

## MINUTES

March 20, 2023

The Board of Visitors of Virginia Polytechnic Institute and State University met on Monday, March 20, 2023, at 12:45 p.m. in Torgersen Hall Boardroom (Room 2100), Virginia Tech Campus, 620 Drillfield Drive, Blacksburg, Virginia.

### **Present**

Edward H. Baine (Vice Rector)  
Shelley Butler Barlow  
David Calhoun  
Carrie H. Chenery  
Sandy C. Davis  
Greta J. Harris  
C.T. Hill  
Brad Hobbs  
Anna L. James  
Letitia A. Long (Rector)  
Sharon Brickhouse Martin  
Melissa Byrne Nelson  
L. Chris Petersen  
Jeff Veatch

### **Constituent Representatives:**

Anna Buhle, Graduate/Professional Student Representative  
Holli Drewry, Administrative and Professional Faculty Representative  
Jamal Ross, Undergraduate Student Representative  
Robert Weiss, Faculty Representative  
Serena Young, Staff Representative

Also present were the following: President Timothy Sands, Kim O'Rourke (Secretary to the Board), Janice Austin, Mac Babb, Callan Bartel, Ben Beiter, Lynsay Belshe, Eric Brooks, Lori Buchanan, Brock Burroughs, Steven Clark, Cyril Clarke, Lance Collins, Al Cooper, Corey Earles, Mike Friedlander, Bryan Garey, Kay Heidbreder, Tim Hodge, Elizabeth Hooper, Chris Kiwus, Sharon Kurek, Nancy Meacham, Scott Midkiff, Ken Miller, April Myers, Justin Noble, Mark Owczarski, Charlie Phlegar, Ellen Plummer, Robin Queen, Paul Richter, Julia Ross, Lisa Royal, Amy Sebring, Brennan Shepard, Dee Dee Somervell, Will Storey, Daniel Sui, Don Taylor, Emily Tirrell, Rob Viers, Tracy Vosburgh, Chris Yianilos, and students.

The meeting was livestreamed for the public via YouTube; there were 87 concurrent viewers on YouTube and a total of 186 views.

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There was no public comment period.

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Rector Long convened the meeting and welcomed everyone. Rector Long acknowledged the women's basketball team on another win and advancing to the Sweet 16 tournament.

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

[\*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 Long asked for a motion to approve/accept the consent agenda open session items as listed. The motion was made by Mr. Baine, seconded by Ms. Martin, and approved unanimously.

- **Minutes from November 14, 2022, BOV Meeting**
- **Minutes from October 18-19, 2022, BOV State Council of Higher Education for Virginia (SCHEV) Orientation Meeting – Attachment A**
- **Minutes from March 2, 2023, Public Comment Session – Attachment B**
- **Report of Information Session on March 19, 2023 - Attachment C**
- **Minutes from March 20, 2023, Committee Chairs Meeting – Attachment D**
- **Resolution on Appointment to the New River Valley Emergency Communications Regional Authority – Attachment E**
- **Academic, Research, and Student Affairs Committee General Report (3/20/23) - Attachment F**
- **Buildings and Grounds Committee General Report (3/20/23) - Attachment G**
- **Compliance, Audit, and Risk Committee General Report (3/19/23) – Attachment H**
- **Finance and Resource Management Committee General Report (3/20/23) - Attachment I**

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

- **Resolution to Approve New MS Degree in Applied Data Science** - Attachment J
- **Resolution to Amend the Faculty Handbook Regarding Retirement Contributions** - Attachment K
- **Approval of Revisions to Policy 1036: Student-Athlete Monitoring and Assistance Program (SAMAP)** - Attachment L

*From the Buildings and Grounds Committee Consent Agenda:*

- **Resolution to Approve a Corrected Deed of Easement for Town of Blacksburg Water Line** – Attachment M

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

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

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Rector Long introduced the resolution, noting that the Board heard a presentation at the Information Session the previous day on the report of the Task Force on Freedom of Expression and Inquiry. Two Board members served on the Task Force. The statement that the Task Force developed is intended to complement, not supersede or diminish, the Principles of Community.

Approval of the following resolution was moved by Ms. James, seconded by Dr. Nelson, and approved unanimously.

### **Resolution on Freedom of Expression and Inquiry**

**That the resolution accepting the December 2022 report of the Task Force on Freedom of Expression and Inquiry, endorsing the statement contained therein committing unequivocally to upholding freedom of speech and academic freedom, and requesting periodic updates on the implementation of suggested actions proposed in the task force report be approved.** (Copy filed with the permanent minutes and marked Attachment O.)

Rector Long reinforced the Board's request to receive progress reports for the foreseeable future on the implementation of recommendations contained in the Task Force report.

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## **REPORT OF THE ACADEMIC, RESEARCH, AND STUDENT AFFAIRS COMMITTEE**

Rector Long called on Dr. Nelson for the report of the Academic, Research, and Student Affairs Committee.

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## **REPORT OF THE BUILDINGS AND GROUNDS COMMITTEE**

Rector Long called on Ms. Barlow for the report of the Buildings and Grounds Committee.

As part of the Buildings and Grounds Committee report by Ms. Barlow, approval of the following resolution was moved by Ms. Barlow, seconded by Dr. Nelson, and passed unanimously.

### **Resolution for Conveyance of Easements**

**That the resolution authorizing that the Executive Vice President and Chief Operating Officer or her/his designee be authorized to approve the conveyance of easements and execute any documents required be approved.** (Copy filed with the permanent minutes and marked Attachment P.)

