

**WEST VIRGINIA UNIVERSITY**  
**BOARD OF GOVERNORS**

February 16, 2018

The one hundred fifty sixth meeting of the West Virginia University Board of Governors was held on February 16, 2018 in Morgantown, WV. Board members in attendance/participating by telephone included Marty Becker, Elmer Coppoolse, Thomas Flaherty, Thomas Heywood, Dr. Stanley Hileman, Blake Humphrey, J. Thomas Jones, Lisa A. Martin, Taunja Willis Miller, Ed Robinson, J. Robert (J.R.) Rogers, Benjamin Statler, Dr. Matthew Valenti, Dr. Kimberly Weaver and William Wilmoth. Board member, David Alvarez, was absent and excused.

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

President, E. Gordon Gee;  
Vice President for Strategic Initiatives, Rob Alsop;  
General Counsel, Stephanie Taylor;  
Deputy General Counsel, Gary G. Furbee, II;  
Provost, Joyce McConnell;  
Vice Provost, John Campbell;  
General Counsel, Stephanie Taylor;  
Vice President for University Relations, Sharon Martin;  
Vice President and Executive Dean of Health Sciences, Clay Marsh;  
Vice President and Chief Financial Officer, Paula Congelio;  
Associate Vice President for Finance, Anjali Halabe;  
Associate Provost for Undergraduate Education, Paul Kreider;  
Dean of Students, Corey Farris;  
Executive Officer and Assistant Board Secretary, Jennifer Fisher;  
President, WVU Institute of Technology at Beckley, Carolyn Long;  
President, Potomac State College of West Virginia University, Jennifer Orlikoff;  
Director of Intercollegiate Athletics and Associate Vice President, Shane Lyons;  
Vice President for Global Strategies in Higher Education, William Brustein;  
Director of Internal Audit, Bryan Shaver;  
Associate Vice President for Academic Affairs, WVU Health Sciences,  
    Louise Veselicky;  
Director, Planning & Treasury Operations, David Kosslow;  
Director of Scientific Development, WV Clinical & Translational Science Institute,  
    Julie Lockman;  
WVU ACCE Representative, Shirley Robinson;  
Student Affairs Chief Business and Planning Officer, Les Carpenter;  
Executive Senior Associate Athletic Director, Steve Uryasz;  
Executive Director, Housing and Residence Life, Chris MacDonald;  
Associate Director, Housing and Residence Life, Tyler Gailey;  
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 the Chairman William Wilmoth at 10:30 a.m. A roll call was taken to determine who was in attendance and a quorum established. Chairman Wilmoth introduced our new classified staff representative, Lisa A. Martin, and welcomed her to the West Virginia University Board of Governors.

### **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), and (b)(12) to discuss legal, personnel, and deliberative matters; 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 Thomas Flaherty, seconded by Thomas Heywood, and passed. Following the conclusion of Executive Session, Marty Becker moved that the Board rise from Executive Session. This motion was seconded by J. Robert (J.R.) Rogers, and passed. Board members

### **DISCUSSIONS/ACTIONS EMANATING FROM EXECUTIVE SESSION**

Chairman Wilmoth stated that there were no actions emanating from today's Executive Session discussions.

### **COMMITTEE REPORTS**

**January 24, 2018 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting:** Finance and Facilities and Revitalization Committee Chair, J. Thomas Jones, reported on this joint committee meeting, during which there were updates on the facilities master planning process, but that no board action was taken.

**February 15, 2018 Audit Committee Meeting:** Audit Committee Chair, David Alvarez, reported on yesterday's Audit Committee meeting - during which committee members received a report from the Chief Financial Officer and retroactively approved an engagement letter from CliftonLarsonAllen, after which the committee moved to executive session – during which they were updated on WVU's cyber security efforts and then received reports from our General Counsel and the Director of Internal Audit. Chair Alvarez advised that there were no actions emanating from said Executive Session.

**February 15, 2018 Academic Affairs and Accreditation Committee Meeting:** Committee Chair, Thomas Heywood, reported on this committee meeting, during which there were updates on the upcoming Higher Learning Commission accreditation visit - as well as

updates from the provost on legislative issues and the search for a Director of Academic Integrity, but that no board action was taken.

