



**BOARD OF GOVERNORS MEETING PACKET  
AUGUST 7, 2020**

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**AGENDA**  
**West Virginia State University Board of Governors**  
**Adhoc Bylaws and Policies Review Committee**  
**Zoom Meeting**  
**Zoom: <https://zoom.us/j/92873571707>**  
**Dial by your location: 1-929-205-6099**  
**Meeting ID: 928 7357 1707**  
**August 7, 2020**  
**2:00 p.m.**

1. Call to Order and Roll Call – Presiding Officer Mark Davis, presiding
2. Verification of Appropriate Notice of Public Meeting
3. Review and Approval of Agenda Action
4. Review and Approval of June 11, 2020 Meeting Minutes Action
5. Committee Discussion and Recommendations Action
  - 5.1 Proposed BOG Policy on Reductions in Force and Layoffs Action
  - 5.2 Proposed Revisions to BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics Action
6. Other Matters
7. Next Meeting Date – September 3, 2020
8. Adjournment

Agenda prepared by Crystal Walker, Committee Clerk, July 31, 2020

**Board of Governors  
West Virginia State University  
Adhoc Bylaws and Policies Review Committee**

**Date/Time:** 8/7/2020 -- 2:00 PM

**Location:**

Zoom Meeting  
<https://zoom.us/j/92873571707>

Meeting ID: 928 7357 1707  
One tap mobile  
+19292056099,,92873571707# US (New York)

**Purpose:** To conduct the business of the Committee prior to the August 7, 2020 West Virginia State University Board of Governors meeting.

**Notes:**

**Meeting was approved : 7/31/2020 12:08:35 PM**

**Minutes**  
**WVSU Board of Governors**  
**Adhoc Bylaws and Policies Review Committee**  
**Zoom Meeting**  
**June 11, 2020**

**1. Call to Order and Roll Call**

Presiding Officer, Mr. Davis, called the meeting to order at 10:02 a.m. and asked for the roll call.

Members Present: Mr. Davis, Ms. Dooley, and Mr. Jones

Members Absent: Mr. Kelley

**2. Verification of Appropriate Notice of Public Meeting**

Mr. Davis verified the Appropriate Notice of Public Meeting.

**3. Review and Approval of Agenda**

Mr. Jones motioned for approval of the agenda as presented. Ms. Dooley seconded the motion, and the motion carried.

**4. Review and Approval of May 8, 2020 Meeting Minutes**

Mr. Jones motioned for approval of the May 8, 2020 meeting minutes. Ms. Dooley seconded the motion, and the motion carried.

**5. Committee Discussion**

**5.1** Nate Burton provided information on the proposed revision to BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics. The revisions are required in order to be compliant with a waiver recently passed by the NCAA due to COVID-19. Under the waiver, which is good for one year beginning fall 2020, any student-athlete would be eligible regardless of GPA as long as they were in good academic standing. Through detailed Committee discussion, there was a consensus that specific language from the NCAA waiver would be added to the proposed revised policy that makes it clear when operating under such an NCAA exception, requirements in Sections 5.1 and 5.2 are waived. Ms. Dooley moved that the Committee approve the proposed intent to draft revisions for BOG Policy #3 with updated language from the NCAA waiver included before distributing for comments. Mr. Jones seconded the motion, and the motion carried.

**5.2** Mr. Davis said proposed revisions for BOG Policy #57-Deadly Weapons and Destructive Devices are to comply with state law passed in 2018. Justin Cherry said changes were made in WV Code to allow individuals to have a concealed weapon in their vehicle. The current BOG Policy #57 prohibits weapons on campus including parking lots. Following detailed Committee discussion, Mr. Jones moved that the proposed intent to draft revisions for BOG Policy #57 be approved as presented. With no second to the motion, the motion was lost. It was requested that the policy be on the agenda for the next meeting.

**5.3** Eric Jackson said the Proposed Draft BOG Policy on Reductions in Force and Layoffs is out for comment and a special meeting will be requested once the comment period ends.

**5.4** This item was tabled until the next meeting.

**6. Other Matters**

No other matters were brought before the Committee.

**7. Next Meeting Date**

TBA

**8. Adjournment**

With there being no further business, Ms. Dooley motioned for adjournment. Mr. Jones seconded the motion, and the meeting adjourned at 10:36 a.m.

Respectfully Submitted by – Crystal Walker, Committee Clerk, June 15, 2020.

Approved by:

A handwritten signature in blue ink that reads "Eric Jackson". The signature is written in a cursive style with a large, sweeping initial "E".

Eric Jackson, Committee Administrator

**West Virginia State University Board of Governors  
Adhoc Bylaws and Policies Committee  
August 7, 2020**

**I. Purpose**

To establish a formal policy in the event that the University needs to undergo a reduction in force or layoff.

**II. Background**

This Policy establishes the process for the reduction in force or layoff of regular staff employees. While West Virginia State University strives to provide a stable and secure environment in which to work, under certain circumstances, it may be necessary to lay off employees temporarily or eliminate employee positions due to budgetary needs, program reductions, reorganization, or for other business requirements. When a reduction in force or layoff occurs, the University will follow a defined course of action to ensure appropriate treatment of affected employees. This course of action ensures fairness and consistency, determines whether layoff or reassignment is appropriate, determines which employees are subject to such workforce reduction action, and notifies employees in advance of any such reduction.

