

AGENDA
BOARD OF VISITORS
AUDIT, RISK AND COMPLIANCE COMMITTEE MEETING
Thursday, March 18, 2021
Bishop Kim W. Brown, Chair
8:30 a.m. to 10:00 a.m.

Electronic Meeting Participation

See information on page 5 of the agenda for webinar link

- I. Call to Order/Establish Quorum
- II. Recommend Approval of the February 18, 2021 Committee Minutes
- III. Discussion Items – Update on Action Plans
 - a. Financial Aid Dr. Justin Moses
 - b. Sponsored Programs..... Dr. DoVeanna Fulton
 - c. Information Technology Dr. Justin Moses
- IV. ***Closed Meeting – Pursuant to §2.2-3711A.1, 4, 7 and 8, Code of Virginia***
- V. Open Meeting
- VI. Actions/Motions
- VII. Public Comment
- VIII. Adjournment

BREAK 45 – MINUTES

Audit, Risk and Compliance Committee

Bishop Kim W. Brown, Chair

Dwayne B. Blake

Mary L. Blunt

Dr. Deborah M. DiCroce

BK Fulton

Michael J. Helpinstill

Staff:

Derika L. Burgess, Interim Chief Audit Executive

Chief Compliance Officer

The President participates in all Committee meetings

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

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NSU BOARD OF VISITORS

Audit, Risk and Compliance Committee Meeting (*continued*)

Thursday, March 18, 2021

The Norfolk State University Board of Visitors Audit, Risk and Compliance Committee will meet March 18, 2021. Pursuant to [Executive Amendment 28 to HB29 \(2020\)](#), the Committee will meet by electronic communication means, without a quorum and without any Board member physically assembled at one location.

The meeting will be held in open and closed session via the Zoom Webinar app. The open session of the meeting can be accessed through the app using the following link to register:

March 18, 2021 https://nsu-edu.zoom.us/webinar/register/WN_6Hrk4FQeREe-00lpGI-6wA

Registering will allow participants to attend virtually or by phone. Information on public comment is provided on the registration form. Public comment should address only the items listed on the agenda.

If you require assistance with registering, or if there is any interruption in the broadcast of the meeting, please contact (atallbritton@nsu.edu 757-823-8676).

A recording of the meeting will be posted to the Board of Visitors website following the meeting.

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

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**BOARD OF VISITORS
AUDIT, RISK AND COMPLIANCE COMMITTEE MEETING
ELECTRONIC MEETING**

February 18, 2021

MINUTES

1. Call to Order

Ms. Blunt, Chair, called the Audit, Risk and Compliance Committee meeting to order at approximately 9:00 a.m. A quorum was established. Listed below are the individuals that joined the webinar meeting.

Participants - Committee Members

Ms. Mary L. Blunt, Chair
Mr. Dwayne B. Blake
Bishop Kim W. Brown
Dr. Deborah M. DiCroce, Vice Rector
Mr. BK Fulton

Non-Participants – Absent Committee Members

Mr. Michael J. Helpinstill

Participants – NSU Administrators and Staff

Dr. Javaune Adams-Gaston, President
Dr. Justin L. Moses, VP for Operations & Chief Strategist for Institutional Effectiveness
Mr. Gerald E. Hunter, Vice President for Finance and Administration
Ms. Derika Burgess, Interim Chief Audit Executive
Dr. Karen Pruden, Assistant Vice President for Human Resources
Ms. Karla J. Amaya Gordon, Assistant VP for Finance and Administration/Controller
Dr. Juan M. Alexander, Associate Vice President for Enrollment Management
Mr. Vincent M. Moore, Chief of Police
Ms. Tanya S. White, Special Assistant to the President
Mrs. April T. Allbritton, Office Manager/Board Liaison
Mr. Rasool A. Shabazz, Project Engineer, Office of Information Technology

Participant - Counsel

Ms. Pamela F. Boston, University Counsel and Senior Assistant Attorney General

Observer

Mr. Ericke S. Cage, Executive Advisor to the President and Board of Visitors for Policy, Compliance and University Ombudsman

2. Approval of the Minutes

Mr. Blake motioned, seconded by Mr. Fulton, the Committee unanimously voted to approve the Audit, Risk and Compliance Committee minutes for December 3, 2020.

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Audit, Risk and Compliance Committee Meeting

February 18, 2021

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3. Update on Action Plan for Enrollment Management – Dr. Juan Alexander reported the following:

- The recruitment schedule is available in Outlook and by hardcopy via Excel. The updated recruitment plan drills down into geo markets.
- The application process is paperless.
- Enrollment Fuel hired to improve the level and timing of contact with prospective students. Also, using a student search tool and reaching out to juniors.
- Campus virtual tour created.
- NSU is now one of the eleven HBCUs using the common application.
- Presented to and working with alumni chapters to assist with recruitment. Updated the Alumni Admissions Recruitment Training Manual and reaching more chapters.

The Committee recommended that new processes be adaptable into the future as reinvention for the long-term. For audit purposes, implement traceability (trust and verification) for paperless processes.

Dr. Alexander reported that the tools and mechanisms that are in place would help the university remain viable and sustainable into the future. Up 25% and 27%, respectfully, in freshmen and transfer applications for the fall. Data imported from university systems into Excel is for viewing only (not the storage database).

4. Update on Action Plan for Building Access – Chief Moore reported the following:

- A new security system installed for the entire campus.
- A list of authorized users identified for the clean room and server room in the McDemmond Center for Applied Research (MCAR). Fourth floor MCAR construction is complete.
- Bridge fire doors between the Student Center and Student Services Center scheduled for repair. *Estimated completion date: Magnets designed to hold doors in an open position to be installed no later than April 1, 2021.*
- The fire marshal conducts safety inspections as prescribed every three to six months.
- The Visitor and Contractor Policy has been updated.
- Rekeying and key inventory compliance are complete.
- There are two key systems: 1) swipe access for all exterior doors and 2) key access for some internal office doors. *Estimated completion date: A new key machine to be purchased by June 30, 2021.*
- Within a couple of weeks, an outside contractor will refocus and/or reposition security cameras that are offline.

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Audit, Risk and Compliance Committee Meeting

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The university does not use any drone technology.

- Hire a Technology Security Officer to report directly to the Police Chief. Individual will work collaboratively with OIT on building access, cameras, etc.

There is a brief conversation regarding a recent cyber-attack on a university and the need for NSU to have comprehensive cyber insurance.

5. Update on Action Plan for Grants and Contract –Ms. Karla Amaya-Gordon provided the following update:

- The four open grant items are now closed. Procedures are in place to closeout grants. PIs receive 90-day, 60-day and 30-day notices.
- PIs are certifying and reviewing monthly reports. Management reviews drawdowns and this information is included in the general ledger with monthly budget to actual to support all expenditures.
- An online training module will be available no later than May 15.
- The university has a federally negotiated overhead rate of 43%, based off a formula. Some grants limit the amount of overhead, which the university must adhere too.

6. Ticket Center Audit Findings – Ms. Burgess reported the results of the audit for the Ticket Center conducted by Internal Audit. There were a number of observations relating to ticketing authority, training, safeguarding of assets, consignment tickets, complimentary tickets, event pricing, and the need for policies to address these items.

As the first action response, Finance and Administration sent an announcement to the campus community, which stated, “All ticketed events must be generated and sold through the University’s Ticket Center and via the internet.” This establishes the protocol and initiates subsequent follow up.

Note: NCAA rules govern the distribution of athletic tickets and the Audit of Public Accounts audits this area.

Action Items:

- 1) All meeting materials are to be forward two weeks in advance of a meeting.**
- 2) Provide action plan updates for the Provost’s Office, Financial Aid and IT at the next meeting.**
- 3) All action plans should include estimated date of completion for outstanding items. For the minutes, include the estimated date for the items that are not complete.**

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Audit, Risk and Compliance Committee Meeting

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- 4) *The Committee asked the President to speak to the Council of Presidents regarding Cyber Security insurance. Mr. Hunter to review the protections provided by the state's Cyber Security insurance. Insurance should cover negotiation, marketing, forensic team and lawyers.*
- 5) *Mr. Hunter to provide a status report on the removal of swipe card access. This is part of the current FY21 audit.*
- 6) *Establish two to three data points for each action plan as a comparison. Examples:*
 - *Grants (How many dollars are returned? Is there a standardized way to measure overhead?)*
 - *IT (Access termination percentage within the 24-hour guideline compared to acceptable standard).*
 - *Admissions (Triggers and other data points.)*

7. **Public Comment** – There being no public comment, the Committee proceeded with a motion to go into Closed Meeting.

8. Closed Meeting

Bishop Brown motioned, seconded by Dr. DiCroce, the Committee unanimously voted to adjourn and reconvene in Closed Meeting pursuant to Section 2.2-3711(A) 1, 4, 7 and 8 of the Code of Virginia, for the following purposes, pursuant to the noted subsections:

(1) and (4) to discuss personnel matters, including more specifically, discussion of assignment, appointment, promotion, salaries, performance evaluations as well as the promotion of, specific individuals and certain university employees; and to discuss or evaluate performance of departments of the University that necessarily involve discussion regarding performance of individual employees, more specifically related to reports, investigative notes, correspondence and information furnished in confidence and records otherwise exempted, of the university Internal Audit Office and the Office of the State Inspector General; and

(7) and (8) consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the university, along with any necessary consultation with legal counsel regarding matters noted in this motion.

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Audit, Risk and Compliance Committee Meeting

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9. Open Meeting

The Committee having reconvened in open session, took 5-0 Roll Call vote on certification that that (1) only public business matters lawfully exempted from open meeting requirements, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board. Any member of the Board who believes that there was a departure from the requirements as stated above, shall so state prior to the vote, indicating the substance of the departure that in his, or her judgment, has taken place.

Closed Session Certification

Ms. Blunt.....yes
Mr. Blakeyes
Bishop Brownyes
Dr. DiCroceyes
Mr. Fultonyes
Mr. Helpinstill.....absent

Bishop Brown motioned, seconded by Mr. Fulton, it was unanimously approved by the Committee that the Audit, Risk, and Compliance Committee recommend to the Full Board of Visitors at its next meeting the selection and approval for appointment of the Committee's recommended candidate for each of the positions discussed in the Closed Meeting.

Bishop Brown will be chair, effective with the next meeting.

10. Adjournment

There being no further business, Mr. Fulton motioned, seconded by Bishop Brown, the Committee unanimously approved to adjourn at approximately 11:37 a.m.

Respectfully submitted,

April T. Allbritton, Board Liaison

Ms. Mary L. Blunt, Chair
Audit, Risk and Compliance Committee

NSU Financial Aid Audit Presentation B.O.V. Audit Committee



[Financial Aid]

UNIT	FINDING	ISSUE RATING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS	STATUS UPDATE [MONTH - 202X]
NSU Foundation	Criteria and Guidelines Donor specified criteria and the amount of funds available for spending was not adequately captured by NSUF and communicated to Financial Aid. As a result, the scholarships may not be awarded in accordance to the donor specified requirements. We compared the NSUF criteria log against the endowment agreements for a sample of 40 awards and noted: • 14 awards did not have an Endowment Agreement on file. • The criteria used by Financial Aid to award scholarships did not match the donor agreement on file for 7 out of the remaining 26 awards. We compared the NSUF Criteria Log against the Spending Policy calculations and noted: • 12 of the accounts on the Criteria Log were not included on the spending policy. • 25 of the accounts on the Spending Policy were not included on the Criteria Log. Discrepancies increase the likelihood of noncompliance when awarding scholarships.	• MRIA • OBS	Review all endowment accounts to identify accounts that need further action, i.e. awards without an agreement, awards where the corpus has not reached minimum endowment requirement, UPMIFA applicable, etc. Management should review the policy on spending and develop a plan on how these accounts should be treated in the future. Review criteria log against the endowment agreements to ensure criteria is adequately captured. NSUF should provide the updated criteria log to Financial Aid for entry into the Newly implemented Awards Spring Software. New awards, changes in criteria and available spending for all awards should be communicated and updated in Awards Spring at minimum, on an annual basis.	• NOTE: The AwardSpring software anticipated deployment date is April 2020. 1. Work has already begun to review all Foundations funds for the 2020-21 academic year to include criteria and spending levels. 2. Financial Aid (FA) will be implementing AwardSpring online software that will incorporate criteria for awarding funds. This online application will eliminate the currently used paper, manual process for identifying students. The target start date: 30 April 2020. 3. NSUF and FA will meet semi-annually to review the criteria and spending policies. Additions to the list of scholarships that can be awarded by the FAO will be added to Colleague and AwardSpring.	• 1. Closed • 2. Closed • 3. Closed	• 1. May 19, 2020 • 2. May 19, 2020 • 3. Nov 24, 2020

[Financial Aid]

UNIT	FINDING	ISSUE RATING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS	ATSTATUS UPDATE [MONTH - 202X]
NSU Foundation	Award Process The review and selection of endowments awardees is performed by the Assistant Director for Financial Aid with limited oversight and independent confirmation of student qualifications. We identified students who applied for scholarships, but were not evaluated, and students that had not applied for scholarships who were awarded scholarships. We reviewed the awarding process for a sample of 40 scholarships available for awarding for Fall 2019 semester. Thirty-two of the scholarships were not awarded for Fall 2019. The remaining 8 scholarships were split up between 20 students. We reviewed the awarding documentation for the 20 students who received the scholarships: • 14 of the 20 could not be replicated due to lack of supporting documentation. • Some of the information used to award the scholarship was not captured on either the application or the database used to evaluate students i.e. community involvement, student organizations, primary residence, volunteerism, etc. • The reasoning individuals were awarded scholarships was not captured. • The recipients for 13 of the 20 scholarships did not have a scholarship application on file. Further research indicated that the students were selected by the Donor and not by Financial Aid. • While Financial Aid requires a student to submit a thank you letter prior to receiving the award, 14 of the 20 students did not have a thank you letter on file.	• MRIA • OBS	Ensure an independent review of the awarding process is conducted prior to scholarship being awarded. Ensure the Awards Spring software has internal controls that allow for data completeness and accuracy checks. Establish a process for selecting endowment scholarship recipients that can be replicated, and has less manual transactions with quality control points. Ensure Financial Aid only manages and assumes responsibilities for endowments related to student scholarships. Award justification letters should be created as part of the awarding process. Thank You Letters should be collected prior to awarding scholarships IAW with Financial Aid Policy	1. FA will include Jenkins and the Internal Auditors on the features of AwardSpring prior to deployment to ensure all components have been sufficiently addressed. 2. The AwardSpring software will provide a list of students based on selection criteria. FA will use this feature to verify accuracy of information using Colleague prior to awarding. FA will ensure to the extent possible that equity is used when reviewing applicants 3. FA and the NSUF has agreed that FA will award only those funds that does not require outside entities approval. 4. FA will be responsible for notifying students who have been awarded Foundation funds and award notifications are generated upon entry of awards. Awards will remain in an offer status until a "Thank You" letter has been received from the student. AwardSpring offers a feature for handling of the 'Thank You' letter criteria. 5. The FA will work with the NSUF to adopt a policy for awarding of Foundation funds. Expected Date of Completion: Dec 11, 2020	• 1. Closed • 2. Closed • 3. Closed	1. May 19, 2020 2. May 19, 2020 3. May 19, 2020 4. Oct 27, 2020 5. Oct 27, 2020

[Financial Aid]

UNIT	FINDING	ISSUE RATING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS	STATUS UPDATE [MONTH - 202X]
NSU Foundation	Management Oversight NSUF tracks overall spending for all endowments. However, Financial Aid has limited reporting and formal oversight over the endowment scholarship awarding process, i.e. percentage of funds spent, number of applicants that received awards, number of applicants that did not get awards, funds that are not able to be spent, etc. Additionally, due to employee turnover in key positions, regularly scheduled meetings between NSUF and Financial Aid were not occurring.	• MRIA • OBS	Established an endowment review process, in which Financial Aid can provide input to the NSUF on endowments that are hard to award due to outdated criteria.	1. NOTE: The semi-annual process will begin in January & December of each year with the final reconciliation concluded prior to June 30th of each year. A review of updates to the current Scholarship Criteria and Spending Policy will occur prior to awarding of funds. This process will begin as early as January of each year. 2. FA and the NSUF will adopt a practice of a semi-annual review of all endowed scholarships to ensure obsolete funds are not awarded and flagged in AwardSpring and new award codes are created in Colleague to include spending level and award criteria are added to AwardSpring. 3. A semi-annual trends report will be generated highlighting spending trends of scholarships awarded. The report will also include all scholarships that the FA staff was unable to award.	• 1. Closed • 2. Closed • 3. Closed	1. Jul 9, 2020 2. Jul 9, 2020 3. Oct 27, 2020

Questions



NSU Office of Sponsored Programs (OSP) Audit Presentation B.O.V. Audit Committee

[March 18, 2021]



Established NSU policies are outdated and not being consistently adhered to.

UNIT	FINDING	ISSUE RATING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS	REVISED ACTION PLAN	STATUS UPDATE [March 2, 2021]
OSP	1. Immature process to ensure compliance with policies.	1. MRIA	1. Develop metrics to measure success and incorporate lessons learned to increase funding.	1. Director of Sponsored Programs will review proposal development process, update OSP policies and realign roles and responsibilities where appropriate.	1. Closed		(Policy submitted/Legal)
	2. Timeliness of requests and deliverables are not being enforced.	2. MRIA	2. Update policies and procedures to reflect current practices.	2. Develop metrics to measure success of OSP work.	2. Ongoing		2. To be completed by 06/30/21
	3. No escalation procedures to address non-compliant proposals submitted to OSP,	3. MRIA	3. Establish procedures to ensure compliance with the policies.	3. Develop KRI metrics to assist with getting PIs/PDs to follow proposal development policies, procedures and timelines, including determining the reporting frequency, method and escalation process.	3. Ongoing		3. To be completed by 06/30/21

No policies or procedures exist to assist researchers in identifying and resolving research conflict of interest on campus.

<u>UNIT</u>	<u>FINDING</u>	<u>ISSUE RATING</u>	<u>RECOMMENDATION</u>	<u>MANAGEMENT ACTION PLAN(s)</u>	<u>STATUS</u>	<u>REVISED ACTION PLAN</u>	<u>STATUS UPDATE [March 2, 2021]</u>
OSP	1. No early notification protocol is in place.	1. MRIA	1. Conflicts will need to be disclosed as a part of the proposal development process.	1. OSP policies and procedures will be updated including the Internal Approval Form to disclose conflicts as a part of the proposal development process.	1. Closed		
	2. No continuous notification protocol is in place.	2. MRIA	2. Conflicts will need to be disclosed as a part of the management process, once funded, and prior to implementation.	2. Dr. Miller will document requirements in a memo and communicate them via email.	2. Closed		
	3. No formal NSU Conflict of Interest Policy exists and current use of State Policy is inadequate.	3. MRIA	3. NSU specific COI Policies and Procedures need to be developed on ways to mitigate conflicts, including timekeeping requirements and time and effort reporting.	3. OSP to provide continuous training on how to identify conflicts and mitigating factors that need to be implemented.	3. Closed		
				4. Drs. Ramesh & Miller will develop a research COI Policy to notify the Complete campus regarding 2 CFR 200 requirements.	4. Partially	4. Dr. Ramesh, replaced by Dr. Bahoura, Messaoud.	4. To be completed by August 15, 2021.

IRB Policy was last updated in 1999 and does not comply with current HHS regulations. Process is person dependent and there is limited transparency and oversight over the process.

UNIT	FINDING	ISSUE RATING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS	REVISED ACTION PLAN	STATUS UPDATE [March 2, 2021]
OSP	1. Current IRB practices do not follow 1999 policies & procedures. 2. Outdated 1999 policies do not comply with current Health & Human Services (HHS) guidance. 3. Current IRB processing system is not demand responsive for internal or external users.	1. MRIA 2. MRIA 3. MRIA	1. Working with OSP, Dean of SGSR and IRB Committee to enhance current processes. 2. Update IRB Policies to reflect current government mandates. 3. Convert current manual system to an automated system, fully stood up for internal and external users.	1. Working group updated Policy to reflect new standards. 2. Working Group using Best Practices while updating policies and procedures. Forms development, the last phase, is underway now. 3. IRBNet (an electronic management system) to be ordered to replace the current manual system. Staffer had been assigned to assist with backlog for six months. Manual system still in play until IRBNet fully stood up.	1. Closed 2. Partially Complete (Forms developed, policy drafted) 3. Partially Complete (software ordered) Awaiting software & system training. IRBNet is operational .	2. Updated policy in review. 3. IRBNet has been ordered. Roll out of new IRB approval process has been reassigned for full implementation. IRB Committee to be fully trained on use of new system. Backlog will be cleared once	2. To be approved by 06/30/21. 3. To be implemented by 08/15/21.

Questions

- I welcome the opportunity to answer your questions. Thank you.

NSU Information Security Officer (ISO) Audit Presentation B.O.V. Audit Committee

March 18, 2021



VIRGINIA CRIMINAL INFORMATION NETWORK (VCIN)

UNIT	FINDING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS
NSUPD & OIT	Policy and Procedures have not been reviewed or updated since 2014. Per OIT, policies are currently under review and going through the internal approval process. The existing policies are not posted on NSU policy page. The method of dissemination is not in compliance with NSU BOV Policy #1.	Management should update policies and procedures which include integrating control requirements mandated by VITA and NSU BOV Policy #1. The policies should be posted on the NSU Policy page and disseminated in accordance to the requirements of NSU BOV policy #1. Review and update policy and procedures annually.	On December 11, 2020, the Norfolk State University Board of Visitors approved several University Information Security Policies. These policies include the System Maintenance Policy, Media Protection Policy, and Logical Access Policy. Copies of the policies have been made available online. A larger inventory of information technology policies are currently in the OIT review process.	Ongoing
	NSUPD does not have formal procedures to ensure that only appropriately authorized individuals gain access beyond the realm of VCIN or NSUPD. Personal IT assets such as cell phones and USB thumb drives were also present on the VCIN premise.	NSUPD should identify, limit, and control all interdepartmental release of information. NSUPD should define and enforce day-to-day operation security controls necessary to protect system data. NSUPD should define procedures to cover personally-owned and organization-owned devices present in the controlled area. The procedures should include the type of assets that are allowed onto premises, inventory of assets, ownership, transportation, markings, storage, and transfer of custody.	NSUPD is working with OIT and the ISO to develop a System Administration Manual (SAM) to address the account management issues noted. The SAM will include key account management processes such as approving authorized individuals, role definition, account access reviews, access enforcement, use of external information systems, and backup administrators. The SAM will be approved by the Chief of Police by June 15, 2021.	Ongoing
	A security authorization from a senior-level executive/manager authorizing VCIN to operate on the network is not on file. OIT has not implemented or established a formal continuous monitoring strategy.	OIT and NSUPD should obtain a written security authorization from a senior-level executive/manager authorizing VCIN to operate on the network. The security status of VCIN should be reported to the official at least every 120-days and the authorization renewed annually. OIT should complete a risk assessment and establish a formal continuous monitoring strategy for VCIN. Alternatively, if VSP is deemed responsible for assessing and addressing risks, OIT and NSUPD should obtain an independent Service Organization Controls (SOC) report from the VSP and evaluate it as it relates to VITA compliance, reporting, and the efficiency and effectiveness of operations.	As part of NSU Security Program the ISO has created a repeatable process to identify, document, and assess applications. VCIN is scheduled to go through the Security Program process which will include key deliverables such as a Risk Assessment, System Security Plan, and Authorization to Operate (ATO) from an Authorizing Official. VCIN will undergo a Risk Assessment in 2021.	Ongoing

VIRGINIA CRIMINAL INFORMATION NETWORK (VCIN)

UNIT	FINDING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS
NSUPD & OIT	NSUPD has alternate procedures in place that they would perform in the event of a VCIN interruption however, the procedures are not document nor is there evidence of formal training or agreements with the outside entities that play a key role in continuity planning. OIT does not have a defined role in the existing contingency plan.	NSUPD should formalize and document a Contingency Plan identifying alternate procedures to be performed in the event of a VCIN interruption, including location of alternate processing site and alternate telecommunication capabilities in the plan. NSUPD should formalize contingency plan agreements with relevant external entities identified in the contingency plan, including OIT and VSP. OIT and NSUPD should conduct annual training for personnel with contingency roles and responsibilities, including simulated training and testing of the Contingency Plan. NSUPD should distribute the contingency plan to key personnel, as well as, have it on-hand and readily available for immediate use.	A System-Specific Contingency Plan template has been developed and is currently under review. Finalized by 3/31/2021, and in circulation by 4/30/2021. The Enterprise IT COOP and IT DRP have much of their content based on the Risk Assessments and System Security plans. Risk assessments and security plans are inputs into IT COOP and DRP planning efforts. NSU will complete work on the IT COOP and the IT DRP once the Risk Assessments and Security Plans for all systems are completed	Ongoing
	The VCIN incident response plan is not formalized, nor are there associated incident response activities in place, such as incident response monitoring controls to track, monitoring, collect, report VCIN security incidents.	NSUPD should work with OIT to formalize and document an Incident Response Plan identifying incident response procedures to be performed in the event of an incident. Procedures should include instructions on reporting, tracking, and documenting security incidents.	OIT is in the process of developing an Incident Response (IR) Policy. Once the IR policy is approved OIT will create an Incident Response Plan and will provide incident response training to information system owners, users, and administrators.	Ongoing
	A list of users with access and 90-day access activity logs for the dispatch room was obtained, the following was noted - access list was not current, 72 individuals with badge access were permitted to enter, individuals with access are not removed when access is no longer required, access levels were not based on positions or roles, physical access approved user list was not being review, physical access activity logs were not being review, no process in place to review or monitor visitor entry activity.	NSUPD should 1. Develop a process to define who has a need to access the controlled area and grant authorization based on position or role, then remove individuals from the access list that are no longer required. 2. Develop a process to track visitation to the dispatcher room where the information system resides. 3. Review access records and access logs every 60-days. 4. Retain all access records and access logs for a minimum period of one year. 5. Define and clarify roles responsible for access request/removal, oversight, retention, and storage. Provide training to all personnel involved in the process. 6. Ensure that individuals conform to the physical security standards.	NSUPD is developing procedures to address the physical access management issues noted. The procedures will include key physical access management processes such as authorizing individuals to the facility, review of access lists, and maintaining visitor access records. The procedures will be approved by the Chief of Police by June 15, 2021.	Ongoing

VIRGINIA CRIMINAL INFORMATION NETWORK (VCIN)

UNIT	FINDING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS
NSUPD & OIT	Entry doors leading to Room 106, where VCIN resides, are secured by RS2 card readers which have advanced reporting and alerting capabilities, however, no alarms were being monitored at the time of this audit.	NSUPD should design what events they want to collect.	NSUPD is currently conducting a physical access assessment to determine what means of monitoring should be implemented (i.e., installing additional cameras internal or external to the dispatch room).	Ongoing
	OIT has embarked on a Security Program effort, which includes developing a System Security Plan for all sensitive systems. However, OIT has not yet conducted a Risk Assessment for VCIN to ensure operations are aligned to NSU and VITA's Security Standards.	OIT and NSUPD should conduct a Risk Assessment and develop a System Security Plan that describes the management, operational, and technical control measures (in place or planned) that are intended to meet the SEC501 protection requirements of the VCIN system. OIT should submit the VCIN IT System Security Plan to the Agency Head for approval. OIT should review and update the risk assessment results on an annual basis. OIT should disseminate risk assessment results to the appropriate personnel.	As part of NSU Security Program the ISO has created a repeatable process to identify, document, and assess applications. VCIN is scheduled to go through the Security Program process which will include key deliverables such as a Risk Assessment, System Security Plan, and Authorization to Operate (ATO) from an Authorizing Official. VCIN will undergo a Risk Assessment in 2021.	Ongoing
	NSU access controls procedures are not consistent with the requirement of VITA. Specifically noted was inconsistencies in user access appropriateness, access review, user access provisioning, and de-provisioning.	In accordance with VITA guidance and requirements, NSUPD should establish access controls conditions to follow, such as - 1. NSUPD should define procedures to cover the entire user account lifecycle, such as creation, review/update, deactivation, report generation/submission. 2. Develop a process for the System Owner to grant roles to users who access VCIN and its data. 3. Schedule periodic reviews of all user accounts. 4. Implement a process for management to notify account managers of employees who no longer need access (termination, suspension, or extended leave, etc.). 5. Separate VCIN assignments, whereas each area is a check and balance of the functions of the other area (i.e., separation of duties matrix). 6. Limit user rights and privileges to only what's necessary for each user to fulfill his/her duties and responsibilities.	NSUPD is working with OIT and the ISO to develop a System Administration Manual (SAM) to address the account management issues noted. The SAM will include key account management processes such as approving authorized individuals, role definition, account access reviews, access enforcement, use of external information systems, and backup administrators. The SAM will be approved by the Chief of Police by June 15, 2021.	Partially Completed

VIRGINIA CRIMINAL INFORMATION NETWORK (VCIN)

UNIT	FINDING	RECOMMENDATION	MANAGEMENT ACTION PLAN(s)	STATUS
NSUPD & OIT	The VCIN system administrator always logs in as the system administration and does not have a separate user account to conduct administrative duties. Additionally, only one user has been appointed the role of system administrator. No backup has been assigned.	OIT should obtain an acceptance of risk or an approved exception acknowledging the incapability of VCIN to offer administrators an end user account and a privileged user account. NSUPD should designate an account manager backup with assigned system administrator access.	NSUPD is working with OIT and the ISO to develop a System Administration Manual (SAM) to address the account management issues noted. The SAM will include key account management processes such as approving authorized individuals, role definition, account access reviews, access enforcement, use of external information systems, and backup administrators. The SAM will be approved by the Chief of Police by June 15, 2021.	Partially Completed

QUESTIONS



PLACE HOLDER PAGE
CLOSED MEETING MOTION
(TO BE PROVIDED BY COUNSEL)

**AGENDA
BOARD OF VISITORS
STRATEGIC FINANCE COMMITTEE MEETING**

Thursday, March 18, 2021

Devon M. Henry, Chair

10:45 a.m. to 12:15 p.m.

Electronic Meeting Participation

See information on page 2 of the agenda

- I. Call to Order/Establish Quorum
- II. Discussion Items
 - a. Finance Update.....Gerald Hunter
 - b. Legislative Affairs UpdateGerald Hunter
 - c. Capital Campaign Update and Fundraising Strategies.....Clifford Porter
 - d. Revised Draft BOV/NSUF Memorandum of UnderstandingClifford Porter
 - e. Information Technology Update.....Justin Moses
 - f. Human Resources Update.....Justin Moses
- III. Public Comment
- IV. Adjournment

LUNCHEON BREAK – 45 Minutes

Strategic Finance Committee

Devon M. Henry, Chair

Dwayne B. Blake

The Honorable James W. Dyke, Jr.

BK Fulton

Larry A. Griffith

Michael J. Helpinstill

Staff:

Gerald E. Hunter, VP for Finance and Administration

Dr. Justin L. Moses, VP for Operations & Chief Strategist for Institutional Effectiveness

Clifford Porter, VP for University Advancement

The President participates in all Committee meetings

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

Page 1 of 2

NSU BOARD OF VISITORS

Strategic Finance Committee Meeting (*continued*)

Thursday, March 18, 2021

The Norfolk State University Board of Visitors Strategic Finance Committee will meet March 18, 2021. Pursuant to [Executive Amendment 28 to HB29 \(2020\)](#), the Committee will meet by electronic communication means, without a quorum and without any Board member physically assembled at one location.

The meeting will be held in open session via the Zoom Webinar app. The open session of the meeting can be accessed through the app using the following link to register:

March 18, 2021 https://nsu-edu.zoom.us/webinar/register/WN_6Hrk4FQeREe-00lpGI-6wA

Registering will allow participants to attend virtually or by phone. Information on public comment is provided on the registration form. Public comment should address only the items listed on the agenda.

If you require assistance with registering, or if there is any interruption in the broadcast of the meeting, please contact (atallbritton@nsu.edu 757-823-8676).

A recording of the meeting will be posted to the Board of Visitors website following the meeting.

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

Page 2 of 2

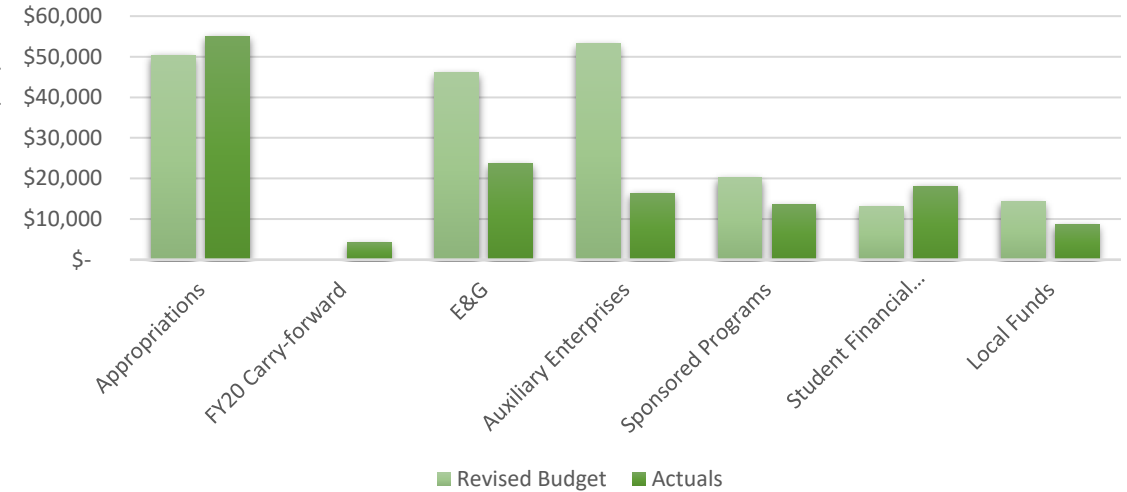


NSU B.O.V. Meeting

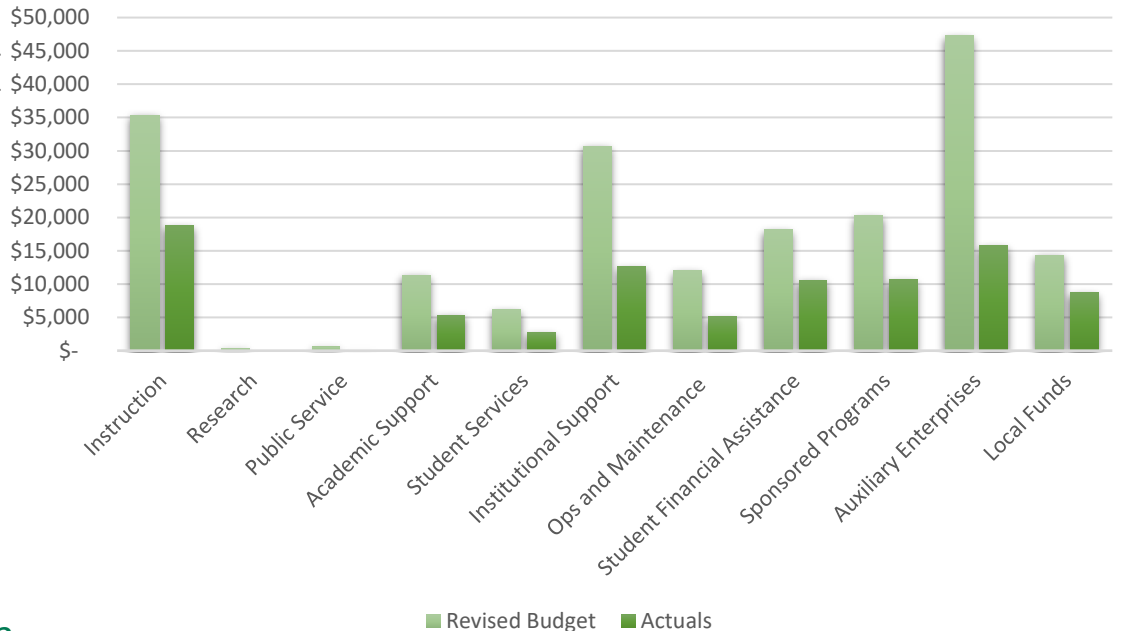
Strategic Finance Committee
March 18, 2021

FY 2021 - Condensed Summary of Revenues and Expenses Budget Report - All Funds (Cash Basis) As of December 31, 2020

Revenues	Authorized Budget	Revised Budget	Actuals	% of Budget Collected	Year-end Projection
Appropriations	\$ 50,395	\$ 50,395	\$ 55,041	109%	\$ 55,041
FY20 Carry-forward	-	-	4,140	0%	4,140
E&G	45,214	46,024	23,750	52%	45,713
Auxiliary Enterprises	53,232	53,232	16,386	31%	31,133
Sponsored Programs	20,232	20,232	13,514	67%	37,010
Student Financial Assistance	13,055	13,055	18,147	139%	18,147
Local Funds	14,350	14,350	8,665	60%	14,350
Total Revenues	\$ 196,478	\$ 197,288	\$ 139,643	71%	\$ 205,534

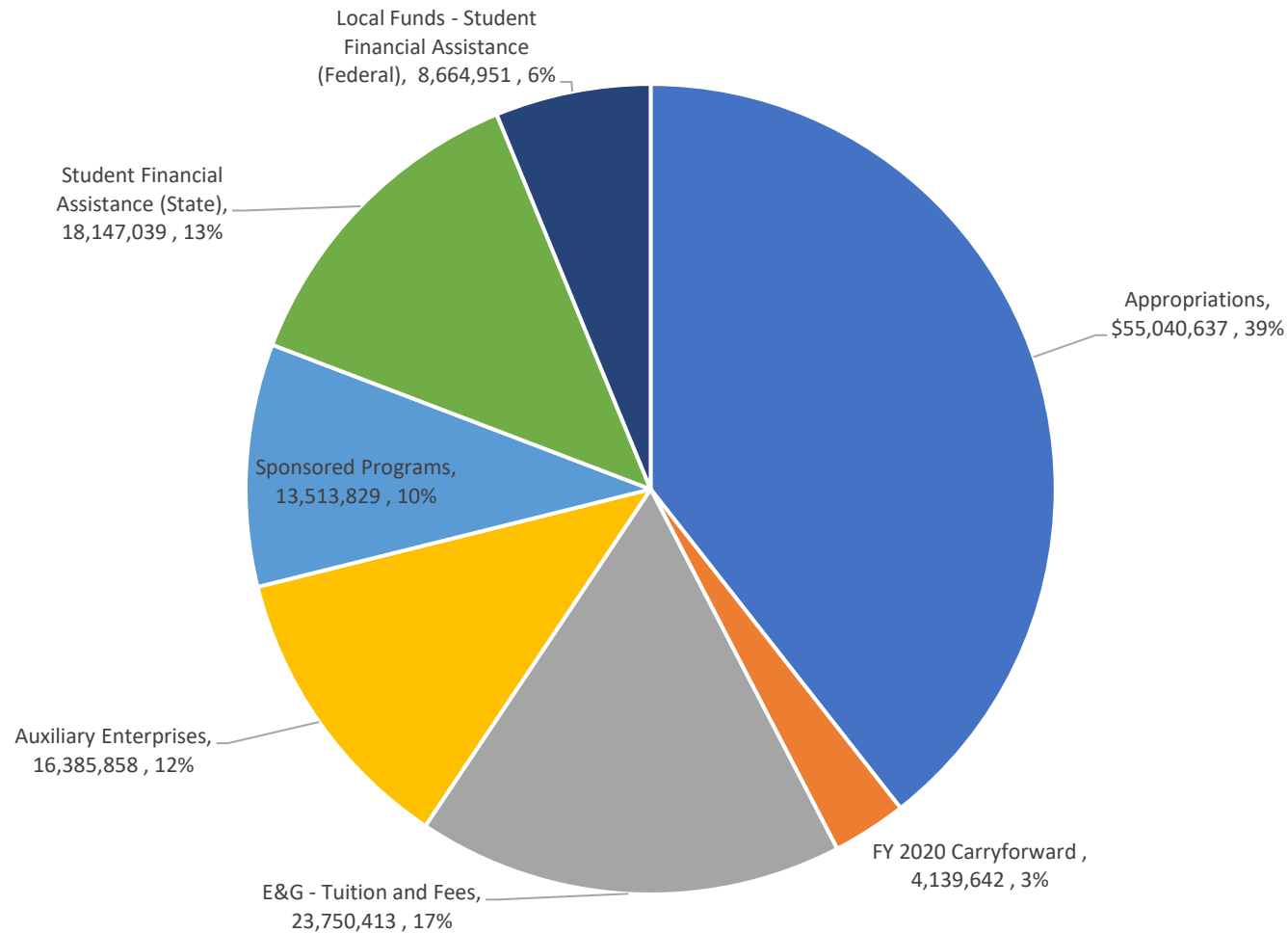


Expenses	Authorized Budget	Revised Budget	Actuals	% of Budget Spent	Year-end Projection
Instruction	\$ 40,433	\$ 35,360	\$ 18,793	53%	\$ 35,360
Research	405	398	58	15%	117
Public Service	563	594	120	20%	241
Academic Support	12,952	11,366	5,319	47%	10,638
Student Services	6,664	6,154	2,764	45%	5,529
Institutional Support	15,776	30,711	12,612	41%	25,105
Ops and Maintenance	13,683	12,076	5,107	42%	10,215
Student Financial Assistance	18,188	18,188	10,587	58%	18,147
Sponsored Programs	20,232	20,232	10,613	52%	37,010
Auxiliary Enterprises	50,931	47,326	15,817	33%	30,083
Local Funds	14,350	14,350	8,720	61%	14,350
Total Expenses	\$ 194,177	\$ 196,755	\$ 90,510	46%	\$ 186,795
Revenue Over Expenses	\$ 2,301	\$ 533	\$ 49,133		\$ 18,739



SOURCE OF FUNDS

Actuals through December 31, 2020



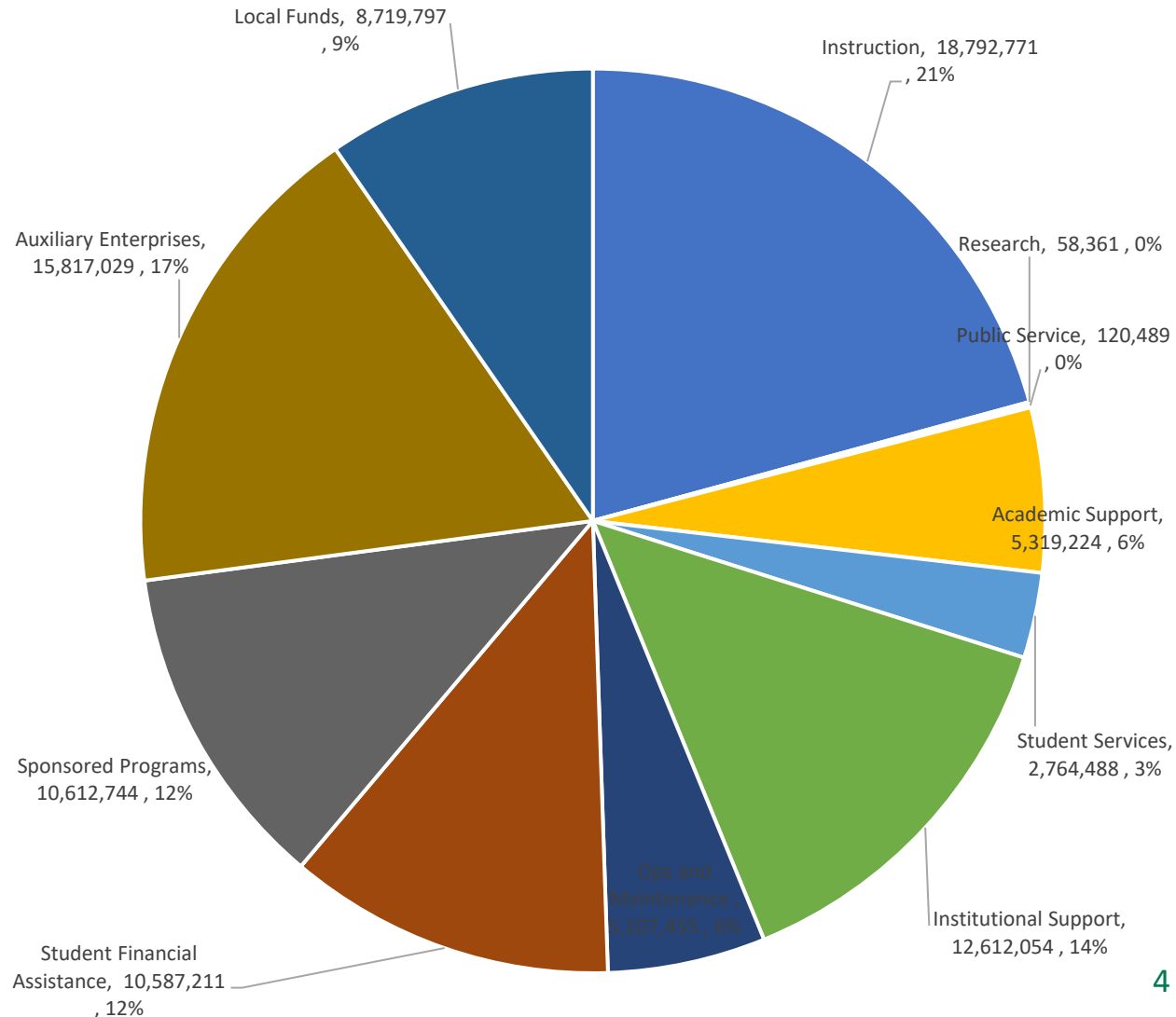
Revenues

Actuals

Appropriations	\$ 55,040,637
FY 2020 Carryforward	4,139,642
E&G - Tuition and Fees	23,750,413
Auxiliary Enterprises	16,385,858
Sponsored Programs	13,513,829
Student Financial Assistance (State)	18,147,039
<u>Local Funds - Student Financial Assistance (Federal)</u>	<u>8,664,951</u>
Total Revenues	\$ 139,642,369

USES OF FUNDS

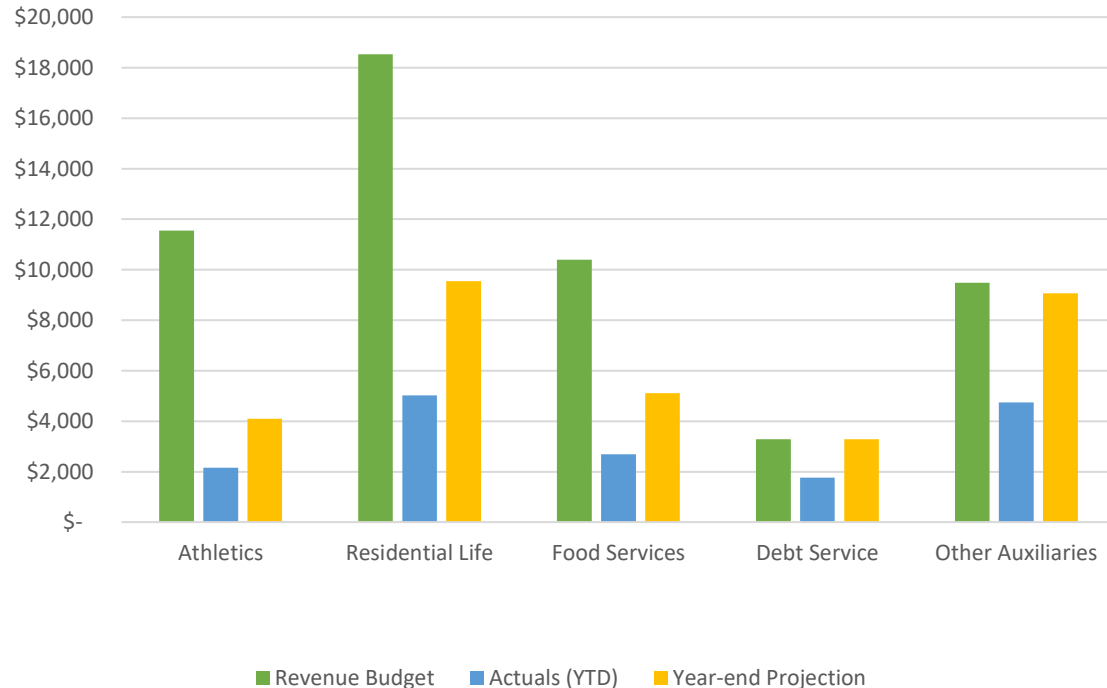
Actuals through December 31, 2020



<u>Expenses</u>	<u>Actuals</u>
Instruction	\$ 18,792,771
Research	58,361
Public Service	120,489
Academic Support	5,319,224
Student Services	2,764,488
Institutional Support	12,612,054
Ops and Maintenance	5,107,455
Student Financial Assistance	10,587,211
Sponsored Programs	10,612,744
Auxiliary Enterprises	15,817,029
<u>Local Funds</u>	<u>8,719,797</u>
Total Expenses	\$ 90,511,623

Auxiliary Budget to Actual Revenues

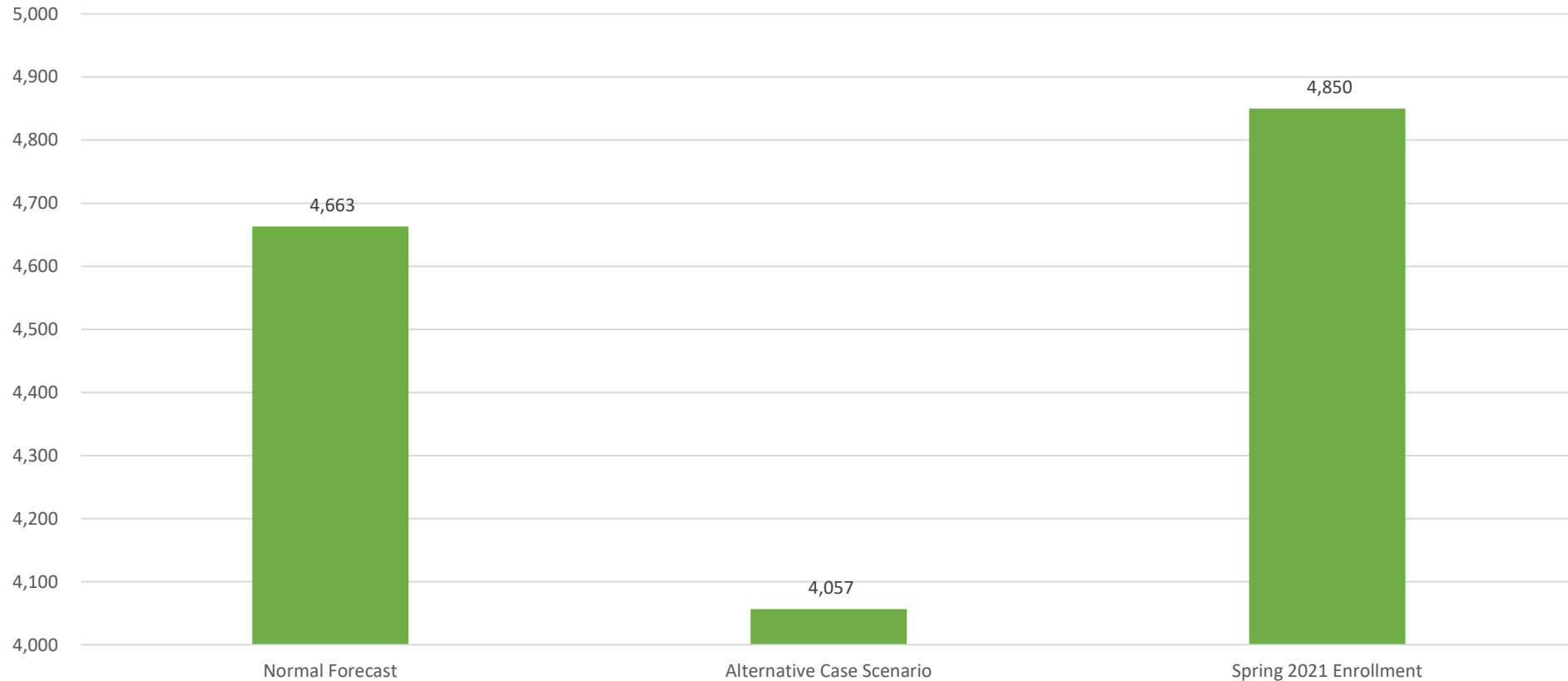
Actuals through December 31, 2020 (amounts in thousands)



Auxiliary Category	Revenue Budget	Actuals (YTD)	% of Budget Collected	Year-end Projection	Projected Revenue Loss compared to Budget
Athletics	\$ 11,546	\$ 2,156	19%	\$ 4,097	\$ (7,449)
Residential Life	\$ 18,527	\$ 5,024	27%	\$ 9,546	\$ (8,981)
Food Services	\$ 10,392	\$ 2,693	26%	\$ 5,116	\$ (5,276)
Debt Service	\$ 3,288	\$ 1,768	54%	\$ 3,288	\$ -
Other Auxiliaries	\$ 9,479	\$ 4,745	50%	\$ 9,066	\$ (413)
Total	\$ 53,232	\$ 16,386	31%	\$ 31,113	\$ (22,119)

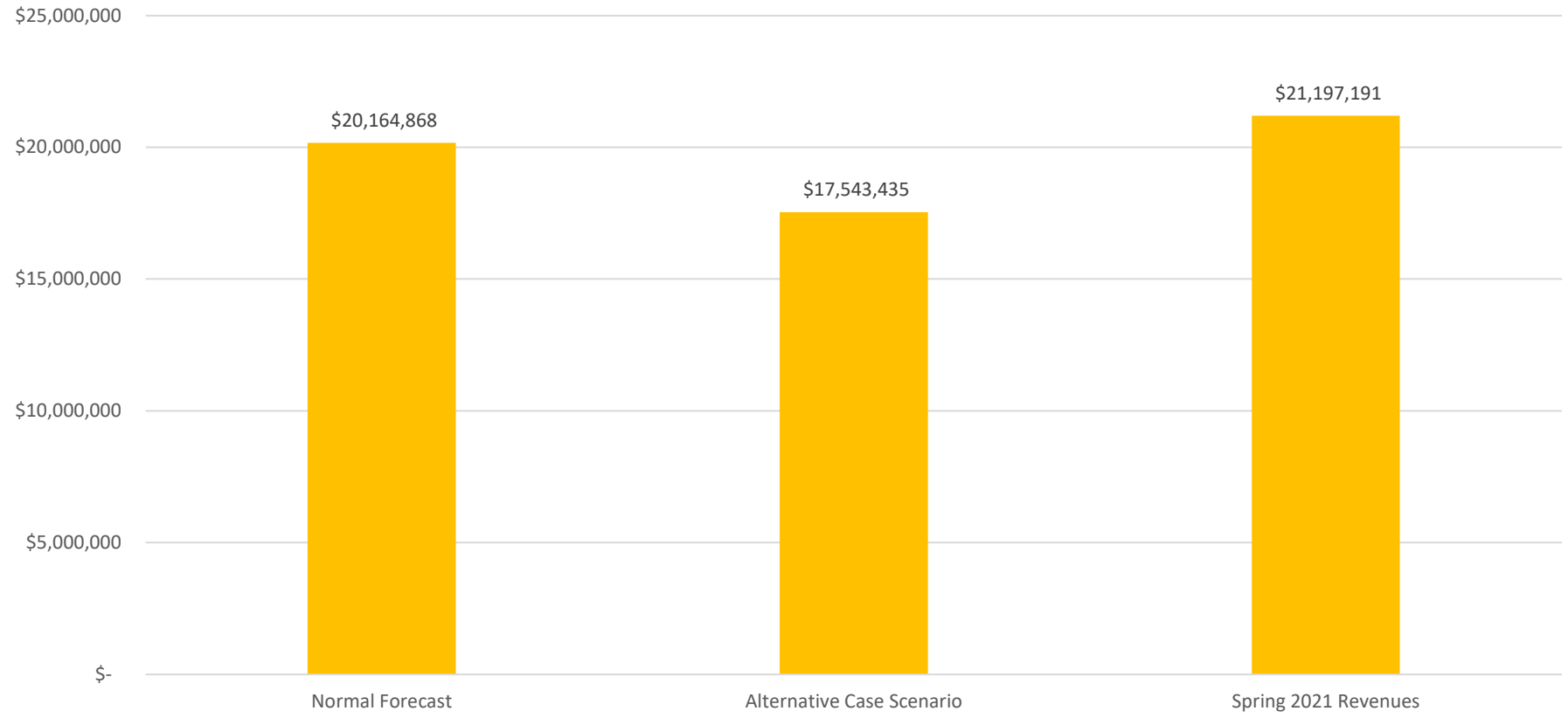
Auxiliary revenue shortfall for the year compared to revenue budget is \$22 million. CARES HBCU Funding of \$11.9 million will be used to reimburse auxiliary expenses resulting in projected year-end expenses of \$30.1 million. Other Auxiliaries includes state and local student activities, health services, student center, parking and transportation, printing services, communication, spartan patrol, auxiliary security, fitness center, aux enterprise, student ID sys, conference services, spartan station maintenance, and auxiliary enhancement.

SPRING 2021 ENROLLMENT COUNT



<u>Spring 2021 Enrollment</u>	<u>Head Count</u>	<u>(+/-)</u>
Spring 2021 Enrollment	4,850	
Normal Forecast (6% Reduction)	4,663	187
Alternative Case Scenario (13% Reduction)	4,057	793

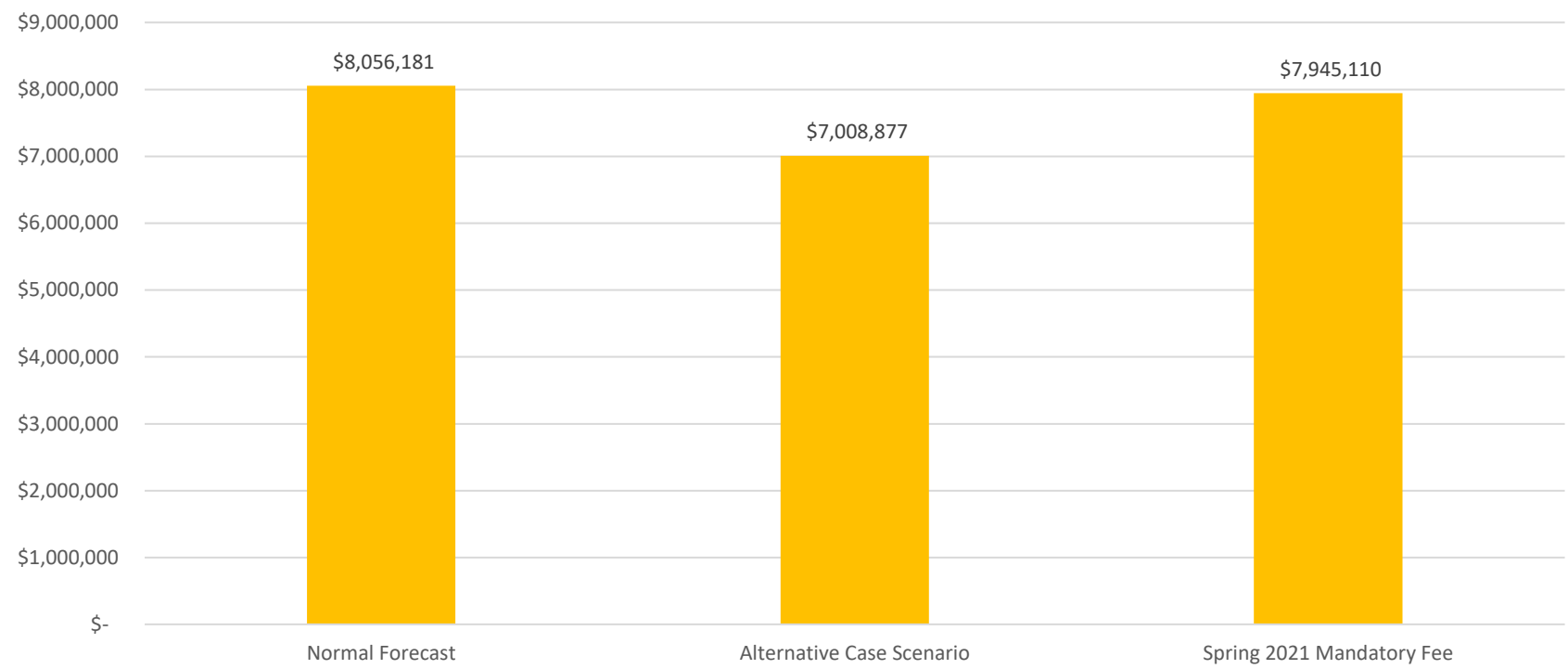
SPRING 2021 TUITION AND FEE REVENUE



Spring 2021 Tuition and Fee Revenue is generate \$1.0 million and \$3.7 million more in gross revenue than the Normal (Budgeted) and Alternative Case scenario, respectively.

		Tuition & Fee Revenues	(+/-)
Spring 2021 Revenues	\$	21,197,191	
Normal Forecast (6% Reduction)	\$	20,164,868	\$ 1,032,323
Alternative Case Scenario (13% Reduction)	\$	17,543,435	\$ 3,653,756

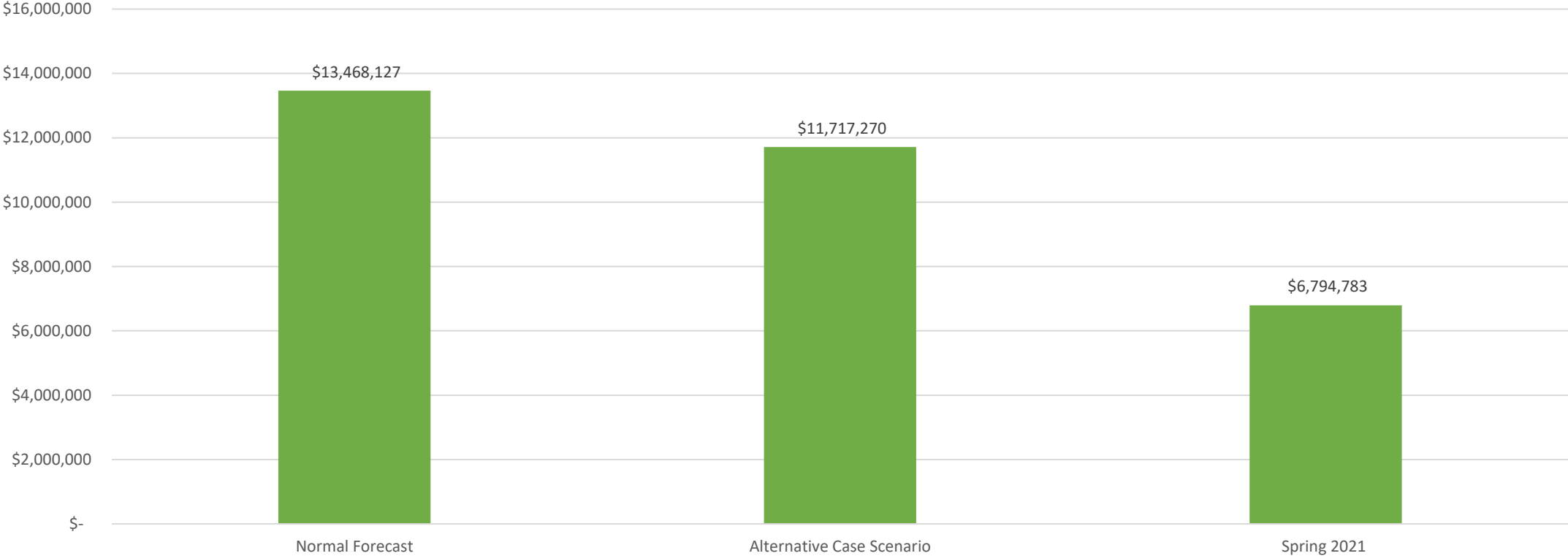
SPRING 2021 MANDATORY FEE REVENUE



Spring 2021 Full-time student enrollment exceeded the budget forecast by 187 students and the alternative case scenario by 793 student headcount enrollment. The Mandatory Fee revenue is generated \$111 thousand less than the Normal Forecast and \$936 thousand more than the Alternative Case Scenario, respectively.

	Mandatory Fee Revenues	(+/-)
Spring 2021 Projected Actual	\$7,945,110	
Normal Forecast (6% Reduction)	\$8,056,181	(\$111,071)
Alternative Case Scenario (13% Reduction)	\$7,008,877	\$936,233

SPRING 2021 PROJECTED ROOM AND BOARD REVENUE



	Room & Board Revenues	(+/-)
Spring 2021 Room and Board Revenue	\$6,794,783	
Normal Forecast (6% Reduction)	\$13,468,127	(\$6,673,344)
Alternative Case Scenario (13% Reduction)	\$11,717,270	(\$4,922,487)

SUMMARY OF FY 2021 NON-RECURRING REVENUES AND EXPENDITURES

	BEGINNING FUND BALANCE	ACTUAL EXPENDITURES	SUBTOTALS	APPROVED REVENUES	PENDING EXPENDITURES	SUBTOTAL	PROJECTED FUND BALANCE
FY 2020 E&G Carryforward (Actual)	\$ 4,139,642	\$ (272,904)	\$ 3,866,738	\$ -	\$ -	\$ -	\$ 3,866,738
Projected FY 21 Turnover Vacancy (TOV)	\$ 4,866,498	\$ (4,866,498)	\$ -	\$ -	\$ -	\$ -	\$ -
Auxiliary Enterprise Fund Balance	\$ 6,693,940	\$ 3,400,000	\$ 10,093,940	\$ -	\$ -	\$ -	\$ 10,093,940
Federal CARES Act Funding (2nd Dist.)	\$ 3,400,000	\$ (3,400,000)	\$ -	\$ -	\$ -	\$ -	\$ -
HBCU Federal Cares Act Funding	\$ 13,425,519	\$ (13,425,519)	\$ -	\$ -	\$ -	\$ -	\$ -
Commonwealth of VA Funding	\$ 147,955	\$ (147,955)	\$ -	\$ -	\$ -	\$ -	\$ -
Governors HBCU Allocation	\$ -	\$ -	\$ -	\$ 7,500,000	\$ -	\$ 7,500,000	\$ 7,500,000
VA Legislature (HB5005) - Tuition Affordability	\$ -	\$ -	\$ -	\$ 2,000,000	\$ -	\$ 2,000,000	\$ 2,000,000
VA Legislature (HB5005) - COVID-19 (CRF)	\$ 2,623,445	\$ (2,623,445)	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Svcs - Refinance (Over 2 yrs.)	\$ -	\$ -	\$ -	\$ 8,300,000	\$ -	\$ 8,300,000	\$ 8,300,000
Higher Education Emergency Relief (CRRSAA)	\$ 8,000,274	\$ -	\$ 8,000,274	\$ -	\$ -	\$ -	\$ 8,000,274
HBCU Federal Cares Act Funding (Supplement)	\$ 18,500,144	\$ -	\$ 18,500,144	\$ -	\$ -	\$ -	\$ 18,500,114
TOTALS	\$ 61,797,417	\$ (21,336,321)	\$ 40,461,096	\$ 17,800,000	\$ -	\$ 17,800,000	\$ 58,261,066

The University's Beginning Nonrecurring Fund Balance on July 1, 2020 was \$32.7 million. Additional COVID-19 awards increased this amount to \$61.8 million. Taking into consideration Actual Expenditures-to-date (-\$21.3M) and anticipated Pending Revenue (+\$17.8M), the Projected Current Fund balance is \$58.3 million.

2021 Legislative Updates

Budget Amendments - NSU

- **Funding for Affordable Access \$2M (FY21) and \$2M (FY22)**
- **Funding for VCAN \$1.7M (FY21) and \$4.8M (FY22)**
- **Funding for ODU/NSU Joint School of Public Health \$2.5M (FY22)**
- **Funding for Pre-School Academy Renovation Project \$1.2M (FY22)**
- **Retained Funding for IT Infrastructure \$4.5M (FY22)**

2021 Legislative Update

Selected Higher Education Bills

- HB2120 Public governing boards
 - Requires the governing board of each public institution to establish and maintain on the institutions website a listing of all board members, committee assignments, appointment dates, schedule of meetings and instructions for public access to meetings.
- HB1930 Admissions applications criminal history questions
 - Eliminates question on initial application for admission.
- HB2123 Student eligibility for in-state tuition
 - Eliminates citizenship or immigration status as criteria for eligibility for in-state tuition rates and financial assistance for students who meet criteria for in-state status.
- HB2031 Facial recognition technology
 - Prohibits campus police department currently using facial recognition technology
 - from continuing to use such technology without authorization from local ordinance or
 - Board of visitors after 7/1/21.
 -
- HB2001 State Building Standards
 - Energy efficiency and carbon emissions standards and electric vehicle charging infrastructure must be included in new buildings or renovations for structures greater than 5,000 square feet.

CARES Act Allocations

The Coronavirus Aid, Relief, and Economic Security (CARES) Act provides direct funding to institutions of higher education to help mitigate financial losses sustained as a result of COVID-19. NSU has received the following allocations under CARES' Higher Education Emergency Relief Fund and the Coronavirus Response and Relief Supplemental Appropriation Act.

Program Name	Allocation	Intended Use
CARES Act Higher Education Emergency Relief Fund/Student Aid	\$ 3,450,858	NSU distributed \$1,490,852 to 4,372 students who met the eligibility requirements from the spring 2020 semester and, as of September 30, 2020, distributed \$1,960,006 to 3,588 fall 2020 registered students from the spring 2020 eligibility list.
CARES Act Higher Education Emergency Relief Fund/Institutional Aid	\$ 3,450,857	Used to recover cost associated with student housing, dining and parking refunds
CARES Act Higher Education Emergency Relief Fund/Historically Black Colleges and Universities	\$ 13,425,519	Used \$1.4 million for NSU laptop loaner imitative for new and returning students. The remaining will be used to reimburse operational cost and reimbursement of expenses within Auxiliary Enterprises
Governor's Emergency Education Coronavirus Relief Fund (CRF)	\$ 3,138,480	Used \$732,008 was used to COVID-19 testing and contact tracing; \$982,166 was used to facilitate distance learning, including purchasing laptops and iPad; \$838,883 was used for personal protective equipment; \$534,392 was used for janitorial contracted staff; and \$51,031 was used for housing support.
Higher Education Emergency Relief Fund II - Coronavirus Response and Relief Supplemental Appropriation (CRRSA) /Student Aid	\$ 3,450,858	Unlike the CARES Act, the CRRSAA requires that institutions prioritize students with exceptional need, such as students who receive Pell Grants, in awarding financial aid grants to students. However, students do not need to be only Pell recipients or students who are eligible for Pell grants. In addition, the CRRSAA explicitly provides that financial aid grants to students may be provided to students exclusively enrolled in distance education. Funds will be distributed to students enrolled in the Spring 2021 semester meeting the eligibility requirements.
Higher Education Emergency Relief Fund II - Coronavirus Response and Relief Supplemental Appropriation (CRRSA) /Institutional Aid	\$ 8,000,274	Institutions have expanded flexibility in their use of supplemental Institutional Portion funds. Institutions can use funds to defraying expenses associated with coronavirus (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll); carrying out student support activities authorized by the Higher Education Act of 1965, as amended (HEA), that address needs related to coronavirus; and make additional financial aid grants to students.

DIVISION of UNIVERSITY ADVANCEMENT

Mission Statement

To advance the University's mission by:

- ✓ involving constituents and stakeholders in the life of the University;
- ✓ informing constituents of University achievements, priorities, opportunities and challenges;
- ✓ researching, identifying, cultivating and securing support and financial investments in the University;
- ✓ being good stewards of our relationships and resources; and
- ✓ promoting and enhancing the University's stature and image.

FUNDRAISING STATISTICS

Calendar Year	Total Dollars Raised			Total Number of Donors	Total Dollars from Corporations & Foundations
2019	\$4,697,371			4,539	\$1,318,132
	Cash	Pledges	Planned Gifts		
	\$3,829,699	\$470,737	\$396,935		
2020	\$6,020,370			3,845	\$3,838,359
	Cash	Pledges	Planned Gifts		
	\$3,121,779	\$2,898,591	\$0		

FUNDRAISING STATISTICS

Year over year comparison

January 1 – February 15, 2020

Total Raised – \$272,376

- Cash – \$271,085
- Pledges – \$1,291
- Planned (Deferred) Gifts – \$ 0

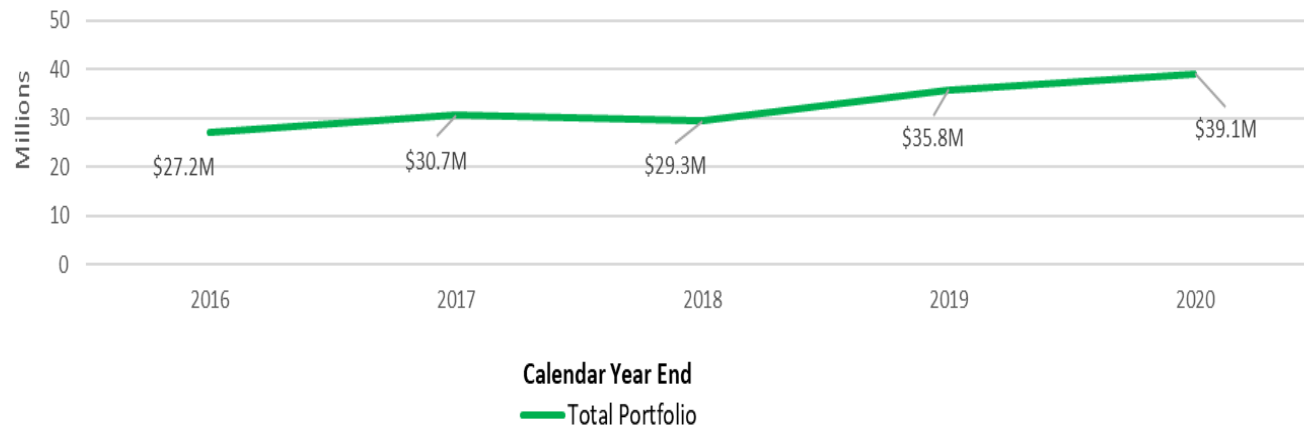
January 1 – February 15, 2021

Total Raised – \$922,397

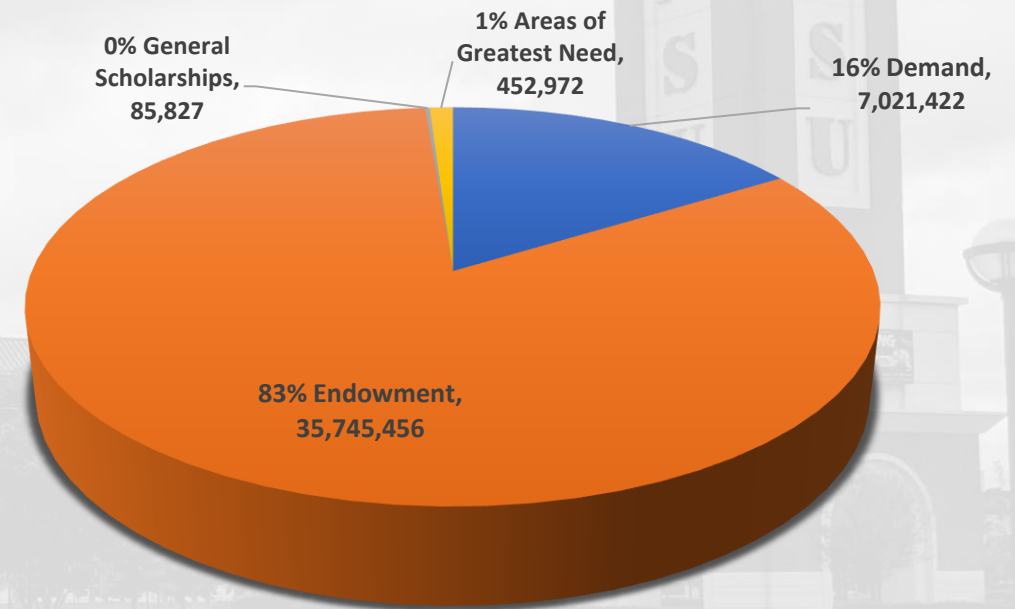
- Cash – \$846,922
- Pledges – \$75,405
- Planned (Deferred) Gifts – \$0

NSU FOUNDATION ENDOWMENT

NSU Foundation, Inc.
Total Endowment Portfolio by Year
(in millions)



NSU Foundation, Inc.
Unaudited Contributions as of December 31, 2020



Total Unaudited Contributions \$43,305,677

CAPITAL CAMPAIGN UPDATES

- ✓ Alexander Haas, Campaign Firm, completed 31 interviews of staff and volunteers to conduct the internal assessment
- ✓ Assessment report delivered to University Advancement in February
- ✓ Alexander Haas to present findings and recommendations to Cabinet in mid-March
- ✓ Campaign Strategy Committee members selected and recruited for study report analysis.
- ✓ Committee Members:

- Mr. Travis Ames
- Mr. and Mrs. Stephen Ballard
- Bishop Kim Brown
- Dr. Tamara Jones

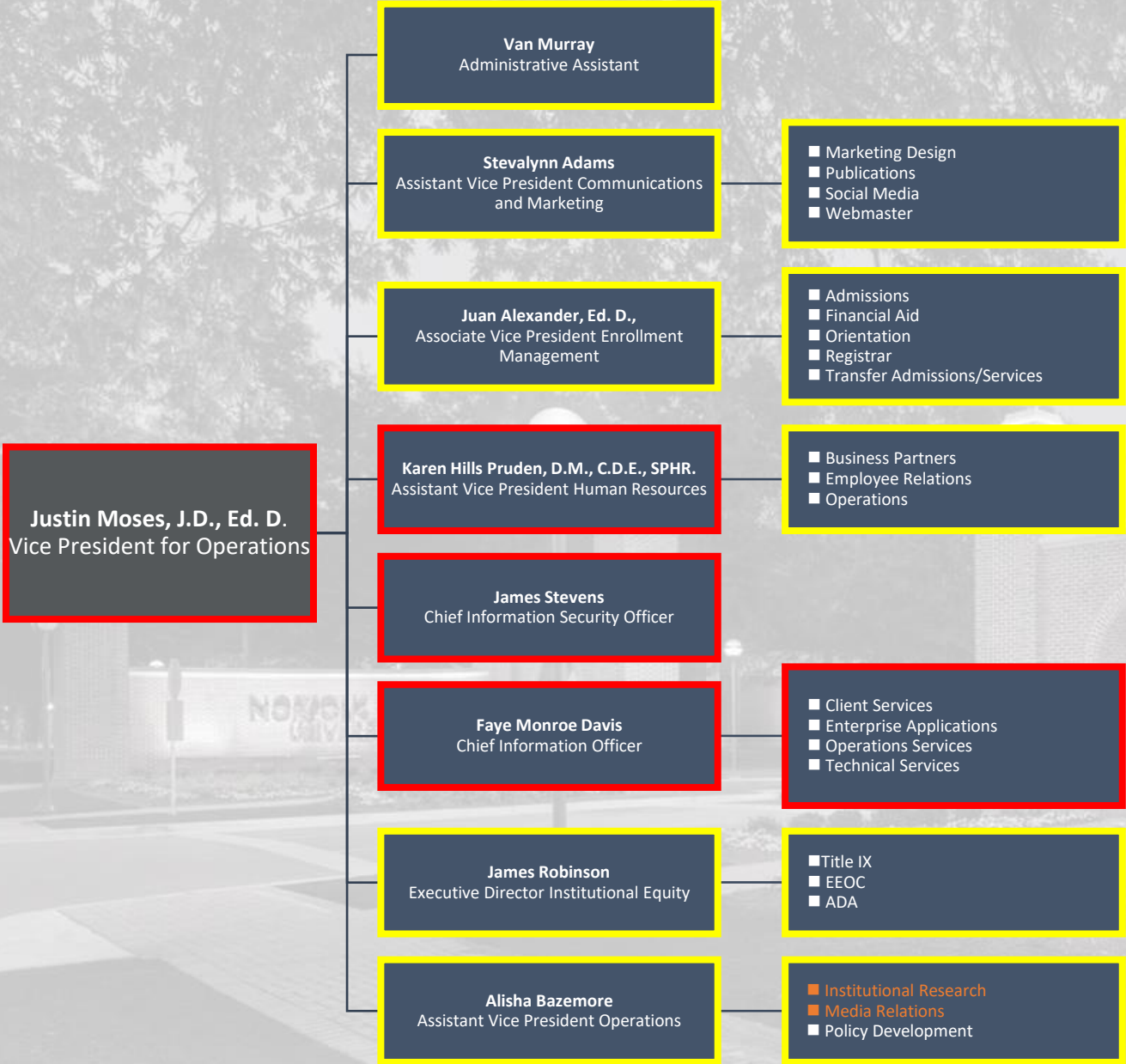
- Dr. Patricia Stith
- Mr. James Squires
- Dr. Ella Ward
- Mayor Kenny Alexander- Honorary Member

NSU FOUNDATION

Memorandum of Understanding

- ✓ The Norfolk State University Foundation completed a revised draft MOU on February 19, 2021.
- ✓ This revised MOU aligns with the current BOV Policy #13 (2015) on University-Related Foundations.
- ✓ The NSU Foundation Bylaws Committee reviewed and provided feedback on the draft MOU on February 26, 2021.
- ✓ A final draft MOU will be submitted to the NSU Foundation full board for review and approval at their March 11, 2021 meeting.
- ✓ Upon NSUF Board approval, the revised MOU will be submitted to the appropriate University and BOV constituents for review and approval.

DIVISION OF OPERATIONS AND INSTITUTIONAL EFFECTIVENESS



Division Overview

The Division of Operations and Institutional Effectiveness is comprised of eight functional administrative areas that provide guidance, communication, and support to incoming students, faculty, and staff. Our central mission is to provide strategic and operational support through the implementation and integration of systems, technologies, and policies that strengthen our operational infrastructure, efficiency, and effectiveness.

DIVISION OF OPERATIONS AND INSTITUTIONAL EFFECTIVENESS

Human Resources Updates

- Staff growth to support the University's academic enterprise, efforts, and human capital
 - Staff has grown by 50 % over the last 18 months
 - Additional staff (+3) to be hired to support training and employee relations and HR operations
- Development and use of automated systems for HR activities for increased efficiency
- Increase in training for faculty and staff regarding employee relations
- Talent acquisition and management

DIVISION OF OPERATIONS AND INSTITUTIONAL EFFECTIVENESS

Human Resources Updates

HR BUSINESS PARTNERS

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Taylor Jeffery
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Natalie Newby
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nnewby@nsu.edu

Natasha McCoy
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nmmccoy@nsu.edu

- Audit
- Finance and Administration
- Housing and Residence Life
- Human Resources
- General Counsel
- Marketing and Communication
- Office of the President
- School of Business
- School of Education

- Dean of Students
- Office of Information Technology
- Office of the Provost
- School of Social Work
- Student Activities and Leadership
- University Police

- College of Science, Engineering, and Technology
- Enrollment Management
- Institutional Equity
- University Advancement

- Athletics
- Career Services
- College of Liberal Arts
- Military Services and Veteran's Affairs
- Student Advocacy
- Student Center
- Student Support Services

- University Counseling Services
- Facilities Management
- Graduate Studies and Research
- Honors College
- Office of Accessibility Services and International Student Services

DIVISION OF OPERATIONS AND INSTITUTIONAL EFFECTIVENESS

Information Technology Update

- Comprehensive planning for future growth
- Wireless network upgrades
- Increased collaboration with departments for system creation, acquisition, integration, and implementation
- Level II Authority designation
- Technology asset and software cycling
- Right-sizing the OIT infrastructure



DIVISION OF OPERATIONS AND INSTITUTIONAL EFFECTIVENESS

Information Security Update

- Policy creation and implementation
- Risk and cyber threat reduction
- Training and education for the university community regarding information and data security
- Data security measures
- Planning metrics for future activity and systems acquisition



NORFOLK STATE UNIVERSITY

700 Park Avenue | Norfolk, VA 23504

www.nsu.edu



AGENDA
BOARD OF VISITORS
ACADEMIC AND STUDENT AFFAIRS COMMITTEE MEETING
Thursday, March 18, 2021
Mary L. Blunt, Chair
1:00 p.m. to 2:30 p.m.

Electronic Meeting Participation

See information on page 2 of the agenda

- I. Call to Order/Establish Quorum
- II. Discussion Items
 - a. Academic & Student Affairs Committee Charter Review Mary L. Blunt (Chair)
 - b. Revisions to the Teaching Faculty Handbook Dr. DoVeanna Fulton
 - c. Academic Programs Portfolio Dr. DoVeanna Fulton
 - d. Enrollment Management Strategies Dr. Justin Moses
 - e. Reports
 - a. Faculty Senate Report Dr. Ashley Haines
 - b. Student Government Report Jeremiah O'Bryant
- III. Action Item
 - a. ***Motion to Recommend Approval of Revisions to the Teaching Faculty Handbook to the Full Board***
- IV. Public Comment
- V. Adjournment

BREAK – 30 Minutes

Academic and Student Affairs Committee

Mary L. Blunt, Chair

BK Fulton

Larry A. Griffith

Devon M. Henry

Tamara M. Jones, MD

Dr. Harry L. Watkins

Staff:

Dr. DoVeanna S. Fulton, Provost and VP for Academic Affairs

Dr. Leonard E. Brown, VP for Student Affairs

Dr. Justin L. Moses, VP for Operations & Chief Strategist for Institutional Effectiveness

Melody Webb, Athletics Director

The President participates in all Committee meetings

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

Page 1 of 2

NSU BOARD OF VISITORS

Academic and Student Affairs Committee Meeting (*continued*)

Thursday, March 18, 2021

The Norfolk State University Board of Visitors Academic and Student Affairs Committee will meet March 18, 2021. Pursuant to [Executive Amendment 28 to HB29 \(2020\)](#), the Committee will meet by electronic communication means, without a quorum and without any Board member physically assembled at one location.