**February 15, 2018 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting:** Strategic Plans and Initiatives Committee Chair, Marty Becker, reported on this joint committee meeting, during which there were updates on a proposed storage hub, the West Virginia Forward initiative, and other financial matters, but that no board action was taken.

**February 16, 2018 Finance and Facilities and Revitalization Committee Meeting:** Finance Committee Chair, J. Thomas Jones, reported on this committee meeting, during which members reviewed various financial matters, received a report from a financial advisor group, and were provided with updates on several projects at WVU, but that no board action was taken.

### **BOARD PRESENTATION AND POSSIBLE ACTION: NOTICE OF PROPOSED RULEMAKING**

Chairman Wilmoth called upon General Counsel, Stephanie Taylor – who introduced Deputy General Counsel, Gary G. Furbee, II – to provide the following overview related to the Notice of Proposed Rulemaking.

This Notice of Proposed Rulemaking is issued pursuant to West Virginia University Board of Governors Governance Rule 1.1. The proposed changes to current Board of Governors Policies are to:

West Virginia University Board of Governors Policy 2 – Academic Freedom, Professional Responsibility, Promotion, and Tenure;  
West Virginia University Board of Governors Policy 3 – Sabbatical Leave;  
West Virginia University Board of Governors Policy 12 – Adjunct Faculty;  
West Virginia University Board of Governors Policy 22 – Faculty and Administrative Productivity;  
West Virginia University Board of Governors Policy 30 – Salary Enhancement for Continued Academic Achievement;  
West Virginia University Board of Governors Policy 38 – Emeritus Status; and •  
West Virginia University Board of Governors Policy 51 – Extension of Tenure Track.

Additionally, Notice of Proposed Rulemaking for two new Rules:

West Virginia University Board of Governors Faculty Rule 4.1 – Academic Freedom; Academic & Professional Responsibility; and  
West Virginia University Board of Governors Governance Rule 4.4 – Faculty Salary Policy and Salary Enhancement for Continued Academic Achievement.

The proposed changes are to amend, approve, and, in some cases, repeal current BOG Policies in order to implement new BOG 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 are used, when applicable. Moreover, all BOG Rules will be updated to supersede and repeal W. Va. Higher Education Policy Commission Rules, where applicable.

Deputy General Counsel Furbee provided an overview of the new rules pertaining to academic freedom, faculty makeup and performance and related issues– detailing the additions, amendments or repeals resulting from the proposed changes to the BOG policies, and stated that if the Board approves the Notice of Proposed Rulemaking, the proposed changes to the Policies will be posted for a required thirty (30) day comment period from February 19, 2018 until March 20, 2018 for the submission of written comments. Once the comment period has ended, all public comments received will be posted on the University’s policy website. The Rules may be changed, subject to comments received.

Following this presentation, and after a brief discussion among board members, Taunja Willis Miller moved that the board approve the Notice of Proposed Rulemaking, as presented. This motion was seconded by J. Robert (J.R.) Rogers, and unanimously approved. **NOTE:** The approved Notice of Proposed Rulemaking is attached hereto, made a part hereof, and incorporated herein by reference. It is further noted that the proposed changes to the BOG policies will result in the additions, amendments, or repeals as outlined by Deputy General Counsel Furbee during his presentation, all of which are summarized on the chart incorporated within the Notice of Proposed Rulemaking attached hereto.

## **BOARD PRESENTATION ACADEMIC AFFAIRS UPDATES**

Provost, Joyce McConnell provided the following Academic Affairs updates:

- **Heiskell Award:** West Virginia University has been selected as the recipient of the Heiskell Award for innovation in international partnerships with its strategic partner in the Middle East, the Royal University for Women in Bahrain. Awarded by the Institute of International Education, the distinguished award is given to institutions that demonstrate excellence in international education. As a recipient, WVU will be showcased as a best practice at the 2018 IIE Best Practices conference and will be represented on a panel-discussion with other leaders in international education. West Virginia University’s partnership with the Royal University for Women started in 2009, shortly after RUW was founded by four WVU alumni with the goal of increasing women’s access to high-quality education in the Middle East. The founders, four brothers who graduated in the 1970s and 80s, looked toward their alma mater for a partnership focused on creating opportunity, developing cultural understanding, and advancing access to quality education. WVU’s partnership with RUW has been the cornerstone of its efforts in the Middle East and has positioned WVU as a leader in education in the region. The Heiskell Award for International Partnerships will be awarded to West Virginia University on March 16, at the IIE Best Practices Conference. The Heiskell Award is named after the late Andrew Heiskell, former

chairman of Time Inc. and a member of the Executive Committee of IIE's Board of Trustees.