**III. Discussion**

The Intent to Draft a BOG Policy on Reductions in Force and Layoffs was approved by the Adhoc Bylaws and Policies Review Committee and subsequently the Board of Governors during the May 8, 2020 meetings. Following the seven-day notification period, the draft proposed BOG Policy on Reductions in Force and Layoffs was posted on the University's website, and distributed via email to all employees and all students, for the required thirty-day public comment period, which began on May 29, 2020 and ended on June 29, 2020. No comments were received during the seven-day notification period or 30-day comment period.

**IV. Recommendation(s)**

That the Board of Governors approve the proposed BOG Policy on Reductions in Force and Layoffs as presented.

Presented by Ms. Kristi Williams, Interim Vice President for Business and Finance, and Mr. Justin Cherry, Assistant Vice President of Business and Human Resources

# WEST VIRGINIA STATE UNIVERSITY BOARD OF GOVERNORS

## West Virginia State University

### BOG Policy #//

#### Title: Reductions in Force and Layoffs

#### 1. General

- 1.1 **Scope:** This Policy establishes the process for the reduction in force or layoff of regular staff employees whose employment, if continued, accumulates to a minimum total of 1,040 hours during a calendar year and extends over at least nine months in a calendar year.
- 1.2 **Exceptions:** Part-time regular, casual, project, and/or temporary employees are not covered under the provisions of this Policy.
- 1.3 **Authority:** W. Va. Code §§ 18B-2A-4, 18B-3-1, and 18B-7-3
- 1.4 **Passage Date:** TBD
- 1.5 **Effective Date:** 30 days following passage

#### 2. Definitions

- 2.1 **Affected Employee.** – An employee of the University who has been or will be involved in a workforce reduction action of the University.
- 2.2 **Layoff.** – A reduction in the number of employees resulting in involuntary separation from employment or reduction in work schedule due to business necessity. A layoff is usually temporary, but may become permanent in certain circumstances, at the discretion of the University.
- 2.3 **Reduction in Force.** – A separation from employment due to lack of funds, lack of work, redesign or elimination of position(s) or reorganization, with no likelihood or expectation that the employee will be recalled, because the position itself is eliminated. A reduction in force (RIF) may be necessary or appropriate when there is a redesign or elimination of work, redundancy in roles, or excess capacity within a work group or across work groups, such that it would be economically feasible and responsible to reduce the number of employees in a unit or department.
- 2.4 **Workforce Reduction.** – An action that decreases the number of employees employed at the University, either through layoff or reduction in force, which action is taken out of business necessity in order to reduce the operational costs of the University.

### **3. Policy Applicable to All Workforce Reductions**

- 3.1 While West Virginia State University strives to provide a stable and secure environment in which to work, under certain circumstances, it may be necessary to lay off employees temporarily or eliminate employee positions due to budgetary needs, program reductions, reorganization, or for other business requirements. When a reduction in force or layoff occurs, the University will follow a defined course of action to ensure appropriate treatment of affected employees. This course of action ensures fairness and consistency, determines whether layoff or RIF is appropriate, determines which employees are subject to such workforce reduction action, and notifies employees in advance of any such reduction.
- 3.2 It shall be the policy of the Board of Governors to undertake workforce reductions in a consistent and equitable manner, in adherence to the provisions of W. Va. Code § 18B-7-3 and any other applicable provisions of State and federal law. To that end, following the decision that a financial condition necessitating a reduction in the University's labor budget exists, the President shall undertake program, administrative, and service reviews and consider all pertinent information in determining the best interests of the University as a whole. The President may recommend to the Board of Governors the elimination or reduction of programs or services deemed appropriate and necessary given financial, enrollment, and other relevant considerations. The primary consideration in any resulting decision to eliminate positions and/or to reassign or reduce the number of affected staff positions and personnel will be the preservation of the quality and effectiveness of the University's programs and overall mission.
- 3.3 When a unit or department becomes aware that there may be a need for a workforce reduction, the head of that unit or department should contact Human Resources, which will guide the unit or department in assessing options and developing a plan for implementing the workforce reduction. The plan must be based on the work of the eliminated position(s) being reassigned to other position(s) or no longer being performed. If the unit or department determines the work needs to be resumed, the appropriate reduction measure is layoff. If the unit or department head determines that the work will not likely be resumed, the reduction measure is RIF. No workforce reduction action can occur without the approval of the President and the Board of Governors.
- 3.4 Institutional need for workforce reduction ultimately shall be determined by the President and the Board of Governors through careful analysis and consultation with University administrators in the affected unit(s) or department(s). This analysis shall determine which employees, units, departments, programs, services, etc. should be reduced:
- a. Identification of the positions within the affected unit(s) or department(s) to be eliminated;
  - b. Identification of the jobs and functions that will need to be performed after any reductions;
  - c. Assessment of competencies of affected staff;



- d. Assessment of competencies of retained staff to perform the job duties and functions remaining; and
- e. Opportunities for reassignment with other units or departments.

