructor

---------------
APPOINTMENT OF SENIOR ASSISTANT REGISTRAR FOR SCHEDULING AND ENROLLMENT SERVICES

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the appointment Mr. David Sorey as Senior Assistant Registrar for Scheduling and Enrollment Services, effective January 10, 2010.

Mr. Sorey received an M.S. in Education-Occupational and Technical Studies in 2002 from Old Dominion University and a B.A. in Mass Communications in 1994 from California State University. Since 2003, he has been Senior Assistant Registrar and Coordinator of Scheduling at Old Dominion University.

Salary: $50,000 for 12 months
Rank: Senior Assistant Registrar for Scheduling and Enrollment Services and Instructor

---------------

EMERITUS/EMERITA APPOINTMENTS

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

<table>
<thead>
<tr>
<th>Name and Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>William H. Graves, Professor Emeritus of Counseling and Human Services and Dean Emeritus of the Darden College of Education</td>
<td>July 1, 2010</td>
</tr>
<tr>
<td>Jane M. Hager, Professor Emerita of Teaching and Learning</td>
<td>June 1, 2010</td>
</tr>
<tr>
<td>James Jarrett, Professor Emeritus of Human Movement Sciences</td>
<td>June 1, 2010</td>
</tr>
<tr>
<td>Timothy C. McKee, Associate Professor Emeritus of Accounting</td>
<td>June 1, 2010</td>
</tr>
<tr>
<td>George F. Oertel, Professor Emeritus of Ocean, Earth and Atmospheric Sciences</td>
<td>June 1, 2010</td>
</tr>
<tr>
<td>Karl H. Schoenbach, Eminent Scholar Emeritus and Professor Emeritus of Electrical and Computer Engineering</td>
<td>June 1, 2010</td>
</tr>
<tr>
<td>Alice P. Wakefield, Associate Professor Emerita of Teaching and Learning</td>
<td>June 1, 2010</td>
</tr>
</tbody>
</table>
WILLIAM H. GRAVES, III

William H. Graves, III received a B.A. in Psychology from Wake Forest University in 1960, an M.R.C. in Rehabilitation Counseling from the University of Florida in 1965, and an Ed. D. in Student Personnel from the University of Florida in 1968. He served previously as Professor and Dean of Education, Mississippi State University as well as Director, National Institute of Disability and Rehabilitation, a position to which he was appointed by President George H. W. Bush and confirmed by the U. S. Senate.

Graves joined Old Dominion as Dean of the Darden College of Education and Professor of Educational Leadership and Counseling in 2001. During his nine years at Old Dominion University, Graves led the Darden College of Education through a re-organization of its academic and administrative structure. He also established Ph.D. degree programs in Community College Leadership and in Education. The Ph.D. in Education includes ten academic emphasis areas, and it is the largest doctoral degree program in the University. During his tenure, a Christa McAuliffe Outstanding Teacher Education Award was given to the Special Education Teacher Education Program, the Counselor Education Program was cited by the Association for Counselor Education and Supervision as the nation’s most outstanding graduate program, and William Reed received the Outstanding Doctoral Dissertation Award in 2009 from the American Association of Colleges of Teacher Education. Research awards and expenditures increased significantly during Graves’ tenure. In 2009, Graves authored the $6 million Teacher Quality Grant awarded by the U. S. Department of Education. The Darden College of Education also gained its first top 100 ranking among graduate schools/colleges of education during his tenure.

JANE MEEKS HAGER

Jane Meeks Hager, Professor of Teaching and Learning, received a B.S. in Elementary Education from Missouri Western College in 1970, an M.S.Ed. in Reading Education from Northwest Missouri State University in 1974, and a Ph.D. in Reading Education from the University of Missouri-Kansas City in 1977. She joined the faculty of Old Dominion University as an Assistant Professor in 1977 and achieved the rank of full Professor in 1990. During her 33 years at Old Dominion University, Hager served with distinction in several administrative positions including Graduate Program Director of Reading Education, Director of the Ph.D. in Urban Services, Acting Director of Women’s Studies, Associate Dean of the Darden College of Education, Interim Dean of the Darden College of Education, Chair of the Department of Educational Curriculum and Instruction, and Graduate Program Director of the Literacy Leadership Ph.D. Program.

Hager has numerous national, regional, and state publications, more than 100 presentations including international and national keynote speeches, and has been co-principal investigator for grants totaling more than $10 million. She served as President of the American Reading Forum and the Virginia State Reading Association. As a member of the Board of Examiners of the National Council for Accreditation for Teacher Education, she has had an influential role in shaping and developing standards affecting teaching and the education profession on a national level. She has been a strong mentor for both faculty and doctoral students as they worked to develop their own expertise and build a nationally recognized writing and research reputations.
JAMES JARRETT

James Jarrett came to Old Dominion in 1967 as an associate professor in Health and Physical Education and was named Athletic Director in the spring of 1970, replacing Bud Metheny. Under his leadership, Old Dominion teams won 28 championships and maintained a 91% exhausted graduation rate of its student athletes. Old Dominion was competing on the NCAA Division II level when Jarrett took the reins and won the school’s first national crown in men’s basketball in 1975. The following year the Monarch athletic program made the leap to NCAA Division I status.

Jarrett’s “selective excellence” philosophy of fielding teams in sports where ODU could be nationally competitive played a huge role in the program’s success. The Monarchs athletic program has won the Virginia Sports Information Directors Cup a record 12 times for posting the highest, collective team winning percentage among all of the state’s NCAA Division I universities. Jarrett was a pioneer on Intercollegiate women’s athletes, becoming one of the first athletic directors in the nation to provide scholarships to female student athletes in 1974. Of the 28 national team titles ODU has won during his tenure, 18 of those have been achieved by women’s teams, with three in women’s basketball, nine in field hockey, and six in women’s sailing. The Lady Monarchs led the nation in women’s basketball attendance from 1978-1983, set an NCAA record 17 straight conference championship streak from 1992-2008 and the field hockey program earned a record six Honda Award winners (national player of the year) during his tenure.

Old Dominion’s athletic facilities grew from housing all of its sport programs in the ODU Field House, which opened in his first year as athletic director, to its current status as one of the most comprehensive and impressive athletic physical plants in the nation. Under Jarrett’s leadership, the Bud Metheny Baseball stadium, ODU sailing center and dock, Folkes-Stevens Indoor Tennis Center, the ODU soccer stadium and office complex, the Athletic Administration Building and wrestling addition, Powhatan Sports Complex, Lambert’s Point golf course – home to ODU men’s and women’s golf, and Foreman Field refurbishments were all added as athletic venues. The ODU boat house, home to the University women’s rowing team, will be opened in 2010.

TIMOTHY C. MCKEE

Timothy C. McKee received a B.S. in Business, an M.B.A. and a J.D. from Indiana University and an L.L.M. from DePaul University. At one time he was a member of the Illinois Bar, a CPA in Illinois and Virginia, and a Certified Government Financial Manager.

McKee joined Old Dominion as an Assistant Professor of Accounting in 1985. In 1991, he was promoted to Associate Professor and granted tenure. McKee was twice designated a University Professor beginning in 1998. He served as Graduate Program Director for the M.S. in Accounting and Master of Taxation programs and also served as Department Chair from 1993 to 1994.

During his 25 years at Old Dominion University, McKee inspired a generation of students to become successful accountants and more specifically tax accountants. He won numerous department and college teaching awards.
Committee members approved by unanimous vote the proposed revision to the mission of the University. The revision updates the policy on Mission of the University so that it is consistent with the mission statement approved by the Board of Visitors as part of the University’s 2009-14 Strategic Plan. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

APPROVAL OF PROPOSED REVISIONS TO BOARD OF VISITORS POLICY 1001, THE MISSION OF THE UNIVERSITY

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Mission of the University, effective April 8, 2010.

Rationale: The proposed change updates the policy on Mission of the University so that it is consistent with the mission statement approved by the Board of Visitors as part of the University’s 2009-14 Strategic Plan. In addition, the policy has been reordered so that the section on Mission appears before the section on Background.

NUMBER: 1001

TITLE: The Mission of the University

APPROVED: June 10, 1971; Revised June 18, 1987; Revised January 17, 1989; Revised April 15, 1999; Revised June 14, 2002; Revised April 8, 2010

MISSION

Old Dominion University, located in the City of Norfolk in the metropolitan Hampton Roads region of coastal Virginia, is a dynamic public research institution that serves its students and enriches the Commonwealth of Virginia, the nation and the world through rigorous academic programs, strategic partnerships, and active civil engagement. It promotes the advancement of knowledge and the pursuit of truth locally, nationally, and internationally. It develops in students a respect for the dignity and worth of the individual, a capacity for critical reasoning and a genuine desire for learning. It fosters the extension of the boundaries of knowledge through research and scholarship and is committed to the preservation and dissemination of a rich cultural heritage. Old Dominion University is old enough to value tradition yet young enough to facilitate change. In a spirit of creative experimentation, innovation, research, and technology, the University is ready to meet the challenges of the twenty-first century.
BACKGROUND

Old Dominion University is located in Hampton Roads, one of the world's major seaports. Since the early seventeenth century, Hampton Roads has been the state's gateway to the rest of the world and the world's gateway to Virginia in commerce and industry, in recreation and culture, and in national security. Now a complex of seven major cities, it is a microcosm of the opportunities and challenges of contemporary urban America. It is also a major center for research and development and a home for extensive scientific and technological activities in marine science, aerospace, ship design and construction, advanced electronics, and nuclear physics.

The University takes its unique character from Hampton Roads as it provides leadership to the state and nation in teaching, research, and service. Thus the University has a special mission for the Commonwealth in commerce, and in international affairs and cultures. It has a significant commitment in science, engineering and technology, particularly in fields of major importance to the region. As a metropolitan institution, the University places particular emphasis upon urban issues, including education and health care, and upon fine and performing arts.

As one of America's major ports, Hampton Roads is the locus of national and international military commands, and the home of a culturally diverse population. The University therefore has natural strengths in activities having international outreach. Faculty members in such fields as business, economics, international studies, geography and the sciences strive to design curricula, teach courses, and encourage foreign exchanges that enhance the University's role as Virginia's international institution.

The Hampton Roads scientific environment provides special opportunities for science and engineering faculty to emphasize research and graduate programs in such fields as marine science, aerospace, and advanced electronics. Global ocean studies and cooperative research at NASA receive particular attention, as University researchers collaborate with U.S. and foreign engineers and scientists.

Urban issues are addressed by programs in public administration, education, the social sciences, and the health professions. The richness of Hampton Roads' artistic life gives great vitality to the University's programs in the visual arts, music, theater, and dance.

MISSION

Old Dominion University promotes the advancement of knowledge and the pursuit of truth locally, nationally, and internationally. It develops in students a respect for the dignity and worth of the individual, a capacity for critical reasoning and a genuine desire for learning. It fosters the extension of the boundaries of knowledge through research and scholarship and is committed to the preservation and dissemination of a rich cultural heritage. Old Dominion University is old enough to value tradition yet young enough to facilitate change. In a spirit of creative experimentation, innovation, research, and technology, the University is ready to meet the challenges of the twenty-first century.
MISSION SUPPORT

Old Dominion University serves the needs of several internal and external constituents with its resources. These include: current and prospective students seeking undergraduate, graduate, and continuing education programs; business and industry; government agencies at all levels; the military; research organizations; and the community at large regionally, state-wide, nationally, and internationally. These constituencies are discussed in greater detail in the following paragraphs.

