

WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS

December 14, 2018

The one hundred sixty-fifth meeting of the West Virginia University Board of Governors was held on December 14, 2018 in Morgantown, WV. Board members in attendance/participating by telephone included, Marty Becker, Elmer Coppoolse, Thomas Flaherty, Thomas Heywood, Dr. Stanley Hileman, J. Thomas Jones, Taunja Willis Miller, Isaac Obioma, Richard Pill, Ed Robinson, J. Robert (J.R.) Rogers, Benjamin Statler, Dr. Matthew Valenti, Dr. Kimberly Weaver, and William Wilmoth. Board members, David Alvarez and Lisa A. Martin, were absent and excused.

**WVU officers, divisional campus officers, representatives (and others)
present included:**

President, E. Gordon Gee;
Vice President, Legal, Government and Entrepreneurial Engagement, Rob Alsop;
Provost, Joyce McConnell;
General Counsel, Stephanie Taylor;
Vice Provost, John Campbell;
Vice President for University Relations, Sharon Martin;
Vice President for Diversity, Equity and Inclusion, Meshea Poore;
Associate Provost for Budget, Facilities and Strategic Initiatives,
Mark Gavin;
Dean of Student, Corey Farris;
Executive Officer and Assistant Board Secretary, Jennifer Fisher;
Deputy General Counsel, Gary G. Furbee, II;
Assistant Vice President for Global Strategy and International Affairs,
Amber Brugnoli;
Associate Vice President of Enrollment Management, Stephen Lee;
Director of Communications and Marketing for Strategic Initiatives,
Erin Newmeyer;
State and Local Relations Specialist, Rocco Fucillo;
Associate VP for Planning & Treasury Operations, Elizabeth Reynolds;
Senior Executive Director of Communications, University Relations,
John Bolt; and,
Special Assistant to the Board of Governors, Valerie Lopez.

Members of the Press were also present.

CALL TO ORDER

The meeting was called to order by Chairman William Wilmoth, at 2:15 p.m. A roll call was taken to determine who was in attendance and a quorum established. Chairman Wilmoth introduced and welcomed the board's newest member, Richard Pill.

EXECUTIVE SESSION

Chairman Wilmoth requested a motion that the Board go into Executive Session, under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), (b)(10) and (b)(12) to discuss legal, personnel, and deliberative matters; approval of honorary degree candidates; matters not considered public records; matters related to construction planning, commercial competition matters, the purchase, sale or lease of property, and/or the investment of public funds. The motion was made by J. Robert (J.R.) Rogers, seconded by Thomas Heywood and passed. Following the conclusion of Executive Session, J. Thomas Jones moved that the Board rise from Executive Session. This motion was seconded by Marty Becker and passed.

DISCUSSIONS/ACTIONS EMANATING FROM EXECUTIVE SESSION

Chairman Wilmoth stated that during today's Executive Session the board reviewed names of individuals submitted for Honorary Degrees from West Virginia University. Each year nominations are received and reviewed by a committee of faculty, staff and students. Those selected by the committee are then forwarded to the Faculty Senate for approval, and then to the governing board. The WVU Faculty Senate has endorsed the names discussed during today's Executive Session, as required by University policy.

Chairman Wilmoth then requested a motion for Approval of the Honorary Degree candidates discussed during today's Executive Session - with a notation that the persons to be honored will be announced at a later date. Dr. Stanley Hileman so moved and the motion was seconded by Benjamin Statler and passed.

Chairman Wilmoth also noted for the record that he, along with board members Isaac Obioma and Dr. Matthew Valenti abstained from the vote on today's Honorary Degree candidates – since they were members of the Nominating Committee involved in this process.

BOARD PRESENTATION

Academic Affairs Updates

Provost Joyce McConnell shared the following Academic Affairs updates:

WVU Student wins Marshall Scholarship

Morgan King, a 2018 graduate in Civil Engineering and current Fulbright English Teaching Assistant in Spain, has been selected as a recipient of the prestigious Marshall Scholarship, which provides for two years of study at any British university, enabling American students to gain understanding of British culture and academic values. King is only the third student in WVU's history to be awarded this nationally competitive scholarship.

Legislators Forum Recap

The West Virginia Public Education Collaborative hosted more than 30 Legislators last Monday and Tuesday at the third Annual Legislators' Forum on Education and the Economy in Morgantown. Keynote speakers included President Gee, national education expert Ted Dintersmith, and Southern Regional Education Board President Stephen Pruitt.

