



West Virginia University

Board of Governors

2023 - 2024

Meeting Agenda Booklet

February 23, 2024

Board Members

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Bray Cary
Elmer Coppoolse
Kevin Craig
Michael D'Annunzio
Dr. Patrice Harris, Secretary
J. Thomas Jones
Alan Larrick
Susan Lavenski

Paul Mattox
Taunja Willis Miller, Chair
Richard Pill, Vice-Chair
Robert L. Reynolds
Dr. Stanley Hileman
Frances E. "Frankie" Tack
Shirley Robinson
Madison Santmyer

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Regular Board Meeting – February 23, 2024 – 10:00 a.m.**

**Barnette BOG Room, Erickson Alumni Center
Morgantown, WV**

And

Via Zoom

Meeting ID: 933 1375 4619

Passcode: 5r9sv6Up

Dial-in: (888) 475-4499

MEETING AGENDA

1. Call to Order

**Member
Willis-Miller**

2. Potential Executive Session, under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), (b)(10), and (b)(12) to discuss:

- a. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships, and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University;**
- b. Possible naming opportunity; and**
- c. Confidential and preliminary matters involving or affecting the University’s budget for the current and upcoming academic year, including retention and enrollment.**

3. Discussions Emanating from Executive Session – if any

4. Committee Reports For:

- Enrollment Work Group** **Lavenski**
- January 25, 2024 and February 15, 2024 Ad Hoc Governance Committee Meetings** **Harris**
- February 22, 2024 - Audit Committee Meeting** **Hill**
- February 22, 2024 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting** **Craig**

- **February 23, 2024 Academic Affairs and Accreditation Committee meeting** Harris

- 5. **Public Presentation on Campus Safety and Campus Carry Updates** Martin & Faris

- 6. **Notice of Proposed Rulemaking for the adoption of new proposed Rules and amendments to a current Board Rule as follows:** Taylor
 - a. **West Virginia University Board of Governors Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-defense Act; and**

 - b. **West Virginia University Board of Governors Talent & Culture Rule 3.5 – Employee Leave**

- 7. **Approval of minutes from December 15, 2023 Regular Board Meeting**

- 8. **Information Items (Written Only) These include:**
 - a. **Report of Real Property Transactions – Second Quarter of FY 2024** Furbee

 - b. **Confirmation of Previously Approved Naming Opportunity (Kittie Blakemore Drive)** Gee & Reed

 - c. **Confirmation of Discontinuance of Graduate Academic Programs** Gee & Reed

- 9. **President’s Report** Gee

- 10. **Consent Agenda (for Board Review and Action) These include:**
 - a. **Approval of New Program: BS in Respiratory Therapy in the School of Medicine** Reed

 - b. **Café Evansdale Kitchen Renovation (Sodexo)** Congelio & Newmeyer

- c. **Milan Puskar Stadium – Sports Lighting Upgrades** Congelio
- d. **Deactivation of Career Technical Undergraduate Education at WVU Institute of Technology** Reed
- e. **Naming Opportunity** Gee

11. General Business

12. The next regular board meeting is scheduled for April 12, 2024

13. Adjournment



WVU BOARD OF GOVERNORS
**CAMPUS SAFETY
COMMITTEE UPDATE**

February 23, 2024

STEERING COMMITTEE

THIS GROUP:

/ identifies safety concerns for all campuses and works with sub-groups to develop best practices and solutions.

/ makes recommendations to the University based on the input provided by the sub-groups.

/ communicates with the campus community on a frequent basis to share goals, action plans and results.

MEMBERS:

CO-CHAIRS:

Corey Farris
Sharon Martin

Amy Alton
Ann Berry
Trish Cendana
Diana Davis
Jen Fisher
Lisa Hanselman
Ron Justice
April Kaul
Paul Kreider
April Messerly

Travis Mollohan
Erin Newmeyer
Meshea Poore
Madison Santmyer
Tara Scatterday
Carrie Showalter
Chief Sherry St Clair
Ted Svhelik
Stephanie Taylor

CAMPUS SAFETY SUB-COMMITTEES

CAMPUS CARRY

TRAVIS MOLLOHAN, CHAIR

This sub-group will make recommendations to the Campus Safety Steering Group regarding safety provisions, requirements and communications needed to implement Campus Carry on all WVU campuses by July 1, 2024. Meets monthly or as circumstances dictate.

MORGANTOWN PARTNERSHIP

RON JUSTICE, CO-CHAIR

ERIN NEWMAYER, CO-CHAIR

This group will work with the City of Morgantown to identify safety concerns for the downtown area, as well as other areas in Morgantown, and work in partnership with various Morgantown leaders and agencies to develop solutions and assist with community development projects. Meets every six weeks or as circumstances dictate.

CAMPUS SAFETY SUB-COMMITTEES

CAMPUS SAFETY

CARRIE SHOWALTER, CHAIR

This group will identify safety concerns on WVU's campuses and develop solutions and best practices to address those concerns. This group will communicate frequently with the campus community on projects. Meets monthly or as circumstances dictate.

COMMUNICATION

APRIL KAULL, CHAIR

This sub-group will develop strategic communications to educate the campus community on progress of the Campus Safety groups, as well as develop campus safety messaging to be shared throughout the academic year. This group also will work with the city's communication team to create shared messaging when appropriate. Meets monthly or as circumstances dictate.

CAMPUS CARRY SUBCOMMITTEE

The Campus Carry Subcommittee will meet regularly through July 1, 2024, which is the date Senate Bill 10 becomes law.