- **Dillon Muhly-Alexander—Gates Fellowship**

Dillon Muhly-Alexander, a 2017 West Virginia University graduate, has been awarded the prestigious Gates Cambridge Scholarship, an award that funds graduate study at the University of Cambridge in the UK through the Bill and Melinda Gates Foundation. Muhly-Alexander, who was a Rhodes finalist in 2017, is WVU's first Gates Cambridge scholar. He will pursue a masters in philosophy in the development studies program.

- **IDEA Faculty Fellows**

Four new West Virginia University faculty members will participate in the Innovation Design and Entrepreneurship Academy Faculty Fellows program, part of a comprehensive university-wide initiative in entrepreneurship and innovation. Using the knowledge and skills they learned at Symposium for Entrepreneurship Educators at Babson College in Massachusetts, each IDEA Fellow will either create a new course or modify an existing one for the coming academic year. The IDEA Fellows for 2018-2019 are:

- Andrea Kent, Political Science, WVU Tech
- Amy Weaver, Business Management Technology and Computer Information Systems, Potomac State
- Keri Whitacre, Psychology, Potomac State
- Adrienne E. Williams, Biology, WVU Tech

- **Our First Winter Term**

Thanks to Dean Keith Bailey and Associate Provost Paul Kreider for spearheading the university's first Winter Term, which was a great success. Enrollment was greater than anticipated at 282 students and the 13 courses provided a gross revenue of \$279,200.00

- **Student Athletic Achievement**

Intercollegiate Athletics released a report on academic achievement indicating that our athletic department has a combined team graduation success rate of 80% and a 3.08 department cumulative GPA. Provost McConnell introduced Executive Senior Associate Athletic Director, Steve Uryasz, who reported on the classroom achievements of athletes, 57 percent of whom made the Honor Roll in fall 2017. He added that for 11 consecutive semesters, student-athletes have maintained an overall GPA of 3.0 or higher and that 13 of WVU's 17 teams have a GPA of 3.0 or higher.

- **US News Rankings Released**

For the second straight year, West Virginia University's online graduate program in software engineering has been ranked in the top 15 nationwide by U.S. News & World Report in its Best Online Program rankings.

The Statler College program joins several other WVU programs – online hybrid MBA, nursing and business non-MBA – that were featured in the rankings. In existence for only seven years, the Online Hybrid MBA program has landed in the top 50 for six of

those years. The nursing program, which has been offering online graduate programs to meet the needs of working nurses around the country since 1999, jumped 10 spots in this year, from 61 to 51.

## **BOARD PRESENTATION LIVING LEARNING COMMUNITIES**

Dean of Students, Corey Farris, and Associate Provost for Undergraduate Education, Paul Kreider, reported on the history of Living Learning Communities (LLCs) on the campus at West Virginia University. They reported that by the fall of 2019, WVU expects to have almost 1,100 students residing in Living Learning Communities, a re-envisioned approach to bridging the gap between academic and non-academic life on campus to help build retention. There are currently seven LLCs, ranging from first generation students to engineering to creative arts to forensic sciences. Some of the communities require an assignment, others are self-selecting. Four more are planned by the fall of 2019, including business and health professionals. These LLCs are retention tools or recruitment tools that engage students more fully by connecting students with what's going on inside the classroom and outside the classroom. At WVU, the LLCs trace their history to the former Residence Faculty Leader program - in which faculty lived with or nearby select residence halls. The RFL program was discontinued in the spring of 2016 because of decreasing effectiveness and cost. By comparison, the LLC programs are projected to cost \$250,000 a year, while the RFL program at its peak was more than \$1 million. The LLCs create opportunities for students to engage with faculty and staff, and explore their academic interests outside the classroom. Early signs show increased retention among the students living in the communities, especially in forensic sciences which experienced a 5 percent increase in students remaining in the major after the fall semester.

## **AUTHORIZING THE ADMINISTRATOR TO CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES AND INITIAL WORK RELAIING TO THE RENOVATION OF HODGES HALL**

Vice President for Strategic Initiatives, Rob Alsop, provided background related to a request for budget approval to complete the design and initial internal demolition necessary for the renovation of Hodges Hall.