3.5 **Notice.** – In the event of workforce reduction, either by reduction in force or layoff, the University shall notify the affected employees of such action in writing as soon as feasible, but not less than 30 days prior to the effective date of the action. The written notification shall include the reason for the action; the effective date of the action; the date the affected employee(s) is expected to return to work, if applicable; and the affected employees’ rights during the workforce reduction period, including severance benefits, if applicable. For employees not entitled to severance benefits, the notification must provide information on continuance of life and health insurance (COBRA).

#### 4. Reduction in Force

4.1 Following an analysis of the academic and business needs of the unit(s) or department(s) and a determination of the new organizational structure, as outlined in Section 3 above, the University shall follow the following steps to identify the positions that will be reduced eliminated by a RIF:

- a. First, the head of the affected unit or department shall conduct an analysis of the job functions that the unit or department needs going forward and the positions that will be retained and eliminated. This step is based solely on the job functions of positions and the business needs of the unit or department.
- b. Only when there are multiple incumbents in a position that has been selected for elimination, the second step is to evaluate the skills and qualifications of the individual employees. Human Resources will assist in the review process, evaluate performance criteria, and provide seniority validations. In this multiple incumbent situation, the following factors may be considered in this assessment:
  - 1. Abilities – any special skills, qualifications, additional education, licensure, certification, etc. exhibited and/or held by the employees;
  - 2. Performance – a comparison of performance reviews, recognized exceptional performance as documented in the employee’s personnel records, performance improvement plans, discipline, attendance, etc.; and
  - 3. Seniority – review the length of employment at the University based on University hire date, to the extent that employees are otherwise equal in skills, qualifications, and performance.
    - (i) For staff, abilities and performance will take precedence over seniority in determining which employees are subject to the RIF.

(ii) For employees who have been designated as at-will, seniority is neither a factor nor a consideration in determining RIF of such positions, as such employees are considered at-will and serve at the discretion of the President.

4. Those employees who are deemed by Administration to be of key importance to a specific program or service will be retained in preference to other staff members, whatever their status.
- 4.2. The head of the affected unit(s) or department(s) shall determine a RIF plan, in collaboration with Human Resources, which includes the timeline of the RIF, a plan to communicate the action to the affected employees and the University at large, and the employee notification process.
  - 4.3. Recall Procedures. – An employees affected by a RIF will have the option of being reinstated into his or her former position, if the position is restored within 12 months of the date of the RIF notification. Recall will take place in reverse order of position elimination. Individuals recalled under this provision will not be required to serve the new employee probationary period. An employee who rejects an offer of recall will forfeit any remaining benefits of this Policy. An employee will not be eligible for recall if, on the RIF notification date, there is a documented performance improvement plan or disciplinary action in the previous 12-month period.
  - 4.4. Reemployment of Affected Personnel
    - a. Employees whose positions have been eliminated via a RIF may be provided a reasonable opportunity to interview for other employment at the University, if such employment is available. The University is under no obligation to create new jobs for affected employees, but affected employees may apply for posted, vacant positions through the normal recruiting and selection process.
    - b. Salary offerings will remain consistent with current policies and salary schedules. No annual increment service time or other service time will be accrued during the RIF period.
    - c. In order to be considered for other available employment at the University, the affected employee must meet the following criteria:
      1. Performance evaluations for the immediately preceding 12 months reflect at least “meets expectations” job performance;
      2. No documented performance improvement plan or equivalent in the preceding 12 months; and
      3. No documented disciplinary action or equivalent for the preceding 12 months.

4.5 Employees affected by a RIF may appeal the decision in accordance with the procedure outlined in Section 6 below.

## **5. Layoff**

5.1 In the event the President determines, based on the analysis described in Section 3 above, that a layoff is more appropriate than a RIF, the head of the unit(s) or department(s) affected by the layoff shall file a plan with Human Resources that includes

- a. A statement of the circumstances requiring the layoff;
- b. The unit(s) or department(s) in which the proposed layoff will take place;
- c. A list of the employees in each class affected by the layoff, in order of retention; and
- d. A determination of whether placement options exist within the University for the affected employees, which may include placement in a different position within the University, so long as that position is in the same pay grade and commensurate with the affected employee(s) competencies; demotion without prejudice in lieu of layoff, if any such position(s) is available and the affected employee(s) is qualified for the job; or layoff of the affected employee(s).

5.2 After the Administration has determined the number and class of positions to be reduced by the layoff, and such plan has been approved by the Board of Governors, the order of separation or reduction shall be applied in the following manner and order.

- a. Employees without permanent status in the same class or classes identified for layoff, in the following order: seasonal, exempt part-time professional, provisional, and probationary. However, an employee in the unit or department to which the layoff applies may volunteer to be separated through layoff in place of a probationary or permanent employee with less tenure.
- b. Permanent employees by job class in accordance with the plan outlined in Subsection 5.1 above. Seniority shall not be a consideration in determining which employees will be subject to the layoff, except in the event of a tie in the order of separation or reduction, in which case, seniority will be used to break the tie. If the unit or department affected by the layoff wishes to lay off a more senior employee, the unit or department must demonstrate that the more senior employee cannot perform any other job duties held by less senior employees within the unit or department or any other equivalent or lower job class for which the more senior employee is qualified.