Veteran's Center Ribbon Cutting Recap

The new Center for Veteran, Military and Family Programs hosted a grand opening and ribbon-cutting ceremony for its "Veteran and Military Family Support Headquarters". The 2,500 square-foot facility will serve as a welcoming space and support facility for student veterans, armed forces personnel and dependents of current and former military service members.

Digital Learning Awards

The Provost's Office recently announced a new series of Digital Learning Awards and is seeking submissions of outstanding digital classroom activities. This program is part of our commitment to be the first university to participate in National Digital Learning Day, which promotes the innovative incorporation of technology into student learning experiences at all levels.

Claycomb Honors/Humanities Center Announcement

Ryan Claycomb, former associate dean of the Honors College and founding director of the West Virginia University Humanities Center, has been named acting dean of the Honors College effective Nov. 26, as well as the permanent director of the Humanities Center. Honors College Dean Ken Blemings, who will serve as interim dean of the Davis College of Agriculture, Natural Resources and Design, plans to return to the Honors College once a permanent Davis dean is named.

Humanities Center Grant

The WVU Humanities Center has been awarded a grant from the West Virginia Humanities Council to support its spring offerings for the 2018-2019 Speaker Series. The Series focuses on this year's annual theme of "Quality of Life," exploring how humanistic investigation into thought, history and culture improves the way we live our lives. This past fall's selected lectures have included Campus Read author Emily St. John Mandel and writer-in-residence Ann Pancake, among other nationally recognized scholars from across the country.

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**BOARD PRESENTATION AND POSSIBLE ACTION:
NOTICE OF PROPOSED RULEMAKING FOR THE
FOLLOWING CURRENT BOG POLICIES: BOG POLICY 54 – RULE
ON IDENTITY THEFT DETECTION AND PREVENTION PROGRAM
(PROPOSED TO BE AMENDED AS GOVERNANCE RULE 1.11 –
INFORMATION TECHNOLOGY RESOURCES AND GOVERNANCE)
AND BOG POLICY 57 – TOBACCO FREE POLICY (PROPOSED TO BE
AMENDED AS FINANCE AND ADMINISTRATION RULE 5.6 –
TOBACCO AND SMOKE FREE CAMPUS)**

Chairman Wilmoth called upon Deputy General Counsel, Gary G. Furbee, II, who provided an overview related to the Notice of Proposed Rulemaking. Mr. Furbee explained that the proposed changes are to amend, approve, rename/renumber, and, in some cases, repeal the current policies in order to implement new rules in accordance with W. Va. House Bill 2815 (2017). To that end, the term "Policy" will be replaced with "Rule" and these policies will be reformatted to the new design for BOG Rules, renumbered, and standard terms will be used when applicable. Moreover, all BOG Rules will be updated to supersede and repeal W. Va. Higher Education Policy Commission Rules, where applicable.

Substantively, the proposed changes to the policies in question will result in additions, amendments, or repeals as set forth in detail in the table located in the Notice of Proposed Rulemaking, attached to this agenda item in today's meeting agenda booklet. Mr. Furbee described the content of each rule and the process involved in developing and vetting the same. The Board of Governors Policies and/or Rules involved include

- BOG Policy 54 – Rule on Identity Theft Detection and Prevention Program – will be amended as Governance Rule 1.11 – Information Technology Resources and Governance
- BOG Policy 57 – Tobacco Free Policy – will be amended as Finance and Administration Rule 5.6 – Tobacco and Smoke Free Campus.

Mr. Furbee noted that in developing both rules, the legal department worked with members of the Office of the Provost and Information Technology regarding Governance Rule 1.11 - Information Technology Resources and Governance; and likewise worked with a very diverse group of stakeholders from across campus, in conjunction with a committee on this subject chaired by Rocco Fuscillo, related to Finance and Administration Rule 5.6 – Tobacco and Smoke Free Campus. Mr. Furbee then covered the specific changes involved with these new rules.

Following the issuance of the Notice of Proposed Rulemaking, the proposed changes to the Policies and Rules will be posted for the required thirty (30) day public comment period from December 17, 2018 through January 21, 2019 (which includes five additional calendar days given the upcoming holidays.)

Chairman Wilmoth pointed out that Dr. Matthew Valenti suggested an amendment to Rule 5.6 to reflect the scope of the rule. Following a brief discussion, Dr. Matthew Valenti moved that the Board of Governors approve the Notice of Proposed Rulemaking, as presented, with an amendment at the end of Section 2.1 of Finance and Administration Rule 5.6 by adding the words “on university property.” Said motion was seconded by J. Robert (J.R.) Rogers and passed.