Hodges Hall was constructed in 1952 and the building has not undergone a comprehensive renovation since it was built. The Physics department occupied Hodges Hall until 2012, when it was relocated to White Hall. Recently, the building has been used as temporary space for various departments. Hodges Hall provides the largest number of general purpose classrooms on the downtown campus. The renovation of Hodges Hall is part of WVU's Facilities Master Plan and the renovated space will provide modern general purpose classrooms and meet the space needs of multiple departments on WVU's Downtown Campus. Upon approval by the Board, Hodges Hall will be completely renovated to house several departments under the Eberly College of Arts and Sciences, including: Undergraduate Studies,

Women's and Gender Studies/Native American Studies, World Languages, and Literatures and Linguistics. The facility will also include a testing center, computer lab and the LGBTQ+Center. The facility will include 27 modernized general purpose classrooms of various sizes. The renovation will include all new finishes, mechanical systems, including central air conditioning, a new roof, new windows, life safety systems and all supporting infrastructure. The building is approximately 95,000 GSF. The target opening of the renovated facility is fall 2020. Upon further design and work, the overall remodeling and financial plan relating to the renovation of Hodges Hall will be presented to the Board for approval.

Following a brief discussion, Thomas Heywood moved that the West Virginia University Board of Governors approves a budget of \$3.4 million to complete the design and initial internal demolition necessary for the renovation of Hodges Hall. The motion was seconded by J. Robert (J.R) Rogers, and passed.

### **LEGISLATIVE UPDATES**

Vice President for Strategic Initiatives, Rob Alsop, provided the following updates on legislative issues:

- We are over halfway through the legislative session.
- As it relates to WVU, the Governor's proposed budget was approximately \$900k more than the appropriation last year (the increases were for the 1% pay raise, BRIM insurance coverage increases, and an increased wvOASIS fee).
- We are thrilled and have been supportive of the Governor's budget. We continue to closely monitor revenues.
- Of interest to the University, we have been closely watching campus carry, and we continue to maintain that no legislation is necessary and that the best position for the State is to continue to allow local Boards of Governors to make decisions about allowing guns on campus.
- We continue to monitor legislation relating to the first amendment and believe that as a University we are leaders in facilitating robust debate and dialogue on campus.
- We have also been monitoring legislation that would provide the last dollar of funding needed for two year workforce programs and have been supportive of the Governor and the legislature in making this investment in higher education.
- Items relating to teacher pay and PEIA have and we expect will continue to dominate the Legislative session until a deal is reached.

In closing, Vice President Alsop mentioned the hard work and involvement of the Board's student government representative, Blake Humphrey, on a Resolution that would call for the study of a virtual online library in HCR 41 and the potential it has to reduce costs and be an equalizer in access to education materials across our state.

## **APPROVAL OF MINUTES**

With a noted correction, Thomas Flaherty moved that the minutes of the December 15, 2017 regular meeting, the January 24, 2018 special meeting and the January 24, 2018 emergency meeting be approved. The motion was seconded by J. Robert (J.R.) Rogers, and passed.

## **PRESIDENT'S REPORT**

President Gee offered the following as today's president's report:

The president expressed his appreciation for today's presentation on Living Learning Communities and acknowledged the leadership of the Provost and her team, specifically Dean of Students, Corey Farris, and Associate Provost for Undergraduate Education, Paul Kreider. He also noted the excellent leadership displayed among members of West Virginia University's student government. He praised the growth of our Honors Program, indicating that next year the Honors Program will comprise 20% of our student body. Closing with remarks regarding Greek Life, President Gee noted that each of us can help change this culture. Fraternity and sorority alumni and national chapters of fraternities and sororities must step up to combat behavior that flouts their organizations' values. Working together, we can change the national conversation and show that not all fraternity and sorority life communities are created equal – and that we chose to elevate ours to a new level of commitment, academic success and inspired philanthropy.

## **INFORMATION ITEMS**

There were no questions or concerns expressed by any Board members pertaining to the Information Items contained within the today's meeting 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 none, J. Robert (J.R.) Rogers moved that the Board accept the Consent Agenda items as presented in today's agenda booklet. This motion was seconded by Dr. Stanley Hileman, and passed.