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## **REPORT OF THE COMPLIANCE, AUDIT, AND RISK COMMITTEE**

Rector Long called on Ms. Martin for the report of the Compliance, Audit, and Risk Committee.

As part of the Compliance, Audit, and Risk Committee report, approval of the following resolution was moved by Ms. Martin, seconded by Mr. Petersen, and passed unanimously.

### **Resolution on Information Technology Monitoring**

**That the resolution directing that governance processes, tools, and continuous monitoring as described within the resolution of all university communications networks and forms of electronic communications and records whether stored on university technology resources, in the university's cloud storage, or in transit on the university network be implemented as quickly as feasible, that all relevant policies and standards be revised accordingly, and that authority be delegated to the Executive Vice President and Chief Operating Officer (or designee) to make further revisions or create new policies and standards as necessary be approved.** (Copy filed with the permanent minutes and marked Attachment Q.)

Rector Long noted that there had been a robust discussion at the Compliance, Audit, and Risk Committee meeting the previous day, and the committee has requested that a strong communications plan be developed and implemented.

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## **REPORT OF THE FINANCE AND RESOURCE MANAGEMENT COMMITTEE**

Rector Long called on Mr. Baine for the report of the Finance and Resource Management Committee.

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

### **Approval of Year-to-Date Financial Performance Report (July 1, 2022 – December 31, 2022)**

**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, 2022, through December 31, 2022, and the Capital Outlay report be approved.**  
(Copy filed with the permanent minutes and marked Attachment R.)

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

### **Approval of the 2024-2030 Capital Outlay Plan**

**That the resolution approving the capital outlay plan for 2024-2030 as shown in Attachments A and B to the plan and authorizing the university to submit the items in Attachment A in the state's capital budget process in accordance with future instructions and guidance from the state be approved.** (Copy filed with the permanent minutes and marked Attachment S.)

It was reiterated that approval of the plan does not authorize action or spending; the plan is updated every two years.

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## PRESIDENT'S REPORT

A copy of President Sands' remarks to the Board of Visitors is filed with the permanent minutes and marked Attachment T.

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## CONSTITUENT REPORTS (no action required)

- Undergraduate Student Representative - Jamal Ross
- Graduate and Professional Student Representative - Anna Buhle
- Staff Representative - Serena Young
- Administrative and Professional Faculty Representative - Holli Drewry
- Faculty Representative - Robert Weiss

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

In response to Anna Buhle's comments regarding non-Blacksburg-based students having difficulty taking courses offered only on the Blacksburg campus with no remote option, Rector Long indicated that the Board would like to hear from the administration in June or August about the work of the Northern Virginia Steering Committee and the future of learning/on-line learning.

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## Motion to Begin Closed Session

Mr. Baine 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 Dr. Nelson and passed unanimously. The livestream was suspended during the closed session.

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**CLOSED SESSION REPORTS  
(No Board action required)**

1. Litigation report – Ms. Kay Heidbreder
2. Fundraising report – Mr. Charlie Phlegar – no report

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**Motion to Return to Open Session**

Following the closed session, members of the public were invited to return to the meeting, and the livestream resumed. Rector Long asked Mr. Baine to make the motion to return to open session. Mr. Baine 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 Mr. Veatch and passed unanimously.

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Upon motion by Mr. Calhoun and second by Dr. Nelson, unanimous approval was given to the following group of resolutions as considered in closed session. Items marked with an asterisk were considered by the Academic, Research, and Student Affairs Committee and the Finance and Resource Management Committee.

- **Resolutions to Confer Special Awards (3)** - Attachment V
- **Resolutions to Approve Facility Namings (7)** – Attachment W
- **Acceptance of Report of the Student Selection Committee (March 16, 2023) and Ratification of 2023-24 Student Representatives to the Board** - X
- **Resolutions to Approve Appointments to Emeritus/a Status (6)** - Attachment Y
- **Resolutions to Approve Appointments to Endowed Chairs, Professorships, or Fellowships (4)** - Attachment Z
- **Resolution to Approve Appointments with Tenure (3)** - Attachment AA
- **Resolution to Approve Faculty Research Leaves (92)** - Attachment BB
- **Resolution to Approve Exception to the Virginia Conflict of Interests Act (1)** – Attachment CC
- **\*Ratification of Personnel Changes Report** – Attachment DD

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

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### **Announcement of 2023-24 Student Representatives to the Board of Visitors**

Rector Long announced that the following students will serve as next year's student representatives to the Board of Visitors:

- Will Storey – Undergraduate Representative
- Emily Tirrell – Graduate/Professional Student Representative

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### **Appointment of the Nominating Committee for Officers of the Board**

Rector Long appointed the **Nominating Committee** that will bring nominations for Rector and Vice Rector for 2023-2024 to the June board meeting.

Chair: Greta Harris  
Members: Brad Hobbs  
Chris Petersen

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### Appointment of the 2023 Retreat Planning Committee

Rector Long appointed the **Retreat Planning Committee** that will work along with President Sands and Ms. O'Rourke to plan the annual board retreat to be held on August 27.

Members:   Sandy Davis  
              Anna James

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Rector Long thanked Kim O'Rourke and her staff for all the work put into this Board meeting due to the women's basketball game. Ms. O'Rourke acknowledged the staff of The Inn; Fleet, Air Transportation, and Parking Services; VTPD; and the array of staff involved in executing every Board meeting.

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The meeting was adjourned at 3:31 p.m.

The dates of the next regular meeting are June 4-5, 2023, in Blacksburg, VA.

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Letitia A. Long, Rector

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Kim O'Rourke, Secretary