

MINUTES

March 22, 2021

The Board of Visitors of Virginia Polytechnic Institute and State University met on Monday, March 22, 2021, at 1:15 p.m. in Latham Ballroom at The Inn at Virginia Tech, Blacksburg, Virginia.

Present

Edward H. Baine
Shelley Butler Barlow
Carrie H. Chenery
Greta J. Harris
C. T. Hill
Anna L. James
Letitia A. Long (Vice Rector)
Sharon Brickhouse Martin
Melissa Byrne Nelson
L. Chris Petersen
Mehul P. Sanghani
Horacio A. Valeiras (Rector)
Jeff Veatch
Preston M. White

Absent

Constituent Representatives:

Eric Kaufman, Faculty Representative
Sabrina Sturgeon, Graduate Student Representative
Camellia Pastore, Undergraduate Student Representative
Absent: Tamarah Smith, Staff Representative

Also present were the following: President Timothy Sands, Kim O'Rourke (Secretary to the Board), Mac Babb, Callan Bartel, Eric Brooks, Bob Broyden, Lori Buchanan, Cyril Clarke, Karen DePauw, Corey Earles, Kari Evans, Paolo Fermin, Kevin Foust, Mike Friedlander, Dee Harris, Kay Heidbreder, Tim Hodge, Elizabeth Hooper, Mary-Ann Ibeziako, Chris Kiwus, Sharon Kurek, Nancy Meacham, Ken Miller, Phil Miskovic, Justin Noble, Mark Owczarski, Charlie Phlegar, Dwayne Pinkney, Ellen Plummer, John Randolph, Frank Shushok, Jon Clark Teglas, Tracy Vosburgh, Lisa Wilkes, and a Roanoke Times reporter.

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There was no public comment period.

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Rector Valeiras convened the meeting and welcomed everyone.

APPROVAL/ACCEPTANCE OF THE CONSENT AGENDA OPEN ITEMS*
(Refer to Attachments A through Q)

[*Note: Items on the consent agenda are matters of importance that have been reviewed carefully by members of the board in preparation for the meeting but have been determined not to require discussion by the board or its committees.]

Rector Valeiras asked for a motion to approve/accept the consent agenda open session items as listed. The motion was made by Mr. Hill, seconded by Ms. Harris, and approved unanimously.

- **Ratification of Minutes from October 21-22, 2020, State Council of Higher Education for Virginia (SCHEV) BOV Orientation Meeting - Attachment A**
- **Approval of Minutes from November 16, 2020, BOV Meeting**
- **Approval of Minutes from March 8, 2021, Public Comment Period**
- **Report of Board of Visitors Information Session (3/21/21) - Attachment B**
- **Report of the Academic, Research, and Student Affairs Committee (3/22/21) - Attachment C**
- **Report of the Buildings and Grounds Committee (3/22/21) - Attachment D**
- **Report of the Compliance, Audit, and Risk Committee (3/22/21) - Attachment E**
- **Report of the Finance and Resource Management Committee (3/21/21) - Attachment F**
- **Report of the Governance and Administration Committee (3/22/21) - Attachment G**

From the Academic, Research, and Student Affairs Committee Consent Agenda:

- **Resolution to Approve New Bachelor of Science in Education Degree in Elementary Education - Attachment H**

- **Resolution to Approve New Undergraduate Education Degree with Two Designations: Bachelor of Arts in Education Degree in Secondary Education and Bachelor of Science in Education Degree in Secondary Education - Attachment I**
- **Resolution to Establish a Scholarly Articles Open Access Policy - Attachment J**
- **Resolution to Approve Appointment to the Virginia Coal and Energy Research and Development Advisory Board - Attachment K**
- **Resolution to Revise Faculty Handbook Promotion and Tenure Guidelines - Attachment L**
- **Resolution to Revise Chapter Five of the Faculty Handbook: Employment Policies and Procedures for Non-Tenure-Track Faculty - Attachment M**
- **Resolution to Clarify Probationary Reappointment Language in the Faculty Handbook - Attachment N**
- **Resolution to Amend Voluntary Transitional Retirement Program - Attachment O**

From the Buildings and Grounds Committee Consent Agenda:

- **Resolution on Appointment to the New River Valley Emergency Communications Regional Authority - Attachment P**

Consent agenda information item; no Board of Visitors action required:

- **Report of Research and Development Disclosures - Attachment Q**

CONSTITUENT REPORTS (no action required)

- Undergraduate Student Representative to the Board - Camellia Pastore
- Graduate Student Representative to the Board - Sabrina Sturgeon
- Staff Representative to the Board - Tamarah Smith (statement read by Sabrina Sturgeon)
- Faculty Representative to the Board - Eric Kaufman

(Copies filed with the permanent minutes and marked Attachment R.)