The meeting will be held in open and closed session via the Zoom Webinar app. The open session of the meeting can be accessed through the app using the following link to register:

March 18, 2021 https://nsu-edu.zoom.us/webinar/register/WN_6Hrk4FQeREe-00lpGI-6wA

Registering will allow participants to attend virtually or by phone. Information on public comment is provided on the registration form. Public comment should address only the items listed on the agenda.

If you require assistance with registering, or if there is any interruption in the broadcast of the meeting, please contact (atallbritton@nsu.edu 757-823-8676).

A recording of the meeting will be posted to the Board of Visitors website following the meeting.

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

Page 2 of 2



NSU B.O.V. Meeting

Academic and Student Affairs Committee
March 18, 2021

AGENDA

- Academic & Student Affairs Committee Charter Review
- Revisions to the Teaching Faculty Handbook
- Academic Program Portfolio
- Enrollment Management Strategies
- **Faculty Senate Report**
- **Student Government Report**

ACADEMIC AND STUDENT AFFAIRS COMMITTEE CHARTER

Purpose and Definition:

The Academic and Student Affairs Committee focuses on student success from recruitment to graduation, including coordinating with the Strategic Finance Committee to ensure that adequate resources are budgeted for that mission; works with the Provost and Faculty leadership to ensure compliance with shared governance priorities, including faculty tenure, and faculty and staff opportunity; and continually assesses the quality of student life, including identifying, in conjunction with the Strategic Finance Committee, the provision of adequate financial resources to assure a high quality student life.

Responsibilities:

The committee serves to:

1. Advise the Board regarding major changes to the academic programs of the University, including degree approval, merger or closure of degree programs, schools, or colleges within the University.
2. Review and approve faculty tenure and promotion recommendations for Board approval.
3. Review Board level policies related to faculty and student affairs for Board approval.
4. Review the assessment of strategic enrollment, student success, student well-being, and student engagement strategies.
5. Review the assessment of student-athlete development, measured by academic achievement, student-athlete wellness, and graduation.
6. Review shared governance structure to ensure adherence to University policy.
7. Review the University's plan for sustainable and strategic funding model for academic and student affairs related matters.

Composition:

The committee will consist of no fewer than four members of the Board appointed by the Rector of the Board annually. The chair of the Academic and Student Affairs Committee shall be appointed by the Rector of the Board. The Committee is staffed by the Provost and Vice President for Academic Affairs, the Vice President for Student Affairs, the Vice President for Operations and Chief Strategist for Institutional Effectiveness, and the Athletics Director.

Meetings:

The Chair of the Committee, in collaboration with the staff designee, shall be responsible for establishing the agendas for meetings of the Committee. An agenda, together with relevant materials, shall be sent to the Committee members three weeks in advance of each meeting. Minutes for all meetings shall be prepared in draft form by the staff designee and reviewed by the Chair and shall be approved by the Committee members at the following meeting. The Committee will meet at least four times annually. Additional meetings may occur more frequently as circumstances warrant. All actions by the Committee will be reported to the Board at the next regularly scheduled Board meeting.

SUMMARY OF REVISIONS TO THE TEACHING FACULTY HANDBOOK

Overview of Revisions



Section 2.2.3 Department Chairs and Section 3.2.2 Appointment of Department Chair:

- “Department chairs, notwithstanding their administrative responsibilities and duties, are considered full-time teaching faculty” was modified to “**Department chairs are teaching faculty with temporary administrative responsibilities**” for a more accurate description of their role and to be consistent with the definition in the *Administrative and Professional Faculty Handbook*.

Section 3.4 Academic Ranks, Section 3.5 Promotion, and Section 3.6 Tenure:

- For all ranks under these sections, the phrase in red was added to “(or a related discipline as justified by the department chair and approved by the dean **at the time of hiring**)” because certification of faculty credentials takes place at the time of hiring and should not change with every new department chair, dean, or other administrator.

SUMMARY OF REVISIONS TO THE TEACHING FACULTY HANDBOOK (Continued)

Section 3.5.3 Application Process for Promotion and Section 3.6.3 Application Process for Tenure:

- Incorporated 2020 Board Resolution to Approve Amendments to the Teaching Faculty Handbook
 - Composition of Tenure and Promotion Review Committee
 - Accessibility of application materials for reviewers
 - Department chair or dean applicants promotion
 - Separate Review and Recommendations by Tenure and Promotion Review Committee, Department Chair, Dean, University Review Committee, and Provost
- Added specific date when their tenure and/or promotion application review will be completed by the Provost:
 - “The Provost sends the tenure and promotion documents, along with a recommendation and justification, to the President. The Provost forwards a copy of the recommendation and justification to the faculty member on or before April 30 of each year.”

Section 3.6.3.1 Mid-Tenure-Track Review:

- This section was moved from Section 3.3.2 Tenure-Track (Probationary) to Section 3.6.3 Application Process for Tenure because it is part of the tenure application process and to make it easier to locate in the Handbook.

SUMMARY OF REVISIONS TO THE TEACHING FACULTY HANDBOOK (Continued)

Section 4.2 Academic Freedom and Responsibilities:

- The following phrases in red were added to ensure that faculty do not accidentally speak on behalf of the university without prior authorization:
- “Faculty members should avoid **using the name of Norfolk State University (NSU) or** expressing their personal views on university letterhead or via the university’s electronic means of communication **without express approval from the NSU Office of Communications and Marketing.**”

Section 6.1.1 Annual Review Process:

- The procedures for annual review were moved to this section because they apply to all parts of the portfolio, not just teaching. Previously, it was located under Section 6.1.2.1 Category I: Teaching.

SUMMARY OF REVISIONS TO THE TEACHING FACULTY HANDBOOK (Continued)

Section 8.7 Faculty Grievance Procedure:

- In this section, the definition of “**administrative officer**” was added for clarity.
- All dates within this section were converted to “**working days**” for consistency.

Section 8.7.1.1 Composition of the Committee and Section 8.7.1.2 Elections and Terms of Service:

- These two sections were moved up to improve clarity in the Grievance section.

Section 8.7.2 Faculty Grievance Procedure (Initial Step):

- The following statement in red was added to ensure the grievant receives the meeting minutes and a signed initial step form from the administrative officer: “**The grievant shall receive a copy the signed initial step form including the minutes from the meeting no later than three (3) working days after the meeting.**”

Section 8.7.3 Faculty Grievance Procedure (Second Step):

- Items were reorganized and statements were added to ensure that the faculty member submits a properly organized document for the Grievance Committee to review.

Section 8.7.4.2 Procedures of the Hearing Panel:

- Items were reorganized for better placement in the process.

Section 8.7.3 Faculty Grievance Procedure (Second Step) and Section 8.7.4.2 Procedures of the Hearing Panel:

- Graphic organizers were added at the end of each section to summarize the timeline for each process.

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Teaching Faculty Handbook

~~June 8, 2018~~

March 19, 2021

Commented [MR1]: Added new date of proposed Handbook

This document is intended to adhere to all state and federal statutes and regulations, State Council of Higher Education for Virginia (SCHEV) guidelines, and other requirements of the Commonwealth of Virginia and the Norfolk State University Board of Visitors.

The current version, as amended, is posted on the University's website.

Norfolk State University is committed to the policy that all persons will have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation, as required by law.

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SECTION I. BACKGROUND

1.1 FOREWORD

Norfolk State University offers students one of the best educational values in the Commonwealth of Virginia. It provides many academic opportunities to prepare students for their future. The university has five (5) academic colleges/schools and forty-nine (49) degree programs.

Norfolk State University derives its degree-granting authority from the Commonwealth of Virginia through its Board of Visitors (BOV). The BOV confers degrees as authorized by the *Code of Virginia* (§ 23.1-1902(C)) and Board of Visitors Bylaws (§ 2.01). NSU's degree-granting authority is regulated by the State Council of Higher Education for Virginia (SCHEV), which is authorized by the *Code of Virginia* to review and approve or not approve all new academic programs which any public institution of higher education proposes, including both undergraduate and graduate programs (*Code of Virginia* § 23.1-203). All NSU degree programs have been approved by SCHEV and are published on SCHEV's degree inventory website.

1.2 HISTORY

Norfolk State University was founded in 1935 in the middle of the Great Depression. The institution provided a setting for the youth of the region to give expression to their hopes and aspirations. Five periods of development distinguish the exceptional growth of this noble institution of higher learning.

The First Period extends from 1935 to 1942. On Wednesday, September 18, 1935, the Norfolk Unit of Virginia Union University opened as a two-year junior college on the second floor of the Hunton Branch YMCA Building on Brambleton Avenue with class registration and orientation. Classes began on Monday, September 23, 1935. It was agreed that Virginia Union University at Richmond, Virginia would assume responsibility for the academic credit of the Norfolk Unit but not for its financial operation.

Nearly seven years later in March 1942, the second period began when Norfolk Polytechnic College was chartered to take over the functions and assets of the Norfolk Unit of Virginia Union University. In the spring of 1943, the institution decided to work through the Virginia governor to become a part of the state system of higher education. The State Board of Education, the governing body of Virginia State College, was directed by an Act of the General Assembly on February 29, 1944, to establish and operate in Norfolk a division of Virginia State College.

During the third period in the development of the institution, 1944 to 1969, the Norfolk Division of Virginia State College pursued an expanded mission and through an Act of

the Virginia General Assembly, became a degree-granting institution, offering its first bachelor's degree in 1956.

On February 1, 1969, upon authorization by the Governor and the General Assembly, the Norfolk Division of Virginia State College became the independent Norfolk State College, a four-year, degree-granting institution with its own Board of Visitors, its own President, and its own proud tradition of rendering quality service to its students, the community, and the Commonwealth. The fourth period of development lasted from 1969 to 1979.

Subsequent legislative acts designated the institution as a university and authorized the granting of graduate degrees. On July 1, 1979, by an act of the General Assembly, Norfolk State College became Norfolk State University, marking the fifth period of development. NSU's five colleges and schools include business, education, liberal arts, science, engineering and technology, and social work. Degree programs are offered at the doctoral, master's, baccalaureate, and associate levels. The faculty, staff, students, and alumni are actively engaged with surrounding communities in volunteer and civic efforts to enhance the quality of life for the citizens of the Commonwealth of Virginia.

A History of Leadership

Mr. Samuel Fischer Scott, First Director
Dr. Lyman Beecher Brooks, First President
Dr. Harrison B. Wilson, Second President
Dr. Marie V. McDemmond, Third President
Dr. Carolyn W. Meyers, Fourth President
Dr. Tony K. Atwater, Fifth President
Mr. Eddie N. Moore, Jr., Sixth President
Dr. Javaune Adams-Gaston, Seventh President

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1.3 MISSION

Norfolk State University is a public, urban, comprehensive university offering programs at the undergraduate and graduate levels. Founded in 1935, Norfolk State University espouses the tradition of service to its students, its alumni, the academy, the Commonwealth of Virginia, the nation, and the world.

To this end, Norfolk State University is committed to the following ideals:

- High-quality academic preparation of its students so that they will contribute to a global and rapidly changing society.
- Broad involvement of its faculty in teaching, research, and scholarly activities to

solve human problems and create new knowledge and commerce for the common good.

- Continued cultivation of a culture focused on concern for the aesthetic, social, economic, and environmental welfare of fellow human beings.
- Sustained efforts to develop and utilize rapidly advancing technologies for the education of its students and the management of the university.

1.4 MISSION STATEMENT

Norfolk State University, a comprehensive urban public institution, is committed to transforming students' lives through exemplary teaching, research, and service.

Offering a supportive academic and culturally diverse environment for all, the university empowers its students to turn their aspirations into reality and achieve their full potential as well-rounded, resourceful citizens and leaders for the 21st century.

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1.5 VISION STATEMENT

Norfolk State University will be recognized nationally as a premier public institution with outstanding signature academic programs, innovative research, and community engagement opportunities.

1.6 CORE VALUES

Norfolk State University's strength lies in its value system. These core values embody the principles, ideals, and beliefs of our students, faculty, staff, and Board of Visitors. They form the foundation for our actions and reflect what is important to us as members of the Norfolk State University community.

1. **Excellence:** We are dedicated to fostering a culture of excellence in all facets of the University through the highest educational standards for student achievement, stellar faculty teaching, innovative research, dedicated service, and creative co-curricular activities.
2. **Student-Centered:** Students are our top priority, and we are committed to helping them become globally competitive in an enriching, stimulating, and supportive environment.
3. **Diversity & Inclusiveness:** We foster a multicultural campus respecting all people, cultures, ideas, beliefs, identities, socioeconomic backgrounds, and perspectives. We train our students to become leaders in an ever-changing global and multicultural society.
4. **Integrity and Civility:** We expect everyone to be accountable for his or her actions and to engage in honest, ethical behavior. We value the contributions of each person, treating all with respect and civility, and affirm our shared responsibility for institutional success.

5. **Engagement:** We continuously enhance the University's role and influence in affairs of local and global communities by promoting educational attainment, cultural enrichment, and economic development.
6. **Pride:** We display great admiration for the University and its rich history and legacy.
7. **Financial Empowerment:** We aggressively pursue expanded and more diversified revenue streams.

1.7 ACCREDITATION

Norfolk State University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate, baccalaureate, masters, and doctorate degrees. Contact the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Norfolk State University. Colleges/schools and programs are accredited separately and listed in the *Norfolk State University Catalog*.

SECTION II. ADMINISTRATIVE STRUCTURE AND GOVERNANCE

2.1 ADMINISTRATIVE STRUCTURE

The administrative responsibilities and activities of the university are organized under the divisions, offices, and functional and governance structures described below.

2.1.1 Board of Visitors

The Board of Visitors is an executive branch supervisory board responsible for university operations including requests for appropriations as described by § 2.2-2100, *Code of Virginia*. As a public institution, Norfolk State University is accountable to Virginia's taxpayers through institutional direction from its active, informed, and engaged Board.

The Board was established in April 1968 by action of the Virginia General Assembly. The thirteen (13) members of the board are appointed by the governor for a four-year term and may be reappointed for one additional term. The officers of the Board are elected biennially and consist of the Rector, Vice Rector, and Secretary. The faculty and student representatives to the Board of Visitors are non-voting members whose input regarding issues is considered by the Board of Visitors.

2.1.2 President

The President is directly responsible to the Board of Visitors for the administration of the institution. The President is responsible for the preservation and development of the university, and serves as the institution's chief executive officer. The President provides vision and direction for institutional planning, manages the human and financial resources of the university, and makes recommendations to the Board of Visitors regarding the appointment, dismissal, promotion, and salary increases of faculty and non-classified personnel.

The President acts as the primary spokesperson for the University to its many constituencies. He or she facilitates communication with the governor of the Commonwealth, the Virginia General Assembly, state government offices and city officials, the Board of Visitors, alumni, students, faculty and staff, and the public at large and serves as chair of the Executive Council. Because of the breadth and depth of the mission and goals of the institution, the President facilitates the interpretation of policy and ensures overall compliance with state law, regulations, and procedures.

2.1.3 Chief of Staff

The Chief of Staff serves as the senior advisor to the President on university operations and strategic management processes. He or she is also responsible for the administration,

supervision, and management of the Office of the President. The Chief of Staff facilitates communications with the President's Cabinet and other senior leaders in support of presidential decision-making. In addition, the Chief of Staff oversees the university's Human Resources Department and ensures employee welfare.

2.1.4 Executive Advisor to the President and Board of Visitors

The Executive Advisor to the President and Board of Visitors serves as the senior policy, compliance, and governance advisor to the university President and Board of Visitors and is responsible for oversight of the university policymaking and compliance processes, facilitating information sharing between the Administration and NSU Board of Visitors, and staffing the Board of Visitors Bylaws, Policies, and Presidential Evaluation committees. The Executive Advisor leads work related to university strategic planning and completes special projects assigned by the president and governing board.

2.1.5 Provost and Vice President for Academic Affairs

The Provost and Vice President for Academic Affairs (hereafter referred to as Provost) fosters the creation, advancement, and implementation of the academic vision for the university. As chief academic officer, the Provost is responsible for all academic departments, colleges, and programs; the Provost oversees the processes of faculty appointment, development, promotion, tenure, and grievance procedures. The Provost also supervises all academic policies, including the coordination of the academic calendar, the review of all academic units, and the implementation of strategic planning. In all his or her responsibilities, the Provost works to attract and retain a diverse faculty, staff, and student body. The Lyman Beecher Brooks Library, the colleges and schools, the Robert C. Nusbaum Honors College, the Office of Extended Learning, the Academic Council, the Graduate Council, the University Curriculum Committee, and the General Education Council report to the Provost.

The Provost and the Vice President for Finance and Administration manage the annual university-wide budget process, working closely with the other vice presidents, deans, faculty, staff, and student leadership. As part of the president's leadership team, the Provost participates in all major decisions affecting the campus. The Provost may appoint vice provosts and associate vice provosts to assist with duties and responsibilities as assigned. The Provost's staff generally consists of the Vice Provost for Academic Effectiveness (who provides support in the areas related to accreditation, assessment, institutional research, testing, etc.), the Associate Vice Provost for Academic Engagement (who provides support in the areas related to academic formation and student pathways, the Patricia Lynch Stith Student Success Center, academic personnel hiring, student judiciary, etc.), and additional associate vice provosts who provide support in the areas of accreditation reaffirmation, curriculum management, etc.

2.1.6 Vice President of University Advancement

The Vice President for University Advancement (VPUA) is responsible for planning and initiating programs intended to foster the cultivation of the university's constituents and for carrying out activities intended to encourage voluntary support by those constituents. The VPUA is responsible for the management of all gifts and non- research grants. This office encourages and facilitates efforts to secure grants and gifts for the benefit of the university. Under the direction of the Vice President for Advancement are several broad areas of responsibility, including events planning, development, alumni relations, marketing, media relations, and annual giving.

2.1.7 Vice President for Finance and Administration

The Vice President for Finance and Administration (VPFA) is the chief fiscal officer for the university and is responsible to the President for the proper administration and coordination of all phases of business activity of the university. The university's VPFA is responsible for establishing and maintaining current financial policies and procedures as well as capital and infrastructure improvements for all units, divisions, and departments of the university. The VPFA provides leadership and oversight for key financial and business functions serving a wide range of customers within the university. The offices of the Controller, Procurement Services, Information Technology Services, Planning and Budget, Risk Management, Auxiliary Enterprises, Bursar, Physical Plant, and University Police report to the VPFA.

2.1.8 Vice President for Student Affairs and Enrollment Management

The Vice President for Student Affairs and Enrollment Management (VPSA) is the chief student affairs officer and is responsible for the development, administration, management, and coordination of a university environment conducive to the positive educational and personal growth of students. The VPSA is directly responsible for admissions, career services, counseling, financial aid, housing and residence life, military services and veterans affairs, accessibility services/international student services (OASIS), Spartan health center, student activities and leadership, student advocacy and new student orientation, student center, and student support services.

The VPSA and staff work cooperatively with students, design programs and services to meet the needs of students, and ensure that their interests and concerns are considered in the decisions that affect the quality of student life.

2.1.9 Executive Director of Planning and Budget

The Executive Director of Planning and Budget is the chief planning and budget officer for the university. Responsibilities include the examination and reporting of data related to students, faculty, staff, operations, personnel, facilities, equipment programs, services,

and fiscal resources. The Executive Director conducts and publishes appropriate studies and analysis generated through the budget, research and evaluation process in order to assist in the development of short- and long-range goals related to all facets of financial and program planning. He or she conducts timely analyses of data and report information to disseminate to internal and external constituents. These responsibilities are executed with a team of competent, motivated, and well-trained staff.

2.1.10 University Counsel and Senior Assistant Attorney General

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In accordance with Section 2.1-121 of the *Code of Virginia*, the Attorney General's Office of the Commonwealth of Virginia must provide all state agencies with necessary legal services. The University Counsel provides legal services in civil matters for the institution and the Board of Visitors and conducts or supervises all civil litigation in which they are interested.

The University Counsel obtains approval from the Attorney General in advance of filing any court actions on behalf of the university and provides to the Education Section of the Attorney General's office a copy of all court complaints, petitions, or motions for judgment filed against the university.

As University Counsel, the Senior Assistant-Attorney General attends meetings of the Board of Visitors and other official functions or meetings as requested by the governing board, University officials, or the Office of the Attorney General. The University Counsel is housed in the Office of the President.

2.1.11 Athletics Director

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The intercollegiate athletics program is administered under the direction of the Athletics Director, who reports to the President of the university. The Athletics Director is responsible for providing the leadership, management, and coordination of fifteen NCAA Division I intercollegiate varsity sports. The Athletics Director provides leadership and oversight for key financial and business functions to include, personnel, budget, compliance, athletic fundraising, and facility and event management. The Athletics Director and staff work cooperatively to empower student-athletes to maximize their talents both academically and athletically in order to prepare them for life beyond athletics. The intercollegiate athletics program operates under the auspices of the National Collegiate Athletic Association (NCAA) and the Mid-Eastern Athletic Conference (MEAC).

2.1.12 Chief Audit Executive

The purpose of Internal Audit is to provide independent and objective assurance,

advisory and investigative services designed to add value, improve internal controls and strengthen the university's operations. It helps the university accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. The mission of Internal Audit, as defined by the Institute of Internal Auditors, is to enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight into the university's financial, operational and informational systems. The Chief Audit Executive assists executive management and the Board of Visitors by developing and directing a comprehensive internal audit program of complex academic, financial, and information technology operations and programs.

The Chief Audit Executive directs administrative functions of the Internal Audit Department, monitors all Internal Audit activities, and performs audits of compliance, financial, performance, and information systems.

The Chief Audit Executive will periodically report to senior management and the Board on the following:

- The internal audit activity's purpose, authority, and responsibility, as well as performance relative to its plan. Reporting will also include significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by senior management, the Audit Committee or the Board.
- The internal audit activity's conformance to the IIA Code of Ethics and the Standards.
- Significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by senior management, the Audit Committee or the Board.
- Results of audit engagements or other activities.

2.2 ORGANIZATION OF COLLEGES, SCHOOLS, AND ACADEMIC DEPARTMENTS

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2.2.1 Deans

Deans report to the Provost and are accountable to the Provost and to the faculty within the college or school they serve. Deans are responsible for the administrative and academic leadership of their respective colleges or schools and for management and oversight of the instructional programs. Specifically, they ensure that faculty exercise academic responsibility, enjoy academic freedom, engage in appropriate peer and student evaluations, and have adequate resources and professional development opportunities. Deans also review departmental recommendations for appointment, renewal, promotion, tenure, termination, and dismissal. Deans submit such recommendations to the Provost. Deans also supervise department chairs within their

colleges or schools.

Deans must hold the highest rank in a discipline within their college or school and must have demonstrated outstanding accomplishments in teaching, scholarship, grantsmanship, and service, or equivalent professional accomplishments before their appointment.

Deans are administrative faculty. All deans are appointed by the Provost, following the processes as described in section 3.2.7 and section 5.1. The President must concur with appointments of deans, and deans must be eligible for appointment as teaching or research faculty at the highest academic rank. Deans will be evaluated annually by the Provost. The annual evaluation of the dean will include evaluations by full-time faculty in each college/school.

2.2.2 Associate/Assistant Deans

Associate/assistant deans in the academic division support the deans in all matters related to management and oversight of the instructional programs within the respective colleges/schools. Associate/assistant deans are tenured faculty within the college/school and are appointed by the dean and approved by the Provost. The qualifications and experience of the associate/assistant dean must complement those of the dean. Associate/assistant deans will be evaluated annually by the dean of the college/school. The annual evaluation of the associate/assistant deans will include evaluations by full-time faculty in each college/school.

2.2.3 Department Chairs

Department chairs report to deans and are accountable to faculty for the proper conduct of their departments. Chairs are responsible for the proper management and oversight of all activities related to instruction, student learning, and academic advisement within the academic department. Academic departments are administrative units established to manage the resources associated with the programs under their jurisdiction.

Department chairs are teaching faculty with temporary administrative responsibilities.
~~Department chairs, notwithstanding their administrative responsibilities and duties, are considered full-time teaching faculty.~~

~~Department~~ chairs have the opportunity for the closest professional contact with faculty. As such, they have a basic responsibility for the quality of instruction, research, professional progress of staff, curriculum development, recruitment, departmental budget preparation and management, and administrative tasks required to process data connected with instruction. Responsibilities of department chairs include assigning faculty course schedules (with faculty input), maintaining student records in the departments, supervising academic counseling of students, directing instructional and

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program assessment, and developing the faculty input for long-range and annual reports essential for departmental health and growth. Copies of these reports will be available for review by faculty.

Department chairs will be evaluated annually by the college/school dean based on the evaluations from full-time faculty in the department within the respective college/school.

2.2.4 Center Directors and Undergraduate/Graduate Program Coordinators

Center directors or program coordinators have responsibility for the operational functioning and administrative oversight of their units to include, at a minimum, many management-related tasks of department chairs. The department chair and dean retain responsibility for the content of courses, learning outcomes, academic advisement, faculty qualifications and assignment, and integrity of the curriculum for all academic courses and programs offered in conjunction with the centers.

2.2.4.1 Center Directors

Center directors operate under the auspices of academic colleges or schools and report to the dean of the college or school under whose supervision the unit operates. Directors not under the auspices of a college or school shall report to the Office of the Provost and Vice President for Academic Affairs.

2.2.4.2 Undergraduate Program Coordinators

Undergraduate program coordinators operate under the auspices of academic departments and report to the department chair. Program coordinators may be 9-month or 12-month employees and are responsible for developing and maintaining the quality of curricula. Coordinators must possess teaching and advising experience.

Appointment as a coordinator is an academic assignment. Coordinators shall receive an adjusted workload of one (1) course reduction per semester. Teaching loads for coordinators of programs that do not meet SCHEV program viability and SACSCOC requirements may be adjusted.

Responsibilities of coordinators include, but are not limited to, the following:

- Assist in the completion of the annual assessment report.
- Assist in the maintenance of program and student records.
- Assist with inquiries and communication with prospective students.
- Assist with student petitions and appeals.
- Lead program planning and curriculum development.

- Provide initial student advising and track all students in the program.
- Serve as a liaison with potential employers.
- Serve as chair of the program undergraduate committee.
- Supervise and coordinate the undergraduate program with the department chair for all undergraduate programs.
- Support marketing and recruitment efforts for the undergraduate program.
- Write and maintain catalog copy for the undergraduate program.

2.2.4.3 Graduate Program Coordinators

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Graduate program coordinators operate under the auspices of academic departments and report to the department chair. Program coordinators may be 9-month or 12-month employees.

Graduate coordinators are responsible for developing and maintaining the quality of curricula. Coordinators must possess teaching, research, and advising experience. Appointment as a coordinator is an academic assignment. Coordinators shall receive an adjusted workload of one (1) course reduction per semester. Teaching loads for coordinators of programs that do not meet SCHEV program viability and SACSCOC requirements may be adjusted.

Responsibilities of coordinators may include, but are not limited to, the following:

- Assist in the completion of the annual assessment report.
- Assist in the maintenance of program and student records.
- Assist with inquiries and communication with prospective students.
- Assist with student petitions and appeals.
- Coordinate procedures for admission or denial of graduate program applicants.
- Lead program planning and curriculum development.
- Provide initial student advising and track all students in the program.
- Serve as a liaison with potential employers.
- Serve as chair of the program graduate committee.
- Serve as liaison to the School of Graduate Studies and Research to remain current on policies and procedures.
- Supervise and coordinate the graduate program with the department chair for all graduate programs.
- Support marketing and recruitment efforts for the graduate program.
- Write and maintain catalog copy for the graduate program.

The above responsibilities shall serve to support graduate programs. Additional responsibility for performing other academic duties may be required or requested by the dean of the School of Graduate Studies and Research, department chair, college/school

dean, or Provost.

Assignments to Graduate Coordinator shall be made in accordance with departmental and/or school procedures. All assignments must be confirmed by the department chair (for programs in departments), college/school dean, and dean of the School of Graduate Studies and Research. Graduate Coordinators/Directors are evaluated annually by department chairs or the appropriate administrator.

2.3 GOVERNANCE

The university recognizes the need for the combined participation of the administration, faculty, staff, and students in the efficient management of the internal affairs of the institution. The President's Executive Cabinet, Expanded Cabinet, Executive Council, Faculty Senate, Graduate Council, university-wide Curriculum Committee, General Education Council, Academic Deans Council, and Student Government Association provide essential input into internal policymaking by the university.

2.3.1 The President's Executive Cabinet

The President's Executive Cabinet is comprised of administrators and professionals who directly report to the President and, in general, have line authority over operating divisions or units of the university. The President's Executive Cabinet is an advisory body to the President. It assists in the development of policies and procedures pertaining to the administration of the university. The cabinet is chaired by the President or a designee and generally meets weekly. As members of the senior management team, University Counsel and the Chief Audit executive serve *ex-officio* members of the cabinet.

2.3.2 The President's Expanded Cabinet

The President's Expanded Cabinet generally meets monthly and includes the President's Executive Cabinet, senior administrators as designated by the President, and President of the Faculty Senate or designee. The President's Expanded Cabinet is an advisory body to the President designed to ensure university-wide discussion of policies, procedures, and activities. It is chaired by the President or a designee and generally meets the last Wednesday of each month.

2.3.3 The Executive Council

The Executive Council recommends policy and serves as an advisory group to the President of the university. The Council provides a means of communication among the administrative offices of the university, faculty, and students by bringing together leaders of the university community to consider and review significant matters. The Executive

Council is a body composed of five administrators, five faculty members, five staff members, and five students. The administrators, appointed by the President, generally include the five Vice Presidents. The President appoints five staff members based upon their expertise on the subject under consideration. The Faculty Senate elects four faculty representatives who serve for two years with overlapping terms. The President of the Faculty Senate serves as the faculty's fifth representative. The Student Government Association selects the five student members for a one-year term. The President of the university chairs the Executive Council.

2.3.4 The Faculty Senate

The Faculty Senate is a part of the governing structure of the university and embodies its commitment to shared governance. The Faculty Senate provides input into the university's internal policymaking, along with the President's Executive Cabinet, Expanded Cabinet, Executive Council, Graduate Council, General Education Council, university-wide Curriculum Committee, Academic Deans Council, and Student Government Association.

The Faculty Senate is the representative unit of the university faculty and has as its primary responsibility the educational mission of the university, the consideration and review of matters of import to that mission, the effective advocacy of the faculty's interests, and the deliberate expression of its positions on matters related to the university. The Senate provides input into decisions related to curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life that relate to the educational process.

As the representative group of the general faculty, the Faculty Senate's major functions are as follows:

- Make recommendations to the administration in the area of faculty welfare, including tenure, promotions, fringe benefits, and other matters of general faculty concern.
- Review and make recommendations on all proposed changes to the *Teaching Faculty Handbook*.
- Review and make recommendations on all proposed policy changes that involve faculty affairs.
- Review and make recommendations on all proposed policy changes which involve university matters generally and academic matters in particular.
- Serve as a channel through which faculty opinion may be identified and communicated to the administration.
- Work and have policy input with the administration in the area of academic affairs, including admission standards, curriculum, and academic freedom.

Each department is granted representation based on the following guidelines as adopted by the Norfolk State University Faculty Senate on August 15, 2015:

Number of Full-Time Faculty in Department	Number of Representatives
1 – 15	1
16 – 35	2
36 – 59	3
60 – Above	4

For Faculty Senate membership rules, see Faculty Senate Constitution and By-Laws.

The President of the Faculty Senate or designee is a member of the President's Expanded Cabinet. Moreover, the Faculty Senate holds representative leadership on the Executive Council.

The Faculty Senate also is represented on the Graduate Council, the University Curriculum Committee, General Education Council, and the university-wide Grievance Committee. The Faculty Senate is also tasked with organizing faculty membership on all university-wide committees.

2.3.5 Academic Council

The Academic Council consists of the deans and directors of units within the Office of the Provost and Vice President for Academic Affairs. The purpose of the council is to serve as an advisory group to the Provost. The council, as a part of its responsibility, makes suggestions designed to facilitate the coordination and management of instructional programs.

2.3.6 Graduate Council

The Graduate Council is responsible for planning, developing, and recommending policies, regulations, and procedures for all graduate programs at the university. It also is responsible for reviewing graduate curriculum changes from colleges and schools before University Curriculum Committee review and action. Its aim is to ensure the satisfactory coordination of graduate studies and the maintenance of high-quality graduate instruction. The Graduate Council establishes, with the approval of the Provost and appropriate dean, the criteria for the certification of graduate faculty. The dean of the School of Graduate Studies and Research or designee serves as chair of the Graduate Council.

In addition to the dean of the School of Graduate Studies and Research, membership on

the Graduate Council consists of one representative (i.e., director or coordinator) from each graduate program offered at Norfolk State University, as well as one person from each of the following units: Faculty Senate, Office of the Provost and Vice President for Academic Affairs, Lyman Beecher Brooks Library, Graduate Student Association, and Office of Extended Learning. Provisional membership may be granted to one representative from a program seeking to offer graduate-level courses.

2.3.7 The University Curriculum Committee

The University Curriculum Committee consists of the following voting members:

- three (3) faculty representatives from each academic college,
- two (2) faculty representatives from each academic school,
- two (2) representatives from the Faculty Senate,
- seven (7) deans (two (2) from CSET and COLA colleges, four (4) from BUSN, EDUC, SWRK and GRAD schools, and one (1) from Honors College),
- one (1) chair from the General Education Council,
- one (1) designee from the Office of the Provost and Vice President for Academic Affairs (who votes as tie breaker only).

This committee also includes the following non-voting members:

- one (1) representative from the Registrar's Office,
- one (1) representative from the Library,
- one (1) representative from the University Assessment Advisory Committee,
- one (1) vice provost (responsible for curriculum management).

This committee elects its chair. All proposals for changes to the curriculum in any department, college, or school must be reviewed and approved by this committee. Proposals at the graduate level must be reviewed by the Graduate Council before being reviewed by the University Curriculum Committee. Proposals at the general education level must be reviewed by the General Education Council before being reviewed by the University Curriculum Committee.

2.3.8 General Education Council

The General Education Council's work is extremely important as the campus, led by the faculty, engages in processes to:

- examine the currency of the general education program;
- examine the extent to which the learning experiences are adequately preparing students to meet core competencies (state-mandated in addition to any the

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- faculty may deem to be essential as well);
- examine the extent to which the general education curriculum provides the learning experiences for students to acquire the depth and breadth of knowledge and skills needed, and the alignment between what all graduates (educated persons) at the undergraduate level need to know and be able to do;
- make curricular recommendations as appropriate; and
- move towards preparing for the continuing SACSCOC reaffirmation process which will require documentation of the above and documentation that students know and can do what we think/say they are learning.

The General Education Council shall consist of representatives from all academic schools at Norfolk State University. These representatives shall be the respective associate/assistant dean of each college and school (Business, Education, Liberal Arts, Science, Engineering & Technology, and Social Work) in addition to other representatives such as the Dean of the Robert C. Nusbaum Honors College, the chairperson of the Quality Enhancement Plan, the Director of the Student Pathways and Academic Formation program, a representative from the Faculty Senate, a representative from the Lyman Beecher Brooks Library, and other faculty members who express an interest in participating and who are invited by the chairperson of the General Education Council for the different perspectives they bring to this body. Ex- officio members include a representative from the Office of the Provost and Vice President for Academic Affairs, and a representative from the Office of Institutional Effectiveness and Assessment.

The General Education Council chair will be elected among the council members for a term of two years. Elections will be held on the last meeting of the spring semester prior to the conclusion of the current chair's two-year term. All eligible General Education Council members can be nominated to become chairperson of the council. (30.035: General Education Council By-Laws; Responsible Executive: Provost and Vice President for Academic Affairs; Responsible Office: Provost and Vice President for Academic Affairs' Office; Related Policy: 01.001; Approved-On-Date: April 19, 2007)

2.3.9 University-Wide Committees

University-wide committees at Norfolk State University review and recommend policies and procedures that affect the governance and operation of the university. Committees consist of faculty, staff, students, and in some instances administrators and alumni. The composition of each committee will be consistent with the charge and purpose of the committee. Committee membership is initiated at the Faculty Senate level with final approval by the President of the university. Recommendations for faculty and student committee memberships are made by the Faculty Senate and the Student Government Association, respectively. The committees are to be formed in the fall of each year, and members may serve up to two academic years. Membership may be staggered, as

appropriate. All committees are responsible to the President of the university.

University-wide committees perform vital functions at the university. The university-wide committees' handbook provides information to the university community. It sets forth the composition and general charge of each committee, details its respective functions, and outlines procedures for conducting business. Administrators, faculty and students within the university community volunteer their time and expertise to serve Norfolk State University as committee members.

The Committee on Committees assists the Provost and President with oversight of university-wide committees. The Committee on Committees performs the following:

- Develops and updates the committee handbook, which outlines the charge of each committee, membership composition, and the responsible administrator.
- Monitors committee structure, accountability, and compliance with the university's governance structure.
- Monitors the annual committee appointments and publication of the updated committee membership lists.
- Requests and receives assignments from Faculty Senate, SGA, and other appointing areas.
- Reviews committee structures, relevance, and annual activity reports.
- Updates committee membership lists annually for President's approval and campus-wide distribution.

Appointments to committees should take into consideration faculty preferences. The Faculty Senate, at the beginning of the academic year, will have each faculty member complete a form indicating their three ranked. Faculty will be informed of their committee appointment(s) by October 15.

2.3.10 School and Departmental Committees

School-wide committees should complement university-wide committees, and, in turn, departmental committees should complement school committees.

In light of the critical role of academic units and their faculty in the implementation of administrative policies and procedures especially policies that impact the student experience, support units, such as human resources, accounting, and others, should consult faculty as policies impacting students are developed. These procedures will help to ensure that agents will serve effectively as advocates for students and faculty.

2.3.11 Graduate Student Association

The Graduate Student Association (GSA) is an organization for graduate students. The GSA promotes graduate student participation in institutional decisions that affect them by assigning students to appropriate university-wide standing committees.

2.3.12 Student Government Association

The Student Government Association (SGA) is an organization for undergraduate students. The Association promotes student participation in institutional decisions that affect students by assigning SGA members to appropriate university-wide standing committees.

SECTION III. FACULTY PERSONNEL MATTERS

The academic reputation of the university rests upon the quality and prominence of the faculty, and appointment, promotion, and tenure are at the heart of human resource management in the Office of the Provost and Vice President for Academic Affairs.

Excellence in the recruitment and retention of distinguished faculty is an ongoing goal, and the promotion, tenure, and annual review processes are designed to ensure continued excellence in teaching, scholarship, and service.

3.1 FACULTY APPOINTMENTS

There are two faculty appointment categories at Norfolk State University: (i) tenure/tenure-track and (ii) term. Term faculty appointments include multi-year, adjunct, visiting scholars, clinical, and research.

The primary responsibility for the quality of the educational program rests with the faculty. Department chairs are teaching faculty. Within the teaching and research categories, visiting scholar and professor emeritus status may be granted. Faculty appointments are based on regional and specialized accreditation standards. Faculty appointments are granted on a tenure/tenure-track or term basis.

In exceptional cases where the granting of tenure and/or promotion is desired at the time of the initial appointment for employment, approval must be secured from the departmental search committee, the departmental evaluation committee, department chair, and college or school dean. The Provost makes the final decision for recommendation to the President and Board of Visitors.

Tenure granted by the Board of Visitors to the university President is exempted from the above approval requirements and is also exempted from all the other provisions of this *Teaching Faculty Handbook* so long as the person remains as President.

3.1.1 Teaching Faculty

The primary responsibilities of teaching faculty include instruction, scholarly activities, advising and mentoring students, and professional and university service. Academic rank is assigned based on earned academic credentials, teaching experience, scholarly activity, and professional development and service.

3.1.2 Research Faculty

The primary responsibility of research faculty is to conduct research in an assigned

academic unit in the university. As appropriate, research faculty are to seek and secure research funding and establish and maintain an extensive scholarly record. Other responsibilities may include teaching, advising and mentoring students, and professional development and service. Academic rank is assigned on the basis of earned academic credentials and documented achievement and excellence in research.

3.1.3 Visiting Scholar

The distinction of Visiting Scholar is given to scholars known nationally or internationally for their exemplary teaching, prestigious research, business or political expertise, outstanding community service, or exceptional creativity in the arts. Visiting scholars who receive appointments are intended to provide substantive input into the teaching or research program of a department, college, school, or the university-at-large. These appointments usually extend up to one year but may exceed one year at the discretion of the Provost.

3.1.4 Professor Emerita or Emeritus

The title emerita or emeritus may be awarded by the Board of Visitors to a distinguished, tenured faculty member upon retirement at the rank of professor, with at least 15 years of full-time service to the university. Professors emeriti/ae shall be included in faculty lists, receive invitations to attend appropriate university functions, be considered for appropriate grants by the university research committee, and may continue to use physical facilities, if available, at the university for study and research as approved by the Provost and the President.

3.1.5 Adjunct Faculty (Part-time)

Adjunct faculty render instruction and support services to the university on a semester basis and typically carry less than a full load. Adjunct faculty members do not hold academic rank or tenure.

3.2 DEPARTMENT CHAIR

The elected department chair plays a pivotal role in the day-to-day operations of the department. The chair has the ultimate responsibility of ensuring that all departmental activities are effective and efficient. With faculty consultation, the department chair is expected to articulate the goals of the department and maintain adequate records of implementation and pursuit of set objectives. The chair is responsible for reporting this information to the dean and other administrators. The department chair ensures that academic integrity is maintained in all departmental processes and activities.

3.2.1 Department Chair Roles and Responsibilities

The chair is responsible for the evaluation of both the academic faculty and the staff personnel in the department. The chair makes recommendations on matters including tenure, promotion, merit increases, termination, and appointments. The chair also addresses all complaints, grievances, and suggestions from faculty and students, and takes appropriate action if required.

The responsibilities and duties of the chair include the following:

- Budget development and management, making sure the departmental budget committee prepares the budget in accordance with the university's Strategic Plan and FTE allocations as set forth by the Office of Planning and Budget.
- Compliance with accreditation standards and university, state, and federal regulations.
- Course management, with faculty input, including editing and preparing the course schedules with times and places for classes to meet.
- Curriculum oversight, program review, and program assessment.
- Departmental compliance with university policies and procedures.
- Evaluation of academic faculty and the departmental staff.
- Faculty and staff workload assignment, to include academic advising, teaching schedules, etc.
- Identification of program outcomes, in conjunction with departmental faculty, providing evidence that graduates have attained those outcomes.
- Infusion of technology and other instructional formats into the curriculum.
- Maintaining the personnel records of faculty and staff.
- Other duties as assigned by the dean.
- Oversight of departmental committees to include the departmental evaluation committee.
- Report preparation and submission.
- Reporting to the dean whenever problems cannot be resolved at the departmental level.

3.2.2 Appointment of Department Chair

The tenured and tenure-track faculty of the department shall participate in the election of the department chair in accordance with established criteria described below. As such, they will be defined as the departmental voting faculty. The name of the individual selected shall be submitted for approval by the college or school dean.

Department chairs are teaching faculty with temporary administrative responsibilities and shall serve for one or two consecutive three-year terms. Reappointment to a second term is not automatic, and chairs must be reelected to that position by departmental

Commented [RM4]: Comment from Ashley Haines: Changes made to be consistent with the language in the A&P Faculty Handbook per the suggestion of Dr. Lamiaa Youssef.

voting faculty. Faculty may serve a maximum of two consecutive terms as department chair. The department chair who has served two consecutive terms may be re-elected for another term after someone else serves for at least one term.

In exceptional cases, such as in the absence of an eligible candidate in the department in question, the departmental voting faculty, by majority vote and with an explanation, may petition the Provost for an exception to the maximum length of service.

3.2.3 Procedure for Appointment and Reappointment

When considering an appointment, the following guidelines are to be observed:

- The criteria for department chairs are as follows: terminal degree in the discipline or related field, associate professor or higher, full-time, and tenured.
- Only tenured or tenure-track faculty of the department shall elect qualified candidates based on a careful application process, as such, they will be defined as the departmental voting faculty. The election shall be by majority vote with a runoff between the top two candidates if no candidate in the first ballot receives a majority vote.
- The name(s) of the elected candidate(s) shall be submitted to the college or school dean.
- The dean will forward the name, along with a recommendation for appointment, to the Provost for approval. If the candidate is unacceptable to the dean, the dean will submit the rationale to the departmental faculty. If the majority of the departmental voting faculty believe that the dean's reasons for unacceptability are valid, they will recommend to the departmental voting faculty that a new election be held. If the impasse is not resolved, the Provost will make the final decision.
- If a chair does not complete a term, the dean, with the concurrence of the Provost, shall appoint an acting chair until new elections are completed.
- In exceptional circumstances, such as the absence of an eligible or suitable candidate, the unwillingness of an eligible candidate to serve, or failure by the department to approve a candidate by majority vote, an external search for a department chair may be undertaken. If an external candidate is recruited by a department to serve as department chair, the individual will be reviewed by the departmental voting faculty and will be qualified to receive tenure. [See 5.1 for faculty hiring procedures.]

Commented [MR5]: 2/24/2020: Lamiaa Youssef made a typo correction and accepted it from believes to believe

3.2.4 Removal of Department Chair

Departmental faculty may petition to have a department chair's term of office truncated. A department may seek to remove the chair by a petition to the dean by two (2) or more of the voting faculty of a department. In such instances, the college or school

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dean will inquire into the circumstances for the request for removal of the chair and forward a recommendation for removal to the Provost, if it is determined to be in the best interest of the department or the university. With the concurrence of the Provost, department chairs may be removed for failure to adequately perform duties and responsibilities upon recommendation of the dean. Prior to removal, the dean and Provost will meet with department faculty. The Provost will make the final decision.

If a chair does not complete a term or fails to execute the administrative duties of the position, the dean, in consultation with the voting faculty and with the concurrence of the Provost, shall appoint an acting chair, until new elections are completed. This process shall not exceed the semester in which the vacancy occurred, after which procedures as set forth in 3.2.3 shall apply.

3.2.5 Compensation of Department Chair

Nine-month faculty elected to serve as department chair will be converted to 12-month status. A department chair returning to a teaching position will be converted back to 9-month status. The decrease will be as specified in the conversion contract; if not specified, the compensation will be prorated to 75% of the 12-month compensation level. Persons hired initially as department chairs will have a conversion as specified in the original letter offer.

Department chairs have teaching loads commensurate with other duties and responsibilities and usually have 50 percent release time for administrative duties and responsibilities. Department chairs are expected to teach at least three-credit hours during the summer.

3.2.6 Evaluation of Chair

The college/school dean shall be responsible for:

- ensuring the annual faculty evaluation of the department chair,
- evaluating the department chair's effectiveness as a leader and administrator (to be included in the portfolio of the chair), and
- monitoring the three-year review and the election of the department chair by secret ballot.

The full-time faculty will evaluate the chair's administrative and leadership capabilities each year as part of the departmental faculty evaluation process. These evaluations shall be anonymous; shall be treated as confidential personnel records; and shall be kept confidential and not released other than to the individual evaluated. The departmental Evaluation Committee will forward the chair's evaluation to the college/school dean.

3.2.7 Appointment of Deans

Deans are administrative faculty. There shall be a properly advertised national search for the dean of a college or school. A majority of the search committee members shall be tenured members of the college's or school's faculty and shall be determined by college or school-wide election. The Provost will appoint additional search committee members. Candidates considered for the position must meet the qualification requirements as specified in 2.2.1.

The search committee shall recommend two to three unranked candidates, along with a summary of the candidates' evaluations, to the Provost who will select from the recommended candidates or direct the search committee to continue its search. Deans are appointed by and serve under the Provost with the concurrence of the President.

Commented [MR6]: 2/24/2020: Lamiaa Youssef made a grammatical change and accepted it from 'make a selection' to 'select'

The selected candidate for the position of dean must be approved by the department in which he/she will receive tenure prior to final selection as dean.

3.2.8 Evaluation of Academic Deans

The full-time faculty in each college/school will evaluate the dean's administrative and leadership capabilities each year as part of the annual evaluation process. These evaluations shall be anonymous; shall be treated as confidential personnel records; and shall be kept confidential and not released other than to the individual evaluated. The Office of the Provost and Vice President for Academic Affairs will initiate the process of the respective college/school dean's evaluation.

3.3 TYPES OF CONTRACTS

3.3.1 Tenure

A tenure contract represents an ongoing status with the university unless and until terminated by resignation pursuant to Section 8.4, retirement pursuant to Section 8.5, or other faculty member initiated severance pursuant to Section 8.2; dismissal for cause pursuant to Section 8.3.3; or termination pursuant to Section 8.3.4. Tenure is conferred by the Board of Visitors after the member has completed a period of probation and satisfied well-defined requirements regarding teaching, scholarship, and service. Such status protects the tenured faculty member against arbitrary dismissal. Faculty members with tenure appointments hold the rank of associate professor or professor.

3.3.2 Tenure-Track (Probationary)

A tenure-track contract represents a probationary period in which a faculty member

works toward achieving tenured status. Depending upon academic rank, a faculty member has a fixed number of years to earn tenure, not to exceed six calendar years.

At the time of employment, it is the responsibility of the department chair to provide the tenure-track faculty member with the written established departmental criteria for tenure based on the following three categories: teaching, scholarly activity, and service. These three categories embody the university's commitment to the teacher-scholar model, as approved by the Board of Visitors. The criteria for tenure must comply with the university, college/school, and departmental standards for faculty review. Each School or College Compliance Committee will review and approve the standards for each department. These standards will be disseminated to the faculty by October 15 prior to the year in which performance will be evaluated.

The department chair will provide a mentor who will assist the faculty member to prepare for the application for tenure. The mentor will be a tenured faculty member at the rank of associate professor or professor.

In extenuating circumstances, the tenure-track faculty member may request a one-year extension of the probationary period. The reasons for such a request can be, but are not limited to, the following:

- Visiting appointments at another college, university, or government agency;
- Medical and personal leave.

An extension must have the approval of the departmental evaluation committee, department chair, college or school dean, and the Provost. If any of the units disapproves the request, the extension is not granted.

3.3.2.1 Mid-Tenure Track Review

~~The tenure application process begins with a mid-tenure track review in January of the faculty member's third year of employment. For associate professors, the mid-tenure track review begins during the second year of employment. For full professors, the mid-tenure track review begins during the end of the first year of employment. The following timeline must be observed:~~

~~By February 15, the faculty member submits mid-tenure track review documents to the departmental tenure and promotion review committee via the department chair.~~

Commented [RM7]: Comment from Ashley Haines: Section 3.3.2.1 Mid-Tenure-Track Review was moved to section 3.6 because it is part of the tenure application process.

~~By the end of February, the departmental tenure and promotion review committee will meet with the applicant to discuss the documents and determine one of the following options:~~

~~Recommend the continuation of service until the faculty member becomes eligible to apply for tenure;~~

~~Recommend a plan for improvement for the subsequent two years if deficiencies are noted; or~~

~~Recommend termination of the tenure track appointment and give a one year terminal contract.~~

~~By March 15, the departmental tenure and promotion review committee and the dean will sign and submit to the Provost a letter summarizing the assessment of the~~

~~pre-tenure documents. A copy of the letter will be forwarded to the faculty member. If a faculty member disagrees with the contents of the letter, the faculty member should address those concerns to the dean in a letter.~~

~~If a tenure-track faculty member is hired in the spring semester, the timeline for mid-tenure-track review will be adjusted accordingly based on the starting date of appointment.~~

3.3.173.3.3 Term Faculty Appointments

Term appointments are divided into five types: visiting scholar, adjunct, teaching, research, and clinical. These are strictly non-tenure positions with faculty holding the rank of instructor or lecturer.

3.3.3.1 General Provisions

- Term contracts are usually awarded for a one (1)-semester to a three (3)-year period and expire at the end of the contract period. They may be renewed for additional periods if required by the needs of the university.
- Term appointments are not permanent. Term faculty are usually hired to provide tenured and tenure-track faculty with release time for research or grantsmanship, or to fill teaching needs. This type of position is not meant to enable the university to hire personnel in lieu of a tenure-track position but is meant as a temporary measure.
- Term faculty members with teaching responsibilities hold academic rank (not to

exceed instructor or lecturer) but not tenure or tenure-track status, and their appointments must be reviewed and approved by the respective departmental evaluation committees.

- For term faculty holding teaching responsibilities, the minimum qualifications for appointment are expected to be the same as for tenure-track faculty. If situations warrant and eligibility criteria are met, term faculty who have not held tenure-track status previously may apply for available tenure-track positions.
- Term faculty are to be evaluated based on the guidelines set forth in the *Teaching Faculty Handbook* under 6.1 Faculty Evaluation.
- Term faculty members are *not* eligible to serve as program coordinators, center directors, department chairs, associate/assistant deans, or deans.
- Term faculty are not eligible to vote in the election of the department chair.

3.3.3.2 Adjunct Faculty

Adjunct teaching appointees render instruction and support services to the university on a semester basis and usually do not carry a full teaching load. They do not hold academic rank or tenure, serve in the Faculty Senate, or vote in departmental elections.

Adjunct faculty members are usually hired on an “as needed basis” to cover any instructional requirements that cannot be met by available full-time faculty.

Every adjunct faculty member must be evaluated annually on teaching performance based on the guidelines set forth in the *Teaching Faculty Handbook* under 6.1 Faculty Evaluation.

3.3.3.3 Visiting Scholar

- Visiting scholars are individuals who hold a terminal degree in their field or are widely recognized as experts in their field. Their primary purpose for residence on the NSU campus is to conduct independent research or provide specialized instruction based on their expertise.
- The length of stay for a visiting scholar is at least one month and appointments are granted for not more than one year at a time, with a maximum cumulative appointment time of two years.
- Visiting scholars are granted a variety of privileges, including access to the university library and access to certain campus parking facilities.
- Visiting scholar status does not guarantee assignment of an office or workspace. These must be negotiated with the sponsoring department or research unit.
- Visiting scholars do not hold academic rank or tenure, serve on the Faculty Senate, or vote in departmental elections.

3.3.3.4 Teaching Term Faculty

- Teaching term faculty are appointed at the rank of instructor or lecturer and teach specific undergraduate courses, primarily at the introductory level. A teaching term faculty member holds a minimum of a master's degree in the teaching discipline and is expected to demonstrate effectiveness primarily as a teacher. Each teaching faculty member undergoes an annual review in the same manner as the tenure-track faculty in the area of teaching.
- Instructors or lecturers do not hold tenure or vote in department chair elections.

3.3.3.5 Research Faculty

- Research faculty are considered members of the regular faculty. Research professors can be appointed in departments and perform their work in centers or institutes, or they can be appointed directly in institutes and may have affiliations with departments as appropriate.
- Research faculty are annually reviewed according to their job description and are expected to obtain external funding through grants and contracts to support their research programs that are administered by the university.
- Research faculty do not normally receive a salary from education-and-general (E&G) fund sources at the university unless they receive special compensation for classroom teaching or service to the home unit, if such compensation has been confirmed in the appointment letter.
- While research faculty will mainly be affiliated with departments or institutes on campus, many may have affiliations with local federal laboratories although, in most cases, their research funding is administered by the university.
- Research faculty do not hold academic rank or tenure, serve on the Faculty Senate, or vote in departmental elections.

3.3.3.6 Clinical Faculty

- Clinical faculty positions may carry a wide range of responsibilities. For example, a clinical faculty member may teach some courses but also coordinate a unit's undergraduate or other program. A clinical faculty member's primary responsibilities are clinical supervision and/or clinical instruction.
- Clinical faculty do not hold academic rank or tenure, serve on the Faculty Senate, or vote in departmental elections.

~~3.3.183.3.4~~ 3.3.4 Interim/Acting Appointments

Interim/acting appointments are those positions filled on a temporary basis while a

search is being conducted or reorganization is taking place.

In order to maintain the integrity of the intended principle of shared governance and to ensure proper input from faculty, interim, acting, or other temporary appointments that have not been vetted through a peer-review process will be limited to two years. At the end of the second year of the interim/acting appointment, the appointee will have to apply for the position through a competitive search process or receive a formal vote of confidence from the faculty who are subordinate to the temporary appointee. This process will, at a minimum, be applicable for appointments at the level of department chair or higher.

3.4 ACADEMIC RANKS

Tenure, tenure-track, and term faculty hold academic rank. The minimum qualifications for appointment to each academic rank are as follows:

3.4.1 Professor

Appointment at the rank of professor requires the earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring) and at least seven years (7) of outstanding teaching, scholarship, and service with a minimum of five (5) years of teaching at the associate professor level. Outstanding scholarship may be demonstrated through refereed publications, creating and performing artistic and creative works, regional or national recitals or exhibitions, substantive grants for research, or honors as a result of scholarly achievement. Regional, national, and/or international prominence in the discipline is expected at the academic rank of professor.

Commented [MR8]: certification of faculty credentials takes place at the time of hiring

Commented [MR9R8]: certification should not change with every new department chair, dean, or other administrator

3.4.2 Associate Professor

Appointment at the rank of associate professor requires the earned doctorate (or equivalent terminal degree from an accredited institution in the appointee's teaching discipline or a related discipline as justified by the department chair and approved by the dean at the time of hiring) and at least five years (5) of excellent teaching, scholarship, and service with a minimum of three (3) years of teaching at the assistant professor level. Excellent scholarship may be demonstrated through scholarly publications in one's area(s) of specialization or creative works and performances in the arts. A documented scholarly record towards regional, national, and/or international prominence in the discipline or field is expected at the academic rank of associate professor.

Commented [MR10]: certification should not change with every new department chair, dean, or other administrator

3.4.3 Assistant Professor

Appointment at the rank of assistant professor requires the earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring). The appointee must show strong potential for development as an excellent teacher, scholar, and contributor to the discipline, to the university, and to the professional community.

Commented [MR11]: certification should not change with every new department chair, dean, or other administrator

3.4.4 Instructor/Lecturer

The earned master's degree with a minimum of 18 graduate credit hours in the appointee's teaching area from an accredited institution is required for appointment to the rank of instructor or lecturer. Instructors and lecturers do not hold tenure.

3.5 PROMOTION

The Board of Visitors may promote persons to a higher academic rank. In making these promotion decisions, the Board will consider peer and administrative assessments of a faculty member's record of professional achievement for the purpose of recommending a change in academic rank according to the appropriate school's established criteria. Faculty members promoted to a higher academic rank will receive monetary recognition of the new rank.

Major consideration will be given to documented evidence of performance consistent with university, college/school, and departmental established rubrics, standards, and guidelines in the following areas:

- Teaching,
- Research—scholarly activity and grantsmanship, and
- Service—professional and university service

Commented [FD12]: Reordered categories to list order of importance

3.5.1 Eligibility Requirements

The following criteria are the minimum requirements for promotion to the ranks of associate professor, and professor.

3.5.1.1 Promotion to Associate Professor

1. An earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring).
2. Prior to submission of the application, a minimum of five (5) years of full-time

Commented [MR13]: certification should not change with every new department chair, dean, or other administrator

teaching at the college/university level with at least three (3) years at the rank of assistant professor at Norfolk State University.

3. Documented evidence of excellent ratings in teaching, research (scholarly activity and grantsmanship), and service (professional and university service).

3.5.1.2 Promotion to Professor

1. An earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring).
2. Prior to submission of the application, a minimum of seven (7) years full-time teaching experience at the college/university level with at least five (5) at the rank of associate professor at Norfolk State University.
3. Documented evidence of outstanding ratings in teaching, research (scholarly activity and grantsmanship), and service (professional and university service).

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3.5.2 Joint Appointment

Joint appointments in more than one department can promote multi/interdisciplinary research and education and help faculty interested in such efforts. Joint appointments are commonly split 50%-50%, 75%-25%, or 100%-0% between units. Appointments may be between departments within a college or departments from different colleges.

A faculty member with appointments in more than one department, being knowledgeable of both and able to bridge the disciplines, can promote collaborations between the departments, thus contributing to the professional diversity of both departments. The faculty may benefit from the ability to better collaborate with faculty in both departments, and teach and advise students in both departments.

When a joint appointment is created, a Memorandum of Understanding (MOU) between the two units will be written and signed; signatories should include the heads of the units involved as well as the faculty member. This will detail how key procedures related to the faculty member's academic career will be carried out. Details will include procedures for performance evaluations, teaching load, and assignment of university service. The goal should be that the faculty member's obligations across the two units are not greater than those of others who are full-time in their unit.

Units will agree on a single, joint process for preparing performance evaluations, especially at times of annual evaluations, tenure, and promotion. Such agreement ensures that both units have input on the evaluations, streamlines the process so both units are not independently preparing a review, and reduces the risk of conflicting feedback being communicated to the faculty member.

The MOU will state which of the units agrees to act as the administrative home department of the faculty member. The home department will take the lead on performance evaluations.

3.5.3 Application Process for Promotion and Tenure

Commented [FD15]: Delete "and Tenure" since tenure process is addressed in 3.6.3

Before submitting an application for a change in academic rank or status, it is the responsibility of the eligible faculty member to become thoroughly familiar with all established criteria related to the academic rank sought.

Each department must employ specific criteria that relate to teaching, scholarly activity, and service within its discipline that are also consistent with university standards. The criteria for promotion and tenure will be consistent with those used for the annual evaluation and any additional standards appropriate to the rank sought. These criteria, inclusive of rubrics, must be vetted by the departmental faculty and approved by the dean and Provost and Vice President for Academic Affairs. The criteria must be provided to faculty at the time of their appointment.

Each department will designate a Tenure and Promotion Review Committee composed of the senior (associate and full professors), tenured faculty in the department. ~~The~~In departments where there are fewer than three tenured members, the chair, in consultation with the dean, will appoint enough additional tenured faculty members from other departments within the same college/school to form a committee of at least three. ~~The~~ departmental Tenure and Promotion Review Committee shall employ standards for measuring the quality of teaching activities consistent with university policies, university, and college/school, departmental rubrics. The quality will be measured through, but not limited to, any of the following:

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- Peer evaluations
- Innovations in teaching methods
- Creation of innovative curriculum
- Incorporation of latest knowledge into teaching
- Academic advising
- Incorporation of critical thinking and workplace skills into course content
- Expertise within the content of instruction
- Creation of a productive learning environment
- Proficiency in instructional delivery, instructional design, and the effective use of instructional technology
- Student evaluations [only when the surveys are statistically valid]

The departmental criteria shall employ standards for measuring the quality of scholarly activities consistent with university policies. The quality will be measured through, but not limited to, any of the following:

- Publication in refereed journals, monographs, or books
- Publication in conference proceedings
- Peer references outside the university
- Scholarly presentations at professional meetings
- Preparation of successful grant proposals and management of funds received
- Exhibitions and performances
- Significant scholarly contributions to local, national, or international communities

The departmental criteria shall employ standards for measuring the quality of service activities consistent with university policies. The quality will be measured through, but not limited to, any of the following:

- Participation in organizational or professional meetings, symposia, seminars, and colloquia other than those included under scholarly activities
- Leadership in professional organizations, accreditation commissions, etc.
- Invitations to serve on review committees and boards for peer-reviewing
- Professional recognition through honors and awards
- Faculty work other than teaching and research, which contributes to the mission and goals of the university
- Participation in university-wide committees, including search committees, Honors College, International Programs, Commencement/Convocation, special task forces, ad hoc committees, Faculty Senate, etc.
- Participation in support of any departmental, school, or university-approved program or committee
- Participation in activities that enhance student learning or the professional performance of colleagues
- Presentations offered by faculty to the university community that are not included in scholarly activity
- Participation in academic advising
- Mentoring within a department

The process for applying for promotion and tenure is described below. Only tenure-track faculty can apply for tenure, and only tenured or tenure-track faculty can apply for promotion and must adhere to the following:

- 1 Faculty holding the rank of Assistant Professor must concurrently apply for tenure and promotion. Tenure is only awarded to faculty holding Associate Professor rank or higher.
- 2 By November 1, the applicant submits Declaration of Intent to Apply for a Change in Academic Status to the department chair, who acknowledges receipt and forwards a copy to the college or school dean.

- 3 The applicant downloads the Application(s) for Promotion and/or Tenure form from the university website and submits the completed application to the departmental ~~tenure~~Tenure and ~~promotion review committee~~Promotion Review Committee via the department chair by February 15 of each calendar year. The completed application shall include annual review data and requested supportive documents. Applicants should ascertain that all materials provided in their electronic portfolios are accessible to the reviewers. If there are technical issues that prevent the reviewers from accessing the materials within the portfolios due to missing links, invalid links, or links that do not open, the reviewers should alert the applicants so that they can resolve such issues and make the necessary edits within one (1) working day 24 hours before a full review is conducted.
- 4 The chair and the departmental ~~tenure~~Tenure and ~~promotion review committee~~Promotion Review Committee conduct independent a reviews of the tenure and promotion documents and complete separate a written assessments (i.e., recommendations and justifications) by the end of February of each calendar year. If the department chair is an applicant for promotion, all chair responsibilities for reviewing their application for promotion will be delegated by the dean to a chair from another department within the same college/school. The substitute chair must be familiar with the policies, practices, assignments, and duties of the applicant's department, and if they are already a member of the University Review Committee, they should recuse themselves from the deliberations or votes regarding the applicant.
- ~~In the case of a newly hired dean, if the dean is an applicant for promotion, all dean responsibilities for reviewing their application for promotion will be delegated by the provost to a dean from another college/school at NSU or a dean from a similar college/school at another institution. This substitute dean must be familiar with the policies, practices, assignments, and duties of the applicant's college/school.~~
- 45 On or before March 4 of each calendar year, the chair forwards the promotion and/or tenure documents, along with the departmental recommendations and justifications, to the dean. The chair forwards a copy of the recommendations and justifications to the faculty member.
- 56 The dean reviews the promotion and/or tenure documents and the department's recommendations and justifications, and ensures that the department followed established procedures and guidelines. The dean sends the tenure and promotion documents, along with all recommendations and justifications from the committee, chair, and dean, to the University Review Committee by on or before March 15 of each calendar year. The dean forwards a copy of the recommendation and justification to the faculty member.
- 67 The University Review Committee reviews the promotion and/or tenure documents and the recommendations and justification of the department and the dean. The University Review Committee sends the promotion and/or tenure

Commented [FD17]: Capitalized for consistency

Commented [LY18]: Committee suggested to use "workday" to remain consistent with other sections in the Handbook.

Commented [YLS19]: It is important to provide a deadline for making the edits to ensure that the review of applications stays on schedule.

Commented [RM20R19]: Changed to working day to remain consistent with the grievance section

Commented [FD21]: Capitalized for consistency

Commented [RN22]: Copied verbatim from the 12/11/2020 BOV Resolution

Commented [LY23]: This phrase was added to clarify that this case (i.e. promotion application by dean) applies to new hires only. This will prevent conflict with Section 2.2.1 (p. 10) regarding deans holding the highest academic rank.

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Commented [FD25R24]: Added specification for the case of a dean seeking promotion.

Commented [RM26]: Removed this bullet because it was not in the original BOV resolution and we have received feedback from several faculty members expressing concern about allowing Deans to be hired at the Associate Professor level. This change has been agreed to by the Provost.

Commented [RN27]: Edits made for consistency with the 12/11/2020 BOV Resolution

Commented [MR28]: Made to be consistent with section 3.6.3.

Commented [YLS29]: This was added to clarify that the documents are needed from all levels: committee, chair, and dean.

Commented [MR30]: To be consistent with number 5 above

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Commented [MR32]: Change made to be consistent with first sentence in number 7

documents, along with ~~a~~ the recommendations and justifications to the Provost on or before March 31 of each calendar year. The University Review Committee forwards a copy of the recommendation and justification to the faculty member.

78 The Provost reviews the promotion and/or tenure documents and the recommendation~~s~~ and justification~~s~~ of the department, dean, and the University Review Committee. The Provost sends the tenure and promotion documents, along with a recommendation and justification, to the President. The Provost forwards a copy of the recommendation and justification to the faculty member on or before April 30 of each year.

89 The President reviews the recommendations received from the Provost and takes appropriate action. Recommendations receiving favorable endorsement are presented to the Board of Visitors for final action. Once the board has acted, the Provost will forward written notification to all applicants and their respective deans and chairpersons.

910 Elements of the evaluation shall be based on those outlined in the annual evaluation criteria and any additional criteria appropriate for the rank sought.

Commented [MR33]: Edits made for consistency with the 12/11/2020 BOV Resolution

Commented [MR34]: Change made to match the timeline on the Provost's website and "on or before" to be consistent with number 5

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Commented [RN36]: Edits made for consistency with the 12/11/2020 BOV Resolution

Commented [MR37]: This was added to give faculty a specific date when to expect the results of their P & T review.

3.5.4 Denial of Promotion

Faculty not recommended for promotion may submit an application for promotion the next review cycle. An explanation for denial is included in the notification.

3.6 TENURE

Tenure is a status conferred by the Board of Visitors upon a faculty member after the member has completed a probationary period and satisfied requirements in teaching, research, and service. Such status represents a continuous employment contract and protects the faculty member against arbitrary dismissal. However, tenure does not guarantee a lifetime contract regardless of performance.

The decision to grant tenure is based on the faculty member's demonstrated excellent performance and the expectation that this performance will continue. Faculty members awarded tenure may receive monetary recognition.

3.6.1 Philosophy

The tenure policy at Norfolk State University is based upon the following philosophy:

- That a clear and operable set of published criteria shall exist in order to determine the award of tenure.
- That the criteria used in determining tenure shall support the goals of Norfolk State University and enhance the professional skills of the individual faculty

member.

- That any eligible member of the faculty may achieve tenure by satisfying the published criteria.
- That a faculty member granted tenure has security against arbitrary dismissal.
- That academic freedom exists for all members of the faculty, including those with probationary, multi-year, and adjunct appointments.

3.6.2 Criteria for Tenure

The following criteria are to be used in the tenure review process:

- Teaching
- Research – scholarly activity and grantsmanship, and
- Service – professional and university service.

Commented [FD38]: Reordered categories to list order of importance

Tenure is awarded based on the assessment of the following:

- Contributions to the university and to the public through services of appropriate intellectual content
- Quality of, and commitment to, student instruction (including teaching, course design, course materials, and other mechanisms for enhancing student learning)
- Quality of, and productivity in, scholarship, research, and/or creative activity
- Satisfaction of specific criteria for the rank at which tenure is to be considered
- Successful completion of prescribed probationary period
- The length of the probationary period as determined by the rank of the faculty member at the time of the initial appointment

A candidate's performance will be assessed by the traditional criteria of teaching effectiveness, research, scholarly and creative activity, and service of a professional nature. Clear evidence of a candidate's teaching effectiveness must be presented. Sources of information which validate a candidate's teaching ability include, but are not limited to, student evaluation of instruction [only when the surveys are statistically valid], peer evaluation, and evaluation by the department chair. Service is a term encompassing a faculty member's activities related to one's discipline or to the teaching profession.

The university will award tenure only to those full-time faculty members who have demonstrated excellence in teaching, scholarship, and service. They must hold the necessary academic credentials in their teaching area or related area and be actively involved in their professional development. Granting of tenure is also contingent upon an interest and involvement in the overall activities of the university and upon evidence of a willingness and ability to provide leadership for the future.

Reappointment, tenure, and promotion are not granted automatically for satisfactory

performance during a given period of time. Rather, they are granted to those who have demonstrated their potential for long-term contribution to the university. The granting of tenure, in particular, is tantamount to a "second hiring." Each candidate must make a strong positive case.

3.6.2.1 Assistant Professor

An assistant professor must have the earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring) and may apply for tenure and promotion no earlier than the fall semester of the fourth year, but no later than the fall semester of the sixth continuous academic year at Norfolk State University. Granting of tenure requires documented evidence of excellence in teaching, research (scholarly activity and grantsmanship), and service (professional and university service).

Commented [MR39]: certification should not change with every new department chair, dean, or other administrator

3.6.2.2 Associate Professor

An associate professor who is not yet tenured must have the earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring) and may apply for tenure no earlier than the fall semester of the third year, but no later than the fall semester of the fourth continuous academic year at Norfolk State University. Granting of tenure requires documented evidence of excellence in teaching, research (scholarly activity and grantsmanship), and service (professional and university service).

Commented [MR40]: certification should not change with every new department chair, dean, or other administrator

3.6.2.3 Professor

The rank of professor is the highest academic rank and must reflect exemplary service. A professor who is not yet tenured must have the earned doctorate or equivalent terminal degree from an accredited institution in the appointee's teaching discipline (or a related discipline as justified by the department chair and approved by the dean at the time of hiring) and may apply for tenure no earlier than the fall semester of the second continuous academic year at Norfolk State University. Granting of tenure requires documented evidence of excellence in teaching, research (scholarly activity and grantsmanship), and service (professional and university service).

Commented [MR41]: please check that this addition has been inserted in all the rank definitions, promotion to tanks and tenure parts. thanks!

Commented [MR42]: certification should not change with every new department chair, dean, or other administrator

3.6.3 Application for Tenure Procedures

The tenure application process has two stages, the mid-tenure-track review and the formal application for tenure.

Commented [RM43]: Comment from: Ashley Haines: The mid-tenure-track review process was moved from 3.3 Types of contracts to this section because it is part of the process of applying for tenure.

3.6.3.1 Mid-Tenure-Track Review

The tenure application process begins with a mid-tenure-track review in January of the faculty member's third year of employment. For associate professors, the mid-tenure-track review begins during the second year of employment. For full professors, the mid-tenure-track review begins during the end of the first year of employment. The following timeline must be observed:

1. ~~1.~~ By February 15, the faculty member submits mid-tenure-track review documents to the departmental Tenure and Promotion Review Committee via the department chair.
2. ~~2.~~ By the end of February, the departmental Tenure and Promotion Review Committee will meet with the applicant to discuss the documents and determine one of the following options:
 - ~~1.~~ Recommend the continuation of service until the faculty member becomes eligible to apply for tenure;
 - ~~2.~~ Recommend a plan for improvement for the subsequent two years if deficiencies are noted; or
 - ~~3.~~ Recommend termination of the tenure-track appointment and give a one-year terminal contract.
3. ~~3.~~ By March 15, the departmental Tenure and Promotion Review Committee and the dean will sign and submit to the Provost a letter summarizing the assessment of the pre-tenure documents. A copy of the letter will be forwarded to the faculty member. If a faculty member disagrees with the contents of the letter, the faculty member should address those concerns to the dean in a letter.

If a tenure-track faculty member is hired in the spring semester, the timeline for mid-tenure-track review will be adjusted accordingly based on the starting date of appointment.

Before submitting an application for tenure, it is the responsibility of the eligible faculty member to become thoroughly familiar with all established criteria related to the acquisition of tenure.

The process for applying for tenure is described below. Only faculty on tenure-track positions may apply for tenure, and must adhere to the following:

1. By November 1, the applicant submits Declaration of Intent to Apply for a Change in Academic Status to the department chair, who acknowledges receipt and forwards a copy to the college/school dean.
2. The applicant downloads the Application for Tenure from the university website and

Commented [MR44]: Added hyphens to be consistent with body of text

Commented [MR45]: Need to fix this numbering in regular word and maybe add to the table of content later.

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- submits the completed application to the departmental Tenure and Promotion Review Committee via the department chair by February 15 of each calendar year. The completed application shall include annual review data and requested supportive documents. Applicants should ascertain that all materials provided in their electronic portfolios are accessible to the reviewers. If there are technical issues that prevent the reviewers from accessing the materials within the portfolios due to missing links, invalid links, or links that do not open, the reviewers should alert the applicants so that they can resolve such issues and make the necessary edits within one (1) working day/24 hours before a full review is conducted.
3. The chair and the departmental tenure and promotion review committee conduct a review of the tenure documents and complete a written assessment (i.e., recommendation and justification) by the end of February of each calendar year. The chair and the departmental Tenure and Promotion Review Committee tenure and promotion review committee conduct independent reviews of the tenure and promotion documents and complete separate written assessments (i.e., recommendations and justifications) by the end of February of each calendar year. In the case of a newly hired department chair, if the department chair is an applicant for promotion/tenure, all chair responsibilities for reviewing their application for promotion/tenure will be delegated by the dean to a chair from another department within the same college/school. The substitute chair must be familiar with the policies, practices, assignments, and duties of the applicant's department, and if they are already a member of the University Review Committee, they should recuse themselves from the deliberations or votes regarding the applicant.
 4. In the case of a newly hired dean, if the dean is an applicant for tenure, all dean responsibilities for reviewing their application for tenure and/or promotion will be delegated by the provost to a dean from another college/school at NSU or a dean from a similar college/school at another institution. This substitute dean must be familiar with the policies, practices, assignments, and duties of the applicant's college/school.
 - 3.5. On or before March 4 of each calendar year, the chair forwards the promotion and/or tenure documents, along with the departmental recommendations and justifications, to the dean. The chair forwards a copy of the recommendations and justifications to the faculty member.
 - 4.6. The dean sends the tenure documents with all a recommendations and justifications from the committee, chair, and dean to the Provost-University Review Committee by on or before March 4/15 of each calendar year. The dean forwards a copy of the recommendation and justification to the faculty member.
 - 5.7. The University Review Committee reviews the promotion and/or tenure documents and the recommendations and justifications of the department and the dean. The University Review Committee sends the promotion and tenure documents, along with the recommendations and justifications to the Provost by the end of March on or before March 31 of each calendar year. The University Review Committee forwards a copy of the recommendation and justification to the faculty member.

Commented [MR47]: Dr. Fulton comment: Capitalized for consistency (was in original edit)

Commented [YLS48]: It is the responsibility of the applicants to ensure that their portfolio materials are accessible to reviewers.

Commented [LY49]: Committee suggested to use "workday" to remain consistent with other sections in the Handbook.

Commented [RM50R49]: Changed to working day to remain consistent with the grievance section

Commented [YLS51]: It is important to provide a deadline for making the edits to ensure that the review of applications stays on schedule.

Commented [FD52]: Capitalized for consistency

Commented [MA53]: comma missing as reflected verbatim in 12/11/20 BOV resolution

Commented [YLS54]: This phrase was added to clarify that this case (i.e. tenure application by department chair) applies to new hires only. This eliminates the inconsistency with Section 3.2.3.

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Commented [MA56]: for consistency with 12/11/20 BOV resolution

Commented [RN57]: Copied verbatim from the 12/11/2020 BOV Resolution

Commented [YLS58]: This phrase was added to clarify that this case (i.e. tenure application by dean) applies to new hires only.

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Commented [RN60]: Edits made for consistency with the 12/11/2020 BOV Resolution

Commented [MR61]: Edit made to ensure that al ... [1]

Commented [MR62]: Edit made to ensure that al ... [2]

Commented [YLS63]: This was added to clarify t ... [3]

Commented [MR64]: Error corrected to match th ... [4]

Commented [MR65]: To be consistent with number 5

Commented [MR66]: This date was corrected as ... [5]

Commented [MR67]: Change made to be consist ... [6]

Commented [MR68]: Change made to match the ... [7]

Commented [RN69]: Edits made for consistency ... [8]

Commented [RN70R69]: Also, consistency with ... [9]

~~6.8.~~The Provost reviews the promotion and/or tenure documents and the recommendation~~s~~ and justification~~s~~ of the department, dean, and the University Review Committee. The Provost sends the tenure and promotion documents, along with a recommendation and justification, to the President. The Provost forwards a copy of the recommendation and justification to the faculty member on or before April 30 of each year.

Commented [MR71]: Edits made for consistency with the 12/11/2020 BOV Resolution

~~7.9.~~The President reviews the recommendations received from the Provost and takes appropriate action. Recommendations receiving favorable endorsement are presented to the Board of Visitors for final action. Once the Board has acted, the Provost will forward written notification to all applicants and their respective deans and chairpersons.

Commented [MR72]: This was added to give faculty a specific date when to expect the results of their P & T review.

~~8-10.~~Elements of the evaluation shall be based on those outlined in the annual evaluation criteria and any additional criteria appropriate for the rank sought.

3.6.4 Denial of Tenure

A faculty member who is not recommended for tenure or is denied tenure by the Board of Visitors will be given a one-year terminal contract. The Provost will provide the faculty member a written statement listing the reasons for denial of tenure. The individual will not be eligible for another tenure-track appointment at the university.

3.7 UNIVERSITY REVIEW COMMITTEE

The University Review Committee (URC) consists of one elected tenured professor from each college and school. Full-time teaching faculty from each academic college/school will elect a representative by a majority vote. The URC will select a chair among its members. The URC members serve for two (2) years. New members will be selected no later than October 15 of each academic year. A committee quorum consists of five (5) members.

The University Review Committee (URC) shall review all promotion and tenure applications, changes in workload, contract type, leave, and sabbatical cases. After reviewing such cases, if the URC finds any inconsistencies with the adherence to processes and/or policies, the URC will outline its findings in a report and provide a written recommendation to the Provost.

In cases where the applicant, departmental faculty, chair or dean of the college/school disagree regarding the promotion and tenure recommendation, any of these parties may request in writing to the chair of the URC, review by a URC grievance sub-committee. The URC grievance sub-committee shall consist of the following nine (9) members:

- The five (5) URC members.
- One (1) tenured professor or associate professor selected by the applicant.

- One (1) tenured professor or associate professor selected by the department of the applicant who may or may not be a member of the department's initial tenure and promotion review committee.
- One tenured professor or associate professor from the applicant's College/School Compliance Committee as selected by the College/School Compliance Committee.
- The President of the Faculty Senate or designee.

The grievance sub-committee's recommendation to the Provost shall be by majority vote of the entire sub-committee. The Provost may or may not accept the sub-committee's recommendation regarding promotion, or tenure, leave, and sabbatical cases. If the sub-committee's recommendation is not accepted, the Provost must provide written justification.

3.8 POST-TENURE REVIEW

Once a faculty member has attained tenure, there is a potentially lifelong relationship between the university and the faculty member. Post-tenure review (PTR) measures a tenured faculty member's continuing commitment to teaching, scholarship, and university service. The post-tenure review process is to be used as a tool to ensure continuous quality and high performance in teaching, research, and service if there are indications in the annual evaluation process that the faculty member is deficient in one or more of the three areas.

3.8.1 The Post-Tenure Review Process

Post-tenure review shall be triggered by two (2) consecutive or three (3) non-consecutive annual evaluation ratings of "Improvement Required" or "Unsatisfactory." NSU faculty members are reviewed annually by their departments according to the following categories:

- Teaching.
- Research—scholarly activity and grantsmanship, and
- Service—professional and university service.

- Scholarly Activity, and
- Service, and
- Teaching

A review of annual evaluations by the Post-Tenure Review (PTR) Committee should not reveal discrepancies between the expectations defined in the departmental standards and the scores assigned.

3.8.2 Timeline

By March 15 of the year following the post-tenure review trigger, the tenured faculty

Commented [LY73]: Reworded these items for consistency with P&T sections.

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Commented [FD74]: Categories reordered to list order of importance.

member will submit a condensed report to the department chair. This report will include a self-evaluation of performance that specifically outlines achievements in each of the departmental annual faculty evaluation categories.

The report must include courses taught, theses or dissertations directed, all evaluations of teaching; publications, performances, and presentations; service activities; and all annual review evaluation score sheets for the five years under review (as an appendix). The report should also address goals/areas for improvement and/or an explanation of how the faculty member proposes to resolve problems flagged by the annual reviews. The re-submission of complete annual evaluation portfolios is not required.

3.8.3 Procedures

Each department must establish a Post-Tenure Review (PTR) Committee. This committee will be composed of:

- one (1) tenured faculty member of the reviewed faculty member's department (excluding the reviewed faculty member) selected by the department chair or unit head,
- one (1) tenured faculty member selected by the reviewed faculty member from that faculty member's college/school or department, and
- one (1) tenured faculty member selected by the dean of the college or school.

The chair of the PTR committee will be elected from among the three (3) faculty members. The entire PTR committee will be responsible for drafting its conclusions by April 15.

3.8.3.1 Satisfactory Faculty Performance

A post-tenure review is deemed successful if a majority of the three (3) committee members approve it. Failing this committee majority, the reviewed faculty member will be recommended for remediation. By April 15, the reviewed faculty member will be officially notified, in writing, of the outcome of the review by the chair of the committee.

If in disagreement with the PTR Committee's findings after a successful review, the dean is entitled to submit a written dissenting opinion to the Provost, with a copy provided to the committee. The Provost makes the final decision when the PTR Committee and dean disagree.

A final copy of the Plan of Action Report must be provided to the faculty member and PTR Committee by May 30 of the review year.

3.8.3.2 Deficient Faculty Performance

Failure to achieve the approval of at least two (2) committee members results in a recommendation for remediation. The identified weaknesses will require a Plan of Action Report (i.e., individualized remediation process) including expectations, guidelines and timelines for improvement. The Plan of Action will be developed by the department chair and the faculty member. In the event the parties cannot agree, the dean, with input from the chair, will finalize the plan. A final copy of the Plan of Action must be provided to the reviewed faculty member and PTR Committee by May 30 of the review year. The Plan of Action will include identifiable commitments on the part of the individual and the institution to create a supportive environment for the resolution of problems over a period of two (2) years.

By May 1 of the second year of the Plan of Action, a faculty member subjected to remediation must submit a new self-evaluation which includes supporting materials that provide evidence of improvement in the areas mentioned in the Plan of Action. If the faculty member is determined by the PTR Committee to have failed to meet expectations, a report by the committee chair will be submitted to the respective College or School Compliance Committee for validation. Notification to the dean by the respective College or School Compliance Committee will occur by May 15. The dean will then notify the faculty member of the university's intent to initiate Dismissal for Cause according to the appropriate section of the *Teaching Faculty Handbook*.

3.8.4 Due Process

In the event that the reviewed faculty member disagrees with the conclusions of the Post-Tenure Review Committee, an appeal recourse is available to the faculty member, as outlined in section 8.7 of the *Teaching Faculty Handbook*.

3.9 FACULTY RECOGNITION

In recognition of exceptional service and performance, the university has established several faculty recognition awards. Recommendations for all faculty recognition awards will be reviewed by the Faculty Recognition Review Committee, unless specified otherwise. The committee will forward its recommendations to the Provost. If the committee's recommendation is not accepted, the Provost must provide written justification.

