

WEST VIRGINIA UNIVERSITY BOARD
OF GOVERNORS

September 9, 2022

The two hundred third meeting of the West Virginia University Board of Governors was held on September 9, 2022 in Morgantown, WV in person and via zoom. Board members in attendance/participating via zoom included Marty Becker, Bray Cary, Elmer Coppoolse, Kevin Craig, J. Thomas Jones, Dr. Patrice Harris, Chloe Hernandez, Dr. Stanley Hileman, Alan Larrick, Susan Lavenski, Lisa A. Martin, Dr. Ashley Martucci, Paul Mattox, Taunja Willis Miller, Richard Pill, and Benjamin Statler. Board member Charles Capito was absent and excused,

Note: With this meeting being conducted in person and via zoom, there was no way to ascertain all attendees but the following WVU officers, divisional campus officers, representatives (and others) participated:

President, E. Gordon Gee;
Vice President for Strategic Initiatives, Rob Alsop;
Provost and Vice President for Academic Affairs, Maryanne Reed;
General Counsel, Stephanie Taylor;
Vice President for University Relations, Sharon Martin;
Chancellor & Executive Dean for Health Sciences, Clay Marsh;
Vice Provost, Paul Kreider;
Vice President for Diversity, Equity and Inclusion, Meshea Poore;
Vice President for Research, Fred King;
Associate Vice President and Executive Director of the Office of Global Affairs, Amber Brugnoli;
Dean of Students, Corey Farris;
Associate Provost for Budget, Facilities and Strategic Initiatives, Mark Gavin;
Vice President and Chief Financial Officer, Paula Congelio;
Senior Associate Vice President for Finance, Anjali Halabe;
Associate Provost for Undergraduate Education, Evan Widders;
President, WVU Tech, Carolyn Long;
Interim President, Potomac State, Chris Gilmer;
Deputy General Counsel, Gary G. Furbee, II;
Associate General Counsel, Kylie Barnhart;
Director of Communications, Office of the Provost, Kimberly Becker;
Assistant Vice President for Strategic Initiatives, Erin Newmeyer;
Associate Vice President, Institutional Data and Analytics, Office of the Provost, Lisa Castellino-Gergich;
Assistant Vice President for Academic Planning and Implementation, Amanda DeBastiani;
Associate Provost for Academic Personnel, Tracy Morris;
Interim Associate Provost of Graduate Academic Affairs, Richard Thomas;
Associate Provost for Faculty Development and Culture, Melissa Latimer;
Associate Provost for Curriculum and Assessment, Louis Slimak;

Associate Vice President for Academic Affairs, WVU Health Sciences Center, Louise Veselicky;
Director of Design and Community Development, Associate Professor of Landscape Architecture, Extension Specialist in Landscape Architecture, Peter Butler;
Potomac State College Faculty Assembly Chair, Dr. Jay Badenhoop;
Chair, Faculty Assembly, WVU Tech, Courtney Barko, Ph.D.;
Associate Vice President for Clinical & Translational Science/Director, WVCTSI, Sally L. Hodder , MD;
Executive Officer and Assistant Board Secretary, Jennifer Fisher;
Executive Director of Communications, University Relations, April Kaul; and,
Special Assistant to the Board of Governors, Valerie Lopez.

From the WVU Foundation:

President and CEO, Cindi Roth;
Vice President, Investments and CIO, Rick Kraich;
Executive Vice President and Chief Development Officer, B. J. Davisson.

Members of the Press also participated.

CALL TO ORDER

The meeting was called to order by Chairman J. Thomas Jones at 9:00 a.m. A roll call was taken to determine who was in attendance and a quorum established. Chairman Jones extended to Lisa A. Martin, on behalf of the full board, well wishes as she recovers from a medical procedure. He also announced that board member Marty Becker was recently named Chairman of the MVB Financial Corp. Board of Directors and congratulated Mr. Becker on behalf of the full board.

WVU FOUNDATION UPDATE

Cindi Roth, President and CEO of the WVU Foundation, provided her annual report. Highlights included:

- The Foundation utilizes a gift pyramid- utilizing the following levels (from bottom to top):
 - Leadership Annual Giving (\$5,000 - \$49,999)
 - Major Gifts (\$50,000 – \$999,999)
 - Principal Gifts (\$1,000,000 - \$4,999,999)
 - Leadership Philanthropy (\$5,000,000+)

- President Roth reported on FY23 Fundraising – Cash and Pledges through June 30th:

- President Roth reported on Production totals – covering a 10-year trend
- A snapshot of the campaign dashboard, from July 1, 2021 through June 30, 2022, includes the following sums:
 - \$389,582,665 – Outright gifts
 - \$105,524,366 – Planned gifts
 - \$164,735,915 – Pledges
 - \$659,842,946 TOTAL

➤ Campaign Goal

Progression:

<u>Fiscal Year</u>	<u>Campaign Year</u>	<u>Production Goal</u>	<u>Production Actual</u>
Lookback Gifts	1/1/18-6/30/21	\$446,009,233	\$446,009,233
FY23	Year 1	\$170,000,000	<u>\$213,833,713</u>
			\$659,842,946
			41% of the \$1.6 billion goal

Production Goals by FY during the Campaign:

<u>Fiscal Year</u>	<u>Campaign Year</u>	<u>Production Goal</u>
FY 23	Year 2	\$180,000,000
FY 24	Year 3	\$188,000,000
FY 25	Year 4	\$197,000,000
FY 26	Year 5	\$207,000,000
FY 27	Year 6	\$217,000,000
FY 28	Year 7	\$228,000,000

➤ Campaign Goal: Year 2

- Fundraise: Focus on Leadership and Principal Philanthropy (all year)
- Identify Campaign Ambassadors and Units’ Campaign Champions for first pillar of the Campaign
- Articulate WVU’s “Big Ideas” for the Campaign pillars
- Continue campus leaders’ engagement in Campaign through the Campaign Summit meetings twice a year
- Prepare for a public launch of the Campaign in fall 2023