Thereupon, the following Consent Agenda items were approved:

### **1. Approval of New Major: Adventure Recreation Management**

Resolved: That the West Virginia University Board of Governors approves the creation of a BS in Adventure Recreation Management.

**2. Approval of New Major: Organizational Leadership**

Resolved: That the West Virginia University Board of Governors approves the creation of a BSBA in Organizational Leadership.

**3. Termination of Certificate Program: Digital Marketing Communications**

Resolved: That the West Virginia University Board of Governors approves the termination of the Certificate in Digital Marketing Communications in the Reed College of Media.

**4. Termination of Certificate Program: Interactive Technologies and Serious Gaming**

Resolved: That the West Virginia University Board of Governors approves the termination of the Certificate in Interactive Technologies and Serious Gaming in the Statler College of Engineering and Mineral Resources.

**5. Termination of Certificate Program: Post-MSN Certificate in Women's Health Nursing Practice**

Resolved: That the West Virginia University Board of Governors approves the termination of the Post-MSN Certificate in Women's Health Nursing Practice in the School of Nursing.

**6. Termination of Certificate Program: Post-MSN Certificate in Leadership**

Resolved: That the West Virginia University Board of Governors approves the termination of the Post-MSN Certificate in Leadership in the School of Nursing.

**7. Termination of Certificate Program: Integrated Mental and Behavioral Health**

Resolved: That the West Virginia University Board of Governors approves the termination of the Certificate in Integrated Mental and Behavioral Health in the Eberly College of Arts and Sciences.

**8. Termination of Certificate Program: Non-Profit Management**

Resolved: That the West Virginia University Board of Governors approves the termination of the Certificate in Non-Profit Management in the Eberly College of Arts and Sciences.

**9. Approval of BOG Committees**

Resolved: That the West Virginia University Board of Governors approves the proposed committee structure/assignments for 2017-2018, as presented.

#### **10. Appointment to County Extension Committees**

Resolved: That the West Virginia University Board of Governors approves the nominees and alternates for positions on the County Extension Service Committees in West Virginia, as presented.

#### **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), and (b)(12) to discuss legal, personnel, and deliberative matters; 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 Thomas Flaherty, seconded by Thomas Heywood, and passed. Following the conclusion of Executive Session, Marty Becker moved that the Board rise from Executive Session. This motion was seconded by J. Robert (J.R.) Rogers, and passed. Board members

#### **DISCUSSIONS/ACTIONS EMANATING FROM EXECUTIVE SESSION**

Chairman Wilmoth stated that there were no actions emanating from today's Executive Session discussions.

#### **ADJOURNMENT**

Chairman Wilmoth announced that the Board will conduct its next regular meeting on April 20, 2018 in Morgantown. There being no further business to come before the Board, Thomas Heywood moved to adjourn the meeting. The motion was seconded by Lisa A. Martin, and passed. The meeting was adjourned at 2:30 p.m.

---

Taunja Willis Miller, Secretary

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of February 16, 2018**

- ITEM:** Notice of Proposed Rulemaking for changes to the following Policies:
- West Virginia University Board of Governors Policy 2 – Academic Freedom, Professional Responsibility, Promotion, and Tenure;  
West Virginia University Board of Governors Policy 3 – Sabbatical Leave;  
West Virginia University Board of Governors Policy 12 – Adjunct Faculty;  
West Virginia University Board of Governors Policy 22 – Faculty and Administrative Productivity;  
West Virginia University Board of Governors Policy 30 – Salary Enhancement for Continued Academic Achievement;  
West Virginia University Board of Governors Policy 38, Emeritus Status; and  
West Virginia University Board of Governors Policy 51 – Extension of Tenure Track.
- Additionally, Notice of Proposed Rulemaking for two new Rules:  
West Virginia University Board of Governors Faculty Rule 4.1 – Academic Freedom; Academic & Professional Responsibility and  
West Virginia University Board of Governors Governance Rule 4.4 – Faculty Salary Policy and Salary Enhancement for Continued Academic Achievement.
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the issuance of a Notice of Proposed Rulemaking, as presented.
- STAFF MEMBER:** Joyce McConnell, Provost and Vice President of Academic Affairs  
Stephanie Taylor, General Counsel

**BACKGROUND:**

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 above will result in additions, amendments, or repeals as set forth in detail in the table located in the Notice of Proposed Rulemaking.