The Faculty Recognition Review Committee shall also review academic leave and sabbatical requests (with and without compensation) after department and college/school reviews but before review by the Provost. In this capacity, the committee is charged with reviewing the sabbatical or leave proposal and certifying to the Provost that the request facilitates one or more of the following:

- Enhances teaching effectiveness.
- Contributes to the scholarly stature of the faculty member and the university.
- Strengthens academic programs.
- Expedites terminal degree completion.
- Provides applied experiences that are deemed relevant to the academic program.
- Supports the university's mission and vision.

The committee may or may not concur with the actions taken by the department and college/school.

The membership of the Faculty Recognition Review Committee shall consist of seven (7) members: four (4) appointed by the Faculty Senate and three (3) appointed by the Provost. At least three (3) committee members must be from the teaching faculty. The committee will elect a chair. Members are appointed annually and may serve consecutive terms. The committee shall convene as needed and must adhere to the guidelines as presented in the *Teaching Faculty Handbook*.

3.9.1 Distinguished Faculty

The Distinguished Faculty Awards Program is an internal program designed to recognize and honor faculty who have distinguished themselves in teaching, scholarship and grantsmanship, and university service. The program is managed by the Office of the President.

3.9.1.1 Selection Committees

The President shall appoint selection committees for each award, the membership of which will not be announced.

To fairly represent each discipline, the selection committees will consist of tenured teaching faculty members, one chosen from each academic school. No one with the title higher than department chair is eligible to serve on the selection committee. Teaching faculty members should comprise the majority of committee members with just one representative from appropriate support staff.

3.9.1.2 Procedures

1. All deliberations of the selection committees must be held in complete confidence.
2. Eight (8) copies of each nomination will be received in the President's Office by the established deadline as announced by the President's Office and the selection process will begin immediately thereafter.
3. Specific rules under which the selection committees will operate will be developed by the committees and approved by the President or his/her designee.

3.9.1.3 Nominations

Nomination of faculty may be made by anyone except oneself and should be made directly to the chairperson of the faculty member's department. In addition, the chairperson of each department is urged to review all faculty members in the department each year and make appropriate nominations. The chairperson will prepare a thoroughly documented recommendation and forward it to the dean's office for review. If the faculty member to be nominated is a department chair, the nomination should be made directly to the appropriate dean, who will be responsible for preparing the documented recommendation.

There will be no more than one (1) nomination per category per academic school. For each nominee, the dean will add a letter of endorsement summarizing the accomplishments of the nominee and will forward eight (8) copies of the nomination package directly to the President by the established deadline. The President will then forward the packages to the appropriate selection committee as appointed by the President. The committee will then meet in a closed session to evaluate the documentation and offer a recommendation in each category to the President. The awardees will be announced at the fall Convocation. The selection committees may or may not make recommendations for all categories each academic year. Also, the President may or may not accept the recommendations of the selection committees. In such instances, no awards will be made in that specific category for the academic year.

3.9.2 Professor Emerita or Emeritus

To recognize those distinguished individuals of the academic community at Norfolk State University who, in addition to rendering long and faithful service to the university, have unselfishly made outstanding contributions above and beyond those expected of all conscientious employees, the Faculty Recognition Review Committee will review nominations of faculty to receive the emerita/emeritus title. This title is to be considered the highest honor the academic community can bestow upon one of its members. The nomination process shall be open to anyone wishing to submit a nomination.

3.9.2.1 Committee Membership

The membership of the Faculty Recognition Review Committee as specified in Section 3.9 will serve as the committee for emerita/emeritus designation.

3.9.2.2 Guidelines

The following guidelines are to be used:

- Each person who accepts the nomination must have been a full-time employee of the university and have a minimum of fifteen (15) years of service, must be retired , and must have held the rank of professor for at least five years immediately prior to retiring.
- By October 15 of each academic year, the Provost will make available to the Faculty Recognition Review Committee the names of all persons who are eligible for consideration.
- Upon receipt of all of the names of persons who are eligible, the committee will, by utilizing all available information, develop a profile of each individual's accomplishments while at Norfolk State University, with particular emphasis placed on the contributions made by the individual to the growth of the university and to the academic achievements of students. The committee shall also establish a definition for "distinguished" faculty.
- Should the committee nominate individuals after critical review of their contributions, it shall send the names of the nominees and their profiles to the members of the faculty and administration by March 1. Two weeks after the submission of materials to the faculty and the administration, the faculty and administration will vote on the nominees, using a secret ballot prepared and distributed by the committee. The decision shall be in favor of each nominee who receives an affirmative vote of at least two-thirds of the persons voting.
- Upon receipt of an affirmative vote, the committee will forward the recommendation to the Provost. The Provost will attach his or her recommendation thereto and forward the material to the President. The President, in turn, will attach his or her recommendations and forward the recommendations to the Board of Visitors who will then consider this material when acting on the appointment of the candidate to Emeritus status. The Provost will publicize the final decision to the candidate(s) and to the university at fall Convocation.

SECTION IV. FACULTY RESPONSIBILITIES AND RIGHTS

4.1 FACULTY RESPONSIBILITY

Faculty members have the primary responsibility for the content, quality, and effectiveness of the curriculum. Accordingly, each faculty member shall develop and maintain an academic atmosphere conducive to the spirit of free inquiry and academic integrity. In this regard the faculty member shall comply with the following:

- Clearly state the course goals and learning outcomes, and inform students of testing and grading systems. These systems should be consistent with the rules and regulations of the academic division and the university.
- Consistently follow all administrative requirements in relation to class rosters, student learning, and grading practices.
- Develop and assess measurable learning outcomes for courses taught ensuring curriculum coherency and alignment.
- Engage in scholarly activity, grantsmanship, professional development, and service commensurate with type of faculty appointment.
- Make sure that student letters of evaluation and recommendation are written with candor, fairness, and promptness.
- Meet all classes on time and hold the class for the duration of the period.
- Remain available to students for academic advisement and mentoring, and announce and keep office hours that are convenient to both students and teacher.
- Strive to develop among students respect for others and their opinions by demonstrating his or her own respect for each student as an individual.
- Submit syllabi in accordance with university syllabi guidelines to the department chair and distribute to class during the first week of instruction.

4.1.1 Meeting Classes and Absences from Classes

Faculty are expected to be punctual, to conduct classes in the assigned area for the full period as scheduled, and to insist upon punctuality by students. Classes must begin and be dismissed promptly. In the event a class is not held, the instructor must file a report with the department chair. Emergency absences must be reported as soon as possible to the department chair, who will in turn post a notification in the classroom prior to the beginning of class. If after one week a faculty member is unable to meet his or her classes, the department chair will arrange for other faculty members to provide coverage for their absent colleague. Faculty providing coverage for colleagues absent for a duration of more than two weeks will be compensated on a prorated basis.

4.1.2 Classroom Procedures

Faculty are expected to conduct their classes in a professional manner, observing the

tenets of proper decorum and classroom management. During the first two weeks of instruction, faculty members should document student attendance to make sure that students who attend their classes are registered. Also during the first class meeting, students must be given a course syllabus (in electronic or paper format) that explains the instructor's academic procedures, methods of grading, course content, attendance policy, office hours, and the kind of academic performance that will be expected.

Faculty are expected to follow the grading methodology documented in course syllabi to ensure that students are graded fairly. Faculty are expected to notify students and document any changes that might be made to grading methods during the semester. In addition, faculty should record all final grades for students in their grade books and make certain that they are calculated in accordance with the grading methods outlined in course syllabi.

4.1.3 Academic Records and the Grading System

Each semester every instructor is expected to keep and submit to the department chair at the end of the semester a permanent record of students' grades and attendance. The evidence of unexcused absences in excess of limits allowed by university policy must be documented and included in the course record book, which may be in electronic format.

Faculty members are expected to plan their work so that they can report grades to the department chair and the Registrar by the published deadlines for such reports each semester.

4.1.4 Assignments and Examinations

Regulations governing end-of-term examinations and assignments are described below. They apply to both undergraduate and graduate students.

Beginning of Term: During the first class meeting, instructors are to provide a syllabus with a clear and complete description of the course requirements and expectations in each subject, including the due dates for required work, the schedule of examinations during the term (to include a final examination), and the grading criteria and procedures to be used. Major assignments should be assigned early enough to allow students the opportunity to manage their time effectively throughout the term. Subsequent changes are to be written and distributed to students in a reasonable time for the work to be completed.

End of Term: Final examinations are to be given only as scheduled in the official university calendar and are held during the final examination period following each term. Only in case of emergency should there be a deviation from the published examination schedule. Permission for such deviations must be obtained from the department chair and dean who in turn will seek authorization from the Provost. Any

changes must be announced to the class before the end of the third week of the term. The schedule change must accommodate all students enrolled in the course. Students' final examinations are to be kept on file for one year and must be made available to students who request to review them.

4.1.5 Textbooks

The university Bookstore orders textbooks for all courses offered. Orders for all books are derived from order forms that have been approved by the department chair and dean. Faculty members must submit requests for textbooks by the deadline set by the university Bookstore. The department chair shall have the responsibility of submitting all requisitions by the bookstore deadline for all textbooks ordered by individual faculty within the department.

4.1.6 Course Evaluations Completed by Students

Course evaluations are conducted by each department using the format approved by the Provost. The forms are distributed each semester to students enrolled in all classes taught by each faculty member. Evaluation forms are distributed, completed, and submitted to the departments and then reviewed with the faculty member and the evaluation committee to assess strengths and areas that may need improvement. These evaluations are not designed to be punitive to faculty members and should not be used except as a guide to faculty members to improve their teaching methodologies and techniques.

4.1.7 Disciplinary Problems

Professional conduct, adherence to university policy, and effective classroom management practices on the part of the academic professional will minimize the occurrence of student disciplinary problems. When disciplinary problems occur, the faculty member should refer the matters to the department chair for adjudication by the proper authorities. Disciplinary problems such as cheating, plagiarism, or sexual harassment are not tolerated. Such violations of conduct will be reviewed, and penalties will be enforced in accordance with the university policy as published in the *Norfolk State University Student Handbook* and other university policies.

4.2 ACADEMIC FREEDOM AND RESPONSIBILITIES

Norfolk State University recognizes, appreciates, and supports the concept of academic freedom, and the First Amendment rights of members of the academy. Academic freedom is essential to proper university operation and applies to teaching, research, and creative activities. Such freedom in research is fundamental to the advancement of knowledge. Academic freedom in the classroom is essential for the protection of the rights of the teacher in teaching and the rights of the student to freedom in learning.

Academic freedom embodies both rights and responsibilities for all elements of the academic community.

The university is guided by the “1940 Statement of Principles on Academic Freedom and Tenure” of the American Association of University Professors (AAUP):

- a. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching personal or controversial matters which have no relation to their subject. Limitations of academic freedom, because of religious or other aims of the institution, should be clearly stated in writing at the time of the appointment.
- c. College or university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

(Source: BOV Policy #28 (2018) – Academic Freedom)

Faculty members should avoid using the name of Norfolk State University (NSU) or expressing their personal views on university letterhead or via the university’s electronic means of communication without express approval from the NSU Office of Communications and Marketing.

Commented [RM75]: This was added to ensure faculty do not accidentally speak on behalf of the university.

The university is a member of the American Association of Colleges and Universities, an organization which participated in the formulation of the document, and feels strongly that freedom of inquiry, freedom of expression, rights of due process for the faculty, and the sense of professional responsibilities set forth in this document are important to the pursuit of academic excellence at this institution.

Faculty responsibilities shall include, but not be limited to, the following:

1. To remain current in their subjects and to instruct assigned courses in a manner consistent with the scheduled time, course content, and course credit approved by the faculty body and/or academic administrator appropriate to their position.
2. To complete in a professional, timely, and responsible manner all other teaching and academic assignments which they have accepted or which are a normal part of

their duties.

3. To avoid using their positions as teachers to coerce students to adopt or feign positions aligned with their views or to prevent the student from holding a view opposed to theirs.
4. To give individual evaluations of student performance.
5. To refrain from committing or inciting acts of physical violence against individuals or property, or acts which interfere with the academic freedom of other persons within the university or interfere with the freedom of speech or movement of such persons.
6. To treat fairly, courteously, and professionally their students, their colleagues, and other members of the academic community.

Integrity in scholarship and teaching is a fundamental value upon which the university is founded. Without integrity, we could not justify the privilege of academic freedom intrinsic to scholarship and education, nor could we provide to society the advancements of knowledge that derive from open inquiry. It is, therefore, a fundamental responsibility of the faculty to abide by university and professional standards of academic and research integrity.

Professional responsibility also requires conduct that is in accord with all university policies and state and federal laws and regulations. This includes, but is not limited to, policies and laws on the proper use of university funds, conflict of interest, use of animals and human subjects in research, occupational safety, free speech, nondiscrimination, and sexual harassment.

Failure to maintain these standards may be sufficient cause for a faculty member to be subjected to disciplinary action, up to and including dismissal.

4.3 ACADEMIC INTEGRITY

The university's commitment to the growth and learning of our students requires that it address any serious concerns on campus about academic dishonesty. Real intellectual and moral growth requires an environment in which people deal with each other with truthfulness and integrity, an environment which academic dishonesty prohibits. Instead, academic honesty (the fair and straightforward representation of what one has actually learned, researched and/or written) is the foundation of a healthy environment for learning. Professors, administrators, and students alike are responsible for upholding high moral and ethical standards of academic honesty in all academic endeavors.

Faculty members should be guided by the following:

- 1 In their work, professors must scrupulously acknowledge every intellectual debt for

ideas, methods, and expressions.

- 2 Any discovery of suspected plagiarism should be brought at once to the attention of the affected parties and, as appropriate, to the profession at large through proper and effective channels, typically through reviews in, or communications to, relevant scholarly journals.
- 3 Professors should work to ensure that their colleagues and professional societies adopt clear guidelines regarding plagiarism, appropriate to the disciplines involved, and should insist that regular procedures be in place to deal with violations of those guidelines. The gravity of a charge of plagiarism, by whomever it is made, must not diminish the diligence exercised in determining whether the accusation is valid. In all cases, the most scrupulous procedural fairness must be observed, and penalties must be appropriate to the degree of offense.
- 4 Scholars must make clear the respective contributions on a collaborative project, and professors who have the guidance of students as their responsibility must exercise the greatest care not to appropriate a student's ideas, research, or presentation to the professor's benefit. To do so is to abuse power and trust.
- 5 In dealing with students, professors must demonstrate by precept and example the necessity of rigorous honesty in the use of sources and of utter respect for the work of others.

4.4 CONFLICT OF INTEREST

As state employees, faculty members are subject to the Virginia Conflict of Interests Act, are responsible for reading and understanding that act, and must be mindful of the potential for conflict-of-interest situations and act in a manner that does not conflict with state law and university policies. Areas of special sensitivity include but are not limited to employment or supervision of spouses or other immediate family members including a dependent or any other person residing in the same household as the employee, personal relationships with students; private contractual relationships by the employee or members of the employee's household with NSU or other state agencies; and the acceptance of personal gifts, favors, or rewards of any kind from firms with which the university does business and can be accessed from the NSU website.

Requests for specific details about the above and other potential conflict-of-interest situations should be directed to the Office of Human Resources. The full text of conflict-of-interest policies is found in various documents/volumes located in the Office of the Vice President for Finance and Administration.

4.5 TRAVEL OUTSIDE THE CONTINENTAL UNITED STATES

If a traveler is required to leave the country on university business, approval is required by the department chair, dean, and Provost prior to forwarding to the Office of the

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President for approval. The original approved Request for Approval of Travel Outside the Contiguous Forty-Eight States in the United States and its Territories must be submitted with the travel expense reimbursement voucher. Out-of-country travel is any travel outside of the contiguous United States, and such travel must be approved before the trip is taken.

SECTION V. FACULTY EMPLOYMENT AND DEVELOPMENT

5.1 FACULTY HIRING

Norfolk State University is committed to the policy that all persons will have equal access to its programs, facilities, and employment without regard to race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, or sexual orientation, as required by law.

The recruitment and recommendation of faculty are the responsibility of the department chair, the dean, and the Provost. The process is completed in four steps: (1) position approval; (2) recruitment, screening, and interviewing; (3) appointment; and (4) orientation.

5.1.1 Position Approval

When a position becomes vacant or when a new position is approved, the department chair submits a Faculty/ Administrative Position Approval Form, with the Position Code Number (PCN) identified, seeking approval to fill the position. The completed form is submitted to the (1) dean, (2) the Provost, (3) the human resources director, and (4) the executive director of planning and budget for approval and compliance assurance.

Simultaneously, the department chair, in consultation with the departmental faculty, completes a Position Announcement Form. This form provides detailed information regarding the type of appointment, profile of the university, responsibilities, qualifications, salary, rank, application procedures, and deadline. The Position Announcement form must accompany the Faculty/Administrative Position Approval Form.

5.1.2 Recruitment, Screening, and Interviewing

Once approval to fill a position has been granted, the recruitment process begins. Recommendations regarding faculty appointments shall be effected through a departmental, college, or school search committee. Search committees, in consultation with the dean and the Office of Human Resources, will be responsible for the following functions:

- Writing and distributing advertisements for positions through the Office of Human Resources;
- Receiving and reviewing application materials;
- Establishing the criteria for determining the ranked finalists;
- Interviewing;
- Observing a presentation, which will be used to determine the qualifications and competency in oral and written communications;

- Submitting to the dean, who will forward the recommendation to the Provost, the ranked names of the finalists for the position in question. Once the selection of a candidate is approved, the department chair or designee submits all appropriate hiring documents for the position in question to the dean.

Prior to the interview, the search committee submits a list of potential interview questions to the Office of Human Resources for approval. Applications are received by the designated chair of the search committee. The search committee screens the applications to identify the top candidates. The top candidates are scheduled to make scholarly presentations to the department faculty and to be interviewed by the search committee, the departmental faculty, dean, and Provost. When appropriate, a candidate may be interviewed by a student committee or may be required to make a presentation to a group of students. The President may interview candidates, if desired.

5.1.3 Appointment

The search committee and department chair recommend appointment of the selected candidate. The department chair submits the names of acceptable finalists for the position to the dean. If the dean does not approve the appointment of any of the candidates, materials will be returned to the department chair, with justification, and the search will continue. If the dean approves the appointment of one of the candidates, he or she forwards a recommendation to the Provost for approval. If the Provost does not approve the appointment, the materials are returned to the dean with explanation of disapproval. If the Provost approves the appointment, the dean notifies the department chair who will forward the following materials to the dean:

- Memo of endorsement, certification of credentials, state application, current curriculum vitae/resume, official transcript of highest degree earned or master's degree with a minimum of 18 graduate semester hours in teaching discipline and/or certification of international degrees, and three letters of recommendation.
- Job Announcement, Record of Interview/Selection Form (RP-4), Interview Schedule (RP-3A), Interview Questions (RP-2), Candidate Screening Form, Signed Permission Form to Conduct Criminal/Credit Background Check, and any submitted materials for all candidates who were not selected for the position.

The dean signs the Record of Interview and Selection Form and forwards all materials to the Provost for final approval. The Provost then initiates the offer letter.

Before a contract is tendered by the Provost, the prospective faculty member must have on file in the Office of the Provost and Vice President for Academic Affairs the following documents:

- A current curriculum vitae.
- Official academic transcript(s) of highest degree earned or master's degree with a minimum of 18 graduate semester hours in teaching discipline (all degrees must have been conferred by regionally accredited colleges or universities, and degrees/credentials from international institutions must be evaluated to determine the U.S. equivalency).
- A certification of credentials.
- A letter of application.
- An official Commonwealth of Virginia application form.
- Three (3) letters of recommendation or documentation of references checked.
- Permission to verify previous employment.
- Official documentation of professional work experience, technical and performance competency, records of publications and certifications or other qualifications, if appropriate for demonstrating competence.

Upon the applicant's employment, all data from the pre-employment file shall become a permanent record in the Office of the Provost and Vice President for Academic Affairs.

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) requires that all faculty, both part-time and full-time, hold credentials appropriate to the level and subject matter they are teaching, and that the institution certify those credentials prior to employment (see SACSCOC *The Principles Of Accreditation: Foundations for Quality Enhancement*, Section 6: Faculty). Utilizing the SACSCOC guidelines, it is the responsibility of the hiring unit to obtain and certify credentials prior to employment.

All teaching faculty must have on file in the offices of the department and dean of the appropriate college or school a current residential or cellular telephone number and address, and shall update this information whenever it changes.

5.1.4 Orientation

Orientation for the new faculty, including term faculty, shall be provided by the Office of the Provost and Vice President for Academic Affairs, college/school, department, and Human Resources Office, as appropriate. The department chair provides orientation regarding all academic policies and procedures; more specifically, the department chair acquaints new faculty members with university regulations, performance standards, academic advising processes, and evaluation procedures. The Human Resources Office reviews all benefits, terms, and conditions of employment.

5.2 CONTRACTUAL OBLIGATIONS

Contracts for teaching faculty are normally for the academic year of two semesters. The

academic year usually runs from August 15 to May 15. The annual salary for a 9-month faculty member is paid in 24 semi-monthly installments. Faculty members are expected to adhere to the academic calendar.

Department chairs typically hold 12-month appointments. However, upon the recommendation by the college or school dean and approval by the Provost, department chairs may be granted a 9-month appointment. In such instances, administrative coverage of the departmental unit during the summer is as prescribed by the college or school dean with the approval of the Provost.

Twelve-month faculty (with administrative duties) and research faculty will earn annual and sick leave, including official university holidays. Annual leave must be approved by the immediate supervisor prior to taking the leave, except in emergency situations.

Faculty members moving from a 9-month contract to 12-month contract will have their salary increased based upon a conversion formula established by the Provost. Conversely, faculty members moving from a 12-month contract to a 9-month contract will have their salary decreased as specified in the conversion contract. If not specified, the compensation will be prorated to 75% of the 12-month compensation level.

5.3 IMMIGRATION REFORM AND CONTROL ACT

The Immigration Reform and Control Act of 1986 makes it the responsibility of Norfolk State University to verify the identity and employment eligibility of all new employees. In order to comply with the provisions of the Immigration Reform and Control Act, all new employees must complete the I-9 Form, which verifies identity and employment eligibility. Documents which establish identity and employment eligibility must be on file no later than the first day of employment.

New faculty, full-time and part-time, will be notified by the Office of Human Resources of the verification requirements and procedures of the Act at the time initial employment is offered. Such faculty must present in person to the Office of Human Resources, prior to the first actual day of employment, documents demonstrating the individual's identity and authorization to work in the United States. The required I-9 Form will be completed by the employee, certified by the Office of Human Resources, and retained in the Office of Human Resources. Such faculty must have on file all the documentary requirements prior to beginning work.

5.3.1 Sponsoring an Employee for a Non-Immigrant Visa

The university will sponsor prospective and current employees for non-immigrant (temporary) employment-based visas on a case-by-case basis. Ultimately, it is within the

university's sole and absolute discretion as to whether sponsorship will be provided.

Departments wishing to sponsor an employee must seek written approval through the dean from the Provost and submit the request to the Office of Human Resources, which will, in turn, submit the request to the Office of International Student and Scholar Services for processing. No outside counsel may be sought, other than the legal counsel assigned by the Attorney General to handle immigration matters for the Commonwealth of Virginia.

In accordance with the H-1B Visa Reform Act of 2004, all employers who wish to petition for an H-1B Visa will be required to pay a filing fee and a Fraud Prevention and Detection fee. The Fraud Prevention and Detection fee will be charged by the university, only for initial hires, not for those seeking an extension. Other than fees and costs required by law to be paid by the university, all fees and costs incurred in connection with such sponsorship shall be borne by the employee.

The employer is responsible for the reimbursement of the travel expenses of any H-1B hire if the university terminates prematurely his or her contract, regardless of the reason for the termination.

5.4 INSTRUCTIONAL AND NON-INSTRUCTIONAL WORKLOAD

Faculty workload includes all activities related to the mission and responsibilities of the university for teaching, student advising and mentoring, scholarly and creative activity and grantsmanship, and professional development and university service. Faculty members are required to meet each class on time and hold class for the duration of the period, unless formally excused by the department chair.

All persons with faculty rank are required to attend two out of three annual ceremonies: convocation, fall commencement, and spring commencement each academic year. Each department shall be responsible for reporting attendance at each event. Except for unusual circumstances, such as sudden illness or family emergency, requests to be absent from assigned activities must have prior written approval by the department chair.

5.4.1 Teaching Faculty

The full-time teaching workload is 24 credit hours for undergraduate, 21 credit hours for a combination of undergraduate and graduate, and 18 credit hours for graduate faculty per academic year, provided the faculty teaching equivalency levels (FTE), as provided by state guidelines, have been met. For faculty actively producing scholarly work, the concept of an 18-credit hours teaching workload for undergraduate faculty will be supported if it is achievable based on that department's faculty and curriculum offerings.

The recommendation for faculty course loads will be justified by the department chair and forwarded to the dean and will be based on a faculty member's ongoing adherence to the teacher-scholar model. The dean of each college/school will forward his/her recommendation to the Provost for review and approval. The template for the teacher-scholar model justification will include each department's rubric for measuring scholarly or creative productivity.

Thus, the standard teaching workload for tenured and tenure-track faculty actively involved in scholarship or creative productivity is 18 credit hours for undergraduate, 15 credit hours for a combination of undergraduate and graduate, and 12 credit hours for graduate faculty per academic year, provided the faculty teaching equivalency levels (FTE), as provided by state guidelines, has been met. The department chair, dean, or Provost may also assign an adjusted teaching load for ancillary duties and responsibilities. These teaching loads apply to both on-campus and online courses.

Faculty who are teaching part-time at another institution are not eligible for course reductions.

The teaching workload of a faculty member may be adjusted for courses that have more contact hours than credit hours and for courses with cap enrollments to meet discipline and accreditation requirements. In courses that have more contact hours than credit hours (for example, laboratories in sciences, technology, foreign languages, studio art, and physical education courses), each one-hour of contact will be the equivalent to 0.75 credit hours, provided the faculty teaching equivalency levels (FTE), as provided by state guidelines, have been met.

Graduate faculty members must be certified. The certification recommendation for graduate faculty membership is done by the Graduate Council, with final approval by the appropriate dean and the Provost. This recommendation will be based on the candidate's demonstrated current proficiency in scholarship, research, or creative work. For guidelines and certification procedures, please see section 5.4.5 on certification of graduate faculty.

5.4.2 Other Workload Measures

Time in class and credit hours are only two parameters that may be used to measure workloads at undergraduate and graduate levels. Other important considerations are the number of different preparations required of each faculty member and the number of students enrolled in classes, as well as the student-intensive nature of instruction (e.g., grading written assignments, academic conferencing on a one-to-one basis, etc.). At the undergraduate level, a department chair may assign variations in workloads, such as a 15/9 credit-hour distribution during two successive semesters to meet fluctuating

student demands or other extenuating circumstances.

For thesis and dissertation supervision (chairing), a faculty member may earn the equivalent of one-semester credit hour for every two thesis students supervised and for every one dissertation student supervised. Faculty members may earn this credit only when the student has completed the thesis or dissertation requirements. Faculty members may bank earned credits and exchange them for a course-load reduction when the equivalent credit hours are accumulated. Department chairs will be responsible for maintaining proper records. Graduate faculty members must adhere to specific guidelines delineated in the graduate program handbook regarding thesis and dissertation supervision.

5.4.3 Assignment of Workload

In consultation with faculty, the department chairs are responsible for the assignment of faculty workloads. Instructional assignments may include online, off campus, on-campus, evening, and weekend courses; curriculum development, supervising duties, academic advising, and thesis advisement. The teaching load of persons charged with administrative responsibilities and supervision may also be adjusted in accordance with the approved job description. An adjusted teaching load of a six-credit hour equivalent per semester is granted to faculty members who serve as department chairs.

Department chairs are expected to teach a minimum of three credit hours during the summer. Department chairs may request additional reductions in teaching load in order to conduct other activities such as sponsored research, contracted projects, and other university projects. The Provost will determine approval of such requests, upon the recommendation of the college/school dean.

5.4.4 Graduate Faculty

Graduate faculty are members of the university faculty who (1) have achieved the most advanced degree in their fields; (2) are actively involved in research or scholarly activities; and (3) have been assigned responsibilities for graduate education.

Graduate faculty members shall:

- Conduct research or perform other scholarly activities which are artistic, literary or clinical in nature
- Advise graduate students at the master's and doctoral level
- Chair or serve on theses and doctoral committees, adjudicate artistic, literary or clinical performances
- Hold the minimum rank of assistant professor in a full-time position or research

assistant professor or visiting faculty at the university.

Graduate faculty membership shall be restricted to those faculty members who meet the criteria specified for full, associate, or non-members or as appointed by the provost and vice President for academic affairs.

5.4.4.1 Full Graduate Faculty Membership

These criteria apply to regular faculty (tenured or tenure-track), research faculty and other faculty with graduate faculty experience in higher education.

Selection Criteria for Full Graduate Faculty Membership

1. Must hold the terminal degree or have equivalent experiences in the candidate's principal area of faculty appointment.
2. Must be actively involved in research.
3. Must be recommended by the Graduate Program Coordinator (the Graduate Program Curriculum or Policies and Procedures Committee) and approved by the department chair and the college/school dean.
4. Must be approved by the Dean of the School of Graduate Studies and Research.
5. Appointed by the Provost and Vice President for Academic Affairs.
6. Must satisfy criteria A. and B. below within the last five (5) years:
 - A. Scholarly Teaching in graduate education in at least two of the following areas:
 - i. Have taught at least two graduate courses at the 500 level and above
 - ii. Have served as a graduate student advisor
 - iii. Have supervised graduate student research
 - iv. Have served on two (2) thesis/dissertation or project committees seen through to completion.
 - B. Scholarly Activities in at least two of the following areas:
 - i. Publications and/or sponsored research (either of the following):
 - a. Have published a scholarly book requiring independent review
 - b. Have published one (1) article or essay in a peer-reviewed academic journal
 - c. Edited a book or contributed a chapter to a non-self-published book
 - d. Acquired funded grants or research contracts
 - e. Have had peer reviewed or invited performance, composition, recording, film, or exhibition related to one's teaching field or area of specialization.
 - ii. Professional presentations as evidenced by at least one of the following:

- a. Invited presentations or workshops
- b. Paper/abstract/poster presentations or performances at international, national, regional, state, or local professional conferences or workshops.
- iii. Record of professional activities at the appropriate level in one's discipline (e.g., renders professional assistance in one's area of expertise to educational or other agencies, serving on boards or accreditation team, and/or service as an officer in a professional organization).

5.4.4.2 Associate Graduate Faculty Membership

These criteria apply to regular faculty who do not meet the criteria for Full Graduate Membership. Associate Graduate status cannot exceed six (6) years.

Selection Criteria for Associate Graduate Faculty Membership

1. Must hold the terminal degree or have equivalent experiences in the candidate's principal area of faculty appointment.
2. Must be actively involved in research.
3. Must be recommended by the Graduate Program Coordinator (the Graduate Program Curriculum or Policies and Procedures Committee) and approved by the department chair and the college/school dean.
4. Must be approved by the Dean of the School of Graduate Studies and Research.
5. Must be appointed by the Provost and Vice President for Academic Affairs.

5.4.4.3 Teaching and Service by Non-Members of the Graduate Faculty

Non-members of the graduate faculty may be assigned to teach graduate level courses if qualified by SACSCOC criteria.

Restriction: Non-members of graduate faculty group may not direct master's theses or doctoral dissertations but may serve as a committee member.

5.4.5 Graduate Faculty Certification

Graduate faculty members are certified by the provost and vice President of academic affairs. Recommendations for certification begin at the department level. This recommendation will be based on the candidate's demonstrated current proficiency in scholarship, research, or creative work. Graduate faculty members are appointed for five-year renewable terms.

- Each graduate faculty candidate must initiate an application for graduate faculty

status at the departmental level by submitting an application form and supporting documentation to the department chair or equivalent no later than February 1.

- Applications of candidates for graduate faculty status are reviewed by the department chair and submitted to the college/school dean. Approval by the college/school dean is required before the application can be submitted for review by the dean of the School of Graduate Studies and Research.
- Names and the credentials of candidates approved by the dean of the School of Graduate Studies and Research will be forwarded to the Provost for final certification.
- An applicant for graduate faculty status may appeal an unsatisfactory decision by the college/school dean, requesting that his/her application be reviewed by the dean of the School of Graduate Studies and Research. If a disagreement still exists after the dean's review, the Provost will render a final decision.
- Failure to reapply for certification by February 1 of the year after the five-year term will result in automatic revocation of graduate faculty status at the end of the spring term.

All graduate faculty status decisions will be reported to the college/school deans. These findings may be used by department chairs for workload purposes.

5.4.6. Recertification of Graduate Faculty

By February 1 of the year following the five (5) year cycle, graduate faculty members must submit an application for re-certification. Graduate Faculty must meet both criteria A. and B. (see full Graduate Faculty Membership) within a five (5) year period to retain active status.

Failure to reapply for recertification by February 1 of the year after the five-year term will result in automatic revocation of Graduate Faculty status at the end of the spring term. Faculty must reapply for Graduate Faculty status as indicated above for the initial appointment.

5.4.7 Graduate Faculty Responsibilities

- Meet all requirements for graduate faculty certification
- Mentor graduate student in research, encouraging them to publish and present in professional venues
- Serve as chair or members of graduate student committees (Advisory, Thesis, Dissertation, and Terminal Project).
- Serve as role models and mentors for other faculty and students.
- Develop and evaluate comprehensive and qualifying examinations
- Teach graduate and undergraduate courses, integrating the most current research

and pedagogical methods in their areas of expertise

5.5 TEACHING OVERLOAD

Teaching overload is defined as teaching duties that exceed the 24 credit hours for undergraduate, 21 credit hours for a combination of undergraduate and graduate, and 18 credit hours for graduate per academic year.

Compensation for overloads is guaranteed by the Provost and will be determined by the specific assignment (such as independent study or a regular class load) at the current rate of compensation for adjunct faculty. Teaching overloads are limited to six credit hours per semester and can only be assigned to faculty members without a course-load reduction. An exception can be made for faculty who have been approved for the teacher-scholar reduced workload, to teach an extra course upon recommendation by the department chair. Exceptions must be approved by the Provost.

5.6 OFFICE HOURS

All full-time faculty members are required to schedule weekly office hours as determined by their respective departments for student advisement and consultation. These office hours will follow the general formula of two (2) hours per week for every three-credit-hour course assigned. Faculty with reduced teaching loads will have reduced office hours accordingly. Office hours must span at least three working days, excluding Saturdays and Sundays unless online and weekend classes are part of the workload, and must include morning and afternoon hours. If the faculty member has an online, off-campus, evening, or weekend course, the faculty member must schedule office hours appropriate for online and weekend instruction. Cyber office hours (by faculty teaching online courses) are permitted as long as faculty maintain three working days of on campus contact office hours. Office hours must be published on the course syllabi, reported to the department chair, announced to classes, and posted on office doors and/or websites. All faculty members are to schedule additional hours by appointment as needed. Faculty members are to be available, by appointment, for emergency student consultation, as determined by the department chair, during the final examination period.

If for any reason, a faculty member cannot meet the posted office hours, the faculty member will inform the department chair.

Part-time faculty members are to maintain the equivalent of two (2) office hour per week for each three-semester credit hour course taught. Other student consultations are by appointment.

Deans, with the approval of the Provost, may grant exceptions to this policy for faculty engaged in significant research or grant activities. Such a request must be in writing to

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the faculty member's department chair, approved by the chair, and then transmitted to the academic dean for approval.

5.7 SUMMER SESSION EMPLOYMENT AND COMPENSATION

Teaching summer school is an optional activity. The workload for the summer term varies, according to the departmental need and number of summer sessions offered.

Nine-month faculty members willing and scheduled to teach during the summer sessions will earn extra compensation. Summer pay for 9-month faculty members will be based on the currently approved summer pay scale for graduate and undergraduate classes. To ensure quality instruction, the teaching load should not exceed six-semester hours per summer session. Exceptions must be approved by the school dean and the Provost.

The department chair, in consultation with faculty, makes summer session assignments with the concurrence of the dean and Provost. First priority accrues in the following order:

1. Rank
2. Seniority
3. Area of expertise
4. Regular term course assignments
5. Course enrollment

The department chair will make every effort to rotate summer employment on an equitable basis so that interested faculty within the same priority class have an opportunity to teach summer courses in their area(s) of specialization. Adjunct faculty should be engaged only if there is no qualified full-time faculty member available.

It is generally expected that the summer school sessions will be self-supporting. Payment for faculty will be calculated based on rank and on a formula that incorporates the total number of students enrolled per section. Thus, low enrollment courses may be offered, if the instructor accepts prorated payment. If a decision is made to prorate payment, payment will be based on enrollment recorded for the first week of class.

5.8 SUMMER GRANT/CONTRACT PAY

Research employment compensation is based upon the terms of the grant or contract and may not exceed the equivalent of the full-time faculty member's salary (i.e., one-month base salary per employment contract period) as verified by the Office of Grants and Contracts.

5.9 OUTSIDE EMPLOYMENT

Part-time outside employment is permitted provided it does not conflict or interfere with the faculty member's assigned responsibilities. University resources and facilities are not to be used for outside employment, and state conflict of interest laws and applicable university policies are not to be violated. Full-time outside employment is not permitted.

To preserve the integrity of this policy, faculty members engaged in outside employment are required to have written authorization from the Provost via the department chair and school dean who will ascertain, in writing, if such employment is problematic for any of the above. An employee who proposes to engage in any outside professional employment, any continuing business activity, or any outside activity that could result in a potential conflict of interest is required to report annually in writing the particulars of the employment. Under no circumstance, however, should a faculty member miss class or reschedule class time to engage in any form of outside employment. Outside employment without appropriate approval may be grounds for dismissal for cause.

5.10 PROFESSIONAL GROWTH AND DEVELOPMENT

Funds to support faculty development will be made available through the Office of the Provost and Vice President for Academic Affairs to full-time faculty members who are not on a terminal contract. These funds are for the purpose of improving the quality of instruction and scholarly activity at Norfolk State University. After approval by the department chair and dean, the dean will forward his or her recommendation to the Office of the Provost and Vice President for Academic Affairs for final review, evaluation, and determination.

Every effort is made to provide some support for faculty development to as many faculty members as possible. Therefore, pending availability of funds, the first request from a faculty member receives priority. Subsequent requests for the same academic year from the same faculty member may or may not be funded. A number of things are factored into the consideration of subsequent requests, to include the amount of funding of the first request, the length of time remaining in the academic year, the balance in the faculty development account, type of request (travel, tuition, other), potential funding from other sources, etc.

5.11 PERSONNEL FILES

Faculty personnel files, which are located in the Office of the Provost and Vice President for Academic Affairs, contain materials which are assembled for the purpose of professional reviews of a faculty member's activities in considering a faculty member for salary adjustments, contract renewals, tenure, promotion, and other changes in a faculty member's institutional position and relations or conditions of employment.

Confidential materials, which were assembled in connection with the faculty member's initial employment by the university, including confidential letters of recommendation written on the faculty member's behalf, are excluded from personnel files and are placed in a pre-employment file in order that the conditions of confidentiality in which such materials were solicited and assembled will not be violated by access to the faculty member's personnel files. The personnel files are kept free of all other materials which have no relevance to the professional reviews and considerations mentioned above.

Copies of all file items must be provided to the faculty member. Reasonable effort is exercised to ensure that false, misleading, and inaccurate information is excluded from personnel files and to ensure that each file reflects, with a reasonable degree of accuracy and completeness, activities that are relevant to the review and considerations for which it is maintained. A faculty member may request access to his or her personnel file for review to ensure accuracy. If the faculty member challenges the information in the file, he or she has a right to seek the removal of all information lacking merit.

The following basic documents are to be found in each faculty member's paper or electronic record in the Office of the Provost and Vice President for Academic Affairs:

- Letter of application;
- Appointment and acceptance letters;
- State Application;
- Personal data (current telephone number and address) ; it is the responsibility of each employee to notify the Office of Human Resources of a change in telephone number and/or address;
- Performance reviews, evaluations, and other appropriate documents relating to employee performance;
- Current official transcript of highest degree earned or master's degree with a minimum of 18 graduate semester hours in teaching discipline;
- Certification of Credentials;
- An updated curriculum vitae.

SECTION VI. FACULTY PERFORMANCE

6.1 FACULTY EVALUATION PROCESS

Norfolk State University is committed to implementing an annual faculty evaluation process that recognizes and rewards achievement. It is expected that the review will provide feedback that will help faculty identify their strengths and any areas that need improvement for the purpose of enhancing teaching effectiveness and student learning. It is also expected that the reviewers will exercise professional judgment, integrity, and ethics in conducting the evaluations so that the standards are applied equitably and fairly to all faculty. Faculty who refuse to participate in the annual evaluations without just cause will be subject to disciplinary action.

The annual review of faculty is conducted for the purposes of contract renewal, promotion, tenure, change in contract type, and post-tenure review. All faculty are required to review and adhere to the evaluation criteria as outlined by the *Teaching Faculty Handbook* and by each department's specific criteria. Annual reviews become a part of the teaching faculty member's permanent personnel file.

The university employs a multi-faceted assessment approach that includes faculty portfolios, student ratings, peer evaluation (departmental evaluation committee), department chair's evaluation, and dean's comments. The data are used to make decisions regarding change of academic status, merit-pay, and retention. Additionally, annual review data serve as feedback for program and faculty improvement and are considered as one measure of institutional effectiveness.

6.1.1 Annual Review Process

The annual review process for faculty will be initiated by a departmental committee of tenured senior faculty who will forward their report to the chair for review. The review is conducted utilizing the Faculty Evaluation Guidelines, which can be found on the Office of the Provost and Vice President for Academic Affairs' website. Evaluation committees are expected to adhere to these guidelines to ensure maximum fairness, reliability, and validity. The guiding principle is that performance should be rewarded based upon professional to exemplary levels of performance, achievement, and productivity.

The following procedures should guide academic departments and schools:

- Each faculty member shall receive an annual peer performance review for teaching effectiveness.
- Teaching faculty portfolios are required and must be submitted by the date specified on the annual evaluation calendar.

- Multiple sources to assess teaching effectiveness may be used.
- Student evaluations should be used only when the surveys are statistically valid.
- The department evaluation committee must review the teaching faculty portfolio and supporting documents submitted. Supporting documents may include syllabi, examinations, and other materials required by the school and departments.

Faculty members who do not comply with the faculty evaluation procedures will not be eligible for promotion, tenure, or salary increases. Failure to comply will also trigger a review of untenured faculty members and a post-tenure review of those faculty members holding tenure.

Faculty members should ascertain that all materials provided in their electronic portfolios are accessible to the reviewers. If there are technical issues that prevent the reviewers from accessing the materials within the portfolios due to missing links, invalid links (i.e., or links that do not open), the reviewers should alert faculty members ~~should be alerted~~ so that ~~he/she/they can edit the links~~ resolve such issues ~~before a full review by the committee is conducted, and make the necessary edits within one (1) working day~~ 24 hours before a full review is conducted.

If there are irreconcilable differences between the reviews of peer faculty and the chair, both evaluations will be forwarded to the dean along with the faculty member's response. Afterwards, the dean submits his/her comments, in addition to the comments by the peer faculty, chair, and faculty member to the College/School Compliance Committee for resolution.

If a faculty member or college or school dean disagrees with a faculty member's annual evaluation by peers, an additional review may be triggered and will be conducted by the College/School Compliance Committee, which has the authority to make a decision. If dissatisfied with the decision of the College/School Compliance Committee, the grievant may appeal to the University Review Committee.

At each stage, the faculty member must be informed of the results within seven (7) business days and permitted to submit a response within seven (7) business days.

6.1.2 Criteria for Evaluation Categories

The categories for evaluation of faculty are teaching, research (scholarly/creative activity and grantsmanship), and service (professional and university service). These categories comprise the foundation for evaluating the professional performance of teaching faculty at the university. These three categories will be assessed by the departmental evaluation committees and department chairs, with oversight by ~~and~~ deans.

Commented [RM78]: Comment from Ashley Haines: this section was moved here because the procedures described apply to all sections of the portfolio, not just teaching. Previously, it was located under the teaching section.

Commented [LY79]: Committee suggested to use "workday" to remain consistent with other sections in the Handbook.

Commented [RM80R79]: Changed to working day to remain consistent with the grievance section

6.1.2.1 Category I: Teaching

Teaching is evaluated in terms of “excellence in teaching,” which is defined as a specifically designed teacher-student interaction that enables the student to attain critical thinking and application skills needed to be competitive in the workplace. As such, excellence in teaching requires faculty members to possess not only expertise in their teaching discipline but also proficiency in instructional delivery, instructional design, student learning outcomes assessment, the design and effective use of instructional materials, and the appropriate and effective use of instructional technology.

To demonstrate “excellence in teaching,” a faculty member must show proficiency in the following areas: 1) Instructional Delivery Skills, 2) Instructional Design Skills, 3) Content Expertise, and 4) Course Management. These areas are defined below.

1. Instructional Delivery Skills are those human interactive skills and characteristics that
 - make for clear communication of information, concepts, and attitudes; and
 - promote or facilitate learning by creating an appropriate learning environment.
2. Instructional Design Skills are those technical skills in
 - designing, sequencing, and presenting experiences which induce student learning; and
 - designing, developing, and implementing tools and procedures for assessing student learning outcomes.
3. Content Expertise is that body of skills, competencies, and knowledge in a specific subject area in which the faculty member has received advanced education, training, and experience.
4. Course Management embraces those administrative skills in operating and managing a course including, but not limited to,
 - timely grading of examinations,
 - timely completion of drop/add and incomplete grade forms,
 - maintaining published office hours,
 - arranging for and coordinating guest lectures, and
 - generally making arrangements for facilities and resources required in the teaching of a course.

~~The following procedures should guide academic departments and schools:~~

- ~~• Each faculty member shall receive an annual peer performance review for teaching effectiveness.~~
- ~~• Teaching faculty portfolios are required and must be submitted by the date~~

~~specified on the annual evaluation calendar.~~

- ~~• Multiple sources to assess teaching effectiveness may be used.~~
- ~~• Student evaluations should be used only when the surveys are statistically valid.~~
- ~~• The department evaluation committee must review the teaching faculty portfolio and supporting documents submitted. Supporting documents may include syllabi, examinations, and other materials required by the school and departments.~~

6.1.2.96.1.2.2 Category II: Research--Scholarly Activity and Grantsmanship

Research is defined as studious inquiry or examination aimed at the discovery and interpretation of facts, analysis of policy, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories or laws.

Research or creative work will be classified in two general areas: published and non-published.

Scholarly Activity may be defined as activity within a faculty member's specified area of expertise that contributes to the discovery of new knowledge, and/or the dissemination of knowledge within the professional community, and/or the development of personal professional skills and standing within the professional community. Scholarly activities include research, conference presentations, publications, and grantsmanship.

Each department will be responsible for writing a definition of an active scholar in the field. This definition is to be supported by at least three (3) examples of standards of scholarly productivity that peer institutions with similar teaching loads use for annual evaluation, tenure, and promotion. The College/School Compliance Committee will review each department's rubrics to ensure that the departmental standards are comparable to those of peer institutions.

The following premises should guide academic departments and schools:

- A scholarly publication is a published research or creative work that is refereed or peer reviewed.
- Credit for journal articles can be awarded for either the year of publication or the year of acceptance, but not both.
- All authors on co-authored, peer-reviewed research articles, papers, books, and chapters in books receive full and equal credit, provided that academic integrity standards have been met.
- Articles published in conference proceedings are considered scholarly activities, but will receive less credit than a published, refereed article.
- The value of a non-published, orally delivered research report, paper, or creative work presented at a professional meeting, i.e., a forum, workshop, or conference, will receive less credit than a published, refereed publication.
- Book and journal reviews are considered scholarly activity, but will receive less credit than a published, refereed article.

Commented [RM81]: Comment from Ashley Haines: this section was moved up to 6.1.1 because the procedures described apply to all sections of the portfolio, not just teaching.

Grantsmanship is defined as efforts to obtain grants (awards to the university for specific or general purposes). Consideration will be given in two areas: proposals submitted and proposals funded.

Evaluative factors for funded proposals will be developed by academic departments and will include the following:

- The scope and significance of grant(s), including the benefits to students, the department/school, and the university. “Significance” embraces the idea of positive, long-lasting impact.
- Renewal grants should be given the same consideration as the initial submission.
- The value of unfunded proposals submitted to funding agencies should be half that of funded grants.
- Lending “significant assistance” to the author of a funded grant involves making a significant contribution to a funded grant, for example, serving as co-principal investigator (Co-PI) or co-investigator (Co-I) or having intricate involvement in the planning phases of the grant.

6.1.2.96.1.2.3 Category III: Service and Professional Development

Professional Service is defined as contributions of faculty members, within their recognized area of expertise, to professional organizations, services, and events at either the local, state, national, or international level, without pay.

For evaluation purposes, academic departments and schools should consider the following activities:

- Participation in organizational or professional meetings, symposia, seminars, and colloquia other than those included under Scholarly Activity.
- Leadership in professional organizations to include Executive Boards, Organizational Committees, Panels of Judges, etc. Examples: National Alumni Associations, AAUP, VA Academy of Science, Sigma Xi, American Cancer Society, National Honor Society, Accreditation Commissions, etc.
- Invitations to serve on review committees and boards for peer-reviewing. Examples: Journals, National Science Foundation, U.S. Department of Energy, U.S. Office of Education, U.S. Department of Health and Human Services, National Institutes of Health, National Institute of Mental Health, etc.
- Professional service contributions to various sources such as print and broadcast media.
- Professional recognition through honors and awards.
- Service as an unpaid consultant in one’s areas of expertise.

Within the category of Professional Service, honoraria will not be considered as payment for services.

University Service is defined as faculty work other than teaching and research that contributes to the mission and goals of the university.

For evaluation purposes, the following premises should guide academic departments and schools:

- Service on university-wide committees (including search and ad-hoc committees) and in the Faculty Senate, Robert C. Nusbaum Honors College, International Programs, Commencement/Convocation, special task forces, etc. with the nature and scope of the task to be considered and weighted accordingly.
- Voluntary participation in support of any departmental, school, or university-approved program or committee.
- Submission of ideas or grant-proposals for external funding that is not included in Scholarly Activity.
- Voluntary participation in activities that enhance student learning and/or enhance professional performance of colleagues.
- Presentations offered by faculty to the university community that are not included in Scholarly Activity.
- Participation in academic advising.

Professional Development is defined as activities directed toward keeping abreast of events in one's recognized area of expertise and in acquiring additional knowledge and skills designed to improve one's teaching effectiveness and scholarly activities. For evaluation purposes, academic departments and schools should consider the following activities:

- Attending state/national honors programs, seminars, symposia, workshops, and professional meetings.
- Studying toward a higher degree (e.g., Ph.D.).
- Serving as an unpaid consultant in one's specialized area.
- Completing courses and other training programs.

6.1.3 Performance Levels

EP = Exemplary Performance

This rating is given to those individuals who, during the rating period, consistently exceeded the institution's standards of professional performance. Individuals receiving this rating stand as exemplars of the highest levels of professional academic performance within the institution, making significant contributions to their department, college,

academic field, and society.

PL = Professional Level Performance

This rating is given to those individuals who, during the rating period, consistently met the institution's standards of professional performance. The individuals receiving this rating constitute those good and valued professionals on whom the continued successful achievement of the institution's mission, goals, and objectives depends.

S = Satisfactory Performance

This rating is given to those individuals whose performance has been acceptable according to university standards, but not particularly distinguished.

IR = Improvement Required

This rating is given to those individuals who, during the rating period, did not consistently meet the institution's standards of professional performance. This rating must be given with the following:

- Specific feedback as to which standards of professional performance were not met.
- Suggestions for improvement.
- A written commitment to assist the individual in accessing resources required for improvement.

Improvement in performance is required within the next evaluation period.

UN = Unsatisfactory (Unacceptable)

This rating is given to those individuals who, during the rating period, did not meet the institution's standards of professional performance. This rating represents performance that is not acceptable and/or is inconsistent with the conditions for continued employment with the institution. Failure to meet these standards in any one of the following ways will result in a rating of "Unsatisfactory":

- Received an "IR" rating for the previous rating period but did not make the improvements required.
- Consistently violated one or more of the institution's standards of professional performance.

6.1.4 Procedures

6.1.4.1 Teaching Faculty Portfolio

Each faculty member is required to submit a portfolio that adheres to the guidelines indicated below. Portfolios must be submitted during the February period as specified in the annual faculty evaluation calendar.

1. Portfolio documentation should be provided for the previous calendar year (January-December).
2. All forms and accompanying narrative information and supporting documentation must be submitted by the date and time specified in the annual faculty evaluation calendar.
3. An annual evaluation portfolio template will be made available through the Office of the Provost and Vice President for Academic Affairs' website.
- 3.4. Once the entire evaluation process is complete, supervisors shall return the annual portfolios to the faculty members by May 1st.

Commented [RM82]: This line was added to the section on procedures to ensure faculty have their documents returned and address faculty concern that have arisen in the past regarding the same.

6.1.4.2 Release Time

Teaching faculty members released from teaching as a result of research grants or special assignments shall have the weight assigned to the teaching category reduced proportionally, and the weight of the evaluation category for which release time is given shall be increased.

6.1.4.3 Student Course Ratings

Student ratings of courses are employed as one of the sources in the annual review process of teaching faculty. The student evaluation process will be administered by the Office of the Provost and Vice President for Academic Affairs. The surveys will be distributed each semester to students enrolled in all classes taught. The results are made accessible to deans, department chairs, and individual teaching faculty members. Faculty shall include their student course ratings in the teaching portfolio submitted for review. During the annual review process, the departmental evaluation committee can access student ratings through the department chair. Any student survey results that are not representative of the class enrollment or otherwise not statistically valid should not be included in the calculations.

6.1.4.4 Departmental Evaluation Committee

Peer evaluation is conducted by the departmental evaluation committee. The departmental evaluation committee is comprised of no fewer than three (3), but not more than seven (7), tenured faculty members in the department who are chosen according to the following order:

1. Highest professional rank.
2. Length of tenured service at the university.
3. Total years of service at the university.

Members of the departmental evaluation committee shall be announced in departments by October 1 of the Fall Semester. The committee will select a chair who will be responsible for the deliberations of the committee. Terms of service for committee members shall not exceed two consecutive years, with staggered appointment to ensure continuity.

The committee will review all teaching faculty portfolios and student course ratings during the evaluation period. All portfolio materials are to remain on site. The teaching faculty portfolio and student course ratings of each faculty member will be reviewed by no fewer than three (3) committee members. The committee will jointly complete an individual peer evaluation form (Teaching Faculty Evaluation Form for Peers) for each teaching faculty member in order to obtain the faculty member's evaluation rating for the annual review period. A copy of this form will be reviewed and signed by the faculty member to indicate that the review has occurred. At this time, the faculty member may choose to submit written comments before the evaluation process is concluded. The report and comments will be placed in the faculty member's personnel file and a copy forwarded to the faculty member.

Copies of any approved supplemental evaluative instruments and procedures, with due dates attached, shall be made available to all faculty members within the department by October 15 prior to the year in which performance will be evaluated. The departmental evaluation committee shall be prohibited from using evaluative instruments not duly approved and distributed as described.

6.1.4.5 Department Chair's (Dean's) Evaluation of Peers

The department chair shall evaluate the teaching faculty portfolios and student ratings submitted during the review period in accordance with the faculty evaluation guidelines. The department chair will separately evaluate the faculty member on his/her adherence to their departmental responsibilities.

The dean of the school shall be responsible, in the absence of the department chair, for evaluating teaching faculty. The department chair or dean shall utilize the Teaching Faculty Evaluation Form for Department Chair to provide a rating for each teaching faculty member being evaluated.

The departmental evaluation committee members and department chairs (or deans) should be knowledgeable concerning the evaluation, interpretation, and use of the data gathered from the various evaluation sources.

6.1.4.6 Summary Composite Rating

The departmental evaluation committee chair and department chair (or, in lieu of the

department chair the dean) will meet and jointly provide a summary composite rating for each teaching faculty member. The summary composite rating determined for each teaching faculty member is documented on the Teaching Faculty Evaluation Summary Rating Form.

Teaching faculty meet with the departmental evaluation committee chair and department chair (or dean) to review and sign the summary rating form. A teaching faculty member may attach to his or her summary rating form comments in regard to the rating. All teaching faculty shall be given a copy of their Faculty Evaluation Summary Rating Form for the review period.

Copies of the Faculty Evaluation Summary Rating Forms for all teaching faculty in the department are to be filed in the department. In addition, the Office of the Provost and Vice President for Academic Affairs shall receive the original Faculty Evaluation Summary Forms with all required signatures for all teaching faculty reviewed during the evaluation period.

6.1.4.7 College or School Compliance Committee

The establishment of a compliance committee process in each college or school to assess the adherence to the guidelines noted in the *Teaching Faculty Handbook* is imperative and should be a major responsibility of each college or school dean. These committees will be established in the month of August prior to the evaluation process. The members of the compliance committee will be elected by the faculty of the respective departments and will include one tenured faculty (excluding the chair) from each department in the college or school. Members of each committee will select the chair. Members' terms will be two years.

Compliance committees will have the following responsibilities:

- Review the evaluation criteria of each department in order to assure fairness, consistency, and equivalence in evaluation procedures within the college or school.
- Oversight of the evaluation cycle.
- Random review of selected evaluations from each department to ascertain compliance with the guidelines.
- Consideration of evaluation appeals from faculty.
- Recommendations for improvements to the evaluation process.

Compliance issues will be forwarded to the college or school compliance committee by anyone in the college or school with faculty rank.

6.1.4.8 Appeal Process

Prior to the evaluation cycle by the preceding October 15, the deans shall notify the faculty of the nature and schedule of the appeal process. If the faculty member does not accept the departmental evaluation committee results, the next stage of the process will be to request a compliance review by the College/School Compliance Committee, which serves as the appeals committee.

The College/School Compliance Committee will select its chair. The chair of the departmental evaluation committee and the concerned faculty member will be invited to appear before the College/School Compliance Committee, and no additional documentation can be placed in the faculty member's portfolio. After the college/school appeal, the faculty member has the right of appeal to the University Review Committee (URC). The URC chair will forward its recommendations to the Provost, whose decision will be final.

SECTION VII. LEAVES

The Teacher Absence Request and Leave Reporting forms are to be used to report all types of leave by teaching faculty.

7.1 TEACHER ABSENCE REQUEST POLICY

Faculty who plan to be away from the university during assigned class periods must receive in advance, the written approval of the department chair and dean. The Teacher Absence Request form is an official document of the university and is designed to ensure that academic officials know in advance, when possible, that the assigned instructor is not able to meet a class or classes as scheduled and what provisions have been made for such. In case of emergencies, absences must be reported as soon as possible. Reporting to work after the assigned class periods have been missed does not abrogate the requirement of executing this form.

In addition to the above, 9-month and 12-month faculty (with administrative duties) must execute the Leave Reporting Form. This form must be executed by the last day of each reporting period. In the event of a prolonged absence or employee failure to execute said form, it becomes the responsibility of the immediate supervisor to execute the forms by the last day of each pay period.

Twelve-month faculty (with administrative duties) must report to the campus work site when classes are not in session and the university is officially open. Absences will require the execution of the appropriate leave reporting form.

7.2 ACADEMIC LEAVE

Pending the availability of funds, a limited number of academic leaves will be awarded annually for faculty members who need to complete doctoral study or develop expertise in an area identified by the university as a critical area. Any faculty member is qualified to apply for academic leave, provided the faculty member is full-time and has completed a minimum of three (3) years of continuous service at Norfolk State University.

7.2.1 Procedure

- Applications for academic leave must include a detailed proposal outlining the study to be undertaken and the expected outcomes, a plan to cover the regular workload of the applicant, and acceptance from an accredited institution.
- Applications must be approved by the department chair, college/school dean, and Provost. Notice of approval will be sent through the supervisory channel.
- Applications for academic leave scheduled to begin in the fall semester must be submitted to the Provost by February 1 of the previous academic year and for the

spring semester, by August 1 of the same academic year.

- Applications will be reviewed by the University Faculty Recognition Review Committee. Recommendations will be submitted to the Provost for review and determination.

7.2.2 Conditions

Considering university priorities, a faculty member will be granted academic leave of one semester or one full year. A faculty member who is approved for one semester shall receive regular compensation from the university for that semester, provided that he or she accepts no employment during the semester.

A faculty member who is approved for a one-year academic leave shall receive one-half compensation from the university. Academic leave may be extended beyond one year without pay.

Within two months after the termination of an academic leave, the faculty member shall submit through his or her department chair and dean a report to the Provost on his or her accomplishments. If appropriate, attached to this report must be transcripts of any coursework taken during the assignment and the names of persons with whom the faculty member worked during the academic leave.

Unless otherwise restricted by existing legal or other requirements, upon completion of academic leave, the faculty member will return to his or her original position or to one of similar status, pay, and benefits.

The Provost may establish a limit on the number of academic leaves to be awarded per semester.

7.3 SABBATICAL LEAVE

The university does not have a “traditional” sabbatical leave policy; that is, a faculty member is not automatically eligible for consideration for sabbatical leave for the seventh year of full-time service at the university. However, pending the availability of funds and needs of the university, a limited number of sabbatical leaves may be awarded annually, with each school receiving equal representation, if one or more of the conditions set forth in Section 3.9 are met. The intent of the policy is to promote the continued professional and intellectual development of faculty. Tenured faculty are eligible to apply for a sabbatical of one semester or one year, provided they have completed or will be completing six (6) consecutive years of service at Norfolk State University at the end of the term in which the application is submitted.

7.3.1 Procedure

- Application for sabbatical must include a detailed proposal outlining the research/project to be undertaken, the expected outcomes, and a plan to cover the regular workload of the applicant.
- Application must be approved by the department chair, dean, Provost, and the Board of Visitors. Notice of approval will be sent through the supervisory channel.
- Applications for sabbaticals scheduled to begin in the fall semester must be submitted to the Provost by February 1 of the previous academic year and the spring semester by August 1 of the same academic year.
- Applications will be reviewed by the Faculty Recognition Review Committee. Recommendations will be submitted to the Provost for review and determination.

7.3.2 Conditions

Considering university priorities, a faculty member may be granted a sabbatical of one semester or one full year. A faculty member who is approved for one semester shall be assigned full time to the research/project for that period and shall receive regular compensation from the university, provided that he or she accepts no other remunerative employment during the semester. The department chair must agree that the courses normally taught by the faculty member can be covered by the department without additional full-time personnel. In other words, the faculty member will be counted as one full-time equivalent faculty member on the workload analysis, and the department must meet its normal faculty-student ratio as if the faculty member were teaching full time.

A faculty member who is approved for a one-year sabbatical assignment shall receive one-half compensation from the university during this period and may accept remunerative employment. If the department is meeting its stipulated faculty-student ratio, one-half of the normal compensation of the faculty member will be available to the department for the employment of additional personnel.

Within two months of the termination of a sabbatical, the faculty member shall submit through his or her department chair and dean a report to the Provost on his or her accomplishments during the assignment. Unless otherwise restricted by existing legal or other requirements, upon completion of leave, the faculty member will return to his or her original position or to one of similar status, pay, and benefits.

Faculty members whose requests are approved for sabbatical leave will receive a leave no longer than one year, and no extensions will be granted without re-application and approval.

The Provost may establish a limit on the number of sabbaticals to be awarded per semester.

7.4 LEAVE OF ABSENCE WITHOUT COMPENSATION

Time off and breaks in service that are initiated by the faculty member and are not in the interest of the university will interrupt the faculty member's chronological progression towards tenure and will not be counted.

Faculty members whose requests are approved for Leave of Absence Without Compensation will receive a leave no longer than one (1) year at a time and no more than two (2) consecutive years total. Such faculty may not accept full-time employment unless this was proposed in the original absence request.

Faculty authorized for such leave are eligible to continue their extended group medical benefits and life insurance as provided for by prevailing state policies. Upon return to their positions, they will be compensated at the salary they were earning at the time the leave was granted, plus any additional increments that were awarded.

7.5 PERSONAL LEAVE

It is the responsibility of the supervisor to maintain a time and attendance record for each employee. A copy of these records should also be maintained in the department, school, and Human Resources offices. A Leave Reporting Form must be submitted for all paid leave utilized by 9-month faculty and 12-month (with administrative duties). The month, year, and department must be identified on the form. The form must be maintained by the supervisor for five (5) years and must be available for periodic post audit review.

7.6 SICK, FAMILY, AND MEDICAL LEAVE

The Office of Human Resources maintains leave records on all personnel under the program or plans as outlined: Commonwealth of Virginia Department of Personnel and Training Sick Leave Plan for classified, twelve-month faculty (with administrative duties) and faculty administrators; Virginia Sickness and Disability Program (VSDP) for all Virginia Retirement System (VRS) employees; Norfolk State University Sick Leave Plan for nine-month faculty; and the Optional Retirement and Short-term Disability Sick Leave Plan (ORP/STD) for faculty members enrolled in one of the Optional Retirement Plans.

Twelve-month (with administrative duties) faculty, administrators, and nine-month faculty must be enrolled in one of the plans.

NSU's Sick Plan is operated by the university and may be used for absences due to personal illness, injuries, and preventive and well-patient doctor visits. However, nine-month faculty are not covered during a summer appointment under any sick leave policy.

Nine-month teaching faculty members are credited with sick leave and family and

personal leave on January 9 of each year based upon their years of service. However, unused sick and personal leave may not be carried over to the next calendar year, and the faculty members will not be paid for any unused leave credited when they separate or terminate employment.

Sick leave must be reported to the Office of Human Resources using the Leave Activity Reporting Form. When a faculty member is on sick leave, the time charged will be based on instructional time only. Supervisors and department chairs are responsible for ensuring that the leave reports and doctor statements are forwarded to the Office of Human Resources in a timely manner when a faculty member is out. Doctor statements are required for extended illnesses, more than five (5) consecutive working days, and for illnesses with restrictions.

Family and personal leave can be used for short-term absences because of family illness, unforeseen emergencies, and any other permitted purpose, provided reasonable notice is given to the supervisor and the absence does not impede the ability of the agency to perform essential services.

Except in emergencies, mitigating circumstances, or doctor's orders, use of sick leave and family and personal leave in excess of five (5) consecutive working days must be approved by a supervisor.

Commented [RM83]: Edited to remain consistent in the use of working day terminology

Commented [RM84]: Edited to remain consistent in the use of working day terminology

SECTION VIII. SEPARATION

8.1 SEVERANCE

Operationally defined, severance relates to those acts of voluntary and involuntary separation of a faculty member from university service. Policies and procedures relating to severance at Norfolk State University are designed to accomplish the following:

- Assure faculty members of their academic freedom and due process rights.
- Protect the university's rights and its responsibility to recruit and retain the best qualified faculty within its means.
- Ensure that all severance actions taken are in accordance with established policies and guidelines, are based on professional and ethical judgment, are applied equitably and fairly, and are communicated to all persons who have direct involvement in the matter.

8.2 FACULTY MEMBER-INITIATED SEVERANCE

A faculty member may initiate the action to separate voluntarily from employment by the university through the process of resignation or retirement.

- To decline an offer of reappointment, notice should be given in writing no later than May 1 preceding the academic year of severance.
- If a faculty member desires to sever an existing appointment at the end of, or during the academic year, notice shall be given in writing at the earliest opportunity.
- A request to be released from the contract may be submitted in the case of hardship, in a situation where substantial professional advancement might be denied, or when a satisfactory agreement for separation can be achieved between the faculty member and the university.
- Refusal to participate in the required annual peer evaluation process will be processed as faculty-initiated severance.

8.3 UNIVERSITY-INITIATED SEVERANCE

When the university elects to initiate actions to separate a faculty member from service to the university, notices of non-reappointment or non-renewal, dismissal for cause, or termination will be issued.

8.3.1 Non-Renewal of Multi-Year Status

Non-reappointment to multi-year status applies when a faculty member's multi-year appointment is not to be renewed or extended. Since the terms of the member's multi-

year appointment shall have been made clear to the involved faculty member at the time the appointment is made, non-reappointment procedures shall be considered on a case-by-case basis. Multi-year contracts do not have automatic renewal clauses, and negotiations for renewals will be considered on a case-by-case basis.

8.3.2 Non-Renewal of Tenure-Track (Probationary) Status

Non-renewal of tenure-track (probationary) status applies to the separation of a faculty member prior to the time the faculty member has advanced to tenured status at the university. Notices of non-renewal to probationary status shall be given in writing and the faculty member will be given a one-year terminal contract.

8.3.3 Dismissal for Cause

Dismissal for cause applies to the separation of a faculty member, including those on probationary or tenured status at the university. It may also be used when the university deems it necessary to release a faculty member prior to the end of the faculty member's contract year, or sever the employment of a faculty member with less than the minimum period of notification being met. Dismissal-for-cause notices may be issued for documented reasons such as the following:

- Dereliction of duty or failure to execute contractual obligations.
- Falsification of employment documents or other misrepresentations of credentials.
- Incompetence or the inability of the faculty member to perform in the expected professional capacity.
- Moral turpitude or personal and professional conduct that destroys or impairs academic effectiveness.
- Criminal conviction.
- Non-compliance with prescribed university policies, i.e. unprofessional conduct and conduct that significantly adversely affects the functioning of the department, college/school, or university.
- Dual full-time employment at Norfolk State University and another institution or agency.
- Misuse of state property.

Dismissal-for-cause notices shall be issued in writing by the Provost and Vice President for Academic Affairs. The notice shall include a statement of circumstances and/or charges.

Should the involved faculty member wish to appeal a notice of dismissal for cause, he or she shall follow the established grievance procedures as outlined by Section 8.7 of the *Teaching Faculty Handbook*.

8.3.4 Termination

Termination applies to the separation of a faculty member due to extenuating circumstances beyond the control of either the faculty member or the university. Termination proceedings may be initiated when:

- *Bona fide* financial difficulty has been firmly established by the Board of Visitors and proclaimed to exist;
- *Bona fide* financial emergency in a department or college/school, or reorganization or termination of programs as defined by established university policies and procedures;
- Changes occur in the educational program, such as program or department discontinuance or other acts of retrenchment based on systematic reviews and the need for faculty.
- Mental or physical illness, even with accommodation, renders the faculty member incapable of carrying out assigned duties for an extended period or permanently.

Faculty retrenchment shall proceed with the issuance of notices of termination in the following order, until such time as the required level of retrenchment is met:

1. Term faculty
2. Tenure-track faculty
3. Tenured faculty

If a faculty member's position is terminated because of retrenchment, the provision of State Workforce Transition Act governs re-employment rights.

8.4 RESIGNATION

Faculty members wishing to resign should give notice as far in advance as possible. Ordinarily, three months is the minimum acceptable notice. Faculty members with instructional responsibilities are expected to complete the entire semester.

8.5 RETIREMENT

A faculty member may retire under conditions set forth in the *VSRS Handbook for Members*. This *Handbook* may be secured from the Office of Human Resources. It is desirable that a faculty member contemplating retirement first seek a pre-retirement consultation. Once the retirement decision has been made, the department chair, dean, and Provost should be notified.

8.6 ELIGIBILITY OF ADMINISTRATORS WITH ACADEMIC RANK TO RETURN TO

TEACHING FACULTY

Twelve-month administrative or teaching faculty who were hired with academic faculty rank and served as members of the teaching faculty, whether tenured or non-tenured, may return to the classroom at the same rank as when they left. If they were non-tenured, the time served in administration will not be considered in the tenure process. Returning faculty may be given time to retool or update in their discipline, not to exceed one semester. At no time shall the adjustment in salary of the academic administrator be greater than the upward adjustment at the time of initial appointment to administrative duties as specified in the administrative contract.

8.6.1 Policy on Administrators' Salary Conversion to Teaching Faculty

The purpose of this policy is to convert a salary for an administrative and professional faculty member on a 12-month basis to a 9-month basis.

The conversion salary is as specified in the initial contract of appointment. If not specified, then the adjustment process for salary conversion of administrators or 12-month faculty who return to 9-month faculty salary is as follows:

- The 12-month salary less: (a) three months (3/12) salary and (b) the administrative supplement, if granted when the administrative faculty appointment was made, unless otherwise specified in the employee's administrative or professional contract.
- The faculty member retains all merit pay that he/she may have received during his/her tenure as an administrator.

If a faculty member fails to complete his/her tenure as an administrator, the 12-month salary will be reduced by the amount of three months that was added when he/she assumed the administrative responsibilities, if applicable. The faculty member will retain all merit pay increases that he/she may have received during his/her tenure as an administrator.

If there are administrators whose initial contracts did not identify the salary upon leaving the administrative position by proportion of salary or an absolute monetary amount, then the salary should be determined by the Provost and the President; the salary level will be set based upon the academic administrator's qualifications and experience.

8.7 FACULTY GRIEVANCE PROCEDURE

The Faculty Grievance Procedure may be utilized by any full-time teaching faculty member for any faculty-initiated grievance, except for those matters falling within the jurisdiction of another resolution mechanism within the university (for example,

unlawful discrimination or harassment). As used in this procedure, a grievance is an allegation by a faculty member that he or she has suffered a direct injury as a result of the following:

- An action, refusal to act, or failure to act by an administrative officer of the university which deviated materially from the existing policies and procedures of the university; or
- An action by an administrative officer of the university, which was arbitrary, capricious, unreasonable, or contrary to the facts.

Commented [R85]: Added language to include more actions that could affect faculty

"Administrative officer," as used in this document, refers to any individual exercising administrative authority including, but not limited to, a dean, a department chair, or a program director.

Commented [R86]: Added definition of administrative officer for clarity

Faculty members are encouraged to seek resolution of concerns through collegial processes other than the grievance procedure described herein. Doing so, however, does not preclude the faculty member's rights under the Faculty Grievance Procedure.

Timelines are established via working days. For the purposes of grievance processes, the working day is defined as a weekday, Monday through Friday, except for days that the university is officially closed. Also, timelines may be adjusted by administration for compelling circumstances, such as official examination periods and periods when the university is open but academic instruction is not in session (for example, summer breaks).

The grievance procedure is administered by the Faculty Senate Grievance Committee.

Commented [MR87]: This sentence was added to introduce the grievance committee composition and elections sections. They were moved to improve placement in the section.

8.7.1 Faculty Senate Grievance Committee

8.7.1.1 Composition of the Committee

Commented [MR88]: These definitions were moved to improve placement in the Grievance section.

The primary vehicle for processing formal faculty grievances is the Faculty Senate Grievance Committee, which shall consist of five (5) full-time, tenured faculty members. The Faculty Senate President or his/her appointee serves as an ex officio member, serving as an adviser to the committee. The committee composition will be announced and posted on the Faculty Senate webpage.

8.7.1.2 Elections and Terms of Service

Commented [MR89]: These definitions were moved to improve placement in the Grievance section.

Each college or school will elect a committee member in August. Colleges will hold elections in odd years, and schools on even years, allowing for the staggering of members' service. Members will serve two consecutive years, commencing September 1 and ending on August 31 of the second year thereafter, and can be re-elected for another two years.

The committee will elect a chair during its first meetings in the month of September. If a vacancy in a position on the committee occurs during midterm, a new election will take place to identify a new college or school representative. The individual designated to fill the position shall serve until the expiration of the original term. Members of the committee shall make diligent efforts to attend all meetings of the committee. The committee may declare vacant the position of a member who is absent from two (2) committee meetings during the course of a year.

It is the responsibility of the Faculty Senate President or his/her designee to maintain the records of Committee membership terms and expiration dates while ensuring their publication on the Senate's website.

Commented [MR90]: Added to allow a designee to maintain the records and publish on the website

8.7.18.7.2 Faculty Grievance Procedure: Initial Step

A faculty member who chooses to grieve under this procedure shall first complete and submit the Initial Faculty Grievance Resolution Request Form (Appendix A) to the administrative officer whose action or inaction is the basis for the grievance. A meeting to discuss the grievance must be scheduled and held by the administrative officer within ~~two weeksten (10)~~ working days of the receipt of the request form. The grievant has the right to bring a third party, such as ~~but not limited to~~, the departmental Faculty Senate representative or a member of the college or school Compliance Committee, to the meeting as an observer. Minutes ~~will~~ shall be taken and approved by all attending parties. After the meeting, the administrative officer will record the administrative officer's response to the grievance and meeting outcomes on the Initial Faculty Grievance Resolution Form. Both the administrative officer and the grievant will sign the form. The grievant shall receive a copy the signed initial step form including the minutes from the meeting no later than three (3) working days after the meeting. If the faculty member believes that consulting with the administrative officer may result in retaliation by that administrative officer, then the faculty member should submit the form to the administrative officer's immediate supervisor. The process for this meeting shall be the same as described above.

Commented [MR91]: Hyperlink this to the form on the website

Commented [R92]: Add the appendix of the handbook to include all forms referenced in the handbook

Commented [R93]: Change made to remain consistent with using working days

Commented [R94]: Added for clarity so faculty will not assume that those are the only two choices they have

Commented [R95]: This addition is to ensure the grievant receives the meeting minutes and a signed initial step form from the administrative officer.

If the faculty member is satisfied that the matter has been resolved, the two forms referred to above and the minutes will be filed with the Office of the Dean and the Office of the Provost and Vice President for Academic Affairs. All involved parties will receive copies of all documents.

If, after the discussion(s), the faculty member believes that the matter has not been resolved, or if a discussion has not occurred within the ~~two weeksten (10)~~ working day period, the faculty member may proceed to the second step of the grievance procedure as outlined below.

8.7.28.7.3 Faculty Grievance Procedure: Second Step

1. A faculty member shall initiate the second step of the grievance by filing a written statement of grievance with the chair of the Faculty Senate Grievance Committee.

2. The written statement filed electronically by the faculty member shall contain, as a minimum, the following:

- a. A statement of the injury suffered by the faculty member and the date thereof;
- b. The grounds upon which the faculty member is grieving the action, including an identification of the applicable policy or procedures, if any;
- c. A statement of the remedy sought by the faculty member;
- d. The forms and minutes from the "Faculty Grievance Procedure: Initial Step"
- e. A description of the action about which the faculty member is grieving including
 - a. The grounds upon which the faculty member is grieving the action, including an identification of the applicable policy or procedures, if any;
 - A description of the events leading to the action;
 - A statement of the injury suffered by the faculty member and the date thereof;
 - A statement of the remedy sought by the faculty member;
 - The forms and minutes from the "Faculty Grievance Procedure: Initial Step".

3. The written statement must be no longer than 1,000 words, and the faculty member should attach copies of any relevant documentation. If the Faculty Senate Grievance Committee determines that the written statement of grievance does not meet the requirements described in item 2 and 3 above, the grievant shall be advised of the deficiencies in the statement and shall be provided a reasonable time, as determined by the committee, within which to forward a statement that follows the requirement to the chair.

4. Except in cases involving personnel actions, the written statement of grievance shall be filed with the chair of the Faculty Senate Grievance Committee within ninety-sixty (90/60) working days (90) days of the date that the faculty member suffers the alleged injury. In those exceptional cases when the faculty member can demonstrate that he or she did not know, or have reason to know, of the grounds for grievance within ninety-sixty (90/60) working days (90) days, the Grievance Committee may extend this period to one hundred and eighty-twenty (180/120) working (180) days. If the faculty member's grievance concerns a series or pattern of injurious decisions, the period shall run from the date of the latest alleged injury; however, the committee may review all of the decisions in the alleged series or pattern, and the committee may make recommendations concerning all of the decisions in the alleged pattern if it finds that such a pattern did exist and that any incident of the pattern occurred within the number of days specified herein.

5. In a case involving a personnel action, e.g., a non-reappointment, promotion, evaluation, salary increment, or a decision not to award tenure, the written statement of grievance shall be filed with the chair of the Faculty Grievance Committee within thirty-twenty (30/20) working (30) days of the date that the faculty member is provided notice of action taken after administrative and academic review procedures have been

Commented [MR96]: included "electronically" to remain consistent with the current process. Also, added a numbered bullet to better organize the section

Commented [MR97]: This was a reorganization of the numbered bullets. The goal of these edits was to ensure that the faculty member submits a properly organized document for the grievance committee to review.

Commented [MR98]: This bullet and e were merged because they were essentially asking for the same thing.

Commented [MR99]: this bullet was merged with the new bullet e (essentially saying the same thing)

Commented [MR100]: changed numbering (added a numbered bullet) to better organize the section

Commented [MR101]: Added this bullet to ensure grievant complies with format requirement of grievance submission.

Commented [MR102]: converted to workdays to remain consistent with the rest of the section

Commented [MR103]: converted to workdays to remain consistent with the rest of the section

Commented [RM104]: Edited to remain consistent in the use of working day terminology

exhausted.

6. If the period described in ~~item 4 or 5 paragraph 24 or paragraph 34~~ above would expire ordinarily between the university's fall and spring semesters, the period shall be extended and shall expire twenty (20) working days after the beginning of the next semester.

Commented [MR105]: Corrected to include item 5. This is not a change in the process, only a change in the numbering and a typo correction.

Commented [RM106]: Corrected for new numbers

- ~~4.7.~~ If the committee determines that the written grievance was not filed in a timely manner or that the matter described in the grievance is not within the authority of the committee to review (see item 11 below), the committee shall not review the grievance. The faculty member shall be notified of the committee's decision and the reasons thereof within five (5) working days of its final decision.

Commented [MR107]: this was added to include a rationale if a grievance is not filed in a timely manner

8. The faculty member ~~in any matter before the Faculty Grievance Committee~~ may withdraw the matter at any time during the committee's proceedings by submitting a written statement to the Faculty Senate Grievance Committee chair. Such action removes the matter from the jurisdiction of the Faculty Senate Grievance Committee and closes the case.

Commented [MR108]: added to ensure notification of the committee is included

- ~~5.9.~~ The Faculty Senate Grievance Committee or Hearing Panel (see Section 8.7.4) may take ~~whatever~~ whatever steps it deems necessary and appropriate to encourage settlement.

Commented [MR109]: This was separated into another bullet to clarify it. It did not belong in the previous bullet.

- ~~6.10.~~ The chair of the Faculty Senate Grievance Committee will distribute the names of the members of the Faculty Senate Grievance Committee to all parties to the grievance within five (5) working days of receipt of the grievance. Any party to the grievance may request that a committee member be disqualified for potential bias or conflict of interest. Also, a member of the Faculty Senate Grievance Committee may request recusal from the committee regarding a specific grievance as a result of potential bias or conflict of interest. This action should be completed no later than two (2) working days from said notification. The remaining Faculty Senate Grievance Committee members shall make, by consensus, and no later than five (5) working days after receipt of the request for disqualification or recusal, a final determination of such request. If the request is granted, the remaining Faculty Grievance Committee members shall act on the matter, and the Faculty Senate President or his/her representative shall participate fully in deliberations and recommendations.

- ~~7.11.~~ The Faculty Senate Grievance Committee shall convene in closed session within ~~fifteen (15) (20) (45)~~ working days of receipt of the grievance to review the written complaint and supporting documentation submitted by the grievant. The Faculty Senate Grievance Committee, at its discretion, may request additional materials and/or written clarifications from the parties to the grievance and shall specify the timeline for submission. The proceedings and deliberations of the Faculty Senate Grievance Committee are recorded, documented, and include written materials for record keeping. There shall be no oral presentations or testimonies by parties to the grievance or on the behalf of parties to the grievance. A summary of the proceedings and deliberations will be prepared to support the committee's determination ~~as explained on below in item 8.~~ whether or not to reconvene as a

Commented [MR110]: merged dates from this and next bullet since they both addressed the same process

Commented [MR111]: recording of grievance committee proceedings is inappropriate. Only meeting minutes should be taken as usual and for the purpose of record keeping, the process is to deliver these documents to the Provost's office and the final recommendation comes from there to the grievant.

Commented [MR112]: corrected this to reflect the new numbering of the section

Commented [MR113]: merged the two bullets to eliminate repetition

Hearing Panel. The Faculty Senate Grievance Committee may proceed with a Hearing Panel unless the merits of the case are based upon one or more of the following:

- If the grievant has made inadequate attempts to resolve the concerns through consultations with appropriate administrative officers, the committee will refer the grievant to the appropriate officers.
- If the concerns are not supported by existing policies and procedures, either published or accepted as the norm, the grievance will be dismissed.
- If the concerns are in litigation and/or have been referred to entities external to the university (e.g., EEOC), the matter will be outside the purview of the committee.
- If the grievance matter falls within the jurisdiction of another resolution mechanism within the university, the committee will identify such mechanism to the grievant.

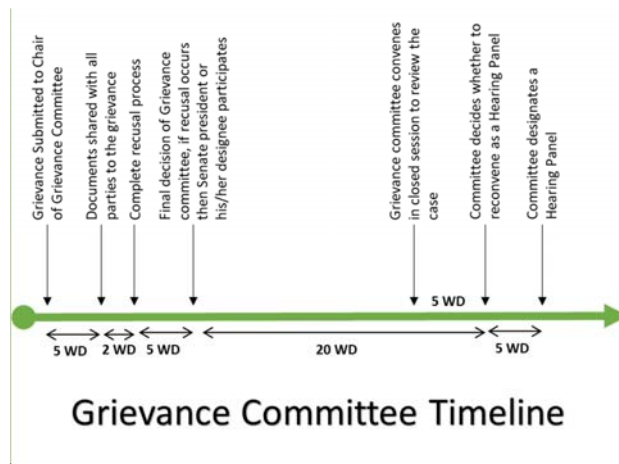
8.12. Once the Faculty Senate Grievance Committee determines that the faculty member's grievance should be referred to a Hearing Panel, it shall designate a Hearing Panel for that purpose within five (5) working days of its determination. The Hearing Panel will conclude-convene its deliberations within fifteen (15) working days of its constitution.