➤ WVU Campaign Timeline

- WVUF Planning – 9/19 to 11/20
- Unit Planning – 11/20 to 6/21
- Counting Begins – July 1, 2021
- Quiet Phase – 7/21 to 10/23
- Public Launch – Fall 2023
- Public Phase – 11/23 to 6/28
 - Student Success – 14 months
 - Health and Wellness – 18 months
 - Solutions to Challengers – 18 months
 - Student Success – 12 months

- Celebration – Fall 2028
- President Roth reported on West Virginia University Foundation, Inc. Total University & Agency Support
- President Roth reported on the Spend Comparison from a Historical Market Value from 2004 through 2024
- Financial Summary Points
 - Revenue processing in excess of \$200M annually
 - University & Agency Support near \$100M annually
 - Endowment Spend – Record Spend (Payout) of \$29.2M declared for FY24
 - Healthy Cash Reserve to sustain operations (1.5 x Annual Budget)
 - Total assets of \$2.7B
 - A+ Stable Outlook from Standard & Poor’s
 - Clean Annual Audits – September 30 release to the Public
 - WVUF is in a strong financial position to carry out its mission for West Virginia University
- WVU Foundation’s
 - Mission: The mission of the WVU Foundation is to enrich the lives of those touched by West Virginia University by maximizing charitable support and providing services to the University, its students and affiliated organizations
 - Vision: The WVU Foundation will be the model for excellence in fundraising, investment management and stewardship
 - Values: Relationships; Integrity; Accountability; Courage; Innovation and Exceptional Performance

WVU FOUNDATION INVESTMENT REPORT

Richard Kraich, Vice President of Investments and Chief Investment Officer of the WVU Foundation, provided his annual report. Highlights included:

- He first provided an overview on the structure of the WVU Foundation Investment Group
- He reported on Managed Investment Portfolios
- The WVU Foundation Long Term Investment Pool (holds endowments for WVU) showed annualized returns as of June 30, 2022 for 1 year: 11.3%, 3 year: 14.6%; and 5 year – 11.4% - with asset allocation in equities, fixed income, real assets, diversifying strategies and cash
- Vice President Kraich advised that four pools previously reported on separately, namely, Unrestricted, WVU Research Corporation, BRIM and Research Trust State Match were consolidated into one pool – with this WVU Consolidated Pool Total for FY 2022 reporting assets of \$171.9M – and an annual spend (from RTF pool) of \$1.6M
- Vice President Kraich provided a 5 year comparison of WVU Consolidated Pool Performance and Asset Allocation which ranged from 12.1 in FY17 to -14.0 in FY22 with the decline attributed to overall performance of financial markets

ANNUAL REPORT OF THE FACULTY REPRESENTATIVES

Drs. Stanley Hileman and Ashley Martucci provided their annual faculty presentation to the full board. Highlights included the following:

FULL-TIME FACULTY BY TYPE AND RANK

	Academic Tenure Track Faculty					
	<u>Potomac State</u>		<u>WVU-Morgantown</u>		<u>WVUIT</u>	
	Fall 2020	Fall 2021	Fall 2020	Fall 2021	Fall 2020	Fall 2021
Assistant Professor	10	13	201	200	33	37
Associate Professor	8	8	307	299	23	23
Instructor Lecturer	17	9	6	1		
Professor	9	11	327	324	10	8
Total	44	41	841	824	66	68

	Instructional Non-Tenure Track Faculty					
	<u>Potomac State</u>		<u>WVU-Morgantown</u>		<u>WVUIT</u>	
	Fall 2020	Fall 2021	Fall 2020	Fall 2021	Fall 2020	Fall 2021
Assistant Professor			120	134	6	8
Associate Professor			73	81		2
Instructor Lecturer Other	4	6	55	59	4	4
			2	1		
			45	2		
Professor			19	29		
Total	4	6	314	306	10	14

Extension Faculty

WVU-Morgantown
Fall 2020 Fall 2021

Assistant Professor	12	37
Associate Professor	36	57
Instructor	52	24
Other	24	1
Professor	7	9
Total	131	128

*Additional data was also provided on Other Clinical Faculty

Faculty Diversity – Morgantown

	Fall 2019	Fall 2020	Fall 2021
American Indian or Alaskan Native	0.11%	0.11%	0.14%
Asian	11.32%	11.42%	11.87%
Black	2.20%	2.37%	2.21%
Hispanic	1.70%	1.87%	1.84%
Native Hawaiian or Pacific Islander	0.14%	0.14%	0.10%
Two or More Races	0.82%	0.78%	0.85%
Unknown	7.74%	7.32%	8.06%
White	75.98%	75.99%	74.92%
Total	100.00%	100.00%	100.00%

Faculty Gender Balance – Morgantown

	Fall 2019	Fall 2020	Fall 2021
Female	43.61%	44.63%	45.12%
Male	56.39%	55.37%	54.88%
Total	100.00%	100.00%	100.00%

	Student Faculty Ratio	
	2020	2021
Potomac State	21 to 1	17 to 1
WVU-Morgantown	18 to 1	18 to 1
WVUIT	13 to 1	12 to 1

All Teaching Positions	Teaching Contribution of Faculty	
	Total Courses Taught	Total Credit Hours Taught
	13,634	36,764

Total Reported House	Service Contribution of Faculty		
	Service to the University	Service to the Public	Service to the Profession
	294,365	120,846	169,148

Research at WVU

- Once again classified as a Doctoral University – Highest Research Activity by Carnegie Foundation for Higher Education in 2021
- FY2021 research expenditures up 10 million dollars (from \$189 to \$199 million)
- FY2021 F&A Recovery Rate increased from \$27.7 to \$31.7 million
- Employ nearly 1,800 researchers and staff
- 2,781 publications and 3,621 citations of WVU publications

Funding:

47% - Health and Human Services
 14% - Department of Energy
 11% - National Science Foundation