Old Dominion University offers a wide array of undergraduate programs, all of which meet national standards of excellence. Every Old Dominion undergraduate student follows a general education program that is designed to develop the intellectual skills of critical thinking and problem solving and to encompass the breadth of understanding needed for personal growth and achievement and for responsible citizenship. This general education program places special emphasis upon appreciation of the arts and upon understanding the perspectives of women, minorities, and non-Western cultures. Each undergraduate chooses a major program in the liberal arts or sciences or in a technological or professional field.

Old Dominion University's graduate offerings are focused on society's need for advanced professional education and on specialized programs at the master's and doctoral levels for which the institution is prepared through unusual strength of faculty or special geographic advantages. All graduate programs meet national standards of excellence.

As a national leader in the field of technology-delivered distance learning, the University strives to enhance the quality of the educational experience, wherever education is delivered, by applying emerging technologies; it also supports research to explore the impact of these technologies on the teaching-learning process. By utilizing these technologies and by partnering with institutions of higher education, corporations, and governmental entities, the University is able to provide undergraduate and graduate degree programs to students across time and geographic boundaries.

Because of its commitment to Hampton Roads and its emphasis on creative innovation, Old Dominion University offers life-long learning opportunities through credit and non-credit courses and brings educational services and programs to the people of Hampton Roads at several off-campus centers. The University has a responsibility to serve the many members of the military services and their families. The military forms a unique combination of national and international constituents because they are from other locales in the United States and are looking to become, among other things, internationally capable in an international environment.

As a center of learning, Old Dominion University is committed to the principle of free inquiry. The university faculty of distinguished teacher-scholars seek to pass on the best in academic tradition while establishing themselves at the forefront of discovery and creativity. As partners in the development of the University's future, the faculty enjoy full academic freedom and have a recognized role in the decision-making process of the University. Mindful of present and future needs for a multicultural academic climate, the University deems recruitment and retention of minority and women faculty members and staff to be essential.
The University is committed to providing the highest quality instruction to all of its students. Teaching excellence is encouraged through faculty development programs and appropriate recognition of superior instruction.

The discovery of new knowledge through research and creative endeavor is a central function of Old Dominion University, which values and supports faculty participation in the discovery, synthesis, application and creation of new knowledge and art forms. The institution shall promote and preserve excellence in basic and applied research as a Carnegie Foundation Doctoral Research-Extensive University which is a key production and coordination force in technology development.

The University encourages the involvement of its faculty and staff in community service. The enrichment of the lives of students and residents of Hampton Roads is fostered through university sponsored cultural activities, fine and performing arts events, and intercollegiate athletics. In addition, through applied research, consulting, and other activities, the University plays a prominent role in the development of local business and industry and serves as a resource to government agencies and both public and private educational institutions.

The University seeks in its student body a diversity of age, gender, ethnic, religious, social, and national backgrounds. It actively recruits American minority students along with students from other countries worldwide in such numbers as to have their presence make a discernible impact upon the University's educational processes. Old Dominion recognizes its mandate to serve both the academically gifted and those who have the potential for academic success despite educational, social, or economic disadvantages.

Extracurricular activities and experiences are offered that challenge students to develop a personal system of values, to think and act autonomously, to achieve physical competence, and to establish a sense of their own identity. Other services help students meet educational, personal, and health needs.

Old Dominion University depends on its alumni for advice, leadership, and support. In close collaboration with the University, the Alumni Association provides to former students opportunities to continue their participation in various aspects of university life, to advance their personal and professional development, and to sustain communication and strengthen bonds with their alma mater and fellow alumni.

To evaluate its accomplishments against its goals, a continuing process of systematic assessment is given high priority by the University. Information gained from such efforts is utilized to ensure the highest possible quality for all university programs. The Board of Visitors will conduct a periodic review of the University's mission and major goals in conjunction with representatives of the major university constituencies. The review will ensure that the mission clearly identifies the University's unique role in Virginia's public higher education system and assures that the University is focusing its resources to be the best that it can be in that role to achieve its mission and accomplish the major goals.

---------------

49
Committee members approved by unanimous vote the proposed revision to the Policy on Academic Rank and Promotion in Rank. The revision provides an opportunity for promotion candidates to correct any factual misinformation in their promotion files. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

APPROVAL OF PROPOSED REVISIONS TO BOARD OF VISITORS POLICY 1410, ACADEMIC RANK AND PROMOTION IN RANK

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Policy on Academic Rank and Promotion in Rank, effective April 8, 2010.

Rationale: The proposed change was recommended by the Faculty Senate. It provides an opportunity for promotion candidates to correct any factual misinformation in their promotion files.

NUMBER: 1410
TITLE: Academic Rank and Promotion in Rank
APPROVED: June 12, 1980; Revised February 24, 1984; Revised June 20, 1985; Revised December 13, 1988; Revised September 27, 1990; Revised March 11, 1991; Revised April 9, 1992; Revised April 8, 1993; Revised April 10, 1997; Revised April 9, 1998; Revised December 10, 1998; Revised April 12, 2001; Revised December 14, 2001; Revised April 12, 2002; Revised June 14, 2002; Revised December 12, 2003; Revised September 22, 2006; Revised June 15, 2007; Revised December 7, 2007; Revised September 17, 2009; Revised April 8, 2010

I. Board of Visitors Definition of Academic Rank

A. Full-time faculty members holding the following academic ranks are eligible to be considered for tenure after a suitable probationary period, and time at Old Dominion University in these ranks is counted toward the probationary period.

1. Professor - Those appointed or promoted to this rank, which is one of the highest honors that the university can bestow, are teacher-scholars of genuinely national standing who have made recognized contributions to the university and to their disciplines. They are expected to have demonstrated excellence in teaching, to have performed recognized and outstanding research in their fields of specialization, and to have been pre-eminent in professional service. Although few will excel equally in the three areas of teaching, research, and service, all appointed or promoted to
the rank of professor are expected to have made some demonstrable contribution in each area. Except under most unusual circumstances, the highest terminal degree in the field is required.

2. Associate Professor - Appointment or promotion to the rank of associate professor is based on established high quality of performance in teaching, research, and service and pre-eminence in at least one of these areas. Except under most unusual circumstances, the highest terminal degree normally attainable in the field is required.

3. Assistant Professor - Appointment or promotion to the rank of assistant professor requires the highest terminal degree normally held in the field or its clear equivalent. Evidence of promise in teaching, research, and service is required. Faculty members holding the rank of assistant professor may be considered for tenure only if promotion to associate professor is simultaneously considered.

B. Full-time faculty members holding the following ranks are not eligible for tenure, but time at Old Dominion University in these ranks is counted as part of the probationary period for tenure, except as noted in paragraph 1.a. below.

1. Instructor - Appointment to the rank of instructor is based on evidence of promise in teaching. Instructors normally hold master's degrees in their areas of specialization, but occasional exceptions can be made for fields in which the master's degree is the highest terminal degree normally attainable. There are three types of instructors at Old Dominion University:

a. Faculty members normally lacking the highest terminal degree who are employed to teach undergraduate courses, usually on the freshman and sophomore levels -- They normally receive annual appointments for a period of three years, but in exceptional circumstances they may be reappointed for a maximum of three additional annual contracts. They must be informed in writing at the time of the original appointment that their positions are not permanent and that they will not be eligible to be considered for tenure.

b. Instructors who are terminal degree candidates -- Candidates for a terminal degree may be given annual appointments as instructors if they can provide evidence that they will complete all requirements for the terminal degree within the first year of teaching at Old Dominion University. An instructor in this category who completes this work, and whose department recommends reappointment, is given a second annual contract as an assistant professor and is eligible for tenure at the end of the usual probationary period. An instructor in this category who completes all degree requirements during the first semester at Old Dominion
University is given the title of assistant professor for the second semester. An instructor in this category who does not complete all requirements for the terminal degree within the first year of employment is normally not reappointed for a second year, but a second annual contract as instructor may be granted with the approval of the chair, dean and provost and vice president for academic affairs; if all requirements for the degree are completed within the second year, the instructor is promoted to the rank of assistant professor. If all degree requirements are not completed during the second year, a third and terminal contract as instructor may be granted but the faculty member is not eligible for consideration for promotion or tenure.

c. Tenure-track, master's-level instructors -- In certain professional departments in which the master's degree is the terminal degree, faculty members who have three years or less of full-time teaching experience at the college level are normally appointed initially to the rank of instructor. Such faculty members are eligible for promotion to the rank of assistant professor after two years in the instructor's rank on the recommendation of the chair and dean and on the approval of the provost and vice president for academic affairs. In exceptional cases, where professional experience is clearly demonstrated, the requirement of prior experience may be waived with the approval of the chair, dean, and provost and vice president for academic affairs. This type of instructor can be appointed only in academic fields in which the provost and vice president for academic affairs has previously approved such appointments on the recommendation of the chair and dean concerned. At present, instructors of this type are employed in the areas of applied music, dance, dental hygiene, engineering technology, nursing, physical therapy, and studio art.

C. The following full-time academic ranks do not carry tenure, but if a faculty member who has held one of these ranks is subsequently appointed to a tenurable position as described in section A, time spent at Old Dominion University in one of these ranks may be counted as part of the probationary period for tenure.

1. Visiting professor - This rank is reserved for scholars of distinction who agree to come to the university for one year or less in order to serve a particular need in a college or department. Credentials equal to those required of a full professor are required.

2. Visiting associate professor - This rank is reserved for scholars of distinction who agree to come to the university for one year or less in order to serve a particular need in a college or department. Credentials equal to those required of an associate professor are required.
3. Visiting assistant professor - This rank is reserved for scholars of distinction who agree to come to the university for one year or less in order to serve a particular need in a college or department. Credentials equal to those required of an assistant professor are required.

D. The following academic ranks do not carry tenure, and time at Old Dominion University in these ranks is not counted as part of the probationary period for tenure. These ranks are intended to meet the university's need to fill special instructional roles which differ from the traditional university faculty role, preparation, and expectation. All appointments and reappointments are contingent upon available funding.

1. Assistant instructor - This is a full-time rank requiring at least a bachelor's degree in the area of specialization. Except under unusual circumstances, assistant instructors do not teach courses carrying degree credits.

2. Lecturer - This is a full-time rank that requires an appropriate master's degree and evidence of teaching ability. Demonstrated expertise in a specific field may also be required. Persons appointed to this rank are expected to assume a predominantly instructional role, at undergraduate or graduate levels, and participate in other professional service activities normally assigned to or expected of full-time faculty.

Persons initially appointed at the rank of lecturer will be evaluated and a decision made concerning their reappointment on an annual basis, according to the policy on "Reappointment or Nonreappointment of Faculty." In addition, during the fall semester of the fifth year of service, persons holding this rank will receive a major faculty review. This review will be conducted by the dean and will include an in-depth evaluation of the individual's teaching effectiveness and other professional activities, as well as the needs of the department. The purposes of this review shall be to evaluate the individual's performance and determine whether he or she should be retained beyond the fifth year. An evaluation report should be submitted to the provost and vice president for academic affairs following completion of the review at the college level.