13. If the recommendation is not to hearrefer the grievance to Hearing Panel, the Faculty Senate Grievance Committee shall submit its rationale and the meeting minutes to the grievant and to the Faculty Senate President in writing. The meeting minutes and recommendation(s) of the Faculty Grievance Committee will be retained in the Office of the Provost Vice President for Academic Affairs and the Faculty Senate Office as directed by Administrative Policy #33-04 (2018) – Records Management Program.

Commented [MR114]: this is added to clarify how these determining factors (a-d) are used in deciding whether to go to Hearing panel or not

Commented [MR115]: edited to remain consistent with section 8.7.4.2 (6)

Commented [MR116]: used the same language as #12 to remain consistent



Commented [RM117]: This is a graphic created to represent the timeline for the Grievance committee. It reflects the steps from the above section in graphic form.

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8.7.3 Faculty Senate Grievance Committee

8.7.4.0 Composition of the Committee

The primary vehicle for processing formal faculty grievances is the Faculty Senate Grievance Committee, which shall consist of five (5) full-time, tenured faculty members. The Faculty Senate President or his/her appointee serves as an ex officio member, serving as an adviser to the committee. The committee composition will be announced and posted on the Faculty Senate webpage. The Faculty Senate President or his/her appointee serves as an ex officio member, serving as an adviser to the committee. The committee composition will be announced and posted on the Faculty Senate webpage.

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8.7.7.0 Elections and Terms of Service

Each college or school will elect a committee member in August. Colleges will hold elections in odd years, and schools on even years, allowing for the staggering of members' service. Members will serve two consecutive years, commencing September 1 and ending on August 31 of the second year thereafter, and can be re-elected for another two years. The committee will elect a chair during its first meetings in the month of September. If a vacancy in a position on the committee occurs during midterm, a new election will take place to identify a new college or school representative. The individual designated to fill the position shall serve until the expiration of the original term. Members of the committee shall make diligent efforts to attend all meetings of the committee. The committee may declare vacant the position of a member who is absent from two (2) committee meetings during the course of a year.

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8.7.4.1 The Hearing Panel

8.7.4.1 Composition of the Hearing Panel

It shall be the responsibility of the chair of the Faculty Senate Grievance Committee to ensure that members of the Hearing Panel are eligible to serve on the panel. The Hearing Panel shall be composed of the Faculty Senate Grievance Committee members and two Faculty Senate Executive Committee members as selected by the chair of the Faculty Senate Grievance Committee. The members of the panel will select a chair for the panel. All panel members must be tenured. Either party in a case may challenge the membership of the panel for cause. Cause may include holding a prejudicial public position on the matter to be heard; a personal interest in the matter to be heard; or a close, personal, or direct professional relationship with either party. No peremptory challenges shall be permitted. The Faculty Senate Grievance Committee shall decide disputes over the legitimacy of a challenge. Members of a Hearing Panel should voluntarily recuse themselves from hearing matters which may raise for them grounds for challenges for cause, whether or not such challenges have been made. Any Hearing Panel member who has a close, personal, or direct professional relationship with the person filing a grievance or the administrator against whom the grievance is filed must recuse himself/herself

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from serving on that case. This membership challenge and/or recusal process must be concluded within three (3) working days of panel constitution.

8.7.4.2 Procedures of the Hearing Panel

1. Challenges to Hearing Panel membership shall be handled as detailed in Section 8.7.2. Notice of this action and copies of the grievant's documentation will be forwarded to all parties to the grievance and the Provost and Vice President for Academic Affairs at the point of initiation. Either party in a case may challenge the membership of the panel for cause. Cause may include holding a prejudicial public position on the matter to be heard; a personal interest in the matter to be heard; or a close, personal, or direct professional relationship with either party. No peremptory challenges shall be permitted. The Faculty Senate Grievance Committee shall decide disputes over the legitimacy of a challenge. Members of a Hearing Panel should voluntarily recuse themselves from hearing matters which may raise for them grounds for challenges for cause, whether or not such challenges have been made. Any Hearing Panel member who has a close, personal, or direct professional relationship with the person filing a grievance or the administrator against whom the grievance is filed must recuse himself/herself from serving on that case. This membership challenge and/or recusal process must be concluded within three (3) working days of panel constitution.
2. Advisors: Each party to the grievance may be accompanied in the hearing by a non-participating adviser, who may be a legal counsel. If the non-participating adviser is a legal counsel, notification to the Faculty Grievance Committee must be provided at least five (5) working days prior to the convening of the Hearing Panel so that other parties to the grievance, including the Hearing Panel, may invite legal counsel as well. The parties to the grievance may consult with non-participating advisers during the hearing; however, non-participating adviser(s), to include legal counsel, may not address the Hearing Panel or other participants directly. Each party to the grievance is permitted a maximum of two non-participating advisers.
3. The Hearing Panel must convene within fifteen (15) working days of referral of the grievance from the Faculty Senate Grievance Committee.
4. The Hearing will be held no later than sixty (60) working days from convening as a Hearing Panel. Upon agreement of all parties, and/or, in extraordinary cases as determined by the chair of the Hearing Panel and University Legal Council, a hearing may be held later than sixty (60) working days.
5. The chair of the Hearing Panel shall set the date, time, and place of the hearing. Insofar as it is possible, the hearing shall be set at a date and time which is convenient to all parties and continuance of the hearing date may be granted by the chair of the Hearing Panel upon the request of either party or upon the panel's own motion.
6. Fourteen (14) working days prior to the hearing, the chair of the Hearing Panel shall notify each party of the date, time, and place of the hearing. A party may agree to

Commented [MR118]: The referenced section does not reference anything on recusal for cause therefore this is being removed.

Commented [MR119]: This section is moved to place it where it really belongs in the procedure for the Hearing Panel

Commented [MR120]: Moved for better placement in the process

Commented [MR121]: Moved for better placement in the process

Commented [MR122]: This was added to ensure a reasonable end date for a Hearing. A clause was included in case of circumstances that required extensions.

Commented [MR123]: Included to allow flexibility

waive this notice. All parties not given timely notice must agree to waive notice before the hearing may be held as scheduled. Except as otherwise provided, each party who has been given timely notice or who has waived timely notice is expected to appear in person at the hearing. If any such party should fail to appear, the chair of the Hearing Panel may decide, at the chair's sole discretion, to proceed with the hearing in that party's absence. If the chair of the Hearing Panel decides to proceed, the party's absence shall not invalidate the hearing.

Commented [MR124]: Moved for better placement in the process

- 4.7. At least ten (10) working days prior to a panel hearing, all parties must submit all updated written documents and exhibits to be considered at the hearing to the chair of the Hearing Panel. The chair of the Hearing Panel will distribute, or otherwise make available, all materials to both parties at least five (5) working days before the hearing.

Commented [MR125]: This section was moved from a bullet below and merged into this one since it completes the meaning of the process for this bullet.

Commented [MR126]: Added updated so it is not understood that they can submit a whole new packet.

8. The Hearing Panel, with the consent of both parties, may meet with the parties prior to the hearing to discuss procedures, to clarify the issues, to exchange documentary evidence, to make stipulations of fact, and to take any other actions necessary to expedite the proceedings.

Commented [MR127]: To remain consistent with the terminology in referencing the Panel

2. The chair of the Hearing Panel shall set the date, time, and place of the hearing. The hearing shall be set at a date and time which is convenient to all parties and continuance of the hearing date may be granted by the chair of the Hearing Panel upon the request of either party or upon the panel's own motion.

3. Fourteen (14) working days prior to the hearing, the chair of the Hearing Panel shall notify each party of the date, time, and place of the hearing. A party may agree to waive this notice. All parties not given timely notice must agree to waive notice before the hearing may be held as scheduled.

4. Except as otherwise provided, each party who has been given timely notice or who has waived timely notice is expected to appear in person at the hearing. If any such party should fail to appear, the chair of the Hearing Panel may decide, at the chair's sole discretion, to proceed with the hearing in that party's absence. If the chair of the Hearing Panel decides to proceed, the party's absence shall not invalidate the hearing.

5. The Hearing Panel must convene within fifteen (15) working days of referral of the grievance from the Faculty Senate Grievance Committee. Challenges to Hearing Panel membership shall be handled as detailed in Section 8.7.2. Notice of this action and copies of the grievant's documentation will be forwarded to all parties to the grievance and the Provost and Vice President for Academic Affairs at the point of initiation.

9. All parties to the grievance may present witnesses and submit documents in support of their positions. All documents and lists of witnesses must be submitted to the Hearing Panel not less than ten (10) working days prior to the hearing. The Hearing Panel retains the prerogative to call witnesses and examine documents in addition to those presented by the parties to the grievance as it deems appropriate.

Commented [MR128]: Moved for better placement in the process

10. The Hearing Panel's proceedings are not open to the public, and the hearing shall not exceed five (5) working days unless the Hearing Panel votes, by simple majority, to extend the hearing time for reasons specified by the Hearing Panel. All members of the Hearing Panel must be present for all proceedings and deliberations of the

Hearing Panel unless there are extenuating circumstances. In such instances, all parties to the grievance must concur that the proceedings and deliberations may continue without the presence of a Hearing Panel member.

~~6. All parties to the grievance may present witnesses and submit documents in support of their positions. All documents and lists of witnesses must be submitted to the Hearing Panel not less than ten (10) working days prior to the hearing. The Hearing Panel retains the prerogative to call witnesses and examine documents in addition to those presented by the parties to the grievance as it deems appropriate.~~

~~Advisors: Each party to the grievance may be accompanied in the hearing by a non-participating advisor, who may be a legal counsel. If the non-participating advisor is a legal counsel, notification to the Faculty Grievance Committee must be provided at least five (5) working days prior to the convening of the Hearing Panel so that other parties to the grievance, including the Hearing Panel, may invite legal counsel as well. The parties to the grievance may consult with non-participating advisors during the hearing; however, non-participating advisor(s), to include legal counsel, may not address the Hearing Panel or other participants directly. Each party to the grievance is permitted a maximum of two non-participating advisors.~~

~~8.11.~~ All parties to the grievance and their non-participating advisors may be present at the hearing when testimony is being heard. Witnesses, however, may be present when giving testimony only. Only Hearing Panel members and counsel to the Hearing Panel members can attend deliberations of the Hearing Panel. Deliberations of the Hearing Panel are not recorded. Witnesses cannot be advisors.

~~9.12.~~ Opening and closing statements may be made by all parties to the grievance. The Hearing Panel retains the prerogative to impose reasonable time limits for such statements. Also, documents and other supporting materials may be presented as evidence.

~~10.13.~~ Only members of the Hearing Panel may question witnesses. The Hearing Panel will permit the parties to the grievance to submit written questions to the chair who will ask them of adverse witnesses, unless a question is entirely irrelevant to the proceeding or has already being asked and addressed.

~~11.14.~~ The Hearing Panel goes into the deliberation phase after testimony is heard and evidence is submitted. The deliberation phase is not recorded and is closed to everyone except members of the Hearing Panel and counsel to the Hearing Panel, if requested by the Hearing Panel. The Panel may render findings and recommendations for each issue or recommend dismissal of each issue.

~~12.15.~~ Within five (5) working days of the conclusion of the grievance hearing, the chair of the Hearing Panel shall forward, in writing, the findings and recommendations of the panel to the parties to the grievance, the Faculty Grievance Committee, and the Provost and Vice President for Academic Affairs.

~~13.16.~~ The Provost and Vice President for Academic Affairs will communicate to the Faculty Grievance Committee and the parties to the grievance the decision in response to the recommendations for actions within ~~thirty-two (3020(30) calendar working~~ days. The Provost will then render a final decision. If the Provost and Vice President

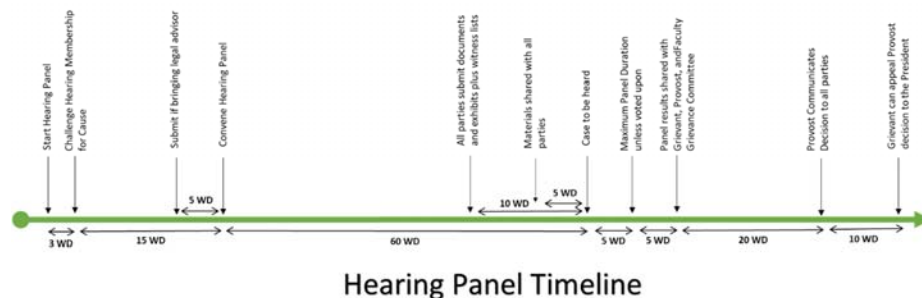
Commented [MR129]: Converted to workdays for consistency.

for Academic Affairs is one of the parties to the grievance, then he/she must recuse himself/herself, and the President is to designate a replacement. The designee will make the final decision.

14.17. If the grievant feels the decision of the Provost and Vice President for Academic Affairs or his/her replacement is unacceptable, he/she may appeal to the university President within ten (10) working days of receiving the Provost's decision. The President may request additional materials or information or take such other action as he/she deems necessary prior to rendering a decision. The decision of the President shall be final. The President's final decision will be communicated in writing to the grievant, the Provost and Vice President for Academic Affairs, the chair of the Faculty Grievance Committee, and the university counsel.

Commented [MR130]: This was added to establish a reasonable deadline for submitting an appeal.

18. A complete set of records of the case will be retained in the Office of the Provost and Vice President for Academic Affairs for three years. If litigation is involved, records will be retained as determined by the university counsel, but for no less than three years [see Administrative Policy #33-04 (2018) – Records Management Program].



Hearing Panel Timeline

8.8 FACULTY-STUDENT GRIEVANCES

The Faculty-Student Grievance Committee serves mainly in an investigatory capacity for student-initiated grievances. The committee hears, mediates, and recommends to the Provost sanctions for faculty-student grievances related to the following:

- Allegations of discrimination based on race, nationality, religion, or physical disability,
- Charges of academic dishonesty,
- Charges of faculty inaccessibility and unwillingness to listen to reasonable suggestions and problems,
- Other acts covered in the university Standards of Conduct, and
- Physical abuse.

Membership on the Faculty-Student Grievance Committee consists of three (3) faculty appointed by the Faculty Senate, three (3) students appointed by the Student Government Association, and a committee chair appointed by the Provost and Vice President for Academic Affairs. Depending upon the nature of the case, membership of the committee may include the Director of Affirmative Action, Vice President for Student Affairs or designee, and Human Resources Director or designee in an ex-officio and non-voting capacity.

It should be noted that reports of sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based harassment, complicity (with such behaviors), or retaliation (for reporting such conduct) are governed by NSU's BOV Policy #05 (2017) on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence as directed by the *Title IX Handbook for Students and Employees* which was approved by the Board of Visitors on September 15, 2017. [See <https://www.nsu.edu/policy/titleix-handbook>].

SECTION IX. POLICIES AND PROCEDURES

For an up-to-date listing of policies and procedures, please see the Norfolk State University website.

9.1 FIELD TRIP ACTIVITIES

All requests for off-campus trips with students must be submitted to the Vice President for Student Affairs or designee at least two weeks prior to the departure date. Requests must be in writing and must include a list of students' names, a relative's or emergency contact information for each student, mode of transportation, and itinerary. Approval for trips must be received in writing before departing the campus. Prior to departure, notification of approval of off-campus field trips must be given to the appropriate department chair and college/school dean.

It is the responsibility of the instructor or adviser arranging the trip to make sure that any contracted vehicle used for transportation is properly insured. Also, instructors should furnish students with a reasonable amount of help in making up work missed during these absences.

9.2 INCLEMENT WEATHER

Norfolk State University will authorize campus closings or delayed openings when hazardous weather conditions are predicted or occur that present a serious threat to the institution's safe and efficient operation and the well-being and safety of its students and employees. The purpose of the policy is to establish procedures to close or cease portions of operations on campus due to hazardous weather conditions and provide continuity of essential operations during inclement weather.

The Vice President for Finance and Administration, in consultation with the President's Executive Cabinet, is authorized to make the decision to close the university, delay opening or close early due to inclement weather. Deans, department heads, directors, supervisors and Vice Presidents are not authorized to make closing decisions in their areas of responsibility. The order of priority of individuals authorized to make the decision to close or delay opening the university, in consultation with the President's Executive Cabinet, is as follows:

1. Vice President for Finance and Administration
2. Provost and Vice President for Academic Affairs
3. Vice President for Student Affairs
4. Vice President for University Advancement

A decision to close the university because of inclement weather will be communicated to the public by way of the Office of Communications and Marketing. The Office of

Communications and Marketing will contact the news media concerning the announcement of the closing (see Presidential Policy #03 (2014) – Inclement Weather).

9.3 HIV INFECTION AND AIDS

The university does not condone any mistreatment of or discrimination against individuals in the workplace who have or are suspected of having been exposed to or of having contracted the HIV infection. Its primary goal with reference to Acquired Immune Deficiency Syndrome (AIDS) disease is to educate and promote behavior that minimizes the risk of acquiring the HIV infection.

In determining appropriate measures for protecting the university community from this health risk, the university utilizes the expertise of appropriate health-care professionals (see Office of Human Resources).

9.4 SMOKING

This Policy applies to University facilities, property, and vehicles, owned or leased, regardless of its location. Smoking is not permitted in any enclosed place, including but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues, and residential space within university or university-affiliated housing. Smoking shall also be prohibited outdoors in certain areas on Norfolk State University campus property, including, but not limited to, parking lots, loading docks, paths, fields, sports/recreational areas, and stadiums.

Smoking is permitted outdoors on University grounds, plazas, sidewalks, malls, and other similar open pedestrian-ways, provided smokers are at least 25 feet from an air intake, entrance or exit of any facility and ash containers or urns are located to deposit ashes and other smoking remnants. This policy (Presidential Policy #02 (2014) – Campus Smoking Policy) applies to all students, faculty, staff, and other persons on campus, regardless of the purpose of their visit.

9.5 SEXUAL HARASSMENT

Norfolk State University is committed to maintaining a learning and working environment free from sexual harassment. The university prohibits the practice of sexual harassment and requires that its employees and students refrain from conduct that gives rise to allegations of sexual harassment. The use of a position to intimidate an employee or student or otherwise subject the employee or student to unwelcome sexual advances is considered sexual harassment and will not be tolerated. Sexual harassment and any other form of harassment are unacceptable behaviors and will not be condoned at Norfolk State University.

Violations of the policy prohibiting sexual harassment may lead to disciplinary actions, including reprimands, suspension, or termination of employment and loss of academic status (see Office of Human Resources and Title IX Handbook For Students and Employees at <https://www.nsu.edu/policy/titleix-handbook>).

9.6 PARKING

Faculty may purchase parking permits of various types for on-campus parking. Please consult the Motor Vehicle Traffic and Parking Regulations publication which may be obtained from the Department of Parking.

9.7 PERSONAL USE AND THE LOAN OF UNIVERSITY PROPERTY

University property may not be borrowed for personal use. Property loan agreement forms must be properly executed prior to the removal of property from its assigned location. University property can only be utilized for legitimate university business and initiatives.

9.8 POLITICAL ACTIVITIES

Faculty members who are considering running for political office must consult with the Provost about possible conflicts of interest and university policy pertaining thereto. This directive applies also to faculty elected to political office.

The university encourages public service. However, some activities may have time requirements that adversely affect the faculty member's ability to perform assigned duties and responsibilities. In such instances, the university retains the right to determine whether an activity requires some form of leave of absence.

9.8.1 On-Campus

The university shall maintain a non-partisan posture regarding political parties and/or candidates. When taking political positions, faculty members must take care to ensure that it is clear that they are speaking in a personal capacity, and not for the university. Because of the special faculty-student relationship, the faculty member should be especially careful to avoid any activity within the university community that might be interpreted as coercive.

9.8.2 Off-Campus

The university supports the right of faculty to participate in political activity in the community, provided that such activity does not interfere with the faculty member's university responsibilities. The faculty member must exercise careful judgment

regarding the injection of his or her own political interests or activities into the university community and should avoid presenting personal views in the name of the university.

9.9 PURCHASING AND PROCUREMENT

All university procurement transactions, regardless of source of funds, shall be made in strict compliance with the Virginia Public Procurement Act, Agency Procurement and Surplus Property Manual, Vendors' Manual, Conflict of Interest Act, and university policy.

All procurement shall be subject to a purchase requisition through the university's accounting system unless otherwise authorized in advance by the vice President for finance and administration. Faculty should contact the Office of the Vice President for Finance and Administration for details and guidance.

9.10 REPORTING THE LOSS AND THEFT OF UNIVERSITY PROPERTY

All lost or stolen property must be reported to the University Police and Internal Audit. The reports must originate at the departmental level and must be submitted in writing. Such property, if on the university's inventory, requires the execution of an inventory change form.

9.11 LICENSURE REQUIREMENTS FOR COMPUTER SOFTWARE

All computer software must be installed and used in accordance with all applicable licensure requirements.

9.12 FRAUD REPORTING POLICY

The reporting of suspected fraud is the responsibility of all university employees. Suspected fraud may be reported to the university's Internal Audit Office or the State Fraud, Waste and Abuse Hotline.

9.13 TRAVEL REIMBURSEMENT

The university encourages faculty and staff participation in conferences and workshops and provides for reimbursement of expenses incurred during travel to such activities if funds are available. Travel funds are allocated in departmental budgets, and each trip must be properly approved prior to travel. The university is governed by State Travel Regulations for reimbursements of travel expenses; therefore, faculty must familiarize themselves with these regulations.

9.14 COMMUNICATIONS AND MARKETING

The Office of Communications and Marketing is the chief liaison office for all media contacts. It is the responsibility of the Office of Communications and Marketing to work with those faculty members most directly involved with news, helping to coordinate the release of news items, to respond to inquiries from the news media, and to offer counsel to administrators and faculty regarding their interaction with media representatives.

While the Office of Communications and Marketing is primarily responsible for responding to the majority of news media queries, Norfolk State University faculty members sometimes receive press questions or inquiries directly. Faculty should feel free to respond to issues relative to their individual area(s) of expertise and responsibility; however, administrative policy matters are to be referred to the Office of Communications and Marketing since they are derived from administrative decisions. In these instances, the President, Board of Visitors, or a designee of these entities, will respond to the media. In cases where a faculty member has been contacted directly by the media, said faculty member should notify the Office of Communications and Marketing as soon as possible. This enables the Office of Communications and Marketing staff to track news stories where Norfolk State University faculty have been featured or quoted. For more information on dealing with the media, or the dissemination of public information (see NSU Policy 50-01 Dissemination of Public Information).

9.15 UNIVERSITY SEAL, LOGO, AND ATHLETICS LOGO

The university seal is reserved for use on the following official documents ONLY:

- Degrees
- Legal Documents
- Proposals to the Commonwealth
- Commencement Program
- Official Resolutions
- Documents from the Office of the President

The seal should not be used in any publications or marketing materials without prior approval from the Office of Communications and Marketing (see Use of University Seal, Logo, and Athletics Logo Policy).

9.16 OTHER POLICIES AND PROCEDURES

The Office of Human Resources is the source for benefits, policies, and procedures. Some have been referenced in this *Teaching Faculty Handbook*, but others have not. For

detailed information regarding each policy, please see the Office of Human Resources. Academic units should be notified of any changes pertaining to these policies and procedures. The following enumeration is designed to be informative rather than exhaustive:

- Change of Address
- Disability Policy
- Exit Interview Policy
- Flexible Spending Accounts
- Faculty Orientation
- Health Care Benefits Leave Policy
 - o Annual Leave
 - o Sick Leave
 - o Maternity Leave
 - o Leave of Absence
 - o Family Medical Leave
- Life Insurance
- Optional Insurance
- Additional Insurance
- Deductions
 - o Miscellaneous Deductions
 - o Payroll Deductions
 - o Voluntary Deductions
- Personnel Payment of Garnishments
- Premium Conversion
- Prepaid Legal Assistance Plan
- Recovery of Debts Owed
- University Retirement Benefits
 - o Virginia Retirement System
 - o Optional Retirement Benefits
- Substance Abuse Policy
- Tax Sheltered Annuities
- Title IX (see NSU BOV Policy #05 (2017) - Title IX; Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence; Title IX Handbook at <https://www.nsu.edu/policy/titleix-handbook>)
- Verification of Employment
- Workers' Compensation
- State Vehicle Use/Motor Pool

SECTION X. RESEARCH AND PUBLICATIONS

Research is defined as studious inquiry or examination aimed at the discovery and interpretation of facts, analysis of policy, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories or laws.

Research or creative work will be classified in two general areas: published and non-published.

10.1 INSTITUTIONAL REVIEW BOARD (IRB)

It is the policy of the university that all research proposals of the following types are subject to review and approval by the University Research Council and the dean of the School of Graduate Studies and Research: (a) human subjects, (b) animal subjects, (c) genetic engineering, (d) radioactive materials, and (e) student information.

10.2 UNIVERSITY SUPPORT FOR PROFESSIONAL MEETINGS, SCHOLARLY RESEARCH AND CREATIVE ACTIVITIES

The university may reimburse faculty members (when departmental, college/school, or university budgets permit) for costs associated with attendance at, and participation in, professional meetings in a leadership or assigned role. Completion of internal prior approval procedures is imperative to ensure reimbursement.

The following units will provide assistance for scholarly research activities:

10.2.1 The Research Council

The primary responsibilities of this council are to promote and to encourage ongoing research among faculty and students and to assist in allocating educational research funds provided by the university.

10.2.2 The Office of Sponsored Programs

The Office of Sponsored Programs serves as the primary interface for all departments and units within the university for all local, state, federal and quasi-governmental funding agencies; corporations; and other entities that provide research projects and other sponsored programs. The mission of the Office of Sponsored Programs is to shepherd programs and funds into and through the university and to assist the university in developing and maintaining the intellectual base required to attract external funding. It is the goal of this office to ensure that faculty and staff have the most up-to-date public and private funding information available. The office seeks, pursues, solicits, and manages funding opportunities for all research and other sponsored program activities university-wide by establishing relationships with

potential sponsors, identifying university resources, matching university capability with agency needs, and promoting the university to external sponsors.

In instances where full-time faculty members are involved in sponsored research, a reduction of the normal teaching load will be considered on an individual basis. Released time is granted based on an assessment of the benefit of the activity to the university or department and approved by the department chair, dean, and Provost and Vice President for Academic Affairs. Accomplishments are reviewed periodically.

10.2.3 Financial Support for Research

Financial assistance for research may be available in the Office of Sponsored Programs, which provides assistance in locating potential university, private, state, and federal sources of funds. The university's internal controls are established to assure compliance with university-established missions, goals, and objectives. Faculty must complete the internal process before submitting requests for funds to any funding source.

10.2.4 Compensation for Funded Grants and Research

Compensation for a faculty member who is involved in grants and funded research activities will be based on the faculty member's regular pay rate. The combined salary for the faculty member's regular teaching load and grant/research activities will not exceed 100 percent of the faculty member's regular contracted salary during the academic year.

Compensation for summer work on grants and research-funded projects will be exclusive of the work year appointment. Summer compensation will be based on the same rate of pay as the faculty member's regular contracted salary. The combined salary for the faculty member's regular teaching load and grant/research activities will not exceed 100 percent of the faculty member's regular contracted salary during the summer.

Formal agreements with faculty members for participation in grants and funded research projects will be made through completion of the Norfolk State University Internal Approval Form (IAF) for Sponsored Programs and the university's HR-1 form process. Each of these forms identifies the duration of the funded project and the percentage of time the faculty member is contracted to spend on the project.

Fees paid to faculty members for consultative services provided to externally funded projects will be based on the contracting agency's stated rate for such services.

10.2.5 Compensation for Other Sponsored Programs

Compensation for other sponsored programs is provided to faculty on a release time basis. In instances where work is required during periods not covered under the normal contract period, such as during the summer, additional compensation is available.

Faculty members are expected to use the release time method when their efforts are required during regular semester periods. Additional compensation is available only when faculty members' efforts are required outside the semester(s) period. This additional compensation will be based on the terms of the grant, contract, or memorandum of understanding for a maximum of three months equivalent of the faculty member's prevailing contract salary. For shorter performance periods, the rate of compensation will be prorated based on the prevailing contract salary.

10.3 PATENT AND COPYRIGHT

The university is dedicated to the generation and dissemination of knowledge and invention of new products through faculty research that does not interfere with the mission and duty of the university. The Patent and Copyright Policy of the university is available in the Office of Sponsored Programs.

10.4 INTELLECTUAL PROPERTY POLICY

Scholarly activities may result in the creation of research papers, books, inventions, computer software, musical scores, articles for magazines and journals, and new technologies. These creative works are defined as intellectual property. At some point, these intellectual properties may have value for the owner(s) and should be protected under the appropriate patent or copyright laws.

Pursuant to this end, the Board of Visitors of Norfolk State University has adopted an Intellectual Property Policy. This policy is designed to (1) protect the equities of the creator(s) as well as the university, (2) define the responsibilities, rights, and privileges of those involved, and (3) establish basic guidelines to be included in the administration of the policy (see Intellectual Property Policy for additional information).

SECTION XI. TEACHING FACULTY HANDBOOK AMENDMENT PROCESS

11.1 AMENDMENT PROCESS

Proposed amendments to the *Teaching Faculty Handbook* will be considered and acted upon pursuant to a procedure similar to that utilized in the creation and adoption of this *Teaching Faculty Handbook*, described as follows:

1. The *Teaching Faculty Handbook* is a living document, which reflects the evolving needs of the faculty and the university. The Office of the Provost and the Executive Committee of the Faculty Senate shall appoint a *Teaching Faculty Handbook* Revision Committee as a standing committee. All recommendations for amendments should be forwarded to this Committee.
2. The *Teaching Faculty Handbook* Revision Committee shall consider any proposed amendment. Further, the committee shall conduct biannual review of the *Teaching Faculty Handbook* to consider whether additional amendments are needed. In all cases the committee shall seek to reach a reasoned consensus with all involved parties. The committee shall file a report with the Faculty Senate stating the committee's recommended action.
3. The Faculty Senate shall consider the recommendations of the *Teaching Faculty Handbook* Revision Committee within ~~thirty-two (3020) calendar working~~ days of the submission of the committee's report and shall file its recommended action with the provost and vice President for academic affairs.
4. The Office of the Provost will review the recommendations and if any minor changes are made, the Faculty Senate will receive copies of those changes with opportunity for discussion. Following the discussion, the Office of the Provost will submit its recommendations to the university legal review team. Any substantive changes, by the administration or legal review team, that alter the consensus reached in step 2, would require the document to be returned to the Faculty Senate for consideration as in step 3.
5. The above is the generally followed process. The Board of Visitors, however, reserves the right to make changes to this *Teaching Faculty Handbook* at any time.

Commented [RM131]: Edited to remain consistent in the use of working day terminology

11.2 AMENDMENTS TO TAKE EFFECT

Amendments shall take effect immediately upon approval by the Board of Visitors, unless otherwise specified. Amendments so adopted shall be incorporated into the *Teaching Faculty Handbook* as a permanent revision thereto.

11.3 PROPOSED REVISION

Revision proposals governed by the policy can be made by the *Teaching Faculty Handbook* Revision Committee or any person or group (e.g., committee, board,

counsel) connected with the university. Although the manner of making such proposals is a matter of individual style and custom, the following procedures nevertheless are recommended:

1. Make proposals in the form of text.
2. Include, as accompaniment to the proposal, a brief explanation of the reason(s) for proposing the revision suggested.

11.4 GENERAL RULES OF IMPLEMENTATION

1. All new members of the faculty shall receive a copy of the *Teaching Faculty Handbook* upon acceptance of their contract offer.
2. Continuing members of the faculty may download copies of the *Teaching Faculty Handbook* from the Norfolk State University website.
3. The Provost shall be responsible for keeping the official record of all revisions to the *Teaching Faculty Handbook*.
4. A copy of the *Teaching Faculty Handbook* with current revisions will be available on the Norfolk State University website and in hard copy in the Office of the Provost and Vice President for Academic Affairs and in the Lyman Beecher Brooks Library.
5. The University Review Committee shall conduct an annual review to ensure that the *Teaching Faculty Handbook* policies and procedures are applied consistently.

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APPENDIX A

Faculty Grievance Forms

Commented [MR132]: These forms need to be added in another format so they do not overflow on the page in this manner.

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NORFOLK STATE UNIVERSITY

REQUEST FOR GRIEVANCE MEETING - INITIAL STEP

Instructions: You must complete, sign, and submit this form to the appropriate Administrative Officer. You should receive a copy of this form with your signature and the Administrative Officer's signature.

Commented [MR133]: Form was added by Lamiaa Youssef per Committee's suggestions.

GRIEVANT INFORMATION

Name: _____ Faculty ID Number: _____ Rank: _____
Department: _____ College/School: _____

BRIEF DESCRIPTION OF GRIEVANCE

APPROPRIATE ADMINISTRATIVE OFFICE (Select One)

☐ Chair ☐ Dean ☐ Provost ☐ Other: _____

Administrator's Name: _____

SIGNATURES

I declare that all the information provided above is accurate.

Signature of Grievant: _____ Date: _____

I acknowledge that I have received this form and have provided a copy to the grievant.

Signature of Administrative Officer: _____ Date Received: _____

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NORFOLK STATE UNIVERSITY

FACULTY GRIEVANCE RESOLUTION FORM

Instructions: You must complete, sign, and submit this form to the appropriate Administrative Officer. You should receive a copy of this form with your signature and the Administrative Officer's signature.

Commented [MR134]: Form was added by Lamiaa Youssef per Committee's suggestions.

GRIEVANT INFORMATION

Name:

Faculty ID Number: Rank:

Department:

College/School:

GRIEVANCE MEETING INFORMATION

Meeting Date:

Meeting Attendees:

Meeting Outcome:

BRIEF DESCRIPTION OF GRIEVANCE RESPONSE

SIGNATURES

Grievance Resolved ☐

Grievance Not Resolved ☐

Signature of Grievant:

Date:

Signature of Administrative Officer:

Date:

Chair

Dean

Provost

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Commented [MR135]: Re-instated the index section that was removed by Lamiaa Youssef. This is to keep it in line with the current handbook. Page numbers will need to be updated.

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Page 40: [1] Commented [MR61] **Matthew Russell** **2/24/2021 9:24:00 AM**

Edit made to ensure that all documentation is submitted to the URC

Page 40: [2] Commented [MR62] **Matthew Russell** **2/24/2021 9:24:00 AM**

Edit made to ensure that all documentation is submitted to the URC

Page 40: [3] Commented [YLS63] **Youssef, Lamiaa S.** **2/24/2021 9:24:00 AM**

This was added to clarify that the documents are needed from all levels: committee, chair, and dean.

Page 40: [4] Commented [MR64] **Matthew Russell** **2/24/2021 9:24:00 AM**

Error corrected to match the P & T Timeline in section 3.5 of the Teaching Faculty Handbook

Page 40: [5] Commented [MR66] **Matthew Russell** **2/24/2021 9:24:00 AM**

This date was corrected as it was an error related to timeline. It now reflects published P & T timelines.

Page 40: [6] Commented [MR67] **Matthew Russell** **2/24/2021 9:24:00 AM**

Change made to be consistent with 3.5, including grammatical clarification

Page 40: [7] Commented [MR68] **Matthew Russell** **2/24/2021 9:24:00 AM**

Change made to match the timeline on the Provost's website and "on or before" to be consistent with number 5

Page 40: [8] Commented [RN69] **Russell, Matthew N.** **2/24/2021 9:24:00 AM**

Edits made for consistency with the 12/11/2020 BOV Resolution

Page 40: [9] Commented [RN70R69] **Russell, Matthew N.** **2/24/2021 9:24:00 AM**

Also, consistency with prior section.

ACADEMIC PROGRAM PORTFOLIO

29 Undergraduate Programs

BACHELORS PROGRAM (Top 15)

Nursing	636
Psychology	604
General Business	539
Biology	379
Social Work	326
Exercise Science	289
Sociology	269
Mass Communications	239
Computer Science	206
Interdisciplinary Studies	195
Health Services Management	175
Fine Arts and Graphic Design	130
Music Education	111
Political Science	103
Electronics Engineering	94

BACHELOR'S PROGRAM (Bottom 14)

Physics	10
Optical Engineering	17
Electronic Technology	29
Mathematics	30
Tourism, Restaurant and Hospitality Management	32
English	42
Information Technology	47
Building Construction Technology	49
Computer Engineering Technology	49
Early Childhood Education	53
Accounting	71
History	73
Drama and Theater	75
Chemistry	84

Last Discontinued Program: Journalism, Spring 2018

PROGRAM BUDGETS AND PROFITABILITY (FY 2019)

DEPARTMENT	EXPENSES	REVENUE	OPERATING MARGIN
General Business	(\$4,689,744)	\$6,766,130	\$2,076,386
English & Foreign Languages	(\$7,522,579)	\$9,586,515	\$2,063,936
Computer Science	(\$3,552,239)	\$5,385,745	\$1,833,506
Sociology	(\$3,311,585)	\$4,840,334	\$1,528,749
Mathematics	(\$5,496,823)	\$6,701,193	\$1,204,370
Psychology	(\$4,317,167)	\$5,350,430	\$1,033,263
General Studies	(\$1,073,312)	\$1,849,353	\$776,041
Biology	(\$5,693,147)	\$6,432,477	\$739,330
History & Geography	(\$2,639,797)	\$3,239,107	\$599,310
Fine Arts	(\$2,436,353)	\$2,950,077	\$513,724
Secondary Education & School Leadership	(\$3,782,223)	\$4,193,356	\$411,133
Allied Health	(\$2,395,441)	\$2,588,060	\$192,619
Chemistry	(\$1,619,320)	\$1,765,978	\$146,658
Political Science	(\$1,852,862)	\$1,990,703	\$137,841
Mass Communication & Journalism	(\$2,129,259)	\$2,237,074	\$107,815
Tourism & Hospitality	(\$346,814)	\$439,175	\$92,361
Interdisciplinary Studies	(\$839,074)	\$881,796	\$42,722
Physical Education & Exercise Science	(\$1,686,116)	\$1,695,319	\$9,203

PROGRAM BUDGETS AND PROFITABILITY (FY 2019)

(Continued)

Department	Expenses	Revenue	Operating Margin
Early Childhood & Elementary & Special Education	(\$1,578,137)	\$1,564,061	(\$14,076)
Drama	(\$408,303)	\$393,344	(\$14,959)
Optical Engineering	(\$159,974)	\$87,304	(\$72,670)
Electrical Engineering	(\$525,759)	\$415,656	(\$110,103)
BSW Program	(\$2,501,159)	\$2,294,904	(\$206,255)
Physics	(\$1,163,755)	\$845,964	(\$317,791)
Music	(\$3,388,471)	\$2,944,741	(\$443,730)
Technology	(\$1,752,604)	\$1,236,258	(\$516,346)
Nursing	(\$2,324,719)	\$1,284,280	(\$1,040,439)
Accountancy	(\$2,101,751)	\$988,755	(\$1,112,996)

Academic Program Enrollment FTE (Spring 2019-Spring 2021)

	Spring 2019	Fall 2019	Spring 2020	Fall 2020	Spring 2021
Academic Program	Student Enrollment (FTE)				
Psychology	416	544	498	548	466
General Business	388	528	468	520	448
Nursing	382	513	416	558	461
Biology	337	372	326	371	322
Social Work	269	296	268	299	265
Sociology	256	267	256	254	235
Mass Communications	235	272	251	221	207
Exercise Science	226	276	255	274	246
Computer Science	154	216	186	196	163
Health Services Management	140	167	166	164	160
Interdisciplinary Studies	123	152	143	162	127
Fine Arts and Graphic Design	116	126	105	119	112
Music Education	114	128	112	109	102
Political Science	100	120	102	99	90
Electronics Engineering	82	94	82	88	75
Accounting	58	68	66	67	60
Chemistry	56	83	70	81	67
History	54	63	62	70	51
Drama and Theater	49	79	72	74	64
English	45	42	43	38	36
Construction Mgt, Engineering Technology	42	52	44	47	43
Information Technology	38	51	44	42	43
Early Childhood Education	36	45	38	45	39
Tourism and Hospitality Management	36	44	33	29	23
Computer Engineering Technology	35	43	31	47	39
Mathematics	24	29	25	30	26
Journalism	21	18	22	9	8
Electronics Engineering Technology	18	18	26	26	20
Architectural Drafting	18	15	17	20	15
Optical Engineering	16	18	15	18	14
Non Degree Seeking Undergraduates	4	4	5	4	3
Physics	4	10	6	10	9
TOTAL	3892	4753	4253	4639	4039

Signature Programs

NURSING



COMPUTER SCIENCE



EXERCISE SCIENCE



GENERAL BUSINESS



PSYCHOLOGY



SOCIAL WORK



ENROLLMENT MANAGEMENT STRATEGIES

- **Aggressive Recruitment**

- Increased and focused efforts on recruiting in-state students
- Recruitment activities with additional out of state markets
- Use of Digital Marketing, commercials, and other media to provide additional exposure to NSU at the regional and national level
- Utilization of external agencies to support marketing efforts (i.e. Enrollment Fuel)
- Collaboration with graduate school to aggressively advertise and market NSU's graduate programs
- Integration of virtual tools to engage with students and their families.



ENROLLMENT MANAGEMENT STRATEGIES

- **Operations**
 - Streamlined application processes
 - Use of the National Common Application for admissions (launched December 2020)
 - Shift to paperless processes using import mechanisms for the common applications
 - Creation of communications in CRM system to send information to applicants/students

ENROLLMENT MANAGEMENT STRATEGIES

- **Enrollment**

- Increased opportunities for funding to provide additional financial aid to students
- Continued partnerships/articulation agreements with community colleges for transfer
- Student Planner System (live by July 1, 2021)
- Use of technology to communicate registration functions/actions



We See You Finishing
Your Degree at **Norfolk State**

**VIRTUAL
TRANSFER TUESDAY**

MAR. 2 | 3-5 P.M.

TOPICS:

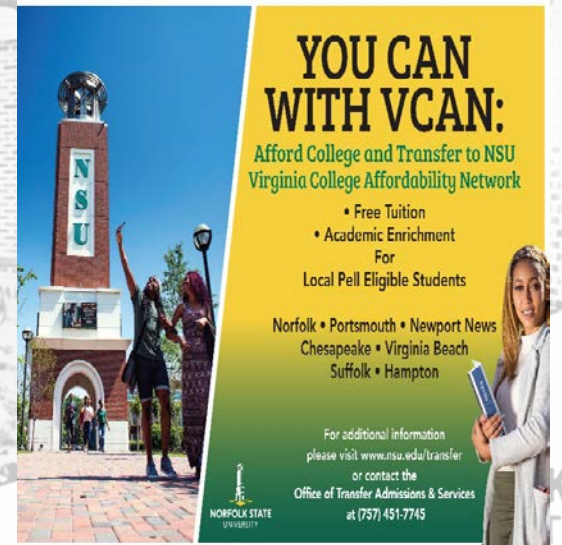
- Learn about the Transfer admissions process
- Meet with Transfer Admissions Counselors
- Apply to NSU

Via Zoom Meeting ID: 954 8398 5063
Password: Transfer

PLEASE SHARE YOUR MOMENT

transfer@nsu.edu
(757) 451-7745

NORFOLK STATE UNIVERSITY



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at (757) 451-7745

NORFOLK STATE UNIVERSITY

ENROLLMENT MANAGEMENT STRATEGIES

- **Retention**

- Increased Digital Technology – integrating registration, advising, and student planning
- Professional Advising at the upper division level
- Curriculum Review for Student Success
 - Increase experiential learning
 - Improve Student Success in barrier courses by reviewing DFW rates for General Education
 - Expand Online Academic Programs
- Collaborative activities for student engagement, mentorship, and professional development

SNAPSHOT OF FALL 2020 ENROLLMENT

ENROLLMENT BY STUDENT LEVEL	
New Freshman	1066
Other freshmen	753
Sophomores	1076
Juniors	980
Seniors	1102
Degree-seeking graduate	431
Non-degree seeking undergraduate	15
Non-degree seeking graduate	34
Total	5457

ENROLLMENT BY FULL-TIME-PART TIME STATUS	
Part-time	611
Full-time	4846
Total	5457

TOTAL UNDERGRADUATE/GRADUATE	
Undergraduate	4992
Graduate	465
Total	5457

ADDITIONAL DATA	
International Students	50
FTE	4981

SNAPSHOT OF SPRING 2021 ENROLLMENT

ENROLLMENT BY STUDENT LEVEL	
New Freshman	20
Other freshmen	1130
Sophomores	1059
Juniors	1015
Seniors	1141
Degree-seeking graduate	437
Non-degree seeking undergraduate	14
Non-degree seeking graduate	42
Total	4858

ENROLLMENT BY FULL-TIME-PART TIME STATUS	
Part-time	611
Full-time	4247
Total	4858

TOTAL UNDERGRADUATE/GRADUATE	
Undergraduate	4379
Graduate	479
Total	4858

ADDITIONAL DATA	
International Students	61
FTE	4379

FACULTY SENATE

- Shared governance
- Policies and Procedures Compliance
- Campus communication
- Annual evaluation process
- Implications of COVID



Faculty Senate Report to NSU Board of Visitors

Ashley N. Haines, PhD.
Faculty Senate President
Associate Professor of Biology

March 2021



Progress!

- Resolution of T&P decisions
 - Faculty Senate standing committees are meeting
 - Faculty Status and Welfare
 - Teaching Faculty Handbook
 - Elections and Nominations
 - Faculty Evaluations Policies and Procedures
 - Constitution & By-laws
 - Started Enhancing Campus Communication Series
 - Flexibility around annual evaluations and evaluation concerns
 - Clear message from the Administration, Chairs and Deans about knowing and following the Handbook
- 



Faculty Concerns

- Need for training of annual evaluation and P&T committees
 - Upcoming changes to evaluation processes
 - Hiring for interim positions
 - Implications of Pass/Fail for students long term
 - Access to COVID vaccinations and ensuring classroom safety
 - Need for improved communication
 - A path forward for addressing salary disparities
- 

Hopeful Outlook!

- 
- Shared Governance workshop
 - Desire of the administration to work closely with the Senate
 - Planning for a safe return to campus
- 
- 

STUDENT GOVERNMENT REPORT & UPDATES



Student Government Association

Jeremiah D. O'Bryant, President

Board of Visitors Report

March 18, 2021

- SGA met with Dr. Faith Fitzgerald, Executive Director for Housing & Residence Life (HRL), on February 16, 2021, to discuss campus quarantine concerns. Some students in Quarantine/Isolation (Q/I) housing raised concerns about meal choice, meal delivery, and staff contact. HRL has worked to allow students to select items they want for meals, installed a hot box to keep meals warm, and hired additional staff to assist with students in Q/I housing.
- SGA met with Dr. Leonard Brown, Vice President for Student Affairs, in collaboration with the COVID-19 Taskforce to encourage students to double mask, educate students to mask up, and respond to the daily symptom tracker. The SGA created a "Double Mask" campaign video to encourage students to double mask. Campaign launched March 1, 2021.
- SGA hosted its first "Link Up" event for the spring semester on February 16, 2021. Students had an opportunity to ask questions and share comments and concerns regarding various issues.

QUESTIONS & DISCUSSION

Times are approximate

AGENDA
BOARD OF VISITORS
GOVERNANCE COMMITTEE MEETING

Thursday, March 18, 2021

Dwayne B. Blake, Chair

3:00 p.m. to 4:00 p.m.

Electronic Meeting Participation

See information on page 2 of the agenda

- I. Call to Order/Establish Quorum
- II. Discussion of Governance Committee Charter
 - a. Review of Draft Governance Committee Charter
 - Recommend approval of the Committee Charter
 - b. Selection of Board Members
 - Review of Updates to the 2021 Board Skills Matrix
 - c. Monitoring Board Member Performance and Compliance
 - Status update on Board member compliance
 - Review of best practices for board member performance evaluation
 - d. Recommendation of Board Officer Candidates
 - Discussion of potential conflicting language in the Board Bylaws
 - e. Oversight of Board Policies
 - Discussion of Ad Hoc Policies Committee Oversight
 - f. HB 2120 – Promoting Transparency in Higher Education Governing Boards
- III. Public Comment
- IV. Adjournment

Governance Committee

Dwayne B. Blake, Chair

Bishop Kim W. Brown

The Honorable James W. Dyke, Jr.

Dr. Harold L. Watkins, II

Vacancy

Vacancy

Staff:

Mr. Ericke S. Cage, Executive Advisor to the President and Board of Visitors

The President participates in all Committee meetings

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

NSU BOARD OF VISITORS

Governance Committee Meeting (*continued*)

Thursday, March 18, 2021

The Norfolk State University Board of Visitors Governance Committee will meet March 18, 2021. Pursuant to [Executive Amendment 28 to HB29 \(2020\)](#), the Committee will meet by electronic communication means, without a quorum and without any Board member physically assembled at one location.

The meeting will be held in open session via the Zoom Webinar app. The open session of the meeting can be accessed through the app using the following link to register:

March 18, 2021 https://nsu-edu.zoom.us/webinar/register/WN_6Hrk4FQeREe-00lpGI-6wA

Registering will allow participants to attend virtually or by phone. Information on public comment is provided on the registration form. Public comment should address only the items listed on the agenda.

If you require assistance with registering, or if there is any interruption in the broadcast of the meeting, please contact (atallbritton@nsu.edu 757-823-8676).

A recording of the meeting will be posted to the Board of Visitors website following the meeting.

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

Page 2 of 2

GOVERNANCE COMMITTEE CHARTER

Purpose and Definition:

The Governance Committee advances excellence in board leadership by coordinating input into the selection of Board members based on a matrix of needs; monitoring Board member performance, behavior and compliance with the University's Code of Ethics, the Statement of Mutual Expectations and Conflicts of Interest policies; provides periodic performance assessment of Board members, including an assessment of the Rector; develops a slate of officers to present to the full Board for consideration; and works with the University Board Liaison to help facilitate governance related policies.

Responsibilities:

The Governance Committee serves to:

1. Advise the Board on organizational strategies including the recommendation of relevant amendments to the Board Bylaws to strengthen the Board's effectiveness in meeting its obligations related to the principles of good governance.
2. Advise the Board on strategies and accepted best practices that enhance individual Board member effectiveness.
3. Oversee the orientation process for newly appointed Board members and ongoing board member training and development.
4. Foster a culture of ethical behavior by regularly monitoring Board member compliance with mandated Conflicts of Interests and ethics disclosures and training.
5. Evaluate the Board's current composition and identify the current and future needs of the organization to ensure that the Board has the necessary diversity, perspectives, experience, skills, maturity, and judgment to effectively pursue its duties and responsibilities.
6. Review the Board's individual members at the end of each of their Board terms to ensure that they continue to have the appropriate level of engagement to continue serving on the Board.
7. Oversee the conduct of Board officer elections and present to the Board a slate of candidates for the offices of Rector, Vice Rector, and Secretary.
8. Oversee the development and maintenance of governance related Board policies.

Composition:

The committee will consist of no fewer than four members of the Board appointed by the Rector of the Board annually. The chair of the Governance Committee shall be appointed by the Rector of the Board. The Committee is staffed by Senior Advisor to the President and/or a senior university administrator designated by the University President.

Meetings:

The Chair of the Committee, in collaboration with the staff designee, shall be responsible for establishing the agendas for meetings of the Committee. An agenda, together with relevant materials, shall be sent to the Committee members three weeks in advance of each meeting. Minutes for all meetings shall be prepared in draft form by the staff designee and reviewed by the Chair and shall be approved by the Committee members at the following meeting. The Committee will meet at least four times annually. Additional meetings may occur more frequently as circumstances warrant. All actions by the Committee will be reported to the Board at the next regularly scheduled Board meeting.



NORFOLK STATE
UNIVERSITY

Governance Committee Organizational Meeting

Board of Visitors Meeting

March 19, 2021

Mr. Dwayne Blake, MBA
Committee Chair

Ericke S. Cage, J.D., LL.M.
Committee Professional Staff

NORFOLK STATE
UNIVERSITY

Governance Committee Charter

- **Coordinate input into the selection of Board members based on a matrix of needs.**
- **Monitors Board members' performance, behavior and compliance with the University's Code of Ethics, the Statement of Mutual Expectations and Conflicts of Interest policies.**
- **Provides periodic performance assessment of Board members, including an assessment of the Rector.**
- **Develops a slate of officers to present to the full Board for consideration.**
- **Works with the University Board Liaison to help facilitate governance related policies.**

NSU Board of Visitors Skills and Experience Matrix 2020-2021

	Board of Visitors												
	1	2	3	4	5	6	7	8	9	10	11	12	13
Term Expiration Date													
Enter Month Year	Jun-2021	Jun-2022	Jun-2023	Jun-2023	Jun-2022	Jun-2022	Jun-2021	Jun-2024	Jun-2022	Jun-2023	Jun-2024	Jun-2022	Jun-2021
Skills & Experience													
Belief in/Support of Mission	3	3	3	3	3	3	3	3	3	3	3	3	3
Prior Board Experience	3	3	3	3	2	3	3	3	3	3	3	1	3
Financial Management	3	3	2	3	2	3	2	3	3	3	2	1	2
Risk Management/Compliance	3	3	2	3	1	2	3	3	2	3	2	1	3
Higher Education Career Experience	2	1	1	2	1	3	3	2	3	2	1	2	1
Higher Education Policy	3	1	1	3	1	3	3	2	3	1	1	1	1
Fundraising/Capital Campaigns	3	3	2	3	1	3	2	3	2	1	2	3	3
Government Relations	2	2	2	2	2	3	3	1	2	2	1	1	3
Community Partnerships	3	3	2	3	2	3	3	3	3	3	3	1	3
Reputation Management/Public Relations	3	3	2	3	2	2	3	3	3	3	1	1	1
Legal Experience (J.D. or higher)	1	1	1	1	1	1	3	3	1	1	1	1	1
Human Resources Management	3	3	2	3	2	2	2	2	2	3	1	1	2
Information Technology	3	1	1	3	1	2	1	3	2	3	1	2	1
Organizational Change Management	3	2	3	2	2	3	3	3	3	3	2	1	3
Real Property Acquisition/ Capital Projects/Construction	3	2	2	2	1	2	1	2	1	2	3	1	1
Strategic Planning	3	3	3	3	2	3	3	3	3	3	3	1	3
Institutional Knowledge/Alumni	3	2	1	3	1	1	2	2	3	2	3	3	3
CEO/President/Founder Experience	3	1	3	3	1	3	3	3	1	1	3	1	3

	Level of Importance		Current Board Representation		Recruitment Priority	
Skills & Experience						
Belief in/Support of Mission		3		3		3
Prior Board Experience		2		3		2
Financial Management		3		2		3
Risk Management/Compliance		2		2		2
Higher Education Career Experience		2		2		2
Higher Education Policy		2		2		2
Fundraising/Capital Campaigns		2		2		2
Government Relations		2		2		2
Community Partnerships		2		3		2
Reputation Management/Public Relations		2		2		2
Legal Experience (J.D. or higher)		1		1		1
Human Resources Management		2		2		3
Information Technology		2		2		3
Organizational Change Management		2		3		2
Real Property Acquisition/ Capital Projects/Construction		1		2		1
Strategic Planning		2		3		2
Institutional Knowledge/Alumni		2		2		1
CEO/President/Founder Experience		2		2		2
Sponsored Research		1		1		1

Monitoring Board Member Compliance

Board Member Performance Assessment

- Preliminary data suggests that most of the higher education governing boards in Virginia do not currently have tools in place to evaluate individual board member performance. Staff is working with AGB to identify current best practices.

Annual Financial Disclosure	Conflict of Interest Training	NSU BOV Code of Ethics and Mutual Expectations	SCHEV Board Member Training
100 % Compliance	12 out of 13 members are in compliance	12 out of 13 members are in compliance	11 BOV members must complete this mandatory training before the end of 2021

Recommendation of Board Officer Candidates

- **Bylaws Conflict:** Current language charges the Governance Committee with the responsibility to “develop a slate of officers to present to the full Board for consideration.” The Bylaws also establish a Nominating Committee that is charged with offering a nominee for each Board officer position.
- **Discussion:** Should the Bylaws be amended to address the apparent conflict?

Oversight of Board Policies

- The Ad Hoc Board Policies Committee was established in January 2021 to facilitate the Board's Triennial Review of Board of Visitors policies. The Committee currently operates independent from the Governance Committee.
- Discussion: Given the Governance Committee's charge to carry out oversight of Board policies, should the Ad Hoc Policies Committee become a permanent subcommittee of the Governance Committee?

House Bill 2120 (2021 General Assembly Session)

- **House Bill 2120 seeks to increase transparency among the governing boards of Virginia's institutions of higher education. The legislation requires in part:**
 - **Listing of Board member names, terms, and appointing Governor on the University's website .**
 - **Listing of Board committees, committee memberships, meeting dates, agendas, and supporting materials for each meeting .**
 - **An email address that allows Board members to receive communications from the public related to Board business.**
 - **The Board must receive input from the faculty at least twice per year on topics of interest to the faculty and include the faculty in decisions related to the selection of the University President .**
- **In general, NSU already adheres to these new requirements. Governance Committee Staff and the Board Liaison will work to ensure the Board's compliance.**



NORFOLK STATE
UNIVERSITY

700 Park Avenue | Norfolk VA 23504
(757) 823-8600



Times are approximate

AGENDA
BOARD OF VISITORS
AD-HOC BOARD POLICIES COMMITTEE
Thursday, March 18, 2021
The Honorable James W. Dyke, Jr., Chair
4:15 p.m. to 5:30 p.m.

Electronic Meeting Participation

See information on page 2 of the agenda

- I. Call to Order/Establish Quorum
- II. Discussion Items
 - a. Triennial Review of Board Policies
 - b. New Policy – BOV #39 (2020) General Fundraising and Solicitation
- III. Action Items
 - a. Recommend Approval of Board Policies to the full Board
 - b. Recommend Approval of New Policy BOV #39 (2020) General Fundraising and Solicitation to the full Board
- IV. Public Comment
- V. Adjournment

Ad-Hoc Board Policies Committee

The Honorable James W. Dyke, Jr., Chair

Dr. Terri L. Best

Dwayne B. Blake

Mary L. Blunt

Joan G. Wilmer

Staff:

Mr. Ericke S. Cage, Executive Advisor to the President and Board of Visitors

The President participates in all Committee meetings

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

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NSU BOARD OF VISITORS

Governance Committee Meeting (*continued*)

Thursday, March 18, 2021

The Norfolk State University Board of Visitors Ad-Hoc Board Policies Committee will meet March 18, 2021. Pursuant to [Executive Amendment 28 to HB29 \(2020\)](#), the Committee will meet by electronic communication means, without a quorum and without any Board member physically assembled at one location.

The meeting will be held in open session via the Zoom Webinar app. The open session of the meeting can be accessed through the app using the following link to register:

March 18, 2021 https://nsu-edu.zoom.us/webinar/register/WN_6Hrk4FQeREe-00lpGI-6wA

Registering will allow participants to attend virtually or by phone. Information on public comment is provided on the registration form. Public comment should address only the items listed on the agenda.

If you require assistance with registering, or if there is any interruption in the broadcast of the meeting, please contact (atallbritton@nsu.edu 757-823-8676).

A recording of the meeting will be posted to the Board of Visitors website following the meeting.

All times are approximate and the Board reserves the right to adjust its schedule as necessary.

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NSU POLICY COMMITTEE – Key Points

Policy

- 01 Creating and Maintaining Policy – Reduces public comment period from 30 to 10 days.
- 02 Clarification and Numbering System – Reflects elimination of “Presidential Policies, adding “Local Policies” and reflects current operational structure.
- 05 Title IX - Office of Institutional Equity – Will show changes made to comply with federal regulations.
- 13 University Related Foundation - Legal recommendations.
- 15 Presidential Evaluation - Adds disclosure of outside compensation for Board services as well as outlines process consistent with Code of Virginia for annual evaluation of the President.
- 17 Weapons – Adds language “Working in official capacity or granted permission by Chief of Police” per request of NSU police.
- 18 Participation in BOV meetings - Updated to reflect meeting protocol during periods of emergency, such as COVID.
- 21 Communicable Disease Protocol - Updated for COVID.
- 23 Release of Educational Records - Updates definitions of “Parent” and “Foster Parent”.

- 28 Academic Freedom – Still under review.
- 29 Familial Relationships – Reflects current reporting role of VP for Operations and Chief Strategist for Institutional Effectiveness.
- 34 Appointment Authority of DOV – Updated to reflect current reporting relationship to VP for Operations.
- 39 Fundraising Policy – New policy to address requirements of Code of Virginia and conform with structural changes within the Office of University Advancement.

Triennial Review of Board of Visitors Policies – 2020-2021
(Updated 02/12/2020 to reflect final legal sufficiency review)

Policy Name/Number	Owner	Last Review Date	Substantive Revisions*	Justification
01. Creating and Maintaining Policy	President	May 3, 2019	- Reduces public comment period for <i>existing</i> policies from 30 days to 10 business days. (Page 7) - Education and Compliance Section added. (Page 10)	- Increases the overall efficiency of the policy making process. - Education and Compliance Section is required by BOV Policy # 1.
02. Classification and Numbering System	President	September 15, 2017	- Deleted reference to “Presidential Policies” and added reference to “Local Policies.” (Pages 2 and 3) - Added reference to the Division of Operations and Institutional Effectiveness (Page 3) - Added policy naming convention for Local Policies. (Page 4) - Added Education and Compliance section. (Page 4)	- Presidential Policies were eliminated as part of the 2019 updates to BOV Policy # 1. - Update is reflective of the University’s current operational structure. - Local policies were addressed as part of the 2019 updates to BOV Policy # 1. - Education and Compliance Section is required by BOV Policy # 1.

03. Faculty Role in University Governance	Provost and Vice President for Academic Affairs	September 15, 2017	• Language outlining BOV roles and responsibilities updated to comply with changes in the Code of Virginia. (Page 2) • Education and Compliance section added. (Page 4)	• Legal requirement. • Education and Compliance Section is required by BOV Policy # 1.
04. Equal Opportunity	President	September 15, 2017	• Responsible Executive updated. (Page 1) • Reporting Procedures added. (Page 3) • Education and Compliance section added. (Page 4)	• Change reflects current reporting structure. • Provides process clarity. • Education and Compliance Section is required by BOV Policy # 1.
05. Title IX; Sexual Violence, Discrimination, Harassment, and Retaliation	President	June 22, 2020	• The Office of Institutional Equity will provide a walkthrough of the changes that were made to satisfy federal regulations.	• The Office of Institutional Equity will provide a walkthrough of the changes that were made to satisfy federal regulations.
06. Statement on Code of Student Conduct	Vice President for Student Affairs	August 28, 2017	• Education and Compliance section added. (Page 3)	• Education and Compliance Section is required by BOV Policy # 1.

07. Military Deployment	Vice President for Student Affairs	September 15, 2017	Education and Compliance section added. (Page 4)	Education and Compliance Section is required by BOV Policy # 1.
08. Award of Academic Credit for Military Education, Training and Experience	Vice President for Student Affairs	September 15, 2017	Education and Compliance section added. (Page 4)	Education and Compliance Section is required by BOV Policy # 1.
09. Priority Course Registration for Military-Related Students	Enrollment Management	September 15, 2017	Education and Compliance section added. (Page 3)	Education and Compliance Section is required by BOV Policy # 1.
10. Financial Oversight and Reporting Framework	Vice President for Finance and Administration	September 15, 2017	Education and Compliance section added. (Page 5)	Education and Compliance Section is required by BOV Policy # 1.

11. Debt Management	Vice President for Finance and Administration	September 15, 2017	Education and Compliance Section added. (Page 4)	Education and Compliance Section is required by BOV Policy # 1.
12. Investment Management	Finance and Administration	September 15, 2017	Education and Compliance section added. (Page 5)	Education and Compliance Section is required by BOV Policy # 1.
13. University-Related Foundations	Vice President for Finance and Administration	September 15, 2017	- Removed reference to <i>ex-officio</i>. (Page 4) - Education and Compliance section added. (Page 10)	- Legal Recommendation. - Education and Compliance Section is required by BOV Policy # 1.
14. Naming Policy for Facilities and Spaces	Vice President for University Advancement	September 15, 2017	Education and Compliance section added. (Page 5)	Education and Compliance Section is required by BOV Policy # 1.

15. Presidential Evaluation	Rector	September 15, 2017	• Language added requiring disclosure of outside compensation from board service. (Page 5) • Education and Compliance section added. (Page 5)	• Legal Requirement • Education and Compliance Section is required by BOV Policy # 1.
16. Student-Athlete Discipline	Athletics Director	September 15, 2017	• Education and Compliance section added. (Page 4)	• Education and Compliance Section is required by BOV Policy # 1.
17. Weapons	Vice President of Finance and Administration	September 15, 2017	• Language added: “who is working in their official capacity or granted permission by the Chief of Police or designee.” • Education and Compliance section added. (Page 4)	• Clarifying language added by NSUPD. • Education and Compliance Section is required by BOV Policy # 1.
18. Participation in Board of Visitors Meetings in Event of Emergency, Personal Matter, Certain Disabilities; or Distance from Meeting Location	Rector	September 18, 2018	• New language added: “This policy shall be effective during ordinary times during which the Governor has declared an emergency pursuant to § 44-146.17. When an emergency has been declared, other provisions of law or declarations of Governor may prevail.” • Education and Compliance section added. (Page 3)	• Legal Update. • Education and Compliance Section is required by BOV Policy # 1.

19. Assisting Emotionally Distressed Students	Vice President for Student Affairs	September 15, 2017	Education and Compliance section added. (Page 2)	Education and Compliance Section is required by BOV Policy # 1.
20. Parental Notification of Tax-Dependent Students Instances of Psychological Emergency	Vice President for Student Affairs	September 15, 2017	Education and Compliance section added. (Page 3)	Education and Compliance Section is required by BOV Policy # 1.
21. Communicable Disease Protocol	Vice President for Student Affairs	September 23, 2016	“Communicable Disease definition” amended. (Page 2) - Compliance and Education section added. (Page 2)	- Updated for currency. - Education and Compliance Section is required by BOV Policy # 1.
22. Violence Prevention Committee and Threat Assessment Team	Vice President for Finance and Administration	September 15, 2017	- Clarifying language added to emphasis that University Legal Counsel is a consultant to the Threat Assessment Committee. (Page 3) - Education and Compliance section added. (Page 3)	- Legal Recommendation - Education and Compliance Section is required by BOV Policy # 1.

23. Release of Educational Records to Parents of Dependent Students	Vice President for Operations and Institutional Effectiveness	September 15, 2017	• Definition of “Parent” and “Foster Parent” updated. (Page 2) • Education and Compliance section added. (Page 4)	• Provides for a more expansive definition. • Education and Compliance Section is required by BOV Policy # 1.
24. Statement on Identity Theft Prevention	Vice President for Finance and Administration	September 15, 2017	• Education and Compliance section updated. (Page 3)	• Education and Compliance Section is required by BOV Policy # 1.
25. Award of College Credit for Advanced Placement, Cambridge Advanced, College-Level Examination Program, and Intentional Baccalaureate Examinations	Associate Vice President for Enrollment Management/ Vice President for Operations & Institutional Effectiveness	September 15, 2017	• Education and Compliance section added. (Page 3)	• Education and Compliance Section is required by BOV Policy # 1.
26. Statement on Political Activities on Campus	President	September 15, 2017	• Education and Compliance section added. (Page 5)	• Education and Compliance Section is required by BOV Policy # 1.

27. University Board of Visitors Self-Assessment	Rector, University Board of Visitors	May 4, 2018	Education and Compliance section added. (Page 3)	Education and Compliance Section is required by BOV Policy # 1.
28. Academic Freedom (Undergoing Further Review)	Provost and Vice President for Academic Affairs	May 4, 2018	Education and Compliance section added. (Page 2)	Education and Compliance Section is required by BOV Policy # 1.
29. Familial Relationships in Employment	Vice President for Operations & Institutional Effectiveness	June 8, 2018	- Responsible Executive updated. (Page 1) - Education and Compliance section added. (Page 4)	- Reflects current reporting relationship. - Education and Compliance Section is required by BOV Policy # 1.
30. Reporting and Investigating Suspected Wrongdoing	Chief Audit Executive	September 28, 2018	Education and Compliance section added. (Page 6)	Education and Compliance Section is required by BOV Policy # 1.

31. Open Educational Resources	Provost and Vice President for Academic Affairs	May 03, 2019	Education and Compliance section added. (Page 2)	Education and Compliance Section is required by BOV Policy # 1.
32. Parental Leave	Vice President for Operations and Institutional Effectiveness	January 28, 2019	- Responsible Executive updated. (Page 1) - Added Education and Compliance section. (Page 3)	- Reflects current reporting relationship. - Education and Compliance Section is required by BOV Policy # 1.
33. Freedom of Speech and Expression and Campus Space Utilization Policy Contents	Vice President of Student Affairs	May 3, 2019	Education and Compliance section added. (Page 7)	Education and Compliance Section is required by BOV Policy # 1.
34. Appointment Authorities of Board of Visitors, University President, and Reporting of Personnel Actions	Vice President for Operations and Institutional Effectiveness	January 28, 2019	- Responsible Executive updated. (Page 1) - Added new position (Chief Compliance Officer) that reports to the BOV and President. (Page 2) - Education and Compliance section added. (Page 3)	- Reflects current reporting relationship. - Updated to reflect recent BOV action. - Education and Compliance Section is required by BOV Policy # 1.

35. Intellectual Property Policy	Provost and Vice President for Academic Affairs	May 3, 2019	Education and Compliance section added. (Page 11)	Education and Compliance Section is required by BOV Policy # 1.
36. Public Comment on Tuition and Mandatory Fee Increases	Rector, University Board of Visitors	October 11, 2019	Education and Compliance section added. (Page 2)	Education and Compliance Section is required by BOV Policy # 1.
37. Research Incentive Award Policy	Provost and Vice President for Academic Affairs	June 22, 2020	Education and Compliance section added. (Page 3)	Education and Compliance Section is required by BOV Policy # 1.

Notes:



BOV POLICY # 01 (2014) Creating and Maintaining Policies

Title: Creating and Maintaining Policies
Policy Type: Board of Visitors
Policy No. BOV Policy # 01 (2014)
Approval Date: December 11, 2020~~May 3, 2019~~
Responsible Office: President's Office
Responsible Executive: University President
Applies to: University Community

POLICY STATEMENT

Norfolk State University is committed to supporting and promoting a culture of accountability and transparency and expects all members of the University Community to conduct the University's business in a lawful and ethical manner.

The authority for the governance of the University is vested by statute in the Board of Visitors by the General Assembly of the Commonwealth of Virginia. All bylaws, handbooks, policies, regulations, and procedures for faculty, students, administration, alumni, and other organizations of the University must be consistent with, or subordinate to the Bylaws and Policies of the Board of Visitors of Norfolk State University.

All members of the NSU community play a vital role in the development and execution of University policies. The University is fully committed to the principles of shared governance. Accordingly, any member of the University community may recommend a new policy or changes to existing policy by obtaining the initial approval of their Division Vice President and thereafter using the process set forth in this policy. All University policies must be properly approved and posted in the University Policy Library.

Consistent with the best practice articulated by the Southern Association of Colleges and Schools Commission on Colleges (adopted by the SACSCOC Board of Trustees, June 2018), policy documents must include:

- A concise statement of the purpose of the policy and assurance that it is aligned with institutional or unit purposes; and
- The implementation date and the dates of any subsequent revisions to the policy.

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BOV POLICY # 01 (2014) Creating and Maintaining Policies

TABLE OF CONTENTS	PAGE NUMBER
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Statement of University Governance	2
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Creating and Maintaining Policies	6
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PURPOSE

This policyⁱ provides for the creation and maintenance of all University policies and establishes expectations for accountability; clear, consistent formatting; institution-wide publication; and periodic review and evaluation. All members of the University community should be aware of and uphold the policies of the University. Failure to do so may result in disciplinary actions up to and including dismissal.

STATEMENT OF UNIVERSITY GOVERNANCE

The Board of Visitors is the governing body of the University with the fiduciary duty to advance and protect the interests of Norfolk State University. The Board is responsible for University operations including requests for appropriations (§ 2.2- 2100, *Code of Virginia*). The Board has the power to establish ~~rules and regulations~~ and policies for the University (§ ~~23-9.2:323.1-1301~~, *Code of Virginia*) and other powers, authority and duties as specified (§§ ~~23-174.123.1-1301~~ through ~~23-174.723.1-1310~~, *Code of Virginia*). The Board recognizes the need for the combined participation of the Board, administration, faculty, students, alumni, and staff in the internal affairs and operations of the University. Refer to the *Statement of Governance* (amended 2016 adopted by the Board of Visitors on 12/13/2013).

The Board prescribes the duties of the President, who is the chief executive officer of the University. Certain authority and responsibilities have been delegated to the President as defined by the Board Bylaws (amended 2015). Generally, all communication of an official nature directed to the Board of Visitors shall be channeled through the Office of the President and subsequently forwarded to the Board of Visitors within a reasonable time.

Representative groups provide valuable contributions into the internal affairs and operations of the University and are afforded opportunity to provide input to the Board of Visitors in its policy-making function. The groups and individuals include: the President, Provost and Vice President for Academic Affairs, Vice Presidents, Faculty Representative Body, and Student Representative

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Field Code Changed



BOV POLICY # 01 (2014) Creating and Maintaining Policies

Body. Each group shares in the important responsibility of administering and implementing all policies that guide students, ~~faculty~~faculty, and staff of the University.

The primary distinction between the policy-making functions of the governing board and the groups sharing in the governance of the University is the Board's broad statutory authority to develop policy, rules and regulations for the University and its enumerated powers, authority and duties specified in the *Code of Virginia*.

TYPES OF POLICIES

There are four types of policies at Norfolk State University:

- **Board of Visitors Policy** (hereinafter, "BOV Policy"): addresses governance of the University and requires a majority approval of the Board of Visitors. BOV Policy may be required by statute or other legislative action. The authority to determine when a policy warrants Board of Visitors level of approval rests with the Board and the President with the advice of University Counsel.
- **Administrative Policy**: addresses critical operational matters to ensure compliance with applicable laws, regulations, and policies at the federal, state or local levels. Administrative Policies do not address practices or procedures, and have broad application throughout the University.
- **Interim Policy**: provisional policy issued by the Board of Visitors or the President that satisfy an emergent need or exigency. Interim policies expire 90 days after implementation and may be transitioned to either a BOV or Administrative policy.
- **Local Policy**: narrowly tailored policy that addresses the unique needs of, and generally applies to or affects, one unit, division, department, or school.

DEFINITIONS

Emergent Need or Exigency: a need or situation arising unexpectedly or calling for prompt action and requiring immediate action or decision.

Policy: a document which articulates requirements and expectations for behavior, actions and activities of the university community. A policy may require or prohibit an action, support compliance with applicable laws and regulations and/or mitigate risk.

Policy Administrator: Employee designated by the University President to administer the University's policymaking process. The Policy Administrator is responsible for overseeing institution-wide compliance with the provisions of this policy.



BOV POLICY # 01 (2014) Creating and Maintaining Policies

Policy Library: the official online repository of all existing BOV, Administrative, Interim, and Local University Policies.

Policy Statement: describes the purpose, key requirements and expectations of the policy.

Procedures: Step-by-step descriptions of the tasks required to support and carry out University policies. Procedures articulate the process for accomplishing policy requirements. Procedures might also document a course of action accomplished in a defined order, ensuring the consistent and repetitive approach to accomplish policy requirements.

Related Documents: may include federal regulations, state regulations, state policies, and University policies, procedures and guidelines. Related Documents are critical to the development of corresponding policies and procedures.

Responsible Executive: Cabinet level senior executive with management responsibility for one of the University's major operating units. Responsible Executives are fully accountable for ensuring that all university policies under their control comply with the provisions of this policy.

Responsible Office: The Responsible Office is the office charged with policy ownership. Ownership includes authorship and accountability for a policy; accuracy of the subject matter; education and training to appropriate audiences; enforcing and monitoring compliance with the policy; and timely review.

Timely review: is determined to mean a triennial review, at a minimum, for necessary revision. Pending regulatory changes that require policy revision and implementation that occur before the review date—each Responsible Office has this responsibility.

Significant Policies: Those policies that directly impact life, safety, and the financial viability of the University as identified by the Board of Visitors, University President, or Responsible Executives (E.g., Campus Safety, Weapons, Title IX, Student Privacy, Employee Code of Ethics and Employee Conflict of Interest, etc.) When designing policy education, training, and compliance programs, policy owners should ensure that significant policies receive priority.

Stakeholder: For purposes of this policy, stakeholders include but are not limited to the members of the University Community and those external constituents with a vested interest in the University. (E.g. alumni, local and state government, local business leaders, local community leaders, etc.)

University Governance: For purposes of this policy, University Governance consists of the following internal groups or individuals in the following order of approval authority:

1. Board of Visitors
2. President



BOV POLICY # 01 (2014) Creating and Maintaining Policies

3. Provost and Vice President for Academic Affairs
4. Vice Presidents
5. Faculty Senate

University Community: includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

INTERPRETATION

The Norfolk State University Board of Visitors and President's Office officially interpret this policy. The University Policy Administrator serves as the oversight authority for implementing the requirements of this policy. Generally, all communication of an official nature directed to the Board of Visitors shall be channeled through the Office of the President and subsequently forwarded to the Board of Visitors within a reasonable time.

The President, in cooperation with the Board of Visitors, is responsible for facilitating adoption, amendment, modification or repeal of this and all BOV Policies. Questions regarding this policy should be submitted to the President's Office.

CREATING AND MAINTAINING POLICIES

I. Policy Initiation

Any member of the University community may recommend a new policy or changes to an existing University policy through the following process:

- Step 1: Submit a Statement of Proposed Policy or Statement of Proposed Policy Change to the University's Policy Administrator for review and proper routing to the appropriate Responsible Executive for consideration. Statements of Proposed Policy or Statements of Proposed Policy Change must be submitted through the University Policy Library to ensure appropriate consideration and tracking. The proponent must designate the proposed policy as either a proposed BOV, Administrative or Local policy. Before initiating any policy action, it is strongly recommended that input be sought from the Responsible Office with subject matter jurisdiction to assess the need for the proposed policy or change to existing policy.
- Step 2: Responsible Executives with subject matter jurisdiction will make every reasonable effort to formulate a recommendation regarding approval or disapproval of policy proposals within 30 calendar days of receipt from the University Policy Administrator. Such recommendations for approval/disapprovals must be communicated



BOV POLICY # 01 (2014) Creating and Maintaining Policies

to the Policy Administrator for tracking and further action. Approved policy proposals must also designate the Responsible Office for policy development. Such designation shall be made by the Responsible Executive with subject matter jurisdiction over the policy proposal.

Recommended disapproval of policy proposals will undergo additional ~~reviewed-review~~ by the Policy Administrator, and when necessary, University Counsel to ensure that such disapproval is warranted. In the case of BOV policy proposals that are disapproved by a Responsible Executive, the Policy Administrator shall forward to the Rector of the BOV a copy of the initial policy proposal together with a statement explaining the Responsible Executive's rationale for disapproval. The Rector may present the policy proposal to the BOV or its Executive committee for further consideration.

The Policy Administrator will notify policy initiators in writing as to the disposition of all submitted policy proposals.

- Step 3: The University Policy Administrator will forward approved policy proposals to the designated Responsible Office for policy development.

II. Policy Development

As recognized subject matter experts, the designated Responsible Office is responsible for all aspects of policy development. This includes analyzing the proposed policy's potential impact on the University, ensuring that relevant stakeholders are involved throughout the policy development process, and drafting the policy. All University policies shall utilize the prescribed Policy Template. Each policy shall be clearly identified as a Board Policy, Administrative Policy, Interim Policy, or Local Policy in accordance with BOV Policy # 02 (2014) Policy Classification and Numbering System. The University's Policy Administrator is available to consult on questions related to the requirements of this policy.

Draft policies must identify:

- The policy type;
- The Responsible Office for implementing the policy;
- The means by which University stakeholders are informed of the policy and procedures to be followed thereof;
- A timeline for completion of procedures and development of education and training plans for impacted stakeholders;



BOV POLICY # 01 (2014) Creating and Maintaining Policies

- A clearly defined methodology for monitoring compliance with the policy and reporting results; and
- A schedule for reviewing the effectiveness of the policy and its attendant procedures.

III. Policy Approval

Following completion of the initial policy draft, the Responsible Office must complete the following steps to secure policy approval:

- Step 1: Submit the initial policy draft to the Responsible Executive for review and approval.
- Step 2: Submit the initial policy draft to University Counsel for legal sufficiency review.
- Step 3: Once the policy has been fully cleared for legal sufficiency, submit the draft to the University Policy Administrator for posting to the University Policy Library for public comment. New ~~All~~ Board of Visitors and Administrative policy proposals must be posted online for a public comment period of not less than 30 calendar days. Proposed changes to existing Board of Visitors and Administrative policies must be posted online for a public comment period of not less than 10 business days.
- Step 4: The Responsible Office in conjunction with the Responsible Executive, University Counsel, and University Policy Administrator shall review, and if necessary, incorporate into the policy draft any relevant changes received during the public comment period. The University Policy Administrator will also review the policy to ensure that it satisfies form requirements.
- Step 5: *Administrative Policies* – The Responsible Executive will present the final policy to the Cabinet for review and approval. The Cabinet may recommend the policy favorably to the University President by a simple majority vote. The University President may accept the Cabinet’s recommendation, reject the recommendation, or direct that changes be made to the policy proposal. Administrative policies that conflict with BOV policies or other BOV actions are void.
- Step 5: *Board of Visitors Policies* - The Responsible Executive will present the final policy to the President and Cabinet for approval by simple majority vote. If approved by the Cabinet and President, the University Policy Administrator will present the policy draft during the next scheduled meeting of the Board of Visitors Policy Committee. The BOV Policy Committee may approve, amend, or reject the policy by a simple majority vote. Approved policies will be posted to *Board Effect* within 5 business days of approval, and considered by the full Board of Visitors during its next scheduled meeting.
- ~~In the event that~~If the proposed BOV policy is rejected by the Cabinet and President, the policy administrator shall nonetheless forward the proposal to the Rector together with the



BOV POLICY # 01 (2014) Creating and Maintaining Policies

President's rationale for rejection. The Rector may present the proposed policy to the BOV or Executive Committee for consideration.

Note that Board of Visitors Policies may be adopted, amended, modified or repealed, in whole or in part at the direction or initiation of the Board or at the suggestion of the President. Board Bylaws require an affirmative vote of at least seven of the voting members of the board provided that that notice of the proposed change has been given at least 15 calendar days prior to the board meeting. A vote of at least seven of the voting members of the board is also required for the adoption of new BOV Policy. Each member of the Board shall be provided a copy of the policy in final form along with subsequent updates of the *Board Informational Guide*. BOV Policies are effective upon adoption by the Board, or the Executive Committee when the Board is not in session, unless a different date is fixed by the Board.

- Step 5: *Local Policies* – Local policies are approved by the responsible Executive, and do not require further review or action by the Cabinet and President. Any local policy that conflicts with a Board of Visitors, Administrative, or Interim policy is void. Responsible Executives are accountable for all local policies within their divisions, and are fully responsible for ensuring compliance with the provisions of this policy.

Interim Policy

Interim Policies are provisional policies issued by the Board of Visitors or the President to satisfy an emergent need or exigency. When an emergent need or exigency is declared or deemed necessary by the Board of Visitors or the President, the procedural requirements for policy initiation, development, approval or publication are suspended. Interim policies expire 90 days after implementation and may be transitioned to either a BOV or Administrative policy.

Initiation, Development, and Approval

The Responsible Executive or Office identifies the need for an Interim Policy to fulfill an emergent need until a final policy can be adopted. University Legal Counsel must be consulted to ensure that the resulting Interim Policy satisfies legal sufficiency requirements.

IV. Publication of Policies

All Board of Visitors, Administrative, Interim, and Local policies shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the University Policy Administrator will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of approval;



BOV POLICY # 01 (2014) Creating and Maintaining Policies

Submit Board of Visitors, Administrative, Interim and Local policies ~~the policy~~ for inclusion in the ~~online~~ University Policy Library within 14 days of approval. ~~Local policy owners shall submit to their respective Division Vice Presidents a complete inventory of policies in their operating unit at least once annually. Local policies must not conflict with a Board of Visitors of Administrative policy. Any such conflicting language shall be invalid.~~

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The Responsible Office will:

- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.
- Evaluate the effectiveness of policies at achieving the desired results/outcome.
- Monitor compliance and address or report detected issues.
- Strive to review and evaluate Policies on a triennial basis or sooner as required.

Failure to satisfy procedural requirements does not invalidate this policy.

V. Policy Review Schedule, Evaluation, and Compliance Requirements

All policies must designate the Responsible Office that owns the policy and is responsible for its administration and implementation. Ownership includes authorship and accountability for a policy; accuracy of the subject matter; education and training to appropriate audiences; and enforcing and monitoring compliance with the policy.

Responsible Executives are fully accountable for ensuring university wide compliance with policies under their control, and must ensure that compliance plans are developed for each policy. When developing compliance plans, priority should be given to significant policies as defined in this policy.

To ensure conformity with this policy, the University Policy Administrator will require all policy owners to evaluate policy effectiveness and compliance for all policies. The University Policy Administrator, in concert with the Internal Auditor, and ARMICS program lead will develop a uniform evaluation and compliance reporting tool, which policy owners must utilize for compliance reporting. Reporting of policy effectiveness and compliance shall be required monthly to Responsible Executives and quarterly to the University Policy Administrator, Chief Compliance Officer, and Internal Auditor.

Effective Date and Review Period

Policies become effective on the date specified in the policy, or immediately if no date is specified. The Responsible Executive or Office is responsible for implementation in accordance with the policy and any procedures included therein. All policies shall include a scheduled review date, which shall be on a triennial basis unless earlier review is warranted.



BOV POLICY # 01 (2014) Creating and Maintaining Policies

Revisions

Any revision to existing BOV and Administrative policies must be approved through the prescribed process set forth in Section I of this policy. Revisions to BOV policies shall be initiated by the Board or upon the recommendation of the President. Responsible Executives may initiate revisions to Administrative policies by following the prescribed process set forth in Section I of this policy.