Following the issuance of the Notice of Proposed Rulemaking, the proposed changes to the Policies will be posted for the required thirty (30) day public comment period from February 19, 2018 through March 20, 2018. The Board of Governors is asked to approve the issuance of the Notice of Proposed Rulemaking, as presented.

## **NOTICE OF PROPOSED RULEMAKING**

This Notice of Proposed Rulemaking is issued pursuant to West Virginia University Board of Governors Governance Rule 1.1. The proposed changes to current Board of Governors Policies are to:

- West Virginia University Board of Governors Policy 2 – Academic Freedom, Professional Responsibility, Promotion, and Tenure;
- West Virginia University Board of Governors Policy 3 – Sabbatical Leave;
- West Virginia University Board of Governors Policy 12 – Adjunct Faculty;
- West Virginia University Board of Governors Policy 22 – Faculty and Administrative Productivity;
- West Virginia University Board of Governors Policy 30 – Salary Enhancement for Continued Academic Achievement;
- West Virginia University Board of Governors Policy 38 – Emeritus Status; and
- West Virginia University Board of Governors Policy 51 – Extension of Tenure Track.
- 

Additionally, Notice of Proposed Rulemaking for two new Rules:

- West Virginia University Board of Governors Faculty Rule 4.1 – Academic Freedom; Academic & Professional Responsibility; and
- West Virginia University Board of Governors Governance Rule 4.4 – Faculty Salary Policy and Salary Enhancement for Continued Academic Achievement.

The proposed changes are to amend, approve, and, in some cases, repeal current BOG Policies in order to implement new BOG 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 are 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 BOG Policies above will result in additions, amendments, or repeals as set forth below:

New BOG Rule	Current BOG Policy (if applicable)	Recommended Action	Comments
BOG Faculty Rule 4.1 – Academic Freedom; Academic & Professional Responsibility	BOG Policy 2 – Academic Freedom, Professional Responsibility, Promotion, and Tenure (Section 2)	Approve	<ul style="list-style-type: none"> <li>▪ Restates the substance removed from Section 2 of the current BOG Policy 2 without any significant revisions.</li> </ul>
BOG Faculty Rule 4.2 – Appointment, Promotion, Tenure, and Dismissal For Cause	BOG Policy 2 – Academic Freedom, Professional Responsibility, Promotion; Tenure; BOG Policy 22 – Faculty and Administrative Productivity; and BOG Policy 38 - Emeritus Status.	Amend and Approve	<ul style="list-style-type: none"> <li>▪ Re-organizes and streamlines for clarity a majority of the substance of current BOG Policy 2. <ul style="list-style-type: none"> <li>○ Increases to 15%, from 10%, the total number of full-time teaching-track appointments that there may be on any one of the University’s campuses at a given time.</li> <li>○ Removes references to Community and Technical Colleges.</li> </ul> </li> <li>▪ Authorizes appointments for Teaching-Track faculty to terms of up to six (6) years upon promotion to or appointment at the rank of Teaching Associate Professor and terms of up to nine (9) years upon promotion to or appointment at the rank of Teaching Professor.</li> <li>▪ Incorporates and restates, pursuant to W. Va. Code § 18B-8-6(b), the substance from BOG Policy 22, Faculty and Administrative Productivity.</li> <li>▪ Incorporates BOG Policy 38, Emeritus Status as it relates to faculty.</li> <li>▪ Section 2, regarding academic freedom and professional responsibility, has been removed and is the subject of proposed BOG Faculty Rule 4.1.</li> <li>▪ Sections 13, regarding termination because of reduction or discontinuation of an existing program, and Section 14, regarding termination due to</li> </ul>