If the evaluation is positive and the dean's recommendation on retention is affirmative, the individual may be offered an appointment for the next three academic years. Those persons who are reappointed in this manner shall be subject to another in-depth review conducted by the dean during the fall semester of the third year of the reappointment. Lecturers will be reappointed for additional three-year periods by utilizing the same procedure as described above.

If the decision is made not to retain the lecturer, either after the fifth year of initial service or subsequent three-year reappointments, he or she will be notified of termination according to the appropriate schedule contained in the policy on "Reappointment or Nonreappointment of Faculty" and
may request a review of the nonreappointment decision by the provost and vice president for academic affairs, as provided by the same policy.

3. Senior lecturer - This is a full-time rank which requires an appropriate master's degree, demonstrated expertise in the field, a sustained record of effective performance in teaching and professional service, evidence of continued development and study in the field, and a minimum of five years' experience at the rank of lecturer or equivalent. Persons appointed to this rank are expected to assume a predominantly instructional role, at undergraduate or graduate levels, and participate in other professional service activities normally assigned to or expected of full-time faculty.

Persons initially appointed at the rank of senior lecturer will be evaluated and a decision made concerning their reappointment on an annual basis, according to the policy on "Reappointment and Nonreappointment of Faculty." In addition, during the fall semester of the fifth year of service, persons holding this rank will receive a major faculty review. This review will be conducted by the dean and will include an in-depth evaluation of the individual's teaching effectiveness and other professional activities as well as the needs of the department. The purposes of this review shall be to evaluate the individual's performance and determine whether he or she should be retained beyond the fifth year. An evaluation report should be submitted to the provost and vice president for academic affairs following completion of this review at the college level.

If the evaluation is positive and the dean's recommendation on retention is affirmative, the individual may be offered an appointment for the next three academic years. Those persons who are reappointed in this manner shall be subject to another in-depth review conducted by the dean during the fall semester of the third year of the reappointment. Senior lecturers may be reappointed for additional three-year periods by utilizing the same procedure as described above.

If the decision is made not to retain the senior lecturer either after the fifth year of initial service or subsequent three-year appointments, he or she will be notified of termination according to the appropriate schedule contained in the policy on "Reappointment or Nonreappointment of Faculty" and may request a review of the nonreappointment decision by the provost and vice president for academic affairs as provided by the same policy.

Promotion to the rank of senior lecturer from the rank of lecturer shall be upon the recommendation of the department, chair, and college promotion and tenure committee to the dean of the college. If the dean decides against the promotion, the person may request a review by the provost and vice president for academic affairs. The decision of the provost and vice president for academic affairs is final.
4. Intercollegiate coach - This is a full-time rank normally requiring a master's degree and a record of demonstrated performance in the area of specialization. Persons holding this rank devote half time or less to the instruction of credit students. These positions are normally funded from both Commonwealth and non-Commonwealth sources.

5. Artist-in-residence - The holder of this position is a distinguished practitioner of the fine arts, employed either full time or part time by the university. In most cases, an artist-in-residence devotes half time or less to the instruction of credit students. The rest of the time, for a full-time faculty member, is devoted to noncredit course work and other public service activities; to unstructured instruction to university students; to professional service to the community; and to any combination of these activities. The main criterion for reappointment is pre-eminence in an artistic field, and the normal academic credentials, such as advanced degrees or experience in university teaching, are not necessarily required.

6. Performer-in-residence - The description of this position is basically equivalent to that of artist-in-residence, except that the holder is a distinguished practitioner of the performing arts whose service to the university and the community may include performances available to the university community and to the region.

7. Writer-in-residence - The description of this position is basically equivalent to that of artist-in-residence, except that the holder is a creative writer of distinction.

8. Research professor - Faculty members in this position, which may be either full time or part time, are devoting most of their efforts to research and are normally not teaching more than one course a semester. These positions are normally funded from non-Commonwealth funds. A research professor must meet the criteria demanded of a full professor in the relevant department. Personnel with the title of research professor may chair doctoral and master's committees provided they are certified as graduate faculty. Research personnel are subject to all university, college and department policies and procedures governing graduate teaching, program implementation, and oversight of graduate research and must undergo the same formal academic review and graduate certification review as required of tenured and tenure-track faculty members.

9. Research associate professor - This position has the same characteristics as that of research professor except that those holding it meet the criteria for appointment to the rank of associate professor in the department(s) to which they are attached. Personnel with the title of research associate professor may chair doctoral and master's committees provided they are certified as graduate faculty. Research personnel are subject to all university, college and department policies and procedures governing graduate teaching, program implementation, and oversight of graduate
research and must undergo the same formal academic review and graduate certification review as required of tenured and tenure-track faculty members.

10. Research assistant professor - This position has the same characteristics as that of research associate professor except that those holding it meet the criteria for assistant professor in the department(s) to which they are attached. Personnel with the title of research assistant professor may chair doctoral and master's committees provided they are certified as graduate faculty. Research personnel are subject to all university, college and department policies and procedures governing graduate teaching, program implementation, and oversight of graduate research and must undergo the same formal academic review and graduate certification review as required of tenured and tenure-track faculty members.

11. Research associate - This position has the same characteristics as that of research assistant professor except that those holding it meet the criteria for instructor in the department(s) to which they are attached.

12. Postdoctoral Research Associate - This position is generally reserved for a person who has recently completed his or her doctoral degree. While the primary employment activity will be research related, some teaching may be allowed. In general, these positions are funded through non-Common-wealth funds.

13. Adjunct professor - This rank is awarded to persons engaged in part-time teaching or special services who meet the criteria demanded of a full professor in the department(s) to which they are attached.

14. Adjunct associate professor - This position is awarded to persons engaged in part-time teaching or special services who meet the criteria established for associate professor in the department(s) to which they are attached.

15. Adjunct assistant professor - This position is awarded to persons engaged in part-time teaching or special services who meet the criteria established for assistant professor in the department(s) to which they are attached.

16. Adjunct instructor - This position is held by part-time faculty members who meet the criteria established for instructor in the department(s) to which they are attached.

17. Adjunct assistant instructors - This position is held by part-time faculty members who meet the criteria established for assistant instructor in the department(s) to which they are attached.

18. Adjunct clinical faculty, adjunct community faculty - The titles adjunct clinical faculty or adjunct community faculty (as appropriate), with their respective ranks, may be awarded to persons engaged in part-time
teaching or special services relating to the practical instruction of students, and who meet the professional and academic criteria for those ranks established in the department(s) to which they are attached. These titles pertain to persons who are not normally paid a salary by the university, but who supervise activities designed to give students practical experience in a given profession.

19. Other - The president may recommend to the Board of Visitors the establishment of other nontenured positions to allow the appointment of persons distinguished in their fields but not covered by any of the above.

II. Promotion in Rank

A. Board of Visitors Policy

1. Except for promotion to the rank of assistant professor, all promotions in rank are based on evaluation of the faculty member's performance in teaching, research, and service over the total time in the previous rank as compared to the criteria established by the Board of Visitors for the rank being considered and any other criteria established by the department or college.

2. Promotion to the rank of associate professor must occur at the time of the tenure award, except in the case of certain faculty members who were tenured in the rank of assistant professor prior to June 30, 1982. Such persons may be considered for promotion to the rank of associate professor during any subsequent year under the same policy and procedures as are used for promotion to the rank of full professor.

3. Promotion to the rank of full professor is normally considered no earlier than during the sixth year of a faculty member's service as associate professor at Old Dominion University. Exceptions are made only under the following circumstances:
   a. A faculty member who has held the rank of associate professor at another institution and was initially appointed to Old Dominion University at the rank of associate professor may be considered for promotion at the time of the award of tenure.
   b. A faculty member of extraordinary merit may be considered for promotion to the rank of full professor before the sixth year as associate professor at Old Dominion University.

4. The president, upon the recommendation of the Faculty Senate, shall establish procedures for consideration of promotion to the rank of full professor (and designation as eminent scholar), and of promotion to the rank of associate professor for those tenured as assistant professors prior to June 30, 1982. Such procedures shall require consideration and
recommendation by faculty members at the department and college level, the chair, the dean, and the University Promotion and Tenure Committee. The decision concerning promotion is to be made by the provost and vice president for academic affairs. If the provost and vice president for academic affairs decides against promotion, the faculty member may request a review by the president. The decision of the president is final.

B. Procedures for Promotion in Rank

1. These procedures apply to promotion to the rank of full professor. (In the case of those faculty members who held tenure and the rank of assistant professor in June 1982, these procedures also apply to promotion to the rank of associate professor. Otherwise, promotion to the rank of associate professor is part of the tenure consideration and is dealt with in accordance with the policy concerning tenure.) Promotion to the rank of assistant professor is made by the provost and vice president for academic affairs following recommendation by the chair and dean. These procedures are designed to implement the Board of Visitors policy concerning promotion. The board policy is governing in all promotion cases.

2. Considerations Concerning Promotion

a. Each faculty committee and administrator considering a promotion case must specifically consider factors listed below as they apply to each case in the written recommendations that are submitted up the line to the provost and vice president for academic affairs. In the case of committees, the vote must be recorded in the recommendation, and the reasons produced by the minority members must be specified.

b. Each committee and administrator making a recommendation concerning promotion considers evidence of the faculty member's performance over the total time in which the previous rank has been held as compared to the guidelines for the rank being considered as established by the Board of Visitors and any other guidelines established by the department or college.

c. The total rank structure of the department should be considered.

d. At the least, the committees and administrators should examine faculty information sheets, chair evaluations, dean's evaluations, and any other evidence submitted by the faculty member, the chair of the department, or any other relevant source. It is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty being considered for promotion. The evidence should address the quality of the journals and the reputation of book and other such publishers.
3. In the case of promotion to full professor, external evaluation of the faculty member’s research and scholarly activity by nationally recognized experts in the field of specialization will be required.

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

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

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

   d. A curriculum vitae will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For promotion of department chairs, the responsibility belongs to the dean.
e. External reviewers will be asked to evaluate all submitted material mailed to them. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work under review; and b) the scholarly reputation (regional, national, international) of the candidate.

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

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

4. A candidate for promotion in rank is initially considered by the faculty members in the department who hold the rank being considered or above. Only faculty holding the rank of professor are eligible to vote on candidates for promotion to professor.

a. In the case of large departments, the faculty members in the rank being considered or above may select a committee from their ranks to consider and make recommendations concerning promotion. In that case, it is the responsibility of the committee to elicit opinions from all faculty members holding the rank considered or above.

b. In departments where fewer than three members hold appointments in the rank being considered or above, the dean, in consultation with the chair, will appoint enough additional faculty in the rank or above from other disciplines to form a committee of at least three.

c. Candidates for promotion should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

d. No dean, associate dean, assistant dean, or other full-time administrator or department chair shall attend or participate in the deliberation of either the departmental, college, or University Promotion and Tenure Committee.

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

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

g. The faculty member involved is informed that the committee is considering promotion in rank and is given an opportunity either to appear before the committee (or group) considering the case, or to submit a statement in writing in support of eligibility for promotion.

h. In case of material developments, additional documentation may be added to the portfolio with the concurrence of the department chair and dean.