Policy owners must include a detailed summary of all revisions made to individual policies whenever such revisions occur. This summary of revisions must be submitted to the University Policy Administrator along with the revised policy for inclusion in the University Policy Library within 10 business days after such revision is approved.

If a policy is believed to be obsolete, retirement may be requested for approval from the:

- Board of Visitors for BOV Policy.
- Responsible Executive for Administrative and Local Policies

Upon retirement, notification should be sent to the University Policy Administrator, so that the policy can be removed from the University Policy Library, and transitioned to the University Archive.

VI. Education and Compliance

The University Policy Administrator shall provide quarterly workshops for the purpose of educating the NSU community on the provisions of this policy. To ensure compliance with the provisions of this policy, the University Policy Administrator shall require all policy owners to complete a standardized policymaking checklist when developing or amending policies. This checklist shall be aligned with the provisions of this policy and will be maintained by both the policy owner and Policy Administrator. The Policy Administrator shall also maintain a list of policy review dates to ensure the proper maintenance of the University's policy inventory.

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Next Scheduled Review: ~~September-December 2023~~²⁰

Approved date: March 17, 2016; September 15, 2017; May 3, 2019; December 11, 2020

Revision History: March 19, 2015; August 28, 2017; May 3, 2019; December 11, 2020

Supersedes (previous policy): NSU Policy No. 01.001 Formulating and Issuing a University – Wide Policy

Related Documents



BOV POLICY # 01 (2014) Creating and Maintaining Policies

[Board Bylaws](#) (amended 20~~14~~¹⁷)

Field Code Changed

[BOV Policy #02 \(2014\) Classification and Numbering System](#)

[Board Policy # 03 \(2014\) Faculty Role in University Governance](#)

Forms

[Policy Template](#)

[Statement of Proposed Policy](#)

[Statement of Proposed Policy Change](#)

¹ This policy is adapted from Virginia Commonwealth University's Policy Creating and Maintaining Policies and Procedures (rev. 2011; 2002).



BOV POLICY # 02 (2014) Policy Classification and Numbering System

Title: Policy Classification and Numbering System

Policy Type: Board of Visitors

Policy No.: BOV Policy # 02 (2014)

Approval Date: ~~March 19, 2014~~ December 11, 2020

Responsible Office: President's Office

Responsible Executive: President

Applies to: University Community

POLICY STATEMENT

Norfolk State University is committed to supporting and promoting a culture of accountability and transparency and expects all members of the University Community to conduct the University's business in a lawful and ethical manner.

This policy provides for the classification and numbering of all policies of the University to ensure understandable, consistent messaging and formatting.

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PURPOSE

This schema is designed to enable quick and easy identification, cataloging, referencing, and online publication of University policies in the online Policy Library.



BOV POLICY # 02 (2014) Policy Classification and Numbering System

TYPES OF POLICIES

There are the four types of policies at Norfolk State University:

Board of Visitors (“BOV”) Policy: addresses governance of the University and requires a majority approval of the Board of Visitors. BOV Policy may be required by statute or other legislative action. The authority to determine when a policy warrants Board of Visitors level of approval rests with the Board and the President with the advice of University Counsel.

~~**Presidential Policy:** policy that promulgates the President's decisions on the operation of the University, Board of Visitors action, changes in law or new administrative issues within the University itself. Presidential Policy is issued by the President of the University with the advice of University Counsel and expires 90 days after the end of the President's term in office. Board of Visitors approval is not required.~~

Administrative Policies: addresses critical operational matters to ensure compliance with applicable laws, regulations, and policies at the federal, ~~state~~state, or local levels. Administrative Policies do not address practice or ~~procedures, and~~procedures and have broad application throughout the University. Administrative Policy is subject to approval by the President, applicable Vice President, or respective designee for policy issuance and major revisions. Board of Visitors approval is not required.

Interim Policy: provisional policy issued by the Board of Visitors or the President that satisfies an emergent need or exigency.

~~**Local Policy:** narrowly tailored policy that addresses the unique needs of, and generally applies to or affects, one unit, division, department, or school.~~

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CLASSIFICATION

All University policies will be classified by policy type, i.e., BOV Policy, ~~Presidential Policy~~, Administrative Policy, ~~or~~ Interim Policy, or Local Policy.

NUMBERING SYSTEM

Board of Visitors ~~and Presidential~~ Policies

Policies promulgated by the Board of Visitors (BOV Policy) ~~and the President (Presidential Policy)~~ are identified by the following: classification, number (sequential), effective year (in parentheses), and policy title. For example:

BOV Policy	# 01	(2014)	Creating and Maintaining Policies
[classification]	[number]	[year]	[title]



BOV POLICY # 02 (2014) Policy Classification and Numbering System

~~Presidential Policy #01 (2014) Inclement Weather Policy~~
~~[classification] [number] [year] [title]~~

The effective year is the year of approval or revision.

Administrative Policies

Administrative Policies are comprised of classification, divisional assignment # [-] number (sequential), effective year (in parentheses), and policy title. For example:

Administrative Policy # 20 - 01 (2013) Identification Badge & Card ID
[classification] [division # - number] [year] [title]

Administrative Policy # 30 - 05 (2003) Experimental Learning Policy
[classification] [division # - number] [year] [title]

The effective year is the year of approval or revision.

Divisional Assignments

Assignment Number Division

10-19	Division of Operations and Institutional Effectiveness Human Resources
20-29	Division of Student Affairs
30-39	Division of Academic Affairs
40-49	Division of Finance and Administration
50-59	Division of University Advancement
60	Athletics
61 – 69	Other

Offices or departments within a Division may be assigned a number with the range allotted to each Division. For example, policies designated as or related to the Office of Information Technology may be designated as assignment number 31 under the Division of Academic Affairs; University Housing may be designated as assignment number 23 under the Division of Student Affairs for its Residence Life and Housing Withdrawal and Room Deposit Refund Policy.

Procedures, best practices, guidelines or forms shall be labeled as such and published on the appropriate Division's website.



BOV POLICY # 02 (2014) Policy Classification and Numbering System

Interim Policies

Interim policies are identified “Interim” and as BOV Policy or Presidential Policy. The Interim policy is identified as follows: classification, number (sequential), effective year (in parentheses), and policy title. For example:

Interim BOV Policy # 01 (2013) Creating and Maintaining Policies
[classification] [number] [year] [title]

Upon the finalization or ratification (if necessary) of an Interim Policy, the title “Interim” shall be eliminated and said policy shall be added to the appropriate category of policy. The effective year is the year of approval or revision.

Local Policies

Local policies are identified as “local” and should include the operating unit or office to which the policy applies, classification (in parentheses), number (sequential), effective year (in parentheses), and policy title. For example:

Career Services (Local Policy) # 1 (2020) Employer Access to NSU Career Fairs
[operating unit] [classification] [number] [year] [title]

EDUCATION AND COMPLIANCE

The University Policy Administrator shall provide quarterly workshops for the purpose of educating the NSU community on the provisions of this policy. Compliance with the requirements of this policy shall be evaluated by the Policy Administrator as policies advance through the University’s policy making framework for development and/or revision.

PUBLICATION

This policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

1. Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
2. Submit the policy for inclusion in the online Policy Library within 14 days of approval;
- ~~3. Post the policy on the appropriate SharePoint Site and/or Website; and~~
- ~~4.~~3. Educate and train all stakeholders and appropriate audiences on the policy’s content, as necessary.

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BOV POLICY # 02 (2014) Policy Classification and Numbering System

Failure to meet the publication requirements does not invalidate this policy.

Next Scheduled Review: ~~September-December~~ 2023³⁰

Approved date: March 17, 2016; September 15, 2017; December 11, 2020

Revision History: March 19, 2015; May 8, 2015; August 28, 2017; December 11, 2020

Supersedes: NSU Policy No. 01.002 Policy and Procedure Numbering System

RELATED DOCUMENTS:

[Board Policy # 01 \(2014\) Creating and Maintaining Policies](#)

[University Organizational Chart](#)

[Policy Library](#)

Commented [MOU1]: This is a dead link. Must be corrected.

Commented [CES2R1]: Link has been updated.

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BOV POLICY # 03 (2014) Faculty Role in University Governance

Policy Title:	Faculty Role in University Governance
Policy Type:	Board of Visitors
Policy No.:	BOV Policy # 03 (2014)
Approval Date:	December 11, 2020
Responsible Office:	Division of Academic Affairs
Responsible Executive:	Provost and Vice President for Academic Affairs
Applies to:	Academic Affairs

POLICY STATEMENT

The Board of Visitors of Norfolk State University (hereinafter, the “Board” or “BOV”) wishes to formally recognize the role and contributions of faculty in the governance of the University in accordance with Comprehensive Standard 10.4 of the *Principles of Accreditation* (2018) of the Southern Association of Colleges and Schools Commission on Colleges. Subject to the legal obligations of the University and the approval of the Board, the faculty has an important responsibility in shaping and discharging actual instruction under the direction of the President. Consistent with the [Statement of Governance](#) (adopted by the Board on December 13, 2013 and amended in 2016), the BOV values the role of faculty in providing input on administrative policies that guide students, faculty, and staff of the University.

Authority for governance of the University is vested by statute in the Board of Visitors of Norfolk State University. All bylaws, handbooks, policies, regulations, and procedures for faculty, staff, students, administration, alumni, and other organizations of the University must be consistent with, or subordinate to the Bylaws and Policies of the Board of Visitors of Norfolk State University.

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BOV POLICY # 03 (2014) Faculty Role in University Governance

DEFINITIONS

Faculty Representative Body: Refers to the representative body of the faculty consisting of members elected from each of the colleges and schools of the University and is known as the Faculty Senate.

University Governance: For purposes of this policy, University Governance consists of the groups or individuals listed in the following order of approval authority:

1. Board of Visitors
2. President
3. Provost and Vice President for Academic Affairs
4. Vice Presidents
5. Faculty Representative Body
6. Student Representative Body

Refer to Statement of University Governance in Board Policy # 01 (2014) [Creating and Maintaining Policies](#) and [Statement of Governance](#) (adopted by the Board on 12/13/2013).¹

ROLE AND RESPONSIBILITIES RELATED TO ACADEMIC AFFAIRS

Board of Visitors

The role and responsibilities of the Board (or its designee) related to Academic Affairs, as specified in the *Code of Virginia*, include but are not limited to: the selection and appointment of the University President, the university's chief executive officer; adopting regulations or policies for the employment and dismissal of professors, teachers, instructors, and other employees; appointing, and fixing the of salaries of professors; adopting regulations and policies for the acceptance and assistance of students, and for the conduct of students; and fixing the rates charged to students for tuition, mandatory fees, and other necessary charges.

The BOV prescribes the duties of the President, who is the chief executive officer of the University, and has delegated certain authority and responsibilities to the President. The President has delegated certain of these responsibilities related to academics to the Provost and Vice President for Academic Affairs and to the University faculty. The delegation of certain responsibilities and necessary authority is not a process of abdication; responsibility for overall performance and outcomes remains with the delegator.

President of the University

The President is the chief executive officer of the University and responsible for the principal administrative direction and management of the institution subject to the authority of the Board of Visitors. The President has certain authority and responsibilities delegated to him/her by the Board

¹ This policy is adapted from the University of Virginia, Policy ID BOV-006, Faculty Role in University Governance (2013).

Commented [MOU1]: The responsibilities of BOVs were changed somewhat when Title 23 was recodified as 23.1 and responsibilities of BOVs throughout the state were standardized. There are probably no significant substantive changes in most respects, but these wording changes are important, and could be significant in some instances.

Commented [CES2R1]: Concur

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BOV POLICY # 03 (2014) Faculty Role in University Governance

as defined by the Board Bylaws, as from time to time amended. Generally, all communication of an official nature directed to the Board of Visitors shall be channeled through the Office of the President and subsequently forwarded to the Board of Visitors within a reasonable time.

University Faculty

The University faculty has the right to select a representative body for efficiency of operation to facilitate the participation, communication, role and responsibilities of the faculty at the University. The faculty may also provide the Provost and Vice President for Academic Affairs advice and counsel on other academic matters.

Faculty have primary responsibility for fundamental academic areas such as curriculum, subject matter and methods of instruction, research, faculty recruitment and status, degree requirements, and the aspects of student life that relate to academic progress. The University faculty recommends approval of the establishment of new degree programs and major modifications to existing degree programs.

Through its representative body, the Faculty Senate, and designated committees, faculty will participate in other matters that concern the operation and welfare of the University and have reasonable opportunity to participate in the process for recommending amendments to the Teaching Faculty Handbook.

A member of the University faculty will be selected by the Board from a list of three faculty members elected by the faculty to serve as an advisory, non-voting member to the Board in all open session meetings. The Faculty Senate will oversee the process and provide the list of faculty and their supporting biographical information to the Provost and Vice President for Academic Affairs and the President no later than 14 calendar days prior to the first meeting of the Board of Visitors. The selected faculty member serves a term of not less than one 12 month period, which shall be coterminous with the fiscal year. The faculty representative may attend and participate in a non-voting capacity in all open session meetings; and, in accordance with BOV Bylaws, may participate in closed meetings only as requested by the Board. A substitute is not permitted. University faculty member may serve on BOV committees upon request by the Board of Visitors; or on University committees by request of the President, Vice Presidents, or other administrative officer of the University.

Through all of these mechanisms, University faculty share their expertise and insights on academic matters with the members of the Board of Visitors, President, Provost and Vice President for Academic Affairs, and Vice Presidents.

Nothing prohibits the Board of Visitors from excluding the faculty representative from discussions of faculty grievances, faculty or staff disciplinary matters, or salaries, or other matters. See *Code of Virginia* § 23.1-1300(I).

Commented [MOU4]: Small "f" unless meaning Faculty Senate, in which case should say that.

Commented [MOU5]: For clarity and to avoid potential problems, specify whether election is by "faculty at large" or by members of Faculty Senate. Code permits either.

Commented [CES6R5]: Verifying current process

Commented [CES7R5]: Language used in other documents recommend leaving unchanged.



BOV POLICY # 03 (2014) Faculty Role in University Governance

EDUCATION AND COMPLIANCE

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Faculty will be required to take a mandatory Awareness's MOAT review of this policy. Upon reading this policy, each faculty will be required to sign an Acknowledgement Form. Both documents are contained within Norfolk State University MOAT Vault. To reinforce understanding of this policy, the policy will be shared with new faculty/staff during orientation. Tracking will be utilized to ensure compliance with completing the Acknowledgement Form in MOAT.

Failure to comply with this requirement will be reported to the employee's supervisor. Additionally, failure to comply with this requirement will result in OIT revoking access to NSU's email, electronic doors, networks, and student systems. The reinstatement process requires a reinstatement form to be completed and signed by a supervisor and could take several days for the process to be completed.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
2. Submit the policy for inclusion in the online Policy Library within 14 days of Board approval; and
3. Educate and train all stakeholders and appropriate audiences on the policy's content.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

Next Scheduled Review: ~~September~~ December 2020³

Approved date: ~~September 15, 2017~~; December 11, 2020

Revision History: April 27, 2016; May 8, 2015; May 6, 2016; August 28, 2017; September 15, 2017

Supersedes (previous policy): NA



BOV POLICY # 03 (2014) Faculty Role in University Governance

RELATED DOCUMENTS:

[BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#)

[Board Bylaws](#)

[Statement of Governance](#) (adopted by the Board on 12/13/2014)

[Policy Library](#)

[Code of Virginia § 23.1-1300\(G\) and \(I\)](#) regarding faculty representatives to the boards of visitors.

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Commented [CES9R8]: Inserted link.



BOV POLICY # 04 (2017) Equal Opportunity

Policy Title: Equal Opportunity

Policy Type: Board of Visitors

Policy No.: BOV Policy # 4 (2017)

Approval Date: ~~September 15, 2017~~ December 11, 2020

Responsible Office: ~~Office of the President~~ Operations & Institutional Effectiveness

Responsible Executive: ~~Assistant Vice President for Human Resources/Title IX Coordinator~~ Vice President for Operations & Chief Strategist for Institutional Effectiveness

Applies to: University Community

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Commented [RJR2]: Executive Director of Institutional Equity and Title IX

Commented [MOU3]: See comment below - MOU6 - regarding this title

POLICY STATEMENT

The Board of Visitors of Norfolk State University (“NSU” or “University”) is committed to fostering a culture of inclusion, diversity and mutual respect for all members of the University community. The Board of Visitors is equally committed to maintaining and promoting equal access and opportunity in employment, admissions, programs and facilities for all members of the University community without regard to factors such as race, sex, color, national origin, religion, sexual orientation, gender identity, age, political affiliation, veteran’s status, or against otherwise qualified persons with disabilities. BOV Policy # 05.02 (2016) Preventing and Addressing Discrimination and Harassment <https://www.nsu.edu/policy/bov-05> specifically prohibits discrimination based on any or all of these factors and retaliation consistent with the policies of the Commonwealth of Virginia, Governor’s Executive Order No. 1 (2014/2018) *Equal Opportunity*, and in compliance with relevant Federal and State statutes.

Commented [MOU4]: Show as a link

Commented [MJL5R4]: Once BOV policy #5.2 is finalized we can make that link live. But for now I would not include the link.

Commented [RJR6]: Executive Order No.1 (2018)

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BOV POLICY # 04 (2017) Equal Opportunity

DEFINITIONS

“Discrimination” means inequitable treatment by NSU of a person based on one or more of that person’s protected characteristics or statuses, excepting any treatment permitted or required by law.

“Retaliation” includes any adverse treatment which is reasonably likely to deter the complainant or others from filing a charge of discrimination/harassment or participating in a discrimination/harassment investigation. Retaliation can be verbal, written, graphic, electronic, or physical.

“University Community” includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

CONTACTS

The Assistant Vice President for Human Resources and Executive Director for Institutional Equity and Title IX Coordinator officially interprets this policy and is responsible for matters pertaining to this policy as it relates to the University Community. The Vice President for Operations and Chief Strategist for Institutional Effectiveness, President’s Office is responsible for obtaining approval for any revisions as required by BOV Policy # 01 Creating and Maintaining Policies through appropriate governance structures. Questions regarding this policy should be directed to the Human Resources Office, Office of Institutional Equity.

Commented [MOU7]: I’m confused about this title. Talking about James, right? Understood his title is Executive Director for Institutional Equity and EEO, and University Title IX Coordinator. ??

Commented [RJR8]: Executive Director of Institutional Equity

Commented [RJR9]: Office of the Institutional Equity

POLICY CONTENTS

Equal Opportunity Statement

As a recipient of Federal financial assistance, Norfolk State University provides equal employment and educational opportunity for all persons without regard to race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, and for all otherwise qualified persons with disabilities in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, whether carried out directly or through a third-party, or any other entity with which Norfolk State University arranges to carry out its programs and activities. In accordance with Governor’s Executive Order No. 1 (20142018) *Equal Opportunity*, this policy permits appropriate employment preferences for veterans and specifically prohibits discrimination against veterans.

Commented [RJR10]: 2018

Norfolk State University does not tolerate discrimination or harassment on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity, age, veteran status, political affiliation, genetics, or disability. The prohibition against discrimination and harassment applies to all levels and areas of college operations and programs, to students, faculty, staff, volunteers, vendors, and contractors, and the Board of Visitors. This policy does not permit or require alteration of *bona fide* job requirements, performance standards, or qualifications to give preference to any state employee or applicant for state employment.



BOV POLICY # 04 (2017) Equal Opportunity

Reporting Complaints

Allegations of violations of this policy shall be brought to the attention of the ~~Human Resources Office~~ Office of Institutional Equity; any retaliatory action against persons making such allegations shall be investigated by the Office of Institutional Equity ~~Human Resources~~ without delay.

Commented [RJR11]: Office of the Institutional Equity

Commented [MOU12]: This is inconsistent with statements below calling for filing complaints with Office of Institutional Equity.

Commented [RJR13]: Office of the Institutional Equity

Knowingly filing a false complaint of discrimination/harassment or of retaliation is a violation of this policy and may be pursued using the steps followed for a complaint of discrimination/harassment. If a false complaint is found to have occurred, such conduct will result in disciplinary action that may include termination or expulsion.

PROCEDURES

~~Any applicant, employee, student, affiliate or visitor who feels that he or she has been the victim of discrimination or harassment by an employee, affiliate or visitor to the university may file a complaint about such discrimination or harassment with the Office of Institutional Equity. Any member of the university community who feels that he or she has been the victim of discrimination or harassment by a student may file a complaint about such discrimination or harassment with the Office of Student Affairs. Inquiries or requests for reasonable accommodations for disabilities may be directed to the Office of Disability Services, Human Resources or the Office of Institutional Equity.~~

Commented [MOU14]: Inconsistent with above

Commented [MJL15R14]: Modified this section to refer to the Office of Institutional Equity for consistency/

Commented [RJR16]: Insert procedure

Commented [MOU17]: This is inconsistent with above calling for filing with HR

The President is hereby directed to review and update annually all policies and procedures related to procurement, employment, student affairs, University programs and activities, and other relevant policies or areas to ensure full compliance with the non-discrimination mandates articulated by Federal and State statutes, and with Governor's Executive Order No. 1 (20142018) Equal Opportunity. Any member of the University community found in violation of this policy shall be subject to appropriate disciplinary action.

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Notice Requirement

To comply with the requirements under Federal law protecting the rights of beneficiaries in programs or activities that receive financial assistance from the U.S. Department of Education, every effort shall be made to provide notice of the University's Equal Opportunity Statement in all Norfolk State University publications, including but not limited to the University catalog, student handbook, employee handbook(s), University website, program brochures, institutional materials, and student newspapers or periodicals:

Norfolk State University does not discriminate against any person on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity or expression, age, political affiliation, veterans status, or against otherwise qualified persons with disabilities in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, whether carried out directly or through a third-party, or any other entity with which Norfolk State University arranges to carry out its programs and activities.



BOV POLICY # 04 (2017) Equal Opportunity

All written materials, including but not limited to letterhead and notices shall include the following tagline in its footer: “*Norfolk State University - An Equal Opportunity Employer.*”

PUBLICATION

This policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive or Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board’s Website; and
- Educate and train all stakeholders and appropriate audiences on the policy’s content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

EDUCATION AND COMPLIANCE:

Faculty and sStaff will have a mandatory obligation to take a series of training modules regarding policies in Equal Opportunity and Non-Discrimination in Blackboard. An assessment is given at the end of the session to test understanding of the rights and responsibility of the Norfolk State University as it pertains to equal access and discrimination.

A score of 80% or higher is required. Tracking will be utilized, and staff and faculty will have to complete the modules every other year and can be subject to disciplinary action for failure to comply. Individuals can also be referred to the President’s Office by any NSU official for non-compliance.

To ensure conformity to the requirements of this policy, the Office of Institutional Equity will monitor for compliance with this policy and report violations to the ~~President’s Office~~ Office of the President on a monthly basis. Continuous or unresolved violations of this policy will be result in faculty or staff access to the university computer system and reported to the Vice President over the respective faculty or staff, Internal Audit and Compliance on a quarterly basis.

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BOV POLICY # 04 (2017) Equal Opportunity

REVIEW SCHEDULE

- Next Scheduled Review: ~~December~~ ~~September~~ 20203
- Approved date: ~~December 11, 2020~~ ~~September 15, 2017~~
- Revision History: August 28, 2017, ~~September 15, 2017~~
- Supersedes: BOV Policy # 04 (2014) Equal Opportunity and Non-Discrimination

RELATED DOCUMENTS

- Commonwealth of Virginia Executive Order No. 1 ~~(2014)~~ Equal Opportunity
<https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/eo-1equal-opportunity.pdf>
- Virginia Department of Human Resource Management Policy No. 2.05 Equal Employment Opportunity (rev. February 5, 2010; 2006; 2000).
<http://www.dhrm.virginia.gov/hrpolicy/policy.html#eeo>
- Norfolk State University Employee Code of Ethics
- Norfolk State University Student Handbook <https://www.nsu.edu/student-handbook.aspx>
<https://www.nsu.edu/student-handbook>
- Title VII of the Civil Rights Act of 1964 (Title VII)
- Equal Pay Act of 1963 (EPA)
- Age Discrimination in Employment Act of 1967 (ADEA)
- Title I and Title V of the Americans with Disabilities Act of 1990, as amended (ADA)
- Sections 501 and 505 of the Rehabilitation Act of 1973
- Section 504 of the Rehabilitation Act of 1973
- Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq.
- Civil Rights Act of 1991; Title VI of the Civil Rights Act of 1964
- Regulations of the U.S. Department of Health and Human Services issued pursuant to these statutes at Title 45 Code of Federal Regulations Parts 80, 84, and 91

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Commented [MOU24]: CAVEAT: I have not reviewed all these to ensure cites are still correct

Commented [MJL25R24]: Have added official government links to these cites as it does not seem to be productive to list them without a citation.



BOV POLICY # 04 (2017) Equal Opportunity

FORMS

- Online Student Incident Report: <https://surveys.nsu.edu/index.php/958274/lang-en>

ⁱ This policy is adapted from Tidewater Community College Policy 1200 Rev: 1 Policies and Procedures February 13, 2014 Equal Opportunity and Nondiscrimination.

**BOV POLICY # 05 (2020) TITLE IX: SEXUAL AND GENDER-BASED HARASSMENT
AND OTHER FORMS OF INTERPERSONAL VIOLENCE**

Policy Title:	Title IX; Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence
Policy Type:	Board of Visitors
Policy No.:	BOV Policy # 05 (2020)
Approval Date:	December 11, 2020
Responsible Office:	Operations & Institutional Effectiveness
Responsible Executive:	Vice President for Operations & Chief Strategist for Institutional Effectiveness
Applies to:	University Community

POLICY STATEMENT & PURPOSE

The Norfolk State University (NSU) is committed to maintaining an environment that is free of unlawful harassment and discrimination. Pursuant to NSU's commitment to a fair and open campus environment and in accordance with federal law, Norfolk State University cannot and will not tolerate discrimination against or harassment of any individual or group based upon race, color, religion, sex, ethnic or national origin, gender, genetic information, age, disability, sexual orientation, gender identity, gender expression, veteran's status, or any factor that is a prohibited consideration under applicable law. Norfolk State University welcomes and promotes an open and genuinely diverse environment.

Title IX of the Educational Amendments of 1972 protects people from sex discrimination in educational programs and activities at institutions that receive federal financial assistance. Norfolk State University fosters a safe learning and working environment that supports academic and professional growth of students, staff, and faculty. Accordingly, Norfolk State University does not tolerate sexual misconduct in its community and will take prompt action when misconduct occurs.

This policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 ("Title IX"); Title VII of the Civil Rights Act of 1964 ("Title VII"); and/or the [Virginia Human Rights Act](#). Such behavior also requires NSU to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 ("VAWA"), Family Educational Rights and Privacy Act (FERPA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

Norfolk State University takes seriously every allegation or report of sexual misconduct received. Its response is intended to ensure that all parties involved receive appropriate support and fair

**BOV POLICY # 05 (2020) TITLE IX: SEXUAL AND GENDER-BASED HARASSMENT
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treatment, and that allegations of sexual misconduct are handled in a prompt, thorough, and equitable manner.

TITLE IX COORDINATOR AND DEPUTY TITLE IX COORDINATORS

Under Title IX: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

The Title IX Coordinator is charged with monitoring NSU's compliance with Title IX; ensuring appropriate education and training; coordinating NSU's investigation, response, and resolution of all reports under this policy; and ensuring appropriate actions to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The Title IX Coordinator is available to meet with any student, employee, or third party to discuss this policy or the accompanying procedures. NSU has also designated one or more Deputy Title IX Coordinators who may assist the Title IX Coordinator in the discharge of these responsibilities. The Title IX Coordinator and Deputy Title IX Coordinators receive appropriate training to discharge their responsibilities.

Concerns about NSU's application of Title IX, VAWA, Title VII, the Clery Act, or the Virginia Human Rights Act may be addressed to the Title IX Coordinator; the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at OCR@ed.gov or (800) 421-3481); and/or the Equal Employment Opportunity Commission (at info@eeoc.gov or (800) 669-4000).

The Title IX Coordinator and Deputy Title IX Coordinators can be contacted by telephone, email, or in person during regular office hours:

James R Robinson
Executive Director & Title IX Coordinator
Office of Institutional Equity
700 Park Avenue
137 Woods Science Bldg.
Norfolk, VA 23504
Phone: (757) 278-4121
jrobinson@nsu.edu

Michele Marable
Deputy Title IX Coordinator for Students
Dean of Students Office
700 Park Avenue
307 Student Services Center

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Norfolk. VA 23504
Phone: (757) 439-4709
mdmarable@nsu.edu

Alisha Tucker
Deputy Title IX Coordinator for Athletics
700 Park Avenue
110 Gil Gym
Norfolk. VA 23504
Phone: (757) 823-2337
amtucker@nsu.edu

TO WHOM THIS POLICY APPLIES

The Norfolk State University (NSU) Title IX Coordinator, or their designee, monitors and oversees NSU's compliance with federal regulations concerning sexual harassment and discrimination. Upon receipt of a report of alleged sexual misconduct, the University Title IX Coordinator, or their designee will monitor responsive action to ensure that the educational environment at NSU is free of discrimination and discriminatory harassment. Additionally, the University Title IX Coordinator, or their designee monitors the actions taken, as appropriate, to remedy the effects of the sexual misconduct on the Complainant. This may include commencement of disciplinary proceedings against a Respondent.

This policy applies to sexual misconduct that occurs in connection with all NSU academic, educational, extracurricular, athletic, and other programs of, whether those programs take place in NSU facilities, at a program sponsored by NSU at another location, or elsewhere.

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**BOV POLICY # 05 (2020) TITLE IX: SEXUAL AND GENDER-BASED HARASSMENT
AND OTHER FORMS OF INTERPERSONAL VIOLENCE****CONTACTS**

The Title IX Coordinator officially interprets this policy and is responsible for matters pertaining to this policy as it relates to the University Community. The President's Office is responsible for obtaining approval for any revisions as required by BOV Policy # 01 Creating and Maintaining Policies through appropriate governance structures. Questions regarding this policy should be directed to the Title IX Coordinator.

The Title IX Coordinator, who may have University roles other than those related to Title IX, is appointed by the President, and reports either directly to the President, or as the President otherwise directs.

As used in this policy, the term "Title IX Coordinator" means the appointed Title IX Coordinator, a Deputy Title IX Coordinator, a Title IX Investigator, or another person designated by the appointed Title IX Coordinator, unless under context it is clear that reference is to the appointed Title IX Coordinator.

DEFINITIONS:

Advisor – The principal role of an advisor is to serve as a representative or advocate in interactions with Norfolk State University officials as well as to provide support to a Complainant or Respondent.

Affirmative Consent – Affirmative consent is a knowing, voluntary, clear, and mutual agreement among all participants to engage in specific sexual activity.

- a. Affirmative consent can be given by words or actions, if those words or actions express willingness to engage in the sexual contact or activity. It is important not to make assumptions. If there is confusion or ambiguity, participants in sexual activity should stop and verbally clarify each person's willingness to continue. A person who wants to engage in a specific sexual activity is responsible for obtaining affirmative consent for that activity.
- b. Affirmative consent to one form of sexual activity does not imply affirmative consent to other forms of sexual activity.
- c. Affirmative consent to engage in sexual activity with one person does not imply affirmative consent to engage in sexual activity with another person.
- d. Silence or the lack of resistance, in and of itself, does not demonstrate affirmative consent. Again, it is important not to make assumptions; if confusion or ambiguity arises during a sexual interaction, each participant should stop and verbally clarify the other's willingness to continue engaging in the sexual contact or activity.
- e. Affirmative consent may be initially given but can be withdrawn at any time. When affirmative consent is withdrawn, or can no longer be given, sexual activity must stop.

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- f. Previous relationships or previous affirmative consent for sexual activity is not affirmative consent to sexual activity on a different occasion.
- g. The definition of affirmative consent does not vary based upon a participant's sex, sexual orientation, gender identity, gender expression or relationship status.
- h. Affirmative consent cannot be procured using physical force, compulsion, threats, intimidating behavior, coercion, or from a person who is incapacitated.

Aiding, Facilitating, Encouraging, Concealing, or Otherwise Assisting – Aiding, facilitating, encouraging, concealing, or otherwise assisting in a violation (or attempted violation) of this Policy is prohibited by this Policy.

Coercion – Conduct that would reasonably place an individual in fear of immediate or future physical, emotional, or other harm and that is used to pressure someone to engage in sexual contact. Coercion can include manipulation, intimidation, and unwanted contact, express or implied threats of harm. Coercion is more than an effort to persuade, entice or attract another person to engage in sexual activity. In evaluating whether coercion was used, the University will consider whether pressure was applied and, if so, the frequency, intensity, and duration of them pressure, as well as the degree of isolation of the person being pressured. Sexual activity that is coerced is nonconsensual.

Complainant – The person(s) reporting or making an allegation or complaint of sexual misconduct. Where a third-party has reported alleged sexual misconduct, the person alleged to have been subjected to sexual misconduct also will be referred to as the Complainant. The legal rights of the parents can also initiate a report on behalf of the complainant.

Complaint – A communication or statement lodged with the Office of Institutional Equity alleging a violation under this Policy; a complaint filed by a party, which can be verbal or written, including by electronic mail or in person, indicates that the party would like to initiate formal or informal Title IX proceedings as per this Policy. The document must be signed by the Title IX Coordinator, or their designee. By signing the Title IX complaint, the Title IX Coordinator, or their designee cannot be a party during the grievance process and must comply with requirements to be free from conflicts and bias.

Dating Violence – The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, psychological, sexual, technological, or economic abuse directed toward a person with whom one is or has been in a social relationship of a romantic or sexually intimate nature that does not constitute domestic violence. Whether there is or was such a relationship will be determined based on, among other factors, the parties' statements, and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the parties involved in the relationship. Dating violence includes behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or physically injure someone. Dating violence can be a single act or a pattern of behavior in relationships. Dating violence is sometimes called intimate partner violence.

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Domestic Violence – The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, psychological, sexual, technological, or economic abuse directed toward (1) a current or former spouse or intimate partner; (2) a person with whom one shares a child; or (3) anyone who is protected from the Respondent’s acts under the domestic or family violence laws of Virginia. This includes behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or physically injure someone. Domestic violence can be a single act or a pattern of behavior in relationships. Domestic violence is also sometimes called intimate partner violence.

Evidentiary Standard – The standard of proof used in the grievance process whether student or employee is the preponderance of evidence, i.e., it is more likely than not that sexual misconduct occurred, to determine responsibility.

Gender-Based Harassment – Includes harassment based upon gender, sexual orientation, gender identity or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s academic, co-curricular, or campus life activities;
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or student life decisions affecting that individual;
- c. The conduct is so severe and/or pervasive that it unreasonably interferes with a person’s University employment, academic performance, or participation in University programs or activities; or
- d. The conduct is so severe and/or pervasive that it creates an intimidating, hostile, demeaning, or offensive campus or living environment.

Hearing Process – Is defined as a live presentation of the evidence by the complainant, respondent, decision-maker, and each party’s advisor. Witnesses called by both parties will be subject to cross-examination by the advisors both parties. The hearing process will be an audio or audiovisual recording, or transcript of the hearing.

Incapacitation – Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. A person who is incapacitated lacks the ability to understand a decision to participate in sexual activity.

- a. Incapacitation may be associated with a person’s lacking consciousness or awareness; being asleep; being involuntarily restrained; having a disability that impedes affirmative consent; or if an individual otherwise cannot affirmatively consent due to other forms of mental or physical helplessness. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to provide affirmative consent.

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- b. Individuals should be aware of, and carefully consider, the potential consequences of the use of alcohol or drugs. Alcohol and drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. It is the responsibility of each party to be aware of the intoxication level of the other party before engaging in sexual activity. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity. Being intoxicated, impaired, or incapacitated by alcohol or other drugs is never an excuse for sexual misconduct and does not diminish anyone's responsibility to obtain affirmative consent. The use of alcohol or other drugs never makes someone at fault for experiencing sexual harassment/misconduct.

Intimidation – The use of implied or overt threats that menace or cause reasonable fear to overcome an individual's freedom of will to choose whether to participate in sexual activity or provide affirmative consent. Affirmative consent obtained by intimidation is not valid.

Mandatory Reporter (also called a "Responsible Employee") – A responsible employee is any University employee who has the authority to take action to redress the harassment; who has the duty to report sexual harassment or any other misconduct by students or employees to school officials; or an individual who a student could reasonably believe has this authority or responsibility. At Norfolk State University, mandatory employees include all faculty and staff members who are not considered to be confidential.

Non-Consensual Sexual Contact – Any intentional sexual touching, without a person's affirmative consent. Intentional sexual touching includes deliberate contact, under or over clothing, with the breasts, buttocks, groin, or genitals, or conscious and willful touching another with any of these body parts; making another person touch any of these body parts under or over clothing; and the emission of ejaculate on the clothing or body of another person.

Non-Consensual Sexual Intercourse – Any form of vaginal, anal, or oral penetration by a penis, object, tongue, or finger without a person's affirmative consent; or oral copulation (mouth-to-genital contact or genital-to-mouth contact) without a person's affirmative consent, no matter how slight the penetration or contact.

Report – A report of sexual misconduct is when a party notifies the Office of Title IX of alleged misconduct and requests support and resources, but where there has not yet been a decision about whether to proceed through the Title IX process.

Respondent – The respondent is the individual who have alleged to have committed or perpetrated the sexual misconduct. Respondents are entitled to a presumption that there is no violation of this Policy throughout the disciplinary process unless the Respondent chooses to accept responsibility for a violation or until they are found responsible for a violation of this Policy via the hearing process.

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Retaliation – Any adverse action or threatened action, taken or made, personally or through a third party, against someone who has filed a sexual harassment/misconduct complaint (a Complainant), has been the subject of a sexual harassment/misconduct complaint (a Respondent), or any other individual who engages with the University in connection with a sexual harassment/misconduct complaint. All individuals and groups of individuals, not just a Respondent or Complainant, are prohibited from engaging in retaliation.

- a. Retaliation includes directly or indirectly threatening, intimidating, harassing, or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy, such as seeking services; receiving protective measures and accommodations; reporting sexual harassment/misconduct; and/or participating in an investigation or adjudication.
- b. Retaliation includes maliciously and purposefully interfering with, threatening, or damaging the academic or professional career of another individual before, during or after the investigation and resolution of a report of sex- and gender-based harassment/misconduct under this Policy.
- c. Retaliation may be present even where there is a finding of “no responsibility” on the allegations.
- d. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate. Filing a counter complaint, counter appeal, or conduct complaint through processes established by University policy does not in itself constitute retaliation, unless it is determined that the filing was without a reasonable basis and made in bad faith.

Sexual Exploitation – Non-consensual abuse or exploitation of another person’s sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other purpose. Examples of sexual exploitation may include, but are not limited to the following:

- Invasion of sexual privacy;
- Prostituting an individual;
- Non-consensual video- or audio-recording of sexual activity or circulation of such recorded material (i.e., revenge pornography);
- Non-consensual photographing individuals who are partly undressed, naked, or engaged in sexual acts and transmitting or posting those photographs without an individual’s consent;
- Observing unsuspecting individuals who are partly undressed, naked, or engaged in sexual acts;
- Knowingly transmitting a sexually transmitted disease (STD); exposing one’s breasts, buttocks, or genitals without affirmative consent or inducing another to do the same; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Sexual Harassment – Defines sexual harassment broadly to include any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

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- a. Any instance of quid pro quo harassment by a school's employee
- b. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access
- c. Any instance of sexual assault (as defined in Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA)

Supportive Measures – Defined as services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to either party, complainant, or respondent, while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Stalking – Engaging in a course of conduct directed at a specific person (or persons) that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer significant mental suffering or anguish. Course of conduct means two or more acts, including acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Stalking does not require an overt threat.

Student – The term student means any person pursuing academic studies at the University. The term also includes:

- a. A person who, while not currently enrolled, was previously enrolled at NSU and who is reasonably anticipated to seek enrollment at a future date, or
- b. A person who has applied to or been accepted for admission to NSU and has accepted an offer of admission or may reasonably be expected to enroll, or
- c. A person enrolled in an NSU program on a credit or non-credit basis.

Title IX Coordinator – The Title IX Coordinator, or their designee, is charged with monitoring NSU's compliance with Title IX; ensuring appropriate education and training; coordinating NSU's investigation, response, and resolution of all reports under this policy; and ensuring appropriate actions to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The Title IX Coordinator, or their designee, is available to meet with any Student, Employee, or Third Party to discuss this policy or the accompanying procedures. NSU has also designated one or more Deputy Title IX Coordinator, or their designees who may assist the Title IX Coordinator, or their designee in the discharge.

**BOV POLICY # 05 (2020) TITLE IX: SEXUAL AND GENDER-BASED HARASSMENT
AND OTHER FORMS OF INTERPERSONAL VIOLENCE****5.2.1. REPORTING SEXUAL MISCONDUCT****5.2.1(a) REPORTING TO THE POLICE**

Because sexual misconduct may constitute both a violation of NSU policy and criminal activity, persons having knowledge of a possible violation are strongly encouraged to report alleged sexual misconduct promptly to the NSU Police Department (NSUPD), or to local law enforcement authorities for incidents that occur off campus. NSU strongly encourages complainants to report the incident, to seek assistance, and to pursue judicial action for their own protection and that of the entire campus community.

Confidential reporting (providing information without your name attached to it) with NSUPD through their **Anonymous Reports** line (757-823-2148) is an available option for NSU students, staff and faculty; however, investigative or criminal enforcement activity can be significantly limited in the case of anonymous reports. ***(Note: NSUPD anonymous report is a non-emergency telephone number; in the event of an emergency, please call 911)***. Regardless of whether a complainant pursues a criminal complaint, NSU will investigate the incident in question and take appropriate responsive action to ensure that the educational environment is free of harassment, to prevent the recurrence of a hostile environment, and, as appropriate, to remedy the effects of the harassment.

When an individual is unable to or elects not to report an incident of sexual misconduct, NSU encourages other individuals with knowledge of the incident to make a prompt and accurate report to the NSUPD. If it is known that a complainant wishes to remain anonymous/confidential, their wishes should be respected in making such a report.

NSU requires all faculty, staff, students, as well as third-parties, to report suspected child abuse of which they are made aware in their capacity of employment or duties. Child abuse includes sexual abuse or exploitation of a person who is under the age of eighteen. Any uncertainty about whether reporting is required should always be resolved by making a report to NSUPD.

5.2.1(b) REPORTING SEXUAL MISCONDUCT FOR UNIVERSITY ACTION

Every NSU employee who is informed about an allegation of sexual misconduct involving any student, staff, or faculty member, is required to notify a Title IX Coordinator, or his or her designee either directly or through an appropriate reporting mechanism such as email or by phone. Employees who serve in a professional role in which they maintain a confidential status under the law (e.g., medical providers, therapists, and professional and pastoral counselors) are not bound by this requirement. However, these employees, consistent with their ethical and legal obligations, may be required to report limited information about incidents without revealing the identities of the individuals involved, to a Title IX Coordinator, or their designee or Deputy Title IX Coordinator, or their designee. At NSU, mandatory employees include all faculty and staff

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members who are not considered confidential. All members of the NSU community are encouraged to promptly report incidents of sexual harassment and discrimination.

At NSU, mandatory employees include all faculty and staff members who are not considered confidential. Complaints under this sexual misconduct policy may be filed with the following:

- (1) The Title IX Coordinator or their designee
- (2) The Deputy Title IX Coordinator for Students or their designee
- (3) The Deputy Title IX Coordinator for Employees, their designee, or their designee
- (4) Deputy Title IX Coordinator for Athletics or their designee

Retaliation Prohibited

Federal regulations and NSU policy protect against retaliation directed at any individual who files a complaint, is involved, in good faith, in the adjudicatory process under this Policy, or participates in an investigation of a complaint. A complaint of retaliation may be initiated with the Title IX Coordinator, or their designee for any retaliatory actions resulting from the filing of a complaint under this Policy. Retaliation is adjudicated under the guidelines of this Policy.

5.2.2. INVESTIGATION AND ADJUDICATION

The Title IX Coordinator, or their designee, is primarily responsible for coordinating responses to complaints of possible violations of this Policy, including directly overseeing the investigation and adjudication of complaints, and coordinating possible remedial actions or other responses designed to reasonably minimize the recurrence of the alleged conduct as well as mitigate the effects of the harassment. The Title IX Coordinator, or their designee, will ensure prompt, fair, and impartial investigations and resolutions of complaints alleging violations of this Policy. NSU will complete the investigation and resolution of a complaint in a prompt and timely manner; the office will keep the parties apprised of the status of their case on a periodic basis.

The procedures for institutional disciplinary action will be conducted by an appropriate NSU administrator, authorized to make and implement decisions, receives annual training on this Policy, and has the skills necessary to complete their roles in the Title IX process. These trained individuals will handle matters under this policy promptly and equitably.

When conducting the investigation, NSU's primary focus will be to address the sexual misconduct. NSU encourages reporting sexual misconduct and seeks to remove any barriers to reporting. NSU recognizes that a student who has potentially been involved in other policy violations not related to sexual misconduct may be hesitant to make a report because of potential consequences

An individual, who reports sexual misconduct, either as a complainant or a third-party witness, will not be subject to disciplinary action by the University for personal consumption of alcohol or drugs at or near the time of the incident, if any such violations did not and do not place the health or safety of any other person at risk. At the conclusion of the investigation, the Title IX Coordinator, or their designee may initiate an educational discussion or recommend other educational or therapeutic remedies regarding alcohol or other drugs for the reporting student(s).

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An advisor of their choice may assist the complainant and respondent during any investigative or other meeting that an NSU official schedules with a complainant or respondent. The principal role of an advisor is to serve as a representative or advocate in interactions with Norfolk State University officials as well as to provide support to a Complainant or Respondent.

The filing of a sexual misconduct complaint under this Policy is independent of any criminal investigation or proceeding. In cases where it is determined that a sexual misconduct proceeding might impede a criminal investigation or may otherwise not be in the best interests of the law enforcement agency, a Complainant, or NSU. The University will not wait for the conclusion of any criminal proceedings to commence its own investigation and implement necessary supportive measures.

Investigation of a Complaint and Notice of Charges of Alleged Policy Violation

The Title IX Coordinator, or their designee, will appoint an investigator to examine each complaint received. A notice of investigation will be sent to both the complainant and the respondent. The investigator will conduct a prompt, thorough, and impartial investigation of the complaint. The investigation may involve the following:

- Interviews with complainants, respondents, a witness or witnesses
- Collection of documents or other physical/electronic information
- Other appropriate steps as needed.

Individuals who are interviewed during the investigation will be advised that the matter is confidential and that retaliation is prohibited by this policy. All evidence directly related to the allegations will have to be sent to the complainant, respondent, and their advisor for review in either hard copy or electronic format. They will have ten business days to review and respond to the evidence. A complainant and respondent may both provide information and suggestions to the investigator, but the investigator have independent authority to conduct the investigation using their best judgment.

After the investigation, the investigator will submit a written Report of Investigation to the Title IX Coordinator, or their designee, detailing the information that was collected. The Title IX Coordinator, or their designee, may ask the investigator further clarifying questions of the Complainant, Respondent, or witness to supplement the Report of Investigation.

A draft of the Report of Investigation to the parties. The parties will be provided an opportunity to submit written statements responding to or clarifying information found in the report prepared by the investigator; any material submitted by the parties will be attached to the Report of Investigation as appendices, and the Report of Investigation will be finalized. The complainant and respondent will have ten business days to respond to the investigator regarding the investigative report.

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The Title IX Coordinator, or their designee, shall review the finalized Report of Investigation and determine whether there is sufficient information to support forwarding the case to the hearing process and assigning an appropriate administrator or body to determine violation of this policy. If a determination is made that the information available is not sufficient to support a finding of responsibility for a violation, the respondent will not be charged, and the case will be considered closed. A written notice for a disposition of closed and the reasons for closing the case will be provided to the complainant and the respondent.

Input from the Complainant Regarding the Method of Resolution

Early in the investigation, the Title IX Coordinator, or their designee, will seek to determine if the complainant wishes to pursue a formal resolution, or an informal resolution, or does not wish to pursue resolution of any kind.

- A. If the complainant wishes to proceed with a formal resolution and the Title IX Coordinator, or their designee determines, that there is sufficient information to proceed with the sexual misconduct disciplinary process, a hearing will be conducted as outlined in Section 5.2.3 (Hearing Procedures) of this Policy.
- B. If the complainant wishes to proceed with an informal resolution, the Title IX Coordinator, or their designee may elect to initiate an informal resolution process. However, a complainant: (1) should never be required to work out a problem or resolve an issue directly with the Respondent without school involvement; and (2) must be advised of the right to end the informal process at any time and to begin to pursue a formal complaint process. Additionally, a complainant and respondent must mutually consent to an informal resolution process. The Title IX Coordinator, or their designee, may elect not to pursue an informal resolution process if it is deemed not in the best interest of the involved parties or in Norfolk State University's best interest.

If the complainant does not wish to pursue resolution, requests that no action be taken, or requests that the complaint remain confidential or elects not to participate in the process, NSU has an obligation to respond to reports of sexual misconduct. NSU's ability to respond may be limited if a complainant wishes to remain anonymous. While no guarantee can be made to a complainant regarding confidentiality, the Title IX Coordinator, or their designee, will consider every request for confidentiality and significant efforts will be taken to honor the request of confidentiality in determining a response to the report of sexual misconduct. In all cases, information will be treated with discretion and privacy but cannot always be handled confidentially.

A request for confidentiality will be considered in conjunction with NSU's legal obligation to ensure a living and learning environment free from sexual misconduct and ensure the due process rights of the respondent to be informed of the allegations and their source. The complainant's request may be weighed against the following factors in considering how to respond:

- The seriousness of the alleged sexual misconduct
- The age of the complainant

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- Whether there have been other complaints of sexual misconduct against the same respondent
- The Respondent's right to receive information about the allegations if the information is maintained by Norfolk State University as an "education record" under Family Educational Rights and Privacy Act (FERPA).

NOTE: in cases involving a pattern of conduct by the respondent, the use of weapons, or drugs to limit a complainant's capacity, NSU is required to move forward with a formal process.

Authority to Impose Supportive Measures and Provide Accommodations

During the investigation and until resolution of allegations, the Title IX Coordinator, or their designee, may issue supportive measures, including, but not limited to the following:

- No contact order (NCO) between the complainant and the respondent;
- Interim suspension;
- Temporary exclusion from areas of campus
- Removal from or relocation to another residence hall, changes in academic/course schedules
- Limiting participation in certain events, gatherings, or activities, among other measures.

Supportive measures should not be construed to suggest that any decision has been made about the merits or facts of the case. Appeals of supportive measures must be submitted in writing to the Title IX Coordinator, or their designee, within 7 business days of the date that the parties were notified about the supportive measure. The University will review the materials within 5 business days of receipt of the appeal and may affirm the original measure; modify the measure, which may be of greater or lesser severity; or dismiss the original measure. The Title IX Coordinator, or their designee's determinations on any appeal of supportive measure are final and not subject to further appeal. Both parties shall receive simultaneous written notice of the outcome of the appeal.

Accommodations may be provided to individuals involved, regardless of whether formal conduct proceedings are instituted, or supportive measures implemented including academic/course schedule changes; housing reassignments; safety escorts; safety/crime prevention briefings, and other protective or safety measures. Both supportive measure and accommodations are considered on a case-by-case basis by the Title IX Coordinator, or their designee.

Acceptance of Responsibility

Within five business days after receipt of the "Notice of Charges," the respondent has an opportunity to accept or not accept responsibility for the charge(s). If a respondent is charged with a violation and accepts responsibility for having violated this policy, the Title IX Coordinator, or their designee, in accordance with the Dean of Students or the Office of Human Resources, will determine the appropriate sanction within 5 business days and send written notification of the sanction imposed and the appeal process to the complainant and respondent. The sanction

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determination is appealable to the Title IX Coordinator, or their designee, within 10 calendar days of the notice of sanction. The Title IX Coordinator, or their designee's, appeal determination shall be final and not appealable.

5.2.3. HEARING PROCEDURES

If the respondent does not accept responsibility for the alleged conduct, the Title IX Coordinator, or their designee, will appoint a university administrator with appropriate knowledge and training, to serve as a hearing officer and determine if the respondent is responsible for violations in the Notice of Charges. The hearing will be scheduled and will occur within ten business days of the respondent's denial of responsibility. The hearing officer, in coordination with Title IX Coordinator, or their designee, will select a date, time, and location of the hearing. A notice will be provided to all parties. All parties shall be given notice of no less than ten business days in advance of the hearing date, absent agreement by the parties to shorten the time period or extraordinary circumstances as determined by the decision-maker.

In hearings conducted in adherence to this policy:

1. Both parties shall have an advisor of choice. If either party does not have an advisor one will be provided for them. Information, via the Report of Investigation, pertaining to the case will be distributed simultaneously to both parties. This information will be used at the hearing and each party will be given the equivalent opportunities to present relevant evidence and witnesses.
2. The proceedings shall be non-adversarial in nature. Before any cross-examination of either party or witness, hearing officer must first determine whether the question is relevant. The determination of relevance is explained to the party's advisor asking the cross-examination question on decision to exclude a question as not relevant. If a party does not submit to cross-examination at the live hearing, the hearing officer must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The presence from the live hearing cannot draw a conclusion one way or the other by the decision-maker.
3. Both parties must be at the live hearing for the duration of the hearing, except for deliberations or recesses for the hearing board to discuss procedural issues.
4. Either party is required to be physically present in the same geographic location or at the discretion of the hearing officer; electronic participation virtually by either party may constitute presence for purposes of any hearing.
5. There shall be a single verbatim record, such as audio-recording or audiovisual recording, or transcript of the hearing (not including deliberations). The recording shall be the property of NSU. Documentation of sexual misconduct proceedings, including written findings of facts, transcripts, and any audio recordings, are maintained in accordance with the applicable NSU's document retention records.
6. For all cases, the standard that shall be used to determine whether a violation was committed is "preponderance of the evidence" (i.e., it is more likely than not that sexual misconduct occurred).

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7. After all admissible evidence has been reviewed, the hearing officer, or hearing board when applicable, shall deliberate and review all the information presented during the hearing, in conjunction with the Report of Investigation, and make a determination of responsibility or no responsibility.

The respondent shall be found responsible or not responsible for each charge by the hearing officer. The hearing officer will submit a written report to the Title IX Coordinator, or their designee containing the determination and rationale within ten business days of the conclusion of the hearing. If the hearing officer concludes that, under a preponderance of the evidence standard, the respondent violated this Policy, the hearing officer will recommend disciplinary sanction(s) and whether remedies will be provided to the complainant. Both parties shall receive simultaneous written notice of the outcome of the hearing, sanctions and remedies imposed, and the process and deadline for submitting an appeal by either party. NSU may impose a range of sanctions and protective measures following a final determination of a violation of this Policy. Factors used in determining sanctions include but are not limited to the following factors:

- The degree to which the behavior was intentional, irresponsible, or without knowledge.
- The nature of the conduct at issue,
- Any prior disciplinary history of the respondent (shared with a hearing officer or hearing board only upon a finding of responsibility for the allegation),
- The Respondent's willingness to accept responsibility for their actions
- Previous University responses to similar conduct
- The interests of the University including the health and safety of the University community.

Sanctions for Students:

The broad range of sanctions includes but is not limited to the following:

- Expulsion – The permanent of a student from the University (Students found responsible for engaging in actual or attempted nonconsensual sexual intercourse, or who are found responsible for repeated sexual misconduct, should be prepared to be permanently separated from Norfolk State University);
- Suspension – Separation from the University for an identified time frame or until satisfaction of certain conditions, or both
- Disciplinary Probation – Disciplinary probation is for a specific length of time (minimum—semester; maximum—until graduation)
- Temporary or permanent separation of the parties (e.g. change in classes, reassignment of residence, no contact orders, limiting geography where parties may go on campus) with additional sanctions for violating orders
- Successful completion of sexual or relationship sensitivity training/awareness education program /bystander intervention training
- Successful completion of alcohol and other drug awareness and abuse prevention program
- Counseling or mentoring
- Volunteering / community service requirements

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- Educational programs
- Loss of NSU
- Delays in obtaining administrative services and benefits from NSU (e.g. holding transcripts; delaying registration, graduation, or receipt of diploma)
- Additional academic requirements relating to scholarly work or research on sexual misconduct or sexual misconduct on university campuses
- Financial restitution (payments) to any individual(s) who were injured or impacted by the Respondent's conduct
- Any other discretionary sanctions that are directly related to the violation or conduct and that are aimed at eliminating sexual misconduct, preventing its recurrence, and addressing its effects

5.2.3.(1) APPEALS

Both parties shall have the right to appeal the outcome based on any of the following grounds:

1. To consider new information, sufficient to alter the decision of the case, or other relevant information not disclosed in the original hearing, because such information was not available to the appellant during the time of the hearing.
2. To allege a procedural error within the hearing process that may have substantially impacted the fairness or impartiality during the hearing process.
3. To allege that finding was inconsistent with the information.
4. The Title IX Coordinator, or designee, or any other personnel involved in the case, had a conflict of interest or bias that affected the outcome of the matter.

Appeals must be submitted in writing to the Title IX Coordinator, or their designee within seven business days of the day the parties are notified about the outcome of the case. Upon receipt of an appeal, the Title IX Coordinator, or their designee will appoint an appeals panel consisting of three members from a pool of trained faculty, staff, and graduate/professional students. The appeals panel will review the materials within ten business days of receipt of the appeal. The panel will examine all documentation of the hearing to determine if there is a reasonable basis for changing the outcome. The panel will issue a written determination of the appeal, or may request that the University Title IX Coordinator, or their designee take appropriate steps in the appeal, which may include the following:

- Affirming the original finding and sanction
- Affirming the original finding but issuing a new sanction, which may be of greater or lesser severity
- Remanding the case to a new hearing panel to correct a procedural or factual defect; or, dismissing the case if there was a procedural or factual defect that cannot be remedied by remand.

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The panel's determinations are final and not appealable. However, the outcome of a remanded case may again be appealed under this provision. Both parties shall receive simultaneous written notice of the outcome of the appeal.

**5.2.4. SUPPORT SERVICES AND OPTIONS FOR STUDENTS GOING THROUGH THE
SEXUAL MISCONDUCT PROCESS.**

A variety of support resources are available on campus and in the community to assist students in dealing with sexual misconduct, whether it happened recently or in the past. A full listing of support services, including healthcare, counseling, advocacy or peer support, and other resources may be found at:

<http://www.nsu.edu/Campus-Life/Services-Resources> or
<https://www.familyjusticecenter.org/resources/>

**5.2.5. UNIVERSITY POLICE CONTACT INFORMATION AND ANONYMOUS
REPORTING LINE**

- All Emergencies (any campus/location): 9-1-1
- Norfolk State University Police Department: 757-823-9000
- Norfolk State University Police Department: (non-emergency number): 757-823-8102
- Norfolk State University Anonymous Line: 757-823-2148

EMPLOYEE COMPLAINTS

5.2.6. Adjudication Process for Formal Complaints against Classified Employees Adjudication of alleged violations of sexual misconduct for classified employees will be handled under procedures published on the [Human Resources DHRM Grievance Procedure Manual](#).

5.2.7. Adjudication Process for Formal Complaints against Wage Employees Adjudication of alleged violations of sexual misconduct for wage employees will be handled under procedures published on the [Human Resources DHRM Grievance Procedure Manual](#).

5.2.8 Adjudication Process for Formal Complaints against A&P Faculty without Tenure Adjudication of alleged violations of sexual misconduct for A&P faculty without tenure will be handled under procedures published on the [Human Resources DHRM Grievance Procedure Manual](#).

5.2.9. Adjudication Process for Formal Complaints against Instructional Faculty and A&P Faculty with Tenure Adjudication of alleged violations of sexual misconduct for faculty will be handled under procedures published in the [Faculty Handbook](#).

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5.3.1. A classified employee who is found to have violated this policy may be disciplined or discharged under the terms of [Human Resources DHRM Grievance Procedure Manual](#).

5.3.2. A wage employee who is found to have violated this policy may be disciplined or discharged under the terms of [Human Resources DHRM Grievance Procedure Manual](#).

5.3.3. An A&P faculty member without tenure who is found to have violated this policy may be disciplined or discharged under the terms of [Human Resources DHRM Grievance Procedure Manual](#).

5.3.4. A faculty member who is found to have violated this policy may be disciplined or discharged under the terms of the [Faculty Handbook](#).

PUBLICATION

This policy shall be widely published and distributed to the NSU community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the NSU community within 14 days of approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of approval;
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary. Failure to meet the publication requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: December 2023
- Approval by, date: December 11, 2020
- Revision History: *New Policy*
- Supersedes policies: Policies *New Policy*

Related Links.

Current Version of This Policy: <https://www.nsu.edu/policy/bov-05.aspx>

BOV Policy #4: Equal Opportunity: <https://www.nsu.edu/policy/bov-04.aspx>



BOV POLICY # 05.01 (2017) REPORTING BY UNIVERSITY EMPLOYEES OF DISCLOSURES RELATING TO SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL VIOLENCE

Policy Title:	Reporting by University Employees of Disclosures Relating to Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence
Policy Type:	Board of Visitors
Policy No.:	BOV Policy # 05.01 (2017)
Approval Date:	June 22, 2020 December 11, 2020
Responsible Office:	Office of the President
Responsible Executive:	Title IX Coordinator
Applies to:	University Community

POLICY STATEMENT

Consistent with Title IX and other applicable state and federal law, this Policy outlines the options available to students to disclose alleged **“Prohibited Conduct”** (as defined in Norfolk State University’s [BOV Policy #05 \(20172020\) Title IX; Sexual and Gender-Based Harassment and other Forms of Interpersonal Violence](#) (“SGBHV Policy”) to Norfolk State University (“NSU”) employees, and the obligations of NSU employees to respond to such disclosures, including the responsibilities of certain NSU employees, called **“Responsible Employees,”** to report such disclosures to NSU’s Title IX Coordinator, so that NSU may provide appropriate support, resources and interim measures, take immediate and appropriate steps to investigate what occurred, and take prompt and effective action to end any Prohibited Conduct, remedy its effects, and prevent its recurrence. All NSU employees are also required to complete training in order to understand their responsibilities in this area, including how to respond to disclosures of alleged Prohibited Conduct.

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PURPOSE

NSU adopts this policy with a commitment to: (1) eliminating, preventing, and addressing the effects of Prohibited Conduct; (2) fostering NSU's Community of Trust, in which Prohibited Conduct is not tolerated; (3) cultivating a climate where all individuals are well-informed and supported in reporting Prohibited Conduct; (4) providing a fair and impartial process for all parties; and (5) identifying the standards by which violations of this policy will be evaluated and disciplinary action may be imposed.

CONTACTS

The Title IX Coordinator officially interprets this policy and is responsible for matters pertaining to this policy as it relates to the University Community. The President's Office is responsible for obtaining approval for any revisions as required by BOV Policy # 01 Creating and Maintaining Policies through appropriate governance structures. Questions regarding this policy should be directed to the Title IX Coordinator.

DEFINITIONS

"Complainant" means the person who presents as the victim of any Prohibited Conduct, regardless of whether such person makes a report of such Prohibited Conduct.

"Confidential Employee" is (1) any NSU employee who is a licensed medical, clinical or mental-health professional (e.g., physicians, nurses, physicians' assistants, psychologists, psychiatrists, professional counselors and social workers, and those performing services under their supervision), when acting in that professional role in the provision of services to a patient who is a NSU student ("health care providers"), and (2) any NSU employee providing administrative, operational and/or related support for such health care providers in the performance of such services.

"Evaluation Panel" means the panel that evaluates every report of alleged Prohibited Conduct. The Evaluation Panel may include any and all members of the University's Threat Assessment Team and shall include, at a minimum: (1) the Title IX Coordinator, (2) a representative of the NSU Campus Police Department, and (3) a representative from the Division of Student Affairs. In addition, the Evaluation Panel may include a representative from Human Resources or the Office of the Provost, depending on the circumstances of the reported incident and the status of the Complainant and the Respondent. A detailed description of the Evaluation Panel and the threat assessment process is set forth in the Student Procedures.

"NSU's Online Reporting Process" allows for anonymous reporting of alleged Prohibited Conduct. To file an online incident report, visit the following link:

<https://surveys.nsu.edu/index.php/958274/lang-en>



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“Prohibited Conduct” means all of the conduct defined as “Prohibited Conduct” in [BOV Policy # 05 \(2017-2020\) Title IX; Sexual and Gender-Based Harassment and other Forms of Interpersonal Violence](#) (the “SGBHV Policy”). Prohibited Conduct includes, as such terms are defined in the SGBHV Policy, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, Sexual and Gender-Based Harassment, Complicity and Retaliation.

“Reporter” means any NSU student who is registered or enrolled for credit- or non-credit-bearing coursework who discloses an incident of alleged Prohibited Conduct to a NSU employee. Reporters include students who disclose such information, whether as Complainants, Respondents, or witnesses.

“Respondent” means any person who has been accused of Prohibited Conduct. **“Responsible Employee”** (For purposes of students disclosing alleged acts of Prohibited Conduct) means any NSU employee who is not a Confidential Employee is a Responsible Employee. For purposes of employees disclosing alleged acts of Prohibited Conduct involving NSU employees, supervisors, management, and human resource professionals are Responsible Employees. Responsible Employees include Resident Assistants, Graduate Teaching Assistants, and all other student-employees, when disclosures are made to any of them in their capacities as employees.

“Student Procedures” means NSU’s Procedures for Reports against Students in the [Title IX Handbook for Students and Employees](#), setting forth the procedures for investigating and resolving reports of alleged Prohibited Conduct committed by Students.

“Student Resource Guide” means NSU’s Resource and Reporting Guide for Students in the [Title IX Handbook for Students and Employees](#), providing complete information for students about how to locate and access University and community resources for medical and mental-health assistance and support, how to obtain interim remedial and protective measures, how to report Prohibited Conduct to the University and to law enforcement, and other information that may be useful to University students who have experienced or witnessed an incident of Prohibited Conduct.

“Title IX Coordinator” as used in this Policy, the term “Title IX Coordinator” means the appointed Title IX Coordinator, a Deputy Title IX Coordinator, a Title IX Investigator, or another person designated by the appointed Title IX Coordinator, unless under context it is clear that reference is to the appointed Title IX Coordinator.

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EMPLOYEE RESPONSIBILITIES BY DESIGNATION

A. CONFIDENTIAL EMPLOYEES:

A Confidential Employee will not disclose information about alleged Prohibited Conduct to NSU's Title IX Coordinator or to anyone else without the Reporter's written permission, subject to certain limited exceptions, as set forth below.

1. Limits of Confidentiality:

Confidential Employees are required to maintain the confidentiality of information shared with them about Prohibited Conduct and will not disclose such information to NSU's Title IX Coordinator or to anyone else, except with the written permission of the Reporter or when such disclosures are permitted or required by applicable law or court order. For example, Confidential Employees may be required to disclose such information where there is a concern that the individual will likely cause serious physical harm to self or others or when the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18. Questions about how to interpret the validity of any permission given or the applicability or scope of any law or court order requiring disclosure should be directed to the Office of University Counsel.

Reporters who disclose information to Confidential Employees should understand that, except in the limited circumstances described above, the information they have disclosed will not be shared with the Title IX Coordinator, and NSU will therefore be unable to use such information to investigate the alleged Prohibited Conduct or to pursue disciplinary action against the Respondent.

2. Interim Remedial and Protective Measures:

Confidential Employees may provide information to students where appropriate about how to obtain necessary health or mental health services, including victim advocacy services, at NSU and within the local community. Students also may ask Confidential Employees how to request remedial measures (designed to address a student's safety and well-being and continued access to educational opportunities) or protective measures (involving action against a Respondent). These measures may include No-Contact Directives (prohibiting contact between parties to an incident of alleged Prohibited Conduct), academic modifications and support, or modifications to NSU residence, employment and/or parking arrangements.

Confidential Employees should direct students who wish to request such remedial and/or protective measures to the Deputy Title IX Coordinator for Students, located in the Division of Student Affairs ("DSA"). *Students should understand, however, that DSA employees (including the Deputy Title IX Coordinators) are **not** Confidential Employees, and thus will share any disclosures made to them about Prohibited Conduct with the Title IX Coordinator.* Students may be able to access a range of remedial measures without disclosing significant details about the alleged Prohibited Conduct, however, and also may request that their names not be shared with the Respondent or others, that no investigation be pursued, and/or that no disciplinary action be



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taken. NSU will honor such requests if it is possible to do so while also protecting the health and safety of the Complainant and the University community. Such requests will be considered by an Evaluation Panel, as described in the Student Procedures. (See also Balancing Respect for the Agency and Autonomy of Complainants with the University's Obligations under State and Federal Law, p. ##).

3. Making a Report:

A Reporter who at first seeks the assistance of a Confidential Employee always has the right to report an incident of alleged Prohibited Conduct to NSU and/or to local law enforcement. In such cases, if the Reporter communicates to a Confidential Employee a wish to make a report, the Confidential Employee should support this decision and direct the Reporter to the online reporting process, to the Title IX Coordinator, or to the appropriate Deputy Title IX Coordinator so that a report can be made. Detailed information about University and law enforcement reporting options is set forth in the SGBHV Policy and the Student Resource Guide.

B. RESPONSIBLE EMPLOYEES

A Responsible Employee is required to report to NSU's Title IX Coordinator all relevant details disclosed by a Reporter about an incident of alleged Prohibited Conduct, including the names and all other information that personally identifies the Reporter, the parties, any witnesses, and any other relevant information (e.g., the date, time and specific location of the alleged incident).

1. Student Disclosures¹:

Except in the context of Public Awareness Events, Responsible Employees are required to immediately report all relevant details about an incident of alleged Prohibited Conduct disclosed by a Reporter (including the names and all other information that personally identifies the Reporter, the Complainant, the Respondent, any witness, and/or any other third party with knowledge of the reported incident) and any other relevant information (including the date, time and specific location of the reported incident) to NSU's Title IX Coordinator through the online reporting process.

If possible, before a Reporter discloses any information to a Responsible Employee, the Responsible Employee should explain the reporting obligations under this Policy. If the Reporter has not disclosed any information and indicates a desire to maintain confidentiality, the Responsible Employee should direct the Reporter to a Confidential Employee instead.

¹ Although this Policy is directed primarily to disclosures by students, certain NSU employees who are designated as Responsible Employees under this Policy also may be obligated to report disclosures about Prohibited Conduct involving a University employee. Under the SGBVH Policy, supervisors, management and human resource professionals are required to report to the Title IX Coordinator all relevant details about an incident of Prohibited Conduct where either the Complainant or the Respondent is a University employee. Reporting is required when such supervisors, management and human resource professionals knew (by reason of a direct or indirect disclosure) or should have known of such Prohibited Conduct. For academic faculty, supervisors include department chairs, deans, and other unit administrators.



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2. Disclosures by Anyone of Prohibited Conduct on Certain University Property:

Although this Policy is directed primarily toward disclosures by NSU students to NSU employees about incidents of alleged Prohibited Conduct, consistent with the requirements of [*Code of Virginia § 23.1-806*](#) (the “Virginia Reporting Statute”), Responsible Employees are also required to report to the Title IX Coordinator all information obtained, from any source, about any incident of alleged Prohibited Conduct that occurs “on campus, in or on a non-campus building or property, or on public property.” The Virginia Reporting Statute defines the terms “campus,” “non-campus building or property” and “public property” broadly to include, for example, the NSU campus (including residence halls); all contiguous (off-campus) property owned or controlled by NSU; all property controlled by a student organization or frequently used by students, wherever located; Spartan Suites, Alumni House and public property (including streets, sidewalks and parking facilities) that is within or immediately adjacent to, and accessible from, NSU. Responsible Employees are not expected to be experts in interpreting the Virginia Reporting Statute; any questions about whether to report such information should be directed to the Title IX Coordinator.

a. Exceptions for Public Awareness Events:

Responsible Employees are not required to report information disclosed at public awareness events (e.g., “Take Back the Night,” candlelight vigils, protests, “survivor speak-outs” or other public forums in which students may disclose incidents of Prohibited Conduct; collectively, “Public Awareness Events”). NSU may provide information about students’ Title IX rights and about available NSU and community resources and support at Public Awareness Events.

b. University Actions Following Receipt of a Report:

Upon receipt of a report of Prohibited Conduct, the Title IX Coordinator will conduct an initial assessment, as described in the Student Procedures, and will provide the Complainant, if known, with information about resources and options, offer interim measures, and take appropriate action to resolve the reported incident as promptly and equitably as possible. The Title IX Coordinator also will promptly forward all information then known to an Evaluation Panel, in accordance with the Student Procedures. To the extent possible, information disclosed to a Responsible Employee will be shared only with (A) a limited circle of NSU employees who “need to know” in order to assist in the assessment, investigation, and resolution of the reported incident, or (B) as directed by the Evaluation Panel, with local law enforcement or the Prosecuting Authority (as defined in the Student Procedures). A detailed description of the initial assessment, the threat assessment, and the range of available NSU measures and actions following the threat assessment is set forth in the Student Procedures.

c. External Reporting:

Except in the event of an emergency, as may be directed by the Evaluation Panel, or where an incident has already been reported to law enforcement, a Responsible Employee should not disclose information to law enforcement without the Complainant’s consent. Any request for information from law enforcement should be referred directly to the Title IX Coordinator.



BOV POLICY # 05.01 (2017) REPORTING BY UNIVERSITY EMPLOYEES OF DISCLOSURES RELATING TO SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL VIOLENCE

d. Balancing Respect for the Agency and Autonomy of Complainants with the University's Obligations under State and Federal Law:

Reporting all disclosures, reports or other known information about alleged Prohibited Conduct to the Title IX Coordinator allows the University to meet its state and federal obligations and to maintain an environment free from harassment and discrimination. Reporting such information to the Title IX Coordinator also provides NSU with the best opportunity to offer appropriate support, resources and interim measures to assist a Complainant, assess any health or safety risk posed by the alleged Prohibited Conduct, take immediate and appropriate steps to investigate what occurred, and take prompt and effective action to end any Prohibited Conduct, remedy its effects, and prevent its recurrence.

In some instances, however, a Reporter may tell a Responsible Employee about an incident of Prohibited Conduct but also request (a) that their name and any other personally-identifying information not be shared with the Respondent or others, (b) that no investigation be pursued, and/or (c) that no disciplinary action be taken. The Responsible Employee should communicate any such requests to the Title IX Coordinator.² In such cases, the University will seek to balance respect for the agency and autonomy of Complainants with the University's obligations under state and federal law. Accordingly, the University will seek to honor such requests if it is possible to do so while also protecting the health and safety of the NSU community, in accordance with the SGBVH Policy and in compliance with state and federal law.

A detailed discussion of the Evaluation Panel, the threat assessment process, and NSU's response when a Complainant requests (a) that their name and any other personally-identifying information not be shared with the Respondent or others, (b) that no investigation be pursued, and/or (c) that no disciplinary action be taken, is set forth in the Student Procedures.

C. OTHER FORMS OF DISCLOSURE

1. Anonymous Reporting:

Although NSU encourages students to report Prohibited Conduct, NSU also provides a means for anonymous reporting, through the online reporting process. This system will notify users that all information provided will be reported to NSU for action in accordance with the SGBHV Policy, and users can provide as much or as little information as they choose.

An anonymous report will be evaluated in the same manner as a report with an identified Complainant. Once an anonymous report is submitted, it will be directed to NSU's Title IX Coordinator, who will review the information provided and determine whether further action is necessary in order to protect the health and safety of affected individuals and the University community. Consistent with the provisions of the SGBHV Policy and the Student Procedures, NSU will respond to any report, including anonymous reports, with an initial assessment and threat assessment to determine available steps based on the nature and circumstances of any known information.

² The online reporting process allows for Responsible Employees to indicate that such a request has been made.



**BOV POLICY # 05.01 (2017) REPORTING BY UNIVERSITY EMPLOYEES OF
DISCLOSURES RELATING TO SEXUAL AND GENDER-BASED HARASSMENT AND
OTHER FORMS OF INTERPERSONAL VIOLENCE**

2. Off-campus Resources:

Counselors, advocates, and health-care providers in the Norfolk community are not subject to this Policy and are not required to disclose information to NSU unless the student requests and authorizes the disclosure and signs a consent or waiver form. Local advocates include the Sexual Assault Resource Agency, which, pursuant to an ongoing agreement with NSU, ensures immediate access to a confidential, independent advocate who can provide a trauma-informed response, including an explanation of available resources, support and reporting options.

While counselors, advocates and health-care providers may maintain confidentiality vis-à-vis the University, they may have reporting or other obligations under state and federal law.

3. Training:

All NSU employees must complete regular training in order to understand their reporting responsibilities under Title IX. The required training is managed through an on-line process, and completion will be tracked to verify compliance.

4. Responsibilities:

A. Students (Reporters) are responsible for:

- Understanding the options available to them for the disclosure of information about alleged Prohibited Conduct (i.e., understanding the differences between Confidential Employees and Responsible Employees) and understanding the University's obligation to respond to such disclosures;
- Understanding NSU's process for evaluating requests (a) that their names and any other personally-identifying information not be shared with the Respondent or others, (b) that no investigation be pursued, and/or (c) that no disciplinary action be taken; and
- Requesting remedial and protective measures from the Deputy Title IX Coordinator for Students, as needed.

B. Responsible Employees are responsible for:

- Communicating to students who are considering disclosing or have disclosed information about alleged Prohibited Conduct that, as Responsible Employees, they are required to report such information to NSU;
- Reporting information they receive about alleged Prohibited Conduct promptly through the online reporting process or other means;
- Completing all applicable University training on reporting requirements and staying current on training requirements; and
- Contacting the Title IX Coordinator with questions or concerns.



**BOV POLICY # 05.01 (2017) REPORTING BY UNIVERSITY EMPLOYEES OF
DISCLOSURES RELATING TO SEXUAL AND GENDER-BASED HARASSMENT AND
OTHER FORMS OF INTERPERSONAL VIOLENCE**

C. Confidential Employees are responsible for:

- Communicating to students who are considering disclosing or have disclosed information about alleged Prohibited Conduct that, except in the limited circumstances described in this Policy, the information they have disclosed will not be shared with the Title IX Coordinator and that the University will therefore be unable to use such information to investigate the alleged Prohibited Conduct or to pursue disciplinary action against the Respondent;
- Understanding and providing information about available resources and support services;
- Supporting students who, following an initial confidential disclosure, decide to make a report to NSU and/or local law enforcement, by directing such students to the appropriate NSU resources for assistance with such filing or further reporting; and
- Serving as a resource to NSU employees regarding their responsibilities with respect to reporting alleged Prohibited Conduct.

D. Title IX Coordinator is responsible for:

- Tracking changes in state and federal law which may require conforming modifications to this Policy, the SGBHV Policy and associated procedures and ensuring that the University's policies and procedures for reporting of Prohibited Conduct disclosures are current. The Title IX Coordinator will work closely with the Office of University Counsel in this regard;
- Communicating with the Division of Student Affairs (DSA) and other NSU offices or units, as appropriate, to verify that all parties receive any necessary information, assistance and support, including appropriate remedial and protective measures;
- Monitoring institutional compliance with this Policy, including required training; and
- Serving as a resource to NSU employees regarding their responsibilities with respect to reporting alleged Prohibited Conduct.

PUBLICATION

This policy will be widely published and distributed to the NSU community. To ensure timely publication and distribution thereof, the Office of the President shall:

- Communicate the policy in writing, electronically or otherwise, to the NSU community;
- Post the policy on the Board of Visitors and University Websites; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.



BOV POLICY # 05.01 (2017) REPORTING BY UNIVERSITY EMPLOYEES OF DISCLOSURES RELATING TO SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL VIOLENCE

RELATED POLICIES AND DOCUMENTS

IN GENERAL

- [Title IX Handbook for Students and Employees](#)
- [BOV Policy # 04 \(2014\) Equal Opportunity](#)

STUDENTS

- [Code of Student Conduct](#)
- Rights of Students at Norfolk State University Pursuant to the [Family Educational Rights and Privacy Act](#) (FERPA)

EMPLOYEES

- [Reporting Policy: BOV Policy # 05.01 \(20172020\) Reporting by University Employees of Disclosures to Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#)

EMPLOYEES AND THIRD PARTIES

- [BOV Policy # 05 \(20172020\) Title IX: Sexual and Gender-based Harassment and Other Forms Interpersonal Violence](#)
- [BOV Policy # 05.02 \(2017\) Preventing and Addressing Discrimination and Harassment](#)
- [BOV Policy # 05.03 \(2017\) Preventing and Addressing Retaliation](#)

REVIEW SCHEDULE

- Next Scheduled Review: Annually in October
- Approved date: ~~June 22, 2020~~ **December 11, 2020**
- Revision History: BOV Policy # 05.01 (2017) Reporting by University Employees of Disclosures Relating to Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence, (as amended ~~September 15, 2017~~ **December 11, 2020**); BOV Policy # 05 (2014) Sexual Violence, Discrimination, Harassment and Retaliation, (as amended December, 2015); BOV Policy # 05 (2014) Sexual Misconduct; and NSU Policy #27.004 Sexual Assault Policy (2011)

**BOV POLICY # 05.02 (2017) PREVENTING AND ADDRESSING
DISCRIMINATION AND HARASSMENT**

Policy Title: Preventing and Addressing Discrimination and Harassment
Policy Type: Board of Visitors
Policy No.: BOV Policy # 05.02 (2017)
Responsible Office: Operations & Institutional Effectiveness
Approval Date: ~~September 15, 2017~~ December 11, 2020
Responsible Executive: Vice President for Operations & Chief Strategist for Institutional Effectiveness
Applies to: University Community

POLICY STATEMENT

Norfolk State University (NSU) is committed to fostering a culture of inclusion, diversity and mutual respect for all members of the University community and providing a workplace and educational environment, programs, and activities free of discrimination and harassment. This policy does not allow curtailment or censorship of constitutionally-protected expression.

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CONTACTS

The Title IX Coordinator officially interprets this policy and is responsible for matters pertaining to this policy as it relates to the University Community. The President's Office is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 Creating and Maintaining Policies](#) through appropriate governance structures. Questions regarding this policy should be directed to the Office of Human Resources.



BOV POLICY # 05.02 (2017) PREVENTING AND ADDRESSING DISCRIMINATION AND HARASSMENT

DEFINITIONS

“Complaint” means allegation(s) of discrimination, harassment and/or retaliation, filed in good faith and in accordance with NSU's Preventing and Addressing Discrimination, Harassment and Retaliation Complaint Procedures.

“Discrimination” means inequitable treatment by NSU of a person based on one or more of that person's protected characteristics or statuses, excepting any treatment permitted or required by law.

“Protected Characteristics/Statuses” means age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family medical or genetic information.

“Harassment” means unwelcome conduct directed against a person based on one or more of that person's protected characteristics or statuses, which conduct is so severe or pervasive that it interferes with an individual's employment, academic performance or participation in University programs or activities, and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive.

“Supervisor” refers to any person who has authority to undertake or recommend tangible employment decisions affecting an employee or academic decisions affecting a student; or to direct an employee's work activities or a student's academic activities. Examples include faculty members to whom work-study students report and team lead workers who, from time to time, monitor other employees' performance or direct their work.

“University” refers to Norfolk State University, including its Daycare Center, and includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

TO WHOM THIS POLICY APPLIES

The prohibition against discrimination and harassment applies to all levels and areas of university operations and programs, to students, faculty, staff, volunteers, vendors, and contractors, and the Board of Visitors. This policy does not permit or require alteration of *bona fide* job requirements, performance standards, or qualifications to give preference to any state employee or applicant for state employment.

POLICY CONTENTS

This policy is based on federal and state laws, including [Executive Order 11246](#), [Titles VI and VII of the Civil Rights Act of 1964](#), the [Age Discrimination in Employment Act of 1967](#), [Title IX of](#)



BOV POLICY # 05.02 (2017) PREVENTING AND ADDRESSING DISCRIMINATION AND HARASSMENT

the Education Amendments of 1972, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, the Virginia Human Rights Act, and the Genetic Information Nondiscrimination Act of 2008, as well as state policy, including the Governor's Executive Order One, the Commonwealth's Department of Human Resource Management (DHRM) Policy 1.60 - Standards of Conduct, DHRM Policy 2.05 - Equal Employment Opportunity, and ~~DHRM Policy 2.30 Workplace Harassment~~ DHRM Policy 2.35 – Civility in the Workplace.

NSU will not tolerate discrimination or harassment in the workplace, academic setting or in its programs or activities based on age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, or family medical or genetic information.

This Policy does not address sexual assault, sexual exploitation, intimate partner violence, stalking, or sexual or gender-based harassment. Those categories of Prohibited Conduct are governed by BOV Policy # 05 (20172020) Title IX; Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence ("SGBHV policy"), which also establishes separate procedures that outline reporting options and explain how NSU assesses, investigates and resolves reports of such prohibited conduct against students and employees as found in the Title IX Handbook for Students and Employees (Title IX Handbook). The SGBHV policy and related procedures supersede any conflicting information contained in this Policy or the Title IX Handbook with respect to the conduct the SGBHV policy specifically prohibits.

Training

All members of management, supervisors, faculty and NSU classified and Daycare Center staff are responsible for successfully completing the NSU's non-discrimination, anti-harassment, and anti-retaliation training at least every two years.

In addition, supervisors are responsible for:

- knowing and understanding this policy;
- explaining this policy to persons under their supervision;
- taking appropriate action to prevent discrimination and harassment; being receptive to concerns and complaints of discrimination and/or harassment;
- taking appropriate action (in consultation with Human Resources) when they become aware of potential violations of this policy; and
- following up with persons who make complaints of discrimination or harassment to assure them that their complaints were investigated and to determine whether any remedial actions were successful.



