

WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS

March 18, 2020

The one hundred seventy-eighth meeting of the West Virginia University Board of Governors (scheduled as an Emergency Meeting) was held on March 18, 2020 via teleconference. Board members in attendance/participating by telephone included David Alvarez, Marty Becker, Charles Capito, Elmer Coppoolse, Kevin Craig, Kate Dye, J. Thomas Jones, Dr. Stanley Hileman, Lisa A. Martin, Taunja Willis Miller, Dr. Emily Murphy, Richard Pill, Ed Robinson, J. Robert (J.R.) Rogers, Benjamin Statler, Dr. Kimberly Weaver and William Wilmoth.

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;
Provost, Maryanne Reed;
Vice President and Executive Dean of Health Sciences, Clay Marsh;
Vice President for University Relations, Sharon Martin;
Vice President for Talent and Culture, Cris DeBord;
Vice President for Research, Fred King;
Vice President and Chief Financial Officer, Paula Congelio;
Associate Vice President for Finance, Anjali Halabe;
Deputy General Counsel, Gary G. Furbee, II;
Dean of Student, Corey Farris;
Vice Provost for Academic Strategies, Curriculum and Assessment,
Paul Kreider;
Associate Provost for Budget, Facilities and Strategic Initiatives,
Mark Gavin;
Director of Communications and Marketing for Strategic Initiatives,
Erin Newmeyer,
Assistant Vice President, Student Financial Support Services, Sandra Oerly-Bennett,
Executive Director, Admissions and Recruitment, George Zimmerman,
Associate Vice President for Health Affairs; Dean of the School of Public Health,
WVU Health Sciences Center, Jeffrey Coben,
Executive Officer and Assistant Board Secretary, Jennifer Fisher;
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 Board Chairman David Alvarez at 4:00 p.m. A roll call was taken to determine who was in attendance and a quorum established.

PURPOSE OF MEETING

Chairman Alvarez stated that this emergency meeting was called to discuss matters relating to West Virginia University's ongoing response to the COVID-19 pandemic. Due to this ongoing public health emergency, West Virginia University has limited time to consider a variety of time-sensitive matters. Therefore, it is critical for the West Virginia University Board of Governors to promptly meet, discuss, and act to authorize emergency procedures which may become necessary to respond to and mitigate the impact of this ongoing public health emergency on the University and the University community.

EXECUTIVE SESSION

Chairman Alvarez requested a motion that the Board go into Executive Session, under authority in West Virginia Code §6-9A-4(b)(9) and (12), to discuss confidential legal, personnel, and deliberative matters. The motion was made by Lisa A. Martin, seconded by Marty Becker, and passed. Following the conclusion of Executive Session, J. Robert (J.R.) Rogers moved that the Board reconvene into regular session. This motion was seconded Lisa A. Martin and passed.

DISCUSSIONS EMANATING FROM EXECUTIVE SESSION

Chairman Alvarez stated that during today's Executive Session there were discussions regarding WVU moving to online classes and WVU approving a plan for emergency leave – both of which items will be addressed following the public presentations set forth below.

BOARD PRESENTATIONS

The board then received information from the following WVU officials:

Vice President and Executive Dean of Health Sciences, Clay Marsh, shared medical information on the seriousness of this crisis at national, state and local levels;

President Gee outlined the preemptive measures being taken by WVU;

Provost Maryanne Reed shared information about going online for the remainder of the semester;

Vice President for Strategic Initiatives, Rob Alsop, shared information for employees, as well as securing campuses; and,

Vice President for University Relations, Sharon Martin, shared WVU's communication plan and where to find additional information related to WVU's impact from this ongoing public health emergency.

An overview of all remarks included the following:

West Virginia University and its divisional campuses in Keyser and Beckley will extend alternative delivery of classes through the rest of the semester in response to the continued threat of the novel coronavirus COVID-19. Additionally, all employees – except for those needed to keep online operations running and a select few others – must work from home, and residence halls will remain shuttered.

The University previously had extended spring break a week, and, effective March 30, ordered almost all classes to move to alternative delivery, primarily online, along with closing residence halls and University apartments, prohibiting students from returning to campus until notified.