It is reviewing a wide variety of topics, including:

- / How to implement for the WVU System
- / Project costs
- / Timeline
- / Communication plan
- / Provide final recommendations to Steering Committee

CAMPUS CARRY SUBCOMMITTEE

The Campus Carry Subcommittee is represented by a cross-section of our campuses and our programs including:

- | | | |
|------------------------|------------------------|------------------------|
| / Students | / Government Relations | / Talent & Culture |
| / Faculty | / Health Sciences | / University Relations |
| / Staff | / Hospital System | / UPD |
| / Carruth Center | / Libraries | / Visitors Center |
| / Creative Arts Center | / Provost's Office | / WVU Beckley |
| / Extension | / Research | / WVU Keyser |
| / Facilities | / Student Life | |
| / General Counsel | / Student Housing | |

KEY COMPONENTS OF THE LAW

The following provisions and exceptions are included in the law:

- / Requires institutions to permit concealed carry of pistols or revolvers by those with a license in non-exempt areas.
- / Only applies to areas under custodial possession, not areas rented, leased or under exclusive agreement for occupant and use of a private entity.
- / WVU is permitted to prohibit concealed carry in select areas defined in the legislation such as patient care, mental health counseling, high hazardous and animal laboratories, organized events at a stadium or arena with 1,000 or greater spectator capacity, student and employee disciplinary proceedings, and where “adequate security measures,” as defined by statute, are in place.
- / WVU may also prohibit concealed carry at primary or secondary education school-sponsored functions, and in “sole occupancy” offices as defined by statute.
- / WVU may restrict concealed carry in on-campus residence halls except common areas such as lounges, dining areas and study areas and by employees whose responsibilities require them to be in on-campus residence halls.
- / Pistols or revolvers remain restricted from areas where already prohibited by federal or state law.

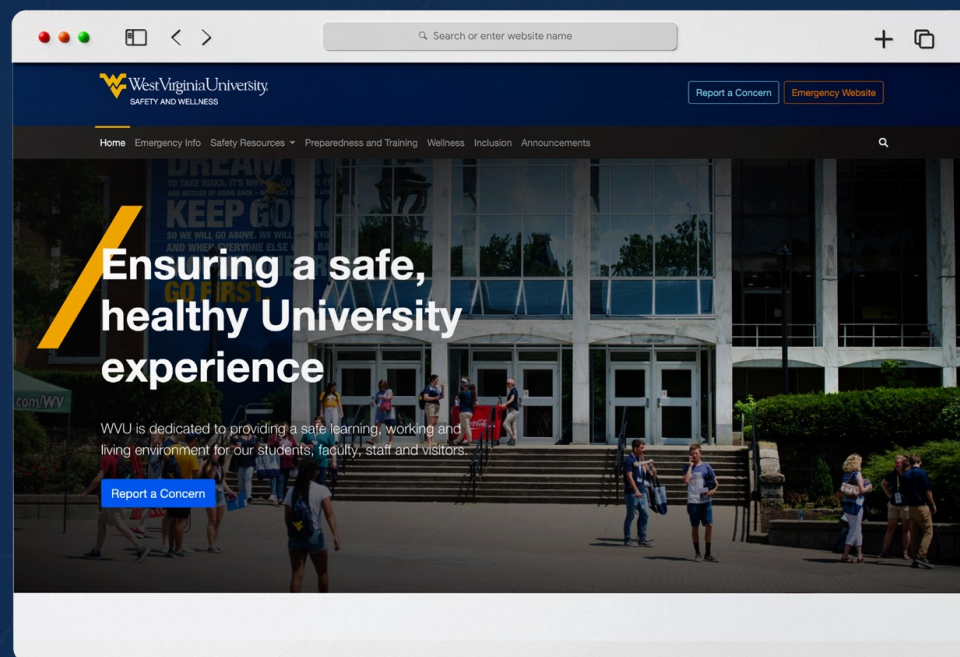
PROGRESS TO DATE

- / Recently completed UPD survey on campus safety (**1,000+ responses**).
- / **Campus Carry website** went live on Monday, February 19.
- / **Campus Carry presentations** to Faculty Senate and Student Government Association (SGA). Additional presentations scheduled for Staff Council, Front Line Professionals, Key Communicators/Alumni Relations teams.
- / Participated in **demonstrations** of metal detectors/weapons detection systems.
- / Spearheaded by HEPC, WVU is participating in **regular meetings with WV higher education attorneys** on Campus Carry implementation.
- / **Communications timeline** developed with a special emphasis on the implementation of Campus Carry.
- / **Connected with universities** in other campus carry states (Kansas University, Kansas State University, Colorado University and Colorado State University) to learn best practices.
- / Campus Carry **Board of Governors Rule** on today's agenda.

COMMUNICATION

CAMPUS SAFETY

- / regularly provide safety information and updates to the campus community through E-News and U-News
- / maintain safety.wvu.edu
- / work closely with UPD, Student Life and Legal



COMMUNICATION

CAMPUS CARRY

Communications will focus on four key messages:

- / What is the law?
- / How will it affect me?
- / What resources are available to me?
- / Where can I learn more?

We will work with campus communicators and key constituents to share information.

Timeline began this month and will carry through the fall.

safety.wvu.edu/campus-carry

COMMUNICATION PLANS

- / Campus Carry webpages
- / Social Media
- / Direct Emails
- / Vanity email account (to direct questions)
- / Campus signage
- / Guide for communicators: talking points, social posts, email blasts, graphics
- / Info Station graphics
- / FAQs
- / Campus Conversation
- / NSO (module, in-person programming)
- / Welcome Week and other fall communications
- / **Training for key teams:** Residence Life, Visitors Center teams, Admissions staff, Graduate Admissions staff, Recruiters, Mountaineer Parents Club, WVU Extension, WVU Athletics

THANK YOU.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of February 23, 2024

- ITEM:** Notice of Proposed Rulemaking for the adoption of new proposed Rule and amendments to a current Board Rule as follows:
- West Virginia University Board of Governors Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-defense Act
- West Virginia University Board of Governors Talent & Culture Rule 3.5 – Employee Leave
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the issuance of a Notice of Proposed Rulemaking, as presented, pursuant to BOG Governance Rule 1.1.
- STAFF MEMBER:** Stephanie D. Taylor, Vice President & General Counsel

BACKGROUND:

Two proposed Rules are before the Board for consideration for Notice of Proposed Rulemaking.

First, BOG Finance & Administration Rule 5.14, which is a new Rule, provides guidelines regarding deadly weapons and dangerous objects on University Property, as well as the University's implementation of the West Virginia Campus Self-defense Act.

Second, changes are proposed BOG Talent & Culture Rule 3.5 – Employee Leave to ensure consistency with the University's current practices and compliance with federal laws. The Rule has been modified to provide that the University will grant leave in accordance with the FMLA, ADA, and other relevant federal and state laws. Also, the Rule was modified to provide that employees who do not return from leave or fail to comply with reasonable requests of the University for medical documentation will be considered to have resigned from their position rather than terminated.

Substantively, the new proposed Rule and changes to the current Rule are set forth in detail in the table located in the Notice of Proposed Rulemaking.