Research at WVU

- Maura McLaughlin honored with the Southeastern Universities Research Association Distinguished Scientist Award “for leadership of the international scientific community in the use of pulsars as detectors for gravitational waves as well as her dedication to educating the next generation of astronomers and astrophysicists.”
- Walter DeKeseredy, director of the WVU Research Center on Violence and Professor of Sociology, has been named as an ASC Fellow by the Executive Board of American Society of Criminology, the highest honor bestowed by the society for outstanding contributions in the field of criminology.
- Teegan Kuzniar awarded both Goldwater and Udall Scholarships for her work on soil microbiology

- Bryan Ho and Zachary Ellis, Beckman Scholars studying inflammatory response in respiratory disease and Huntington's Disease
- Myya Helm awarded a Marshall Scholarship to study in the UK regarding the history of black coal miners in Wales.
- Rachel McNeel presented to Congress her research on changes in metabolism in the eyes and brain for early identification of Alzheimers

Research at WVU

- Goal – Double research at WVU in the next 5 years
- Limitations – Infrastructure (systems and people)
- Currently assessing and in the decision process for a vendor/program to upgrade our Electronic Research Administration system to better handle proposal
- Loss of personnel from the Office of Sponsored Programs – this has had a tremendous impact on getting grant money to researchers in a timely fashion
- Hiring of faculty, staff, and graduate students to accomplish research goals – competing in a national market (especially with remote work possibilities)

Other Presenters

- Sally L. Hodder, MD presented on the West Virginia Clinical and Translational Science Institute – with the mission of building research infrastructure to improve health outcomes in West Virginia
- Dr. Jay K. Badenhoop, WVU Potomac State College Faculty Assembly Chair 2022-2023 presented on WVU Potomac State College's Faculty Profile
- \Cortney Barko Ph.D., Chair, Faculty Assembly at WVU Tech provided a WVU Tech Faculty Report
- Peter M. Butler, Professor & Extension Specialist, Landscape Architecture Program, Director, School of Design and Community Development at West Virginia University presented on the Community Engagement Lab: Projects and Impacts

EXECUTIVE SESSION

Chairman Jones requested a motion to move Executive Session, under authority in West Virginia Code §§ 6-9A-4(b)(2)(A), (b)(9), and (b)(12) to discuss:

- a. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private

partnerships; the purchase, sale or lease of property; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University; and

b. Confidential and privileged report by General Counsel

The motion was made by Marty Becker, seconded by Bray Cary, and passed. Following Executive Session Kevin Craig moved that the board rise from Executive Session. The motion was seconded by Richard Hill and passed. Chairman Jones stated that no actions were taken as a result of today's Executive Session discussions.

ACADEMIC AFFAIRS UPDATE

Provost Maryanne Reed provided the following Academic Affairs Updates

FALL SEMESTER

I am happy to report that we've had a very successful start to the fall semester. Our students and faculty seem happy to back on campus in full, bringing with them the energy and excitement of a "normal" school year.

This year's freshman class numbers look strong, with a total of just over 46-hundred first-time freshmen on the Morgantown campus. Of those students, nearly 42 percent are in-state residents, while just over 58 percent are out of state. This is our largest percentage of non-resident freshmen to date. We will continue to recruit heavily in the state, but it will become increasingly challenging with declining high school enrollments in West Virginia and declining college attendance. (We are all concerned about.)

The average GPA of our incoming freshman class in Morgantown is a 3.70, and 920 are enrolled as Honors students.

To date, our total enrollment for all three campuses and WVU Online is over 27,000 students.

ACADEMIC TRANSFORMATION – STUDENT SUCCESS

This year, we will continue to focus on academic transformation with an emphasis on both student *and* faculty success.

Regarding students, we will be engaging in a number of initiatives designed to increase our student retention, persistence and graduation rates. The Academic Affairs team has made significant strides already, but our work is never done.

ASK MORGAN CHATBOT

Just last month, we launched a new A-I chatbot designed to answer students' questions 24/7. The "Ask Morgan" feature provides automated responses to common questions about advising, tutoring, financial aid, the school calendar, academic issues and more.

If Morgan can't answer a particular question, the chatbot will direct students to an office or person who can assist them during regular business hours.

More than 350 questions-and-answers have been pre-loaded into Morgan's knowledge base and new content will be added on a regular basis as "popular" questions are identified.

In just one month, students have engaged more than 3,000 times with Morgan, and early feedback about the new feature is very positive.

ADVISING

We will continue to work to strengthen and improve undergraduate academic advising, which is a cornerstone to student success.

This summer, we welcomed Joy Carr to the Provost's Office as the first Director of University Advising. Joy is a WVU veteran, with 14 years of experience working directly with students, advisers and University leadership as an instructor, advising specialist and, most recently, as the director of undergraduate studies in the Eberly College of Arts and Sciences.

In her new role, Joy will work with advising experts across campus to identify and adopt best practices in academic advising and help develop greater consistency in advising between academic units. This will ensure that students can more seamlessly progress through their degree programs (even if they switch majors) and graduate in a timely fashion.

In addition, several of our colleges have hired additional full-time professional advisers, whose major focus is to help students progress through their degree programs and graduate in a timely manner. Faculty in those units will continue to serve as mentors and career advisers to students who seek out their expertise.

OTHER STUDENT SUCCESS INITIATIVES

This year, we will also be putting significant effort into our partnership with the Eberly College to create a new unit focused on foundational STEM instruction for undergraduate students. Many of our students struggle in their introductory STEM courses, such as Math and Chemistry, so we need to find ways to better prepare them for the coursework and help them be successful.

We are also enhancing support programs and services for our FirstGen students, as well as our transfer, and Pell-eligible students. As group, these students typically retain at a lower rate than other students at WVU, so we need to redouble our efforts to ensure we are helping to address their challenges and keep them in school.

The student experience isn't just about what happens in the classroom. It's also about helping students prepare for careers and job opportunities after graduation. This fall, the Provost's Office will be working with other partners on campus to identify ways to strengthen, support and enhance career-readiness programs, activities, and curricular initiatives.

Finally, we are partnering with the Office of Graduate Education and Life and the Carruth Center to strengthen mental health resources for our graduate student population. And we will continue to look for ways to provide additional support and assistance to our graduate student workers, who are key to the University's research and teaching missions.