5.3 Once approved by the President and the Board of Governors, Human Resources shall provide notice of the layoff to the affected employees in accordance with Section 3.5 above.

#### 5.4 Recall

- a. Recall of a permanent employee separated or reduced in hours due to layoff shall be in reverse order of the layoff to the class from which the employee was laid off or any lower class in the class series or to any class previously held in the occupational group. The affected unit(s) or department(s) shall create a recall list reflecting this order.
  - b. A permanent employee affected by the layoff shall remain on the recall list for the length of his or her tenure on the date of the layoff or for a period of two years, whichever is less.
  - c. The University shall first consider for reemployment those former permanent employees whose names appear on the recall list for the class in which a vacancy has occurred. The University shall not make an original appointment of a new employee or reinstatement of a former permanent employee to the class until all former permanent employees on the recall list have been given first chance of refusal of the vacancy.
  - d. The University shall notify any laid off permanent employee who is eligible for recall to a position under the provisions of this section of the vacancy by certified mail, return receipt requested. It is the responsibility of the affected employee to notify the University of any change in his or her mailing address.
  - e. Affected employees who have been hired for permanent employment after layoff do not forfeit the remainder of the recall eligibility period and are not required to serve a probationary period.
- 6. Appeal.** – All personnel affected by a workforce reduction have the option to appeal such decision five (5) working days of receipt of the written notification of the workforce reduction action. Within ten (10) working days of receipt of an employee's appeal, administration will review the decision and make a written determination to the employee. Use of the appeal procedure will not delay the effective date of employment termination. Any employee aggrieved by the final decision of the administration may appeal that decision to the West Virginia Public Employees Grievance Board in accordance with W. Va. Code § 6C-2-1, et seq.

**West Virginia State University Board of Governors  
Adhoc Bylaws and Policies Committee  
August 7, 2020**

**I. Purpose**

To revise BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics.

**II. Background**

In order for the University's policies to align with updated NCAA rules regarding eligibility, BOG Policy #3 was revised to add sections 5.3 and 5.3.1 as outlined in the attached revised policy.

**III. Discussion**

The Intent to Draft a revised BOG Policy #3 was approved by the Adhoc Bylaws and Policies Review Committee and subsequently the Board of Governors during the June 11, 2020 meetings. Following the seven-day notification period, the draft revised BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics was posted on the University's website, and distributed via email to all employees and all students, for the required thirty-day public comment period, which began on June 24, 2020 and ended on July 23, 2020. No comments were received during the seven-day notification period or 30-day comment period.

**IV. Recommendation(s)**

That the Board of Governors approve the revised BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics as presented.

Presented by Mr. Nate Burton, Director of Athletics

# **WEST VIRGINIA STATE UNIVERSITY BOARD OF GOVERNORS**

## **Wes Virginia State University**

### **BOG Policy #3**

#### **Title: Academic Standards for Students to Participate in Intercollegiate Athletics**

##### Section 1. General

1.1 Scope: Rule establishing academic standards for West Virginia State University (WVSU) students to be eligible to compete in intercollegiate athletics, to participate in practice, to participate in off season conditioning activities and to receive athletic financial aid.

1.2 Authority: National Collegiate Athletic Association and West Virginia State University.

1.3 Effective Date:

##### Section 2. Application

2.1 This rule shall apply to all students participating in intercollegiate athletics at WVSU commencing with the 2003-2004 academic year.

##### Section 3. Good Academic Standing

3.1 To be eligible to represent WVSU in intercollegiate athletic competition, a student must meet all established academic standards prior to the beginning of each semester while attending WVSU.

##### Section 4. Eligibility for Competition, Practice, Off Season Conditioning Activities and Receipt of Athletic Financial Aid

4.1 A student-athlete at WVSU must meet all eligibility requirements as set forth by the National Collegiate Athletic Association.

##### Section 5. Cumulative Grade-Point Average Requirements

5.1 To participate in intercollegiate athletics, a student who meets the eligibility criteria set forth by the National Collegiate Athletic Association upon their admission to WVSU must also achieve a cumulative 2.00 Grade Point Average (GPA) prior to the beginning of each successive Fall semester.

5.2 Annually the Registrar at West Virginia State University shall review the academic record of each student-athlete enrolled at WVSU during any part of the previous academic year and certify a list of student-athletes who had achieved a cumulative 2.00 GPA prior to the beginning of the fall semester.

5.3 An NCAA Exception or NCAA Catastrophic Waiver or NCAA Waiver will supersede Sections 5.1 and 5.2 as long as a student is in Good Academic Standing per institutional policies.

5.3.1 A student-athlete must be eligible at the end of the spring term, satisfying all institutional and NCAA regulations.