BOV POLICY # 05.02 (2017) PREVENTING AND ADDRESSING DISCRIMINATION AND HARASSMENT

Supervisors who do not fully perform their responsibilities under this policy will be rated unfavorably on their performance evaluations and may be subject to disciplinary action, up to and including termination.

Procedures

A complaint may be filed with Human Resources by any present or former employee of NSU, student, applicant for admission or employment, or participant in a University program or activity, who believes he/she has been discriminated against or harassed in violation of this policy. Any such complaint must be filed within 300 calendar days of the incident.

This policy as well as the Preventing and Addressing Discrimination, Harassment and Retaliation Complaint Procedures in the [Title IX Handbook for Students and Employees](#) shall be made available online and in print format across the campus.

Knowingly filing a false complaint of discrimination/harassment or of retaliation is a violation of this policy and may be pursued using the steps followed for a complaint of discrimination/harassment. If a false complaint is found to have occurred, such conduct will result in disciplinary action that may include termination or expulsion.

PUBLICATION

This policy will be widely published and distributed to the NSU community. To ensure timely publication and distribution thereof, the Office of the President shall:

- Communicate the policy in writing, electronically or otherwise, to the NSU community;
- Post the policy on the Board of Visitors and University Websites; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

RELATED POLICIES AND DOCUMENTS

IN GENERAL

- [Title IX Handbook for Students and Employees](#)
- [BOV Policy # 04 \(2014\) Equal Opportunity](#)

STUDENTS

- [Code of Student Conduct](#)
- Rights of Students at Norfolk State University Pursuant to the [Family Educational Rights and Privacy Act](#) (FERPA)



**BOV POLICY # 05.02 (2017) PREVENTING AND ADDRESSING
DISCRIMINATION AND HARASSMENT**

EMPLOYEES

- [Reporting Policy: BOV Policy # 05.01 \(2017\) Reporting by University Employees of Disclosures to Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#)

EMPLOYEES AND THIRD PARTIES

- [BOV Policy # 05 \(20172020\) Title IX: Sexual and Gender-based Harassment and Other Forms Interpersonal Violence](#)
- [BOV Policy # 05.01 \(2017\) Reporting by University Employees of Disclosures Relating to Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#)
- ~~[BOV Policy # 05.03 \(2017\) Preventing and Addressing Retaliation](#)~~

REVIEW SCHEDULE

- Next Scheduled Review: Annually in October
- Approved date: ~~September 15, 2017~~ **December 11, 2020**
- Revision History: BOV Policy # 05 (2014) Sexual Violence, Discrimination, Harassment and Retaliation, (as amended December, 2015); BOV Policy # 05 (2014) Sexual Misconduct; and NSU Policy #27.004 Sexual Assault Policy (2011)
- Supersedes: BOV Policy # 04 (2014) Equal Opportunity and Non Discrimination

**BOV POLICY # 05.03 (2017) PREVENTING AND ADDRESSING RETALIATION**

Policy Title: Preventing and Addressing Retaliation

Policy Type: Board of Visitors

Policy No: BOV Policy # 05.03 (2017)

Approval Date: September 15, 2017

Responsible Office: President's Office

Responsible Executive: Title IX Coordinator

Applies to: University Community

POLICY STATEMENT

NSU is committed to providing a workplace and educational environment, programs and activities free of retaliation against persons who, in good faith (holding a genuine belief in the truth of one's allegations), complain of discrimination and/or harassment as defined in [BOV Policy # 05.02 Preventing and Addressing Discrimination and Harassment](#) or who assist with or participate in in any investigation of alleged conduct under [BOV Policy # 05 Title IX; Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#) or [BOV Policy # 05.01 Reporting by University Employees of Disclosures to Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#). This policy does not allow curtailment or censorship of constitutionally protected expression.

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**BOV POLICY # 05.03 (2017) PREVENTING AND ADDRESSING RETALIATION****PURPOSE**

This policy is intended to comply with a change in the law pertaining to the definition of retaliation, as decided in *Burlington Northern v. White*, 126 S. Ct. 2405 (2006). In *Burlington Northern*, the U.S. Supreme Court extended the scope of the anti-retaliation provision of Title VII of the Civil Rights Act of 1964 to include materially adverse employer action with consequent harm occurring at or outside the workplace.

CONTACTS

The Title IX Coordinator officially interprets this policy and is responsible for matters pertaining to this policy as it relates to the University Community. The President's Office is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 Creating and Maintaining Policies](#) through appropriate governance structures. Questions regarding this policy should be directed to the Human Resources Office.

DEFINITIONS

"Complaint" means allegation(s) of discrimination, harassment and/or retaliation, filed in good faith and in accordance with NSU's Preventing and Addressing Discrimination, Harassment and Retaliation Complaint Procedures.

"Discrimination" means inequitable treatment by NSU of a person based on one or more of that person's protected characteristics or statuses, excepting any treatment permitted or required by law.

"Protected Characteristics/Statuses" means age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family medical or genetic information.

"Harassment" means unwelcome conduct directed against a person based on one or more of that person's protected characteristics or statuses, which conduct is so severe or pervasive that it interferes with an individual's employment, academic performance or participation in University programs or activities, and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive.

"Retaliation" means reprisal, interference, restraint, penalty, discrimination, intimidation or harassment, determined in accordance with applicable legal standards.

"Supervisor" refers to any person who has authority to undertake or recommend tangible employment decisions affecting an employee or academic decisions affecting a student; or to direct an employee's work activities or a student's academic activities. Examples include faculty members to whom work-study students report and team lead workers who, from time to time, monitor other employees' performance or direct their work.

BOV POLICY # 05.03 (2017) PREVENTING AND ADDRESSING RETALIATION

“University” refers to Norfolk State University, including its Daycare Center, and includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

TO WHOM THIS POLICY APPLIES

This policy applies to the University Community, which includes persons who, in good faith, complain of discrimination and/or harassment, or who assist with or participate in the process outlined in the Preventing and Addressing Discrimination, Harassment and Retaliation Complaint Procedures.

POLICY CONTENTS

This policy is based on federal and state laws, including [Executive Order 11246](#), [Titles VI and VII of the Civil Rights Act of 1964](#), the [Age Discrimination in Employment Act of 1967](#), [Title IX of the Education Amendments of 1972](#), the [Rehabilitation Act of 1973](#), the [Americans with Disabilities Act of 1990](#), as amended, the [Virginia Human Rights Act](#), and the [Genetic Information Nondiscrimination Act of 2008](#), as well as state policy, including the [Governor’s Executive Order One](#), the Commonwealth’s [Department of Human Resource Management \(DHRM\) Policy 1.60 - Standards of Conduct](#), [DHRM Policy 2.05 - Equal Employment Opportunity](#), and [DHRM Policy 2.30 - Workplace Harassment](#).

NSU will not tolerate discrimination, harassment, or retaliation in the workplace, academic setting or in its programs or activities based on age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, or family medical or genetic information.

Training

All members of management, supervisors, faculty and NSU classified and Daycare Center staff are responsible for successfully completing NSU’s non-discrimination, anti-harassment, and anti-retaliation training at least every two years.

In addition, supervisors are responsible for:

- knowing and understanding this policy;
- explaining this policy to persons under their supervision;
- taking appropriate action to prevent retaliation;
- being receptive to concerns and complaints of retaliation;
- taking appropriate action (in consultation with Human Resources) when they become aware of potential violations of this policy; and
- following up with persons who make complaints of retaliation to assure them that their complaints were investigated and to determine whether any remedial actions were successful.

BOV POLICY # 05.03 (2017) PREVENTING AND ADDRESSING RETALIATION

Supervisors who do not fully perform their responsibilities under this policy will be rated unfavorably on their performance evaluations and may be subject to disciplinary action, up to and including termination.

Procedures

A complaint may be filed with Human Resources, the Division of Student Affairs, or the Title IX Coordinator by any present or former employee of NSU, student, applicant for admission or employment or participant in a NSU program or activity, who believes (s)he has been retaliated against in violation of this Policy. Any such complaint must be filed within 300 calendar days of the incident.

This Policy as well as the Preventing and Addressing Discrimination, Harassment, and Retaliation Complaint Procedures in the [Title IX Handbook for Students and Employees](#) shall be made available online and in printed form across the campus.

Knowingly filing a false complaint of discrimination/harassment or of retaliation is a violation of this policy and may be pursued using the steps followed for a complaint of discrimination/harassment. If a false complaint is found to have occurred, such conduct will result in disciplinary action that may include termination or expulsion.

PUBLICATION

This policy will be widely published and distributed to the NSU community. To ensure timely publication and distribution thereof, the Office of the President shall:

- Communicate the policy in writing, electronically or otherwise, to the NSU community;
- Post the policy on the Board of Visitors and University Websites; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

RELATED POLICIES AND DOCUMENTS**IN GENERAL**

- [Title IX Handbook for Students and Employees](#)
- [BOV Policy # 04 \(2014\) Equal Opportunity](#)

STUDENTS

- [Code of Student Conduct](#)
- Rights of Students at Norfolk State University Pursuant to the [Family Educational Rights and Privacy Act](#) (FERPA)

**BOV POLICY # 05.03 (2017) PREVENTING AND ADDRESSING RETALIATION****EMPLOYEES**

- [Reporting Policy: BOV Policy # 05.01 \(2017\) Reporting by University Employees of Disclosures to Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#)

EMPLOYEES AND THIRD PARTIES

- [BOV Policy # 05 \(2017\) Title IX: Sexual and Gender-based Harassment and Other Forms Interpersonal Violence](#)
- [BOV Policy # 05.01 \(2017\) Reporting by University Employees of Disclosures to Sexual and Gender-based Harassment and Other Forms of Interpersonal Violence](#)
- [BOV Policy # 05.02 \(2017\) Preventing and Addressing Discrimination and Harassment](#)

REVIEW SCHEDULE

- Next Scheduled Review: Annually in October
- Approved date: September 15, 2017
- Revision History: BOV Policy # 05 (2014) Sexual Violence, Discrimination, Harassment and Retaliation, (as amended December, 2015); BOV Policy # 05 (2014) Sexual Misconduct; and NSU Policy #27.004 Sexual Assault Policy (2011)
- Supersedes: None



BOV POLICY # 06 (2014) Statement on Code of Student Conduct

Policy Title: Statement on Code of Student Conduct

Policy Type: Board of Visitors

Policy Number: BOV Policy # 06 (2014)

Approval Date: ~~December 11, 2020~~ May 9, 2014

Responsible Office: Dean of Students Office

Responsible Executive: Vice President for Student Affairs

Applies to: Students and Student Organizations

POLICY STATEMENT

Each member of the Norfolk State University community shares in the responsibility for his/her personal conduct and, in some cases, may assume reasonable responsibility for the behavior of others. Students and student organizations are required to engage in responsible conduct that positively reflects the University community. ~~Section 23-9.2-3~~ Section 23.1-1301 of the Code of Virginia authorizes the Board of Visitors to ~~establish rules and adopt~~ regulations or policies for the conduct of students while attending Norfolk State University.

The Administration, through its Division of Student Affairs, is delegated the authority to establish and promulgate ~~rules and regulations~~ policies pertaining to the conduct of students in a Code of Student Conduct. When the established ~~rules and regulations~~ policies are violated, the Code of Student Conduct shall apply. The applicable standard of review is a preponderance (greater weight) of the evidence. Any sanctions issued as a result of a violation of the Code of Student Conduct may be proportionate to the severity of the violation and previous conduct history of the student.

~~Code of Virginia § 23-2.5-23.1-1303(B)(7)~~ also requires that the Board of Visitors establish a ~~policy~~ policies for the discipline of students who participate in varsity intercollegiate athletics. See BOV Policy # 16 (2015) Student-Athlete Discipline, which specifically addresses the conduct of student-athletes and the disciplinary and reporting requirements for varsity collegiate athletics at the University

Students have the right to notice and opportunity to respond to the reported violation(s).

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BOV POLICY # 06 (2014) Statement on Code of Student Conduct

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DEFINITIONS

Dean of Students: The University official who has primary responsibility for the implementation of student conduct policies. He/she serves as the appeals officer for all cases.

Sanction: Penalty or corrective action required by the University to a student during a conduct conference or hearing in response to a violation of the Code of Student Conduct.

Student: A person who has been admitted to or has enrolled at the University but has not completed a program of study for which she/he has enrolled; or a person who has completed a program of study and has satisfied all academic requirements for the program but has not been awarded a degree at the time of the offense. Student status exists regardless of whether the University is in session (i.e. spring break and summer).

Student organization: Any University organization or group that is approved and/or registered with the Office of Student Activities. This may also include interest groups not formally recognized by the Office of Student Activities.

CONTACT

The Dean of Students Office within the Division of Student Affairs officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Dean of Students Office is located in Room 307 Student Services Building, Norfolk State University, 700 Park Avenue, Norfolk, Virginia 23504; telephone number (757) 823-2152.

The Dean of Students, as the Responsible Executive, is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) Creating and Maintaining Policies through the appropriate governance structures. Please direct questions pertaining to the Code of Student Conduct to the Dean of Students Office.



BOV POLICY # 06 (2014) Statement on Code of Student Conduct

EDUCATION AND COMPLIANCE

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EDUCATION - All enrolled students and student organizations will be emailed BOV Policy #6, Statement on the Code of Student Conduct, at the beginning of the fall and spring semester via Campus Announcements. This information will be included in the Student Handbook and University catalog, in the online Policy Library, Dean of Students Office webpage, and departmental social media accounts. Sessions will continue with student organizations, during residence hall meetings, during DNIMAS orientations, Summer Bridge student orientations, Resident Advisor trainings, and meetings with student athletes. All new students are required to take the online module as a part of New Student Orientation. References and feedback will be provided during Town Hall Meetings with students, as appropriate. The SGA Chief Justice and Associate Justices will assist the Dean of Students Office with planning and facilitating programs to educate the campus community of the Code of Student Conduct.

COMPLIANCE – Students in violation will be referred to the Dean of Students Office. If found responsible, appropriate sanctions will be implemented related to the violation. This could include, but not limited to, disciplinary probation, educational project related to the violation(s); community service; educational modules related to the violation(s); counseling referral; fine; restitution; housing reassignment; housing visitation restriction; housing removal; suspension, and expulsion.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- ~~Post the policy on the Board's Website; and~~
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.



BOV POLICY # 06 (2014) Statement on Code of Student Conduct

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2023~~ 09/30/2021
- Approved Date: ~~09/15/2017~~; December 11, 2020
- Revision History: 09/28/2020; ~~09/7/2016~~; ~~08/28/2017~~; 09/15, 2017; December 11, 2020
- Supersedes: None

RELATED DOCUMENTS

- [Administrative Policy # 27-002 \(2014\) Code of Student Conduct](#)
- [Code of Virginia § 23.1-1303\(B\)\(7\) ~~2.5~~ Student-athlete discipline policies](#)

FORMS

There are no forms associated with this policy.

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Commented [CES10R9]: Cite corrected. Link included.

Field Code Changed



BOV Policy # 07 (2014) Military Deployment

Policy Title: Military Deployment

Policy Type: Board of Visitors

Policy Number: BOV Policy # 07 (2014)

Approval Date: December 11, 2020~~May 9, 2014~~

Responsible Office: Military Services and Veterans Affairs

Responsible Executive: Vice President for Student Affairs

Applies to: Military Students, Administrative Offices

POLICY STATEMENT

Norfolk State University is committed to serving a diverse student population, which includes the military and veteran students. This policy adheres to the requirements of [§ 23.1-207-9.6:2 of the Code of Virginia](#) and the [Virginia Tuition Relief, Refund, and Reinstatement Guidelines](#) (2010) established by the State Council of Higher Education for Virginia (“SCHEV”) to provide for tuition relief and refunds, and for reinstatement of students whose documented service in the uniformed services require their sudden withdrawal or prolonged absence from their enrollment at Norfolk State University. This policy identifies the Registrar’s Office as the Responsible Office for the processing of withdrawals for students due to Armed Forces service requirements in accordance with guidelines and procedures in [Administrative Policy # 31-14-501 \(2014\) Military Tuition Relief, Refund, and Reinstatement](#). This policy furthers the practice of having a military-friendly institution.

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BOV Policy # 07 (2014) Military Deployment

DEFINITIONS

Military Duty: includes active and reservist duty in the Armed Forces of the United States.

Military Student: includes currently enrolled active duty, National Guard or Reservist, and veteran students at the University.

Reinstatement: the re-admittance and reenrollment of a student whose service in the Armed Forces has caused his or her sudden withdrawal or prolonged absence from enrollment.

Service in the Armed Forces: service (whether voluntary or involuntary) on active duty in the Armed Forces, including such service by a member of the National Guard or Reserve, for a period of more than 30 days under call or order to active duty of more than 30 days.

Sudden withdrawal: means leaving an institution after a semester has begun or after the tuition and required fees for a term have already been billed to or paid by the student.

Tuition: the actual price of education charged to a student for the term in which service in the uniformed services caused his or her sudden withdrawal or prolonged absence from enrollment at a Virginia institution of higher education.

CONTACT(S)

The Vice President for Student Affairs officially interprets this policy and is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to the Military Services and Veterans Affairs Office.

STAKEHOLDERS

Military and Veteran students, Faculty and Staff.

Military Deployment

The Administration, through collaboration between the Enrollment Management Office and the Military Services and Veterans Affairs Office, shall develop and implement processes for providing tuition relief and refunds, and for the reinstatement of students whose documented service in the uniformed services has required their sudden withdrawal or prolonged absence from enrollment at Norfolk State University.

All active duty military students who are unable to complete course requirements due to change in employment duties, work schedule or deployment to a duty assignment may be administratively withdrawn from current semester courses in accordance with [Administrative Policy # 31-14501 \(2014\) Military Tuition Relief, Refund, and Reinstatement](#). The University Registrar will maintain records of administrative withdrawals completed under this policy and Administrative Policy # 31-501 (2014) Military Tuition Relief, Refund, and Reinstatement.

All administrative policies shall incorporate the provisions articulated herein, which are effective immediately. Nothing in this policy shall be interpreted to prohibit Norfolk State University from

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BOV Policy # 07 (2014) Military Deployment

denying reinstatement to a student for causes or actions unrelated to the student's military service in accordance with applicable University policies and procedures governing students and student conduct.

In accordance with SCHEV Guidelines (2010), the following provisions, at a minimum, must be described in sufficient detail and publicized by the Responsible Office:

- A. **Tuition and Required Fees.** A description of the circumstances under which a student shall be entitled to receive a partial or full refund of the tuition and required fees that have been billed or paid for the term in which the student is forced to withdraw, including the factors that determine the amount of a refund.
- B. **Room and Board.** A description of the circumstances under which the student is entitled to a full or partial refund for fees paid to the institution for room and board.
- C. **Deposits.** A description of the circumstances under which deposits will be refunded and/or credited to the student.
- D. **Academic Credit.** A description of a student's options concerning grades assigned for the semester in which the student is forced to withdraw due to service in the uniformed services. This includes providing reasonable time for a student to eliminate any "pending" grades (i.e., "incomplete," or "in progress" grades which indicate academic work remains to be completed in a given course).

E. Reinstatement

- 1. General Provision: A description of the circumstances under which a student shall be entitled to reinstatement in the institution following the student's release or return from service in the uniformed services, which shall provide that a student is entitled to reinstatement without having to re-qualify for admission if the student:
 - i. Returns to the same institution after a cumulative absence of not more than five years, and
 - ii. Provides notice of intent to return to the institution not later than three years after the completion of the period of service.

Administrative policies should defer to the provisions of the Higher Education Opportunity Act, 20 U.S.C. § 1088 et seq. for application of relevant exceptions to these time periods.

- 2. Reinstatement into Specific Program of Study: A description of the circumstances under which a student may be reinstated in the same program of study in which he or she had been enrolled prior to withdrawal. The policy shall provide for counseling for the student to determine the impact of absence from the program on the ability to resume study and to advise the student of his or her options when a program is no longer available or suitable.
- 3. Deferral of Enrollment: A description of the circumstances under which a student who was admitted to a program but did not begin attendance because of service in the uniformed services may be allowed to defer his or her enrollment in the program.

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BOV Policy # 07 (2014) Military Deployment

- F. **Documentation.** A description of the types of documentation the student must submit to preserve his or her prerogatives under the policy and relevant deadlines for submission of such documentation.

EDUCATION AND COMPLIANCE:

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A. TRAINING

Training for this policy is intended to educate faculty and administrators that will have a role in administering this policy or to be recipients of the financial awards specified in this policy. If required, the Military Services and Veterans Affairs Office will provide training for faculty and staff.

B. POLICY COMPLIANCE AND VIOLATIONS

1. The Military Services and Veterans Office assesses and measures compliance with this policy through monitoring and reviewing the enrollments and withdrawals of military students.
2. Violations of this policy will be addressed in accordance with any relevant federal, NSU, and Commonwealth of Virginia policies.

PUBLICATION

This Policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval.
- Submit the policy for inclusion in the online Policy Library within 14 days of approval.
- ~~Post the policy on the appropriate website; and~~
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet publication requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2020~~ 2023
- Approved date: ~~March 17, 2016; September 15, 2017;~~ December 11, 2020
- Revision History: September 16, 2020; May 8, 2015; May 9, 2014; March 17, 2016; September 15, 2017; December 11, 2020
- Supersedes: None



BOV Policy # 07 (2014) Military Deployment

RELATED DOCUMENTS

- Higher Education Opportunity Act, 20 U.S.C. § 1088 et seq.
- [Code of Virginia §23.1-207-23-9.6:2](#)
- [Virginia Tuition Relief, Refund, and Reinstatement Guidelines \(2010\) established by the State Council of Higher Education for Virginia](#)
- [Administrative Policy # 31-14-501 \(2014\) Military Tuition Relief, Refund, and Reinstatement](#)

FORMS

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**BOV Policy # 08 (2020) Award of Academic Credit for
Military Education, Training and Experience**

Policy Title: Award of Academic Credit for Military Education, Training and Experience

Policy Type: Board of Visitors

Policy No.: BOV Policy # 08 (2014)

Approval Date: December 11, 2020

Responsible Office: Enrollment Management

Responsible Executive: Vice President for Operations and Chief Strategist for Institutional Effectiveness

Applies to: Military Students

POLICY STATEMENT

Norfolk State University is committed to serving and fostering an educated, skilled and diverse workforce, which includes the military and veteran population. This policy adheres to the requirements of § 23.1-904(B) of the *Code of Virginia* and the [Guidelines on Award of Academic Credit for Military Education, Training and Experience by Virginia Public Higher Education Institutions \(2013\)](#) established by the State Council of Higher Education for Virginia (“SCHEV”) to implement policies for the purpose of awarding academic credit to students for educational experience gained from service in the armed forces of the United States. The Enrollment Management Office is identified as the Responsible Office for matters regarding transfer credit for military education and training, and for coordinating the processes and procedures for awarding credit to students for military education and training through prior learning assessment in compliance with the guidelines and procedures in [Administrative Policy # 31-14 \(2014\) Award of Credit for Military Education and Experiential Learning](#). This policy furthers the practice of having a military-friendly institution.

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**BOV Policy # 08 (2020) Award of Academic Credit for
Military Education, Training and Experience**

DEFINITIONS

Military Duty: includes active duty, National Guard and Reservists in the armed forces of the United States military.

Military Student: includes all active duty, National Guard and Reservists, and veteran students at the University.

CONTACTS

The Associate Vice President for Enrollment Management officially interprets this policy. The Vice President for Operations and Chief Strategist for Institutional Effectiveness is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Enrollment Management Office.

AWARDING CREDIT FOR MILITARY EDUCATION AND TRAINING

The Administration, through its Enrollment Management Office, shall develop and implement processes for awarding credit to students for military education and training through prior learning assessment, i.e., the award of credit for learning that occurs outside of the academic setting. Upon adoption of this policy, the Responsible Office and Executive shall submit this policy and any required documentation to SCHEV in the prescribed format and required timeframe. The Responsible Executive shall notify SCHEV of any amendments to policies enacted under SCHEV's Guidelines.

Awarding Credit

Credit may be awarded under the following methods, but due care shall be exercised in evaluating and determining the acceptance or rejection of each of the following as elements of these processes:

- a. Awarding credit for appropriate learning acquired in military service at levels consistent with the American Council on Education Guide to the Evaluation of Educational Experiences in the Armed Services and/or those transcribed by the Community College of the Air Force.
- b. Awarding credit for successful performance on national for-credit examination programs such as the College Board College Level Examination Program, DSST exams, or the Excelsior College examination.
- c. Awarding credit based upon individualized portfolio evaluation, which may be conducted by faculty at the individual colleges or by using the Council for Adult and Experiential Learning ("CAEL") guidelines or CAEL's LearningCounts.org, a national online prior learning assessment service.



**BOV Policy # 08 (2020) Award of Academic Credit for
Military Education, Training and Experience**

Norfolk State University will award credit only for coursework offered by the University or reasonably comparable to University course offerings. The University reserves the right to offer credit based upon other experiences but nothing in this policy shall be construed to require the University to award credit for coursework that is not offered, or is not reasonably comparable to coursework offered by the University. Nothing in this policy shall be construed to limit awarding of credit solely to the three methods referenced above.

Disclosure

Administrative policies and procedures shall provide for disclosure to students of any academic residency requirements pertaining to a student's program of study, including total and any final year or final semester residency requirement, at or before the time the student enrolls in the program.

Administrative policies shall: (i) respect credit awarded by other accredited institutions to the greatest extent possible; (ii) describe the process by which the institution evaluates such credit; and (iii) provide that any denials of credit will include documentation of an educationally grounded rationale.

EDUCATION AND COMPLIANCE

Bi-annual enrollment information sessions will be conducted with faculty to address the process for prospective students to receive college credit from standardized testing. Enrollment Management will work in conjunction with the academic departments to ensure compliance.

Failure to comply will result in the faculty being reported to the appropriate academic administrator within the department.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, including current and prospective students, within 14 days of Board approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board of Visitors, Division of Academic Affairs, Enrollment Management Office, Military Programs, Veterans Affairs, and University Registrar webpages; any other related webpages, student handbooks, University catalogs; and



**BOV Policy # 08 (2020) Award of Academic Credit for
Military Education, Training and Experience**

- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: December 2023
- Approved date: December 11, 2020
- Revision History: May 8, 2015; May 9, 2014; March 17, 2016; September 15, 2017; December 11, 2020
- Supersedes: None

RELATED DOCUMENTS

- Higher Education Opportunity Act, 20 U.S.C. § 1088 et seq.
- [Code of Virginia § 23.1-904\(B\)](#)
- [SCHEV Guidelines on Award of Academic Credit for Military Education, Training and Experience by Virginia Public Higher Education Institutions \(2013\)](#)
- [Administrative Policy # 31-14 \(2014\) Award of Credit for Military Education and Experiential Learning](#)

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FORMS

There are no forms associated with this policy.



BOV Policy # 09 (2020) Priority Course Registration for Military-Related Students

Policy Title: Priority Course Registration for Military-Related Students

Policy Type: Board of Visitors

Policy Number: BOV Policy # 09 (2020)

Approval Date: December 11, 2020

Responsible Offices: University Registrar and Enrollment Management Office

Responsible Executive: ~~Vice President for Students Affairs~~ Vice President for Operations and Chief Strategist for Institutional Effectiveness.

Applies to: Students

POLICY STATEMENT

Norfolk State University (“NSU”) recognizes the important contributions of active duty military members and reservists and is committed to their academic success. NSU recognizes the potential for delayed degree attainment due to scheduling difficulties and obligations encountered by active duty members of the United States armed forces. NSU expands its current commitment to serving the military community by providing enhanced services and reasonable accommodations that reduce the administrative burden of registration and course scheduling for active duty military members and reservists who are completing undergraduate and graduate degrees.

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CONTACT(S)

The University Registrar and Enrollment Management Office officially interprets this policy. The ~~Associate Vice President for Enrollment Management~~ Vice President for Operations and Chief Strategist for Institutional Effectiveness is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate



BOV Policy # 09 (2020) Priority Course Registration for Military-Related Students

governance structures. Questions regarding this policy should be directed to the University Registrar or Enrollment Management Office.

PRIORITY COURSE REGISTRATION

Norfolk State University, enacts this policy consistent with the [Code of Virginia 23.1-940\(C\)](#) and State Council of Higher Education for Virginia's ("SCHEV") guidelines by offering priority course registration for degree-seeking active duty military and reservists (hereinafter "military members"). Priority registration permits these students to register after receiving the appropriate academic advising and/or academic clearance from their respective academic department or advisor in accordance with their degree completion requirements outlined on the Education Plan or Academic Evaluation ("EVAL").

The Director of the Virginia Beach Higher Education Center serves as the SCHEV Military Education Advisory Committee (MEAC) liaison and is responsible for recommendations to modify this policy in the spirit of offering mechanisms to reduce bureaucracy for military students and support their expedited degree completion to the extent possible.

To benefit from this policy, a student must do the following:

1. Inform the student's advisor, departmental representative or University Registrar official that the student is an active duty military member.
2. Upon request for visual review of documentation, the student shall provide evidence to the advisor, departmental representative or Registrar official of the student's qualification by producing the appropriate current military-issued identification.
3. At least one week prior to the registration period, the student shall schedule a meeting or communicate via email with the academic advisor or departmental representative to review the EVAL, current course progress and discuss plans for the upcoming semester toward degree completion.
4. Determine the established dates for registration. Dates vary annually according to the University's specific fall, spring or summer term. Dates for registration may be found in the Registration booklet or online in the academic calendar (Registration booklets may be obtained within the academic department, at the Office of the Registrar located in the Student Services Center or obtained online at www.nsu.edu/registrar).

Utilize one of the following methods to secure registration: (a) within one week before the beginning of the registration period through the first day of classes, secure a signed Course Registration Worksheet (located in the Registration Booklet) and submit the signed worksheet to the University Registrar; or (b) at any time within the week before the beginning of the registration period, secure a list of approved classes for the upcoming

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BOV Policy # 09 (2020) Priority Course Registration for Military-Related Students

semester from the advisor or departmental advisor. The student should ask the advisor or departmental advisor to send the approval and list of courses to the student's NSU email address and registrar@nsu.edu for processing.

5. If the student registers in person, a copy of the Registration Statement confirming enrollment will be provided. If the student registers online, a confirmation email will be sent to the student's email address. Also, a secure statement can be obtained through MyNSU.
6. **IMPORTANT NOTE:** The student must resolve any holds related to registration, graduation, academic probation, suspension, disciplinary, or financial with the appropriate NSU office prior to participation in priority registration.
7. Changes to the student's class schedule may be made by the student at any time up to the last date of registration. If changes in courses (not course meeting times) are required, the military member must secure approval to make those adjustments necessary to meet requirements for degree completion. If changes are needed in meeting times, the military member may make those requests within the academic department, via email to www.nsu.edu/registrar or visit the University Registrar in-person.
8. Military member enrollment in classes that reach capacity one week before registration will be handled on a case-by-case basis with an official from the Office of the Registrar and a departmental advisor via email. Prior to the beginning of classes, it is the military member's responsibility to communicate class schedule conflicts, including closed or cancelled classes, to the advisor or department offering the class and the Registrar. An email request to registrar@nsu.edu from the course instructor, academic department, or Enrollment Management Office is sufficient to override the course cap if there are available seats in the classroom. No student currently enrolled in a class will be removed to provide space for a military member. However, during the drop/add and class cancellation period, military members will receive priority placement in course openings that become available. Requests for priority placements must be provided to the Registrar in writing prior to the first day of classes.
9. On a case-by-case basis, if scheduling conflicts cannot be resolved, there are extenuating circumstances and the military member has exercised all measures according to this policy, the Enrollment Management Office may make the necessary accommodations and overrides. Concerns or requests to schedule an appointment should be directed to em@nsu.edu, via phone (757) 823-8679 or visit the Enrollment Management Office on the main campus.

EDUCATION AND COMPLIANCE

The University Registrar and Enrollment Management Office will partner with the University's Military Services and Veterans Affairs Office to develop appropriate materials to educate students



BOV Policy # 09 (2020) Priority Course Registration for Military-Related Students

on active duty and/or reserve status, and academic advisors on the benefits and requirements outlined in this policy. These materials shall be updated annually, and be readily accessible on the University Registrar's website, within the Military Services and Veterans Affairs Office, and by academic advisors who counsel military students.

Annually, the University Registrar shall survey students on active duty and reserve status to assess the degree to which priority course registration was afforded to these students. The results of this survey shall be communicated to the Vice President for Operations and Chief Strategist for Institutional Effectiveness and be accompanied by recommendations on how to mitigate any deficiencies related to the administration of this policy.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office, in conjunction with the Registrar and academic Deans, will make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of approval. References to the procedures to utilize priority registration shall be available in the Registration Booklet located at www.nsu.edu/registrar and in printed format at the Registrar's Office. The required procedures will be placed in the online catalogs;
2. Submit the policy to the President's Office for inclusion in the online Policy Library within 14 days of approval;
3. Post the policy on the web pages of the University Registrar, Veteran Affairs, the Virginia Beach Higher Education Center, and the Office of Transfer, Admissions and Services ~~TransferMation Center~~; and
4. Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary. Responsible staff will be trained in the application of this policy through instructional memoranda and staff meetings.

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Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: December 2023
- Approved date: December 11, 2020
- Revision History: February 21, 2014; March 17, 2016; September 15, 2017; December 11, 2020
- Supersedes: *None*



BOV Policy # 09 (2020) Priority Course Registration for Military-Related Students

RELATED DOCUMENTS

- [State Council of Higher Education for Virginia Guidelines on Course Registration Policies for Military-Related Students at Virginia Public Higher Education Institutions \(2013\)](#)

FORMS

There are no forms associated with this policy.

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BOV Policy # 10 (2014) Financial Oversight and Reporting

Policy Title: Financial Oversight and Reporting Framework

Policy Type: Board of Visitors

Policy No: BOV Policy # 10 (2014)

Approval Date: December 11, 2020

Responsible Office: Division of Finance and Administration

Responsible Executive: Vice President for Finance and Administration

Applies to: University Community

POLICY STATEMENT

[The Bylaws of the Norfolk State University Board of Visitors](#) establishes the Board's responsibility for ensuring that the mission, priorities, and goals of Norfolk State University are visible in and expressed through its budget. The Bylaws further require that the Board provide input and ensure that the budget reflects the priorities developed in the strategic planning process in conjunction with the President and Administration. The Board's Finance and Administration Committee supports the Board's responsibility for the budget process and for institutional accountability and fiscal efficiency in general.

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The Board of Visitors approves the University's annual budget and periodically reviews the status of the budget's execution. This policy establishes the framework for the Board to provide input early and often, receive the budget for review and approval, and outline the presentation of the budget in a consistent format to facilitate the Board's review and understanding of the information presented.

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BOV Policy # 10 (2014) Financial Oversight and Reporting

DEFINITIONS

Budget: a plan for allocating resources; a plan specifying how resources—financial and human resources—shall be allocated or expended during a particular period, which may be on a fiscal year basis as specified by the Commonwealth of Virginia.

General Fund: funds primarily derived from direct general taxes paid by individuals and businesses in Virginia. Used for a variety of government programs, the Governor and General Assembly determine the amount of general funds in the annual state budget. The Board of Visitors is vested with the power to control and expend these funds and any appropriation provided by the Commonwealth.

Non-General Fund: state revenues not designated as General Funds which are set aside for specific purposes (e.g., tuition and fees). Such funds must support higher education in general; federal grants must be used for specific activities.

Strategic Plan: a broadly-defined plan approved by the Board of Visitors aimed at creating a desired future for the University.

University Budget Committee: consists of 20 members representing all areas of the University with responsibility for reviewing the budgets submitted by the vice presidents/senior managers responsible for holding open meetings with the university community, and submitting a report recommending to the President and Executive Cabinet the allocation of University resources.

University Community: includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

CONTACT

The Vice President for Finance and Administration officially interprets this policy. The Vice President for Finance and Administration is responsible for obtaining approval for any revisions required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Please direct policy questions to the Vice President for Finance and Administration.

FINANCIAL OVERSIGHT AND REPORTING FRAMEWORK

Budget Development and Approval

The Vice President of Finance and Administration shall ensure that the budget development process for the University meets two requirements: (1) the budget development process is preceded by a planning phase and process; and (2) the budget plan reflects the University's mission, priorities and goals as expressed in the approved Strategic Plan.

The internal budget development process shall engage members of the University community through its designees on a University Budget Committee. The Committee's membership and the internal budget process is provided in the [Operating Budget Development Process](#).

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BOV Policy # 10 (2014) Financial Oversight and Reporting

The operating budget shall incorporate all sources of funds to include state general funds, non-general funds and local funds. A separate capital outlay budget may be presented. The budget presented to the Board of Visitors for approval shall include the current year budget along with the proposed budget for the following year using the [Budget Schedule Template](#) with sufficient detail to reflect the funding allocation by major functional area of the University.

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A preliminary annual University budget shall be presented at the spring meeting of the Board pending the approval of the Commonwealth's budget by the General Assembly and Governor. See [Operating Budget Development Process](#). The Board of Visitors shall review the preliminary budget, provide budget input, and set tuition and fee rates at the spring meeting or as soon as practicable. The final budget is presented and approved during the annual May meeting following the Governor and General Assembly's final action on the Commonwealth Budget or as soon as practicable. See Table 1 below.

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Table 1 Budget Timeframe

Timeframe	Responsible Person	Action
January/February	President VP Finance and Administration	Prepares preliminary budget
March	President VP Finance and Administration	Submits preliminary budget to Board's Finance and Audit Committee
Spring BOV Meeting	Finance and Audit Committee Chair	Provides feedback, presents preliminary budget to Board for approval
April (or upon final General Assembly and Governor action on Commonwealth Budget)	President VP Finance and Administration	Prepares final operating budget and submits to Board's Finance and Audit Committee
May BOV meeting or following final budget presentation	Board's Finance and Audit Committee Chair	Reviews final operating budget and presents to Board for approval.

Tuition and Fees

The *Code of Virginia* § 23.1-1301 establishes the Board's authority to fix the rates charged to students for tuition, fees and other necessary charges. The Administration shall provide preliminary tuition and fee charges for Board consideration and input prior to the March meeting in a format mutually determined upon by the Administration and the Board's Finance and Audit Committee Chair.

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BOV Policy # 10 (2014) Financial Oversight and Reporting

Financial Reporting

Core Requirement 4.1(a) and(b) of the [Principles of Accreditation \(2018\)](#) for the [Southern Association of Colleges and Schools Commission on Colleges](#) require that the board function as an active policy-making body for the institution with ultimate responsibility for ensuring that the financial resources of the institution are adequate to provide a sound educational program. To accomplish this Core Requirement, the Board shall receive quarterly reports reflecting the status of the University's revenues and expenditures against the approved budget for the most recent month-end at least seven days prior to each regular board meeting. See [Budget Schedule Template](#). The Administration may present additional financial analyses as necessary or requested.

Annual Audited Financial Statements

Financial statements prepared by the University shall be presented to the Board's Finance and Administration Committee using Generally Accepted Accounting Principles in advance of the Board's December meeting of the full Board. Such financial statements shall be audited by the Auditor of Public Accounts ("APA") for the Commonwealth of Virginia.

Upon completion of the audit, the audited financial statements shall be presented to the full Board by the APA or alternatively, presented to the Finance and Administration Committee chair or designated member(s) of the Committee with a discussion of the audited financial statements, management letter findings (if any), and any required disclosures.

Copies of any and all audits completed (or electronic versions, if available) for units of the University and its affiliated foundations, to include the federally required Single Audit shall be provided to the full Board.

EDUCATION AND COMPLIANCE

Education on the budget process will be provided through the financial and administration forums. To ensure conformity of the requirement of this policy, the office of the Vice President of Finance will monitor for compliance with this policy annually.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive or Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of

Commented [TIG9]: Link works

Commented [MOU10]: These are old and outdated. Delete link. Substitute that language and link for the current 2017 Principles. These principles have changed significantly in some respects. Ensure that language here reflects current Principles.

Commented [CES11R10]: Language reviewed and cites updated. Link added.

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Commented [CES13R12]: Link added to 2018 Principles of Accreditation

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BOV Policy # 10 (2014) Financial Oversight and Reporting
Board approval;

- Post the policy on the Board’s Website; and
- Educate and train all stakeholders and appropriate audiences on the policy’s content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review date: December ~~September~~ 2023
- Approved date:: December 11, 2020
- Revision History: 07/22/2016; 05/19/2015; 05/09/2014; 05/09/16; 09/15/2017; 12/11/20
- Supersedes: *None-New Policy*

RELATED DOCUMENTS

[Code of Virginia § 23.1-1301 Control of funds; rules and regulations; appointment, etc., of president, faculty and staff](#)

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[Board of Visitors Bylaws](#)

Commented [TIG16]: Link works

[Operating Budget Development Process](#)

Commented [CES17]: Updated Link to 2020 Bylaws

FORMS

[Budget Schedule Template](#)

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Commented [TIG19]: Link works



BOV Policy # 11 (2014) Debt Management

Policy Title: Debt Management
Policy Type: Board of Visitors
Policy No: BOV Policy # 11 (2014)
Approval Date: December 11, 2020
Responsible Office: University Controller
Responsible Executive: Vice President for Finance and Administration
Applies to: University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under subsection 23.1-1301 of the *Code of Virginia* to control and expend the funds of the University and any appropriation provided, and makes regulations and policies concerning the institution. This policy establishes the framework from which the University makes decisions on debt management and the use of such debt to provide funding for projects in support of the University's mission. The policy advises and creates the link between the use of long-term debt and other debt obligations and supporting and developing the University's [Six-Year Capital Plan](#), [Strategic Plan](#), and Campus Master Plan.

This policy shall be reviewed periodically and modified as necessary by the Board of Visitors. The President, through the Vice President for Finance and Administration, shall be the primary person responsible for the development, implementation, and execution of the Debt Management policy. The Vice President for Finance and Administration shall be responsible to the President for the implementation of the Debt Management policy and procedures. The President, acting through the Vice President for Finance and Administration, will ensure that this policy meets the debt guidelines promulgated by the Commonwealth of Virginia Treasury Board. The University will seek the lowest cost source of financing available while ensuring that its overall debt structure does not expose the University to unnecessary risk.

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Commented [TIG1]: Campus Master Plan here is not a link and ok!
All links were checked the campus master plan link that shows later was fixed to not showup like a link.

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Commented [CES3R2]: Links removed.

Commented [AGKJ4R2]: The six year plan and strategic plan has been linked. The campus master plan is not online.

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BOV Policy # 11 (2014) Debt Management

DEFINITIONS

9-C Revenue Bonds: Bonds authorized for issuance under the provisions of Article X, Section 9 (c) of the *Constitution of Virginia*; these bonds are issued by the Treasury Board.

9-D Revenue Bonds: Bonds authorized for issuance under the provisions of Article X, Section 9(d) of the *Constitution of Virginia*. Project authorization must be provided in the Appropriation Act or other Acts of the General Assembly.

Debt Burden Percentage: the ratio which measures the University's debt service burden as a percentage of total university expenses.

Debt Service Coverage Ratio: the ratio which measures the University's ability to cover debt service requirements with revenues available for operations.

Refinancing Outstanding Debt: a procedure whereby an issuer refinances outstanding bonds by issuing new bonds.

CONTACTS

The University Controller officially interprets this policy. The Vice President for Finance and Administration is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Controller's Office.

FRAMEWORK FOR DEBT MANAGEMENT

This policy covers all forms of debt including long-term and short-term debt, and financing both on-balance sheet and off-balance sheet structures.

Debt Affordability and Capacity Standards

1. *Debt Burden Percentage* - The target for this ratio is $\leq 7\%$. The ratio is intended to maintain the University's long-term operating flexibility to finance existing requirements and new initiatives.

$$\frac{\text{Annual Debt Service}}{\text{Total Operating Expenses}} \leq 7.0\%$$

2. *Debt Service Coverage Ratio* - The target for this ratio is > 2 times revenues. The ratio is intended to ensure that operating revenues are sufficient to meet debt service requirements and that debt service does not consume too large a portion of income.

$$\frac{\text{Operating Gain/Loss} + \text{Non-Operating Revenue}}{\text{+Depreciation}} \geq 2 \times \text{Annual Debt Service}$$



BOV Policy # 11 (2014) Debt Management

Financing Sources

The University shall review financing sources to include the following:

9C Revenue Bonds. These are bonds financed with the State Treasury under the General Obligation Revenue Bond Financing Program.

Virginia College Building Authority. This is a State sponsored loan pool program to support financing of capital projects at colleges and universities (*9-D Revenue Bonds*).

Refinancing Outstanding Debt. This source is employed when the University has determined that its outstanding debt in part or whole will yield sufficient saving and or to meet a legal requirement.

Financial Feasibility Studies Required

The University shall prepare a financial feasibility study for all projects covered by this policy in accordance with the requirements of the Commonwealth of Virginia Department of the Treasury.

Capital Projects

Capital projects financed under this policy must directly benefit the University. The projects must be included in the University's Campus Master Plan, Six-Year Capital Outlay Plan, and Strategic Plan as applicable.

Education and Compliance

The Vice President of Finance and Administration is responsible for implementing this policy and all debt financing activities of the University. The Vice President for Finance and Administration shall regularly monitor compliance with this policy and periodically report to the President and Chief Executive Officer and the Board of Visitors on the University's debt position and plans as measured under the debt affordability and capacity standards ratios.

Any long-term debt must be specifically authorized by Board of Visitors resolution. As part of the resolution, the Board will also establish financing parameters to be followed by the University when issuing long-term debt. Additionally, prior to issuing tax-exempt debt of which at least a portion will be used to reimburse the University for prior expenditures. Federal tax law requires the Board to pass a resolution declaring its intent to issue tax-exempt debt or to have delegated the authority to do so to a designated authority.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;

Commented [TIG6]: Spell Check recommends capital P and E.... since this is an old policy I did not accept the change

I also did not change the underlined section, since it was accepted already others, it may have been recommended for this policy.



BOV Policy # 11 (2014) Debt Management

- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board's website and the Division of Finance and Administration offices webpages; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: December ~~September~~ 2023
- Approved date:; December 11, 2020
- Revision History: May 9, 2014; April 12, 2007; March 17, 2016; September 15, 2017; December 11, 2020
- Supersedes: NSU Policy No. 41.212 (2007)

RELATED DOCUMENTS

- [Department of Planning and Budget Agency Instructions](#)
- Campus Master Plan
- [Six-Year Capital Plan](#)

FORMS

- Deficit Provision Acknowledgement Form <http://www.dpb.virginia.gov/forms/forms.cfm>

Commented [MOU7]: Insert proper links for these.

Commented [CES8R7]: Documents may not be accessible online. Verifying....

Commented [AGKJ9R7]: Updated link for DPB instructions, also added link to six year plan. Campus Master Plan is not online to attached a link.

Commented [TIG10R7]: I agree with Karla, Campus Master Plan I could not find it to link so I changed the document to remove the hyperlink color, someone had already removed the old link because the error does not show up saying not found. Changed to black ink and removed the underline rather than blue link indicator color to show this is not a link

Commented [TIG11]: All 6 Links in the document were verified, the only one that does not work is Campus Master Plan. See above comment on the link version fix for those words/reference that had link color



BOV POLICY #12 (2014) INVESTMENT MANAGEMENT

Policy Title: Investment Management

Policy Type: Board of Visitors

Policy No.: BOV Policy #12 (2014)

Approval Date: December 11, 2020 December 12, 2014

Responsible Office: Controller's Office

Responsible Executive: President

Applies to: Board of Visitors and University Community

POLICY STATEMENT

Public funds held by the University are in trust for the citizens of the Commonwealth of Virginia. Any investment of such funds shall be made solely in the interest of the citizens of the Commonwealth and with care, skill, prudence, and diligence—under the circumstances then prevailing—of a prudent person acting in a like capacity and familiar with such matter would use in the conduct of the institution of like character and aim (Code of Virginia § 2.2-4514, 2001).

The Board of Visitors of Norfolk State University is vested with the rights and powers to control and expend the funds of the institution and any appropriation provided by the Commonwealth of Virginia (Code of Virginia § 23.1-1303 (~~Code of Virginia § 23-174.6~~, 1979)). As part of its governance role and responsibilities, the Board of Visitors has a fiduciary responsibility to ensure that the investment philosophy and management practices of the institution are strategically developed and managed to provide the highest investment return, minimize risk, assist the University with maintaining a fiscally-strong profile, and comply with the laws, statutes and regulations of the Commonwealth of Virginia.

The Board, in its Bylaws, delegates the general authority to act on behalf of the University to the President, who serves as the agent of the Board and as the ~~c~~Chief ~~e~~Executive ~~o~~Officer of the University (Board Bylaws Article II – Section 1 § 6.01, 2014). The President may designate another University officer or employee to exercise, in whole or in part, such delegated authority. The President is responsible to the Board for the actions of his/her designee (Board Bylaws Article II – Section 1 § 6.01 (c), 2014).

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Dead link. Mare correction.

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Field Code Changed

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ARTICLE II - EMPLO

▶ Section 1 – The Pr

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BOV POLICY #12 (2014) INVESTMENT MANAGEMENT

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PURPOSE

The purpose of this Policy is to foster a distinct understanding of the University's investment philosophy and strategy for local funds. This Policy defines eligible securities, limitations, and processes for reviewing and approving investment actions or decisions on behalf of the University. This Policy applies to the Norfolk State University Board of Visitors, and all University employees involved in the Investment Management process and/or the development, execution, evaluation and approval of the Investment Management Policy.

DEFINITIONS

Bankers Acceptances: a short-term debt instrument issued by a firm guaranteed by a commercial bank.

Certificate of Deposit: a money-market bond of a preset face value paying fixed interest and redeemable without penalty only on maturity.

Commercial Paper: short-term unsecured discounted paper usually sold by one company to another for immediate cash needs.

Investment(s): the outlay of money for income or profit.

Interest Rate Risk: risk that changes in interest rates so as to adversely affect the fair value of an investment. Governmental Accounting Standards Board (GASB) Statement No. 40 requires disclosure of the terms of the investments with fair values that are highly sensitive to changes in interest rates.

Repurchase Agreement: a contract giving the seller of securities (such as Treasury Bills) the right to repurchase after a stated period and giving the buyer the right to retain interest earnings.

CONTACT(S)

The Controller's Office in the Division of Finance and Administration officially interprets this Policy. The President's Office is responsible for obtaining approval for any revisions as required by [BOV Policy #01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to Controller's Office.

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BOV POLICY #12 (2014) INVESTMENT MANAGEMENT

INVESTMENT PHILOSOPHY

Norfolk State University seeks to invest and achieve the highest investment return on all local funds not expected to be used in the short-term. University funds in local bank accounts are managed by the University however, the majority of the University's endowment and gift funds available for long-term investment are controlled and invested by the Norfolk State University Foundation for the benefit of the institution. Memoranda of Understanding with each University-related foundation or association define the organization's fiduciary responsibilities related to the University.

SECURITIES

Security investments are selected to secure the most profitable mix of assets consistent with adequate liquidity and an acceptable level of overall investment risk. Portfolio management will conform to all state statutes governing the investment of public funds (e.g., Investment of Public Funds Act, [Code of Virginia § 2.2-4500](#) et seq.) Investments shall be made with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

The primary objectives, in priority order, of the University's investment activities shall be to:

- 1) Ensure the safety of principal and preservation of capital in the overall portfolio;
- 2) Retain liquidity in its investment portfolio for operational requirements; and
- 3) Maximize the return on investment.

Eligible Securities

In all instances, emphasis on securities of high credit quality and high marketability are required. Eligible securities include Certificates of Deposit, Commercial Paper, Corporate Notes, Banker's Acceptances, Repurchase Agreements, Agency Notes and Bonds, Mutual Funds, and Treasury Bills.

Certificates of Deposit are permitted with banks and savings and loans institutions that are federally insured. Any invested amount in excess of federal insurance coverage shall be 100% collateralized. Commercial Paper must be rated at least A-1 and P-1 by Standard & Poor's and Moody's, respectively. Corporate notes must be rated at least AA and Aa by Standard & Poor's and Moody's (respectively) and in accordance with *Code of Virginia § 2.2-4510*. Banker's Acceptances are permitted with major money center banks rated A1B or better in the Keefe, Bruyette and Woods Bank Watch Ratings. Repurchase Agreements may be secured by any eligible instrument, so long as a minimum of 100% market value is kept as collateral against invested funds. The collateral must be properly controlled by a third party.

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Field Code Changed

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BOV POLICY #12 (2014) INVESTMENT MANAGEMENT

Limitations

The maximum average maturity of the portfolio shall be consistent with adequate liquidity. Maturities are restricted to no more than five (5) years for commercial notes and no more than 270 days for commercial paper.

Not more than thirty-five percent (35%) of the total funds available for investment may be invested in Commercial Paper, and not more than five percent (5%) of the total funds available for investment may be invested in Commercial Paper of any one issuing corporation.

APPROVAL AND REVISIONS

Investment actions may be authorized by the President or the Finance and Administration Committee of the Board of Visitors. The President may designate a University officer or employee to exercise, in whole or in part, the authority provided to the President. The President remains responsible to the Board for the actions of his/her designee [\(Board Bylaws § 6.01 \(c\), 2014\)](#).

Investment activity shall be reported to the Finance and Administration Committee of the Board, which shall subsequently report at a regular meeting of the Board of Visitors with any recommendations deemed necessary.

Any revision to this Policy must be presented by and through the President and the Finance and Administration Committee of the Board for consideration. The Committee shall make its recommendation to the full board at a regular meeting of the Board of Visitors.

EDUCATION AND COMPLIANCE

[To ensure conformity of the requirement of this policy, the office of the Vice President of Finance will monitor for compliance with this policy annually.](#)

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive or Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board's website and the Division of Finance and Administration offices webpages; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

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BOV POLICY #12 (2014) INVESTMENT MANAGEMENT

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: [December](#) ~~September~~ 2020³
- Approved date: [March 17, 2016](#); [September 15, 2017](#)
- Revision History: December 12, 2014; October 27, 1997; [March 17, 2016](#); [September 15, 2017](#); [December 11, 2020](#)
- Supersedes: Investment Philosophy (Oct. 27, 1997)

RELATED DOCUMENTS

- [Code of Virginia § 2.2-4514](#) (as amended 2001). Commonwealth and its political subdivisions as trustee of public funds; standard of care in investing such funds
- [Code of Virginia § 2.2-4400](#) et seq. (as amended 2010). Virginia Security for Public Deposits Act
- [Code of Virginia § 2.2-4500](#) et seq. (as amended 2001). Investment of Public Funds Act
- Norfolk State University [Board of Visitors Bylaws](#)

FORMS

There are no forms associated with this policy.

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Commented [TIG24]: This link does not go directly to 2.2-4400, it goes to menu, not sure if they wanted the main selection ,
<https://law.lis.virginia.gov/vacode/title2.2/chapter44/>

← Chapter → Create a Report

Chapter 44. Virginia Sec

§ 2.2-4400	Short Title; Dec
§ 2.2-4401	Definitions
§ 2.2-4402	Collateral for Pu

Going by the link above and after I this link I changed it to go directly to the code with the following link
<https://law.lis.virginia.gov/vacode/title2.2/chapter44/section2.2-4400/>

If she means to go directly to the code it's the link pasted above this line.

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Field Code Changed

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Commented [TIG28]: This link goes to the nsu website page that has a pdf of the bylaws and list the contents but they are not retrievable by clicking on a link to access the section of the bylaws. Link goes here



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

Policy Title: University-Related Foundations
Policy Type: Board of Visitors
Policy No.: BOV Policy # 13 (2015)
Approval Date: December 11, 2020 ~~March 20, 2015~~
Responsible Office: Division of Finance and Administration
Responsible Executive: Vice President for Finance and Administration
Applies to: University Community

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STATEMENT OF POLICY

All University Foundations that are established or operated for the University's benefit or that use the University's name or resources shall be operated in accordance with this policy in order to ensure efficiency and accountability among, and maintain independence and integrity, within.ⁱ

Pursuant to the Baliles Guidelines on Foundations (1983), Foundation disclosure to the University is fundamental to public accountability. Thus, institutions should have in force meaningful mechanisms for disclosure and review of critical Foundation operations. The Board of Visitors must be advised of the purpose of the Foundation and the scope of its activities, including grants and fundraising, even though the Board's policy is not to control the activities and functions of the related Foundation.

This statement articulates the principles regarding university-related Foundations adhered to by the Norfolk State University Board of Visitors and will guide the establishment and operation of such Foundations at the University.ⁱⁱ



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

PURPOSE

Affiliated Foundations exist because of, and for, the public institutions they support and whose names they share. Looking beyond their separate corporate identities, the Foundations can be depositories of substantial funds charitably donated for the benefit of public higher education institutions and their related activities. Their assets exist essentially because of public tax policy and publicly spirited donations. As a consequence, fiduciary obligations are impressed by law on the management of such funds. These fiduciary obligations fall primarily on the officers and directors of the Foundation.

It is declared to be the public policy of the Commonwealth of Virginia that state-supported institutions of higher education be encouraged to increase endowment funds and unrestricted gifts from private sources (~~Code of Virginia § 23-9.2, 1981~~23.1-101). The Board of Visitors is committed to providing quality support for fundraising efforts approved by University-related Foundations, and to that end seeks to promote efficiency and coordination among, as well as maintain independence and integrity within, all University-related entities.

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DEFINITIONS

Foundation: for the purposes of this Policy, Foundation means a non-stock corporation and/or tax-exempt entity affiliated with the University and organized exclusively for the benefit of the University or one or more of the University's units. A Foundation includes University-related associations, subsidiaries and affiliates of a University-related Foundation, and the Foundation itself. Foundations' use the University's name, consumes its resources, occupies its space, and/or enters into transactions with the University for which the concurrence of the University may be required.

Unit: includes any school, department, division and other component of the University.

University: Norfolk State University, an institution of higher education and an agency of the Commonwealth of Virginia.

CONTACT

The Vice President for Finance and Administration officially interprets this policy. The Vice President for Finance and Administration is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures.



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

UNIVERSITY-RELATED FOUNDATIONS

The University has a vital interest in, and recognizes the value of, University-related Foundations established and operated to solicit funds in the University's name, to manage and invest gifts and property for the University's benefit, and/or to promote or sponsor programs in support of the University or its activities.

To protect the University's interests, and as a condition of a Foundation's use of the University's name or resources, the Board of Visitors hereby requires that ~~Unive~~-rsity-related Foundations shall be:

1. Established and organized exclusively for the University's benefit;
2. Operated in accordance with generally accepted business and accounting principles; donative documents, and
3. Managed in a manner consistent with the Foundation's enabling document(s) and the University's purpose, mission, and procedures, as specifically set forth in this Policy.

I. Establishment and Organization of Foundations

A Foundation has as its purpose one or more of the following, to:

1. Facilitate fundraising programs and contributions from private sources for the benefit of the University or one or more of its units;
2. Manage and invest private gifts and/or property for the benefit of the University or one or more of its units; and
3. To promote, sponsor, and complement educational, scientific, literary, research, charitable, health care-related, or cultural activities for the benefit of the University or one or more of its units.

University Foundations may be created only with the approval of the University's Board of Visitors and after a review of the purpose of the Foundation, its proposed organizational format, and the scope of its activities and financial sustainability.

II. New Ventures or Changes in Established Foundations

Any proposed, new business venture or change in nature, purpose, or scope of Foundation activities that is substantial in nature, and outside the normal, stated function of the Foundation shall be submitted to the Board of Visitors for approval. New business ventures are considered to be any significant change from current business activities (e.g., an entity which has been engaged primarily in fundraising purposes to change to purchasing and leasing commercial office space).

III. Organizational Requirements

A Foundation shall be organized and operated as a Virginia non-profit, non-stock corporation or entity that is legally separate from the University.ⁱⁱⁱ The Foundation shall obtain and maintain



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

status as a tax-exempt, charitable organization under State and Federal income tax laws so contributions and bequests to it will be deductible charitable contributions as provided by Federal income tax law.

Each Foundation's enabling documents shall include a clause requiring that in the event of its dissolution or final liquidation:

1. None of the property or any proceeds thereof shall be distributed to or divided among any of the officers or directors or inure to the benefit of any individual; and
2. After liabilities and obligations have been paid, satisfied and discharged and adequate provisions made thereof, all remaining property of the Foundation and the proceeds thereof shall be distributed by its Board of Directors to the University or its designee provided it is an organization or organizations that is (are) qualified under Section 501(c)(3) and 170(c)(2)(B) of the Internal Revenue Code of 1986, as amended.

Each Foundation shall enter into a Memorandum of Understanding (MOU) with the University that shall memorialize the terms and conditions of the relationship between the two organizations. The MOU will be periodically reviewed and updated as appropriate. The MOU will require written approval by the University's Board of Visitors.

IV. Representation on Foundations

Board of Visitors and President

Two University representatives, one designated by the Board of Visitors and one designated by the University President, shall serve as ~~ex-officio~~ voting members of the Foundation's governing board. One or both of the representatives shall serve on any executive or similar committee empowered to act for the governing board of each Foundation. This responsibility may not be delegated. Efforts will be made to preserve the make-up of the Foundation's governing board with respect to the University appointments.

Commented [MOU3]: They are not ex officio, or holding Board positions because of their University office. They are appointed by the President and BOV and hold Board membership as a result of those appointments.

Representatives shall submit to the full Board an annual summary of activities by no later than December 1 of each year covering the previous July 1 - June 30 fiscal year. The report shall include descriptions of all activities of the prior year and identify matters that are appropriate to be brought to the attention of the Board. The representatives will also include a section on the Foundation's compliance with the provisions of this Policy and receive and review all documents received from the Foundation on behalf of the Board.

Each Foundation will establish an audit committee to report to its board of directors. The audit committee shall include one or both of the University's designated representatives.

V. University Resources and Services

- A. The University, upon written request or proposal from the Foundation, may make available administrative services to aid the Foundation in its management and operation. Administrative services may include:



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

1. Access to the University's financial systems to receive, disburse, and account for funds held. With respect to transactions processed through the University's financial system, the Foundation must comply with all University policies, including any Administrative policies and departmental procedures.
2. Accounting services, which may include: monthly cash disbursements and receipts, accounts receivable and payable, bank reconciliation, monthly reporting and analysis, auditing, payroll, and budgeting.
3. Investment, management, insurance, benefits administration, and similar- services.
4. Central University services such as dining, catering, printing, parking and transportation, and facilities management.
5. Training programs including instructional information on procurement and purchasing practices.
6. Advancement or development services encompassing research, information systems, communications and special events.

B. Administrative services may be made available if providing such service is not cost-prohibitive to the University. Costs incurred by the University shall be reimbursed by the Foundation. None of the University's personnel may perform services for the Foundation without the University's prior written consent.

C. Alternatively, a Foundation with sufficient capability may choose to provide and support its administrative and financial activities with its own staff or external service providers. Such support services shall be the sole responsibility of the Foundation.

D. The Foundation may be eligible to use the University's facilities, subject to availability, reimbursement, and adherence to all University policies and procedures and Commonwealth of Virginia laws. If University space is requested and assigned, the description of such space and any special conditions applicable to its use shall be communicated to the President and University Space Committee by the appropriate Dean or designee in writing at least sixty (60) days prior to any such assignment.

VI. Foundation Relationship with the University

A. The University and the related Foundation acknowledge that each is an independent entity and agree neither will be liable, nor will be held out by the other as liable, for any of the other's contracts, torts, or other acts or omissions, or those of the other's trustees, directors, officers, members, staff or activity participants. Similarly, the Commonwealth of Virginia will not be liable for any acts or omissions of the Foundation, nor its employees.

B. Transactions between the University and a related Foundation shall meet the normal tests for ordinary business transactions, including proper documentation and approvals. Special attention shall be given to avoiding direct or indirect conflicts of interest between the University and the related Foundation and those with whom the Foundation does business.



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

- C. The Foundation shall not offer a post-secondary course, seminar, workshop or similar instruction, whether or not for credit, using the name of the University or any of its school or departments, unless prior written approval by the University President (or designee) is received. Any publicity concerning such a course or similar program shall make clear that it is not being offered by the University or any of its academic departments.
- D. All correspondence, solicitations, activities and advertisements concerning the Foundation shall be clearly discernible as being from the Foundation, and not from the University.
- E. The University is entitled to recover its costs incurred for personnel, use of facilities, or other services provided to the Foundation; and likewise, the Foundation is entitled to recover its costs incurred for personnel, use of facilities, or other services provided to the University.

VII. General Management and Operation of Foundations

- A. The Foundation shall establish the financial and procedural framework for the general management and operation of University-related Foundations including:
 - 1. Scholarship and student financial support coordination and distribution;
 - 2. Management of demand accounts;
 - 3. Spending procedures and accounts;
 - 4. Reporting relationship between the University and the Foundation; and
 - 5. Any other general management or operational matter related to the Foundation.
- B. The agreed-upon framework shall require Board of Visitors review and approval, and comply with the requirements of this Policy. The framework shall be incorporated into the Memorandum of Understanding between the Foundation and the University as an addendum.
- C. University-related Foundations shall adopt guidelines governing fundraising activities that conform to the following:
 - 1. Plan and conduct all fundraising activities in conjunction with the Division of University Advancement to ensure proper coordination;
 - 2. Ensure that funds or gifts payable to the Board of Visitors or to "Norfolk State University" are approved by the Board of Visitors and deposited with or transferred to the University^{iv}; and
 - 3. Advise donors that any restrictive terms and conditions attached to gifts or donations for the benefit of the Board of Visitors or University are subject to Board approval.
- D. The Foundation shall adopt all applicable laws, rules or policies of the Commonwealth and University pertaining to non-discrimination and equal opportunity, appointment and retention of Foundation executive, and compensation in general.



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

E. Each Foundation shall observe the following guidelines governing its purchasing and procurement of goods and services:

1. Even though not required to comply with the- Virginia Public Procurement Act, [Code of Virginia § 2.2-4300](#) et seq. (2014 as amended), it is deemed advisable and appropriate to employ competitive practices in procuring goods and services. An effort also should be made to utilize minority vendors whenever possible.
2. Goods and services shall not be purchased on behalf of any University unit with the expectation of reimbursement from that unit, because such a transaction would conflict with the Virginia Public Procurement Act.
3. Goods and services may be purchased by a Foundation as a gift for the University subject to the normal review and written approval for gift acceptance. See Section VII (C).

VIII. Investment and Disbursement Guidelines

Each related Foundation shall adopt and observe the guidelines governing the investment and disbursement of funds and assets:

- A. Any transfer of endowments or other assets by the University to the Foundation, or by the Foundation to the University, for management or investment shall be formalized in a memorandum of agreement so the fiduciary requirements of the respective board are complied with and to assure, among other things, that any restrictions governing the future disposition of funds are observed.
- B. To borrow funds from the Foundation or association, the University shall obtain prior, written approval from the General Assembly, University Board of Visitors, University President and the Foundation's board of directors.
- C. The Foundation shall notify the President at the earliest possible date, of any proposed purchase of real estate and any material debt to be incurred for permanent or working capital, and coordinate its efforts with those of the University and other Foundations.

IX. FINANCIAL TRANSACTIONS AND ACCOUNTING PRACTICES

University-related Foundations shall have in place an accounting system to ensure that financial activities are executed and reported in accordance with generally accepted business and accounting practices. If the Foundation has limited staff capability to satisfy this requirement, the University or a designated entity may provide accounting services in accordance with this Policy.

Budget and Capital Plan. A detailed annual operating budget and capital expenditure plan shall be adopted with the approval of the board of directors. Financial commitments- and expenditures by the Foundation shall be in accordance with the approved budget and capital plan.

Annual Audit. An annual audit shall be conducted by an independent certified public accountant. The audit firm or client partner and managers shall be rotated at- least every seven



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

years. The Foundation's board of directors shall also require that the scope of the external audit be expanded to include compliance testing of the requirements of this Policy and other related policies, including but not limited to general accounting, fund raising and gift accounting, investment, and University and Foundation employee compensation policies and procedures.

Bonding. Officers and staff members of the Foundation shall be bonded as appropriate in amounts to be determined by its board of directors. General liability insurance and directors' and officers' liability indemnification^v also shall be obtained in amounts determined by the board of directors to be reasonable and appropriate. See *Code of Virginia* § 13.1-870 (2007 as amended).

Inspection of Records. The Rector of the Board of Visitors (or designee) may inspect and audit the Foundation's books and records at reasonable times with the board of director's approval. Such inspection of records shall not be unreasonably withheld.

Political Activities or Influence. In accordance with Internal Revenue Service regulations governing tax exempt organizations, no substantial part of the activities of the Foundation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, or participating or intervening in any political campaign on behalf of any candidate for public office.

Employing University Employee. No salaries, consulting fees, loans, or perquisites shall be paid to a University employee by the Foundation without the prior written approval of the Rector and University President. Compensation plans for University employees which set a defined rate or percentage payment may be submitted for approval annually in lieu of specific dollar amounts.

Conflict of Interest. All conflict of interest or potential conflict of interest shall be disclosed at the time of discovery or as soon as feasible to the Foundation's board of directors. Business transactions involving the Foundation and the personal or business affairs of a trustee, director, officer, or staff member shall be approved in advance by the board of directors of the Foundation. In addition, trustees, directors, officers, and staff members of the Foundation shall disqualify themselves from making, participating in making, or in any way attempting to use their official positions to influence a decision in which they have or would have a financial interest.

No director, trustee, officer, or staff member of a Foundation shall accept from any source any gift or gratuity that is offered, or reasonably appears to be offered, because of the position held with the Foundation by the individual, nor shall an offer of a gift or gratuity be extended by such an individual on a similar basis.^{vi} This provision applies to the individual member of the Foundation and does not apply to gifts offered to or by a Foundation as an organized entity.



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

X. REPORTING AND DISCLOSURES

- A. On an annual basis, each University-related Foundation shall submit to the Rector of the Board of Visitors and the President the following:
- a) A copy of its completed Internal Revenue Service (IRS) Form 990 and any other “tax-exempt” materials filed with the IRS.
 - b) Notification of any audit or review by tax authorities or any action taken, or threatened action that would adversely affect the tax-exempt status of the Foundation.
 - c) The financial report and tax return of the Foundation, audited by an independent certified public accountant, the management letter, and management’s response thereto. Confirmation that a meeting has been held between the Foundation’s audit committee (or similarly designated committee) and its external auditor is a required element of the Annual Certification Letter (see page 10).
 - d) An annual budget and expenditure plan (including capital expenditures) approved by its board of directors at the beginning of the new fiscal year, or on a mutually agreeable date. The budget should be presented in a comparative format with the prior year and include major categories of revenues and expenses—planned or committed.
 - e) Identification of all investments and those under consideration by the Foundation. Include each real estate purchase or material capital lease, investment, or financing arrangement entered into during the preceding fiscal year.
 - f) Notice of any litigation or threat/notice of litigation involving the Foundation during prior or upcoming fiscal year.
 - g) A mutually agreed upon schedule regarding its financial position and capital expenditures, with special emphasis on transactions between the Foundation, and the University or its units as well as transactions affecting its employees and/or directors. This report may be made in regularly scheduled review sessions between Foundation administrators and the President’s designee.
 - h) An annual report.
 - i) Current listing of names, profession of all Foundation directors and officers, and all individuals or private entities responsible for the daily management of the funds and salaries or fees paid, if any.
 - j) Description of any compensation paid to anyone affiliated or employed with the Foundation, and the amount (excluding expense reimbursements).
 - k) Description of all private gifts and contributions received for the institution’s benefit, and description of any restrictions or conditions which attach (identity of the donor is desirable, if such gift or contribution is not made anonymously).
- B. Any repeal, amendment, or additions to the Foundation’s articles of incorporation or bylaws will be presented for opinion or comment to the Rector and President prior to approval by the Foundation’s board. Any changes in purpose and potential distribution or use of assets must be disclosed.



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

- C. The President will designate a University officer to:
- Accept and review documents received from University-related Foundations on behalf of the President; and
 - Review compliance with this Policy by the University-related Foundations;
 - Prepare an annual report on compliance by the University-related Foundations for the Board of Visitors to be submitted not later than December 1 of each year covering the previous July 1 - June 30 fiscal year.

XI. Annual Certification Letter

On an annual basis, the Foundation executive shall submit to the Board of Visitors and to the President a letter which certifies compliance with the following requirements:

- Copies of this Policy have been circulated among all members of the Foundation staff and its board.
- Compensation of any kind which the Foundation has provided to any University employees has been approved by the Rector and President (or respective designees) prior to payment. A listing of total payments to specific individuals should be attached to the certification letter.
- An audit by an independent certified public accountant has been completed, and the audit committee of the Foundation has met and reviewed the management letter and response with that auditor.
- The annual budget of the Foundation has been approved by the board of directors and provided to the Rector and President).
- Written approval has been obtained for any funds the University has borrowed from the Foundation.
- Written approval has been obtained from the Board of Visitors and the Rector for any substantial proposed business ventures or changes in the nature, scope, or purpose of the Foundation.
- Other specific requirements as mutually agreed upon by the Foundation's board of directors and the President (or designee).

EDUCATION AND COMPLIANCE

Related foundations will be provided the policy with any updates annually. To ensure conformity of the requirement of this policy, the office of the Vice President of Finance and Administration will monitor for compliance with this policy annually.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive or Office will make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;

1.



BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

2. Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
3. Post the policy on the websites of the Board of Visitors, Division of University Advancement, and each University-related Foundation; and
4. Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2023~~³⁰
- Approved date: ~~March 17, 2016; September 15, 2017;~~ December 11, 2020
- Revision History: March 20, 2015; May 10, 2002, August 30, 2002, and May 9, 2008; Eff. May 10, 2002; Revised August 30, 2002; May 9, 2008; March 19, 2010; March 20, 2015; March 17, 2016; September 15, 2017; December 11, 2020
- Supersedes: NSU Policy No. 51-001 Policy on University-Related Foundations

RELATED DOCUMENTS

- [Code of Virginia § 2.2-4300](#) et seq. (2001 as amended), Virginia Public Procurement Act
- [Code of Virginia § 13.1-870](#) (2007 as amended) General standards of conduct for directors

FORMS

There are no forms associated with this Policy.

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BOV POLICY # 13 (2015) UNIVERSITY-RELATED FOUNDATIONS

ⁱ The prologue of the *Baliles Guidelines on Foundations* (May 20, 1983), a memorandum from the Attorney General of the Commonwealth of Virginia to the presidents of Virginia's Public Institutions of Higher Education, state in pertinent part:

Foundations exist because of, and for, the public institutions they support and after which they are named. Looking beyond their independent corporate existence, the Foundations are depositories of enormous funds charitably donated for the benefit of public higher education. Their assets exist essentially because of public tax policy and publicly spirited donations (p. 1).

As a fundamental step, the institutions should be encouraged to shoulder the primary responsibility for closely reviewing (as opposed to regulating) these Foundations. The Foundations should not be allowed to act under their name, nor for their benefit, without at least some form of minimum scrutiny and institutional review of Foundation activity on a periodic basis, frequent enough to be effective (p. 5).

It is clear that when such a Foundation receives or solicits funds under the institution's name, a trust is implied by law requiring prudent use and management of such funds (p. 10).

ⁱⁱ This policy was adapted from the University of Virginia's Policy on University-Related Foundations, Policy ID # BOV-008 (January 1, 1993).

ⁱⁱⁱ Note: It is foreseeable that a Foundation may find it desirable to form for-profit subsidiaries in order to assist it in carrying out its mission.

^{iv} The Foundation's solicitation literature shall make it clear when gifts are to be made payable to the foundation. Each Foundation shall develop a procedure to document when gifts intended for the Foundation are erroneously made payable to a University entity other than a foundation, and when such documentation is possible, an exchange check may be issued by the University to the Foundation.

^v See *Code of Virginia* §13.1-870.1 which limits liability of directors and officers of Virginia non-profit, non-stock corporations.

^{vi} A gift or gratuity means any payment to the extent that consideration of equal or greater value is not received. It does not include informational materials, such as books, reports, calendars, or other unsolicited promotional material. A gift does not include modest entertainment, such as a meal or refreshments in connection with meetings, conferences, or public ceremonies, or home hospitality



BOV POLICY # 14 (2015) NAMING POLICY FOR FACILITIES AND SPACES

Policy Title: Naming Policy for Facilities and Spaces

Policy Type: Board of Visitors

Policy No.: BOV Policy # 14 (2020)

Approval Date: ~~May 8, 2015~~ December 11, 2020

Responsible Office: Division of University Advancement

Responsible Executive: Vice President for University Advancement

Applies to: University Community

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POLICY STATEMENT

Institutions of higher education have long offered naming opportunities as an important part of their recognition and fund-raising efforts. Norfolk State University recognizes the value of these commemorations, especially for those within the University Community who have rendered distinguished service to the University and/or made a substantial contribution to the University or a University-related foundation. Such naming actions should not detract from the University's values, integrity, or reputation, nor create a conflict of interest, or the appearance of a conflict of interest, or confer special privileges.

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BOV POLICY # 14 (2015) NAMING POLICY FOR FACILITIES AND SPACES

PURPOSE

The purpose of this Policy is to define the requirements for making and receiving recommendations for the naming of facilities and spaces at Norfolk State University¹. This Policy contains procedures to ensure a coordinated and equitable process for approving current and future naming proposals and for protecting the wishes of donors. The Division of University Advancement shall ensure that all nominees for naming recognition applications meet the established guidelines and requirements as set forth by the Board of Visitors.

DEFINITIONS

Substantial Contribution: means the target gift amount for naming that is established for a (a) current, approved project, (b) future project, or (c) existing facility or space. A substantial contribution toward a project as part of the project budget must be approved by the Board of Visitors in the early stages of project development.

Facilities and Spaces: means physical structures or parts thereof; buildings or portions of buildings (such as classrooms, auditorium, foyer, library, etc.); and colleges or schools, academic programs, centers, institutes, or departments, outdoor and interior areas, spaces, features, or objects.

CONTACT

The Vice President for University Advancement officially interprets this Policy and is responsible for matters pertaining to this Policy. The Vice President for University Advancement is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) *Creating and Maintaining Policies*](#) through the appropriate governance structures. Please direct questions pertaining to this Policy to the Division of University Advancement.

COMMEMORATIONS IN GENERAL

This Policy applies to naming opportunities for both new and existing facilities and spaces. All new and existing naming commitments shall be memorialized in a written agreement prepared by the Division of University Advancement in accordance with the guidelines set forth in this Policy. No agreement shall detract from the institution's values, dignity, integrity, or reputation, nor shall it create a conflict, or the appearance of a conflict of interest or confer special privileges.

In the event there are any inconsistencies or ambiguities between this Policy and other University Naming Rights rules or practices, this Policy shall take precedence. Substantial contributions may be made directly to the University or through University-related foundations or associations for the exclusive support of the University.



BOV POLICY # 14 (2015) NAMING POLICY FOR FACILITIES AND SPACES

Named designations may be removed at any time if the honored individual or entity is found to be in violation of the laws of the Commonwealth of Virginia, engages in activities that bring dishonor to the University or Commonwealth of Virginia, or impugns the values of the University or Commonwealth.

The University reserves the right, on reasonable grounds, to revise the form of or withdraw recognition in the event of changed circumstances.

Buildings, Physical Facilities, and Other Commemorations

The University will consider commemorative naming of facilities and spaces, and the erection of plaques, signs, and portraits as a tribute in appropriate instances where the University has significantly benefited from the relationship with the person or organization and such naming brings no adverse reflection on the institution. No university facilities and spaces shall be named without a concomitant monetary gift at the established naming opportunity level. Minimum levels of financial support to the University shall be established for most naming categories by the Division of University Advancement in conjunction with the Board's standing committee on University Advancement. Levels of financial support shall be maintained and periodically updated in an Inventory of Naming Opportunities publication. The levels of financial support are not exclusive and exceptions to this requirement may be made by the Board of Visitors or upon recommendation by the University Advancement committee of the Board or the President.

Facilities or spaces may be named for a person or family associated with the University community who has rendered distinguished service to the University or who has made a significant contribution to society, or for a donor to the University whose gifts represent a "substantial contribution" toward the project cost, provided that the individual or family or donor has a prominent relationship with the University and/or the region, with a positive image and demonstrated integrity.

Corporations or organizations are encouraged to be major donors to the University by recognizing with naming opportunities an organization or individual important to their success. The business entity shall have a prominent relationship with the University and/or the region, and have a positive image and demonstrated integrity. In the event of changed circumstances, the University reserves the right, on reasonable grounds, to revise the form of or withdraw recognition.

The name will appear on the building utilizing the appropriate signage as determined by the University, and on University maps and other documents in University approved lettering. No corporate logos will be permitted, except pursuant to the section, Athletics Facilities and Playing Fields Temporary Naming Rights Agreement. See page 4.



BOV POLICY # 14 (2015) NAMING POLICY FOR FACILITIES AND SPACES

Athletics Facilities and Playing Fields Temporary Naming Rights Agreements

The University may enter into agreements with business entities to temporarily name athletics facilities or playing fields when the business entity makes a substantial contribution to the University's athletics program. An agreement to temporarily name an interior feature, object or space may also include the right to place a sign or signs, as deemed appropriate by the President, on the exterior of a building or in an outdoor area.

A "substantial contribution" in this context means that facts and circumstances, including relevant market conditions, show that the business entity is making a substantial financial contribution to the University's athletics program.

Any such agreements must be reviewed and prepared by the Division of University Advancement in conjunction with the Athletics Department and University Counsel, and presented to the Board's University Advancement committee upon the recommendation of the President. Agreements for temporary naming rights shall be for a fixed term not to exceed 10 years. The Terms of Agreement should be consistent with the contribution to the University and its Athletics Department.

Logos

The logo of a business entity may be included on the name temporarily affixed to an interior feature, object, space, building or outdoor area if the logo is part of a unique design created in part for the purpose of acknowledging the relationship between the University and the business entity.

Inclusion of a logo in a unique design on the name temporarily affixed to a building or outdoor area or affixed to an interior feature, object or space shall be approved by the Board of Visitors upon the recommendation of the President.

Process for Naming Opportunities

Parties interested in naming opportunities should direct the request or proposal in writing to the Vice President of University Advancement or the President of the University. The Vice President of University Advancement (or designee) shall oversee and manage the process and work closely with the Office of the President on all requests for naming opportunities. If the request or proposal conforms to the guidelines set forth in this Policy, a presentation shall be prepared and presented at the next meeting of the Board of Visitors.

A written agreement, specifying the nature of the gift, its purpose and how the project or program will be implemented, must be signed by the donor or honoree and the Vice President for University Advancement and the President prior to submission of a resolution for approval by the University's Board of Visitors. Any such agreement is not valid until approved by the Board and resolution passed.



BOV POLICY # 14 (2015) NAMING POLICY FOR FACILITIES AND SPACES

The Board of Visitors will only review proposals that conform to this Policy. The nominee shall be informed in writing and the appropriate University Office(s) (e.g., University Events) shall take the necessary steps to prepare for the appropriate recognition ceremony or event.

EDUCATION AND COMPLIANCE

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The Office of University Advancement will educate faculty and administrators that will have a role in administering this policy including Norfolk State University Foundation, Norfolk State University Athletic Foundation and the Norfolk State University Research and Innovation Foundation staff. Education sessions will occur for those with roles that include soliciting and accepting philanthropic gifts for Norfolk State University.

As necessary, the Office of University Advancement will educate and train all stakeholders and appropriate audiences on the policy's content using virtual or face to face learning sessions. Participants are required to sign an NSU Naming Policy Training Acknowledgment Form.

Policy Compliance and Violations:

The Office of University Advancement will ensure conformity of the requirements of this policy. Violations of this policy will be reported to and addressed by the Vice President of University Advancement annually.

PUBLICATION

This Policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the Policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the Policy on the Board's Website; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the Policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this Policy.



BOV POLICY # 14 (2015) NAMING POLICY FOR FACILITIES AND SPACES

~~REVIEW SCHEDULE~~

REVIEW SCHEDULE

- Next Scheduled Review: ~~September 2020~~[December 2023](#)
- Approved date: ~~May 6, 2016; September 15, 2017~~[December 11, 2020](#)
- Revision History: ~~April 27, 2016 review;~~ May 6, 2005 (eff. July 1, 2004; approved June 16, 2004); [April 27, 2016; May 6, 2016; September 15, 2017](#)
- Supersedes: NSU Policy # 51. 005 Naming Policy (2005)

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RELATED DOCUMENTS

Campus Investment Opportunities Brochure (2016)

FORMS

There are no forms associated with this policy and procedures.

¹ Note: This policy was adapted from the Virginia Polytechnic Institute and State University Policy No. 12005 Rev.: 4 (April 1, 2008), Policy on Commemorative Tributes and University of Washington Board of Regents Governance Policy No. 6 (February 9, 2012), Facilities and Spaces Naming Policy.



BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

Policy Title: Presidential Evaluation

Policy Type: Board of Visitors

Policy Number: BOV Policy # 15 (2014)

Approved: March 2021~~December 12, 2014~~

Responsible Office: Board of Visitors

Responsible Executive: Rector

Applies to: University President

POLICY STATEMENT

The president of Norfolk State University is selected by the Board of Visitors and serves at its pleasure or pursuant to contract between the president and the Board. The president serves as the chief executive officer of the University and may be removed as appropriate by the Board (Bylaws Article 2 Section 1 § 2.02; § 6.01). The president reports only to the Board and it is the Board's responsibility to ensure that the president is implementing the Board's policies and accomplishing the University's goals.

The evaluation of the president's performance is an important responsibility of the Board of Visitors, which shall be conducted on an annual basis in accordance with the president's contract and Article 1 Section 3(c) and Article 2 Section 1 § 6.01(e) of the Bylaws. The Code of Virginia § 23-2.03 (2013) 23.1-1303 (B)(8) of the Code of Virginia ("the Code") requires that the Board meet with the president at least once annually in a closed session pursuant to subdivision 1 of § 2.2-3711 of the *Code* to evaluate his/her performance.

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BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

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PURPOSE

The purpose of this Policy¹ is to provide the president with periodic support and feedback on his/her performance by identifying areas of strength and opportunities for further professional development. This Policy defines the process for evaluating the president of Norfolk State University and provides the Board an opportunity for reflection on the state of the institution and leadership demonstrated by the president.