ACADEMIC TRANSFORMATION – PROGRAM PORTFOLIO REVIEW

On the academic programming front, our team will continue to work with “programs of concern” – identified through the program portfolio review process – to help them meet their growth targets. And we will continue to identify and invest in “programs of opportunity” that can drive enrollment growth and be differentiators for the University.

To further spark growth and innovation, another priority this year is to develop a new academic program incubator (or hub). We envision this as small office that will help to reduce barriers to cross-college collaboration and that will seed and support the creation of new, highly relevant academic programs that can attract new students to the University.

Another area of significant growth potential is our online academic portfolio. This fall, we will focus on ways to expand WVU's associate's, bachelor's and certificate programs, as we know there are regional employer demands for specific content areas. We will also target non-traditional audiences, such as veterans, and explore ways to expand our compressed course offerings (that we know students like and want). Finally, we are developing potential relationships with third-party vendors (such as Coursera) who can significantly scale up our online recruiting efforts.

ACADEMIC TRANSFORMATION – FACULTY SUCCESS

On the faculty side, the Academic Affairs team and partners across campus have been engaged in a number of initiatives focused on faculty rewards and recognition.

Team members have been working with key stakeholder groups to draft revisions to the University's faculty evaluation, promotion and tenure document to expand the definition of “what counts” in research, teaching and service, to strengthen accountability measures across all levels, and to ensure all processes are equitable, inclusive and transparent.

This fall, Associate Provost Melissa Latimer and Chris Staples, Executive Director of Academic Personnel, are hosting a series of “town hall” discussions with academic units across campus to share their progress and continue to gather feedback.

Our office is also continuing to review and approve new faculty workload documents for colleges and departments designed to clarify workload expectations for faculty and ensure there is equity and consistency in determining work assignments.

In addition, we're working with the Faculty Senate and the Teaching Assessment Committee to pilot an alternative student evaluation tool this year — one that more effectively measures student engagement and learning and provides faculty useful information to improve their courses.

BUDGET MODEL

A major priority this year for the entire University — not just Academic Affairs — will be the implementation of a new budget model and educating our academic leaders, faculty and staff, on how this model will work.

For the past six months or so, the University has been working with the Huron Consulting Firm, and several working groups, to design a new budget model — one that more intentionally rewards growth in enrollment and research, and that is more transparent than our current model.

We believe this new model will incentivize the colleges — and eventually the academic departments — to lead their own transformation efforts that will position their units and the University for success in the future.

We will be engaging stakeholders and sharing more information on the new budget model with the campus community over the course of this year.

NEW COLLEGE

Of course, I'd be remiss if I did not mention the successful July launch of our new College of Applied Human Sciences this July and the welcome addition of its new founding dean, Dr. Autumn Cypres.

The merger of our two former colleges into this single unit was an immensely collaborative effort that touched quite a number of units across our campus. And in typical Mountaineer fashion, everyone dug in to do the work that needed to be done and accomplished a tremendous feat in just a little more than one year.

I am so proud of what our leadership, faculty and staff have shouldered to make the new College of Applied Human Sciences a reality. And I'm sure Dean Cypres will continue that momentum into the future.

TECH SEARCH

And finally, our search for new leadership of our Beckley campus is well underway. This spring, Carolyn Long (regretfully) announced she will be retiring at the end of the calendar year. With the assistance of Greenwood /Asher and Associates executive search firm, the University

has launched a nationwide search. The committee has completed their initial review of applicants and is scheduling candidates for first-round “virtual” interviews on September 21 and 22.

The search committee is co-chaired by Vice Provost Paul Kreider and WVU Tech’s Director of Athletics, Kenny Howell, and includes University or academic leaders from Beckley (3) and Morgantown (3 including Paul), as well as faculty, staff, alumni, and community members.

NON-ACADEMIC TRANSFORMATION

Over the past several years, the University has taken steps to review and overhaul a number of its administrative processes, including those relating to talent and culture, finance, and administrative support. The University is also in the process of overhauling the current budget model, chart of accounts, and business processes relating to our finance, Human Resources, and student information systems in anticipation of the upcoming ERP implementation. During the Board meeting Vice President for Strategic Initiatives Rob Alsop provided an update of these activities and the benefits to the University

PROPOSED FINAL AMENDED RULES AND OFFICIAL COMMENTS SUMMARY

Associate General Counsel, Kylie Barnhart presented this agenda item for the proposed amended rules and official comments summary for the following

West Virginia University Board of Governors Talent & Culture Rule 3.1 – Administration & Employment Practices
West Virginia University Board of Governors Talent & Culture Rule 3.2 – Affirmative Action and Equal Employment Opportunity
West Virginia University Board of Governors Talent & Culture Rule 3.3 – Classification & Compensation
West Virginia University Board of Governors Talent & Culture Rule 3.4 – Drug and Alcohol Testing for FTA & FMCSA Covered Positions
West Virginia University Board of Governors Talent & Culture Rule 3.5 – Employee Leave
West Virginia University Board of Governors Talent & Culture Rule 3.6 – Holidays
West Virginia University Board of Governors Talent & Culture Rule 3.7 – Annual Increment
West Virginia University Board of Governors Talent & Culture Rule 3.8 – Performance Management
West Virginia University Board of Governors Talent & Culture Rule 3.9 – Reduction in Force
West Virginia University Board of Governors Finance & Administration Rule 5.8 – Travel

At the Board’s June 24, 2022 meeting it issued a Notice of Proposed Rulemaking for amendment of the Rules identified above.

A review of all Talent & Culture Rules was conducted, and changes are proposed to grant discretion to Talent & Culture, with the advice of the Office of General Counsel, to comply with legal obligations. Other amendments were proposed to address changes that have occurred and situations that have arisen since the Rules were adopted, including updates in response to an increase in remote work assignments and the addition of a

provision granting the President authority to approve special emergency leave with pay during emergency situations impacting the operations of the University.