COMMITTEE REPORT

December 14, 2018 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting: J. Thomas Jones, chairman of the Finance and Facilities and Revitalization Committee, reported on this joint committee meeting, during which previous committee minutes were approved, Execution Session discussions occurred on a variety of subjects, and no board action was taken.

PRESIDENT'S REPORT

President Gee offered the following remarks:

To begin his report, President Gee welcomed Mr. Richard Pill as the newest member of the West Virginia University Board of Governors.

The president shared his excitement about participating in tomorrow's commencement services as students celebrate what they have achieved. Dr. Gee also noted that tomorrow's distinguished speakers for the two ceremonies will be Judie Charlton and Jack Furst.

President Gee stated that work continues with the Blue Ribbon Commission and that forthcoming will be senate proposals that will change the face of higher education in the State of West Virginia.

President Gee highlighted two important breakthroughs occurring at our university, namely:

Investigators at the West Virginia University Rockefeller Neuroscience Institute performed the first procedure in the world of a phase II trial using focused ultrasound to treat a patient with early stage Alzheimer's. Led by neurosurgeon Dr. Ali Rezaei, the new treatment, which involves incisionless surgery and no pharmaceuticals, represents a potential important next step in the treatment of Alzheimer's. The trial will evaluate the potential benefits of using focused ultrasound treatment to disrupt the blood-brain barrier in the regions of the brain affected by Alzheimer's.

As part of an ongoing commitment to battle opioid addiction, the Rockefeller Neuroscience Institute also marked a major milestone, enrolling the first patient in a randomized clinical trial that will test the effectiveness of an injectable non-opioid, non-steroid micropellet to treat sciatica. The phase III clinical trial utilizes a micropellet, which is half the size of a grain of rice and is placed in the patient's lower back to combat sciatica pain for up to one year.

In concluding his report, the president reported that on November 14th, the WVU Foundation held our second annual Day of Giving, a 24-hour online fundraising effort. The Day of Giving is a great fundraising vehicle to support our top priorities and opportunities, including scholarships and unrestricted funds at both the University and unit-specific levels. This year, supporters donated more than \$6 million, more than

doubling last year's total. Once again, our alumni and friends have shown incredible loyalty. More importantly, their support for our second Day of Giving shows that they want to do everything they can to ensure that future generations have the same experience and education they received.

INFORMATION ITEMS

There were no questions or concerns expressed by any Board members pertaining to the Information Items contained within the agenda.

CONSENT AGENDA

Chairman Wilmoth 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, Taunja Willis Miller moved that today's Consent Agenda be approved. This motion was seconded by J. Thomas Jones and passed.

Thereupon, the following Consent Agenda items were approved:

- 1. Approval of New Certificate: Graduate Certificate in Leadership**
Resolved: That the West Virginia University Board of Governors approves the creation of the Graduate Certificate in Leadership in the Eberly College of Arts and Sciences.
- 2. Approval of New Degree Program: PhD in Learning Sciences and Human Development**
Resolved: That the West Virginia University Board of Governors approves the creation of the PhD in Learning Sciences and Human Development in the College of Education and Human Services.
- 3. Acquisition of 66 Fort Avenue, Keyser, WV**
Resolved: That the West Virginia University Board of Governors approves the acquisition of 66 Fort Avenue, Keyser, WV, for use by Potomac State College of West Virginia University.
- 4. Lease of Office Space, Event Space, and Storage in Charleston, WV**
Resolved: That the West Virginia University Board of Governors approves the leasing of office space, event space, and storage space located in Charleston, WV, for use by multiple WVU units, including the College of Law and the John Chambers College of Business & Economics.

5. Amendment of Existing Lease of the former White Day Golf Course located in Marion County, WV

Resolved: That the West Virginia University Board of Governors approves the amendment of an existing lease of approximately 96 acres, being the former White Day Golf Course, located in Marion County, WV, for use by the Department of Intercollegiate Athletics.

6. Performance Contracting Phase IIID

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

7. Milan Puskar Center Visiting Team Locker

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

8. Approval of BOG Committees

Resolved: That the West Virginia University Board of Governors approves updated committee structure/assignments for 2018-2019, as presented.

ADJOURNMENT

Chairman Wilmoth announced that the Board will conduct its next regular meeting in February 2019 in Morgantown. There being no further business to come before the Board, Isaac Obioma moved to adjourn the meeting. The motion was seconded by Thomas Flaherty and passed. The meeting was adjourned at 3:10 p.m.

Taunja Willis Miller, Secretary