As the coronavirus has spread, however, public health officials have suggested the pandemic may last well past the scheduled end of the semester in mid-May, leading the WVU administration to recommend to the Board of Governors that the current plan continue at least through the end of the semester.

“This was a carefully considered decision, but in the end is the only responsible one in the face of this worldwide pandemic,” Board Chair David Alvarez said. “Our state looks to WVU for leadership, and faced with the facts, there was no other choice. Our community's safety and well-being come before everything.”

President Gee announced the decision and changes in a letter being sent to the West Virginia University community. Following is a summary of his statements:

The plan for students, faculty and staff includes:

- Students should not return to campus, however if they lack a safe housing alternative, a limited number of rooms will be available.
- Students with dining plans, or who currently live in the residence hall or apartment system, will receive a credit as a result of our moving to the period of no in-class instruction. Details will be provided in the coming days.
- A coordinated move-out will be scheduled and announced later.
- With limited exceptions, all campus buildings will be locked and closed to the public at the close of business Friday.
- All libraries will be closed, as will the Student Recreation Center and the PRT. (Mountain Line buses will continue to run.) The Mountainlair will have limited hours for those who need to access The Rack food pantry.

- All supervisors were directed to maximize the number of employees who are to work from home effective no later than Friday, March 20. Only employees deemed critical to the alternative method of class instruction, or the safety and maintenance of the University whose responsibilities require them to be on campus will be permitted.
- A special emergency leave plan will be adopted for instances where an alternative work arrangement is not possible.
- All international and domestic travel continues to be banned. Personal travel will require adhering to current guidelines regarding self-monitoring and self-quarantining.

The University is still considering whether commencement will be held and expects to announce that decision by March 25.

In letters to students and parents, Dean of Students Corey Farris emphasized the need for students to remain away from campus.

It was noted that a wide variety of resources for faculty, staff and students can be found online, including information about tutoring, mental health counseling, library access, as well as online teaching and learning tips. Those resources can be found at the University's coronavirus informational website: <http://coronavirus.wvu.edu>. Further questions can be emailed to coronavirus@mail.wvu.edu.

President Gee concluded that he was reassured by the fact that the world's best scientific minds and public health authorities are hard at work trying to understand COVID-19 and how to address its life-threatening symptoms and as a University we are doing everything possible to respond aggressively and thoughtfully in the best interest of our West Virginia University family.

BOARD ACTION

Online Classes and Employees Working from Home

President Gee and members of his team provided the following overview related to online classes and employees working from home:

Beginning on March 10, 2020 the University announced a plan to mitigate the community spread of COVID-19 and to best protect campuses and communities after spring break, recommending the following: WVU suspend classes the week of March 23-27 (essentially extending spring break for most of the campus, excluding some HSC clinical work and online programming.) On Monday, March 30, 2020 other than specialized clinical rotations and lab work, we will begin delivering class instruction remotely via online or other alternative learning options and continue through the end of the spring semester. Leadership and administration of the Health Sciences Center are actively receiving guidance from accrediting agencies and medical students' clinical rotations are now on hold until the end of the month and may be later. Because of the requirements of moving to virtual learning options, we will not have time to implement our "Maymester" summer term and it will be cancelled for this year.

All employees will work from home except those essential to ensuring the appropriate delivery of alternative learning options; those working to continue the limited on-campus delivery; and those working to secure and maintain the campus. Some employees may work in the office from time to time to check the mail and other essential functions relating to the ongoing operations of the University. Given that most learning will be online, we expect most employees will work from home. To accommodate this, we established a new VPN connection for employees to have access to WVU IT systems that are not generally available on the web.

Following any board questions and further discussion, board member Marty Becker moved that the Board of Governors affirm and ratify the proposal of the President and his team to move to an aggressive at-home and telework work environment, and to move to an online and alternative form of educational delivery for the rest of the spring semester, and to take any appropriate action consistent with those efforts. This motion was seconded by Kevin Craig and passed unanimously.