**AGENDA**  
**West Virginia State University**  
**Board of Governors**  
**Zoom Meeting**  
**Zoom: <https://zoom.us/j/92873571707>**  
**Dial by your location: 1-929-205-6099**  
**Meeting ID: 928 7357 1707**  
**August 7, 2020**  
**3:00 p.m.**

1. Call to Order and Roll Call – Chair Charles E. Jones, Jr., presiding
2. Verification of Appropriate Notice of Public Meeting
3. Review and Approval of Agenda Action
4. Review and Approval of June 11, 2020, July 2, 2020 and July 22, 2020 Meeting Minutes Action
5. Approval of Proposed BOG Policy on Reductions in Force and Layoffs Action
6. Approval of Proposed Revisions to BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics Action
7. Approval of Proposal to Name Integrated Research and Extension Building Action
8. Approval of Proposal to Name Research Station Action
9. Other Matters  
    9.1 Updates from Interim President
10. Next Meeting Date – September 3, 2020
11. Adjournment

Agenda prepared by Eric Jackson, Chief of Staff and Board Liaison, July 31, 2020



**Board of Governors  
West Virginia State University  
Full Board**

**Date/Time:** 8/7/2020 -- 3:00 PM

**Location:**

Zoom Meeting  
<https://zoom.us/j/92873571707>

Meeting ID: 928 7357 1707  
One tap mobile  
+19292056099,,92873571707# US (New York)

**Purpose:** Annual Meeting to conduct regular business of the West Virginia State University Board of Governors.

**Notes:**

**Meeting was approved : 7/31/2020 12:13:53 PM**

**Minutes**  
**West Virginia State University Board of Governors**  
**Zoom Meeting**  
**June 11, 2020**  
**12:45 p.m.**

**1. Call to Order and Roll Call**

Mr. Jones called the meeting to order at 12:55 p.m. and asked for the roll call.

Members Present: Mr. Davis, Ms. Dooley, Mr. Gray, Mr. Jones, Mr. Kendrick, Mr. Lipscomb, Mrs. Pitchford, Dr. Smith, Ms. Smoot, and Dr. Vaughan

Members Absent: Mr. Kelley and Mr. Payne

**2. Verification of Appropriate Notice of Public Meeting**

Mr. Jones verified the Appropriate Notice of Public Meeting.

**3. Review and Approval of Meeting Agenda**

Mrs. Pitchford motioned for approval of the agenda as presented. Mr. Davis seconded the motion, and the motion carried.

**4. Review and Approval of Minutes of May 8, 2020 Meeting**

Mrs. Pitchford motioned for approval of the minutes of the May 8, 2020 meeting. Dr. Smith seconded the motion, and the motion carried.

**5. Report from the University Interim President**

**5a.** Mr. Jones commended Interim President Byers, the administration, students, faculty, staff, and community for working collaboratively as we navigate through the COVID-19 pandemic. Interim President Byers thanked the Board for entrusting him to serve in this capacity. He said there have been eight presidents and interim presidents over the years that he has been at the University, and it has been a pleasure to work with them. He would be honored to work with the incoming president once selected to assist in the transition. Interim President Byers expounded on the transition report that was included in the Board materials. He acknowledged Mr. Eric Jackson, Dr. Scott Woodard, and Dr. Paige Carney for their new roles in the administration. He informed the Board that the Vice President for Research and Public Service position remains vacant. He brought the Gus R. Douglass Land-Grant Institute back to the Cabinet level to keep the administration abreast of work in research and extension. Dr. Ulises Toledo and Dr. Ami Smith are overseeing those areas, respectively. For reorganization changes, the EEO and Title IX office will report directly to him. He decided to reorganize the administrative model to elevate the provost position and responsibilities, which provides the president position more time to fundraise while the provost and vice presidents carry out administrative functions under the president's directive. Institutional Research, Assessment and Effectiveness (IRAE) and Information Technology now report to the Provost's office.

**5b.** The Leadership Team was expanded to cover all facets of the University. The group has been primarily discussing the reopening of the University for face-to-face classes. Subcommittees were formed to provide recommendations for carrying out the plan to reopen, "Focus on West Virginia State University." Mr. Justin Cherry, Mr. Joe Saunders, and Mr. Joe Davenport will review the recommendations to ensure legality and safety. On June 15, the Leadership Team will convene to finalize the plan. Interim President Byers

said that he also asked a small group of alumni and former employees to serve on a subcommittee to provide feedback on the plan. “Focus on West Virginia State University” is Plan A, Plan B is a hybrid of face-to face and online classes, and Plan C would offer all classes online. Several entities including the Kanawha County Commission, West Virginia Higher Education Policy Commission, National Guard, and others have offered to provide assistance as the University works to reopen the campus safely. Every Monday, Wednesday, and Friday, the presidents of the public four-year institutions meet and they provide each other updates on their plans. Most institutions have not rolled out a plan due to the fluidity of the pandemic. Interim President Byers said that Dr. Yvette Underdue Murph provided him with a marketing plan for recruitment, and resources have been identified to fund the plan. After the situation that occurred in Minneapolis, he addressed the Cabinet and Academic Deans via a recorded message about how he felt about the University’s position and responsibility. The video was shared publicly, as well.