DEFINITIONS

President: ~~the~~The President is the chief executive of the University and responsible for the principal administrative direction and management of the institution subject to the authority of the Board of Visitors and as provided by the Code of Virginia. The President has certain authority and responsibilities delegated to him/her by the Board as defined by the Board Bylaws.

CONTACT

The Board of Visitors officially interprets this policy and is responsible for matters pertaining to this Policy as it relates to the president of Norfolk State University.

PRESIDENT'S ANNUAL PERFORMANCE EVALUATION

I. In General

The Board of Visitors has the sole responsibility for the evaluation of the President, which shall be conducted on an annual basis in accordance with [Article 1 Section 3\(c\)](#) and [Article 2 Section § 6.01 \(e\)](#) of the [Board Bylaws](#), and the president's contract. The Board will seek input from University stakeholders in accordance with this Policy, including students, faculty, staff and alumni.

The president's evaluation shall be conducted in the context of the mission of the University and its strategic plan. Other considerations may also be taken into account when evaluating the president, which include but are not limited to, existing internal and external environments such as economic or legal constraints, legislative mandates or changes, or force majeure events.

Any change to the president's employment contract shall be made only by a vote of the majority of the Board.

~~II.~~ **Evaluation Process**

Evaluation Process

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BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

The performance evaluation of the president occurs at least on an annual basis and shall be conducted by the Board's Executive Committee with input from the full Board of Visitors. The evaluation process shall be completed no later than December 31 of each calendar year.

The performance evaluation of the president occurs at least on an annual basis and has two distinct methods:

1. An annual review conducted by the Board utilizing a mutually agreed upon instrument; and
2. A formal, comprehensive evaluation process which meets the need of the Board to assure the public that the Board is meeting accountability expectations.

In both methods, the initiation of the evaluation process should occur at the Annual Meeting of the Board. Its initiation is the responsibility of the Rector—who may appoint an ad hoc Presidential Evaluation Committee to facilitate the performance evaluation process in full consultation with the Board.

The Rector should lead the Board in a discussion at the Annual Meeting to:

- (1) Determine whether to conduct an annual review or formal comprehensive performance evaluation of the president for the prior academic year or covering the months of service within that academic year;
- (2) Establish a timeline for conducting the evaluation of the president and if necessary, establish an ad hoc Presidential Evaluation Committee; and
- (3) Establish a set of goals (to the extent such goals are measureable) for the upcoming academic year and in consultation with the president.

Evaluation Goals and Measures

The performance evaluation shall include a set of goals and measures (to the extent such goals are measurable) established in consultation with the president for the academic year. The evaluation may include other criteria or priorities as the Board may deem appropriate. Goals shall relate directly to the University's strategic plan, the president's contract and/or Board established priorities, and may include multi-year goals. These goals should be affirmed by the full Board at the next scheduled meeting of the full Board.

President's Performance Report

The president shall present a written performance report and self assessment to the Board at the Board's Annual Meeting. The performance report shall include, but is not limited to the following:

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Commented [MOU9]: Ditto

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BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

- ~~1. Progress on meeting the established goals with an emphasis on providing applicable, measurable data (if available).~~
- ~~2. The president's assessment of the overall academic quality of the University.~~
- ~~3. The president's assessment of the financial health of the University.~~
- ~~4. The president's assessment of the challenges facing the University.~~
- ~~5. The president's assessment of the opportunities facing the University.~~
- ~~6. The identification of any professional development the president wishes to pursue.~~
- ~~7. The goals and measures proposed by the president for the following year to be reviewed as part of the process.~~

~~The president shall also provide the Board with a written account of any additional income acquired from any outside sources which shall be considered in the review process.~~

Annual Review

~~An annual review is based on the president's self-assessment and achievement of measurable goals and Board-established priorities, the president's contract or other criteria as the Board may deem appropriate.~~

Formal Comprehensive Evaluation

~~A formal comprehensive evaluation of the president's performance is conducted periodically and may include an external evaluator appointed by the Board. The comprehensive evaluation may occur during the second year of the presidency and every two years thereafter. The Board reserves the right to alter this schedule at its discretion. In the year that a comprehensive evaluation is conducted, it shall be performed in lieu of an annual review.~~

~~The formal comprehensive evaluation will include the participation of stakeholders of the University, including individuals and groups from within and outside the University. The Board may appoint an external peer evaluator (e.g., an experienced university presidential performance evaluator who is either a current or former university president of an institution of similar size and character or another recognized leader in higher education) to assist the Board of Visitors in its evaluation. The appointment should occur no later than June 30th. The Board may also identify a staff liaison between the Board and the external evaluator to attend all focus group meetings and facilitate the work of the evaluator. In appointing the external evaluator, the Rector will consult with the president about potential evaluators in order to avoid any bias or conflict of interest.~~

~~The Board will determine the scope of the external evaluator's engagement, which may include reviewing the president's performance report, background information on the University, written comments solicited from stakeholders of the University, meetings with appropriate constituency groups (such as students, administrators, faculty, staff, alumni, community leaders, etc.) and a visit to the University to meet with the president. The president shall be kept informed of the scheduling of all meetings on campus, which shall be coordinated through the staff liaison to the Board. This work should occur within the months of July and August.~~



BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

~~The external evaluator shall consult with the Rector regarding the findings and prepare and submit a written report, which may include suggestions for future goals and measures. This report is considered to be advisory and is prepared to assist the Rector and the Board of Visitors in its deliberative process of evaluating the work of the President. The report is considered a confidential personnel matter to be shared only with the Board of Visitors in executive session.~~

III. Reports

Board's Report

~~After consulting with the president (and ad hoc committee, if applicable), the Rector will report, in closed/executive session, to the Board of Visitors on the conclusions and offer an overall assessment of the president's performance based on the annual review or formal comprehensive evaluation. The Rector also will lead a discussion on the proposed goals for the president for the upcoming year. This report by the Rector will be presented at the September Board meeting or as soon thereafter as possible.~~

Final Report

The Rector should meet with the president to present the final report of the Board on the president's performance evaluation. The meeting should take place no later than December 31, after the September meeting of the Board but no later than October 15th. The performance evaluation process shall conclude with a confidential letter from the Rector to the president outlining the Board's assessment of the president's performance and setting the goals for the upcoming year; this letter should be signed by the Rector and, on receipt, the president. ~~The external evaluator's report will be appended, if applicable.~~ A copy of the letter and appended report (if applicable) shall be shared with the Board of Visitors.

~~The performance evaluation process should be concluded by no later than the December Board meeting.~~ The Board shall also provide formal notice of its decision on the president's contract no less than 12 months prior to end of the term or the president's contract or within such period as the president's contract may provide.

IV. Compensation Review

The president's base salary shall be reviewed annually by the Board of Visitors. Any increases in base salary (in addition to state mandated increases) will be determined based on the president's performance in connection with the annual performance evaluation and subject to approval of the full Board. Bonus potential may also be contemplated at the Board's discretion, based on the annual performance evaluation, as permitted by State law and from non-State funds.

The Rector will inform the president of any salary increase or bonus award, if any, at the presentation of the final report and feedback meeting with the president. The Board must ensure that funds will be available to provide any supplemental compensation, increase or bonus that is approved.



BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

The president must report annually all earned outside compensation from board service, consulting, etc. As required by law, the Board of Visitors will consider this report in setting compensation.

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EDUCATION AND COMPLIANCE

Members of the Board of Visitors shall be made aware of this and other Board of Visitors policies as part of the new Board member orientation process. Any changes to this policy shall be communicated to the Board by the Administration no later than the Board's next scheduled meeting. The Rector shall be responsible for ensuring annual compliance with the provisions of this policy.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board's Website; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

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REVIEW SCHEDULE

- Next Scheduled Review date: ~~December~~ ~~September 2023~~ ~~30~~
- Approved date: ~~May 6, 2016; September 15, 2017; March~~ , 2021
- Revision History: April 27, 2016 review; December 12, 2014; March 23, 2012; ~~May 6, 2016; September 15, 2017; December 11, 2020~~
- Supersedes: Presidential Evaluation Policy (approved March 23, 2012)

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BOV POLICY # 15 (2014) PRESIDENTIAL EVALUATION

RELATED DOCUMENTS

- *Code of Virginia* § [23-2.03](https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+23-2.03) (2013) Boards of visitors; annual meeting with the president of the institution.
- Norfolk State University Board of Visitors [Bylaws](https://www.nsu.edu/Assets/websites/bov/documents/By-Laws.pdf)
- <https://www.nsu.edu/Assets/websites/bov/documents/By-Laws.pdf>

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FORMS

There are no forms associated with this policy.

ⁱ Portions of this Policy was adapted from Virginia Commonwealth University's Presidential Evaluation Policy (2009; rev. 2011).



BOV Policy #16 (2015) Student-Athlete Discipline

Policy Title: Student-Athlete Discipline

Policy Type: Board of Visitors

Policy No.: BOV Policy # 16 (2015)

Approval Date: December 11, 2020~~015~~

Responsible Office: _____ Department of Intercollegiate Athletics

Responsible Executive: _____ Athletics Director

Applies to: Student-Athletes

POLICY STATEMENT

Each member of the Norfolk State University (NSU) community shares in the responsibility for his/her personal conduct and in some cases, may assume reasonable responsibility for the behavior of others. All students are required to engage in responsible conduct that positively reflects the University community and themselves. The NSU Board of Visitors (BOV) is required to establish rules and regulations addressing the conduct of students while attending the University (*Code of Virginia* § ~~23-9.2~~23.1-1301) and BOV Policy # 06 (2014) Statement on Code of Student Conduct directs the administration to establish and publish the rules pertaining to student conduct ~~in a Code of Student Conduct (Administrative Policy # 27-02 (2014))~~. The *Code of Virginia* § 23.1-1303 (B)(7)

23-2.5 also requires that the Board of Visitors establish a policy for the discipline of students who participate in varsity intercollegiate athletics. This policy specifically addresses the conduct of student- athletes and the disciplinary and reporting requirements involving varsity collegiate athletics at the University.

Infractions of policy or law by student-athletes will be adjudicated as follows:

- Under the NSU Student-Athlete Handbook, which governs the student's privilege and permission to participate in any aspect of sports competition, such as NCAA or MEAC. This policy must be included in the Student-Athlete Handbook ~~Student-Athlete Handbook~~.
- Under the NSU Student Handbook and Student Code of Conduct, which govern an individual's status as a student and the ability to participate in the academic programs of the University.

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BOV Policy #16 (2015) Student-Athlete Discipline

- c. In state or federal civil or criminal courts.

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DEFINITIONS

Mid-Eastern Athletic Conference (MEAC): a collegiate athletic conference consisting of ~~13~~ historically Black institutions from the mid-east region¹.

National Collegiate Athletic Association (NCAA): a membership-driven organization dedicated to safeguarding the well-being of student-athletes and equipping them with the skills necessary to succeed on the playing field, in the classroom and throughout life. NCAA members—mostly colleges and universities, but also conferences and affiliated groups—work together to create the framework of rules for fair and safe competition. Those rules are administered by NCAA national office staff, which also organizes national championships and provides other resources to support student-athletes and the schools they attend².

Student-Athlete: a student who participates in varsity intercollegiate athletics at Norfolk State University.

Student: A person who has been admitted to or has enrolled at the University and has not completed a program of study for which she/he has enrolled; or has completed a program of study and has satisfied all academic requirements for the program but has not been awarded a degree at the time of the offense. Student status exists regardless of whether the University is in session (i.e. spring break and summer).

¹ MEAC Website: [About the MEAC \(202045\)](#).

² NCAA Website: [What is the NCAA? and Who We Are \(202045\)](#).



BOV Policy #16 (2015) Student-Athlete Discipline

CONTACT(S)

The Department of Intercollegiate Athletics officially interprets this policy and is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Department of Intercollegiate Athletics.

POLICY CONTENTS

Student-athletes and team success contribute to the overall image of the University. Because of the visibility of collegiate athletics, student-athletes have additional responsibilities which include but are not limited to: performing to the best of their ability—both academically and athletically; and contributing on and off the field in a manner that reflects positively on the student, athletic team, Department of Intercollegiate Athletics and the University as a whole. Student-athletes, like all students, are held accountable under all institutional policies and procedures, such as the NSU Student Handbook and Code of Student Conduct. Discipline for violations of these policies and procedures will be administered through the Dean of Students Office as prescribed.

Student-Athletes are also governed by requirements of the Norfolk State University Student-Athlete Handbook and the rules and regulations of the National Collegiate Athletic Association (NCAA) and Mid-Eastern Athletic Conference (MEAC)—of which NSU maintains membership as a Division I institution. Discipline for violations of the Student-Athlete Handbook, rules and regulations of the NCAA and MEAC are administered through the office of the Athletics Director in the Department of Intercollegiate Athletics as prescribed.

The applicable rules and regulations govern student eligibility to participate in sports, including *but not limited to* behavior specific to athletes such as academic and athletic eligibility, unsportsmanlike behavior, non-therapeutic drug use and drug testing, gambling and bribery, and the acceptance of non-permissible awards, benefits and expenses, as well as other forms of misconduct.

Each student-athlete must be provided with an electronic copy of the NSU Student-Athlete Handbook and NSU Code of Student Conduct upon entry into an athletic program and at the start of each academic year when the student is planning to participate in athletic competition. Student-athletes are responsible for knowing the additional responsibilities that are inherent in membership on an athletic team. The Department of Intercollegiate Athletics will maintain a record log of all student-athletes receiving a copy of the Student-Athlete Handbook and NSU Code of Student Conduct each academic year.

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BOV Policy #16 (2015) Student-Athlete Discipline

The Department shall report on this requirement and on enforcement actions taken pursuant to these handbooks and Codes, and pursuant to law, include statistical data or analysis on policy or rule violations in an annual report to the Board of Visitors and the President at the end of each academic year.

EDUCATION AND COMPLIANCE

Educating student-athletes about NCAA, MEAC and university rules and expectations is a vital part of the department's ongoing commitment to ensuring a positive experience for student-athletes while upholding the standards of the institution and Division I membership. The student-athlete handbook provides specific information to student-athletes regarding NCAA academic requirements for eligibility, plus department and university academic requirements. Information regarding institution and department behavior expectations and outcomes for violations of department and university rules is included in the handbook as well.

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The department conducts mandatory education sessions at the beginning of each academic year for every student-athlete and provides an electronic copy of the Student-Athlete Handbook and Student Code of Conduct in advance of the meeting. Student-athletes are required to sign an acknowledgement form indicating they have received the link to each document and reviewed the contents of the handbook and code of conduct before they are cleared to begin team practice. A separate session is held in the spring for student-athletes that enroll in the spring semester.

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PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
2. Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
3. Post the policy on the BOV Website; and
4. Educate and train stakeholders and appropriate audiences on the policy's content.

Failure to satisfy procedural requirements does not invalidate this policy.



BOV Policy #16 (2015) Student-Athlete Discipline

REVIEW SCHEDULE

- Next Scheduled Review: ~~September 2023~~ [December 2020](#)
- Approved date: ~~March 17, 2016; September 15, 2017~~ [December 11, 2020](#)
- Revision History: December 11, 2015; [March 17, 2016](#); [September 15, 2017](#); [December 11, 2020](#)
- Supersedes: *None*

RELATED DOCUMENTS

[BOV Policy # 06 \(2014\) Statement on Code of Student Conduct](#)

[NSU Code of Student Conduct, Administrative Policy # 27-02 \(2014\)](#)

[NSU Student-Athlete Handbook \(2015\)](#)

[NSU Student Handbook](#)

FORMS

There are no forms associated with this policy.

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BOV POLICY # 17 (2016) WEAPONS

Policy Title: Weapons
Policy Type: Board of Visitors
Policy No.: BOV Policy # 17 (2016)
Approved Date: December 11, 2020 ~~March 17, 2016~~
Responsible Office: University Police
Responsible Executive: Vice President of Finance and Administration
Applies to: University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under the *Code of Virginia § 22-174.623-1301* to, among other things, make ~~all necessary rules and regulations and policies~~ concerning the University institution. As such, the Board intends to promote a safe learning and working environment for the University community at all times and make every reasonable effort to prevent violence on campus.

PURPOSE

The purpose of this policy is to help further this safe environment for the University community and its invitees at all Norfolk State University locations by minimizing the risk of violence by use of a weapon. This policy provides rules and procedures for the possession of weapons on campus grounds, in campus buildings, at campus events and on University property. It is consistent with the laws and regulations of the Commonwealth of Virginia.

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BOV POLICY # 17 (2016) WEAPONS

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DEFINITIONS

Employees: any persons employed by the University in any capacity whether permanent, temporary, full-time, part-time, adjunct, or contract, and as faculty or staff.

Explosives: as any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities or packing that an ignition by fire, friction, concussion, percussion, or detonator, or any part of the compound or mixture, may cause a sudden generation of highly heated gases that result in gaseous pressures capable of producing destructive efforts on contiguous objects or of destroying life or limb. This includes, but is not limited to, firecrackers, black powder, dynamite, pipe bombs, Molotov cocktails, grenades, etc. as well as detonating devices such as detonators, blasting caps, timers, incendiary wire and the like.

Firearms: as any device that can be used as a weapon, and that are designed to fire either single or multiple projectiles propelled at high velocity regardless of the type of propellant used. Firearms include, but not limited to any gun, rifle, air-gun, pistol, cannon, or handgun designed to fire bullets, BBs, pellets, balls, air, spears, flares, tranquilizers, darts, shots (including paintballs), or any other projectile, whether loaded or unloaded, and the ammunition for any such device.

Invitees: those who enter pursuant to the express or implied invitation of the owner or occupier.

Police officer: law-enforcement officials appointed pursuant to Article 3 (§ 15.2-1609 et seq.) of Chapter 16 and Chapter 17 (§ 15.2-1700 et seq.) of Title 15.2, Chapter 17 (§ 23-23223.1-809, et seq.) of Title 23.1, Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, or Chapter 1 (§ 52-1 et seq.) of Title 52 of the Code of Virginia or sworn federal law-enforcement officers.

Student: any person who is enrolled for classes through Norfolk State University, including full-time, part-time, for credit or non-credit, degree- seeking or non-degree seeking, who has the intent to pursue an education at Norfolk State University.

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BOV POLICY # 17 (2016) WEAPONS

Transient Personnel: individuals who are not faculty, staff, or employees of Norfolk State University, but who temporarily transact business on or at University property, University-controlled sites, or at University sponsored activities, services and programs.

Third Parties: those individuals who are not state employees or students, such as relatives, acquaintances, contractual workers, vendors, visitors, volunteers, customers, clients, or strangers.

Weapon: is defined as but not limited to any instrument of combat or any object that is used, designed to be used or intended to be used by the possessor to inflict death or bodily injury to any person, or for the purpose of threatening or intimidating any person with death or bodily injury. Examples of weapons include, but are not limited to, knives with fixed blades, pocket knives, dirks, switch-blades, butterfly knives, firearms, ammunition, explosives or other incendiary devices, box cutters, razors, broken bottles, metal knuckles, blackjacks, bows and arrows, billy clubs, night sticks, bludgeons, sling shots, machetes, hatchets, nun chukkas, foils, chains, swords, ice picks, stun weapons, acid and other corrosive chemicals.

University property and University-controlled sites: any location, either permanent or temporary, owned or leased by Norfolk State University. This includes, but is not limited to, the buildings, grounds, and the surrounding perimeter, including parking lots, field locations, classrooms, residence halls, alternate work or class locations.

University-sponsored activities, services and programs: any events sponsored by the University either on or off campus. Such programs also include distance education sites and study abroad locations.

CONTACTS

Norfolk State University Police Department officially interprets this policy. The Vice President for Finance and Administration is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies through the appropriate governance structures](#). Questions regarding this policy should be directed to the Norfolk State University Police Department.

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Norfolk State University Police Department telephone contacts:
Emergency Number: (757) 823-9000
Non-Emergency Number: (757) 823-8102
Anonymous Call Number: (757) 823-2148

STAKEHOLDER

University Community



BOV POLICY # 17 (2016) WEAPONS

WEAPONS POLICY

Norfolk State University will make every reasonable effort to prevent violence on its campus and provide a safe and secure environment for its employees, students and visitors. In furtherance of this effort, Norfolk State University prohibits the unauthorized possession, carrying, maintaining, storage, control, brandishing, or use of firearms and weapons, or any reasonable facsimiles thereof by students, faculty, staff, transient personnel, invitees or any other third parties while on University property, on University-controlled sites, and at University-sponsored activities, services or programs, even if the owner has a valid permit for the weapon.

The prohibition includes the unauthorized storage of firearms and weapons in vehicles on campus and in residential halls, as well as all concealed weapons and unauthorized possession of realistic replicas of weapons. The possession, carrying, use and brandishing of a potentially-harmful object(s) in a situation where there is no reasonable use for it and/or when such object(s) is used to intimidate, cause death or serious bodily injury, or to threaten another with death or serious bodily injury are violations of this policy.

Examples include, but are not limited to, use of steak knives, butcher knives, tools, hammers, shovels and any other potentially harmful object or implement within this context.

Education

All employees will be required to review and acknowledge receipt of this policy during orientation.

Policy Violation/Compliance

Violators of this policy or regulations, rules or laws of the Commonwealth of Virginia applicable to weapons on campus are subject to immediate administrative action by the University, independent of and in addition to, any charges that the NSU Police Department or civil authorities may appropriately pursue, including criminal prosecution. Appropriate sanctions or disciplinary action may include but are not limited to suspension or termination of an employee, suspension or expulsion of a student.

If the violator is a licensee, invitee or visitor, authorization to remain on campus may be withdrawn, and he/she may be directed to leave the premises. Failure to leave or unauthorized return may subject the individual to applicable penalties under city, county, or state laws.

Faculty, staff, employees or students of Norfolk State University who are aware of any violation of this policy has an affirmative duty to report the violation immediately to the Norfolk State University Police Department. Any faculty, staff, employee or student found to be in violation of

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BOV POLICY # 17 (2016) WEAPONS

this policy may be subject to the appropriate disciplinary actions and procedures applicable to their status with the University. Unauthorized weapons on campus will be confiscated immediately.

Authorized Exceptions

Possession or carrying of any weapon by any person, except a police officer who is working in their official capacity or granted permission by the Chief of Police or designee, ~~wh~~ is prohibited on University property in academic buildings, administrative office buildings, clinics, laboratories, research facilities, student residence buildings, and dining facilities, or while attending sporting, entertainment, or educational events. Other exceptions may be requested with explicit authorization of the University, whether or not a federal or state license to possess that weapon has been issued to the possessor.

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A request for an exception must be detailed and made in writing annually to the President, University's Chief of Police, and in the case of an employee or student, to the appropriate divisional vice president. Failure to receive authorization to possess or carry weapons on campus within the exceptions provided shall be a violation of this policy. The Chief of Police is directed to maintain a directory of individuals with explicit authorization to possess or carry weapons on campus and shall review the directory annually for compliance.

Authorized exceptions to the prohibition of weapons on campus include:

- (1) Law enforcement officers of the Norfolk State University Police Department or from other law enforcement agencies: are permitted to possess and use issued firearms or other weapons on campus. Sworn officers of other law enforcement agencies, to the extent they are legally permitted to possess weapons in the jurisdiction in which they are located, and has been mandated through federal or state reciprocity may do so on the premises of the University in such jurisdiction or may possess issued firearms on campus in coordination with granted acknowledgement by the Chief of Police of the Norfolk State University Police Department.
- (2) Employees may possess a firearm or weapon on campus if it is required as part of the employee's job duties and responsibilities with Norfolk State University, the Commonwealth of Virginia and/or are connected with the employee's training for those job duties with the Commonwealth of Virginia in coordination with granted acknowledgement by the Chief of Police of the Norfolk State University Police Department.
- (3) Faculty or staff legally permitted to possess weapons in the jurisdiction in which they are located, may do so on the premises of the University in such jurisdiction if they are part of an academic or research activity. Such use must have received prior written approval by the Chief of Police of the Norfolk State University Police Department.



BOV POLICY # 17 (2016) WEAPONS

- (4) Employees and students may possess and use appropriate tools, such as saws, knives, and other such implements for the performance of their job duties or schoolwork or for student recreational purposes as permitted and approved under the applicable Employee or Student Handbooks, and with granted acknowledgement by the Chief of Police of the Norfolk State University Police Department.
- (5) ROTC Students may utilize unloaded or blocked muzzle firearms if they are participating in ROTC and Honor Guards in which firearms are part of the training or a ceremony with granted acknowledgement by the Chief of Police of the Norfolk State University Police Department.
- (6) University-sanctioned groups, exhibits, events or classes in which a particular weapon(s) is a required part of the curriculum, activity or display, such as in a theatrical performance; martial arts class or clubs; historical activity or art exhibit, etc. Such use must have received prior written authorization by the Chief of Police of the Norfolk State University Police Department.
- (7) Persons authorized by their employer, and duly licensed and legally permitted under the laws of the jurisdiction in which they are located to possess weapons, such as employees of armored car services that collect or transport cash, checks, valuables, etc. may do so on the premises of the University in such jurisdiction.
- (8) Military persons in the performance of their official duties (to the extent they are legally permitted to possess weapons in the jurisdiction in which they are located) may do so on the premises of the University with granted acknowledgement by the Chief of Police of the Norfolk State University Police Department.
- (9) Any other use or request for an exception require a detailed, written request and explicit approval from the President, Chief of Police, or respective divisional vice president. Such request shall not be unreasonably delayed or denied.

Persons Lawfully in Charge

In addition to university personnel responsible for the management or supervision of university property and activities, university law-enforcement officers are lawfully in charge of university property for purposes of forbidding entry upon or within, or prohibiting remaining upon or within university property while possessing weapons or other devices, instruments, fireworks, explosives, or combustible chemicals in violation of this policy. University personnel or students who violate this policy also may be subject to disciplinary action. The provisions of this policy apply regardless of whether a person has a concealed weapon permit.

PUBLICATION



BOV POLICY # 17 (2016) WEAPONS

The policy will be published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post on the policy on the appropriate SharePoint and/or Website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, a necessary, failure to meet the publication requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December 30, 2020~~ [September 15, 2020](#)
- Approved date: ~~March 17, 2016; September 15, 2017;~~ [December 11, 2020](#)
- Revision History: [March 17, 2016;](#) December 18, 2008; August 28, 2017; [September 15, 2017;](#) [December 11, 2020](#)
- Supersedes: Policy #27:005 Weapons

RELATED DOCUMENTS

NSU [Teaching Faculty Handbook](#)
NSU [Administrative and Professional Handbook](#)
[Administrative Policy # 27-02 \(2014\) Code of Student Conduct](#)

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FORMS

There are no forms associated with this policy.



BOV POLICY # 18 (2016)
PARTICIPATION IN BOARD OF VISITORS MEETINGS IN EVENT
OF EMERGENCY, PERSONAL MATTER, CERTAIN DISABILITIES;
OR DISTANCE FROM MEETING LOCATION

Policy Title: Participation in Board of Visitors Meetings in Event of Emergency, Personal Matter, Certain Disabilities; or Distance from Meeting Location

Policy Type: Board of Visitors

Policy Number: BOV Policy # 18 (2016)

Approved: ~~December 11, 2020~~ March 17, 2016

Responsible Office: Board of Visitors

Responsible Executive: Rector

Applies to: Voting Members of the Board of Visitors

POLICY STATEMENT

All meetings of the Norfolk State University Board of Visitors (Board) are conducted in accordance with the *Code of Virginia* § 2.2-3700 et seq., Virginia Freedom of Information Act (as amended 2014), and its Bylaws.

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BOV POLICY # 18 (2016)
PARTICIPATION IN BOARD OF VISITORS MEETINGS IN EVENT
OF EMERGENCY, PERSONAL MATTER, CERTAIN DISABILITIES;
OR DISTANCE FROM MEETING LOCATION

PURPOSE

The purpose of this policy is to establish a written policy, in accordance with *Code of Virginia* § 2.2-3708.2 to allow for and govern participation of Board of Visitors members in meetings by the means of electronic communication, and to specify the requirements for the remote participation.

CONTACT

The Board of Visitors officially interprets this policy.

POLICY CONTENTS

- A. On or before the day of a meeting, a member must (1) notify the Rector that he or she is unable to attend the meeting due to (a) a temporary or permanent disability or other medical condition, or (b) a personal matter, and, (2) in the case of a personal matter, identify with specificity the nature of the personal matter.
- B. The Rector shall recommend approval or disapproval of the participation to the Board of Visitors. If the Board approves the participation by majority vote, it must record in its meeting minutes (1) the fact of the remote participation; (2) the location of the remote participation; (3) whether the remote participation is because of (a) a temporary or permanent disability or other medical condition, or (b) a personal matter; and, (4) in the case of a personal matter, the specific nature of personal matter.
- C. Remote participation by any particular member for personal matters is limited to two meetings each calendar year.
- D. This policy must be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
- E. The Board may deny participation only if participation would violate this policy.
- F. If a member's participation is disapproved, the disapproval and the reason for the disapproval shall be recorded in the minutes with specificity.
- G. The Board of Visitors must make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location



BOV POLICY # 18 (2016)
PARTICIPATION IN BOARD OF VISITORS MEETINGS IN EVENT
OF EMERGENCY, PERSONAL MATTER, CERTAIN DISABILITIES;
OR DISTANCE FROM MEETING LOCATION

H. As in all other cases, a quorum of the Board of Visitors is physically assembled at the primary or central meeting location.

I. This policy shall be effective during ordinary times during which the Governor has declared an emergency pursuant to § 44-146.17. When an emergency has been declared, other provisions of law or declarations of Governor may prevail.

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EDUCATION AND COMPLIANCE

Members of the Board of Visitors shall be made aware of this and other Board of Visitors policies as part of the new Board member orientation process. Any changes to this policy shall be communicated to the Board by the Administration no later than the Board's next scheduled meeting. The Rector shall be responsible for ensuring annual compliance with the provisions of this policy.

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PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- ~~Post the policy on the Board's Website; and~~
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review date: ~~December 2023~~ September 2020
- Approved date: ~~September 28, 2018~~ December 11, 2020



**BOV POLICY # 18 (2016)
PARTICIPATION IN BOARD OF VISITORS MEETINGS IN EVENT
OF EMERGENCY, PERSONAL MATTER, CERTAIN DISABILITIES;
OR DISTANCE FROM MEETING LOCATION**

- Revision History: March 16, 2017; September 15, 2017; [September 28, 2018](#); [December 11, 2020](#)
- Supersedes: None

RELATED DOCUMENTS

- Norfolk State [University Board of Visitors Bylaws](#)

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FORMS

There are no forms associated with this policy.



BOV POLICY # 19 (2017) ASSISTING EMOTIONALLY DISTRESSED STUDENTS

Policy Title: Assisting Emotionally Distressed Students
Policy Type: Board of Visitors
Policy No.: BOV Policy # 19 (2017)
Approved Date: ~~September 15, 2017~~ December 11, 2020
Responsible Office: Counseling Center
Responsible Executive: Vice President for Student Affairs
Applies to: University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under the *Code of Virginia* § 23.1-1300 et seq. to, among other things, make ~~all necessary regulations and~~ policies ~~and procedures~~ concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. Section 23.1-802 of the *Code of Virginia* (the *Code*) requires that the governing board develop and implement policies that (i) advise students, faculty, and staff (which include residence hall staff), of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior and (ii) provide for training where appropriate. “This policy also provides procedures for notifying the University’s student health or counseling center when providing assistance to students that are a perceived threat of harm to self or others, present signs of emotional distress; and/or exhibits suicidal tendencies or behavior, or exhibits the inability to care for basic human needs. “No student shall be penalized or expelled solely for attempting to commit suicide, or seeking mental health treatment for suicidal thoughts or behaviors.

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BOV POLICY # 19 (2017) ASSISTING EMOTIONALLY DISTRESSED STUDENTS

CONTACTS

The Vice President for Student Affairs officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Vice President for Student Affairs is the Executive responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Counseling Center staff.

POLICY CONTENTS

When assisting a student who may be emotionally distressed, attempts suicide, makes a threat or gesture of suicide, harms or attempts to harm him/herself, or undergoes severe emotional distress (e.g., student reports having hallucinations and/or discloses delusional thought content), the procedures for assisting emotionally distressed students must be followed. The established procedures are outlined on the Counseling Center website at <http://www.nsu.edu/counselingcenter/referrals> and shall be made available in the Division of Student Affairs offices. These procedures must be reviewed on an annual basis and available on the University's website a page with other information dedicated solely to the mental health resources available to students at Norfolk State University.

Members of the University Community who come in contact with a student of concern must contacting the NSU Counseling Center at 757-823-8173 or the NSU Police Department at 757-823-9000. The NSU Police should be immediately notified if a student is disruptive, has placed other members of the University Community in immediate danger, and/or threatens to harm him/herself or others, or if such incident occurs after business hours.

EDUCATION AND COMPLIANCE

The Counseling Center shall make available to all employees training on the requirements of this policy on an annual basis. Records of training will be maintained in the Counseling Center.

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PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community affected by the Policy as soon as feasible;
2. Submit the policy for inclusion in the online Policy Library within 14 days of Board approval; and
3. Post the policy on the appropriate SharePoint Site and/or Website.
Failure to satisfy procedural requirements does not invalidate this policy.



BOV POLICY # 19 (2017) ASSISTING EMOTIONALLY DISTRESSED STUDENTS

REVIEW SCHEDULE

Next Scheduled Review: ~~September 2023~~ December 2023

Approved date: ~~September 15, 2017~~ December 11, 2020

Revision History: August 29, 2008; August 28, 2017, September 15, 2017; December 11, 2020

Supersedes: Policy # 24.002 Assisting Emotionally Distressed Students (2008)

RELATED DOCUMENTS

- Code of Virginia § 23.1-802
<https://law.lis.virginia.gov/vacode/title23.1/chapter8/section23.1-802/>
- NSU Counseling Center Website <https://www.nsu.edu/counselingcenter/counseling>
- ~~NSU Counseling Center, Assisting Emotionally Distressed Students Procedures. Link: <https://www.nsu.edu/policy/bov-19.aspx>~~

FORMS

There are no forms associated with this policy.

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BOV POLICY #20 (2017) PARENTAL NOTIFICATION OF DEPENDENT STUDENTS IN INSTANCES OF PSYCHOLOGICAL EMERGENCY

Policy Title: Parental Notification of Dependent Students in Instances of Psychological Emergencies

Policy Type: Board of Visitors

Policy Number: BOV Policy # 20 (2017)

Approval Date: December 11, 2020~~September 15, 2017~~

Responsible Office: Counseling Center and Spartan Health Center

Responsible Executive: Vice President for Student Affairs

Applies to: Campus Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under the Code of Virginia § 23.1-1301 et seq. to, among other things, make all necessary regulations and policies ~~and procedures~~ concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. Section 23.1-1303 (B)(4) of the Code of Virginia (the Code) requires that the governing board establish policies and procedures requiring the notification of the parent of a dependent student when such student receives mental health treatment at the institution's student health or counseling center, and such treatment becomes part of the student's educational record in accordance with the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and may be disclosed without prior consent as authorized by the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations (34 C.F.R. Part 99). This policy establishes requirements for the institution for parental notification of tax-dependent students in instances of psychological emergencies.

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BOV POLICY #20 (2017) PARENTAL NOTIFICATION OF DEPENDENT STUDENTS IN INSTANCES OF PSYCHOLOGICAL EMERGENCY

CONTACT(S)

The Vice President for Student Affairs officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Vice President for Student Affairs is the Executive responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures.

DEFINITIONS

Dependent Student: means a student under the age of 24 who is claimed for federal income tax purposes as a dependent by his/her parents.

POLICY CONTENTS

Section 23.1-1303(B)(4) of the Code of Virginia requires a parent of dependent student to be notified in the following instances:

- (a) When such student receives mental health treatment at the institution's student health or counseling center; **and**
- (b) When such treatment becomes part of the student's educational record in accordance with the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and may be disclosed without prior consent as authorized by the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations (34 C.F.R. Part 99); and
- (c) if it is determined that there exists a substantial likelihood that, as a result of mental illness the student will, in the near future, (i) cause serious physical harm to themselves or others as evidenced by recent behavior or any other relevant information or (ii) suffer serious harm due to his/her lack of capacity to protect themselves from harm or to provide for his/her basic human needs.

Such notification may be withheld if any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions who is treating the student has made a part of the student's record a written statement that, in the exercise of his/her professional judgment, the notification would be reasonably likely to cause substantial harm to the student or another person.

The Norfolk State University Counseling Center and Spartan Health Center shall notify the Vice President for Student Affairs (or his/her designee) at the earliest known opportunity whenever a student is treated by their respective offices and meets the criteria for parental notification under Code of Virginia § 23.1-1303(B)(4). This notification must be documented in writing.



BOV POLICY #20 (2017) PARENTAL NOTIFICATION OF DEPENDENT STUDENTS IN INSTANCES OF PSYCHOLOGICAL EMERGENCY

The Vice President for Student Affairs (or his/her designee) is responsible for contacting the parent of any such dependent student. The Vice President for Student Affairs (or his/her designee) is also responsible for reviewing this policy.

Upon making a disclosure pursuant to the Code, Norfolk State University and its employees are not civilly liable for any harm resulting from such disclosure unless such disclosure constitutes gross negligence or willful misconduct by the institution or its employees.

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EDUCATION AND COMPLIANCE

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The Counseling Center shall make available to all employees training on the requirements of this policy on an annual basis. Records of training will be maintained in the Counseling Center.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December~~ September 2023-2024
- Approval by, date: Board of Visitors, ~~September 15, 2017~~; December 11, 2020
- Revision History: August 29, 2008; August 28, 2017; September 15, 2017; December 11, 2020

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Supersedes: Policy # 24.001 Parental Notification of Tax-Dependent Students in Instances of Psychological Emergency (2008); Policy #24-01 Parental Notification of Tax-Dependent Students in Instances of Psychological Emergency (2014)

RELATED DOCUMENTS

- Code of Virginia § 23.1-1303(B)(4) (eff. Oct. 1, 2016)

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FORMS

There are no forms associated with this policy.



BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

Policy Title: Communicable Disease Protocol
Policy Type: Board of Visitors
Policy No.: BOV Policy # 21 (2016)
Approved Date: September 23, 2016
Responsible Office: Spartan Health Center
Responsible Executive: Vice President for Student Affairs
Applies to: University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under the *Code of Virginia* § 23- 174.6 and § 23-9.2:3 to, among other things, make all necessary policies and procedures concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. This policy describes the protocols to be administered in the event of a communicable disease outbreak on campus or within the University community in accordance with [Code of Virginia § 32.1-116.3](#). The protocols are also identified in the most recent version of the [Crisis Emergency Management Plan](#), under the Section XXII Functional Annex – # 7 Infectious Disease (see attached Annex 7).

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BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

DEFINITIONS:

Communicable Disease: means any airborne infection or disease, including, but not limited to, Covid-19 (SARS-COV2 virus infection), tuberculosis, measles, certain meningococcal infections, mumps, chickenpox and Hemophilus Influenzae Type B, and those transmitted by contact with blood or other human body fluids, including, but not limited to, human immunodeficiency virus, Hepatitis B and Hepatitis C (*Code of Virginia § 32.1-116.3*).

CONTACT(S)

The Vice President for Student Affairs and the Medical Director of the Spartan Health Center officially interpret this policy. The Vice President for Student Affairs is the Executive responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Spartan Health Center.

POLICY CONTENTS

In accordance with the Code of Virginia, section 32.1-116.3, Reporting of Communicable Disease, the University is required to:

- (a) Obtain the immunization status of all new incoming freshmen, transfer, and graduate students, facilitated by the Student Health Center; appropriate waivers for Religious belief exemptions will be obtained
- (b) Report all reportable communicable diseases to the Virginia Department of Health (VDH) and cooperate with local VDH public health investigators while maintaining individual HIPAA privacy regulations facilitated by the Student Health Center/Health Center Annex

Spartan Health Center and/or Health Center Annex staff shall notify the Vice President for Student Affairs (or his/her designee) at the earliest known opportunity whenever it is determined a communicable disease meets the definition/criteria of an outbreak. This notification must be documented in writing.

STAKEHOLDER (S) (FOR ADMINISTRATIVE POLICY)

Not associated with this policy and procedures.

EDUCATION AND COMPLIANCE

The Board of Visitors shall make available to the University community this policy by inclusion in the online Policy Library and the Board's Website. Education and training for all stakeholders and appropriate audiences on the policy's content will occur, as necessary. This policy will be maintained as a part of the Board of Visitors Policy. In accordance with Code of Virginia § 32.1-116.3 Reporting of Communicable Disease, the Spartan Health Center, shall submit reports required by the Virginia Department of Health.

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BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive or Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the policy on the Board's Website and;
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

REVIEW SCHEDULE

- Next Scheduled Review: September 2021
- Approved date: September 15, 2017
- Revision History: September 11, 2009; June 24, 2014; September 23, 2016; September 18, 2020; **December 7, 2020**
- Supersedes: Policy # 27.006 Communicable Disease Protocol and Policy (2014)

RELATED DOCUMENTS

- *NSU Crisis Emergency Management Plan (as revised 2016)*. LINK: <https://www.nsu.edu/Assets/websites/police/Crisis-Emergency-Management-Plan.pdf>
- Functional Annex AN7, Infectious Disease (see p. 4 of this Policy)
- *Code of Virginia § 32.1-116.3* Reporting of communicable diseases; definitions. <http://law.lis.virginia.gov/vacode/title32.1/chapter4/section32.1-116.3/>

FORMS

There are no forms associated with this policy and procedures.



BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

NSU CRISIS EMERGENCY MANAGEMENT PLAN

Functional Annex (pp. 70-72)

INFECTIOUS DISEASE	AN7
Primary University Respondents	Spartan Health Center
Supporting Area / Agencies	Norfolk Department of Health, Virginia Department of Emergency Management; Centers for Disease Control (CDC); World Health Organization (WHO)
Documents and Policies	BOV Policy # 21 (2016) Communicable Disease Protocol Centers for Disease Controls and Prevention- Emergency Preparedness and Response https://emergency.cdc.gov/index.asp Virginia Department of Health Emergency Preparedness https://www.vdh.virginia.gov/emergency-preparedness/
Hazard Specific Appendices/SOP	Infectious Diseases, Biological Agents and Food Poisoning

Purpose:

To establish procedures for an appropriate response level to a possible occurrence of an infectious disease outbreak at the University.

Scope of Work:

To identify the responsibilities and expected activities of all University, local, state and/or federal agencies that may be involved in responding to this situation.

Situation and Assumptions:

1. As an open campus community with a majority commuting population the likelihood that an outbreak of an infectious disease is possible.
2. Awareness and notification that such a circumstance is imminent could potentially arrive through:
 - a. Sick student(s) seeking medical assistance from the Spartan Health Center because an awareness of a pattern or reoccurrence of symptoms becomes evident



BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

- b. Notification from the Norfolk Health Department (NHD) or other local health departments because NSU is an open community
- c. Information from local hospitals of increased frequency of visits for common symptoms
- d. Notification from regional or federal CDC agencies

3. Depending on the magnitude of the spread of the disease, assistance and/or management of the response may be requested and/or assumed by local or state health care agencies.

Concept of Operations:

1. The Command Center for response to the situation would be located in the Spartan Health Center.
2. All responses to treatment areas will be under the direction of the medical personnel in the Spartan Health Center or if medically indicated and/or beyond the scope of practice, then under the direction of local or state medical personnel.
3. The Spartan Health Center, Emergency Response personnel, and the trained core of volunteers are to be called to report to the Command Center, issued appropriate protective wear and assigned duties and responsibilities in response to the emergency based on need. The Risk Management team will supply the necessary PPE.
4. If the nature and magnitude of the disease is such that transport to local medical facilities is not available, previously identified locations would be utilized for observation, isolation and treatment. Mass Care and Sheltering-in-Place protocols and procedures would be implemented.
5. If transport is available, The Spartan Health Center and University Police would coordinate the transport of individuals to local medical facilities. Evacuation procedures and protocols would be implemented.
6. Transportation arrangements include:
 - a) area emergency rescue service
 - b) local ambulance services
 - c) local fire department

Organization and Assignment of Responsibilities:

1) If it is decided that a biological epidemic or emergency exists, the Medical Director of the Spartan Health Center, along with the staff of the Center, will use appropriate references to form a plan of action (e.g., Control of Communicable Diseases Manual, Virginia State Health Division of Epidemiology Immunization Program. See also Spartan Health Center Clinical Manual for more



BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

information on Clinical Recognition and Management of Suspected Bioterrorism Events). Contacts with the Center for Disease Control and the World Health Organization (foreign travel alerts) may be made as directed by the Norfolk Health Department.

2) In the event that a biological epidemic or emergency is determined to exist, the Vice President for Student Affairs will request that the Emergency Operations Management Coordinator(s) be convened. At that meeting, the Emergency Operations Management Coordinator(s) will be briefed about the recommendations and requirements of the Norfolk Health Department. Should quarantine, mass screening, mass post exposure prophylaxis or closing of the University be recommended, activation of protocols and procedures will take place at that time. The Vice Presidents, through the deans and directors, will make notification to the campus community and the public. **The Vice President for Operations/Chief Strategist for Institutional Effectiveness will coordinate efforts with the media.**

If a case of bacterial meningitis or other reportable communicable disease is diagnosed, the Virginia Department of Health will be notified by medical personnel via the online reporting portal, phone or fax. Laboratories are also required to report all positive reportable communicable test results to the Virginia Department of Health.

<https://www.vdh.virginia.gov/surveillance-and-investigation/commonwealth-of-virginiastate-board-of-health/>

Contact tracing is done by public health officials to recommend antibiotic prophylaxis for close contacts. The Medical Director of the Spartan Health Center will assist with contact tracing and initiation of prophylactic antibiotics for students who are identified as close contacts of the original case.

Direction and Control:

- 1) External assistance will be requested as necessary by the Spartan Health Center.
- 2) A command post shall be established at the Spartan Health Center.
- 3) If the situation warrants the opening of the NSU and/or Norfolk Emergency Operations Center, the Incident Commander shall assure that communications with the respective Emergency Operations Center (EOC) are established and they or a designee shall go to the respective EOC to provide information and coordination.
- 4) Direction and Control, as a function, is covered in Section XV of this core plan. Continuity of command as described in Section XI Emergency Notification Protocol and Section XVI Incident Command of this core plan applies to this Annex.



BOV POLICY # 21 (2016) COMMUNICABLE DISEASE PROTOCOL

Administration and Logistics:

- 1) The University provides for accountability of its response efforts through the University Police, Office of Risk Management and the Office of Environmental Health and Safety.
- 2) External agency memoranda of understanding (MOU) agreements specific to automatic and/or mutual aid exist or are pending with numerous adjacent jurisdictions, and include:
 - a) City of Norfolk Police Department
 - b) City of Norfolk Emergency Services
 - c) City of Norfolk Fire and Rescue
 - d) City of Norfolk - Norfolk 911 Emergency Dispatch

Annex Development and Maintenance:

The Leader of the Emergency Operations Management Team has overall responsibility for Annex development and maintenance. The Emergency Operations Management Team Leader will be responsible for keeping this plan up to date by an annual review.

The Emergency Operations Planning Committee developed this Annex to support the NSU Emergency Operations Plan (CEMP). It is implemented with the approval and knowledge of individuals and organizations with assignments or responsibilities under the annex.

Following any exercise, actual emergency or disaster, the Emergency Operations Management Team will determine if this Annex provided satisfactory support and make recommendations accordingly. The President or Emergency Management Operations Team Leader may call a meeting of University response personnel in order to adjust the Annex to reflect emergency actions or recommend changes in procedures to improve its effectiveness. This Annex will be revised whenever any significant change occurs, or at least annually, as a part of the general CEMP review and revision process.



**BOV POLICY # 22 (2017) VIOLENCE PREVENTION COMMITTEE AND
THREAT ASSESSMENT TEAM**

Policy Title: Violence Prevention Committee and Threat Assessment Team
Policy Type: Board of Visitors
Policy No.: BOV Policy # 22 (2017)
Approved Date: ~~September 15, 2017~~ [December 11, 2020](#)
Responsible Office: Police Department
Responsible Executive: Vice President for Finance and Administration
Applies to: University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is committed to preventing violence on campus and ensuring a safe working and learning environment for the University Community at all times. In furtherance of [Code of Virginia § 23.1-805](#), the Board has established and implemented a Violence Prevention Committee and Threat Assessment Team at Norfolk State University to assess and intervene with individuals whose behavior poses a threat to the safety of the University Community.

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PURPOSE

The purpose of this policy is to define the structure of the Norfolk State University Violence Prevention Committee and the Threat Assessment Team in accordance with [Code of Virginia § 23.1-805](#).



**BOV POLICY # 22 (2017) VIOLENCE PREVENTION COMMITTEE AND
THREAT ASSESSMENT TEAM**

CONTACTS

The Vice President for Finance and Administration officially interprets this policy and is responsible for matters pertaining to the policy as it relates to the University. The Vice President for Finance and Administration is the Responsible Executive for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Chief of Police at Norfolk State University.

POLICY CONTENTS

Violence Prevention Committee

The University shall create a Violence Prevention Committee (VPC) comprised of representatives from the following units: Police Department, Counseling Center, Human Resources Office, Title IX; Student Affairs, Housing and Residence Life, and other units or constituencies as deemed necessary. The Chief of Police (or designee) shall serve as the chair for the VPC. The VPC will consult with University Counsel as necessary.

The University shall also implement a policy for the VPC to, among other things, achieve the following:

- i. provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a physical threat to the community;
- ii. identify members of the campus community to whom threatening behavior should be reported;
- iii. establish policies and procedures that outline circumstances under which all faculty and staff are required to report behavior that may represent a physical threat to the community, provided that such report is consistent with state and federal law; and
- iv. establish policies and procedures for:
 - a. the assessment of individuals whose behavior may present a threat,
 - b. appropriate means of intervention with such individuals, and
 - c. sufficient means of action, including interim suspension, referrals to community services boards or health care providers for evaluation or treatment, medical separation to resolve potential physical threats, and notification of family members or guardians, or both, unless such notification would prove harmful to the individual in question, consistent with state and federal law (Code of Virginia § 23.1-805 (C)).



BOV POLICY # 22 (2017) VIOLENCE PREVENTION COMMITTEE AND THREAT ASSESSMENT TEAM

Threat Assessment Team

A threat assessment and response team (also known as the Threat Assessment Team or TAT) shall be established to implement the assessment, intervention, and action policies set forth by the VPC. The TAT shall consist of the Chief of Police, Provost and Vice President for Academic Affairs (or designee), Human Resources Office/Title IX, Dean of Students, Director of the Counseling Center, Director of Housing and Residence Life, University counsel (if available); and other individuals or organizational representatives as needed. The Chief of Police serves as the chair of the TAT. University Counsel shall consult with the TAT as needed.

The TAT shall establish relationships or utilize existing relationships with mental health agencies and local and state law-enforcement agencies to expedite assessment of and intervention with individuals whose behavior may present a threat to safety. Upon a preliminary determination that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or a need for assistance, the TAT may obtain criminal history record information as provided in *Code of Virginia* §§ [19.2-389](#) and [19.2-389.1](#) and health records as provided in *Code of Virginia* § [32.1-127.1:03](#). No member of the TAT shall redisclose any criminal history record information or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community affected by the this policy as soon as feasible;
2. Submit the policy for inclusion in the online Policy Library within 14 days of approval by the Board; and
3. Post the policy on the appropriate SharePoint Site and/or Website.

Failure to satisfy procedural requirements does not invalidate this policy.

EDUCATION AND COMPLIANCE

Annual training on this policy to responsible members regarding recognition of threatening or aberrant behavior that may represent a physical threat to the community and the procedures to report same. Members of the TAT/Violence Prevention Committee will be required to review and acknowledge this policy.

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BOV POLICY # 22 (2017) VIOLENCE PREVENTION COMMITTEE AND THREAT ASSESSMENT TEAM

REVIEW SCHEDULE

- Next Scheduled Review: [December](#) ~~September~~ 2020³
- Approved date: [September 15, 2017](#) [December 11, 2020](#)
- Revision History: August 29, 2008; [September 15, 2017](#); [December 11, 2020](#)
- Supersedes: None

RELATED DOCUMENTS

- [Code of Virginia § 23.1-805 Violence Prevention Committee; Threat Assessment Team](#)
- [Administrative Policy # 47-03 \(2014\) Campus and Workplace Violence Prevention Policy](#)
- [BOV Policy #19 \(2017\) Assisting Emotionally Distressed Students \(LINK\)](#)
- [BOV Policy # 20 \(2017\) Parental Notification of Tax-Dependent Students in Instances of Psychological Emergencies \(LINK\)](#)
- [BOV Policy # 04 \(2017\) Equal Opportunity \(LINK\)](#)
- [BOV Policy # 05 \(2015\) Title IX; Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#)
- [BOV Policy # 06 \(2014\) Statement on Code of Student Conduct](#)

FORMS

There are no forms associated with this policy.

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BOV POLICY #23 (2020) RELEASE OF EDUCATIONAL RECORDS TO PARENTS OF DEPENDENT STUDENTS

Policy Title:	Release of Educational Records to Parents of Dependent Students
Policy Type:	Board of Visitors /Administrative/Local
Policy Number:	BOV Policy # 23 (2020)
Approval Date:	December 11, 2020
Responsible Office:	Office of the Registrar
Responsible Executive:	Vice President for Operations and Chief Strategist for Institutional Effectiveness
Applies to:	University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under the Code of Virginia § 23.1-1300 et seq. to, among other things, make regulations and policies concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. Code of Virginia § 23.1-1303(B)(5) requires the Board of Visitors of every public institution of higher education establish policies and procedures requiring the release of the educational record of a dependent student, as defined by the federal Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. § 1232g), to a parent at his/her request

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BOV POLICY #23 (2020) RELEASE OF EDUCATIONAL RECORDS TO PARENTS OF DEPENDENT STUDENTS

DEFINITIONS

Dependent Student: means a student under the age of 24 who is claimed for federal income tax purposes as a dependent by his/her parents.

Education Records: as defined by FERPA, those records, files, documents, and other materials which contain information directly related to the student; and are maintained by an educational agency or institution or by a person acting for such agency or institution.

FERPA: the acronym for the Family Educational Rights and Privacy Act, originally enacted in 1974 to: (1) assure parents or enrolled students' access to their education records, and (2) protect such individuals' right to privacy by limiting the transferability of their records without their consent. Parents transfer their rights under FERPA to their child when he or she has attained eighteen years of age or is attending an institution of post-secondary education.

Parent: An adoptive parent is treated just like a biological parent, for reporting income and assets, a stepparent is considered a parent if married to a biological or adoptive parent and if the student counts in their household size.

However, a stepparent who did not adopt the student cannot be the sole parent for determining dependency status. If the other parent dies, the student is still a dependent of the remaining biological parent, not the stepparent. If no biological parent remains, the student is independent.

A foster parent or legal guardian is not treated as a parent for Federal Student Aid (FSA) purposes. If at any time since the age of 13, and the students' parents are deceased (and he/she did not have an adoptive parent) or in foster care, he/she is independent. If the student is now or becomes an adult, emancipated minor or in legal guardianship, he/she is independent.

CONTACT(S)

(Office of Enrollment Management) officially interprets this policy. (Office of Enrollment Management) is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to (Office of the Registrar).

STAKEHOLDER(S)

University Community: to include students, Office of the Registrar, Office of Financial Aid, and Student Accounts Office.



BOV POLICY #23 (2020) RELEASE OF EDUCATIONAL RECORDS TO PARENTS OF DEPENDENT STUDENTS

POLICY CONTENTS

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their educational records. The University may disclose any and all education records to parents of dependent students, without the consent of the eligible student, if the student is a dependent for tax purposes under the IRS rules within ten (10) business days.

Any parent requesting information pertaining to his/her dependent child's educational record based on dependency status must provide a written request to the Office of the Registrar with the following information:

- Date of Request
- Student Name
- Copy of most recent year's tax return listing the student as a dependent
- Copy of valid government-issued identification card or passport
- Specific records requested, and
- Signature

Upon receipt of the parent's written request, the Office of the Registrar must notify the student of the request and the intent to disclose the records to the parent. Notifications are made via students' electronic email account. If the student has not signed a [Release of Information Agreement](#) listing the parent as someone the University has permission to disclose his/her educational record to, a reasonable amount of time must be given for the notification to reach the student and for the student to respond.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the **Office of the Registrar** shall make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community effected by the Policy as soon as feasible;
2. Submit the Policy for inclusion in the online Policy Library within 14 days of approval by the Board; and
3. Post the policy on the appropriate SharePoint Site and/or Website

Failure to satisfy procedural requirements does not invalidate this policy.



**BOV POLICY #23 (2020) RELEASE OF EDUCATIONAL RECORDS TO
PARENTS OF DEPENDENT STUDENTS**

EDUCATION AND COMPLIANCE

Currently enrolled students will be required to accept or decline FERPA release of information notifications in MyNSU at the beginning of each fall semester. The request for the Release of Student Information is taken very seriously by the Office of the Registrar, this office will ensure that all provisions are followed as well as, require that all requestors understand the implications of non-compliance to securing all student information. This involves, but is not limited to paper copies, email attachments and all forms of electronic data.

Students may request that Norfolk State University withhold directory information by sending an email to registrar@nsu.edu stating that they do not want any of their information released to a third party. Once a student has filed a request to withhold directory information the Registrar's office will not release the student's directory information to anyone including for such purposes as publication on the Dean's list, listing in commencement bulletins, and requests from prospective employers.

To ensure conformity to the requirements of this policy, two weeks into the semester the Office of the Registrar will email all students who have not accepted or declined the FERPA release of information notification to explain to them the effects of not doing this.

REVIEW SCHEDULE

- Next Scheduled Review: December 2023
- Approval by, date: December 11, 2020
- Revision History: September 15, 2017; December 11, 2020
- Supersedes:

RELATED DOCUMENTS

[Family Educational Rights and Privacy Act \(FERPA\)](#)

FORMS

[Release of Information Form](#)



BOV POLICY #24 (2016) STATEMENT ON IDENTITY THEFT PREVENTION

Policy Title:	Statement on Identity Theft Prevention
Policy Type:	<u>Board of Visitors</u> this link works
Policy No.:	Board of Visitors Policy # 24 (2016)
Approved:	<u>December 11, 2020</u> September 23, 2016
Responsible Office:	University Controller
Responsible Executive:	Vice President for Finance and Administration
Applies to:	University Community

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POLICY STATEMENT

The Norfolk State University Board of Visitors has directed the Division of Finance and Administration to implement Federal regulations, commonly referred to as the "Red Flags Rule," to combat identity theft. The Red Flags Rule was issued in 2007 by the Federal Trade Commission and federal banking regulatory agencies under [Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003, Public Law 108-159](#). Certain entities (as defined in these regulations) are required to develop a written program which includes reasonable policies and procedures to identify, detect, and respond to relevant red flags for covered accounts to prevent and mitigate identity theft.

The Identity Theft Prevention Program is implemented in [Administrative Policy # 41-07 \(2014\)](#) with the goal of helping to protect the institution, faculty, staff and students and other applicable constituents from damages related to the loss or misuse of identifying information due to identity theft.

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<https://www.govinfo.gov/content/pkg/CFR-2012-title16-vol1/pdf/CFR-2012-title16-vol1-part681.pdf>

Federal Trade Commission

(c) *Timing of the renewal notice*—(1) *general*. A renewal notice may be provided to the consumer either—
(i) A reasonable period of time before the expiration of the opt-out period
(ii) Any time after the expiration of the opt-out period but before solicitations that would have been prohibited by the expired opt-out are made to consumer.

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BOV POLICY #24 (2016) STATEMENT ON IDENTITY THEFT PREVENTION

PURPOSE

The purpose of the Identity Theft Prevention Program policy is to help detect, prevent and mitigate identity theft in connection with any covered account at Norfolk State University.

CONTACTS

The University Controller officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Vice President for Finance and Administration is the Executive responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to the University Controller.

IDENTITY THEFT PREVENTION PROGRAM POLICY CONTENTS

The University shall establish an Identity Theft Prevention Program to help detect, prevent and mitigate identity theft in connection with any covered account. (see [Administrative Policy # 41-07 \(2014\) Identity Theft Prevention Program](#)). An Identity Theft Committee (ITC) shall be established to develop a program which is comprised of existing University policies and procedures that relate to identity theft and incident reporting, along with a plan for the development of new policies and procedures in specific areas. The ITC shall be chaired by the University Controller and include the following individuals (or designees): Controller, Assistant Controller, Bursar, ARMICS Coordinator, Chief Information Officer, Associate Vice President for Human Resources, Associate Vice President for Enrollment Management and University Compliance Officer. The ITC shall report annually, and as requested, to the Finance and Administration Committee of the Board and the President.

The Identity Theft Prevention Program shall include reasonable policies and procedures that control reasonably foreseeable risks by:

1. Identifying relevant red flags for covered accounts it offers or maintains and incorporating those red flags into the program;
2. Detecting red flags that have been incorporated into the Program;
3. Responding appropriately to any red flags that are detected to prevent and mitigate identity theft; and
4. Ensuring the Program is updated periodically to reflect changes in risks to students and employees, and to the safety and soundness of the creditor from identity theft.

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BOV POLICY #24 (2016) STATEMENT ON IDENTITY THEFT PREVENTION

EDUCATION AND COMPLIANCE

Education on red flags rules will be provided through the financial and administration forums. To ensure conformity of the requirement of this policy, the office of the Vice President of Finance will monitor for compliance with this policy annually.

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PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

1. Communicate the policy in writing, electronically or otherwise, to the University community affected by this policy as soon as feasible;
2. Submit the policy for inclusion in the online Policy Library within 14 days of approval; and
3. ~~Post the policy on the appropriate SharePoint Site and/or Website.~~

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2023~~
- Approved date: ~~September 15, 2017~~; **December 11, 2020**
- Revision History: September 23, 2009; May 5, 2010; September 23, 2016; ~~September 15, 2017~~; **December 11, 2020**
- Supersedes: Policy # 41.216 Identity Theft Prevention Program (2010)

RELATED DOCUMENTS

- [Federal Trade Commission- Part 681- Identify Theft Rules](#)
- ~~[Administrative Policy # 41-07 Identity Theft Program](#)~~<https://www.nsu.edu/policy/admin-41-07.aspx>~~Administrative Policy # 41-07 Identity Theft Program~~

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Microsoft Word

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The Internet site reports that the item you requested could not

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FORMS

There are no forms associated with this policy.



BOV POLICY # 25 (2016) AWARD OF COLLEGE CREDIT FOR ADVANCED PLACEMENT, CAMBRIDGE ADVANCED, COLLEGE-LEVEL EXAMINATION PROGRAM, AND INTERNATIONAL BACCALAUREATE EXAMINATIONS

Policy Title: Policy on Awarding of College Credit for Advanced Placement, Cambridge Advanced Examinations, College-Level Examination Program, and International Baccalaureate Examinations

Policy Type: Board of Visitors

Policy No.: BOV Policy #25 (2016)

Approved Date: ~~September 23, 2016~~ [December 11, 2020](#)

Responsible Office: Enrollment Management

Responsible Executive: ~~Vice President for Operations and Chief Strategist for Institutional Effectiveness~~

Applies to: University Community

POLICY STATEMENT

The Norfolk State University Board of Visitors complies with [Code of Virginia § 23-9.2:3-10 23.1-906 \(eff. July 1, 2016\)](#) and [the State Council of Higher Education for Virginia's \(SCHEV\) Policy on Course Credit for AP, Cambridge, CLEP and IB](#) (2015) for granting undergraduate course credit to entering freshmen students who have taken one or more Advanced Placement (AP), Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate (IB) examinations. The *Code* requires each the governing board to establish a policy which:

1. Outlines the conditions necessary to grant course credit, including the minimum required scores on such examinations;
2. Identifies each Norfolk State University's course credit or other academic requirements that the student satisfies by achieving the minimum required scores on such examinations; and
3. Ensures, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

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BOV POLICY # 25 (2016) AWARD OF COLLEGE CREDIT FOR ADVANCED PLACEMENT, CAMBRIDGE ADVANCED, COLLEGE-LEVEL EXAMINATION PROGRAM, AND INTERNATIONAL BACCALAUREATE EXAMINATIONS

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CONTACT

The Associate Vice President for Enrollment Management officially interprets this policy and is responsible for obtaining approval for any revisions as required by BOV Policy #01 (2014) Creating and Maintaining Policies through the appropriate governance structures. Questions regarding this policy should be directed to the Office of Enrollment Management.

POLICY CONTENTS

Norfolk State University accepts the stringency and thoroughness that the curricula of the Advanced Placement (AP), Cambridge Advanced (A/AS Level), College-Level Examination Program (CLEP), and International Baccalaureate (IB) programs provide to high school students. Students who earn qualifying scores in AP, A/AS, CLEP or IB subject examinations may have those credits transferred as equivalent course credits at Norfolk State University. This policy does not apply to freshmen students applying to or who are admitted into the Dozoretz National Institute for Mathematics and Applied Sciences (DNIMAS) at Norfolk State University for the Math, Sciences, and English courses.

Norfolk State University will review AP, Cambridge, CLEP, and IB exams in comparison to its course offerings and curricular requirements to determine the proper grant of credit for each level of performance at or above the minimal specified:

- 3 or higher on an Advanced Placement examination
- 4 or higher on a higher level International Baccalaureate examination
- 5 or higher on a standard level International Baccalaureate examination
- 50 or higher on a CLEP examination
- C or higher on a Cambridge Advanced examination

The grant of maximum credit for each level of performance on each assessment consistent with the faculty's review of the content of the assessment and its alignment with the following criteria:

1. Institutional curriculum and academic standards;



BOV POLICY # 25 (2016) AWARD OF COLLEGE CREDIT FOR ADVANCED PLACEMENT, CAMBRIDGE ADVANCED, COLLEGE-LEVEL EXAMINATION PROGRAM, AND INTERNATIONAL BACCALAUREATE EXAMINATIONS

2. Qualitative and quantitative student success data; and
3. Institutional persistence and completion patterns.

Additional considerations

Students may earn the maximum credit consistent with the likelihood of student success and with the faculty's judgment of consistency with the institution's curriculum and academic standards.

The faculty is responsible for specifying all curricular equivalencies for each level of performance on each assessment, to include (but not limited to) the following considerations:

- A. number of course credits granted;
- B. course designation(s) for which credit is granted;
- C. general education, program, or other degree requirements satisfied; and
- D. program-based exceptions to A through D.

NSU is not required to award course credit for performance on an assessment whose subject matter is not offered in its curriculum.

Process

Student must request official scores for AP, A/AS, CLEP, or IB examinations be sent directly to Norfolk State University Admissions Office, 700 Park Avenue, Norfolk, Virginia 23504.

The Admissions Office will evaluate the AP, A/AS, CLEP, and IB transcript scores/grades and generate the *Certificate of Advanced Standing* that will be sent to the student and the selected academic department within six (6) weeks of receipt.

Education and Compliance

Bi-annual enrollment information sessions will be conducted with faculty to address the process for prospective students to receive college credit from standardized testing. Enrollment Management will work in conjunction with the academic departments to ensure compliance.

Failure to comply will result in the faculty being reported to the appropriate academic administrator within the department.

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BOV POLICY # 25 (2016) AWARD OF COLLEGE CREDIT FOR ADVANCED PLACEMENT, CAMBRIDGE ADVANCED, COLLEGE-LEVEL EXAMINATION PROGRAM, AND INTERNATIONAL BACCALAUREATE EXAMINATIONS

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the appropriate SharePoint Site and/or Website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to meet the publication requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December~~ September 2023
- Approved date: September 15, 2017; December 11, 2020
- Revision History: July 1, 2015; May 4, 2014; September 15, 2017; December 11, 2020
- Supersedes: Administrative Policy #31-14 (2014); Policy #31-101

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RELATED DOCUMENTS

- [Code of Virginia § 23-9.23:10 23.1-906 \(eff. July 1, 2016\)](#)
- [State Council of Higher Education for Virginia's \(SCHEV\) Policy and Guidelines \(2015\)](#)

FORMS

There are no forms associated with this policy and procedures.

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BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

Policy Title: Statement on Political Activities on Campus

Policy Type: Board of Visitors

Policy No.: BOV Policy # 26 (2016)

Approval Date: ~~September 23, 2016~~ December 11, 2020

~~September 23, 2016~~ **Responsible Office:** Office of the President
Responsible Executive: President

Applies to: University Community

POLICY STATEMENT

Norfolk State University (NSU or University) is committed to complying with Internal Revenue Service regulations that prohibit the use of University resources in connection with political campaign activities. State time and resources must be properly used in furtherance of the business of the Commonwealth and not spent on political activities, including activities that support or oppose a political party, a candidate for elective office, or a ballot question. NSU is also committed to free and open discussion of ideas and opinion and encourages active citizenship. It is therefore important that the University Community, including appointees and state employees, abide by laws and policies requiring separation of state business and any political activity.

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PURPOSE

As a publicly-supported state institution, Norfolk State University is prohibited by federal law



BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

from participating in or attempting to influence campaigns for any elective public office or any political initiative (such as a public referendum). The University may not endorse a candidate or ballot proposal, provide or solicit financial or other support for candidates or political organizations, or establish political action committees. This Statement on Political Activities on Campus is adopted to make clear the Board’s position on political activities on campus and to direct the Administration to establish best practices for the University. The President is delegated the authority to establish and promulgate rules and procedures pertaining to this policy.

CONTACT

The President officially interprets this Policy and is responsible for matters pertaining to this Policy as it relates to the University Community. The President is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Please direct questions pertaining to this Policy to the Office of the President.

DEFINITIONS

Candidate: means a person who seeks or campaigns for an office of the Commonwealth or one of its governmental units in a general, primary, or special election and who is qualified to have his/her name placed on the ballot for the office.

Gift: means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. (See [Code of Virginia § 2.2-3101](#) for examples of prohibited services or gifts, and exceptions).

University Community: includes all Board of Visitors members, administrators, faculty, staff, students, student employees, student organizations, contractors, agents, and volunteers of Norfolk State University.

POLITICAL ACTIVITIES ON CAMPUS

In General

The Internal Revenue Code prohibits the University from participating or intervening directly or indirectly in any political campaign activity or supporting any such activity. To maintain adherence to this prohibition, the following guidelines govern the university’s faculty and staff (“employee” or “employees”) in their relation to political campaign activities:

1. The name, marks, and seal of the University or any of its schools or other units may not be used on letters or other written materials, (including through the use of social media) intended for support for a political campaign on behalf of or against any candidate for public office, political party, or political action committee, including the solicitation of funds for such purpose or activities. This includes a prohibition on use of University letterhead, envelopes, email accounts, telephone lines, and voicemail systems for communication.

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BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

2. University employees may not state or imply orally or in writing that they are speaking for or on behalf of the University when expressing support for or opposition to a candidate for public office, and should state explicitly that they are speaking as individuals, not on behalf of the University. This prohibition includes oral or written statements made using social media. University titles should be used for identification only.
3. No University office and no employee's office may be used as a return mailing address for the solicitation of funds for political campaigns on behalf of or against any candidate for public office or the solicitation of an endorsement of any candidate for public office, political party, or political action committee.
4. University funds, duplication machines, computers, telephones, fax machines, or other equipment or supplies may not be used on behalf of or against any candidate for public office, political party, or political action committee.
5. University facilities (office space, meeting rooms, lecture halls, etc.) in general may not be used on behalf of or against any candidate for public office, political party, or political action committee. If a University facility is regularly made available to non-University groups, however, such facilities may be made available for political campaign activities if:
 - (a) the facility is provided on the same terms and conditions governing the use for purposes other than political campaign activities, and
 - (b) the facility is made available on an equal basis to other candidates.
6. University web pages and social media accounts may not be used on behalf of or against any candidate for public office, political party, or political action committee.
7. No employee of the University may perform tasks in any way related to a political campaign for public office, a political party, or political action committee in their capacity as a University employee, nor should any employee be coerced to engage in any type of political activities, including monetary contributions.

Nothing in this policy prohibits University employees from participating in political activity in their individual capacity separate from their relationship to the University. In addition to the restrictions set forth above, any such political activity should be performed:

- (a) outside of normal work hours,
- (b) during a leave of absence without pay taken with the University's approval,
- (c) during a sabbatical leave, or
- (d) within ordinary work hours, if the time is charged to vacation time to which the person is then entitled.



BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

Faculty and Staff

Faculty members are entitled to engage freely in political activity consistent with obligations as teachers and scholars. The political positions assumed by members of the faculty are personal ones, and faculty members must ensure that they do not necessarily, nor even inferentially, imply that such positions are endorsed by the University. For this reason, a faculty member should avoid expressing such political positions on University letterhead.

Many kinds of political activity are consistent with effective public service and the University encourages such service. Some activities may involve so much time as to affect adversely the faculty member's ability to perform expected academic responsibilities. In that situation a faculty member should seek a leave of absence. The Deans and Vice Presidents are responsible for determining whether a given kind of public service will require modification of a faculty member's full-time employment status or will require some form of leave of absence. Such a leave of absence, should it be required, shall not affect unfavorably the tenure status of a faculty member and must be properly documented.

Campaigning For and Serving in a Public Office

Faculty and staff members may campaign for themselves and serve in elective or appointive public office, provided their activities do not interfere with their university responsibilities and commitments or otherwise conflict with University policies. Faculty and staff members, however, must ensure that their campaigning and positions are neither misunderstood nor communicated as being endorsed by the University either directly or inferentially. As stipulated in this policy, University resources (including, but not limited to, University letterhead, email accounts, equipment and staff) may be used to support only the mission of the institution.

Faculty Responsibilities: Faculty are expected to inform their immediate supervisor, Dean, and, if applicable, Vice President in a timely fashion prior to seeking election to or campaigning for public office, so that the University may ensure that instructional and other duties will at all times be properly performed and managed.

A leave of absence for personal reasons may be authorized if the campaign requires either more time than would customarily be allowed for consulting activity, or for protracted absences from the City of Norfolk or other regular University worksite. Such leave may be given for the duration of an election campaign or a term of office, on timely application, and for a reasonable period of time upon approval by the immediate supervisor, Dean, and the responsible Vice President. The terms of such leave will be set forth in writing, and will not affect unfavorably the tenure status of a faculty member; the time spent on such leave will not count toward the probationary period for faculty on the tenure track. A leave of absence shall be without pay, though a faculty member may credit such time against available annual leave.

Staff Responsibilities: Staff members are expected to inform their immediate supervisor in a timely fashion prior to seeking election to public office. Staff members are expected to limit campaigning to off-duty hours; any campaign activity engaged in during work hours must be charged to personal



BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

leave or unpaid leave subject to supervisor approval. If elected, the term must be served during off-duty hours or must be charged to personal leave or unpaid leave subject to supervisor approval.

Employees Employed with Federal Funds

Executive branch employees who are principally employed in connection with programs financed in whole or in part by loans or grants made by the United States or a federal agency may be covered by the 1993 Hatch Act. *(See Office of Special Counsel website for additional information.)* State employees whose salaries are funded 100% by federal funds are covered by the Hatch Act and may not be candidates for office in a partisan election. However, they may actively campaign for candidates for public office in partisan and nonpartisan elections and may contribute money to political organizations and attend political fundraising functions.

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State employees whose positions are only partially funded by federal funds may be candidates for elective office in partisan elections. Such employees are still subject to the Virginia Conflict of Interests Act. [\(VA Conflict of Interests Act, Code of Virginia § 2.2-3100\)](#). It is the responsibility of each employee to review and understand fully the Hatch Act and all statutes applicable to them.

Fundraising

Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of Norfolk State University or on any University campus, and University resources may not be used in soliciting such funds. If NSU students, faculty or staff make political contributions, they must do so as individuals.

Student Publications

Student publications may run editorials expressing the editors' views on candidates for public office, provided that the publication's editorial policy is free of editorial control by University administrators or faculty advisors. A statement on the editorial page must indicate that the views expressed are those of the student editors and not those of the University.

Voter Registration

Voter registration and "get out the vote" drives by University-sponsored organizations must be done on a non-partisan basis (i.e., they may not focus on a particular party).

Gifts and Lobbying

Federal and Commonwealth of Virginia laws prohibit certain gifts and honoraria for public officials.

EDUCATION AND COMPLIANCE

Employees will be required to complete an annual certification acknowledging the requirements of this policy. Supplemental education and training will be provide as appropriate.

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BOV POLICY #26 (2016) STATEMENT ON POLITICAL ACTIVITIES ON CAMPUS

PUBLICATION

This Policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the Policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the Policy on the Board's Website; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the Policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this Policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December~~ September 2023~~30~~
- Approved date: ~~December 11, 2020~~ September 15, 2017
- Revision History: September 23, 2016; September 15, 2017; December 11, 2020
- Supersedes: Guideline - Requests for Political Activities Policy Statement (July 19, 2001)

RELATED DOCUMENTS

- [American Council on Education \(ACE\), Memorandum on Political Campaign-Related Activities of and At Colleges and Universities, February 26, 2016](#)
- [Teaching Faculty Handbook](#) (2012, as amended 2018~~5~~)
- [Administrative and Professional Faculty Handbook \(2001\)](#)

FORMS

There are no forms associated with this policy and procedures.

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BOV POLICY # 27 (2018) UNIVERSITY BOARD OF VISITORS SELF-ASSESSMENT

Policy Title: University Board of Visitors Self-Assessment

Policy Type: Board of Visitors

Policy Number: BOV Policy #27 (2018)

Approval Date: December 11, 2020~~May 4, 2018~~

Responsible Office: University Board of Visitors

Responsible Executive: Rector, University Board of Visitors

Applies To: University Board of Visitors

POLICY STATEMENT

This policy establishes the University Board of Visitors process for periodic assessment of its performance and effectiveness as the governing body of Norfolk State University.

The University Board of Visitors is committed to the exercise of good governance best practices in the execution of its statutory duties. The adoption of a formalized process and timeline for self-assessment will enable the board to strengthen its overall performance, identify and reach consensus on its goals, ensure that the Board has a focused understanding of its responsibilities, and strengthen the relationship between the Board and the University's President.

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BOV POLICY # 27 (2018) UNIVERSITY BOARD OF VISITORS SELF-ASSESSMENT

DEFINITIONS - None.

CONTACTS

The University Board of Visitors officially interprets this policy. The Rector of the University Board of Visitors is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Executive Advisor to the Board within the University President's Office.

POLICY CONTENTS

Responsibility

It shall be the responsibility of the Rector of the University Board of Visitors or his/her designee to oversee the planning of activities related to the Board's annual self-assessment. The Executive Advisor to the Board and University Counsel's Office will provide staff support in furtherance of the Board's self-assessment activities.

Process

The University Board of Visitors will conduct self-assessments each year during its annual retreat. In even-numbered years, the Board will engage an external facilitator to conduct a comprehensive evaluation of its performance. In odd-numbered years, the Board will conduct an internal review of its performance using universally acceptable performance assessment tools.

External Self-Assessment

In even-numbered years, the University Board of Visitors shall conduct a comprehensive self-assessment of its performance. This assessment shall take place during the Board's annual retreat and be facilitated by an external consultant with recognized expertise in higher education board governance best practices. Consistent with the University's established procurement policies, the Executive Advisor to the Board shall present the Rector with a slate of qualified external consultants for consideration no later than November 10, of the odd-numbered year preceding the annual board retreat. The Rector or his/her designee shall review the slate of external consultants and select the consultant that best meets the Board's needs. Background information on the selected external consultant and preliminary details regarding the self-assessment process shall be shared with the Board during its December meeting.

The Rector with the support of the Executive Advisor to the Board and University Counsel shall work with the external consultant to develop an assessment instrument that shall be completed by Board members and the University president in advance of the annual Board retreat. A primary purpose of the Board's annual retreat shall be to conduct a self-assessment workshop, which shall



BOV POLICY # 27 (2018) UNIVERSITY BOARD OF VISITORS SELF-ASSESSMENT

focus on strategies to strengthen the Board's effectiveness including its relationship with the University president. The workshop should produce a set of goals the board will aspire to achieve in order to enhance its overall performance. These goals shall be summarized in written form and shared with members of the Board within a reasonable time. The Executive Advisor to the Board shall assist the Rector in measuring the Board's progress toward achieving the goals identified through self-assessment by creating a performance data dashboard that shall be readily accessible to all Board members.

Internal Self-Assessment

In odd-numbered years, the University Board of Visitors shall conduct an internal self-assessment of its performance. This assessment shall take place during the Board's annual retreat and be supported by the Executive Advisor to the Board and University Counsel's Office. No later than January 20 of the odd-numbered year in which the internal self-assessment is to be conducted, the Executive Advisor to the Board in consultation with the Rector, shall develop or acquire a self-assessment tool, which shall be distributed to all Board members and the University president for completion no later than February 10. The Executive Advisor to the Board shall ensure that the results of the assessment tool are summarized in a written report, which shall be distributed to Board members and the University president in advance of the annual retreat.

The Rector shall designate a portion of the Board's annual retreat schedule for the purpose of discussing the results of the annual self-assessment and developing goals for performance improvement. These goals shall be summarized in written form and shared with members of the Board within a reasonable time. The Executive Advisor to the Board shall assist the Rector in measuring the Board's progress toward achieving these goals by creating a performance data dashboard that shall be readily accessible to all Board members.

EDUCATION AND COMPLIANCE

Members of the Board of Visitors shall be made aware of this and other Board of Visitors policies as part of the new Board member orientation process. Any changes to this policy shall be communicated to the Board by the Administration no later than the Board's next scheduled meeting. The Rector shall be responsible for ensuring annual compliance with the provisions of this policy.

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PUBLICATION

This Policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University Community within 14 days of Board approval;



BOV POLICY # 27 (2018) UNIVERSITY BOARD OF VISITORS SELF-ASSESSMENT

- Submit the Policy for inclusion in the online Policy Library within 14 days of Board approval;
- ~~Post the Policy on the Board's Website; and~~
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the Policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this Policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~September 2023~~ December 2030
- Approval by, date: Board of Visitors, ~~May 04, 2018; December 11, 2020~~ 05/04/2018
- Revision History: September 23, 2016; May 4, 2018 ~~December 11, 2020~~ None ~~New Policy~~
- Supersedes: ~~None~~ New Policy

RELATED DOCUMENTS – None.

FORMS – None.



BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT

Policy Title: Familial Relationships in Employment
Policy Type: Board of Visitors
Policy Number: BOV Policy # 29 (2018)
Approved: ~~06/08/2018~~ [December 11, 2020](#)
Responsible Office: Office of Human Resources
Responsible Executive: ~~Assistant Vice President, Human Resources~~ [Chief of Staff Vice President for Operations and Chief Strategist for Institutional Effectiveness](#)
Applies to: University employees, prospective employees and student employees

POLICY STATEMENT

It is the policy of Norfolk State University, consistent with the State and Local Government Conflict of Interest Act, that certain close family members not be employed by the University unless neither employee exercises any control over the employment or employment activities of the other, and neither is in a position to influence the employment activities of the other.

It is also the policy of Norfolk State University that certain extended family members be prohibited from being in a supervisory relationship with one another, even if it results from marriage after the employment relationship was formed.

This policy sets forth the disclosure and approval requirements that must be followed as a condition of employment with the University.

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BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT

Forms6

DEFINITIONS

Immediate Family Members or Immediate Family: (1) a spouse, (2) any other person residing in the same household as the employee who is a dependent of the employee or of whom the employee is a dependent (*Code of Virginia* § 2.2-3106).

Extended Family Member or Extended Family: Any person, other than Immediate Family, related to the employee within the four degrees of kinship or the three degrees of lineage. This includes the employee's or the spouse's children, parents, grandparents, great-grandparents, brothers, sisters, half-brothers and half-sisters, grandchildren, great-grandchildren, aunts, uncles, nieces and nephews, great nieces and nephews, first cousins; and persons married to any of the foregoing; and includes adopted, step, and foster relatives. The term also includes domestic partners and relatives of domestic partners.

Immediate Supervisor: The employee in direct authority over another employee. For the purposes of this policy, this includes the person or persons who evaluates the employee, makes assignments to the employee, or has authority to hire or separate, or to determine or make recommendations on the hiring, separating, salary or other terms and conditions of employment of the employee.

Reviewer: The Immediate Supervisor's supervisor, and anyone within the chain of command above the Immediate Supervisor's supervisor.

Supervisor-Subordinate Relationship: The Supervisor-Subordinate Relationship includes the relationship between the employee and his or her Immediate Supervisor, as well as any reviewer.

CONTACTS

The Office of Human Resources officially interprets this policy. ~~The Assistant Vice President of Human Resources~~ Vice President for Operations and Chief Strategist for Institutional Effectiveness ~~The Chief of Staff to the University President~~ is responsible for obtaining approval for any revisions as required by [BOV Policy #01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to Office of Human Resources.

STAKEHOLDERS

University employees, prospective employees and student employees.



BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT

POLICY CONTENTS

1. Prohibited Employment

Consistent with the State Conflicts of Interest Act, Immediate Family Members may not be employed by the University unless neither employee exercises any control over the employment or employment activities of the other, and neither is in a position to influence the employment activities of the other.

2. Prohibited Supervisor-Subordinate Relationships

Supervisor-Subordinate Relationships are prohibited between or among Extended Family Members.

Procedures

Upon initial adoption of this policy, each employee of the University must, within 30 days, report to the ~~Director~~ [Assistant Vice President](#) of Human Resources any Immediate Family Members or Extended Family Members who are also employed by the University.

Applicants for employment at the University shall be required in the employment process to disclose the identity of any and all Immediate Family Members and Extended Family Members working at the University.

Employees of the University have a continuing obligation to report to the ~~Director~~ [Assistant Vice President](#) of Human Resources any change in marital status of any person where the change results in creation of a new relationship for the employee of Immediate Family or Extended Family with any other employee of the University.