Following the issuance of the Notice of Proposed Rulemaking, the new proposed Rule and proposed changes to the current Rule will be posted for the required thirty (30) day public comment period from February 26, 2024 through March 27, 2024. The Board of Governors is asked to approve the issuance of the Notice of Proposed Rulemaking, as presented.

NOTICE OF PROPOSED RULEMAKING

This Notice of Proposed Rulemaking is issued pursuant to West Virginia University Board of Governors Governance Rule 1.1. The following new Board of Governors Rule is proposed for adoption:

- West Virginia University Board of Governors Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-defense Act

Additionally, changes are proposed to the following current Board of Governors Rule:

- West Virginia University Talent & Culture Rule 3.5 – Employee Leave.

The new Rule is proposed to ensure compliance with state law. Additionally, the changes proposed to the current BOG Rule are to ensure consistency with current University practices and to comply with applicable federal laws.

Substantively, the new Rule and the proposed changes to the current Rule will result in additions and amendments as set forth below:

| BOG Rule | Recommended Action | Comments |
|---|------------------------------|---|
| <p>BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act</p> | <p>Adopt and Approve</p> | <ul style="list-style-type: none"> ▪ This Board Rule is proposed to provide guidelines regarding Deadly Weapons and Dangerous Objects on WVU Property, and the University’s implementation of W. Va. Code § 18B-4-5b, the Campus Self-defense Act. ▪ Section 2.1 of the proposed Rule provides that Deadly Weapons and Dangerous Objects are prohibited on University property except as specifically provided by this Rule or by law. ▪ As required by the W. Va. Self-defense Act, Section 2.2 provides that the prohibition in Section 2.1 does not apply to a person holding a License to carry a Concealed Deadly Weapon and who is carrying a Concealed Pistol or Revolver on WVU Property except as provided in Section 2.3. ▪ Section 2.3 provides that all Deadly Weapons, including Concealed Pistols and Revolvers, are prohibited in several locations including, but not limited to, the following: <ul style="list-style-type: none"> ○ At an organized event taking place at a stadium or arena with a capacity of more than 1,000 spectators; ○ At a daycare facility located on WVU Property; ○ In the secure area of any building used by University Police or other law-enforcement agency on WVU Property; ○ In an on-campus room or rooms in which a student or employee disciplinary proceeding is being held; ○ In Sole Occupancy Offices, but only in those offices where the sole occupant notifies those who may be entering that Concealed Pistols and Revolvers are prohibited; and ○ In on-campus residence halls, except common areas such as lounges, dining areas, and study areas. ▪ Section 3 of the new Rule outlines the resources the University’s Administration must provide related to this Rule and the University’s compliance with the Campus Self-defense Act, including an informational website and Frequently Asked Questions. |

| BOG Rule | Recommended Action | Comments |
|--|--------------------|--|
| | | <ul style="list-style-type: none"> ▪ Section 4 outlines the penalties for violations of this Rule. A University Employee or Student who fails to abide by the requirements within this Rule shall be subject to appropriate disciplinary action, including warning, suspension, termination, or other disciplinary action as may be appropriate. If any other person fails to follow this Rule, they shall be subject to appropriate action, including a request to leave campus or temporarily relinquish the prohibited item and, if they fail to do so, referral for any appropriate criminal action and/or issuance of a trespass notice. |
| BOG Talent & Culture Rule 3.5 – Employee Leave | Amend and Approve | <ul style="list-style-type: none"> ▪ The Board originally adopted this Rule on September 8, 2017, to outline the guiding principles for annual leave, sick leave, medical leave, funeral leave, catastrophic leave, parental leave, FMLA, personal leave of absence without pay, military leave, special emergency leave without pay, witness and jury leave and leave usage during facility disruption, utility service interruption and inclement weather for University employees. ▪ Section 2.2.6 is being modified to provide clarity regarding when employees may accrue sick and annual leave while they are out on a leave covered by FMLA. ▪ Section 5.3.1 and 10.5 are being modified to provide that employees who fail to report at the conclusion of a leave period will now be considered to have resigned rather than terminated. ▪ Section 5.4 is being modified to provide that the University shall grant leave in accordance with the FMLA, ADA, and other relevant laws. ▪ Section 5.8 is being modified to provide that issues related to pregnancy will be handled on a case-by-case basis. ▪ Section 8.1.3 is being modified to clarify the parameters of the requirement that a position be held while an employee is on parental leave. |

A copy of the current Rules can be found at <http://bog.wvu.edu/policies> and a copy of the new proposed Rule, the amended Rule, and this Notice of Proposed Rulemaking can be found at <http://policies.wvu.edu/>.

There will be a 30-day public comment period from February 26, 2024 until March 27, 2024 for the submission of written comments. Comments should be submitted using the online submission form for each Rule, which can be found by clicking on the link to the Rule located at: <http://policies.wvu.edu/>. If there are any questions about the submission process, they can be directed to Valerie Lopez, Special Assistant to the Board of Governors, at Valerie.Lopez@mail.wvu.edu or Valerie Lopez, Office of the President, West Virginia University, PO Box 6201, Morgantown, West Virginia 26506-6201.

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



Board of Governors Rule 5.14

Finance and Administration
Deadly Weapons, Dangerous
Objects, & W. Va. Campus Self-
Defense Act
Adopted: TBD
Effective: July 1, 2024
Revision History: None

BOG FINANCE AND ADMINISTRATION RULE 5.14 DEADLY WEAPONS, DANGEROUS OBJECTS, & W. VA. CAMPUS SELF-DEFENSE ACT

SECTION 1: PURPOSE & SCOPE.

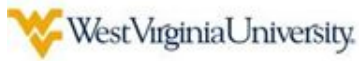
- 1.1 This Rule provides the University’s guidelines regarding Deadly Weapons and Dangerous Objects on WVU Property, and the University’s implementation of W. Va. Code § 18B-4-5b, the Campus Self-defense Act, which, subject to certain limited exceptions set forth below, allows for carrying of a Concealed Pistol or Revolver on campus by those holding a current and valid License to carry a Concealed Deadly Weapon.
- 1.2 This Rule applies to West Virginia University, West Virginia University Institute of Technology, and West Virginia University Potomac State College (collectively the “University”) and covers all University campuses, including HSC Charleston, HSC Martinsburg, School of Nursing Bridgeport Campus, and areas of the campus and buildings under the University’s custodial possession but does not include areas rented, leased, or under an exclusive agreement for the full-time occupancy and use of a private entity (“WVU Property”).¹

SECTION 2: POLICY.