Summer school is at the halfway point and going well. The dates for fall semester were changed in response to COVID-19. Classes will be held August 10 through November 20, and commencement will be held on November 21. The information was released to the campus and broader community so appropriate planning could take place, presuming the University reopens with face-to- face classes as planned. Interim President Byers said that Mr. John Shawler was contracted to prepare a Factbook, as the University has not had a collective document about IRAE data for a few years. Since being named Interim President, Dr. Byers said he has received emails and calls from nearly 1,000 people indicating that they wish to support him. He is working on a fundraising endeavor where he is reaching out to various individuals, including those who expressed a desire to support the University financially under his leadership. Dr. Smith commended Interim President Byers for taking the idea of engaging a team effort for the plan to reopen school. She also thanked Dr. Woodard and Dr. Carney for their leadership. Dr. Vaughan echoed her sentiments.

**6. Academic Policy Committee Recommendation**

**6a.** The Academic Policy Committee received information on the Interdisciplinary Studies Degree Program and voted to recommend the program to the full Board for approval. Mr. Davis motioned for approval by the full Board that the Interdisciplinary Studies Degree Program as presented. Dr. Smith seconded the motion, and the motion carried.

**7. Adhoc Bylaws and Policies Committee Recommendations**

**7a.** The Adhoc Bylaws and Policies Review Committee received information on the Intent to Draft Proposed Revised BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics. The Committee voted to recommend the proposed revised policy to the full Board for approval with the understanding that specific language regarding an NCAA waiver be added. Mr. Davis motioned for approval by the full Board that the Intent to Draft Proposed Revised BOG Policy #3-Academic Standards for Students to Participate in Intercollegiate Athletics with language from the NCAA waiver be included before distributing for comments. Ms. Dooley seconded the motion, and the motion carried.

**7b.** The Adhoc Bylaws and Policies Review Committee received information on the Intent to Draft Proposed Revised BOG Policy #57-Deadly Weapons and Destructive Devices. The Committee did not vote on a recommendation. The item will be placed on the Committee’s next meeting agenda for consideration.

## **8. Report from the Board Chair**

**8a.** Mr. Jones said that proposed meeting dates for Fiscal Year 2021 were provided in the Board materials. Since the time of distribution, the academic calendar dates changed. To that end, Mr. Jones suggested that the December 11, 2020, meeting date be changed to November 20, 2020, which coincides with the new date for commencement. There being no objections, the amended proposed dates for Fiscal Year 2021 are September 3, 2020; October 22, 2020; November 20, 2020; February 3-4, 2021; May 14, 2021; and June 17, 2021. Mrs. Pitchford motioned that the Board approve the proposed meeting dates as amended. Mr. Gray seconded the motion, and the motion carried.

**8b.** Mr. Jones stated that three officers are to be elected during the Annual Meeting each year and become effective on July 1. Dr. Smith proposed that the current slate of officers be re-elected. With no other proposals brought before the Board, the nominations were closed. Mr. Davis moved that the Board elect the current slate of officers to serve another term. Dr. Smith seconded the motion. Mr. Davis noted that Mr. Kelley, who was absent, previously indicated that he would accept a nomination to serve as an officer if one was made. There being no further discussion, the motion carried.

**8c.** Mr. Jones stated that the Board is to form a Presidential Review Committee each June, in accordance with the Board of Governors Bylaws and BOG Policy #61. He noted that although former President Jenkins resigned and a new permanent president is not yet in place, appointing the Committee is in compliance. Following Board discussion, Mr. Jones named the following membership: Mr. Gray, Mr. Davis, Mr. Kelley, Mr. Payne, and Ms. Dooley. Mrs. Pitchford moved that the Board approve the forming of the Committee and accept the appointments as presented. Dr. Vaughan seconded the motion, and the motion carried.

**8b.** Prior to the Board meeting, a resolution was drafted to recognize Ms. Smoot for her service as the student representative on the Board of Governors. The resolution was read aloud and a ceremonial copy of the resolution will be given to Ms. Smoot. Ms. Smoot thanked the Board for their support and left encouraging words for students. Ms. Dooley expressed her appreciation for Ms. Smoot's active involvement. She stated that Ms. Smoot was student teaching, dealing with the impact of COVID-19, and serving on the Board and Presidential Search Committee and was present for it all. The Board members thanked Ms. Smoot and wished her the best in her future endeavors.

## **9. Possible Executive Session under the Authority of West Virginia Code §6-9A-4 to Discuss Legal, Personnel, and Property Matters**

Mr. Jones clarified that no financial matters would be discussed or disclosed in closed session. Ms. Dooley motioned for approval to go into executive session, in accordance with West Virginia Code §6-9A-4, to discuss legal, personnel, and property matters. Dr. Vaughan seconded the motion, and the motion carried.

A motion to arise from executive session and reconvene into the regular session was made by Mrs. Pitchford, and Dr. Smith seconded the motion. The motion carried. Mr. Jones asked for the record to reflect that the Board only discussed items related to the topics listed, that no decisions were made in executive session, and no motions or votes were taken.