REPORT OF THE ACADEMIC, RESEARCH, AND STUDENT AFFAIRS COMMITTEE

Rector Valeiras called on Ms. Harris for the report of the Academic, Research, and Student Affairs Committee.

REPORT OF THE BUILDINGS AND GROUNDS COMMITTEE

Rector Valeiras called on Mr. Hill for the report of the Buildings and Grounds Committee.

As part of the Buildings and Grounds Committee report and with the endorsement of the Finance and Resource Management Committee, approval of the following resolution was moved by Mr. Hill, seconded by Mr. Sanghani, and approved unanimously.

Resolution for Approval of the 2022-2028 Capital Outlay Plan

That the Capital Outlay Plan for 2022-2028 as summarized in its accompanying attachments A and B be approved and that the university submit the items in listed in the Plan's attachment A in the state's capital budget process in accordance with future instructions and guidance from the state. (Copy filed with the permanent minutes and marked Attachment S.)

As part of the Buildings and Grounds Committee report and with the endorsement of the Finance and Resource Management Committee, approval of the following resolution was moved by Mr. Hill, seconded by Ms. Martin, and approved unanimously.

**Resolution to Approve the
Virginia Tech 2020 Climate Action Commitment**

That the Virginia Tech 2020 Climate Action Commitment be approved. (Copy filed with the permanent minutes and marked Attachment T.)

Rector Valeiras thanked the team that developed the Climate Action Commitment and the accompanying thorough financial analysis for their tremendous work on this huge undertaking.

REPORT OF THE FINANCE AND RESOURCE MANAGEMENT COMMITTEE

Rector Valeiras called on Mr. Baine for the report of the Finance and Resource Management Committee. Mr. Baine began his report by recognizing John Dooley, Chief Executive Officer of the Virginia Tech Foundation, who is retiring this summer after almost 40 years of service to the university and the Foundation. Dr. Dooley has made a significant impact on the university and worked tirelessly to further its land-grant mission. In addition, he has been extensively engaged in initiatives that serve the local communities.

As part of the Finance and Resource Management Committee report, approval of the following resolution was moved by Mr. Baine, seconded by Ms. James, and approved unanimously.

Resolution for Approval of Financial Plan to Close the Budget Gap Caused by the COVID-19 Pandemic

That the resolution approving Virginia Tech's financial plan to close the budget gap created by the COVID-19 pandemic be approved. (Copy filed with the permanent minutes and marked Attachment U.)

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As part of the Finance and Resource Management Committee report, approval of the following resolution was moved by Mr. Baine, seconded by Mr. White, and approved unanimously.

Resolution to Approve Spring 2021 Transportation Services Fee Refund

That the university refund to students the 2021 spring semester Transportation Services Fee to reflect the cost reduction from the Town of Blacksburg transit contract made possible by federal CARES Act support received by the town for transit service. (Copy filed with the permanent minutes and marked Attachment V.)

Rector Valeiras expressed appreciation to the Town of Blacksburg for making this refund possible.

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Resolution for Approval of Tuition and Fee Rates for 2021-22

As part of the Finance and Resource Management Committee report, approval of the following resolution was moved by Mr. Baine and seconded by Ms. James.

That the proposed tuition and fee rates as presented be approved, effective Fall Semester 2021.

Mr. White then made a motion to amend the resolution as follows:

To increase in-state resident and out-of-state non-resident undergraduate and graduate tuition by 2.9% and utilize the approximately \$5 million to fund the following three priorities:

- 1. Compliance**
- 2. Faculty retention and recruitment**
- 3. Accessibility to drive diversity and inclusion.**

The rest of the resolution is to remain unchanged.

Mr. White's motion to amend the resolution was seconded by Ms. Harris.

The proposed tuition and fee rates as amended were then approved unanimously, effective Fall Semester 2021.

(Copy filed with the permanent minutes and marked Attachment W.)

Rector Valeiras then asked Ms. Hooper, Director of State Government Relations, to pass along to Governor Northam and the members of the General Assembly the appreciation of the Board and the university for all they have done to help Virginia Tech to be affordable and accessible.

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As part of the Finance and Resource Management Committee report, approval of the following resolution was moved by Mr. Baine, seconded by Mr. White, and approved unanimously.

Resolution for Approval of 2021-22 Compensation for Graduate Assistants

That the graduate assistant compensation program for 2021-22 be approved. (Copy filed with the permanent minutes and marked Attachment X.)

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As part of the Finance and Resource Management Committee report, approval of the following resolution was moved by Mr. Baine, seconded by Ms. Long, and approved unanimously.