5. The committee or faculty group makes its recommendation concerning promotion to the chair together with reasons for the recommendation (including a minority statement in the case of a split vote), and specifies the vote of the committee. All committee members should vote yes or no. The chair evaluates independently the credentials of the faculty member, the rank structure of the department, and any additional evidence presented, either by the faculty member or from any other source, and makes a recommendation, with reasons, concerning promotion.

6. If either the departmental committee (or group), or the chair, or both recommend promotion, the faculty member's credentials together with the recommendation of the faculty committee and the chair will be forwarded to a promotion committee of the college for consideration. This committee will make an independent evaluation and make a recommendation concerning promotion with reasons (including reasons of the minority), to the dean. The recommendations will indicate the vote of the committee. All committee members should vote yes or no.

7. If neither the faculty committee (or group) nor the chair recommend promotion, the faculty member will not be considered for promotion in the
coming year unless a review by the college promotion committee and the dean is requested by the faculty member. If a review is requested, the departmental committee and the chair forward all documents to the promotion committee of the college, which examines them and makes a recommendation concerning promotion to the dean. All committee members should vote yes or no. The dean examines all documents, including the recommendation of the college committee, and makes a determination concerning promotion. If the dean's determination is negative and is in accordance with the recommendations of the departmental committee, the chair, and the college committee, then the faculty member is not promoted for the coming year. If the dean's determination is negative and is not in accordance with all previous recommendations, the faculty member may request a further review by the provost and vice president for academic affairs. The decision of the provost and vice president for academic affairs is final in such cases.

8. The dean, considering all previous recommendations and all credentials, then makes a recommendation concerning promotion, which is forwarded, with reasons, to the provost and vice president for academic affairs.

9. The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation, and makes a recommendation (with reasons, including minority reasons, if any) concerning promotion which is forwarded to the provost and vice president for academic affairs. All committee members should vote yes or no.

10. On the basis of all the evaluations and recommendations presented, and after consultation with staff, the provost and vice president for academic affairs makes a decision concerning promotion for the coming year. If the recommendations of the committees and administrators that have previously considered the case have not been in agreement with one another, or if the provost and vice president for academic affairs disagrees with the recommendations that have been in agreement with one another, the provost and vice president for academic affairs shall consult with the chair, the dean, and the University Promotion and Tenure Committee before reaching a final decision. The decision of the provost and vice president for academic affairs will consist of one of the following:

a. promotion

b. deferral

11. If the decision of the provost and vice president for academic affairs is for promotion, the faculty member will receive the higher rank in the subsequent academic year. The decision of the provost and vice president for academic affairs will be reported to the president.
12. The faculty member may request that the president review a negative decision by the provost and vice president for academic affairs. The decision of the president is final.

13. All promotions are reported by the president to the Board of Visitors.

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

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

C. Part-time instructional faculty may be promoted in rank (for example, from adjunct assistant professor to adjunct associate professor) upon recommendation of the chair and dean to the provost and vice president for academic affairs. Full documentation of the credentials of the faculty member being recommended for promotion is required. If the provost and vice president for academic affairs denies the promotion, the faculty member may request a review by the president. The decision of the president is final.

---------------

Committee members approved by unanimous vote the proposed revision to the Policy on Tenure. The revision provides an opportunity for tenure candidates to correct any factual misinformation in their tenure files. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

**APPROVAL OF PROPOSED REVISIONS TO BOARD OF VISITORS POLICY 1411, TENURE**

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Policy on Tenure, effective April 8, 2010.
Rationale: The proposed change was recommended by the Faculty Senate. It provides an opportunity for tenure candidates to correct any factual misinformation in their tenure files.

NUMBER: 1411

TITLE: Tenure

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

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

II. Eligibility for Tenure

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

B. Under certain circumstances administrative faculty holding rank in a department at the assistant professor (if promotion to the rank of associate professor is being simultaneously considered), associate professor, or full professor level may be considered for tenure, as specified by the Board of Visitors policy concerning administrative faculty.

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

III. Probationary Period

A. The probationary period begins with the initial full-time, tenure-track appointment at Old Dominion University at the rank of instructor, assistant professor, associate professor, or full professor; only time spent in a tenure-track position at one of these ranks is counted as part of the probationary period.
Subject to agreement by the university and the faculty member, any academic year in which a faculty member was on a full-time tenure-track appointment in one of these ranks for at least one semester, may be counted as one year of the probationary period.

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

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

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

3. Time in a position that involves no teaching of credit courses, for example as a teacher of children or a therapist in the Child Study Center or as a teacher of exclusively noncredit course work.

4. Time spent on leave of absence.

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

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

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

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

3. The faculty member shall provide documentation to justify the time requested and the seriousness of the event.
4. The request shall be made no later than one year from the first day of the serious event.

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

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

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

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

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

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

D. The maximum length of the probationary period is seven academic years. The faculty member is informed of the decision of the provost and vice president for academic affairs on tenure by April 15 of the sixth year of probationary service. The faculty member will receive either a tenure contract or a terminal contract in the seventh year.

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

1. A faculty member who has full-time teaching experience at the rank of instructor or above at another collegiate institution, or at Old Dominion University prior to a break in service, may have the probationary period reduced by either one or two years. If the probationary period is to be reduced, the reduction must be recommended by the chair and dean and approved by the provost and vice president for academic affairs at the time of the initial appointment. Unless such a reduction has been approved and the faculty member has been so notified in writing at the time of initial appointment, reduction for prior service will not be granted. The changes in the provisions of this paragraph as compared to the Faculty Handbook of 1978-79 will not apply to faculty members whose initial contract was offered prior to June 15, 1980.

2. A faculty member initially appointed to the rank of full professor may be notified of a tenure decision by April 15 of the second year of service; if tenure is awarded, a tenure contract will be offered for a third year of service. In addition, the probationary period for a full professor may be eliminated, and an initial tenure appointment may be recommended to the
Board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the university promotion and tenure committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.

3. A faculty member initially appointed to the rank of associate professor may be notified of a tenure decision by April 15 of the fourth year of service. If tenure is approved, a tenure contract will be offered for the fifth year. In addition, the probationary period for an associate professor may be eliminated, and an initial tenure appointment may be recommended to the board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the university promotion and tenure committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.

4. The probationary period for tenure may be shortened in the case of exceptional merit and performance. It is the sense of the Board of Visitors that this procedure be followed only in the case of demonstrably exceptional faculty.

IV. Criteria for the Award of Tenure

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

B. Criteria to be used are as follows:

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

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

External evaluation of the quality of the faculty member's research performance will be required from nationally recognized experts in the faculty member's field. Candidates for tenure should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc. In case of material developments, additional documentation may be added to the portfolio with the concurrence of the department chair and dean.

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

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

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

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

a. The long-term enrollment of the department.

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

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

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

V. Procedures for Tenure Consideration

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

B. External review process

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

2. External reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers. The chair will select three reviewers from the candidate’s list and three reviewers from the department tenure and promotion committee’s list. The chair will consult with the dean on the list of reviewers chosen prior to initiating the review process. As a general rule, external reviewers should not be co-authors or former mentors of the candidate. The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for tenure.
3. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to submit evaluations. If an exception is approved, candidates for tenure will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.

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

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

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

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

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

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

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

D. The committee or group of tenured faculty makes its recommendations to the chair. All committee members should vote yes or no. Considering this recommendation, the chair makes an additional evaluation and recommendation concerning tenure.

E. If either the tenured faculty (or their committee), or the chair, or both recommend tenure, the credentials of the faculty member together with the recommendations of the tenured faculty (or their committee) and the chair are forwarded to the tenure committee of the college, which examines the facts and the recommendations and makes a recommendation to the dean. All committee members should vote yes or no.

F. If neither the departmental committee nor the chair recommends tenure for the faculty member, tenure is not granted in the ensuing year. If the faculty member is being considered in the year preceding the limit of his or her probationary period, as defined by the Board of Visitors policy on tenure, that faculty member is given a terminal contract for the ensuing year unless a further review is requested.

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

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

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

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

J. If the determination of the provost and vice president for academic affairs is in favor of tenure, the provost and vice president for academic affairs forwards the faculty member's name to the president for presentation to the Board of Visitors as a candidate for tenure. The Board of Visitors will act on the case by April 15 of the year in which it is being taken up. Upon approval of the Board of Visitors, the faculty member is offered a tenure contract for the coming year.

K. If the determination of the provost and vice president for academic affairs is against tenure and the decision is made in the year preceding the end of the limit of the probationary period, the faculty member is notified by April 15 that a terminal contract will be offered for the ensuing year. A faculty member who has not reached the limit of the probationary period may be offered either one subsequent annual contract or a terminal contract for the ensuing year.

L. The faculty member may request by May 1 that the president review a negative decision of the provost and vice president for academic affairs. The president should make a decision on the review by June 1. If the president upholds the decision of the provost and vice president for academic affairs, the faculty member may request a further review by the Board of Visitors or its designated committee by June 7. (Refer to the policy on Communications With the Board of Visitors for procedural information.) The decision of the Board of Visitors or its designated committee is final. The Board of Visitors will make its decision by July 25.

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

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

Committee members approved by unanimous vote the proposed revisions to the Policy on Emeritus/Emerita Appointments. The revisions provide an opportunity for Presidents of the University to continue to serve the University after their retirement or departure from the position. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Amy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

APPROVAL OF PROPOSED REVISIONS TO BOARD OF VISITORS POLICY 1441, EMERITUS/EMERITA APPOINTMENTS

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed revisions to the Policy on Emeritus/Emerita Appointments, effective April 8, 2010.

Rationale: The first proposed change provides an opportunity for Presidents of the University to continue to serve the University after their retirement or departure from the position. Any such service would require the approval of the Board of Visitors. This change brings the policy in line with current practice.

The sentence about recommendations for emeritus status for administrators in section D. is recommended for deletion. The process for recommendation is covered sufficiently in the first part of section D. In addition, it is clear in section C. that, with the exception of the University President, only those administrators who hold faculty rank and tenure are eligible for emeritus status.

NUMBER: 1441

TITLE: Emeritus/Emerita Appointments

APPROVED: September 28, 1972; Revised August 30, 1990; Revised April 12, 2002; Revised April 7, 2006; Revised June 13, 2008; Revised April 8, 2010

A. The title "emeritus/emerita" shall be granted only by the Board of Visitors. The title of emeritus/emerita is granted in recognition of dedicated and meritorious service at Old Dominion University and entitles its holders to commensurate rights and privileges.
B. Eligibility for the titles of professor emeritus/emerita and associate professor emeritus/emerita shall be limited to full-time tenured faculty upon their retirement.

C. Administrative officers who hold faculty rank and tenure, except for the president, may be named "emeritus/emerita" upon retirement. The Board of Visitors may in its discretion award the honorary title of "president emeritus/emerita" to a former president upon his or her retirement from the university or departure from the position. The president emeritus/emerita may, with the approval of the Board of Visitors, continue to serve the university after retirement or departure from the position. Responsibilities of the president emeritus/emerita may include teaching and consulting as well as activities that carry forward the name and reputation of the university.

D. To be eligible for an emeritus/emerita appointment, a faculty member shall be recommended by his or her chair and approved by the dean, provost and vice president for academic affairs, and president, or the process may begin with the recommendation of the provost and vice president for academic affairs. Administrators shall be recommended by the provost and vice president for academic affairs and approved by the president.