- 2.1 Except as specifically provided for by this Rule or by law, Deadly Weapons and Dangerous Objects are prohibited on WVU Property.
- 2.2 Section 2.1 does not apply to a person holding a License to carry a Concealed Deadly Weapon and who is carrying a Concealed Pistol or Revolver on WVU Property,² except as set forth in section 2.3.
- 2.3 Consistent with both the Campus Self-defense Act and the W. Va. Business Liability

¹ W. Va. Code § 18B-4-5b(a)(noting that the W. Va. Self-defense Act “only applies to areas of the campus and buildings of a state institution of higher education under the custodial possession of the state institution of higher education and does not include areas rented, leased, or under an exclusive agreement for the full-time occupancy and use of a private entity”).

² W. Va. Code § 18B-4-5b(a)(providing that “a person holding a current and valid license to carry a concealed deadly weapon may carry a concealed pistol or revolver on the campus and in the buildings of a state institution of higher education”).



Board of Governors Governance Rule 5.14

Protection Act,³ all Deadly Weapons, including Concealed Pistols and Revolvers, are prohibited in the following locations:

- 2.3.1 At an organized event taking place at a stadium or arena with a capacity of more than 1,000 spectators.⁴
- 2.3.2 At a daycare facility located on WVU Property.⁵
- 2.3.3 In the secure area of any building used by University Police or other law-enforcement agency on WVU Property.⁶
- 2.3.4 In an area that has Adequate Security Measures to ensure that Pistols or Revolvers are not to be carried by the public into the area.⁷
 - 2.3.4.1 Any such area designated by the University under this exception will provide reasonable notice to the public and campus community.
- 2.3.5 In an on-campus room or rooms in which a student or employee disciplinary proceeding is being held.⁸
- 2.3.6 In Sole Occupancy Offices,⁹ but only in those offices where the sole occupant notifies those who may be entering that Concealed Pistols and Revolvers are prohibited.
- 2.3.7 At a primary or secondary education school-sponsored function being held in a specific location on WVU Property that is rented, leased, or under the exclusive use of the W. Va. Department of Education, the W. Va. Secondary Schools Activities Commission, a county school board, or local public school for the actual period of time the function is occurring.¹⁰
- 2.3.8 At a private function that is being held in a specific location on WVU Property that is rented, leased, or under exclusive use of an entity for the actual period of time the function is occurring.¹¹

³ W. Va. Code § 61-7-14.

⁴ W. Va. Code § 18B-4-5b(b)(1).

⁵ W. Va. Code § 18B-4-5b(b)(2).

⁶ W. Va. Code § 18B-4-5b(b)(3).

⁷ W. Va. Code § 18B-4-5b(b)(4)(defining “adequate security measures” as “the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any pistols or revolvers into the area, including, but not limited to, metal detectors, metal detector wands, or any other equipment used for similar purposes to ensure that pistols or revolvers are not carried in those areas by members of the public”); *see also infra* section 5.1.

⁸ W. Va. Code § 18B-4-5b(b)(5).

⁹ W. Va. Code § 18B-4-5b(b)(6)(defining a “sole occupancy office” as “a room with at least one door and walls that extend to the ceiling that is assigned to a single person as his or her workspace” but not authorizing WVU “to prohibit, regulate, or restrict faculty or staff members who hold a current and valid license to carry a concealed deadly weapon from carrying a concealed pistol or revolver in his or her assigned office”); *see also infra* section 5.10.

¹⁰ W. Va. Code § 18B-4-5b(b)(7).

¹¹ W. Va. Code § 18B-4-5b(b)(8).



Board of Governors Governance Rule 5.14

- 23.8.1 Any such function designated by an entity under this exception will provide reasonable notice to the attendees.
- 2.3.9 In any WVU Property where possession of a firearm is prohibited by state or federal law.¹²
- 2.3.10 In specifically designated areas in which patient-care or mental health counseling is being provided.¹³
 - 23.10.1 The University shall provide reasonable notice to the public and campus community about what areas are designated under this exception.
- 2.3.11 In High Hazardous and Animal Laboratories.¹⁴
 - 23.11.1 The University shall provide reasonable notice to the public and campus community about what areas are designated under this exception.
- 2.3.12 In on-campus residence halls, except common areas such as lounges, dining areas, and study areas.¹⁵
 - 23.12.1 This exception does not apply to employees whose responsibilities require him or her to be in an on-campus residence hall and that person would otherwise be able to carry a Concealed Revolver or Pistol on-campus as long as that person is present in the residence hall for purposes of his or her employment.¹⁶
 - 23.12.2 The Board of Governors delegates to the President the responsibility to (1) provide either (a) a secure location for the storage of a pistol or revolver in at least two on-campus residence halls at the Morgantown campus and one at both the Beckley and Keyser campuses; or (b) make available an appropriate safe that may be installed in a resident's room; (2) develop a policy that reserves an appropriate amount of rooms in the on-campus residence halls where the storage rooms are located for on-campus residents with a License;¹⁷ and (3) charge a reasonable fee for the use of the secure storage location or a safe.¹⁸
- 24 The exceptions set forth in Section 2.3 and the general prohibition on Deadly Weapons or Dangerous Objects do not apply to the following persons, while acting in their official capacity: law enforcement officers or law enforcement officials; W. Va. Department of

¹² W. Va. Code § 18B-4-5b(b)(9).

¹³ W. Va. Code § 18B-4-5b(b)(10).

¹⁴ W. Va. Code § 18B-4-5b(b)(11).

¹⁵ W. Va. Code § 18B-4-5b(b)(12).

¹⁶ W. Va. Code § 18B-4-5b(c).

¹⁷ W. Va. Code § 18B-4-5b(d).

¹⁸ See generally W. Va. Code § 18B-4-5b(e).