Next, changes to BOG Finance & Administration Rule 5.8 were proposed to require employees to make advance bookings through the University's contracted Travel Management Company, AMEX, unless the arrangements fall within the exceptions permitted in the University Travel Manual. Requiring use of the AMEX system will result in increased traveler safety, expert travel care, and reduced costs as WVU now benefits from AMEX's negotiated rates and rewards programs.

Substantively, the proposed changes to the Rules above will result in amendments that were set forth in detail in the table located in the Notice of Proposed Rulemaking, as well as in the redlines attached in the board packet.

The proposed changes to the Rules were posted for the required thirty (30) day public comment period. A total of 16 comments were received. Those comments and the University's responses were posted on the University's website for at least ten (10) days in advance of this Board meeting. No changes were made to these Rules as a result of comments received. Accordingly, the Board of Governors is asked to approve the final amended Rules as presented. If approved, the amended Rules will be effective in 15 business days, in accordance with our rulemaking procedures.

Accordingly, Marty Becker moved that the board approves final amended Rules as presented, pursuant to BOG Governance Rule 1.1. This motion was seconded by Dr. Patrice Harris, and passed.

SECOND NOTICE OF PROPOSED RULEMAKING FOR AMENDMENTS

General Counsel, Stephanie Taylor, presented this agenda item for a Second Notice of Proposed Rulemaking for amendments to the following: West Virginia University Board of Governors Governance Rule 1.4 – Ethics, Conflicts of Interest, and Outside Consulting Arrangements.

At the Board's June 24, 2022 meeting, it issued a Notice of Proposed Rulemaking for amendment of BOG Governance Rule 1.4. Changes to the Rule are proposed to clarify some ambiguities in the current Rule including clarification regarding outside Consulting Arrangements, Institutional Duties, and Pro Bono activities.

The proposed changes to the Rule were posted for the required thirty (30) day public comment period. A total of 18 comments were received. Those comments and the University's responses were posted on the University's website for at least ten (10) days in advance of this Board meeting. Several changes were made to the Rule as a result of the comments received including clarification that viewpoint will not be taken into consideration when reviewing Outside Consulting Arrangements; a deadline by which the University must approve, deny, or

request additional information regarding outside consulting requests when the employee is adverse to the state in a Formal Legal Proceeding; clarification that that work done within the Clinical Law Program is part of an Employee's Institutional Duties and not subject to the outside Consulting Arrangement approval process; and clarification regarding volunteerism.

Substantively, the proposed changes to the Rule will result in amendments as set forth in detail in the Second Notice of Proposed Rulemaking and in the redline attached in the board packet. Given that several changes have been made as a result of the comments received and in response to the Faculty Senate Executive Committee's resolution indicating that they would prefer that the Board take more time to discuss and consider the amendments to this Rule, the Administration recommends that the Board vote to publish the Rule, as revised, for another 30-day public comment period.

Following the issuance of the Second Notice of Proposed Rulemaking, the proposed changes to the Rules will be posted for a thirty (30) day public comment period from September 12, 2022 through October 12, 2022. The Board of Governors is asked to approve the issuance of the Second Notice of Proposed Rulemaking, as presented.

Accordingly, Marty Becker moved that the board approves the issuance of a Second Notice of Proposed Rulemaking, pursuant to BOG Governance Rule 1.1. This motion was seconded by Taunja Willis Miller, and passed.

APPROVAL OF MINUTES

Benjamin Statler moved that the minutes of the June 24, 2022 Regular Board meeting be approved. The motion was seconded by Elmer Coppoolse and passed.

COMMITTEE REPORTS

September 8, 2022 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting: Marty Becker, who chaired this joint committee meeting, reported as follows:

Thank you, Mr. Chairman. Yesterday afternoon, your committee on Strategic Initiatives met in joint session with the Finance and Facilities and Revitalization Committee.

We met in Executive Session. During Executive Session, we discussed deliberative, preliminary, and confidential information relating to academic, health sciences, and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; matters relating to construction planning; and/or matters relating to the purchase, sale, or lease of property, or the investment of public funds and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University. Confidential and preliminary matters were also discussed involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment. No votes or actions were taken during Executive Session.

The Committee also reviewed the West Virginia Higher Education Funding Formula: WVU Selected Weighted Criteria.

This past legislative session, the Legislature enacted a funding formula for all of the public four-year institutions of higher education in the State. The formula requires each institution to select a designated weight for each institution for each category in the funding formula. Attached to these minutes are the recommended weights for WVU, WVU Tech, and Potomac State College.

The Board of Governors is required to approve rates for the funding formula on or before September 30, 2022.

Marty Becker, on behalf of the Joint Finance and Strategic Plans Committee, moved that the full Board approve the West Virginia Higher Education Funding Formula: WVU Selected Weighted Criteria. There being no questions or discussion, board Chairman J. Thomas Jones called for a vote on this motion – noting that no second was needed for a committee motion. The motion passed.

In support of its capital planning initiatives, Management has requested increasing the amount of bonds previously authorized from \$22 million to \$28.5 million. Proceeds from this increase will be used to finance the costs of design, acquisition, construction and equipping of certain capital improvements on the campuses of West Virginia University as part of its annual capital improvement program.

Marty Becker, on behalf of the Joint Finance and Strategic Plans Committee, moved that the full Board approve the Resolution Amending the Authorizing Resolution of the West Virginia University Board of Governors to increase the amount authorized for the financing of the design, acquisition, construction and equipping of certain capital improvements on the campuses of West Virginia University; and reimbursement of capital improvement costs incurred prior to expected issuance of financing bonds. There being no questions or discussion, board Chairman J. Thomas Jones called for a vote on this motion – noting that no second was needed for a committee motion. The motion passed.

Additionally, the Committee heard several updates on capital projects that are on the full Board Consent Agenda and recommends full Board approval of these items on the Consent Agenda.

After a productive afternoon and consideration of the above actions, the Joint Committee adjourned.

That concludes my report, Mr. Chairman. Thank you.

September 8, 2022 Audit Committee Meeting: Taunja Willis Miller, Audit Committee Chairman, reported as follows:

Thank you, Mr. Chairman. Yesterday afternoon, there was a meeting of the Audit Committee.