E. Should a qualifying faculty member die before actual retirement, his or her chair may recommend him or her for posthumous emeritus/emerita recognition.

F. Each person receiving the title of emeritus/emerita will receive appropriate recognition from the university.

G. Emeritus/emerita appointments carry the following lifetime privileges, an updated list of which will be sent annually by the Office of Academic Affairs to every emeritus/emerita faculty member.

1. Use of the library as a faculty member.

2. Attendance at faculty meetings (nonvoting), at receptions and at academic processions, including commencement.

3. The same tuition rates for spouses and dependent children enrolled in the university as are provided for active faculty.

4. Listing in all university publications on the same basis as active faculty.

5. Receipt of all university informational bulletins that are circulated to active faculty.

6. Attendance at lectures, concerts, athletic events, banquets, etc., and use of university facilities, including parking lots, on the same basis as active faculty.

7. Office and laboratory space, or library study space, as available and on a temporary basis, but priority will be given to active faculty, staff, and students when space is limited.

--------------
Committee members approved by unanimous vote the proposed Policy on Intellectual Property, which will replace the current Policy on Patents and Copyrights. The new policy provides needed updates and brings the University’s policy in line with current practice in the field. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

APPROVAL OF PROPOSED POLICY ON INTELLECTUAL PROPERTY
(TO REPLACE CURRENT BOARD OF VISITORS POLICY 1424)

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves the proposed Policy on Intellectual Property, to replace the current Policy on Patents and Copyrights, effective April 8, 2010.

Rationale: The proposed Policy on Intellectual Property will replace the current Policy on Patents and Copyrights. The new policy provides needed updates and brings the University’s policy in line with current practice in the field. In addition, as required by the Southern Association of Colleges and Schools (SACS), the policy has been revised to include intellectual property as it relates to students.

NUMBER: 1424

TITLE: Policy on Intellectual Property, Patents and Copyrights

APPROVED: June 20, 1991 (Supersedes Policy Number 1422 on Copyrights and Policy Number 1423 on Patents Approved on April 10, 1975); Revised September 14, 2000; Revised April 8, 2010 (Policy Revised in its Entirety)

PREAMBLE

Old Dominion University’s support of the research efforts of its employees creates an intellectual environment that fosters the commercial development of new discoveries and creations which may be enhanced by patents and copyrights. As a state-supported institution of higher education, Old Dominion University has the responsibility of ensuring that these discoveries and creations are protected in the best interests of our researchers, creators, the University, and the public, in compliance with the laws of the Commonwealth of Virginia. At the same time, Old Dominion University recognizes the importance of its commitment to the principles of academic freedom and the tradition of free and open discussion of research and scholarly investigation. For the reasons specified in this preamble, the Old Dominion University Intellectual Property policy was written.1
I. PURPOSES

The purposes of this policy are to encourage research and scholarship by protecting the interests of creators and the University in Intellectual Property; to define the responsibilities, rights and privileges of Old Dominion University, and those individuals covered under this policy; and to provide basic guidelines for the administration of all matters related to Intellectual Property in which the University has a proprietary interest in accordance with the policy guidelines developed by the State Council of Higher Education in Virginia (SCHEV) and as required by state law and provide for the distribution of royalties as described herein.

II. DEFINITIONS

A. Copyrighted Work - An original work of authorship fixed in any tangible medium of expression, including but not limited to literary, musical, dramatic and pictorial materials, sound and visual recordings, computer software programs, and transcripts, published or unpublished, and which property rights are protected by common law and federal copyright law, as further defined by Title 17 of the U.S. Code.

B. Creator - Either an inventor in the context of an invention, or an author in the context of a copyrighted work.

C. Disclosure - A report of a development, invention or creation of an original work of authorship.

D. Invention - A new, useful and non-obvious discovery, process, composition of matter, article of manufacture, design, mask-work, model, technological development, biological or plant material, strain, variety, culture or portion, modification, improvement, translation, or extension of these items.

E. Intellectual Property - An Invention, Know-how, Mark, or Copyrighted Work of authorship developed by anyone covered under this policy.

F. Development Expenses - All reasonable expenses incurred by the University for goods and services to administer, protect, develop, and/or enhance the marketability or other aspect of an Intellectual Property, including, but not limited to, patent expenses, protection or litigation of Intellectual Property rights, marketing expenses, consulting fees, expenses incurred in dealing with equity interests.

G. Gross Revenue - Proceeds actually received by the University from the license, sale, transfer, or other conveyance of an Intellectual Property, including license fees, running royalties, and equity interests paid to the University for such Intellectual Property, except that such equity interests, or portion thereof, shall not be considered “gross revenue” unless and until the equity interests, or portion thereof, are sold by the University.
H. **Net Revenues** - Gross Revenue less all incurred or accrued Development Expenses and holdbacks for any known contingent liabilities.

I. **Patent Management Agent** - Any organization which specializes in review of inventions, patent administration and commercialization of intellectual property.

J. **Sponsored Research** - Research performed under the support of, and compensated by, a sponsoring agency.

K. **Significant Use of University Facilities or Equipment** - The use of facilities or equipment owned by or under the control of the University of a reasonable value, as defined by the State Council of Higher Education for Virginia’s guidelines for the development of patent and copyright policies and procedures by state–supported institutions for higher education.

L. **University** - Old Dominion University, its Board of Visitors, and any and all sub agencies of the University.

M. **University Designated Research Officer** - The vice president for research or his/her designee will serve as the University’s authorized agent for matters regarding the application of this policy.

N. **University Research** - Research and allied activities which are directly related to the normally expected or assigned duties and responsibilities of University employees.

O. **Work Made for Hire** - A creation or original work of authorship created by a University employee within the scope of his or her employment, or specified by agreement and as further defined by Sec 101 US Copyright Act.

P. **Assigned Duty** - Intellectual Property created by an author or inventor where the University has specifically directed the author or inventor to develop/produce the Intellectual Property.

Q. **Proprietary Interest** - Rights held by the owner of Intellectual Property, that have not been waived or otherwise assigned by a separate written agreement.

III. **APPLICABILITY**

This policy applies to all University employees and students who receive compensation through sponsored research, tuition/fee waivers, scholarships, assistantships, or other financial arrangements and to other individuals who make significant use of University facilities and equipment owned or otherwise made available by the University, as described in VA CODE S 23-4.3.
IV. OWNERSHIP

A. Inventions

An Invention developed by any person to whom this policy is applicable as defined in Section III above shall be the property of the University if the development or invention is a product of University or sponsored research or assigned duty or was developed with the significant use of University facilities, equipment, or funds, or employee time. Nothing contained in this policy shall be construed as prohibiting the University’s acceptance of an agreement which requires a different disposition of patents or patent rights than the disposition created hereunder. In the absence of terms in an agreement governing the disposition of patents, or patent rights, this policy shall apply. Absent a written agreement to the contrary, inventions by non-employees, including but not limited to visiting faculty and volunteers, shall be subject to this policy when significant use is made of the University’s facilities or equipment pursuant to Section III above.

Release of Rights to the Inventor - If the University elects not to file a patent application for an invention in which it has a proprietary interest, rights to the invention may be released to the inventor who may file for a patent subject only to restrictions which may be imposed by prior agreement.

B. Original Works of Authorship

The University exercises its ownership rights as an employer under the concept of work-for-hire or when the materials subject to copyright, represent work performed by an employee under the direction of, or assignment by, the University. In the case of a work made for hire, the work belongs to the University as the employer of the author, and the University will be considered the author for purposes of copyright. Ownership of copyrights concerning works developed in the course of a written agreement shall be determined in accordance with the agreement.

1. Books, journal articles, papers and similar works. Subject to Section VI, and the University’s rights as further defined herein the University hereby transfers to the author(s) its copyrights in such original works as papers, books, articles, musical, pictorial and similar works created by its employees when such works are not expressly made pursuant to an assigned duty. The protection and maintenance of such copyrights shall be the sole responsibility of the author(s). The University retains exclusive ownership of the rights in the Inventions incorporated in such original works, pursuant to section IV.A above and the rights to utilize such papers and articles for purposes of commercializing the Inventions inherent in such original works.
2. All other original works of authorship. For all other original works of authorship, including but not limited to lecture/instructional materials, computer software and all associated programmer and/or user manuals and other documentation, related to the employee’s teaching or research responsibilities, collectively “Other Works” the University herewith gives the author(s), (subject to the rights of the other co-authors) of the copyrighted material, in which the University has a proprietary interest, a non-exclusive, non-transferable, royalty free license to make and distribute copies, to perform or display the work publicly, or to make derivative works for any non-commercial or teaching purposes, without the right to grant sublicenses. This non-exclusive license continues in force when the employee leaves the University and personally teaches a course assigned by another educational institution. The employee acknowledges and agrees that he/she has the following material obligations: (a) to notify any and all of his/her subsequent employers (and/or academic or business partners or joint-venturers) of the University’s ownership of the copyrights in the Other Works; and (b) to give the University reasonable notice prior to making any commercial use of any Other Work or any invention or work of authorship that the employee, whether alone or in conjunction with others, creates or derives from any Other Work. The protection and maintenance of copyrights in such works will be at the sole discretion of the University.

3. University’s rights in such copyrighted material. Except for works created under a specific written agreement, the University will give credit to the author on any copies and derivative works. Prior to using the authors name on any derivative works the University will seek the author’s (s) prior approval. Such approval may not be unreasonably withheld by the author. In the case of any disputes such disputes will be resolved pursuant to Section X of this policy.

Notwithstanding the above, all rights in copyrightable material, including but not limited to instructional materials, produced through the facilities of Academic Technology Services will be governed by a separate written agreement.

Nothing contained in this policy shall be construed as prohibiting the University’s acceptance of an agreement which requires a different disposition of copyrights in which the University has a proprietary interest.

Release of Rights to the Author - If the University does not wish to exploit copyrighted works in which it has a proprietary interest, it may at its option convey the copyrights to the original author.
V. ADMINISTRATION

A. University Patent and Copyright Committee

The University Patent and Copyright Committee shall be appointed by the president of Old Dominion University. The committee shall consist of no more than eleven (11) members, a majority of which will consist of full-time faculty members, each from a different University department or school, with representation from all colleges, and one faculty member who shall serve as committee chair. Members shall be appointed by the president of the University to serve staggered three (3) year terms. The University’s designated research officer or his/her designee and the general counsel shall serve as ex-officio members.

The University Patent and Copyright Committee shall have the following responsibilities:

1. Recommend to the president any amendments to the policy;
2. Review disputes involving University-owned intellectual property and make recommendations to the president concerning their resolutions;
3. Provide guidance and assistance to the University designated research officer in matters involving University-owned patents and copyrights.
4. Perform such other responsibilities as the president of the University may assign.