## **10. Other Matters**

No other matters were brought before the Board.

**11. Next Meeting Date**

The next regular Board meeting will be held on September 3, 2020. Special meetings will be called during the summer months to address matters pertaining to BOG policies and the Presidential Search.

**12. Adjournment**

With there being no further business, Mrs. Pitchford motioned for adjournment. Mr. Davis seconded the motion, and the meeting adjourned at 3:24 p.m.

Respectfully submitted,

Katherine L. Dooley  
Secretary

Approved:

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Charles E. Jones, Jr.  
Chair

**Minutes**  
**West Virginia State University Board of Governors**  
**Zoom Meeting**  
**July 2, 2020**  
**10:00 a.m.**

**1. Call to Order and Roll Call**

Mr. Jones called the meeting to order at 10:07 a.m. and asked for the roll call.

Members Present: Mr. Davis, Ms. Dooley, Mr. Gray, Mr. Jones, Mr. Kelley, Mr. Kendrick, Mr. Lipscomb, Mr. Payne, Mrs. Pitchford, Dr. Smith, Ms. Smoot, and Dr. Vaughan

**2. Verification of Appropriate Notice of Public Meeting**

Mr. Jones verified the Appropriate Notice of Public Meeting.

**3. Review and Approval of Meeting Agenda**

Mrs. Pitchford motioned for approval of the agenda as presented. Ms. Dooley seconded the motion, and the motion carried.

**4. Possible Executive Session under the Authority of West Virginia Code §6-9A-4 to Discuss Legal, Personnel, Property Matters, and Presidential Search**

Mr. Jones recognized the members of the Presidential Search Committee who are not on the Board. Several members expressed their appreciation for the opportunity to serve on the Committee. In addition, Ms. Dooley was recognized for her role as Chair of the Committee. Ms. Dooley thanked the Committee members and support staff, who were all dedicated throughout the process.

Ms. Dooley motioned for approval to go into executive session, in accordance with West Virginia Code §6-9A-4, to discuss legal, personnel, property matters, and Presidential Search. Mrs. Pitchford seconded the motion, and the motion carried.

A motion to arise from executive session and reconvene into the regular session was made by Mrs. Pitchford, and Mr. Kelley seconded the motion. The motion carried. Mr. Jones asked for the record to reflect that the Board only discussed items related to the topics listed, that no decisions were made in executive session, and no motions or votes were taken.

**5. Presidential Selection**

Mr. Jones entertained a motion with regard to the presidential selection. Dr. Vaughan moved that the West Virginia State University Board of Governors offer the 12<sup>th</sup> Presidency to Dr. Nicole Pride. Ms. Dooley seconded the motion, and the motion carried by unanimous vote.

**6. Other Matters**

No other matters were brought before the Board.

**7. Next Meeting Date**

September 3, 2020

**8. Adjournment**

With there being no further business, Mr. Kelley motioned for adjournment. Mrs. Pitchford seconded the motion, and the motion carried. The meeting adjourned at 11:49 a.m.

Respectfully submitted,

Katherine L. Dooley  
Secretary

Approved:

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Charles E. Jones  
Chair

**Minutes**  
**West Virginia State University Board of Governors**  
**Zoom Meeting**  
**July 22, 2020**  
**10:00 a.m.**

**1. Call to Order and Roll Call**

Mr. Jones called the meeting of the West Virginia State University (WVSU) Board of Governors (BOG) to order at 10:00 a.m.

Members Present: Mr. Davis, Ms. Dooley, Mr. Gray, Mr. Jones, Mr. Kelley, Mr. Kendrick, Mrs. Pitchford, and Dr. Smith

Members Absent: Ms. Harper, Mr. Lipscomb, Mr. Payne, and Dr. Vaughan

**2. Verification of Appropriate Notice of Public Meeting**

Mr. Jones announced the verification of appropriate notice of public meeting.

**3. Review and Approval of Agenda**

Mrs. Pitchford motioned for approval of the agenda as presented, and Ms. Dooley seconded the motion. The motion carried.

**4. Executive Session under the Authority of West Virginia Code §6-9A-4 to Discuss Legal, Personnel, Property Matters, and Presidential Contract**

Mr. Gray motioned for approval to go into executive session, under the authority of West Virginia Code §6-9A-4 to discuss legal, personnel, property matters, and presidential contract. Mr. Kelley seconded the motion, and the motion carried.

A motion to arise from executive session and reconvene into regular session was made by Mrs. Pitchford, and Mr. Gray seconded the motion. The motion carried. Mr. Jones asked for the record to reflect that the Board only discussed items related to the topics listed and no motions or votes were taken.

**5. Approval of Presidential Contract**

Ms. Dooley made a motion to approve the President's contract for Dr. Nicole Pride, and Mr. Gray seconded the motion. The motion carried.

**6. Other Matters**

No other matters were brought before the Board for discussion.

**7. Next Meeting Date**

The next scheduled meeting will be held on September 3, 2020. Chair Jones noted there would be a special meeting for the Adhoc Bylaws and Policies Review Committee later to be determined.