Board of Governors Governance Rule 5.14

Corrections employees; members of the armed forces of the United States or the W. Va. National Guard; any circuit judge, prosecuting attorney, assistant prosecuting attorney, or investigator duly appointed by a prosecuting attorney; and individuals required to possess the items prohibited by this Rule in order to participate in undertakings sanctioned by West Virginia University which include academic/research programs, historical items, and the farm management programs which are approved by the Department of Natural Resources. Additionally, West Virginia University's Chief of Police may grant additional exceptions in writing for the convenience of the University in achieving its mission. Finally, consistent with the W. Va. Business Liability Protection Act, the prohibitions of this Rule do not apply to legally owned firearms lawfully possessed, out of view, locked inside or locked to a motor vehicle in a parking lot when an individual is lawfully allowed to be present in an area.¹⁹

- 2.5 To the extent anything in this rule conflicts with the Campus Self-defense Act or the W. Va. Business Liability Protection Act, the applicable act takes precedent.

SECTION 3: CAMPUS SELF-DEFENSE ACT RESOURCES.

3.1 *Website.*

- 3.1.1 The Board of Governors designates and directs the President to maintain a public website with resources relating to this Rule and the University's compliance with the Campus Self-defense Act.
- 3.1.2 The issues to be addressed on this website include, but are not limited to, resources discussing the list or map of locations identified as exempt under Section 2.3 where the carrying of a concealed pistol or revolver is prohibited; gun safety and training opportunities for those interested; and information about how to obtain a concealed weapons permit.

3.2 *Frequently Asked Questions.*

- 3.2.1 The Board of Governors designates and directs the President to maintain a list of frequently asked questions and posted responses to those questions on the public website mentioned in Section 3.1.1. The responses to such questions shall be done in a matter that provides useful and practical advice to the campus community.

SECTION 4: VIOLATIONS.

- 4.1 Any University Employee or Student who fails to abide by the requirements within this Rule shall be subject to appropriate disciplinary action, including warning, suspension, termination, or other disciplinary action as may be appropriate.
- 4.2 Any other person who fails to abide by the requirements of this Rule shall be subject to

¹⁹ W. Va. Code § 61-7-14(d)(1)(A)-(D).



Board of Governors Governance Rule 5.14

- appropriate action, including a request to leave campus or temporarily relinquish the prohibited item and, if they fail to do so, referral for any appropriate criminal action and/or issuance of a trespass notice.
- 4.3 Importantly, a holder of a License or any other person not expressly authorized to do so by this Rule, shall not carry a Pistol or Revolver (or any other firearm or Deadly Weapon), which is partially or wholly visible, or intentionally or knowingly display in plain view of another person in a way or manner to cause, or threaten, a breach of the peace, regardless of whether the firearm is holstered. Anyone who violates this may, in addition to any applicable criminal charges, be subject to discipline.²⁰
- 4.4 Although conduct may not violate this Rule, it may still be prohibited by the University under a different Rule, policy, or standard of behavior. Accordingly, in such cases, the University reserves the ability to take any necessary action.

SECTION 5: DEFINITIONS.

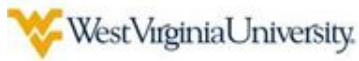
- 5.1 “Adequate Security Measures” means the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any pistols or revolvers into the area, including, but not limited to, metal detectors, metal detector wands, or any other equipment used for similar purposes to ensure that pistols or revolvers are not carried in those areas by members of the public.²¹
- 5.2 “Concealed” means hidden from ordinary observation so as to prevent disclosure or recognition. A deadly weapon is concealed when it is carried on or about the person in such a manner that another person in the ordinary course of events would not be placed on notice that the deadly weapon was being carried.²² For purposes of this Rule, a licensee is considered to be carrying on or about his or her person while in a designated University storage area or the weapon is in a motor vehicle if located in a storage area in or on the motor vehicle.
- 5.3 “Dangerous Object” means any object or device which can be used to cause harm or unnecessarily risks the safety of another person and includes any item with a lawful purpose (such as, scissors, baseball bat, paintball gun) used in a manner which could or does result in an act of violence or a threat of violence against another person, except when used for self-defense.
- 5.3.1 This includes fireworks or other explosives, tasers, air-powered rifles, imitation weapons without appropriate safety markings.
- 5.4 “Deadly Weapon” means an instrument which is designed to be used to produce serious bodily injury or death or is readily adaptable to such use.²³

²⁰ W. Va. Code § 18B-4-5b(g).

²¹ W. Va. Code § 18B-4-5b(b)(4).

²² See W. Va. Code § 61-7-2(3)(defining the term).

²³ See W. Va. Code § 61-7-2(5)(defining the term).



Board of Governors Governance Rule 5.14

- 5.4.1 The term “Deadly Weapon” includes, but is not limited to, firearms, blackjacks, gravity/switchblade or other knives, metallic or false knuckles, nunchaku, pistols, revolvers, as defined in the W. Va. Code, or other deadly weapons of like kind or character which may be easily concealed on or about the person.²⁴
- 5.4.2 The term “Deadly Weapon” does not include a pocketknife with a blade three and one-half inches or less in length, a hunting or fishing knife carried for hunting, fishing, sports, or other recreational uses, or a knife designed for use as a tool or household implement, unless the item is knowingly used or intended to be used to produce serious bodily injury or death.
- 5.4.3 The term “Deadly Weapon” includes explosive, chemical, biological, and radiological materials.
- 5.4.4 The term “Deadly Weapon” does not include any item or material owned or used by the University, intended for educational use, including academic, athletic, or research, and used solely for that purpose. For the avoidance of doubt, it also does not include the musket carried by the best mascot in college sports – the Mountaineer or the rifles used by the 19-time NCAA National Champions – WVU Rifle team or other shooting sports (e.g., 4-H).
- 5.4.5 The term “Deadly Weapon” does not include pepper spray when used by any person solely for self-defense purposes.²⁵
- 5.5 “High Hazardous and Animal Laboratories” means laboratories with:
- (a) Greater than 55 gallons of Class I flammable liquids and/or significant quantities of acids, bases, organics, pyrophorics, peroxides, bio-hazardous materials, extremely toxic materials, or pyrophoric or toxic gases classified NFPA 704 Category 3 or higher;
 - (b) Hazardous gases with K-size or larger cylinders containing corrosive, reactive, flammable, toxic, and/or oxidizer gases classified NFPA 704 Category 2 or higher;
 - (c) MRI and/or NMR equipment capable of generating significant magnetic fields with field strength of at least 5 gauss is measured outside the equipment or 5 gauss line typically at least 3 feet and as much as 20 feet from equipment;
 - (d) Large cylinders of acetylene; or
 - (e) Animal research laboratory spaces in locations not accessible to the public or generally accessible to students and employees.²⁶
- 5.6 “License” means a current and valid license, lawfully issued by the State of West Virginia pursuant to W. Va. Code § 61-7-4, *License to carry deadly weapons; how obtained*; W. Va.