B. University Designated Research Officer

The University designated research officer shall be the vice president for research and shall have the following responsibilities:

1. Assure compliance with patent and copyright provisions of University and sponsored research grants and contracts;
2. Establish and distribute procedures for the reporting of intellectual properties in which the University has a proprietary interest;
3. Perform initial reviews of the disclosures submitted to the University to determine the subsequent rights thereto;
4. Manage the evaluation, protection, marketing and commercialization of University Intellectual Property, that in his/her judgment is worth pursuing, through internal and/or external resources including but not limited to patent management agents, consultants and lawyers.
5. Insure that required agreements regarding the administration of intellectual property in which the University has a proprietary interest, and consequent rights of all parties concerned, are properly executed;

6. Assist in increasing patent awareness among faculty and staff;

7. Provide annual reports of intellectual property in which the University has a proprietary interest to SCHEV in accordance with state law; and

8. Perform such other responsibilities as required to comply with state law with regard to University intellectual properties and this policy.

VI. NOTIFICATION

Those inventors and authors subject to the provisions of this policy shall report their inventions and original works of authorship in which the University has a proprietary interest to the University designated research officer. Disclosure must be complete and reasonably in advance of any public disclosure to allow the University or Funder to protect any Intellectual Property that needs protection. The University may not suppress nor unduly delay the publication, without the consent of the authors. Where necessary the University may take custody of the original copies of scientific data and/or research records.

VII. PROTECTION AND COMMERCIALIZATION

A. Inventions

1. The University, at its discretion, through the University designated research officer, may submit any disclosure of a new development or invention in which it has a proprietary interest to a patent management agent for a determination of patentability and commercialization. The University may also direct negotiations, through the University designated research officer, with profit, non-profit, or governmental entities desiring to utilize and/or further develop and market an invention in which the University has a proprietary interest.

2. An invention which is the sole property of the inventor normally will not be accepted by the University for review or administration. The inventor, however, may request that the University designated research officer review his or her invention for patentability, in which case, the inventor must assign the rights to his or her invention to the University.

B. Original Works of Authorship

The University requires employees to affix a copyright notice on any original works of authorship which they have developed and in which the University has a proprietary interest. The copyright notice should be affixed to the work in the
form of a small “c” in a circle, or the word “Copyright,” the year of publication, and the name of the University.

VIII. REVENUE DISTRIBUTION

Where the University has a vested interest in a patent or copyright, the inventor(s) or author(s) and the university will share in any Net Revenues received by or on behalf of the University.

Except as provided for in a prior written agreement, the distribution of Net Revenues shall be as follows

Inventor/Author - 50%
University - 50%

In the absence of a written revenue distribution agreement between the inventors/authors the University will distribute such net revenue equally between the Inventors/Authors.

IX. TRANSFER OF INTELLECTUAL PROPERTY

Except when the governor’s prior written approval is required, the University’s governing board may transfer ownership of any intellectual property in which it claims an interest.

The governor’s prior written approval is required for transfers of title to patents and copyrights that were:

A. developed wholly or significantly through the use of state general funds, by an employee of the University acting within the scope of his or her assigned duties; or

B. developed wholly or significantly through the use of state general funds, and are to be transferred to an entity other than the following:

• The Innovative Technology Authority; or
• an entity whose purpose is to manage intellectual properties on behalf of nonprofit institutions; or
• an entity whose purpose is to benefit the transferring institution.

When prior written approval is required, the University should send a description of the intellectual property and the proposed transaction to the State Council of Higher Education for Virginia. Within thirty (30) days, the Council will recommend action to the governor, including any conditions the Council thinks should be attached to the proposed transfer. The governor also may attach conditions to the transfer.

It should be noted that the governor’s approval is not required for the granting of a license to use an intellectual property, but only when the actual title is to be transferred.
X. DISPUTE RESOLUTION AND RIGHT TO APPEAL

Individuals covered by this policy shall have the right to appeal the application of this policy regarding ownership, equity, classification, sharing of revenues, disposition, management, or exploitation of any patent or copyright, or any procedure relating thereto, to the University Patent and Copyright Committee. A written request for appeal must be made to the Chair of the University Patent and Copyright Committee and a copy of the appeal forwarded to the University designated research officer. The request must contain a statement of the specific nature of the appeal, the grounds upon which the appeal is based, and a summary of the facts supporting the applicant’s position, and any material the applicant believes is relevant.

\(^1\)This policy may be amended, from time to time, upon recommendation to the chair of the University Intellectual Property Policy Committee, subject to approval by the president of Old Dominion University.

\(^2\)Old Dominion University Research Foundation

---------------

Committee members approved by unanimous vote the amendment to the Old Dominion University Employer 403(b) Plan. The amendment permits former employees of the University to participate in the Plan. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

**APPROVAL OF AMENDMENT TO THE OLD DOMINION UNIVERSITY EMPLOYER 403(B) PLAN**

WHEREAS, Old Dominion University established an Employer 403(b) plan in 2009 based on the approval of the Board of Visitors; and,

WHEREAS, the plan needs to be amended to designate current and former employees as authorized plan participants because the original provisions excluded former employees as plan participants; and

WHEREAS, Old Dominion University wants the flexibility to consider all the potential applications of the Employer 403(b) to include discretionary contributions for current and former employees.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Visitors approves the amendment to permit former employees of the University to participate in the Plan; and
BE IT FURTHER RESOLVED that the Board of Visitors hereby delegates the authority to administer and amend the Plan, to determine eligibility to participate in the Plan and the amount of an Employer contributions, and to take other actions necessary to effect any Plan amendments, is hereby delegated to the Vice President for Administration and Finance.

OLD DOMINION UNIVERSITY
EMPLOYER 403(b) PLAN AMENDMENT
EXECUTIVE SUMMARY

Background

In 2009, the Board authorized the establishment of an Employer 403(b) plan to expand the University’s use of 403(b) programs to provide for employer contributions similar to the one already established for employee voluntary, supplemental, pre-tax contributions to an Employee 430(b).

The University used the services of Morgan, Lewis & Bockius LLP benefits counsel, approved by the Office of the Attorney General, to write the Employer 403(b) Plan Document (the “Plan”) and the proposed Amendment (the “Amendment”).

Purpose

The Amendment will provide the University with an additional tax-qualified defined contribution retirement plan for selected officers, other employees and former employees, to include retirees. Thus permitting contributions for former employees in consideration of their agreement to retire from the University.

Funding

Funding will come from non-State sources. State-allocated funds cannot be used because there is no enabling statute for this type of Plan under the Code of Virginia.

Eligible Employee

The Amendment expands the definition of Participant to include employees and former employees designated by the Board of Visitors or its designee to participate in the Plan.

Vesting, Time and Form of Distributions

Participants are 100% vested in contributions made to the Plan. Distributions from a Participant’s account may not be made earlier than the Participant’s severance from employment, death, disability or attainment of age 59 and 6 months.

Investment of Plan Assets

Contributions will be invested in 403(b) annuity contracts or custodial accounts provided by a Vendor(s) specifically approved by the University.
Participants shall enter into individual agreements with the vendor providing the annuity contract or custodial account. Subject to the provisions of the applicable individual agreement, the participant may revise his or her participation election, including his or her investment direction and designated beneficiary.

Each Participant shall direct the investment of his or her account among the investment options available under the annuity contract or custodial account. Participants shall be solely responsible for earnings and losses resulting from the Participant’s exercise of control over the investment of their Plan accounts.

**Administration and Fiduciary Obligations**

The University will have an obligation to ensure the Plan maintains its tax-qualified status by keeping the Plan document up to date to reflect changes in the applicable tax laws and by performing annual tests to ensure contributions do not exceed IRS limits.

The University shall be responsible for the selection and monitoring of investment options available to Participants.

The Board of Visitors will have an oversight fiduciary responsibility to select University personnel who are qualified:

1. To administer the Plan in accordance with IRS requirements;
2. To monitor the performance of the services provided by annuity contract and/or custodial account vendors; and
3. To review the quality of the investment options provided under the Plan.

The Amendment designates the Vice President for Administration and Finance as the Board designee with the authority to administer and amend the Plan, including the authority to determine eligibility to participate in the Plan and the amount of any Employer Contributions, and to take other actions necessary to effect any Plan amendments.

Outside legal counsel and benefit consultants may be used to satisfy these obligations.

**Amendment to the Old Dominion University Employer 403(b) Plan**

This Amendment to the Old Dominion University Employer 403(b) Plan, effective as of January 1, 2009 (the “Plan”) is made as of April 8, 2010 (the “Effective Date”).

WHEREAS, Old Dominion University (the “Employer”) maintains the Plan;

WHEREAS, the Employer wishes to amend the Plan to permit former employees of the Employer to participate in the Plan and to make certain other changes to the Plan;

WHEREAS, pursuant to Section 8.2 of the Plan, the Employer may amend the Plan at any time; and
WHEREAS, the Employer wishes to delegate to the Vice President for Administration and Finance the authority to administer and amend the Plan.

NOW, THEREFORE, BE IT RESOLVED, that effective as of the Effective Date, the Plan is hereby amended as follows:

1. The definition for “Includible Compensation” in Article I of the Plan is hereby amended by replacing the reference to “An Employee’s” with “A Participant’s” so that the definition reads in its entirety as follows:

“Includible Compensation. A Participant’s actual wages in box 1 of Form W-2 for a year for services to the Employer, but subject to a maximum of $245,000 (or such higher maximum as may apply under section 401(a)(17) of the Code) and increased (up to the dollar maximum) by any compensation reduction election under section 125, 132(f), 401(k), 403(b), or 457(b) of the Code. The amount of Includible Compensation is determined without regard to any community property laws.”

2. The definition for “Plan Entry Date” in Article I of the Plan is hereby amended by replacing the reference to “an Employee” with “a Participant” so that the definition reads in its entirety as follows:

“Plan Entry Date. The first date on which an Employer Plan Contribution is made on behalf of a Participant.”

3. Section 2.1 of the Plan is hereby amended to read in its entirety as follows:

“2.1 Participation. An Employee or former Employee designated by the Employer, or its delegate, to participate in the Plan and have Employer Contributions made on his or her behalf hereunder pursuant to Section 2.2 shall be a Participant in the Plan.”

4. Section 2.2 of the Plan is hereby amended to read in its entirety as follows:

“2.2 Employer Contributions. Subject to the limitations described in Article III, for each payroll period during a Plan Year (or at such other time or times as the Employer, or its delegate, may determine), the Employer, or its delegate, may contribute to the Plan on behalf of each eligible Participant such amount as may be determined by the Employer, or its delegate, in its sole and absolute discretion. Employer Contributions for former Employees may be made for five consecutive Plan Years immediately following the Plan Year in which the former Employee incurred a Severance from Employment, or such other period of time set forth under the applicable Code provisions. The Employer, or its delegate, may elect in its sole discretion to contribute accrued paid leave, including accrued vacation pay, to the Plan on behalf of an Employee or former Employee at such time as determined by the Employer or its delegate.”

5. Section 2.4 of the Plan is hereby amended by replacing the reference to “Employee” with “Participant” so that the section reads in its entirety as follows:

“2.4 Information Provided by the Participant. Each Participant entering in the Plan should provide to the Administrator at the time of initial entry, and later if there are any
changes, any information necessary or advisable for the Administrator to administer the Plan, including any information required under the Individual Agreements.”