First, we heard a report from Paula Congelio, who reported that:

1. CLA began their final FY 22 audit fieldwork remotely in September and is expected to finish testing by early October. Most of the audit will be conducted remotely, but CLA does plan to be on-site for the last two weeks of September. Final audits are due to HEPC by Oct 15, 2022, and preliminary drafts were sent well in advance of the September 15th deadline.
2. EY, WV State's external auditor will begin fieldwork on the State Single Audit next week.

This year, the third phase of federal relief funding will be included in the single audit.

3. FORVIS (previously Dixon Hughes Goodwin) has been engaged to audit the retirement plans for WVU Research Corp and to assist with employee benefit filing (5500 and other returns) for the period ending December 31, 2021. This engagement began in March and is ongoing, but the audit and filing of form 5500 was extended to the end of October due to the merger of the two retirement plans (we are waiting on the adoption agreement and revised plan documents for the merged plan from TIAA).

Second, we met in Executive Session. During Executive Session, we received a confidential and privileged report regarding legal matters from the University's General Counsel. As part of the legal report, we also heard a confidential and privileged report from Deputy General Counsel Kevin Cimino regarding some of the University's compliance and risk assessment efforts. Next, we received a report from the Director of Internal Audit discussing confidential and ongoing audit investigations and reports. No votes or actions were taken during Executive Session.

Mr. Chairman, this concludes my report.

September 8, 2022 Academic Affairs and Accreditation Committee Meeting:

Dr. Patrice Harris, chair of this committee, reported as follows:

Thank you, Mr. Chairman. Your committee on Academic Affairs met yesterday afternoon.

After the approval of minutes we met in Executive Session. During Executive Session we discussed deliberative, preliminary and confidential information relating to academic priorities. No votes or actions were taken during Executive Session.

Following our Executive Session, we held a public session during which Provost Reed introduced Associate Provost for Undergraduate Education Evan Widders. Dr. Widders shared a demonstration of and update on the successful implementation of the University's new "Ask Morgan" chatbot, a virtual AI support features which can answer students' questions about advising, tutoring, financial aid and academic records around-the-clock.

Mr. Chairman, we had a busy afternoon, with a constant focus on student success, and this concludes my report. Thank you.

PRESIDENT'S REPORT

President Gee offered the following remarks:

I am pleased to welcome our Board of Governors back to campus, where the weather still feels like summer, but the excitement of fall is in the air—and not just in anticipation of tomorrow's football home opener.

Reynolds Hall:

One of the most tangible changes since your last visit has been the opening of our beautiful new Chambers College home, Reynolds Hall.

Reynolds Hall is transforming the classroom experience and will help our graduates to compete in today's business marketplace.

Its labs and learning tools will also forge new synergies between industry and academia, creating engagement opportunities for our students that lead to internships and job placement.

Reynolds Hall is a visible symbol of West Virginia University's strong position at the start of this academic year.

Mental Health:

As Provost Reed mentioned earlier, another priority for students is our ongoing effort to expand mental health resources.

Our Carruth Center has scaled up in-person appointments and hired additional staff with an eye on diversity to support our students' changing needs.

And Healthy Minds University launched last year to work in partnership with The Carruth Center and other University support services to offer outpatient psychiatric treatment and therapy services for students referred there.

Healthy Minds University does not replace the services that the Carruth Center offers, but instead supplements it and serves as an additional counseling resource for students.

We are also expanding resources to meet the unique needs of graduate and professional students, who experience a high incidence of stress, anxiety and depression.

A new mental health counselor position at the Carruth Center will focus specifically on graduate students' issues.

And two additional counseling positions for graduate and professional students have also been added over the last year at the College of Law and the Health Sciences Center.

We also created a website to house mental health resources and information, allowing for quick access to information for all students and employees.

INFORMATION ITEMS

There were no questions or concerns expressed by any board member pertaining to the Information Items contained within today's agenda.

CONSENT AGENDA

Chairman Jones called for any discussion of today's Consent Agenda items and asked whether any items needed to be pulled for a separate discussion/vote. There being no such request made Dr. Patrice Harris moved that today's Consent Agenda be approved. This motion was seconded by Marty Becker and passed.

Thereupon, the following Consent Agenda items were approved:

1. Entry of Institutional Undergraduate Fee Waivers and Institutional Graduate and Professional Fee Waivers

Resolved: That the West Virginia University Board of Governors enter the attached report of the Institutional Undergraduate Fee Waivers for FY 2021-2022, at West Virginia University – Morgantown, West Virginia University – Beckley (West Virginia University Institute of Technology – Beckley), and West Virginia University – Keyser (Potomac State College of West Virginia University), into its minutes.

AND

Resolved: That the West Virginia University Board of Governors enter the attached report of the Institutional Graduate and Professional Fee Waivers for Fall, 2021, Spring, 2022, and Summer, 2022 at West Virginia University into its minutes.

2. Termination of the Doctor of Philosophy (Ph.D.) in Communication Sciences and Disorders within the School of Medicine

Resolved: That the West Virginia University Board of Governors approves the termination of the Doctor of Philosophy (Ph.D.) in Communication Sciences and Disorders within the School of Medicine

3. Termination of the Master of Public Health (MPH) in Health Policy degree program within the School of Public Health

Resolved: That the West Virginia University Board of Governors approves the termination of the Master of Public Health (MPH) in Health Policy degree program within the School of Public Health.

4. Approval of New Program: BMDS in Teaching in STEM in the Eberly College of Arts and Sciences

Resolved: That the West Virginia University Board of Governors approves the creation of a new BMDS degree in the Eberly College of Arts and Sciences.

5. Student Recreation Fields Turf Replacement

Resolved: That the West Virginia University Board of Governors approves the project, as presented.

6. Chitwood Hall Renovation

Resolved: That the West Virginia University Board of Governors approves the project, as presented.