In the case of new and current Immediate Family Member employees, a *Familial Employment Review* form (to be developed) must be completed by both Immediate Family Members. If such dual employment meets the criteria for the exemption of Prohibited Employment described above, and is recommended by all Supervisors and Reviewers of both employees, and approved by the President, then that dual employment will be permitted.

In the case of new and current Extended Family Member employees, a *Familial Employment Review* form (to be developed) must be completed by both Extended Family Members. If no Supervisor-Subordinate Relationship is proposed or exists between the employees, and the



BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT

employment is recommended by all Supervisors and Reviewers of both employees, and is approved by the President, then the non-supervisory employment will be permitted.

No offer of employment shall be made to any new or transfer employee who is in an Immediate or Extended Relationship with another employee until the *Familial Employment Review* form shall have been approved the President.

Responsibilities

It is the responsibility of the hiring authority to ensure that each applicant has disclosed information about the applicant's Immediate and Extended Family members employed by the University. It is also the responsibility of the hiring authority to initially analyze this information to determine if the employment is prohibited or if an approved *Familial Employment Review* form is required before extending an offer of employment.

It is the responsibility of the appropriate vice president to approve employment of an applicant who has a family member already employed by the University in the same college or assistant or associate vice president's area. Signing an approval form is appropriate only when the signatory believes that the relationship between the current employee and the applicant will not disrupt or in any way impede the operations of the college or area under the assistant or associate vice president.

It is the responsibility of each applicant for employment and each employee to disclose, consistent with this policy, all current or new Immediate or Extended Family Relationships with any employee of the University.

Sanctions

Any employee who violates this policy by failing to make disclosures required by this policy is subject to disciplinary action and sanctions, up to and including immediate termination.

Any hiring authority who violates this policy by failing to obtain prior written approval to make an offer of employment to an individual who reveals the existence of an Immediate or Extended Family Member employee, is subject to sanctions, including termination.

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

EDUCATION AND COMPLIANCE

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BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT

Employees will be required upon application, offer, and employment to disclose familial relationships. Management will review employee disclosure for policy accordance. To ensure conformity to the requirements of this policy, the Office of Human Resources will distribute quarterly reminders via Campus Announcements. Violations will be reported to the Office of Human Resources immediately upon disclosure or revelations.

PUBLICATION

This policy will be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to;

Communicate the policy in writing, electronic, or otherwise to the University community, within 14 days of approval;

- Submit this policy for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the appropriate website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet the publication requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2023~~
- Approval by, date: ~~Board of Visitors, 06/08/2018~~ December 11, 2020
- Revision History: ~~None~~ New Policy June 8, 2018; December 11, 2020
- Supersedes: ~~None~~ New Policy

RELATED DOCUMENTS

1. [Code of Virginia § 2.2-3106](#) Prohibited contracts by officers and employees of state government.
2. [Code of Virginia § 2.2-3100](#) Policy; application; construction.
3. Norfolk State University [Ethics in Procurement Administrative Policy #43-28](#).



BOV POLICY #29 (2018) FAMILIAL RELATIONSHIPS IN EMPLOYMENT

FORMS

Familial Employment Review



**BOV POLICY # 30 (2020) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

Policy Title: Reporting and Investigating Suspected Wrongdoing
Policy Type: Board of Visitors
Policy Number: BOV Policy #30 (2020)
Approved: November XX, 2020
Responsible Office: Internal Audit
Responsible Executive: Chief Audit Executive
Applies to: All University organizations, students, faculty, staff, and volunteers

POLICY STATEMENT

The University will not tolerate fraud, theft, waste or abuse of state or University property or resources. University employees should report suspected wrongdoing or possible fraudulent activities to the Chief Audit Executive or the State Fraud, Waste or Abuse Hotline. All reported allegations will be fully reviewed, and substantiated fraudulent activities will be reported to the proper authorities.

The purpose of this policy is to establish the overall roles and responsibilities of University employees for preventing, identifying, and reporting fraudulent transactions at the University. This policy details responsibility for the reporting and investigation of suspected irregularities.

Non-compliance with this policy may result in disciplinary action up to and including termination of employment. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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**BOV POLICY # 30 (2020) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

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**BOV POLICY # 30 (2020) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

DEFINITIONS

Abuse: Abuse involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. Abuse also includes misuse of authority or position for personal financial interests or those of an immediate or close family member or business associate. Abuse can occur in financial or nonfinancial settings and does not necessarily involve fraud, violation of laws, regulations, or provisions of a contract or grant agreement. Examples may include excessive charges, improper billing practices, or payment for unnecessary services

Fraud: The State Fraud, Waste and Abuse Hotline Policies and Procedures Manual defines fraud as, “The intentional deception perpetrated by an individual or individuals, or an organization or organizations, either internal or external to state government, which could result in a tangible or intangible benefit to themselves, others, or the Commonwealth or could cause detriment to others or the Commonwealth. Fraud includes a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, which deceives and is intended to deceive.”

Some Examples of Fraud, Waste, and Abuse:

- Personal use of state-owned supplies or equipment
- Contract fraud
- Conducting personal business on state time
- Embezzlement or other financial irregularity
- Unauthorized use of University employees/time
- Violations of state procurement policy
- Falsification of official documents (time and leave records, check deposit, etc.)
- Inappropriate expenditures
- Engaging in bribery, kickbacks, or seeking unauthorized rebates

Good Faith Report: A report of conduct wrongdoing or abuse which is made without malice and which the person making the report has reasonable cause to believe is true.

Internal Controls: Policies, practices, and procedures that are designed to provide reasonable assurance that objectives are achieved in the following categories:

- Effectiveness and efficiency of operations (including safeguarding of assets and records)
- Reliability of financial reporting
- Compliance with laws and regulations
- Safeguarding of assets



BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING SUSPECTED WRONGDOING

Red Flag: A red flag is a set of circumstances that are unusual in nature or vary from the normal activity. It is a signal that something is out of the ordinary and may need to be investigated further. By themselves, they don't necessarily mean anything, but the more that are present, the higher the risk that fraud, waste and abuse is occurring, or could occur.

Waste: Waste is the intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use, or squandering of resources, to the detriment or potential detriment of the University. Waste also includes incurring unnecessary costs as a result of inefficient or ineffective practices, systems, or controls.

Whistleblower: An employee or citizen of the Commonwealth who witnesses or has evidence of wrongdoing or abuse and who makes or demonstrates by clear and convincing evidence that he is about to make a good faith report of, or testifies or is about to testify to, the wrongdoing or abuse to one of the employee's superiors, an agent of the employer, or an appropriate authority.

Wrongdoing: A violation, which is not merely technical or minimal in nature, of a federal or state law or regulation or a formally adopted code of conduct or ethics of a professional organization to protect the interests of the public or employee.

CONTACT(S)

The President's Office officially interprets this policy and is responsible for matters pertaining to this Policy as it relates to the University Community. The President's Office is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to the Chief Audit Executive.

STAKEHOLDER(S)

All University organizations, students, faculty, staff, and volunteers

REPORTING AND INVESTIGATING SUSPECTED WRONGDOING POLICY CONTENTS

University employees are responsible for safeguarding University resources under their control and for ensuring that those resources are used only for authorized purposes and in accordance with University policies, and applicable federal and state laws. Administrators and all levels of management have additional responsibility for the design and implementation of effective internal controls to protect University resources from misuse or abuse. Administrators and managers should be familiar with the potential risks and exposures in their areas of responsibility and be alert to any indicators of fraud and financial misconduct, including abusive or dishonest activities.



**BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

Upon discovery of information or circumstances suggesting fraud or misuse of University property or funds, the individual should report the information to the Chief Audit Executive or the Office of State Inspector General Fraud, Waste, and Abuse Hotline by phone at 1-800-723-1615. To avoid conflict, employees are discouraged from personally conducting investigations or interviews. Self-investigating may also compromise the investigation.

Concerns related to employee's moral, ethics or behavior should be referred to the University Human Resource Department or the State Department of Human Resource Management. If unsure whether or not actions are considered as fraud or whom to contact, the employee should contact Internal Audit for guidance.

To protect employee confidentiality, allegations and results will not be disclosed or discussed with anyone other than those with legitimate need to know. The University will provide appropriate support to reporting employees to protect against retaliation and respond to concerns of retaliation or unfair treatment linked to the employee's reporting. Allegations made maliciously will not be tolerated.

All reported allegations will be fully investigated and results reported to the appropriate levels of management. Internal Audit may coordinate the investigations with the General Counsel, University Police and/or other affected areas, both internal and external. Once probable criminal activity has been detected, the University Police will take over the investigation. Internal Audit will support the investigation as required.

Internal Audit will work with management to identify control weaknesses, if any, to prevent further similar violations. Management Action Plans should be developed to mitigate the weaknesses identified. The status of the action plans should be communicated to the President and the Audit Committee on a quarterly basis.

Internal Audit will communicate all substantiated cases of fraud or financial misconduct to the University President, Audit Committee and General Counsel. Internal Audit will not make any recommendations related to disciplinary action. Criminal or civil actions may be taken against employees who participate in fraudulent acts. Decision to take action will be made by the Division Head in conjunction with General Counsel and the President's Office. The determination of disciplinary action is not dependent on the outcomes of law enforcement's investigations or prosecutorial decisions as to whether or not to file criminal charges. The reporter of the allegation may not be privileged to the results of the report submitted.

Code of Virginia § 30-138 requires agency heads to promptly report circumstances suggesting a reasonable possibility that a fraudulent transaction has occurred to the Auditor of Public Accounts, Office of the State Inspector General, and Virginia State Police. The President of the University has assigned this reporting responsibility to the Chief Audit Executive. The University is committed to assisting law enforcement and/or other agencies in the prosecution of those suspected of committing fraud.



BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING SUSPECTED WRONGDOING

An employee suspected of committing or otherwise involved in fraud may be suspended with or without pay during an investigation of the allegations. If the evidence substantiates that the employee participated in fraudulent acts, the employee will be subject to disciplinary action, up to and including termination, pursuant to the policies outlined in the Virginia Department of Human Resource Management Standards of Conduct Policy 1.60, the Teaching Faculty, and Administrative and Professional Faculty Handbook.

WHISTLEBLOWER PROTECTION

University employees shall not intimidate or take retaliatory action, directly or indirectly, against any member of the University community as a result of whistleblowing. Retaliation against employees for making good faith reports is prohibited by the Virginia Fraud and Abuse Whistleblower protection Act, as set forth in Section 2.2-3011 of the Code of Virginia. The University will provide appropriate support to reporting employees to protect against retaliation and respond to concerns of retaliation or unfair treatment linked to the employee's reporting.

The types of retaliation that are prohibited include, but are not limited to: (1) intimidation, (2) adverse actions with respect to the whistleblower's work assignments, salary, vacation, and other terms of employment; (3) unlawful discrimination; (4) termination of employment; (5) adverse actions against a relative of the whistleblower who is a University employee or student; and (6) threats of any of the above.

EDUCATION AND COMPLIANCE Training

New employees should be advised of this policy at the time of hire. Periodic training should be provided to all stakeholders, at minimum on an annual basis. Please log into MOAT, choose the Norfolk State University Vault and complete. Completion of this training module is mandatory and failure to complete the training will result in notifications to direct supervisors and the Human Resource Department. An assessment will be given at the end of the session to test understanding of:

- (A) Norfolk State's Suspected Wrongdoing Policy
- (B) The effective use of Fraud, Waste and Abuse Hotline
- (C) The rights and protections afforded to all Hotline Callers

Internal Audit will review completion logs on a quarterly basis and report noncompliance to the Division Vice Presidents for appropriate corrective action.

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**BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

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PUBLICATION

This policy will be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the Online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet publication requirements does not invalidate this policy.



**BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

REVIEW SCHEDULE

List the following:

- Next Scheduled Review: November 2021
- Approved date: November XX, 2020
- Revision History: September 28, 2018
- Supersedes: *BOV Policy #30 (2018)*

RELATED DOCUMENTS

State agencies, courts, and local constitutional officers to report certain fraudulent transactions; penalty. [Code of Virginia § 30-138](#)

Department of Human Resource Management Employee Dispute Resolution.
<http://www.dhrm.virginia.gov/employmentdisputeresolution/workplaceconflictconsultationprogram>

Department of Human Resource Management policy 1.60 - Standard of Conduct
http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_60.pdf?sfvrsn=2

Office of the State Inspector General, State Fraud, Waste, and Abuse Hotline.
<https://osig.virginia.gov/program-areas/citizen-services/report-fraud-waste-and-abuse/>

Code of Virginia: The Fraud and Abuse Whistleblower Protection Act
<http://law.lis.virginia.gov/vacode/title2.2/chapter30.1/>

Common types of fraud in higher education and examples of red flags (document attached).

FORMS

There are no forms associated with this policy.



**BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

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COMMON TYPES OF FRAUD IN HIGHER EDUCATION AND EXAMPLES OF RED FLAGS

Remember that red flags do not indicate guilt or innocence but merely provide possible warning signs of fraud. By themselves, they don't necessarily mean anything, but the more that are present, the higher the risk that fraud, waste and abuse is occurring, or could occur. The below lists are not meant to be all inclusive.

Unusual activity that is suspicious as to:

- Time (of day, week, month, year, or season)
- Frequency (too many, too few)
- Places (too far, too near, and too "Far out")
- Amount (too high, too low, too consistent, too alike, too different)

Common Types of Fraud in Higher Education

- Personal purchases on the procurement card
- Inappropriate charges to a travel or account payable voucher
- Theft of money or inventory items
- Theft of cash from deposits
- Falsifying time card with time not worked
- Misappropriation of Assets
- Conflict of Interest
- Unauthorized System Changes
- Forgery
- Nepotism
- Identity Theft
- Use of University resources for personal benefit
- Misrepresentation/Concealment of material facts
- Using duplicate invoices to pay vendors
- Frequent use of sole-source procurement contracts

Factors contributing to fraud:

- Lax or ineffective internal controls
- Ineffective management
- Management or control overrides
- Collusion among employees over whom there is little to no supervision
- Lack of account review reconciliation
- When significant policies are absent or outdated (e.g. code of ethics, transparency, periodic monitoring of business and academic performance indicators, management systems, internal audit procedures and annual external financial audits)
- The presence of unethical behavior poses significant risk to any organization

**COMMON TYPES OF FRAUD IN HIGHER EDUCATION
AND EXAMPLES OF RED FLAGS**

Behavioral Red Flags

- Employee lifestyle changes: expensive cars, jewelry, homes, clothes
- Behavioral changes: these may be an indication of drugs, alcohol, gambling, or just fear of losing the job
- Living beyond one's means. Bragging about significant new purchases
- Carrying unusually large sums of money
- Financial difficulties.
- An unusually close association with a vendor or customer.
- Control issues or an unwillingness to share duties.
- Irritability, suspiciousness, and defensiveness; easily annoyed at reasonable questions
- Refusal to take vacation or sick leave.
- Refusing promotions
- Complaining about their lack of authority.
- Increased smoking.
- Photocopied or missing documents - Making up excuses for missing documentation or shortages and finding scapegoats.
- Providing unreasonable responses to questions

Department/ Management Red Flags:

- High employee turnover for key employees either by quitting or firing
- Operating on a crisis basis
- Lack of segregation of duties in key areas
- Reluctance to provide information to auditors
- Managers engage in frequent disputes with auditors
- Managers who regularly assume subordinates duties
- Management decisions are dominated by an individual or small group
- Managers display significant disrespect for authority
- There is a weak internal control environment
- Personnel are lax or inexperienced in their duties
- Decentralization without adequate monitoring
- Low employee morale

Fiscal Fraud:

- Excessive number of checking accounts
- Frequent changes in banking accounts
- Unauthorized bank accounts
- Sudden activity in a dormant banking accounts; Bank accounts that are not reconciled on a timely basis
- Discrepancies between bank deposits and posting
- Excessive number of year end transactions
- Unexpected overdrafts or declines in cash balances
- Abnormal number of expense items, supplies, or reimbursement to the employee

**COMMON TYPES OF FRAUD IN HIGHER EDUCATION
AND EXAMPLES OF RED FLAGS**

Payroll

- Inconsistent overtime hours for a cost center
- Consistent overtime
- Overtime charged during a slack period
- Overtime charged for employees who normally would not have overtime wages
- Budget variations for payroll by cost center
- Employees with duplicate Social Security numbers, names, and addresses
- Employees with few or no payroll deductions
- Failure to deactivate or terminate access after employees have separated from a position, unit or the university
- Falsifying timesheets for a higher amount of pay
- Creating fictitious employees and collecting the paychecks

Purchasing

- High volume of purchases from new vendors
- Purchases that bypass the normal procedures
- Vendors without physical addresses
- Vendor addresses and/or phone numbers matching employee data
- Purchasing agents that pick up vendor payments rather than have it mailed
- Using duplicate invoices to pay vendors
- Frequent use of sole-source procurement contracts



BOV Policy # 31 (2019) Open Educational Resources

Policy Title:	Open Educational Resources
Policy Type:	Board of Visitors
Policy Number:	BOV Policy #31 (2019)
Approval Date:	December 11, 2020
Responsible Office:	University Library
Responsible Executive:	Provost and Vice President for Academic Affairs
Applies to:	University Community

POLICY STATEMENT

Norfolk State University is committed to the utilization of Open Educational Resources (OER) as a pedagogical tool to improve student outcomes by increasing access and affordability to educational resources.

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DEFINITIONS

Open Educational Resources (OER): Publicly available teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. Open educational resources include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.



BOV Policy # 31 (2019) Open Educational Resources

CONTACT(S)

The Provost and Vice President for Academic Affairs officially interprets this policy, and is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Dean of the University Library.

OPEN EDUCATIONAL RESOURCES: POLICY CONTENTS

Code of Virginia §23.1-1308(E) requires the governing board of each public institution of higher to implement guidelines for the adoption and use of low-cost and no-cost open educational resources in courses offered at such institution. These guidelines may also include provisions for low-cost commercially published materials.

In furtherance of Code of Virginia §23.1-1308(E), the Norfolk State University Library shall make resources readily available to the University Community on Open Education Resources. Additionally, faculty shall give consideration to the integration of OER and low-cost commercially published materials into courses as appropriate.

The University Registrar, as soon as practicable after the necessary information becomes available, shall identify conspicuously in the online course catalogue or registration system each course for which an instructor exclusively uses no-cost course materials or low-cost course materials.

EDUCATION AND COMPLIANCE

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Faculty will be required to take a mandatory Awareness's MOAT review of this policy. Upon reading this policy, each faculty will be required to sign an Acknowledgement Form. Both documents are contained within Norfolk State University MOAT Vault. To reinforce understanding of this policy, the policy will be shared with new faculty/staff during orientation. Tracking will be utilized to ensure compliance with completing the Acknowledgement Form in MOAT.

Failure to comply with this requirement will be reported to the employee's supervisor. Additionally, failure to comply with this requirement will result in OIT revoking access to NSU's email, electronic doors, networks, and student systems. The reinstatement process requires a reinstatement form to be completed and signed by a supervisor and could take several days for the process to be completed.

PUBLICATION



BOV Policy # 31 (2019) Open Educational Resources

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, including current and prospective students, within 14 days of approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

REVIEW SCHEDULE

- Next Scheduled Review: December ~~September~~ 20203
- Approval date: Board of Visitors: December 11, 2020
- Revision History: May 3, 2019, December 11, 2020
- Supersedes: *None* ~~New Policy~~

RELATED DOCUMENTS

[Code of Virginia §23.1-1308\(E\)](#)

FORMS

None



BOV Policy # 32 (2019) Parental Leave

Policy Title: Parental Leave
Policy Type: Board of Visitors
Policy Number: BOV Policy # 32 (2019)
Approval Date: ~~01/28/2019~~ [December 11, 2020](#)
Responsible Office: Human Resources
Responsible Executive: ~~Vice President for Finance and Administration~~
[Vice President for Operations & Chief Strategist](#)
[for Institutional Effectiveness](#)
Applies to: Most classes of employees

POLICY STATEMENT

Norfolk State University is committed to supporting the health, well-being, and professional growth of its employees. As part of this commitment, the University provides employees with a comprehensive range of benefits. This policy outlines the University's paid parental leave benefit, which is available to most classes of employees who meet certain eligibility requirements.

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DEFINITIONS

Access to Parental Leave – An eligible employee who has provided the appropriate documentation may ~~charge~~ [utilize](#) parental leave following the birth of an infant or date of an adoptive, foster, or



BOV Policy # 32 (2019) Parental Leave

custodial care placement of a child. Parental leave expires six (6) months after the birth or placement of the child.

Adoption – The act of legally and permanently assuming the responsibility of raising a child as one's own.

Child – A newborn biological child or a newly-placed adopted, foster, or custodial child under the age of eighteen.

Custodial Care – A placement authorized by a judgment, decree, or other order of a court providing for the legal and physical custody of a child.

Foster Care – The act of temporarily assuming the responsibility of daily care and supervision for a child removed from his or her birth family home due to issues endangering their health and/or safety. Parental leave may be used for temporary arrangements made through local departments of social services with the intent of reuniting the child with his/her birth family if possible.

Parent – Legally recognized biological, adoptive, foster, or custodial parent.

CONTACT(S)

The Office of Human Resources officially interprets this policy. The Vice President for Operations and Chief Strategist for Institutional Effectiveness ~~Finance and Administration~~ is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Office of Human Resources.

PARENTAL LEAVE: POLICY CONTENTS

On June 25, 2018, Virginia Governor Ralph S. Northam signed Executive Order Number Twelve (EO-12), which provides a new paid parental leave benefit for classified employees (full-time, quasi-full-time, and part-time classified) and at-will employees appointed by the Governor. The State Department of Human Resource Management (DHRM) has interpreted and implemented EO-12 in DHRM Policy 4.21.

It is the policy of NSU to provide the same parental leave as afforded under EO-12 and DHRM Policy 4.21 to all full-time salaried NSU employees, to include Administrative and Professional Faculty and Teaching and Research Faculty, in addition to those employees covered by EO-12 and DHRM Policy 4.21. To be eligible, such employees must meet the same FML eligibility requirements as employees covered by DHRM Policy 4.21; that is, (1) they must have been



BOV Policy # 32 (2019) Parental Leave

employed by the Commonwealth for a minimum of twelve months in the last seven years, and (2) must have worked for at least 1250 hours in the previous twelve-month period.

Either or both parents who work for the Commonwealth are each entitled to this leave.

All additional eligibility requirements and other conditions, as well as all benefits, set forth in DHRM Policy 4.21 applicable to employees covered by that policy shall be equally applicable to NSU employees to whom this coverage is extended under this policy. This policy is retroactive to the Governor's Executive Order dated June 25, 2018.

EDUCATION AND COMPLIANCE

Employees are required to obtain pre-approval for parental leave. This policy will be explained and discussed in employee orientation and supervisor training. To ensure conformity to the requirements of this policy, the Office of Human Resources will communicate this policy via Campus Announcements. Violations will be reported to the Office of Human Resources immediately upon disclosure or revelations.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, including current and prospective students, within 14 days of approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2020~~ December 11, 2020
- Approval date: ~~Board of Visitors: 01/28/2019~~ December 11, 2020
- Revision History: ~~None New Policy~~ January 28, 2019; December 11, 2020
- Supersedes: ~~None New Policy~~



BOV Policy # 32 (2019) Parental Leave

RELATED DOCUMENTS

[Executive Order 12 \(2018\), Parental Leave for Commonwealth Employees](#)

FORMS

None



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

Policy Title: Freedom of Speech and Expression and Campus Space Utilization
Policy Type: Board of Visitors
Policy Number: BOV Policy #33 (2019)
Approval Date: ~~May 3, 2019~~ [December 11, 2020](#)
Responsible Office: ~~Vice President for~~ [Student Affairs](#)
Responsible Executive: ~~Vice President for~~ [Student Affairs](#)
Applies to: University Community

POLICY STATEMENT

Norfolk State University is committed to creating an environment that fosters the exercise of protected speech and other expressive activity on university property while maintaining an atmosphere free of disruption to the mission of the university. It recognizes that the free expression of ideas and open inquiry are essential in fulfilling its academic mission by embracing rigorous open discourse, and the exploration of ideas. As such, the university has established requirements for use of its property to pursue its academic mission, provide a safe environment, and preserve the functional and aesthetic integrity of the campus. Expression by individuals or groups, as described in this policy is not speech made by, on behalf of, or endorsed by the University.

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**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

DEFINITIONS

Expressive Activity: For the purpose of this policy, expressive activity may include, but is not limited to, speaking, silent protest, distributing literature such as leaflets or pamphlets, displaying signs, wearing certain clothing or accessory items, dancing, meetings, performances, demonstrations, rallies, and vigils.

Solicitation: Selling or promoting products, goods or services; using staff and faculty listings for the purpose of selling/promoting goods and/or services; seeking contributions or pledges, including distributing printed materials; and conducting membership drives.

University Property: Buildings, grounds, and land owned or controlled by NSU. This includes property leased, rented, or otherwise contractually reserved for NSU operations, either permanently or on a temporary basis.

CONTACT(S)

The Vice President for Student Affairs officially interprets this policy. The Associate Vice President for Student Affairs is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to the Associate Vice President for Student Affairs.

**FREEDOM OF SPEECH AND EXPRESSION AND CAMPUS SPACE UTILIZATION
POLICY CONTENTS**

This policy applies to activity conducted on university property. The restrictions are designed to comply with Code of Virginia sections 23.1-900.1 and 23.1-401 and are narrowly tailored to serve the university's interest in maintaining the safe and effective educational and administrative operations of the university without regard to the viewpoint of any speech or expression.

NSU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is strictly prohibited.



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

General Prohibitions

The U.S. Constitution, its First Amendment, and the Code of Virginia do not protect certain expressions. Such expressions include the following, all of which are prohibited by NSU on NSU property: defamation, incitement to unlawful conduct, imminent threats of actual violence or harm, obscenity, fighting words, copyright or trademark violation, criminal or civil harassment, sexual harassment, trespass, and false advertising. The university further prohibits any person from interfering with university and authorized functions, activities, and events and from participating in unlawful conduct on university property. As such, in engaging in expressive activity no person may do any of the following on university property:

1. Obstruct or impede vehicular, bicycle, pedestrian, or other traffic;
2. Obstruct any entrance or exit to any building, assembly space, driveway, parking lot, vehicular path, stairway or walkway or impede entry to or exit from any such area;
3. Disrupt, disturb, or interfere with educational or administrative activities, events, or operations inside or outside any building;
4. Enter into any building or facility or occupy any university property without appropriate authorization;
5. Violate any applicable federal, state, or local law, rule, or ordinance;
6. Fail to comply with any reasonable instruction by university police or any university official acting in the performance of their duty;
7. Cause any threat to the health or safety of any passerby or member of the university community;
8. Obstruct, disrupt, or attempt by physical force to cancel or discontinue speech by any speaker, or the observation of speech by any person intending to see or hear a speaker;
9. Damage university property, including structures, grass, shrubs, trees, or other landscaping;
10. Mark university property, including any vertical or horizontal surface, other than in accordance with written requirements, such as rules for authorized chalking;
11. Use amplified sound, including bullhorns, except as approved in advance under applicable policy and within sound limits that will not disrupt university operations; or
12. Organize or lead any major event, as described in this policy without written authorization as set forth in that section.

Use of University Property

University property, including outdoor areas, is designated primarily for use by students, faculty, and staff to advance the educational mission of the university. Any university student or employee may generally use campus spaces in accordance with university policy. However, any other person may use university property for assembly or organized expressive activity only (1) if sponsored or hosted by a member of the university community with authority under an applicable university policy or (2) by reserving a specifically designated area through the process set forth in this policy.



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

The university may require any person to pay applicable rental or usage fees and comply with appropriate contractual obligations. In addition to complying with the restrictions set forth in this policy, persons desiring to use certain university spaces must comply with standard requirements established by the university office responsible for the specific space. Such requirements, including restrictions for reservation, scheduling, insurance, posting and other use of such space, must be consistent with this policy and other reasonable time, place and manner restrictions and not based on the content or viewpoint of the expressive activity or the persons involved. If any such restriction conflicts with this policy, this policy governs.

Instructions for Specific Uses of University Property

A. Non-University Commercial Use

Any commercial use of university space must be authorized in writing by the vice president with oversight of the administrative unit managing the space or designee authorized by that vice president. Commercial door-to-door activities and commercial solicitations are prohibited. The university does not permit the solicitation, distribution or selling of products or services of any kind at any time on university property by university employees other than as a required job function.

B. Events

Any person organizing an event must comply with this policy regardless of any expressive purpose of the event and whether the event is planned in advance. Advance notice and written authorization are required only for major events and event reservations, as described below. However, NSU Police request notice prior to commencement of any event or activity to promote the safety and security of all persons on campus. University officials will coordinate with the primary organizer or responsible person regarding appropriate logistical issues related to safety, time, and location.

Advance notification must include the day, time, anticipated attendance, items or equipment associated with the event, the planned location(s), and the full name and detailed contact information for the primary organizer and/or person responsible for the activity. University officials will also consider factors such as required accommodations, traffic, noise, time, relationship to nearby areas and activities, security needs, and other relevant viewpoint-neutral facts and circumstances to determine to what extent (a) a suitable location exists and (b) special precautions or arrangements are necessary.

a. Events requiring authorization (major events):

All major events require advance notice and permission from the university because they may disrupt university functions or activities, destroy property, or present insurmountable



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

or unreasonable logistical or security challenges. A major event is an event, other than an academic course, program, or curriculum approved by the provost, which involves any one of the following risk factors:

1. Expected attendance over 100 persons;
2. Setting with safety concerns (including time and location) based on assessment from the NSU Police;
3. The event is a dance or concert, regardless of how many attendees;
4. Presence of any object or substance requiring review by the Office of Environmental Health and Safety, including but not limited to any animal, open flame, firework, pyrotechnic, or other flammable or hazardous item;
5. Installation of any structure, such as a tent, stage, scaffold, bleacher, bounce house, or carnival-style ride;
6. Alcohol served; or
7. Outdoor amplified sound, including but not limited to bullhorns, Bluetooth speakers, etc.

To request authorization for a major event, students should contact the Associate Vice President for Student Affairs or the Director, Auxiliary Enterprises & Services for appropriate guidance. Employees and members of the public should contact Auxiliary Enterprises & Services (757) 823-8085. The process to request the use of facilities for an event reservation is described below. (Major events may not be reserved through this process.):

i. Event reservations by students and employees

Students and employees may reserve certain campus facilities or areas by submitting requests online through <https://25live.collegenet.com>. Such requests should be submitted within 14 working days of the planned event to allow sufficient time for logistical support and to otherwise comply with applicable facility requirements.

ii. Event reservations by members of the public

The university has designated certain campus facilities/spaces for use by any person, including members of the general public, by reservation. These facilities/spaces are available by reservation only. Reservations will be granted to members of the general public on a space-available basis and denied only if sufficient space is not available. All requests for reservations of space by members of the general public must be made through NSU's Office of Conference Services by calling (757) 823-8085. Information is also available on the Conference Services website. Such requests should be submitted at least 14 working days from the date of the planned event.



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

In addition, a student or employee may host or sponsor an event in cooperation with members of the public as invited guests. The sponsor or host may reserve university space for such sponsored or hosted events according to applicable reservation requirements and may be held accountable under applicable university conduct policies for use under the reservation, including for use by an invited guest. In such cases, invited guests may use the reserved space consistent with restrictions applicable to the sponsor or host. The university may rescind the invitation of a guest for failure to comply with applicable restrictions. Unsponsored public speaking, distribution of literature, or other expressive activity by members of the public is prohibited on campus other than by reservation under this section.

iii. Event Fees and Charges

All persons and event organizers are responsible for costs of damage, repair and clean up arising from their use of university facilities. Examples of such costs related to event reservations include the cost of providing tents, platforms, special fixtures and equipment, or the assignment of maintenance or security personnel. The university will determine any fee for security based on viewpoint-neutral standards used to assess risk, such as the number of expected attendees as determined by the university, the location of the event, the time of day, and presence of alcohol or special equipment. Consistent with lawful protection of expressive activity, NSU will not charge security-related fees based on the content of the expressive activity, the likelihood of disruption caused by others than event attendees, or the actions of those who may protest the expressive activity.

C. Placement of Materials on Campus

Printed materials, writings, or other tangible means of expression may not be attached to University property, including sidewalks, trees, walls, or other property (including on vehicles parked on campus), except: (1) that such materials may be placed on outdoor bulletin boards designated as public bulletin boards--all postings on public bulletin boards will be removed at regular intervals; and (2) banners promoting a University or NSU sponsored event may be displayed at location designated as approved locations in advance.

Printed materials, writings, or other tangible means of expression may not be placed on any interior surface of any University building without the written permission of the relevant Building Supervisor and in accordance with the rules established for each building. Permission shall include a designated date for removal.

Individuals and organizations are responsible for cleanup, property restoration, and for any associated costs incurred by the University from their activities. Individuals and organizations



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

are also responsible for the content of any signage, pamphlets, or structure that they post, distribute, or erect on campus. Furthermore, the University reminds any organization distributing materials to be aware of laws concerning defamation, obscenity, fair labor practices, etc.

D. Reporting Violations of this Policy

Any suspected violation of this policy shall be promptly investigated by the university, and corrective action will be taken when warranted. Students should report suspected violations to the Associate Vice President for Student Affairs Office at (757) 823-8200. Faculty and staff should report such violations to the Human Resource at (757) 823-8160.

EDUCATION AND COMPLIANCE

The Division of Students Affairs will provide annual training on the provisions of this policy to all members of the University Community. Training will incorporate accepted best practices in the area of Freedom of Speech on Campus. As part of the annual training requirement, all students and employees will be required to complete an online module and certification. Student noncompliance with the training requirements of this policy will be reported to the Dean of Students for appropriate corrective action. Employee noncompliance with training requirements of this policy will be reported to the responsible Division Vice President for appropriate corrective action.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, including current and prospective students, within 14 days of Board of Visitors approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

REVIEW SCHEDULE

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BOV Policy #33 (2019) Freedom of Speech and Expression and Campus Space Utilization

- Next Scheduled Review: ~~May 2022~~ [December 2023](#)
- Approval date: ~~Board of Visitors: May 3, 2019~~ [December 11, 2020](#)
- Revision History: [May 3, 2019; December 11, 2020](#)

Supersedes: ~~None~~ [New Policy](#)

RELATED DOCUMENTS

- [NSU Conference Services and Events Policies for Facility Use and Fees Manual](#) <http://www.nsu.edu/auxiliary-services/forms>

- Virginia law governing speech on campus, Va. Code § [23.1-900.1](#) (<https://law.lis.virginia.gov/vacode/23.1-900.1/>)

- ~~Code of Virginia is amended by adding a section numbered 23.1-401 and 23.1-401.1—Verified links 23.1.-401 and 23.1-401.1 active links as follows: § 23.1-401.1 Constitutionally protected speech; policies, materials, and reports; report.~~

- ~~Virginia law governing restrictions on student speech; limitations, Va. Code § 23.1-401 (<https://law.lis.virginia.gov/vacode/23.1-401/>)~~

FORMS

Conference Website:

<https://www.nsu.edu/auxiliary-services/forms>

REFERENCE

<https://www.equalityhumanrights.com/en/our-work/news/freedom-speech-education-foundation-effective-society>

<https://www.aclu.org/other/speech-campus>

<https://mtsu.edu/first-amendment/post/637/college-students-support-free-speech-with-exceptions>

<https://www.insidehighered.com/news/2019/09/16/states-passing-laws-protect-college-students-free-speech>

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BOV Policy #34 (2019) Appointment Authorities of Board of Visitors, University President, and Reporting of Personnel Actions

Policy Title: Appointment Authorities of Board of Visitors, University President, and Reporting of Personnel Actions

Policy Type: Board of Visitors

Policy Number: BOV Policy #34 (2019)

Approval Date: ~~01/28/2019~~ [December 11, 2020](#)

Responsible Office: Human Resources

Responsible Executive: ~~Vice President for Finance and Administration~~ [Vice President for Operations and Chief Strategist for Institutional Effectiveness](#)

Applies to: Administrative and Professional Faculty

POLICY STATEMENT

This policy governs, generally, the authorities of the Board of Visitors and the President in making employment appointments and taking other personnel action, and the reporting of those actions.

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DEFINITIONS

Administrative and Professional Faculty: Administrative and Professional faculty include only positions that require a high level of administrative independence, responsibility, and oversight within the University or specialized expertise within a given field as defined by the Board of Visitors. Such persons must be senior administrators and managers and other professionals that have



BOV Policy #34 (2019) Appointment Authorities of Board of Visitors, University President, and Reporting of Personnel Actions

responsibility for supervision and evaluation of a significant number of staff and/or responsibility for supporting University policymaking or budgetary decisions.

CONTACT(S)

The Vice President for ~~Finance and Administration~~ Operations and Chief Strategist for Institutional Effectiveness officially interprets this policy. The Vice President for Operations and Chief Strategist for Institutional Effectiveness ~~Finance and Administration~~ is responsible for obtaining approval for any revisions as required by BOV Policy # 01 Creating and Maintaining Policies. Questions regarding this policy should be directed to the Office of Human Resources.

APPOINTMENT AUTHORITIES OF BOARD OF VISITORS, UNIVERSITY PRESIDENT, AND REPORTING OF PERSONNEL ACTIONS POLICY CONTENTS

1. All appointments to, and contracts of, employment are made by the authority of the Board of Visitors.
2. The University's Internal Auditor and the University's Chief Compliance Officer ~~is~~ are appointed by and report to the Board of Visitors. The University Counsel and any Associate University Counsel are appointed by the Attorney General and report to the Attorney General and the Board of Visitors. Additionally, the Board of Visitors may from time to time appoint other employees who perform functions directly for the Board of Visitors and who report to the Board of Visitors.
3. All tenure and all multi-year contracts must be approved by the Board of Visitors prior to being awarded.
4. The President may initiate appointment of the provost, the vice presidents, and other direct reports; however, the president may not make an appointment to any of these positions without prior approval of the Board of Visitors or its Executive Committee.
5. Appointments of all other employees, and authority to enter into contracts of employment for all other positions, are delegated to the President.
6. The president must report every personnel action to the Board at the next regular meeting following the action. For the purposes of this policy "personnel actions" means any and all offers of employment, hiring, termination, promotion, demotion, salary change, additional or extra compensation of any kind, lateral transfer or reassignment, or notice of non-renewal or non-continuation of employment for any member of the Administrative and Professional Faculty or the Teaching Faculty.

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BOV Policy #34 (2019) Appointment Authorities of Board of Visitors, University President, and Reporting of Personnel Actions

7. This policy supersedes any and all other policies and procedures of the University with which it conflicts.

EDUCATION AND COMPLIANCE

Management will be required to inform leadership of all personnel actions to ensure the BOV is timely informed. To ensure conformity to the requirements of this policy, the Office of Human Resources will communicate this supervisory requirement to managers in periodic training. Violations will be reported to the Office of Human Resources immediately upon disclosure or revelations.

PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, including current and prospective students, within 14 days of Board of Visitors approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

REVIEW SCHEDULE

- Next Scheduled Review: ~~December September 2020~~ [December 11, 2020](#)
- Approval date: ~~Board of Visitors: 01/28/2019~~ [December 11, 2020](#)
- Revision History: ~~None New Policy~~ [January 28, 2019; December 11, 2020](#)
- Supersedes: ~~None New Policy~~

RELATED DOCUMENTS

None



BOV Policy #34 (2019) Appointment Authorities of Board of Visitors, University President, and Reporting of Personnel Actions

FORMS

None



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

CAVEAT TO THIS REVIEW: This policy was recently created (May 2019) and was developed in conjunction with by IP expert outside counsel appointed by the AG at that time. This review relies on that prior review. That is to say, this policy has not been reviewed at this time for substantance. We suggest a re-review by outside IP counsel three years from the Policy’s initial adoption, or May 2022.

Policy Title: Intellectual Property Policy
Policy Type: Board of Visitors
Policy Number: BOV Policy #35
Approval Date: December 11, 2020
Responsible Office: Dean of the School of Graduate Studies and Research
Responsible Executive: Provost and Vice President for Academic Affairs
Applies to: All University employees, students and affiliate entities.

POLICY STATEMENT

Norfolk State University (NSU) encourages and supports the intellectual pursuits, creative activities, and inventions of its faculty, employees and students. The results of these endeavors may be the subject of patent application(s), copyright(s), or other tangible material that is commonly referred to as “Intellectual Property.” As a state university of the Commonwealth of Virginia, NSU is required by the State to have an “Intellectual Property Policy” that covers these products.

The University shall retain all rights, title, and interest in any, and all, Intellectual Property generated, created, or developed in facilities operated or controlled by the University, supported by funds administered by the University, and/or performed in the course of regular duties by University members while utilizing University resources. The University retains the non-exclusive, royalty-free right to use, for non-commercial purposes, works produced by its employees and/or Affiliates while acting within the scope of employment unless exempted by other provisions of this policy.

Use of the University’s name in connection with the commercialization of a faculty, staff or student work must be approved in advance by the University, through the School of Graduate Studies and Research.

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DEFINITIONS

Affiliate Entity or Affiliate: Visiting faculty, full-and part-time agents and employees, full- and part-time students (both undergraduate and graduate), interns and residents, and fellows (pre- and post-doctoral), whether or not they receive all or any part of their salary or other compensation from the University.

Assigned Duty: Intellectual Property created by an Affiliate where the University has specifically directed the Affiliate to develop/produce the Intellectual Property.

Copyrighted Work: An original work of authorship fixed in any tangible medium of expression, including but not limited to literary, musical, dramatic and pictorial materials, sound and visual recordings, computer software programs, creative arts, documents, and transcripts, published or unpublished, which property rights are protected by common law and federal copyright law, as further defined by Title 17 of the U.S. Code. Copyright protection does not protect ideas, concepts, systems or methods of doing something. (<https://www.copyright.gov/help/faq/faq-protect.html>)

Disclosure Document: A report of a development, invention or creation of Intellectual Property.

Invention: Inventions shall include all new, useful and non-obvious discovery, machine, process, composition of matter, article of manufacture, design, model, or technological development, including without limitation all circuits, computer hardware and software, communications protocols, antennas, chemical or polymeric compounds, ceramic, mixed or purified metal, catalyst, cure, biological organism, whether or not genetically engineered, including, microbes, cell lines, cultures, clones, biological or plant material, strain, variety, etc., and modifications, improvements, or extensions thereof.

Intellectual Property (IP): Intellectual Property shall include, without limitation, any Invention (whether patentable or not); certain Copyrightable subject matter; Trademarks; engineered materials (ceramic, metal, polymer or hybrids thereof); genetically engineered crops, animals, bacteria, fungi, or other members of the plant or animal kingdoms; crops or animals made during a breeding program; bacteria, viruses, and other microbes identified or isolated from any source; samples of biological materials; microchip masks and data sets defining such masks; three dimensional printing processes and/or data sets or information for the same; and any other



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

information, data or materials produced by NSU faculty and Affiliates during their association with NSU and/or through the Use of Substantial University Resources. Within this Intellectual Property Policy, Intellectual Property may be more simply referred to as “technology”.

IP Pool: The IP Pool is a budget designated for covering any development expenses incurred by the University for goods and services to administer, protect, develop, and/or enhance the marketability or other aspect of an Intellectual Property, including, but not limited to, patent expenses, protection or litigation of Intellectual Property rights, marketing expenses, consulting fees, and expenses incurred in dealing with equity interests. The Dean of SGSR retains a percentage of all revenues from commercialization to subsidize IP expenses per the Distribution Table referenced in this policy.

Net Revenue: Gross revenue less all incurred or accrued development expenses and holdbacks for any known contingent liabilities.

Originator: In the context of an invention, those in the creative group which gave rise to the new product, concept, or idea. In the context of software or other copyrightable subject matter in which NSU has an ownership interest, those which created portions of the work. In the context of other valuable Intellectual Property, those which are the sources of the Intellectual Property.

Patents: Patents include all domestic or foreign patent applications or patents issuing therefrom, or reissues, re-examinations, continuations, divisionals, and extensions thereof.

Sponsored Research: Research performed under the support of, and compensated by, a sponsoring agency.

University Research: University research is defined as research and related activities by any person, which are related in any way to duties or responsibilities for which he/she has been compensated either by or through the University; or for which facilities owned, operated, or controlled by the University are used in a significant manner. University Research includes, but is not limited to, Sponsored Research or research which involved a significant use of general funds or which involved a Significant Use of University Resources.

Significant Use of University Resources: For the purpose of this policy, this means substantial and dedicated support of the University, including Sponsored Research, or other grants received by the University. Utilization of University laboratories or special instrumentation, dedicated services provided by University employees, special financial assistance or extensive use of shared facilities constitutes significant use. In contrast, the use of a computer in a faculty office, other commonly used equipment for teaching and learning activities, use of incidental supplies, and nominal use of University personnel or shared facilities are not considered significant use.



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

CONTACTS

The Dean of the School of Graduate Studies and Research officially interprets this policy. The Dean of the School of Graduate Studies and Research is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Dean of the School of Graduate Studies and Research.

STAKEHOLDERS

All University employees, students and Affiliate entities.

INTELLECTUAL PROPERTY POLICY CONTENTS

The purpose of the Intellectual Property Policy is to:

1. Provide an incentive for creative intellectual effort and the advancement of knowledge for the benefit of humanity;
2. Ensure that the rights, privileges and interest of the University, its employees, students, and any supporting sponsor or other stakeholders, are recognized and protected through the development of fair agreements and procedures;
3. Encourage employees, students and/or stakeholders of the University, to realize the tangible benefits of Intellectual Property endeavors; and
4. Advance and encourage further research within the University, with revenues accruing to the University from Intellectual Property endeavors and commercialization.

NSU is the owner of all Intellectual Property (as defined in the definition above) and, according to this Intellectual Property Policy, all NSU faculty and Affiliates hereby assign all rights in the Intellectual Property to NSU. Under this Intellectual Property Policy, NSU has an option to commercially exploit all such Intellectual Property within its sole discretion. Should NSU exercise its option to include the Intellectual Property as an asset to be commercialized by NSU according to this Intellectual Property Policy, originators of the Intellectual Property will execute all documents NSU deems necessary or desirable by NSU for seeking and/or securing and/or recording its ownership rights in the Intellectual Property in US and foreign governmental agencies, courts, and the like. Regardless of whether NSU exercises its option to include the Intellectual Property as an asset to be commercialized, NSU shall retain a fully paid-up, non-revocable, non-exclusive license to make and use the Intellectual Property for non-commercial, research, instruction, and educational purposes.



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

Ownership

1. To the extent not proscribed by law or contract, the University shall own all Patents on Inventions made by NSU faculty and Affiliates or made using Significant Use of University Resources, and the NSU faculty and Affiliates hereby affirm the same.
2. To the extent that any other person may have an ownership right in Intellectual Property which was developed with a Significant Use of University Resources or Sponsored Research/resources and/or was developed wholly or significantly with general funds, that person shall be required to transfer any such ownership interest to the University.
3. To the extent permitted by the *Virginia Code*, all applicable regulations, and State Council on Higher Education for Virginia Guidelines, the University may enter into contracts with sponsors of research in which the sponsor asserts an ownership interest. If the University enters into such a contract or other funding vehicle, the terms of that contract or other funding vehicle shall take precedence over this policy. If the sponsor does not assert an ownership interest, the ownership vests with the University as provided in this policy. As a non-profit institution, NSU retains a full claim on innovations made with the help of federally funded research as stated in the Bayh-Dole Act (37 CFR paragraph 401).
4. To the extent permitted by the *Virginia Code*, all applicable regulations, and State Council on Higher Education for Virginia Guidelines, the University may enter into partnership contracts with outside parties for research or other sponsored activities. If the University enters into such a contract, the terms of that contract shall take precedence over this policy.
5. Pursuant to *Virginia Code* Section 23.1-1301, and Title 17 and Title 35 of the *United States Codes* the University may, upon the approval of the Board of Visitors, transfer its interests in Intellectual Property to other persons or entities. Such transfers will meet all applicable legal requirements. Refer to the Transfer of IP section within this policy for additional requirements.
6. The school name and all trademarks used to promote the school, whether or not registered, are important assets owned by NSU. Commercialization of any technology or product by any NSU faculty or Affiliate, or any third-party licensee or optionee, may not employ the school name or any of its trademarks without the prior written authorization of NSU.
7. NSU does not take ownership in any Copyrightable Work created by NSU faculty or Affiliates that is created using generally available University Resources when such works are not made pursuant to an expressly Assigned Duty, and retains only a non-exclusive right to use the Copyrightable Work for educational and non-commercial purposes in such works. These works include novels; music, artwork; pictorial works; films and film

**BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY**

clips; instructional materials developed for student instruction; textbooks, papers, and other publications; and software related to the author's research or position at NSU.

NSU has ownership of copyrights in all software developed for performing a university function including without limitation library related software, software involving securing financial aid, software for addressing the needs of foreign students, software for managing a building project, software for managing remote student testing and/or coursework participation, etc. NSU has ownership of copyrights in all Copyrightable Works wherein Significant Use of University Resources were expended including without limitation software specifically requested to be developed by university personnel using university resources; coursework (audio, audio visual, visual, textual) specifically requested to be developed by university personnel using university resources for distance learning, professional certifications, student instruction, etc.; and pictorial, artistic, editorial, and audiovisual works requested to be developed by university personnel using university resources (e.g., for NSU promotional material, for subjects of interest for NSU, etc.). NSU's ownership of certain Copyrightable Works set forth in this paragraph begins at the creation of the Copyrightable Works, and NSU faculty and Affiliates agree to immediately notify the Intellectual Property Committee of its creation, and, should the Intellectual Property Committee deem it necessary or desirable, the authors of the Copyrightable Works will execute any assignment documents NSU deems suitable for recording NSU's ownership interest at the U.S. Copyright Office or any foreign counterpart office equivalent thereto.

If there is a dispute concerning ownership of a copyright, the Intellectual Property Committee is charged with deciding on ownership between NSU and the originators. If desired by an NSU faculty member or Affiliate to clarify copyright ownership by the NSU faculty member or Affiliate, a description of the copyrightable subject matter may be submitted to the Intellectual Property Committee, and the Intellectual Property Committee will confirm ownership being with either NSU or the originators within ninety (90) days of submission.

8. Even in cases where the University retains ownership of Intellectual Property under this policy, it may cede such ownership to the responsible Originator(s) by written agreement provided it is approved by the Board of Visitors. Alternatively, the University may license an Intellectual Property asset to the Originator(s) under reasonable terms.
9. The University may relinquish any claim to Intellectual Property that is determined by the Intellectual Property Committee not to be the product of University Research and other programs, or the University has no interest in pursuing.
10. The University retains a non-exclusive, royalty-free right to use, for non-commercial purposes, works produced by its Affiliates.



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11. Use of the University's name in connection with the commercialization of Affiliates work must be approved in advance by the University, through the Dean of the School of Graduate Studies and Research.

Intellectual Property Committee:

The Intellectual Property Committee, in consultation with University Counsel is responsible for making policy recommendations to the Provost for dealing with patents, copyrights, and related mechanisms for the protection and/or exploitation of intellectual properties. The Dean for Graduate Studies and Research shall serve as the non-voting Chairperson of the Committee. The Committee shall be composed of five (5) members: (1) recommended by the Vice President for Finance and Administration, (1) recommended by the Provost and Vice President for Academic Affairs and (3) members recommended by the Faculty senate through an election process from the general faculty. All terms are for three (3) years and members may be reappointed for a maximum of one (1) extra term. In the event a member resigns from the committee or is unable to serve, that member will be replaced (per the description above). The new member will be appointed to complete the current term.

IP Committee Administrative Responsibilities:

The responsibility for the administration of the NSU Intellectual Property Policy is assigned to the Dean of Graduate Studies and Research. The Intellectual Property Committee shall perform the following duties:

- To develop standards and procedures appropriate for the implementation of this policy to the Provost and Vice President of Academic Affairs;
- To promulgate invention and creative work Disclosure Documents that are subject to change from time to time;
- To hear and make recommendations to the Provost and Vice President of Academic Affairs on disputed ownership of discoveries, inventions, and copyrightable materials;
- To determine, whether the University has an interest in such property;
- Advise the responsible Originator whether Intellectual Property is patentable or copyrightable;
- To hear and make recommendations to the Provost and Vice President of Academic Affairs on disputed equities of the University and the Originator of the Intellectual Property in which the University has a proprietary interest;
- To make recommendations to the Provost and Vice President of Academic Affairs for the sharing of royalties between the University and the Originator of the Intellectual Property



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

in which the University has a proprietary interest when in conflict with the established distribution;

- To promulgate such guidelines and procedures as may be necessary for the implementation of the Intellectual Property Policy, subject to review and approval of the Provost and Vice President of Academic Affairs. Obtain, maintain, approve, and ensure compliance with all signed agreements between the University and each Originator, between the University and a sponsoring agency, and between the Originator and the sponsoring agency;
- Take appropriate steps on behalf of the University for securing patent rights and copyrights in Intellectual Property in which the University has an ownership interest;
- To oversee the Administration of the royalties accruing to the University as a result of the implementation of this policy;
- Establish guidelines for use of royalties accruing to the University as a result of the implementations of this policy;
- Inform the Originator of all requirements regarding patents in any grant, contract agreement, or other funding source accepted by the University;
- With the aid of the Originator, provide all invention reports and other pertinent information regarding patents required by the terms of a grant, contract, agreement, or other funding source to which the University is a party;
- The IP Committee will render the recommendations to the Provost and VPAA within 90 working days.

Disclosure of Intellectual Property by Originators

Originators of any Intellectual Property, whether or not protectable by patent, copyright, or other mechanism, will timely complete an invention or creative work Disclosure Document either prior to public disclosure (abstract, poster session, publication, meeting presentation, etc.) or within thirty (30) days of origination of an Invention, completion of copyrightable subject matter in which NSU has an ownership interest as set forth in point 7 of the “Ownership” section of this policy (e.g. work created pursuant to an Assigned Duty, work created with a Significant Use of University Resources, etc.), or creation of the Intellectual Property, whichever is earlier, and provide it to the Dean of Graduate Studies of Research. Failure to provide the Disclosure Document or to timely provide the Disclosure Document may jeopardize the rights of the University, and will result in administrative actions up to and including forfeiture of any distributions that may be due the Originators. The Disclosure Document will be utilized by the IP Committee to make decisions on whether to commercialize the Intellectual Property. For more details on procedures, refer to the IP Procedures and Timeline Document.

**BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY****Distribution**

The University may seek to secure and commercially exploit Intellectual Property by whatever manner it deems to be within the best interest of the school, and within the sole discretion of the University. If the University successfully licenses third parties to commercialize any Intellectual Property, the University, after it recovers its overhead costs and other expenses for securing Patents, Copyrights, Trademarks or other forms of protection on the Intellectual Property, will share whatever revenues or other things of value it obtains for the license including all up-front payments, milestone payments, option payments, royalties on sales or use of licensed products or processes, stock, warrants, or other financial instruments according to the following schedule:

	<u>% Distribution of net revenue</u>
Originator(s)	50
SGSR (IP Pool)	10
University IDC	10
Originator's School	10
Originator's Department	20

Any research contracts, grants, consulting agreements and other funding vehicles from or with the United States Government or other funding entities must be honored. Such documents that are at variance with this policy may be referred to the Intellectual Property Committee for recommendations prior to approval. The University President reserves the right to reallocate the University's 50% distributions as identified above.

Right to Appeal

The Originator covered by this policy shall have the right to appeal application of the policy regarding ownership of a patent or copyright, or any procedure relating thereto, to the Provost and Vice President of Academic Affairs (PVPAA). A written request for appeal must be made to the PVPAA and a copy of the appeal forwarded to the Intellectual Property Committee Chair. The request must contain a statement of the specific nature of the appeal, the grounds upon which the appeal is based, and a summary of the facts supporting the applicant's position, and any material the applicant believes is relevant. If, in the judgment of the PVPAA, the resolution of the appeal requires technical expertise, the PVPAA shall appoint a Committee of five (5) faculty members and administrators to make a recommendation regarding the resolution of the appeal. The PVPAA has discretion to accept or reject the Committee's recommendation and make a recommendation to the President. The researcher has the right to appeal the decision of the PVPAA to the President. The President is the last level of appeal and all decisions are final.

Transfer of Intellectual Property

Except when the governor's prior written approval is required, the University's governing board may transfer ownership of any Intellectual Property in which it claims an interest.



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If NSU commences commercialization of Intellectual Property, e.g. by filing a provisional application, but later, within its sole discretion, does not want to proceed further with commercialization efforts, NSU may license the asset to the Originator/Originating group under reasonable terms.

If no laws prevent NSU from returning ownership to the Originators (e.g. rules pertaining to federal and state funding, etc.) and if NSU has not created an intangible asset in the form of a Patent or Copyright registration, and further if, NSU has filed a provisional application but the Originating group will not be claiming priority to the filing, and if NSU chooses not to commercialize the technology, NSU may permit the Originators to pursue commercial exploitation of the technology in their own private capacity subject only to the right of NSU to retain a fully paid-up, non-revocable, non-exclusive license to make and use the Intellectual Property for non-commercial, research, instructional, and educational purposes, and will provide the Originators with written notice of the same.

The governor's prior written approval is required for transfers of title to patents and copyrights that were:

- A. developed wholly or predominantly through the use of state general funds, by an employee of the University acting within the scope of his or her assigned duties;
or
- B. developed wholly or predominantly through the use of state general funds, and are to be transferred to an entity other than the following:
 - an entity whose purpose is to manage intellectual properties on behalf of nonprofit institutions;
 - an entity whose purpose is to benefit the transferring institution; or
 - the Innovation and Entrepreneurship Investment Authority.

When prior written approval is required, the University should send a description of the Intellectual Property and the proposed transaction to the State Council of Higher Education for Virginia. Within thirty (30) days, the Council will recommend action to the governor, including any conditions the Council thinks should be attached to the proposed transfer. The governor also may attach conditions to the transfer.

It should be noted that the governor's approval is not required for the granting of a license to use Intellectual Property, but only when the actual title is to be transferred.

Conflict with Statutes or Regulations

Nothing in this policy shall be interpreted in a manner that conflicts with any applicable Federal or state law, any applicable implementing regulations, or State Council on Higher Education for



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

Virginia Guidelines. To the extent that there is a clear conflict, the applicable law, regulations, or guidelines control the outcome.

EDUCATION AND COMPLIANCE

Faculty and staff will be required to take a mandatory Awareness's MOAT review of this policy. Upon reading this policy, each faculty/staff member will be required to sign an Acknowledgement Form. Both documents are contained within Norfolk State University MOAT Vault. To reinforce understanding of this policy, the policy will be shared with new faculty/staff during orientation. Tracking will be utilized to ensure compliance with completing the Acknowledgement Form in MOAT.

Failure to comply with this requirement will be reported to the employee's supervisor. Additionally, failure to comply with this requirement will result in OIT revoking access to NSU's email, electronic doors, networks, and student systems. The reinstatement process requires a reinstatement form to be completed and signed by a supervisor and could take several days for the process to be completed.

PUBLICATION

This policy will be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Provost will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the Online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet publication requirements does not invalidate this policy

REVIEW SCHEDULE

- Next Scheduled Review: ~~May 2022~~ December 2023
- Approval by, date: ~~Board of Visitors, May 3, 2019;~~ December 11, 2020
- Revision History: May 3, 2019; December 11, 2020
- Supersedes: Intellectual Property Policy Number (N/A) dated May 15, 1999

RELATED DOCUMENTS

Special Reviews:

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<https://www.nsu.edu/Academics/Faculty-and-Academic-Divisions/Schools-and-Colleges/School-of-Graduate-Studies-and-Research/Sponsored-Programs/Pre-Award-Policies-and-Procedures>

Intellectual Property Disclosure Notification

~~The Intellectual Property Agreement~~ <https://www.nsu.edu/Assets/websites/sponsored-programs/forms/intellectual-property.pdf>

Virginia State and Local Government Conflict of Interests Act, Code of Virginia [§2.2-3100](#), et seq.

Virginia Public Procurement Act, Code of Virginia [§ 2.2-4300](#)

FORMS

~~Non-Disclosure of Proprietary Information Agreement~~ Mutual Non-Disclosure Agreement <https://www.nsu.edu/Assets/websites/sponsored-programs/forms/non-disclosure-agreement.pdf>

NSU Invention Disclosure Document: *(Form needs to be uploaded to Sponsored Programs)*

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BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

Intellectual Property & Technology Transfer Regulations (Source: ACUA.org)			
Statute	Regulation	Summary	Reporting Requirement
American Jobs Creation Act of 2004 26 U.S.C. § 170		For contributions of patents and certain other intellectual property made to a 501(c)(3) after June 3, 2004 the taxpayer's initial contribution deduction is limited to the lesser of the donor's basis in the contributed property or the fair market value of the property.	The institution is expected to file Form 8899 (Notice of Income from Donated Intellectual Property) by the last day of the first full month following the close of the institution's taxable year to which the net income from the contribution is properly allocable.
Bayh-Dole Act of 1980 35 U.S.C. §§ 200-212	37 C.F.R. § 401 48 C.F.R. § 927 48 C.F.R. § 952 48 C.F.R. § 970	Establishes a uniform policy for the disposition and licensing of rights to patentable inventions discovered in the course of federally-funded research.	The University has several reporting requirements regarding federally funded inventions.
Cooperative Research and Technology Enhancement Act (CREATE Act) Public Law No. 108-453	37 C.F.R. § 401	- Amends the Patent Act to provide that sharing of confidential information under a joint research agreement that was in effect on or before the date the claimed invention was made will not be the basis of an obviousness determination under patent law. - Promotes patentability of inventions created between universities and the private sector by treating inventions as having a sole owner.	Not Applicable
Trademark Revision Act		Subject to the principles of equity, the owner of a famous mark that is distinctive,	Not Applicable

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BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

15 U.S.C. § 1051 Public Law No. 109-312		inherently or through acquired distinctiveness, shall be entitled to an injunction against another person who, at any time after the owner's mark has become famous, commences use of a mark or trade name in commerce that is likely to cause dilution by blurring or dilution by tarnishment of the famous mark, regardless of the presence or absence of actual or likely confusion, of competition, or of actual economic injury.	
U.S. Patent Act 35 U.S.C. §§ 1-390	Consolidated Patent Rules, 37 C.F.R. § 1-150	- The consolidated patent laws specify the subject matter for which a patent may be obtained and the conditions for patentability. They also include requirements related to representation before the U.S. Patent and Trademark Office, applications for registration, examination procedures, amendment of applications, publication and post publication procedures, appeals, petitions, post registration practice, correspondence in trademark cases, classification of goods and services, and procedures under the Madrid Protocol. - The laws establish the Office to administer the law relating to the granting of patents and contain various other provisions relating to patents.	Not Applicable
Visual Artists Rights Act		Protects moral rights for fine art works, but does not protect audiovisual works and probably	Not Applicable



BOV POLICY # 35 (2019) INTELLECTUAL PROPERTY POLICY

17 U.S.C. § 106A		does not apply to most multimedia creations.	
U.S. Copyright Act 17 U.S.C. § 107		• Limitations on exclusive rights: Fair use Notwithstanding the provisions of sections 106 and 106 A, the fair use of a copyrighted work, including such use by reproduction in copies or phono records or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include— (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work. The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.	Not Applicable



BOV POLICY #36 (2019) Public Comment on Tuition and Mandatory Fee Increases

Policy Title: Public Comment on Tuition and Mandatory Fee Increases

Policy Type: Board of Visitors

Policy Number: Board of Visitors Policy # 36 (2019)

Approval Date: December 11, 2020 ~~10/11/2019~~

Responsible Office: University Board of Visitors

Responsible Executive: Rector, University Board of Visitors

Applies to: General Public

POLICY STATEMENT

This policy establishes procedures for the receipt of public comment during the University Board of Visitors' consideration of undergraduate tuition and mandatory fee increases. The policy also requires the Board of Visitors to provide the public with an explanation for any deviation from the projected range of the planned increase in undergraduate tuition and mandatory fees that it previously provided to the public.

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DEFINITIONS

None



BOV POLICY #36 (2019) Public Comment on Tuition and Mandatory Fee Increases

CONTACT(S)

The Rector of the University Board of Visitors officially interprets this policy, and is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to the Office of the University President for appropriate routing to the Board of Visitors.

STAKEHOLDER(S)

General Public

PUBLIC COMMENT ON TUITION AND MANDATORY FEE INCREASES POLICY CONTENTS

In accordance with [§ 23.1-307\(E\)](#) of the Code of Virginia, the Norfolk State University Board of Visitors (hereinafter referred to as “the Board”) will permit public comment on any proposed increase in undergraduate tuition and mandatory fees. Such public comment will generally be received during the Board’s May meeting, unless the Board elects to consider such increases during another public meeting as defined by [§2.2-3701](#) of the Code of Virginia. Members of the public wishing to provide comment on proposed undergraduate tuition and mandatory fee increases should provide notice to the Secretary of the Board or his/her designee at least 48 hours before the Board meeting in which tuition and mandatory fee increases are to be considered. Such notice shall include the name and contact information for the individual wishing to deliver public comment. All public comment shall be limited to the topic of undergraduate tuition and mandatory fee increases and each comment shall not exceed five (5) minutes in length. Any individual that does not provide prior notice to the Secretary of the Board or his/her designee shall be permitted to offer comment, but such comment shall not exceed one (1) minute.

In accordance with [§ 23.1-307\(F\)](#) of the Code of Virginia, the Board of Visitors, through the Rector or his/her designee shall provide the public with an explanation for any deviation from the projected range of the planned increase in undergraduate tuition and mandatory fees that it previously provided to the general public. Such explanation shall be provided orally or in written form before the Board takes final action on any undergraduate tuition and mandatory fee increase. The Board’s minutes shall include the written comments or a transcript of the oral comments.

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EDUCATION AND COMPLIANCE

Members of the Board of Visitors shall be made aware of this and other Board of Visitors policies as part of the new Board member orientation process. Any changes to this policy shall be communicated to the Board by the Administration no later than the Board’s ~~next scheduled~~next scheduled meeting. The Rector shall be responsible for ensuring annual compliance with the provisions of this policy.



BOV POLICY #36 (2019) Public Comment on Tuition and Mandatory Fee Increases

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PUBLICATION

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Board of Visitors through the Office of the University President will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of approval;
- Educate and train all stakeholders, and appropriate audiences on the policy's content.

REVIEW SCHEDULE

- Next Scheduled Review: [December 2023](#)~~Expires on 10/11/2022~~
- Approved date: [December 11, 2020](#)~~10/11/2019~~
- Revision History: [October 11, 2019](#); [December 11, 2020](#)~~None New Policy~~
- Supersedes: ~~None New Policy~~

RELATED DOCUMENTS

[Code of Virginia § 23.1-307, Public Institutions of Higher Education; Tuition and Fees](#)

[Code of Virginia §2.2-3701, Freedom of Information Act, Definitions, "Open Meeting"](#)

[University Board of Visitors Contact Information](#)

FORMS

None



BOV Policy #37 (2020) Research Incentive Award Policy

Policy Title:	Research Incentive Award Policy
Policy Type:	Board of Visitors
Policy Number:	BOV Policy #37 (2020)
Approval Date:	December 11, 2020
Responsible Office:	Graduate Studies and Research: Office of Sponsored Programs
Responsible Executive:	Provost and Vice President for Academic Affairs
Applies to:	Full-time faculty

POLICY STATEMENT

This policy establishes guidelines for faculty eligibility to receive a financial incentive for the role that they maintain in scholarly research activities, externally funded research, grants, projects, and contracts at Norfolk State University. Furthermore, this policy establishes an institutional expression of support for faculty engaged in the aforementioned activities. The University recognizes that employees may make extraordinary contributions to the University that are both related and unrelated to their primary work assignments. This policy should be read in conjunction with the University policy on contracts for Teaching Faculty and the policy on employment generally for Administrative and Professional Faculty (See section 5.1 “Faculty Hiring” of the University’s Teaching Faculty Handbook, June 8, 2018 edition), and the “Employment,” Administrative & Professional Faculty Handbook, January 1, 2002, pg. 11, et seq.) that defines the primary work assignments for teaching faculty, and administrative and professional faculty (exempt employees). The state of Virginia allows for bonuses that are not associated with an individual’s institutional base salary. A Research Incentive Award is considered a financial bonus. As such, this bonus would be allowed. This policy supersedes the Interim Policy #01 (2019) Supplemental Compensation.

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BOV Policy #37 (2020) Research Incentive Award Policy

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DEFINITIONS:

Research Incentive Award (RIA): Financial awards received for services related to external grants, projects, and contracts outside the normal scope of employment as defined as an employee's full workload.

Teaching & Research (T&R) Faculty: Faculty members whose primary responsibilities include instruction, scholarly activity, advising and mentoring students, and university service or conducting research in an assigned academic unit in the University.

Administrative & Professional (A&P) Faculty: As defined by the Administrative and Professional Handbook approved by the NSU Board of Visitors.

CONTACTS:

The Provost and Vice President for Academic Affairs is responsible for the implementation of this policy, and obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Questions regarding this policy should be directed to the Dean of the School of Graduate Studies and Research.

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STAKEHOLDERS:

Full-time Teaching and Research Faculty, Administrative & Professional Faculty (as defined above).

RESEARCH INCENTIVE AWARD REQUIREMENTS UNDER SPONSORED PROGRAM ACTIVITY:

A. Requirements for Research Incentive Award Eligibility:

1. For T&R or A&P Faculty members to be eligible for RIA, they must successfully obtain external funding with an indirect cost component.
2. Ten percent of indirect costs recovered from a grant or project will be paid to the principal investigator. Five percent will be given directly to the PI as incentive award and 5% will go the PIs lab/project.
3. In the case of collaborative efforts, incentive awards will be calculated from the indirect costs recovered by NSU only.
4. When a project has multiple investigators, the incentive award will be divided according to percent effort on project.



BOV Policy #37 (2020) Research Incentive Award Policy

5. When funding ceases, RIAs associated with the activity will also terminate.
 6. RIAs will be distributed in a lump sum each year based on the preceding grant year, to be awarded within 30 days of the grant award anniversary.
 7. The Office of Sponsored Programs in conjunction with the Office of Grants, Contracts, and Accounting, will administer the RIA program and mediate issues that may arise concerning the program.
- B. This policy supersedes and replaces any other university policies and processes in conflict with this policy.
- C. This policy shall be applicable to grants awarded after the effective date of the policy. Grants awarded before the effective date of this policy shall be governed by the policy in effect at the time of the award.

EDUCATION AND COMPLIANCE:

A. TRAINING

Training for this policy is intended to educate faculty and administrators that will have a role in administering this policy or to be recipients of the financial awards specified in this policy.

1. NSU employees who manage, administer, operate, or design IT systems, must receive role-based security training that is commensurate with their involvement.
2. As necessary, the Office of Sponsored Programs with the assistance of other administrative units such as Human Resources and/or the Division of Finance and Administration will educate and train all stakeholders and appropriate audiences on the policy's content using virtual or face to face engagements.

B. POLICY COMPLIANCE AND VIOLATIONS:

1. The Office of Sponsored Programs assesses and measures compliance with the RIA policy through the review of grant submissions and related documentation as well as administrative processes that include audits and financial reviews.
2. Violations of this policy will be addressed in accordance any relevant federal, NSU and Commonwealth of Virginia policies.

PUBLICATION:

This Policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:



BOV Policy #37 (2020) Research Incentive Award Policy

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval.
- Submit the policy for inclusion in the online Policy Library within 14 days of approval.
- Post the policy on the appropriate website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet publication requirements does not invalidate this policy.

REVIEW SCHEDULE:

- Next Scheduled Review: December 2023
- Approval by, date: ~~Board of Visitors~~, December 11, 2020
- Revision History: Interim Policy #01 (2019) Supplemental Compensation, June 22, 2020; December 11, 2020
- Supersedes: Teaching Faculty Handbook; Administrative and Professional Faculty Handbook; Administrative Policy 38-03 – Faculty & Staff Supplemental Compensation; Interim Policy #01 (2019) Supplemental Compensation.

RELATED DOCUMENTS:

1. TBD

FORMS:

1. TBD

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Commented [CES4R3]: Administrative Policy and Interim Policy have been archived and are no longer accessible online.

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BOV #39 (2020) General Fundraising and Solicitation

Policy Title:	General Fundraising and Solicitation
Policy Type:	Board of Visitors
Policy Number:	BOV #39
Approval Date:	March 19, 2021
Responsible Office:	Office of University Advancement
Responsible Executive:	Vice President for University Advancement
Applies to:	University Community

POLICY STATEMENT

The Office of University Advancement is responsible for the general areas of fundraising and support, and serves as a liaison with the Norfolk State University Foundation for development activities. Responsibilities of the Office of University Advancement include collaborating with faculty, staff, students, Deans, Vice Presidents, campus units, the NSU Foundation, and other related foundations (NSU Alumni Association (NSUAA), NSU Research and Innovation (NSURIF), and NSU Athletic Foundation), interested in enhancing or developing fundraising initiatives to provide the logistical support and coordination necessary to execute appropriate fundraising activities.

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BOV #39 (2020) General Fundraising and Solicitation

DEFINITIONS

- Proposal: Any solicitation that is either written or verbal to an individual, corporation or foundation. Proposals must be entered onto the proposal screen in Raiser's Edge.
- Prospect: Any individual, corporation or foundation with the willingness and the capacity to give or direct donations to Norfolk State University.
- Cultivation: Building relationships, engaging prospects and preparing to make a charitable ask.

CONTACT(S)

The Office of University Advancement officially interprets this policy. The Office of University Advancement is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Questions regarding this policy should be directed to the Office of University Advancement.

STAKEHOLDER(S)

For the purposes of this policy, stakeholders include, but are not limited to the members of the University Community and those external constituents with a vested interest in Norfolk State University.

POLICY CONTENT

Introduction

The Norfolk State University General Fundraising and Solicitation Policy has been developed for the purpose of ensuring that all fundraising programs meet university priorities by providing:

- 1) Direction to avoid solicitations that are inconsistent with the University's mission or are not in the best interest of the University.
- 2) Direction to prevent multiple fundraising efforts from different entities within the University toward the same prospect.
- 3) Complete and accurate reporting of gifts and pledges.
- 4) Guidance for compliance with IRS regulations and acceptable business practices.
- 5) Guidance for persons involved in gift solicitation, recording, and management for Norfolk State University.

The General Fundraising and Solicitation Policy applies to all Norfolk State groups engaged in the solicitation of funds on behalf of the University, and/or stewardship of charitable funds donated for the University's benefit, including but not limited to all faculty, staff, students, student

BOV #39 (2020) General Fundraising and Solicitation

organizations, coaches, volunteers, university-related foundations, and all other parties raising funds on behalf of Norfolk State University.

Purpose

Norfolk State's Office of University Advancement works to advance the financial resources necessary to carry out the mission of the University. The office develops various programs that promote donor engagement while building support for the priorities set by the President and Board of Visitors.

Several departments within University Advancement work cohesively to support each of the schools and colleges of the University. The team includes leadership gift officers, annual giving, prospect research, gifts and record management, donor relations, alumni relations, and special events.

Responsibilities

The responsibilities of each department or employee of the University in connection with any University fundraising efforts are as follows:

- 1) Development officers, department heads and other University representatives involved in cultivation and solicitation must follow procedural clearances for fundraising. For purposes of this policy, department head is defined as a divisional Vice President, the Provost (or designee), Athletic Director, and/or an Academic Dean. All development officers, deans, vice presidents, senior officers, and faculty who are so involved must:
 - Read and understand the General Fundraising and Solicitation Policy and related policies
 - Route all funding inquiries to University Advancement
 - Report and route all pledges, checks and other monies to University Advancement Development Services promptly (See Gift Recording Form-Appendix B)
 - Understand and use gift and pledge recording forms and systems
 - Understand and use prospect tracking systems to maintain accurate and timely prospect communication status and tracking (See Interactions Notes Form-Appendix D)
- 2) Schools, Centers, Institutes, Libraries, and other Academic Units:
 - Director, Department Head, or Dean to communicate the General Fundraising and Solicitation Policy and related policies to faculty and staff (an annual distribution is recommended) and ensure compliance of the policy
 - Follow guidelines and procedures set forth in the Norfolk State University Fundraising Policy

BOV #39 (2020) General Fundraising and Solicitation

- 3) University
 - Recommendations for fundraising, gift policies and acceptance are the responsibility of University Advancement
 - Final responsibility for acceptance of all gifts rests with the University President
- 4) Norfolk State University Foundation (NSUF)
 - Valuation of gifts of tangible and real property
 - Liquidation of appreciated assets
 - Retention of appropriate gift agreements and documentation
- 5) University Advancement
 - Gift recording, gift accounting and pledge documentation
 - The identification, cultivation, solicitation, and stewardship of charitable gifts to Norfolk State University and/or its affiliated foundation(s)
 - Managing the process of solicitations by staff, volunteers, faculty, and others in accordance with approved gift policies
 - Managing the solicitation process and receipt of gifts in consonance with approved University fundraising priorities
 - Recommendations regarding the minimum funding levels and naming opportunities
 - Updating appendices to the General Fundraising and Solicitation Policy as necessary

Procedures

The Vice President for University Advancement and the NSU Foundation are responsible for development and implementation of procedures that are consistent with this policy.

Any request to undertake a fundraising program or to solicit private contributions should first be reviewed by the appropriate Department Head, Dean, or Vice President and then approved by the Office of the Vice President of University Advancement before any solicitation is made of a prospective donor. The request is made with the Solicitation Request Form (Appendix A) and should include the following elements:

1. Solicitor's contact information
2. Description of Project/Program
3. Budget
4. Fundraising goal or ask amount
5. Names and information for prospect(s)
6. Support needed from University Advancement
7. Sign off by the appropriate Department Head, Dean or Vice President

BOV #39 (2020) General Fundraising and Solicitation

The Office of University Advancement may provide the following support for approved fundraising programs, projects, or initiatives:

1. Research, training, guidance, and relevant materials to solicitors prior to contact with prospects
2. Identification of appropriate prospects(s) for the program or project; and with the formulation and implementation of an appropriate cultivation and solicitation strategy
3. Advancement professionals to participate in cultivation, solicitation, and stewardship visits/calls
4. Solicitation materials

The Office of University Advancement (in collaboration with Communications and Marketing) must approve all fundraising materials, including but not limited to pamphlets, brochures, posters, advertisements, letters, multi-media productions, etc. Brand uniformity and consistency is imperative as promotional materials are reflective of the image of Norfolk State University.

Individual or Group Solicitations

All general or group solicitation of funds may not be undertaken by any school, broadcasting, athletic or academic department without the approval of the Vice President for University Advancement as set forth in the Norfolk State University General Fundraising and Solicitation Policy. In cases where the level of priority for a project is not clear, the Vice President for University Advancement or his/her designee will consult the Provost of the University and/or the appropriate Dean or divisional Vice President for clarification. Written approval is required using Solicitation Request Form (Appendix A).

Any approach outside of approved funding priorities, whether an individual, foundation, corporation, federation, association, or other donative/grant-making entities, must seek approval from the Vice President of University Advancement or his/her designated representative.

No fundraisers can be used on a public domain to promote a fundraising event without written approval from the Vice President for University Advancement. University Advancement will not authorize any fundraisers where affiliated funds are not directly dispersed from the donor to the NSU Foundation. Norfolk State University is not responsible for any personal fundraisers. Any such external fundraisers publicly promoted on behalf of the University are subject to legal ramifications. Written approval can be requested using Solicitation Request Form (Appendix A).

Gift Recording Policies

To establish a gift there must be a total and irrevocable transfer of an asset. It is the expectation of Norfolk State University that every gift, since there is a transfer of an asset, will have a written acknowledgment issued by Development Services and Stewardship. Norfolk State University's

BOV #39 (2020) General Fundraising and Solicitation

Development Services and Stewardship will not make commitments to donors regarding tax reporting, preparation, or the determination of the value of gifts. All gifts, pledges, and bequest distributions to Norfolk State University will be recorded in compliance with IRS regulations and acceptable accounting practices. The process is reviewed periodically by the Vice President of University Advancement or by his/her designate.

Gift Acceptance Guidelines

Restricted gifts should include language providing Norfolk State University with reasonable flexibility:

Example

“If at any time the Board of Visitors of Norfolk State University or the Board of Directors of the Norfolk State University Foundation determines that distributions from this fund are no longer appropriate for the purpose described in this Agreement, the Board(s) may use the distributions for such purposes as in its opinion will best further the objectives and welfare of Norfolk State University, bearing in mind the desires of the Donor as expressed in this Agreement.”

- Irrevocable gifts, such as trusts, managed by entities such as a bank or foundation outside of Norfolk State University will be accepted and valued in the same way as other gifts to the Norfolk State University Foundation. Such gifts will appear **once only** in the standard monthly reporting by the advancement office.
- No gift will be accepted that would constitute an undue burden on the University. It is the responsibility of development officers, and other University representatives involved in fundraising initiatives, to work in coordination with the offices of the Provost, Financial Aid, and Finance and Administration to meet this standard. University Advancement will attempt to reach resolution with a given donor, but gifts with the implication of imposing a burden on the University will be carefully examined, and those that cannot be resolved will be referred to the Gift Acceptance Committee for resolution. Examples of gifts that could impose an undue burden on the University include, but are not limited to:
 - Gifts of unmarketable securities;
 - Tangible property with restrictions on its use;
 - “Matching” requirements;
 - Commitment to continue a project after a gift has been terminated or exhausted;
 - Gifts toward construction projects that do not permit the University to fully fund the project, including planning design, construction, FF&E (furniture, fixtures and equipment), and ongoing maintenance and repairs;
 - Establishment of a permanent, interest-bearing (endowed) fund when the gift amount is not sufficient to carry out its specified purpose;

BOV #39 (2020) General Fundraising and Solicitation

- To finance and/or administer a project outside the routine functions of the University or outside its mission;
 - Certain gifts of real estate
- Gifts that direct academic decision-making and are valued at \$1 million or more and impose a new obligation on Norfolk State University must be reviewed and accepted by the Vice President for University Advancement. The major gift officer or department head are required to submit the Special Gift Acceptance Form (Appendix C) to University Advancement for documentation of the philanthropic gift.

EDUCATION AND COMPLIANCE

The Office of University Advancement will annually review and update the General Fundraising and Solicitation Policy and carry out appropriate actions to ensure compliance within the department. University Advancement staff affiliated with development services and fundraising will be required to participate in a mandatory training to review the General Fundraising and Solicitation Policy via in person meeting or Zoom. Participants are required to sign a NSU General Fundraising and Solicitation Policy Acknowledgment Form that will be kept on file by their respective supervisor.

As necessary, the Office of University Advancement will educate and train all University department heads and appropriate audiences on the General Fundraising and Solicitation policy's content using virtual or face to face learning sessions.

Policy Compliance and Violations:

The Office of University Advancement will ensure conformity of the requirements of this policy. Violations of this policy will be reported to and addressed by the Vice President of University Advancement annually.

PUBLICATION

This Policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the Policy for inclusion in the online Policy Library within 14 days of Board approval;

BOV #39 (2020) General Fundraising and Solicitation

- Post the Policy on the Board's Website; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the Policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this Policy.

REVIEW SCHEDULE

- Next Scheduled Review: 02/11/2024
- Approval by, date: Board of Visitors, 03/19/2021
- Revision History: 5/20/2014
- Supersedes: 51-002 University Policy on General Fundraising and Solicitation

RELATED DOCUMENTS

There are no related documents associated with this policy.

FORMS

See Appendix



DRAFT

Solicitation Request Form Appendix A

Department: _____ Date: _____

Lead Solicitor: _____ Title: _____

Email: _____ Phone: _____

Description of the Project/Program/Fundraiser/Solicitation: _____

Program Budget: _____

Prospect Name (individual, corporation or foundation): _____

Solicitation Request Amount: _____

Government grant: ☐ Yes ☐ No

Support needed from University Advancement: Yes No

If yes, in what capacity (please check the following that apply):

☐	Research, training, guidance and relevant materials to solicitors prior to contact with prospects.
☐	Identification of appropriate prospect(s) for the program or project; formulation and implementation of appropriate cultivation and solicitation strategy.
☐	Advancement professionals to participate in cultivation, solicitation, and stewardship calls and visits.
☐	Review and suggestions for solicitation materials.

Department Head/Dean/Vice President Name (Print)

Department Head/Dean/Vice President Name (Signature)

Date

University Advancement (Signature)

Date



DRAFT

Gift Recording Form Appendix B

Please complete this form when submitting any gifts to University Advancement

Name of person submitting gift: _____

Email: _____

Department: _____

Date Received from Donor: _____

Gift type: ☐ Cash ☐ Check ☐ Credit Card ☐ Other: _____

Donor Name: _____

Donor Address: _____

Gift Amount: _____

Gift Designation: _____

*All donors will be recognized for their gift based on the date the gift was made and the agreement for the total pledge amount.

Received by UA: _____

Date: _____



DRAFT

Special Gift Acceptance Form Appendix C

Department: _____

Date: _____

Lead Solicitor: _____

Title: _____

Email: _____

Phone: _____

-
- ☐ This gift will impact the direction of academic decision-making policies
☐ This gift is equal to or greater than one-million dollars and will impose a new obligation on Norfolk State University

Donor Name: _____

Donor Address: _____

Gift Amount: _____

Gift Date: _____

Terms and Conditions of gift acceptance and any University impact: _____

Department Head/Dean/Vice President Name (Print)

Department Head/Dean/Vice President Name (Signature)

Date

Vice President of University Advancement or his/her designee (Signature)

Date



DRAFT

Norfolk State University

Donor/Prospect Interaction Notes - Appendix D

(All interactions with current and potential donors must be documented)

Call / Meeting (circle one) with: Dr./Mr./Mrs./Ms. _____

of: _____ Date: _____

Faculty/Staff Contact: _____

Call/Meeting Purpose:

-

Call/Meeting Notes:

-

-

-

-

-

-

-

Follow up action required: _____

Please return to University Advancement, Wilson Hall, Suite 410