New BOG Rule	Current BOG Policy (if applicable)	Recommended Action	Comments
			financial exigency, have been removed and are the subject of proposed BOG Faculty Rule 4.7.
BOG Faculty Rule 4.3 – Sabbatical Leave	BOG Policy 3 – Sabbatical Leave	Amend and Approve	<ul style="list-style-type: none"> <li>▪ Re-organizes and streamlines for clarity text of current BOG Policy 3. <ul style="list-style-type: none"> <li>○ Removes procedures and delegates to the Provost the ability to develop additional internal policy and procedures regarding requests for sabbatical leave.</li> <li>○ Defines “Sabbatical Leave” to mean a leave of absence for no more than one contract year to pursue research, writing, or other activity calculated to contribute to the professional development of a faculty member and their overall value to the University.</li> </ul> </li> </ul>
BOG Faculty Rule 4.4 – Faculty Salary Policy and Salary Enhancement for Continued Academic Achievement	WVU BOG Policy 29 – Salary Policy; WVU BOG Policy 30 – Salary Enhancement for Continued Academic Achievement	Approve	<ul style="list-style-type: none"> <li>▪ Removes references to HEPC Salary Guidelines.</li> <li>▪ Empowers the Provost to design and administer a Faculty compensation program that aligns with the University’s mission, vision, and values and meets the clearly defined objectives.</li> <li>▪ Incorporates concepts from current BOG Policy 30 – Salary Enhancement and requires the Provost to maintain a salary enhancement program for Faculty Members at the rank of professor or the equivalent who, at a minimum, continue to perform at or above the standard required to achieve promotion to the rank of professor or the equivalent.</li> <li>▪ Establishes and authorizes specific methods of compensation adjustments for current faculty.</li> </ul>

New BOG Rule	Current BOG Policy (if applicable)	Recommended Action	Comments
BOG Faculty Rule 4.5 – Modification of Duties for Certain Full-Time Faculty; Extension of the Tenure Clock	BOG Policy 51 – Extension of Tenure Track	Amend and Approve	<ul style="list-style-type: none"> <li>▪ Authorizes the Provost to modify the assigned duties of full-time Faculty Members in response to certain personal circumstances that may arise.</li> <li>▪ Re-organizes and streamlines for clarity current BOG Policy 51, regarding the extension of the tenure clock. <ul style="list-style-type: none"> <li>○ Defines the personal and professional circumstances which may permit extension of the Tenure-Track Period.</li> <li>○ Establishes the parameters for extensions to the tenure-track period to be requested and expectations regarding performance review in light of granted extensions.</li> </ul> </li> </ul>
BOG Faculty Rule 4.6 – Adjunct Faculty	WVU BOG Policy 12 – Adjunct Faculty	Amend and Approve	<ul style="list-style-type: none"> <li>▪ Re-organizes and streamlines for clarity text of current BOG Policy 3.</li> <li>▪ Sets forth that balance between remunerated full-time faculty and remunerated Adjunct Faculty shall not exceed the national average for institutions with similar missions based on US Department of Education data.</li> </ul>
N/A	BOG Policy 22 – Faculty and Administrative Productivity	Relocate & Repeal	<ul style="list-style-type: none"> <li>▪ Incorporated within BOG Faculty Rule 4.2</li> </ul>
N/A	WVU BOG Policy 30 – Salary Enhancement for Continued Academic Achievement	Relocate & Repeal	<ul style="list-style-type: none"> <li>▪ Incorporated within BOG Faculty Rule 4.4</li> </ul>
N/A	WVU BOG Policy 38 – Emeritus Status	Relocate & Repeal	<ul style="list-style-type: none"> <li>▪ This policy was partially repealed, as to President and Administrator Emeritus Status only, at the January 20, 2018 special meeting.</li> <li>▪ Incorporated within BOG Faculty Rule 4.2</li> </ul>

A copy of the current Policies can be found at <http://bog.wvu.edu/policies> and a copy of the proposed Rules and this Notice of Proposed Rulemaking can be found at <http://policies.wvu.edu/>. Additionally, copies of both are available at the President's Office in Room 103 of Stewart Hall.

There will be a 30-day public comment period from February 19, 2018 until March 20, 2018 for the submission of written comments. Comments should be submitted using the online submission form for each Rule, which can be found by clicking on the link to the Rule located at: <http://policies.wvu.edu/>. If there are any questions about the submission process, they can be directed to Valerie Lopez, Special Assistant to the Governing Board, at [Valerie.Lopez@mail.wvu.edu](mailto:Valerie.Lopez@mail.wvu.edu) or Valerie Lopez, Office of the President, West Virginia University, PO Box 6201, Morgantown, West Virginia 26506-6201.

Once the comment period has ended, all public comments received will be posted on the University's policy website. The Rules may be changed, subject to comments received.