7. Renaming of Buildings

Resolved: That the West Virginia University Board of Governors approves the renaming of three buildings, as follows:

Current Name	Proposed Name
1. CPASS	Applied Human Sciences
2. B&E Building	Field Hall
3. Boreman RFL	617 Spruce Street

8. Jackson’s Mill Sewer and Water Improvements

Resolved: That the West Virginia University Board of Governors approves the project, as presented.

9. Real Estate Transaction – Research Park

Resolved: That pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the lease or sale, or some combination of both, of the University’s interest in all or a portion of land within the WVU Research Park located in Morgantown, Monongalia County, West Virginia. Accordingly, the Board grants authority to the President or the Vice President for Strategic Initiatives to negotiate and finalize a transaction on terms deemed favorable to the University.

10. Approval of BOG Committee Assignments and Reappointments

That the West Virginia University Board of Governors approves the proposed committee structure/assignments for 2022-2023, in addition to board member reappointments, as presented.

**GENERAL DISCUSSION AND
ADJOURNMENT**

Chairman Jones announced that the Board will conduct its next regular meeting on November 11, 2022. There being no further business to come before the board, Taunja Willis Miller moved to adjourn the meeting. The motion was seconded by Bray Cary and passed. The meeting was adjourned at 12:05 p.m.

Richard Pill, Secretary

FUNDING FORMULA WEIGHTS

WVU

CATEGORY	WEIGHTED OUTCOMES	DIVIDED BY	SCALING FACTOR	EQUALS	TOTAL OUTCOMES	MULTIPLIED BY	POSSIBLE WEIGHT RANGE	PROPOSED UNIVERSITY WEIGHT	EQUALS	TOTAL POINTS
Students Accumulating 30 hours	5,760.60	%	2.10	=	2,741.94	X	3 to 12%	3%	=	82.26
Students Accumulating 60 hours	5,094.13	%	1.33	=	3,838.74	X	6 to 15%	11%	=	422.26
Students Accumulating 90 hours	4,471.87	%	1.17	=	3,822.11	X	8 to 17%	13%	=	496.87
Associate Degrees Awarded	-	%	1.00	=	-	X	0 to 25%	0%	=	-
Bachelor's Degrees Awarded	6,251.24	%	1.00	=	6,251.24	X	35 to 50%	50%	=	3,125.62
Master's Degrees and Post-Master's Certificates Awarded	1,323.33	%	0.47	=	2,839.13	X	1 to 10%	1%	=	28.39
Doctoral / Law Degrees Awarded	482.33	%	0.32	=	1,504.96	X	1 to 10%	1%	=	15.05
Expenditures on Research and Development	135,327,567.67	%	9245.98	=	14,636.37	X	0 to 10%	10%	=	1,463.64
Awards per 100 FTE	21.24	%	0.04	=	561.73	X	8 to 17%	8%	=	44.94
Learning and Working	1,711.33	%	5.33	=	321.07	X	3 to 6%	3%	=	9.63
Grand Total								100%		5,688.66

WVU Tech

CATEGORY	WEIGHTED OUTCOMES	DIVIDED BY	SCALING FACTOR	EQUALS	TOTAL OUTCOMES	MULTIPLIED BY	POSSIBLE WEIGHT RANGE	PROPOSED UNIVERSITY WEIGHT	EQUALS	TOTAL POINTS
Students Accumulating 30 hours	449.60	%	2.10	=	214.00	X	3 to 12%	3%	=	6.42
Students Accumulating 60 hours	353.80	%	1.33	=	266.61	X	6 to 15%	13%	=	34.66
Students Accumulating 90 hours	253.27	%	1.17	=	216.47	X	8 to 17%	14%	=	30.31
Associate Degrees Awarded		%	1.00	=	-	X	0 to 25%	0%	=	-
Bachelor's Degrees Awarded	286.07	%	1.00	=	286.07	X	35 to 50%	50%	=	143.04
Master's Degrees and Post-Master's Certificates Awarded		%	0.47	=	-	X	1 to 10%	0%	=	-
Doctoral / Law Degrees Awarded		%	0.32	=	-	X	1 to 10%	0%	=	-
Expenditures on Research and Development	66,135.00	%	9245.98	=	7.15	X	0 to 10%	0%	=	-
Awards per 100 FTE	14.92	%	0.04	=	394.52	X	8 to 17%	17%	=	67.07
Learning and Working	80.00	%	5.33	=	15.01	X	3 to 6%	3%	=	0.45
Grand Total								100%		281.94

Potomac State

CATEGORY	WEIGHTED OUTCOMES	DIVIDED BY	SCALING FACTOR	EQUALS	TOTAL OUTCOMES	MULTIPLIED BY	POSSIBLE WEIGHT RANGE	PROPOSED UNIVERSITY WEIGHT	EQUALS	TOTAL POINTS
Students Accumulating 30 hours	474.27	%	2.10	=	225.74	X	3 to 12%	5%	=	11.29
Students Accumulating 60 hours	289.60	%	1.33	=	218.23	X	6 to 15%	7%	=	15.28
Students Accumulating 90 hours	97.47	%	1.17	=	83.31	X	8 to 17%	8%	=	6.66
Associate Degrees Awarded	319.93	%	1.00	=	319.93	X	0 to 25%	25%	=	79.98
Bachelor's Degrees Awarded	81.64	%	1.00	=	81.64	X	35 to 50%	35%	=	28.57
Master's Degrees and Post-Master's Certificates Awarded		%	0.47	=	-	X	1 to 10%	0%	=	-
Doctoral / Law Degrees Awarded		%	0.32	=	-	X	1 to 10%	0%	=	-
Expenditures on Research and Development	2,964.00	%	9245.98	=	0.32	X	0 to 10%	0%	=	-
Awards per 100 FTE	25.34	%	0.04	=	670.27	X	8 to 17%	17%	=	113.95
Learning and Working	149.00	%	5.33	=	27.95	X	3 to 6%	3%	=	0.84
Grand Total								100%		256.57