6. Section 2.5 of the Plan is hereby amended by replacing the reference to “an Employee” with “a Participant” and the reference to “Employees” with “Participants so that the section reads in its entirety as follows:”

“2.5 Change in Elections. Subject to the provisions of the applicable Individual Agreements, a Participant may at any time revise his or her participation election, including his or her investment direction, and his or her designated Beneficiary. A change in the investment direction shall take effect as of the date provided by the Vendor, as applicable, on a uniform basis for all Participants. A change in the Beneficiary designation shall take effect when the election is accepted by the Vendor.”

7. Section 3.1 of the Plan is hereby amended by adding the following sentence to the end thereof: “Notwithstanding the foregoing, with respect to a former Employee, the amount of the monthly Includible Compensation for the former Employee shall be equal to one twelfth of the former Employee’s Includible Compensation during the former Employee’s most recent 12 full months of service with the Employer, or as determined otherwise under the applicable Code provisions.”

FURTHER RESOLVED, that the authority to administer and amend the Plan, including the authority to determine eligibility to participate in the Plan and the amount of any Employer Contributions, and to take other actions necessary to effect any Plan amendments, is hereby delegated to the Vice President for Administration and Finance.

The undersigned hereby certifies that the foregoing amendment to the Plan and the delegation of authority to the Vice President for Administration and Finance was duly adopted by the Board of Visitors of Old Dominion University at a meeting on the matter held on April 8, 2010, and that such amendments and delegations is in full force and effect on the date hereof.

Date: ________________, 2010

___________________________________
Robert Fenning
Vice President for Administration and Finance

Committee members approved by unanimous vote the proposal to rename the Office of Disability Services the Office of Educational Accessibility. The proposed name change will better reflect all functions and services provided by the unit and demonstrate a clear and fundamental commitment to serving a wide range of students requiring a multitude of accommodations. The following resolution, which was brought forth as a recommendation of the Academic and Research Advancement Committee, was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)
APPROVAL TO RENAME THE OFFICE OF DISABILITY SERVICES
THE OFFICE OF EDUCATIONAL ACCESSIBILITY

RESOLVED, that upon the recommendation of the Academic and Research Advancement Committee, the Board of Visitors approves renaming the Office of Disability Services the Office of Educational Accessibility effective July 1, 2010.

Rationale: The Office of Disability Services has been in existence for over 20 years, and during that time, there have been many changes in the ADA / Section 504. In addition, many aspects of service to students with disabilities have expanded far beyond the original goals and objectives of the office and the first disability-related statutes. As more services have been made available to a wider range of students at Old Dominion University, so have student, staff and faculty sensitivity toward the office name. For many in today's society, including a number of current and former ODU students, the existing name focuses more on the "disability" rather than the "ability" of the students.

The proposed name change will better reflect all functions and services provided by the unit and demonstrate a clear and fundamental commitment to serving a wide range of students requiring a multitude of accommodations. The accommodations offered by the office provide service for students with medical, physical, learning, and psychological disabilities. The name change will increase student engagement with the office, eliminate some of the negative perceptions associated with the existing name, and be more welcoming and positive for students utilizing the services of the office.

-------------

In the report from the Provost, Carol Simpson reported on the status of the searches for Dean of the College of Arts and Letters, Dean of the College of Education, and Dean of the College of Health Sciences. She also discussed the University’s current retention rates and six-year graduation rates, as indicated in the BOVIS report.

In the report from the Vice President for Research, Mohammad Karim reported on the following: (1) ODU received $9.2M in federal stimulus dollars that includes a combination of work-study, Pell grant, and research. To date, the amount of stimulus research dollars received by ODU is $3.5M; (2) New research awards received at ODU in FY2009 exceeded $50.03M for the first time, with 34% going to university centers (such as VMASC and Bioelectrics), 27% to sciences, and 22% to the Batten College of Engineering and Technology; (3) The largest federal funding agency for ODU has been DOD (26%) followed by DoED (23%), NSF (16%), NASA (13%) and NIH (7%); (4) In FY 2009, ODU submitted new proposals worth $310M, the highest amount ever; (5) ODU has continued to make progress in its NIH portfolio, which is valued now at $3.8M and includes eight RO1 grants, the largest number ever; (6) ODU is working to obtain three federal appropriations: one from DOD in modeling, simulation and visualization, another from DOD in bioelectrics, and one from the Department of Energy.
ADMINISTRATION AND FINANCE COMMITTEE

The Rector called on Mr. Hall for the report of the Administration and Finance Committee. Mr. Hall reported that the Administration and Finance Committee met this morning and held the first part of its meeting in joint session with the Academic and Research Advancement Committee in order for the Board to hear a briefing from Vice President Fenning on the proposed comprehensive fees for fiscal year 2010 and 2011.

Vice President Fenning reviewed the guiding principles in developing the proposed tuition and comprehensive fees, as well as the implications of the 15% general fund reduction and the loss of $12.7M in stimulus funds in FY12. The administration is proposing a 7% tuition increase, a 3% increase in auxiliary fees, and a 5% increase in room and board. No increase is proposed for the General Fee, Student Health Fee, or Transportation fee. Together, these adjustments would increase the costs to in-state undergraduate students by 5.2% or $766 per year.

Mr. Fenning detailed the components of the comprehensive fee and the annual cost for in-state and out-of-state undergraduate and graduate students. He stated that ODU will increase campus-based scholarships by $1 million, and $250,000 in institutional funds will be used to provide approximately 60 more student employment opportunities, bringing the total amount budgeted for student employment to $4.1 million.

Mr. Fenning also reviewed the revised four-year financial plan and the major budget priorities for the upcoming year.

The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)
COMPREHENSIVE FEE RESOLUTION 2010-2011

RESOLVED, that upon the recommendation of the President, the Board of Visitors approves the following comprehensive tuition cost per credit hour for the 2010-2011 academic year beginning with the Summer 2010 semester and thereafter until otherwise adjusted by the Board of Visitors. Under unusual circumstances, the President may establish tuition rates different from these approved rates. The President must notify the Board of such changes at its next meeting.

### Comprehensive Fee Per Credit Hour for the 2010-2011 Academic Year

<table>
<thead>
<tr>
<th></th>
<th>IN-STATE</th>
<th></th>
<th>OUT-OF-STATE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TUITION AND FEES</td>
<td>FROM</td>
<td>TO</td>
<td>TUITION AND FEES</td>
</tr>
<tr>
<td><strong>REGULAR SESSION (1)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate (Per Cr Hr)</td>
<td>$236</td>
<td>$249</td>
<td>$651</td>
<td>$697</td>
</tr>
<tr>
<td>Graduate (Per Cr Hr)</td>
<td>$338</td>
<td>$358</td>
<td>$844</td>
<td>$903</td>
</tr>
<tr>
<td>Teaching Assistant</td>
<td>$338</td>
<td>$358</td>
<td>$338</td>
<td>$358</td>
</tr>
<tr>
<td>Research Assistant</td>
<td>$338</td>
<td>$358</td>
<td>$338</td>
<td>$358</td>
</tr>
<tr>
<td><strong>SUMMER SESSION (1) (Summer 2010)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate (Per Cr Hr)</td>
<td>$236</td>
<td>$249</td>
<td>$651</td>
<td>$697</td>
</tr>
<tr>
<td>Graduate (Per Cr Hr)</td>
<td>$338</td>
<td>$358</td>
<td>$844</td>
<td>$903</td>
</tr>
<tr>
<td>Teaching Assistant</td>
<td>$338</td>
<td>$358</td>
<td>$338</td>
<td>$358</td>
</tr>
<tr>
<td>Research Assistant</td>
<td>$338</td>
<td>$358</td>
<td>$338</td>
<td>$358</td>
</tr>
<tr>
<td><strong>Higher Education Centers &amp; Off-Campus Offerings Within Hampton Roads</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate (Per Cr Hr)</td>
<td>$236</td>
<td>$249</td>
<td>$651</td>
<td>$697</td>
</tr>
<tr>
<td>Graduate (Per Cr Hr)</td>
<td>$338</td>
<td>$358</td>
<td>$844</td>
<td>$903</td>
</tr>
<tr>
<td><strong>TELETECHNET &amp; Off-Campus Courses Outside Hampton Roads</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate (Per Cr Hr)</td>
<td>$236</td>
<td>$249</td>
<td>$651</td>
<td>$697</td>
</tr>
<tr>
<td>Graduate (Per Cr Hr)</td>
<td>$338</td>
<td>$358</td>
<td>$844</td>
<td>$903</td>
</tr>
<tr>
<td><strong>TELETECHNET USA (Outside Virginia):</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate (Per Cr Hr)</td>
<td>$244</td>
<td>$249</td>
<td>$244</td>
<td>$249</td>
</tr>
<tr>
<td>Graduate (Per Cr Hr)</td>
<td>$354</td>
<td>$358</td>
<td>$354</td>
<td>$358</td>
</tr>
</tbody>
</table>

(1) A graduate teaching or research assistant who has completed a master's degree or its equivalent and is admitted as a matriculated student into a doctoral program and enrolls for and completes a minimum of 6 hours of graduate credit per semester or 3 hours in the summer may be granted a waiver of full tuition and fees.

NOTE: The comprehensive fee includes a student activity fee of $92.20 per credit hour for Norfolk campus courses, $54.90 per credit hour for Higher Education Centers, TELETECHNET and off-campus courses. The asynchronous nursing program tuition rate will remain at $270 per credit hour.
Jay Wright, Associate General Counsel, presented a proposed new policy on Disposition of Unclaimed or Abandoned Property and explained why the policy is required. The following resolution was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

RESOLUTION TO APPROVE NEW BOARD OF VISITORS POLICY 1602, DISPOSITION OF UNCLAIMED OR ABANDONED PROPERTY

RESOLVED, that upon the recommendation of the Administration and Finance Committee, the Board of Visitors approves new Policy 1602, Disposition of Unclaimed or Abandoned Property.

NUMBER: 1602
TITLE: Disposition of Unclaimed or Abandoned Property
APPROVED: April 8, 2010

Background

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

Policy

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

Definitions

1. Abandoned Property includes all property where the owner voluntarily relinquishes possession. Abandoned property shall include, but not be limited to, all property left by a faculty or staff member in a University facility after separation from the University. Abandoned property shall further include all items remaining in a room in a residence hall upon the earlier of the conclusion of the housing agreement or the student’s separation from the University.

2. Lost Property is property where the owner does not voluntarily relinquish property and is due to accident, forgetfulness, negligence, and the property owner is ignorant of the property’s whereabouts.
Specific Requirements

1. The University shall store all lost and abandoned property at a centralized location and shall publish how lost or abandoned property can be recovered.

2. In instances where ownership of lost property can be reasonably determined, the University shall notify the person of the property’s recovery. Notification by e-mail at the person’s last known e-mail address shall be sufficient. No notice is required when the property is abandoned.

3. In the case of either lost or abandoned property, the University shall keep the property a minimum of 120 days after the property is recovered by the University.

4. Upon a claim by an individual of lost or abandoned property, the University may charge a reasonable sum as a storage fee.

5. In the case of tangible personal property, other than automobiles, the University shall determine the probable cost of sale and whether that cost exceeds the likely proceeds. If the property is inherently dangerous or the property may not be lawfully sold, the University may retain the property for its own use, destroy or discard the property or donate the property to an appropriate charity.

6. If the University determines that the property should be sold, the property may be offered for sale at public auction or by sealed bid to the highest bidder. The University can decline the highest bid and reoffer the property if the University deems the bid insufficient.