²⁴ See generally W. Va. Code § 61-7-2 (5).

²⁵ See W. Va. Code § 61-7-2(5).

²⁶ W. Va. Code § 18B-4-5b(b)(11).



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Code § 61-7-4a, *Provisional license to carry deadly weapons; how obtained*; or a current and valid license or permit recognized under W. Va. Code § 61-7-6a, *Reciprocity and recognition; out-of-state concealed handgun permits*.²⁷

- 5.7 “Pistol” means a short firearm having a chamber which is integral with the barrel, designed to be aimed and fired by the use of a single hand.²⁸
- 5.8 “President” means the President or their designee.
- 5.9 “Revolver” means a short firearm having a cylinder of several chambers that are brought successively into line with the barrel to be discharged, designed to be aimed and fired by the use of a single hand.²⁹
- 5.10 “Sole Occupancy Office” means a room with at least one door and walls that extend to the ceiling that is assigned to a single person as his or her workspace.³⁰
- 5.11 “WVU Property” means all areas on-campus and in the buildings under custodial possession of the WVU Board of Governors, and does not include areas rented, leased, or under an exclusive agreement for the full-time occupancy and use of a private entity.³¹

SECTION 6: DELEGATION.³²

- 6.1. The Board of Governors delegates to the President the authority to adopt internal policies and procedures to effectuate the implementation of this Board of Governors Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.

SECTION 7: AUTHORITY.

- 7.1. W. Va. Code § 18B-2A-4; W. Va. Code § 18B-1-2, 6; W. Va. Code § 61-7-14, W. Va. Business Liability Protection Act; W. Va. Code § 18B-4-5b, Campus Self-defense Act.

SECTION 8: SUPERSEDING PROVISIONS.

- 8.1. This Rule supersedes and replaces WVU-PD-3: Deadly Weapons/Destructive Devices, which

²⁷ W. Va. Code § 18B-4-5b(i).

²⁸ W. Va. Code § 61-7-2 (13).

²⁹ W. Va. Code § 61-7-2(14).

³⁰ W. Va. Code § 18B-4-5b(b)(6).

³¹ See W. Va. Code § 18B-4-5b(a)(stating the language of the W Va. Self-defense Act “only applies to areas of the campus and buildings of a state institution of higher education under the custodial possession of the state institution of higher education and does not include areas rented, leased, or under an exclusive agreement for the full-time occupancy and use of a private entity”).

³² The Board of Governors specifically delegates the authority to the President to update any website links contained within this Rule, W. Va. Code citations, or other minor technical edits without going through the Board’s formal rulemaking procedures.



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was adopted September 10, 1998, and revised June 1, 2016; and any Rule of Higher Education Policy Commission which relates to the subject matter contained within this Rule. This Rule also repeals, supersedes, and replaces any other internal University policy or procedure which relates to the subject matter contained within this Rule.

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Board of Governors Talent & Culture Rule 3.5

Board of Governors Rule

Talent and Culture
Employee Leave
Responsible Unit: Talent and Culture
Amended: April 21, 2023 TBD
Effective: May 12, 2023 TBD
Revision History: Prior BOG Policy 24 (June 17, 2005); Rewritten and adopted as BOG Rule 3.5 on September 8, 2017 (effective September 28, 2017); Amended on September 9, 2022 (effective September 30, 2022); Amended April 21, 2023 (effective May 12, 2023)
Review Date: September 2027

BOG TALENT AND CULTURE RULE 3.5
EMPLOYEE LEAVE

SECTION 1: PURPOSE & SCOPE.

1.1 This Rule outlines the guiding principles for annual leave, sick leave, medical leave, funeral leave, catastrophic leave, parental leave, the Family Medical Leave Act (FMLA), personal leave of absence without pay, military leave, special emergency leave without pay, witness and jury leave and leave usage during facility disruption, utility service interruption and inclement weather for Employees of the West Virginia University Board of Governors.

SECTION 2: GENERAL LEAVE COVERAGE.

2.1 Eligibility for annual and sick leave shall be based on the following:

2.1.1 Classified and Non-Classified Employees

2.1.1.1 Classified and Non-Classified Employees working on a regular and continuing basis for at least 1,040 hours over a minimum of nine (9) months within a twelve (12) month period are eligible for leave as specified in this document.

2.1.1.2 Classified and Non-Classified Employees working less than 1,040 hours within a twelve (12) month period are not eligible for leave benefits.

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2.1.1.3 Temporary employees are not eligible for [paid](#) leave.

2.1.2 Faculty/Faculty Equivalent Academic Professionals (FEAPs) Employees

2.1.2.1 Faculty/FEAP Employees on twelve-month appointments are defined as leave eligible employees and accrue leave according to the appropriate sections of this Rule.

2.1.2.2 Faculty/FEAP Employees on annual appointments of less than twelve [\(12\)](#) months do not accrue annual or sick leave. Thus, they are not eligible to participate in the catastrophic leave program.

2.2 Leave Accrual.

2.2.1 All leave eligible employees on payroll as of the 15th of the month earn ½ of their monthly leave accruals.

2.2.2 All leave eligible employees on payroll as of the last day of the month earn ½ of their monthly leave accruals.

2.2.3 During a [T](#)terminal [L](#)leave [period](#)[Period](#), no type of leave may be accrued. ~~The terminal leave period is the period for which a leave eligible employee may receive pay following the leave eligible employee's last active day at work.~~

2.2.4 Leave eligible employees on leave of absence without pay shall not accrue annual or sick leave or years of service credit for any and all full months in which they are off the payroll.

[2.2.5](#) The University shall keep on file a record showing the current leave status of each leave eligible employee.

~~2.2.5~~[2.2.6](#) Regardless of the type of leave or absence, leave eligible employees whose leave or absence qualifies under ~~the Family Medical Leave Act~~FMLA shall accrue leave if the leave period is covered by sick or annual leave.