UNDERGRADUATE TUITION WAIVER SUMMARY 2021-22

West Virginia University - Morgantown

Award Category	Number of Students Awarded			Amount Waived		
	In-State	Out-of-State & International	Total	In-State	Out-of-State & International	Total
Athletic Post-Eligibility	1	2	3	\$7,776	\$24,456	\$32,232
Debate	3	2	5	\$14,547	\$28,344	\$42,891
Student Government	1	2	3	\$3,412	\$27,513	\$30,925
Total	5	6	11	\$25,735	\$80,313	\$106,048

Legislatively Mandated by the State of West Virginia

	Number of Students Awarded			Amount Waived		
	In-State	Out-of-State & International	Total	In-State	Out-of-State & International	Total
American Legion	2	0	2	\$10,741	\$0	\$10,741
Foster Care	17	0	17	\$104,403	\$0	\$104,403
Health Science & Tech. Academy (HSTA)	169	0	169	\$1,035,576	\$0	\$1,035,576
Total	188	0	188	\$1,150,720	\$0	\$1,150,720

Combined Total \$1,256,768

UNDERGRADUATE TUITION WAIVER SUMMARY 2021-22

West Virginia University - Beckley

Award Category	Number of Students Awarded			Amount Waived		
	In-State	Out-of-State & International	Total	In-State	Out-of-State & International	Total
Academic Ability	140	17	157	\$310,750	\$113,000	\$423,750
Athletics Ability	90	166	256	\$240,888	\$1,762,129	\$2,003,017
Financial Need	1	0	1	\$500	\$0	\$500
Total	231	183	414	\$552,138	\$1,875,129	\$2,427,267

Legislatively Mandated by the State of West Virginia

Award Category	Number of Students Awarded			Amount Waived		
	In-State	Out-of-State & International	Total	In-State	Out-of-State & International	Total
Foster Care	6	0	6	\$26,856	\$0	\$26,856
Health Science & Tech. Academy (HSTA)	18	0	18	\$93,774	\$0	\$93,774
Part Time Enrollment for Employees	3	0	3	\$9,763	\$0	\$9,763
Total	27	0	27	\$130,393	\$0	\$130,393

Combined Total \$2,557,660

UNDERGRADUATE TUITION WAIVER SUMMARY 2021-22

West Virginia University - Keyser

Award Category	Number of Students Awarded				Amount Waived			
	In-State	Out-of-State	Metro	Total	In-State	Out-of-State	Metro	Total
Academic Ability	38	4	3	45	\$47,200	\$18,350	\$6,200	\$71,750
Athletic Ability	40	50	26	116	\$86,605	\$186,745	\$54,062	\$327,412
Financial Need	4	17	1	22	\$5,992	\$44,376	\$2,000	\$52,368
Leadership	2	0	0	2	\$1,000	\$0	\$0	\$1,000
Total	84	71	30	185	\$140,797	\$249,471	\$62,262	\$452,530

Legislatively Mandated by the State of West Virginia

Award Category	Number of Students Awarded				Amount Waived			
	In-State	Out-of-State	Metro	Total	In-State	Out-of-State	Metro	Total
Foster Care	6	0	0	6	\$16,606	\$0	\$0	\$16,606
Health Science & Tech. Academy (HSTA)	1	0	0	1	\$4,080	\$0	\$0	\$4,080
Part Time Enrollment for Employees	1	0	0	1	\$1,386	\$0	\$0	\$1,386
Total	8	0	0	8	\$22,072	\$0	\$0	\$22,072

Combined Total \$474,602

West Virginia University 2021-22 Waiver Report

	Fall 2021								
	Number of Students			Number of Credit Hours			Dollar Value		
	Resident	Non-resident	Total	Resident	Non-resident	Total	Resident	Non-resident	Total
Employees	168	34	202	674	170	844	\$ 335,548	\$ 187,554	\$ 523,102
Graduate Assistants (RA/SA/TA)	420	1,309	1,729	3,680	11,599	15,279	\$ 1,818,963	\$ 15,974,841	\$ 17,793,804
Graduate Student Merit Waivers	231	295	526	1,264	1,360	2,624	\$ 642,412	\$ 1,872,167	\$ 2,514,579
Fellowships	44	70	114	355	630	985	\$ 175,609	\$ 849,258	\$ 1,024,867
Total	863	1,708	2,571	5,973	13,759	19,732	\$ 2,972,532	\$ 18,883,820	\$ 21,856,352

	Spring 2022								
	Number of Students			Number of Credit Hours			Dollar Value		
	Resident	Non-resident	Total	Resident	Non-resident	Total	Resident	Non-resident	Total
Employees	159	35	194	664	153	817	\$ 322,568	\$ 165,185	\$ 487,753
Graduate Assistants (RA/SA/TA)	399	1,262	1,661	3,479	11,219	14,698	\$ 1,741,582	\$ 15,546,071	\$ 17,287,653
Graduate Student Merit Waivers	222	290	512	1,283	1,429	2,712	\$ 664,666	\$ 1,988,394	\$ 2,653,060
Fellowships	41	67	108	331	589	920	\$ 163,309	\$ 813,243	\$ 976,552
Total	821	1,654	2,475	5,757	13,390	19,147	\$ 2,892,125	\$ 18,512,893	\$ 21,405,018

	Summer 2022								
	Number of Students			Number of Credit Hours			Dollar Value		
	Resident	Non-resident	Total	Resident	Non-resident	Total	Resident	Non-resident	Total
Employees	94	29	123	323	102	425	\$ 156,688	\$ 116,259	\$ 272,947
Graduate Assistants (RA/SA/TA)	252	973	1,225	804	2,348	3,152	\$ 408,419	\$ 3,281,131	\$ 3,689,550
Graduate Student Merit Waivers	79	89	168	290	227	517	\$ 148,176	\$ 313,982	\$ 462,158
Fellowships	31	52	83	127	139	266	\$ 63,664	\$ 195,573	\$ 259,237
Total	456	1,143	1,599	1,544	2,816	4,360	\$ 776,947	\$ 3,906,945	\$ 4,683,892

Number of Credit Hours			Dollar Value		
Resident	Non Resident	Total	Resident	Non Resident	Total
13,274	29,965	43,239	\$6,641,604	\$41,303,658	\$47,945,262