7. The University shall provide notice of a sale pursuant to paragraph 6 in both the University newspaper and on the “Daily Announcements” webpage. The University shall send a copy of the notice to the last known address of the person the University has reason to believe is the owner. Should the property owner be currently enrolled or employed, notice to the individual’s campus e-mail address is sufficient notice.

8. If property is sold pursuant to paragraph 6, the University shall hold the proceeds an additional 90 days. If no claim is made by the owner of the proceeds, the proceeds may be transferred to the University’s operating fund.

9. If the property is an abandoned automobile, the University shall take the vehicle into custody. The owner and any lienholder will be notified, by certified mail that the vehicle has been taken into custody. The notice shall (i) state the year, make, model, and serial number of the abandoned automobile; (ii) set forth the location where the vehicle is being held, and (III) inform the owner and lienholder of their right to reclaim it within 15 days of the date of the notice after payment of all towing, preservation, and storage charges. The notice shall also state that failure to reclaim the vehicle shall constitute (i) waiver by the owner and lienholder of all interest in the vehicle and (ii) consent to the sale at public auction of the motor vehicle. The University shall remove from the proceeds all costs of the sale and hold the remainder of the proceeds for 90 days for the benefit of the
lienholder and/or the owner of the automobile. If no one claims the proceeds in this time period, the money will be deposited to the University’s operating fund.

10. If the property is intangible personal property, the University shall report and remit the property to the State Treasurer in accordance with Virginia Code Section §55-210.12 et seq.

Reporting

The Department of Materiel Management shall maintain all records to identify the sale or disposal of all property that is the subject of this policy.

-----------------

Vice President Fenning presented proposed revisions to Board policy 1624, Exercise of Autonomy for Certain Real Property Transactions. He noted that the proposed revision will require prior Board approval before the execution of non-capital leases of more than $500,000 per year. After further discussion, the Rector proposed revising the resolution to reflect prior Board approval for non-capital leases greater than $150,000. The following resolution, as revised, was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

RESOLUTION TO APPROVE REVISIONS TO BOARD OF VISITORS POLICY 1624, EXERCISE OF AUTONOMY FOR CERTAIN REAL PROPERTY TRANSACTIONS

RESOLVED, that upon the recommendation of the Administration and Finance Committee, the Board of Visitors approves the following revisions to Policy 1624, Exercise of Autonomy for Certain Real Property Transactions.

NUMBER: 1624

TITLE: Exercise of Autonomy for Certain Real Property Transactions

APPROVED: September 9, 2005; Revised April 8, 2010

I. Background

The 2005 General Assembly session passed HB 2866 and SB 1327 to establish the Restructured Higher Education Financial and Administrative Operations Act. This Act allows public institutions of higher education restructured financial and operational authority as described in subdivisions A1 through A13 of Section 23-38.88 of the Act.
Section 4-5.08c of Chapter 912 of the 1996 Acts of the General Assembly delegated to the University the authorities otherwise granted to the Governor and the Department of General Services under Virginia Code §2.1-504.2 (now §2.2-1149) allowing the University to approve operating leases under policies, procedures and guidelines developed by the University and approved by the Secretaries of Finance and Administration. The authority has been carried-over in each subsequent year, and the §4-5.08c.1 of the 2003 Act expands the delegation to include income leases.

Pursuant to §23-38.88, Eligibility for Restructured Financial and Administrative Operational Authority, subdivisions A4 through A7 grants public institutions of higher education the authority to:

1. Acquire easements as provided in subdivision 4 of § 2.2-1149;
2. Enter into an operating/income lease or capital lease pursuant to the conditions and provisions provided in subdivision 5 of § 2.2-1149;
3. Convey an easement pertaining to any property such institution owns or controls as provided in subsection C of § 2.2-1150; and
4. Sell surplus real property valued at less than $5 million, which is possessed and controlled by the institution as provided in with subdivision C 2 of § 2.2-1153.

In addition, the University, from time to time, is delegated authority by Executive Order to approve certain acquisitions of fee interest in real property required to support certain delegated capital construction projects.

II. University’s Organizational Structure

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

A. President or designee:

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

1. Execute all non-capital leases of less than $150,000 per year and easements except those lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.

2. Approve all capital leases except those lease and easement transactions conducted with the Old Dominion University Real Estate Foundation.

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

C. Director of Real Estate and Space Management:

1. Expenses Leases – Approve all non-capital leases; lease justifications, and waivers of solicitation and document the reasons; approve space utilization; and ensure compliance with approved guidelines and applicable law.

2. Income Leases – Approve all leases and waivers (and document the reasons a particular waiver is required), and ensure compliance with approved guidelines and applicable law.

3. Income Leases (Communication Towers) - Approve all leases and waivers (and document the reasons a particular waiver is required), and ensure compliance with approved guidelines and applicable law.

4. Capital Leases – Provide all leases and waivers for approval to the Vice President for Administration and Finance of designee, and ensure compliance with approved guidelines and applicable law.

5. Acquisition of Fee Interest - Recommend approval of purchase contracts; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.

6. Sale of Property ($5M or less) - Provide purchase contracts for approval to the Vice President for Administration and Finance of designee; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.

7. Acquisition of Easement Interest - Recommend approval of deeds of easement; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.
8. Granting of Easement Interest - Recommend approval of deeds of easement; approve appraisals, environmental surveys and title reports and title insurance documents; and ensure compliance with approved guidelines and applicable law.

9. Perform market surveys and prepare lease recommendations, conduct or provide guidelines in the conduct of solicitation and negotiations as set forth in the University's approved guidelines.

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

III. Policies and Procedures

A. Expense Leases - The guidelines for leasing real property for the University outlined in Chapter 1 of Restructuring Plan Level I, Real Estate Manual dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

B. Income Leases - The guidelines for leasing real property from the University outlined in Chapter 2 of Restructuring Plan Level I, Real Estate Manual dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

C. Income Leases - Communications Towers - The guidelines for leasing real property from the University for the purpose of erecting communications towers or attaching communications equipment to existing buildings in Chapter 3 of Restructuring Plan Level I, Real Estate Manual dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

D. Capital Leases - The guidelines for capital leasing real property for the University outlined in Chapter 4 of Restructuring Plan Level I, Real Estate Manual dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

E. Acquisition of Fee Interests - The guidelines for acquiring fee interest in real property outlined in Chapter 5 of Restructuring Plan Level I, Real Estate Manual dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.
F. **Sale of Property ($5M or less)** - The guidelines for selling real property valued at $5 million or less outlined in Chapter 6 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

G. **Easements for the Benefit of the University** - The guidelines for acquiring easements for the benefit of the University outlined in Chapter 7 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

H. **Easements for the Benefit of Others** - The guidelines for granting easements for the benefit of others outlined in Chapter 8 of *Restructuring Plan Level I, Real Estate Manual* dated July 19, 2005 are hereby adopted. The Guidelines shall not be altered or amended without approval of the Board of Visitors. Notwithstanding the guidelines as hereby adopted, it is the responsibility of the University to ensure that all applicable existing and future laws are followed.

I. **Records and Reviews** - All records and documentation will be maintained and filed in an accessible manner and made available for review at any time. Copies of all executed leases and other real estate instruments will be forwarded to the Bureau of Real Property Management within ninety (90) days following execution.

---

Vice President Fenning introduced a resolution that would allow the reimbursement expenses of up to $950,000 from subsequent bond proceeds for the Women’s Crew Facility. This action is necessary to complete fully the Crew Facility, including the dock, as a result of higher than projected construction costs. The following resolution, as revised, was brought forth as a recommendation of the Administration and Finance Committee and was approved unanimously by all members present and voting. *(Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)*

RESOLUTION OF THE BOARD OF VISITORS OF OLD DOMINION UNIVERSITY DECLARING THE INTENTION TO REIMBURSE THE COST OF CERTAIN EXPENDITURES

WHEREAS, Old Dominion University (the “Institution”) has undertaken the construction of its Powhatan Sports Center (the “Project”); and

WHEREAS, the Institution has made or will make expenditures (the “Expenditures”) in connection with the Project; and
WHEREAS, the Institution may determine that the funds advanced and to be advanced to pay Expenditures will be reimbursed to the Institution from the proceeds of one or more debt obligations to be issued by or on behalf of the Institution (the “Indebtedness”); provided that, pursuant to federal Treasury Regulations Section 1.150-2(c), any such reimbursement generally must be made no later than 18 months after the date on which any expenditure is made.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF VISITORS OF THE INSTITUTION:

1. The Board of Visitors of the Institution hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the Institution intends to reimburse itself, in accordance with such Section 1.150-2, with the proceeds of Indebtedness for Expenditures made on, after or within 60 days prior to the date of the adoption of this Resolution with respect to the Project, except that Expenditures made more than 60 days prior to the date hereof may be reimbursed as to certain de minimis or preliminary expenditures described in Treasury Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.

2. The maximum principal amount of Indebtedness expected to be issued for the Project is $950,000.

3. This Resolution shall take effect immediately upon its adoption.

Adopted: April 8, 2010

Secretary of the Board of Visitors

Todd Johnson, Assistant Vice President for Auxiliary Services, and Nancy Sattler and Darryl Atkinson of Follett Higher Education Group, briefed the Committee on Follett’s new Rent-a-Text Program and its other textbook options. The goal of these programs is to ensure students have access to affordable course materials. The new Rent-a-Text program will provide students more than 50% savings on new textbooks and will provide more convenience and flexibility in the acquisition process.

In his report to the Committee, Vice President Fenning reviewed capital projects currently underway and the status of land assembly in Phases B&E in the University Village.

Rick Massey, briefed the Committee on the quarterly Investment Report and upcoming discussions by the Investment Committee on its asset allocation strategy.
OLD/UNFINISHED BUSINESS

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

NEW BUSINESS

The Rector recognized Mr. Stallings, who made the following motion: “Mr. Rector, I move to suspend the By-Laws, § 4.03.(a), (b), and § 5.01 pertaining to the function of the nominating committee and the time of election for Board Officers. Specifically, I move to elect a Nominating Committee at this meeting, that the Committee post a call for nominations for Board Officers (Rector, Vice Rector and Secretary) no later than 15 April 2010, and meet no later than 17 May 2010 to determine the nominations to be presented to the Board. The recommendations of the Nominating Committee are to be distributed with the announcement of the June 2010 meeting. At that meeting the Committee shall present one candidate for each office for election, followed by the election, in accordance with § 5.01. The election of officers should proceed at the 17 June meeting.” The motion was seconded by Ms. Croshaw and approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

Mr. Stallings then made a motion that a Nominating Committee consisting of Mr. Batten, Mr. Hixon, Mr. Jacobson and Mr. Mugler, with Mr. Batten serving as Chair, be elected. The motion was properly seconded and approved unanimously by all members present and voting. (Ampy, Batten, Brown, Croshaw, Forehand, Gehman, Hall, Hixon, Jacobson, Kirk, Kornblau, Stallings, Treherne.)

The Rector thanked Lauryn Johnson for her exemplary service as student representative to the Board, stating that she has been one of the best student representatives and the Board has benefitted from her leadership.

With no further business to be discussed, the meeting was adjourned at 2:55 p.m.