**Resolution for Approval of Year-to-Date Financial Performance Report
(July 1, 2020 - December 31, 2020)**

That the report of income and expenditures for the University Division and the Cooperative Extension/Agricultural Experiment Station Division for the period of July 1, 2020, through December 31, 2020, and the capital outlay report be approved. (Copy filed with the permanent minutes and marked Attachment Y.)

REPORT OF THE GOVERNANCE AND ADMINISTRATION COMMITTEE

Rector Valeiras called on Mr. Sanghani for the report of the Governance and Administration Committee.

As part of the Governance and Administration Committee report, approval of the following resolution was moved by Mr. Sanghani, seconded by Mr. Petersen, and approved unanimously.

**Resolution to Approve the Constitution and Bylaws for the New
Administrative and Professional (A/P) Faculty Senate**

That the resolution approving the Constitution and Bylaws of the new Administrative and Professional Faculty Senate be approved. (Copy filed with the permanent minutes and marked Attachment Z.)

PRESIDENT'S REPORT

A copy of President Sands' remarks to the Board of Visitors is filed with the permanent minutes and marked Attachment AA.

President Sands also took the opportunity to recognize Kevin Foust, who will retire from the university on June 1. After 24 years in the FBI, he joined the university in 2011, became Chief of Police and Director of Campus Security in 2014, and then was promoted to his current position as Associate Vice President for Safety and Security in 2019. The Board thanked Mr. Foust for his service to the university with a heartfelt round of applause.

Motion to Begin Closed Session

Ms. Long moved that the Board convene in a closed meeting, pursuant to § 2.2-3711, Code of Virginia, as amended, for the purposes of discussing:

1. Appointment of faculty to emeritus status; the consideration of individual salaries of faculty; consideration of endowed professors; review of departments where specific individuals' performance will be discussed; and consideration of personnel changes including appointments, resignations, tenure, and salary adjustments of specific employees and faculty leave approvals
2. The status of current litigation and briefing on actual or probable litigation
3. Fundraising activities
4. Special awards

all pursuant to the following subparts of 2.2-3711 (A), Code of Virginia, as amended, .1, .7, .9, and .11.

The motion was seconded by Ms. Barlow and passed unanimously.

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CLOSED SESSION REPORTS (No Board action required)

1. Litigation report – Ms. Kay Heidbreder
2. Fundraising report – Mr. Charlie Phlegar

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Motion to Return to Open Session

Following the closed session, members of the media, students, and the public were invited to return to the meeting. Rector Valeiras asked Ms. Long to make the motion to return to open session. Ms. Long made the following motion:

WHEREAS, the Board of Visitors of Virginia Polytechnic Institute and State University has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board of Visitors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Visitors of Virginia Polytechnic Institute and State University hereby certifies that to the best of each member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Board of Visitors.

The motion was seconded by Ms. Martin and passed unanimously.

Upon motion by Ms. Long and second by Mr. Baine, approval was given to the following group of resolutions as considered in closed session.

- **Resolutions to Approve Emeritus/a Status (6)** - Attachment BB
- **Resolutions to Approve Endowed Chairs, Professorships, or Fellowships (11)** - Attachment CC
- **Resolution to Approve Appointments with Tenure (3)** - Attachment DD
- **Resolution to Approve Appointments to University Distinguished Professor (4)** - Attachment EE
- **Resolutions to Approve Faculty Research Leave Requests (65)** - Attachment FF
- **Resolution to Ratify the Personnel Changes Report** - Attachment GG
- **Resolutions to Approve Ut Prosim Scholar Awards (2)** – Attachment HH

(Copies are filed with the permanent minutes and marked as noted above.)

On behalf of the Selection Committee, which consisted of the members of the Executive Committee and the Academic, Research, and Student Affairs Committee, Rector Valeiras presented nominations for the 2021-22 undergraduate and graduate student representatives to the Board. Upon motion by Ms. Long and second by Mr. White,

unanimous approval was given to the **Ratification of the Selection of the 2021-22 Student Representatives to the Board of Visitors** as considered in Closed Session. The 2021-22 representatives will be: Paolo Fermin (undergraduate student representative) and Phil Miskovic (graduate/professional student representative).

Appointment of Nominating Committee for Officers of the Board for 2021-22

Rector Valeiras appointed the **Nominating Committee** that will bring nominations for Rector and Vice Rector to the June Board meeting.

Chair: Mehul Sanghani
Member: Greta Harris
Member: Carrie Chenery

Upon motion by Mr. Hill and second by Ms. Martin, the meeting was adjourned at 3:21 p.m.

The dates of the next regular meeting are June 7-8, 2021 (Monday-Tuesday), in Blacksburg, Virginia.

Horacio A. Valeiras, Rector

Kim O'Rourke, Secretary