Special Emergency Leave Plan

Vice President for Strategic Initiatives Rob Alsop provided the following overview related to WVU's Special Emergency Leave Plan:

This plan is a part of the efforts to further protect the health and well-being of WVU's campus community in response to coronavirus COVID-19. The plan is meant to address concerns some faculty and staff may have about their leave and encourage them to stay home if they are sick. This plan also is designed to help minimize any potential financial hardships faculty and staff may face as a result of COVID-19.

The plan applies to West Virginia University, West Virginia University Institute of Technology, and West Virginia University Potomac State College (collectively the "University"). Benefit and non-benefits eligible Classified Employees, Non-Classified Employees, Faculty, and any other employee positions of the West Virginia University Board of Governors (collectively "faculty and staff") will be eligible for the benefits outlined in this plan. Student employees, federal work study, or graduate student assistants (i.e., teaching assistants, research assistants, service assistants) will not be eligible for the benefits outlined in this plan.

This plan will remain in place until the emergency has ended or ninety (90) calendar days from implementation, whichever occurs first. The President will secure additional approval from the Board of Governors if the plan requires extension beyond ninety (90) calendar days. As necessary, this plan may be modified to align with any federal or state legislation, regulation, declaration, executive order or other authoritative document.

In general, faculty and staff should work with their supervisors to flex their schedules or work from home, when possible. Every opportunity to develop an alternative work assignment should be considered before submitting a request for special emergency leave with pay. Duties and responsibilities may be temporarily altered to support alternative work assignments. Talent and Culture will post resources and ideas that may be used for alternative work assignments. Supervisors also may contact their HR Partner for advice. Supervisors should also work with their HR Partner to properly document the alternative work assignment, if one is given.

The President or his/her designee may approve up to seventy-five (75) hours of special emergency leave with pay for covered faculty and staff in active appointments, prorated by full-time equivalency (FTE).

Additional hours of special emergency leave with pay, may be approved on a case-by-case basis. Special emergency leave may be cancelled if the reasons supporting the approval of special emergency leave have resolved. Faculty and staff may request to use special emergency leave in instances where an alternative work arrangement is not possible and in the following instances: The employee or a member of their immediate family has had exposure to COVID-19, displays symptoms of the disease or is in self-quarantine; the employee or a member of their immediate family has a confirmed case of COVID-19 and is recuperating; the employee or a member of their immediate family is considered vulnerable (i.e., older adults and individuals who have serious chronic medical condition) to becoming very sick if they contract COVID-19; and the employee is pregnant or has a spouse or member of their household who is pregnant.

If an alternative work arrangement is not possible, the supervisor should submit a request form for special emergency leave. If the supervisor is unable to submit a request form, an HR Partner or other staff member from Talent and Culture or Shared Services may assist. Shared Services will process the request, and an HR Partner or other staff member from Talent and Culture will review for proper application of this plan. The request for special emergency leave should be the minimum necessary, and in no case may it exceed seventy-five (75) hours without additional authorization from the President or his/her designee. If faculty or staff need to discuss specific details regarding medical issues or diagnoses, the supervisor should direct them to Medical Management in Talent and Culture. Medical documentation related to COVID-19 illness and subsequent returns to work may be required based on current advice from local and state public health and safety officials. Talent and Culture will publish frequently asked questions to assist supervisors, faculty and staff with the implementation of this plan.

Following any board questions and further discussion, board member Charles Capito moved that the Board of Governors authorize the President and his team to implement the emergency leave plan as described above, and to take any appropriate action consistent with those efforts. This motion was seconded by J. Robert (J.R.) Rogers and passed unanimously.

GENERAL DISCUSSIONS AND ADJOURNMENT

Board Chairman David Alvarez stated that the above were carefully considered decisions, but in the end are the only responsible ones in the face of this worldwide pandemic. Board Chair Alvarez concluded that our state looks to WVU for leadership, and faced with the facts, there were no other choices since our community's safety and well-being come before everything.

There being no further business to come before the Board, Lisa A. Martin moved to adjourn the meeting. The motion was seconded by Taunja Willis Miller, and passed. The meeting was adjourned at 5:36 p.m.

Taunja Willis Miller, Secretary