2.3 Leave Usage.

2.3.1 Annual and sick leave may not be taken before it is accrued.

2.3.2 A recognized institutional holiday occurring during a leave eligible employee's leave period shall not be considered as a day of leave, provided the leave eligible employee is not in a terminal leave period.



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SECTION 3. ANNUAL LEAVE.
3.1 Leave Accrual.**3.1.1 Classified Employees.**

- 3.1.1.1 Leave eligible Classified Employees occupying 1.0 FTE positions shall be eligible for annual leave on the following basis: Less than 5 years' service: 1.25 days per month; 5 but less than 10 years' service: 1.50 days per month; 10 but less than 15 years' service: 1.75 days per month; 15 or more years' service: 2.00 days per month.
- 3.1.1.2 Leave eligible Classified Employees expected to work at least 1,040 hours over a minimum of nine (9) months within a twelve (12) month period on a regular and continuing basis, but less than 1,950 hours over a 12-month period shall accumulate annual leave on a pro-rata basis.
- 3.1.1.3 Length of service shall be total years of service to the state of West Virginia including experience with WV state institutions of higher education and other state agencies.
- 3.1.1.3.1 Annual appointment periods of nine (9) months at 1.0 FTE or more shall be credited for one (1) year of service for annual leave calculation purposes.
- 3.1.1.3.2 Years of service shall be prorated for all Classified Employees with appointments of less than 1.0 FTE.

3.1.2 Faculty/FEAP Employees.

- 3.1.2.1 Leave eligible Faculty/FEAP Employees occupying 1.0 FTE positions shall be eligible for 2.00 days per month of annual leave.
- 3.1.2.2 Leave eligible Faculty/FEAP Employees occupying positions which are less than 1.0 FTE shall accumulate annual leave on a pro-rata basis.

3.1.3 Non-Classified Employees.

- 3.1.3.1 Non-Classified Employees occupying 1.0 FTE positions shall be eligible for 2.00 days per month of annual leave.
- 3.1.3.2 Non-Classified Employees expected to work at least 1,040 hours over

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a minimum of nine (9) months within a twelve (12) month period on a regular and continuing basis, but less than 1,950 hours over a 12-month period shall accumulate annual leave on a pro-rata basis.

3.2 **Annual Leave Usage.**

3.2.1 The work requirements of the institution shall take priority over the scheduling of annual leave or other leave for a leave eligible employee. When operationally possible, the supervisor shall grant earned annual leave at the convenience of the leave eligible employee. However, departmental needs must be met, and annual leave should not be taken without prior request and approval of the leave eligible employee's supervisor.

3.2.1.1 If a leave eligible employee does not follow the established procedures for requesting leave, the charge to annual leave shall be processed as an unauthorized leave.

3.2.2 After all sick leave is exhausted, at the request of the leave eligible employee, accumulated annual leave shall be granted because of illness.

3.3 **Annual Leave Accrual Maximums.**

3.3.1 The maximum for accumulated annual leave shall be twelve (12) times the leave eligible employee's monthly accrual.

3.3.2 The maximum for accumulated annual leave may be increased up to twenty-four (24) times the leave eligible employee's monthly accrual upon approval by Talent and Culture. Such extension of the leave eligible employee's maximum accrual may not be extended beyond one (1) year.

3.4 Up to fifteen (15) days of unused/unpaid annual leave may be transferred from other eligible agencies of WV state government and state higher education institutions to other higher education institutions. Certification of the balance which existed in the agency or institution from which the leave eligible employee is transferring must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one (1) year from the last day of employment with the other agency or institution.

3.5 A leave eligible employee is entitled to be paid for unused/unpaid annual leave at termination of service, but in no case may this exceed the limits set in 3.3.2 above. The leave eligible employee may elect a lump-sum payout of annual leave, choose to remain on payroll in a terminal leave period equaling the number of annual leave days he/shethey hashave accumulated or transfer unused/unpaid annual leave to another eligible state agency.



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- 3.5.1 In the event of a leave eligible employee's death, the value of accumulated annual leave will be paid to the leave eligible employee's estate.

SECTION 4: SICK LEAVE.

4.1 Sick Leave Accrual.

- 4.1.1 Leave eligible employees occupying 1.0 FTE positions shall accumulate sick leave at the rate of 1.5 days per month.
- 4.1.2 Leave eligible employees occupying positions which are less than 1.0 FTE shall accumulate sick leave on a pro-rata basis.
- 4.1.3 Sick leave may be accumulated without limit.

4.2 Sick Leave Usage.

- 4.2.1 Sick leave may be used by the leave eligible employee when ill or injured or when in need of medical attention or when death occurs in the immediate family per Section 6 of this Rule.
- 4.2.2 A leave eligible employee may use sick leave for a member of the immediate family who is ill, injured, or in need of medical attention. Immediate family for this purpose is defined as: father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, step-children, or others considered to be members of the household and living under the same roof.
- 4.2.3 A leave eligible employee is required to notify his/her/their supervisor prior to the beginning of his/her/their shift (unless not feasible due to hospitalization, etc.) or immediately if the leave eligible employee becomes ill or unable to work for any reason while at work and to follow the institution's established procedures for absences from work. The notification shall be given to the immediate supervisor or designee, as determined by established procedures of the institution.

4.2.4 Medical Documentation.

- 4.2.4.1 The institution may require evidence from a leave eligible employee for verification of an illness or other causes for which leave may be granted under this Rule, regardless of the duration of the leave. Such verification shall be provided to Talent and Culture. Documentation regarding a leave eligible employee's medical condition(s) is not required to be submitted to the leave eligible employee's department.



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4.2.4.2 Sick leave for more than five (5) consecutive days shall not be granted to a leave eligible employee for illness without satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution.

4.2.4.3 A leave eligible employee having an extended illness or serious injury shall, before returning to duty, obtain satisfactory medical clearance to help ensure adequate protection and shall indicate the leave eligible employee's ability to perform ~~his/her~~their duties. Such medical clearance shall be presented in writing within the requested timeframes.

4.3 In cases, except those involving catastrophic sick leave as defined in Section 7.1.1, where all accumulated sick leave has been used and annual leave is available, it shall be the option of a leave eligible employee either to use any accumulated annual leave until it has also expired, rather than being removed from the payroll, or to retain the accumulated annual leave for use after return to work, but be taken off the payroll immediately after the accumulated sick leave has expired.