**8. Adjournment**

With there being no further business, Mr. Davis made a motion to adjourn, and Mrs. Pitchford seconded the motion. The motion carried, and the meeting adjourned at 10:55 a.m.



Respectfully submitted,

Katherine Dooley  
Secretary

Approved: \_\_\_\_\_  
Charles E. Jones, Jr.  
Chair

## **Integrated Research and Extension Building and Research Station Justification**

As you canvass the 100 plus land-grant institutions in the U.S. and its territories, one consistent observation is the presence of land-grant related facilities and research/experiment stations. Moreover, each of these facilities and research stations are named after individuals who have made significant and stellar contributions to their respective institution's land-grant mission and programs. Absent from this list of institutions with named agricultural facilities and research/experiment stations is West Virginia State University (WVSU).

Dr. Hazo W. Carter, Jr. started his tenure as the 9<sup>th</sup> President of West Virginia State University in September 1987. In 1988, in a speech to the West Virginia State National Alumni Association, he stated that his top priority was to "make every effort to regain the College's land-grant status." In 1991, under Dr. Carter's leadership, the College regained its State of West Virginia land-grant status (necessary before you can seek and gain federal land-grant designation and status) via WV HB2124. After that successful redesignation, President Carter developed a strategy to regain West Virginia State's full federal land-grant status.

In August, 1999, Senator Robert C. Byrd entered an amendment to once again establish WVSU as an 1890 Land-Grant Institution, with all entitlements. On October 22, 1999, with the passage of the FY2000 fiscal budget, and subsequent signing by President Bill Clinton, the University once again became an 1890 Land-Grant Institution. This designation and the financial benefits accompanying it, has translated into more than \$250 Million in USDA land-grant funding for WVSU over the past 20 years.

Dr. Carter did not only provide leadership for regaining the University's land-grant status, but he also rose to leadership positions in the 1890 Land-Grant System. From 2007 to 2010, President Carter served as the Chair of the Council of 1890 Presidents and Chancellors. Dr. Carter also served as the Chair of the Council of 1890 Universities of the Association of Public and Land-Grant Universities (APLU) from 2007-2010. In addition, President Carter was appointed as the Co-Chair, along with USDA Secretary of Agriculture Mike Johanns (2005-2008) and Tom Vilsack (2009-2017), of the USDA/1890 Task Force from 2007-2011. Dr. Carter was considered by 1890 Deans and Directors as a "True Executive Land-Grant Leader" because of his leadership and advocacy of 1890 Research, Extension, and Education.

Like President Carter, First Lady Judge Phyllis H. Carter was also a staunch 1890 land-grant advocate and leader. To that fact, in 2003 Judge Carter became WVSU's first Council of Agriculture, Research, Extension and Teaching (CARET) representative. CARET is a national grassroots congressional advocacy organization of APLU. These

individuals, located in each state where land-grant institutions are present, advocate to their respective congressional delegation the importance and legislative agenda of their particular land-grant institution. Judge Carter was not only an advocate for WVSU and the State of West Virginia, she also provided regional and national leadership for all minority serving institution (1890s, Hispanic Serving Institutions, and Tribal Colleges) CARET representatives in the land-grant system. Her advocacy and leadership has led to millions of research, extension, and facilities funding for minority serving institutions, including WVSU. Judge Carter served as WVSU's CARET representative for 10 years.

Together, President Hazo W. Carter, Jr. and Judge Phyllis H. Carter both initiated the dialog, which led to the State of West Virginia transferring the adjacent former West Virginia Rehabilitation Center property to West Virginia State University in 2012. Subsequently, the University has begun to move its land-grant research programs, research station and soon, extension programs, and the accompanying personnel to the property.

For all of the aforementioned facts, and justification, it is being proposed that the current Integrated Research and Extension Building (IREB), located on the former West Virginia Rehabilitation Center property, be named the **Dr. Hazo W. Carter, Jr. Integrated Research and Extension Building**. Additionally, it is being proposed that the land accompanying this facility and its function be named the **Dr. Hazo W. and Judge Phyllis H. Carter Food and Agricultural Complex**.

# **WEST VIRGINIA STATE UNIVERSITY BOARD OF GOVERNORS**

## **West Virginia State University**

### **BOG Policy #13**

**Title: WVSU Naming or Renaming of Buildings and Organizational Units**

#### **Section 1. General**

1.1 Scope: Policy regarding the naming or renaming of buildings and organizational units at West Virginia State University (WVSU).

1.2 Authority: West Virginia Code §18B-1-6.

1.3 Effective Date: October 6, 2005

#### **Section 2. Policy**

2.1 Approval by the West Virginia State University Board of Governors is required for the naming or renaming of facilities and organizational units, such as schools, assets and events;

2.2 The President of WVSU or his/her designee, after consultation with appropriate faculty, students and staff, is responsible for making the recommendation to the Board of Governors;

2.3 A building or organizational unit may be named for an individual if that individual has rendered distinguished service or made a significant contribution to the institution. The individual must not have been employed at the institution during the three (3) previous years;

2.3.1 An exception to the 3-year requirement may be made by the West Virginia State University Board of Governors in the case of the gift of a building.