4.3.4.4 Sick leave provisions are contingent upon continued employment. When the services of a leave eligible employee have terminated, all sick leave credited to the leave eligible employee shall be considered cancelled as of the last working day with the institution, and no reimbursement shall be provided for unused sick leave except in the event of retirement, in which case sick leave may be converted to insurance coverage based on the leave eligible employee's eligibility for this benefit or for provisions lawfully provided for at that time. Leave eligible employees who resign in good standing and are later reemployed may have their total accumulated sick leave reinstated, provided the date of termination is one (1) year or less from the date of reemployment. However, if the leave eligible employee returns to work after more than one (1) year from the date of termination, no more than ~~thirty~~ (30) days of accumulated sick leave may be reinstated.

SECTION 5: MEDICAL LEAVE.

5.1 Any employee requesting a medical leave must provide Talent and Culture, through established procedures, with satisfactory medical evidence (such as a statement from the attending physician) that ~~he/she/they is/are~~ unable to work. The medical statement shall include a diagnosis, prognosis, and expected date that the employee can return to work. If the evidence is satisfactory, Talent and Culture may authorize a medical leave only for the period of disability specified by the attending physician.

5.2 Medical Leave shall be with pay for all time that can be covered by use of sick leave, annual leave and/or catastrophic leave (as contained in Section 7 of this Rule). Medical Leave without pay may be granted when all available leave has been exhausted.

5.3 The employee shall be expected to report to work on the first workday following the expiration

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of the disability period. An employee, prior to return to duty, shall obtain satisfactory medical clearance to help ensure adequate protection and which shall indicate the employee's ability to perform ~~his/her~~their duties. Such medical clearance shall be presented in writing to Talent and Culture. The employee will not be permitted to return to work until authorized by Talent and Culture.

5.3.1 Failure of the employee to report promptly at the expiration of a medical leave of absence without pay, except for satisfactory reasons submitted in advance, shall be ~~cause for termination of employment by the institution~~considered to have resigned from their position.

5.4 ~~A-The University shall grant medical leave(s) in accordance with the FMLA, ADA, and other relevant law. — may be granted for no more than a twelve (12) consecutive month period. Employees who may need an extended medical leave beyond twelve (12) consecutive months may apply for an extension through institutional procedures or may consider other options, such as disability.~~

An employee who is separated from employment following a medical leave of absence of twelve (12) consecutive months may elect group health insurance coverage through COBRA. If such coverage is elected, the former employee is responsible for the full



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- 5.5 ~~(employer and~~ employee portions) of the premium cost of such coverage.
- 5.6 Any employee who is separated from employment following a medical leave of absence of twelve (12) consecutive months and who had chosen to maintain ~~her/his~~their accumulated annual leave will receive payment for such accumulated annual leave in a lump sum payment.
- 5.7 On-the-job injuries or occupational illnesses which involve no more than three (3) days of disability leave or absence from work shall not be charged against a leave eligible employee's accumulated sick leave as long as they are the next three (3) consecutive working days after injury or illness occurred. If on-the-job injuries or illnesses require a leave beyond the three-day period, it shall be the option of a leave eligible employee either to use earned and accumulated sick and annual leave until both may be exhausted or to reserve for future use any earned and accumulated sick and annual leave and receive only Workers' Compensation benefits for which adjudged eligible. Once the leave eligible employee has elected one of the above-described options in writing that decision is final.
- ~~5.8~~ —Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom shall be, for all job-related purposes, ~~temporary disabilities and shall be treated the same as any other illness or disability would be treated for sick leave entitlement~~handled on a case-by-case basis. ~~For this reason,~~ leave eligible employees shall be entitled to sick leave for their disabilities related to pregnancy and childbirth on the same terms and conditions as they or other leave eligible employees would be entitled for other illnesses and disabilities. In determining whether an employee is unable to work because of a disability related to pregnancy or childbirth, the same criteria shall be used as would be used in the case of another type of illness or disability.



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SECTION 6: FUNERAL LEAVE.

- 6.1 Funeral leave is intended to provide a leave eligible employee time to arrange for and attend the funeral and related services of an immediate family member, including travel time.
- 6.1.1 Immediate family is defined for this purpose as: parents, siblings or children by blood or law; spouse; grandparents and grandchildren; or others considered to be part of the household living under the same roof.
- 6.1.2 Up to five (5) days of funeral leave may be charged as sick leave. Additional time necessary to meet the obligations outlined above shall be charged as annual leave.
- 6.2 Funeral leave is not provided for estate legal obligations and/or an extended bereavement period. Annual leave may be requested for these purposes.
-

SECTION 7: CATASTROPHIC LEAVE.

- 7.1 The catastrophic leave program is available to provide salary continuation to leave eligible employees who have suffered a catastrophic illness or injury.
- 7.1.1 Catastrophic illness or injury is defined as: a medically verified illness or injury that is expected to incapacitate the leave eligible employee and create a financial hardship because the leave eligible employee has exhausted all sick and annual leave and other paid time off.
- 7.1.2 Catastrophic illness or injury also includes an incapacitated immediate family member as defined in Section 4.2.2 above, as appropriate, if this results in the leave eligible employee being required to take time off from work for an extended period of time to care for the family member and if the leave eligible employee has exhausted all sick and annual leave and other paid time off.
- 7.2 In order to participate in the catastrophic leave program, a leave eligible employee must complete an application, provide all requested medical documentation and be approved for participation.
- 7.3 WVU maintains a procedure for direct transfer of sick or annual leave to a leave eligible employee who has requested and been approved for catastrophic leave.
- 7.3.1 Any leave donated by a leave eligible employee, but not used by the leave eligible employee to whom it was donated, shall be returned to the donating leave eligible employee and reflected in his/her/their leave balance.



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- 7.4 WVU maintains a catastrophic leave bank which provides for the deposit of sick and annual leave into a "bank" from which leave eligible employees approved for catastrophic leave may withdraw leave.
- 7.5 Upon approval for a leave eligible employee to receive catastrophic leave, any leave eligible employee may donate sick and/or annual leave in one-day (7.5 hour) increments by following the approved procedures. No leave eligible employee shall be compelled to donate sick leave.
- 7.6 A leave eligible employee receiving the transfer of leave shall have any time which is donated credited to ~~his/her~~their leave record in one-day increments and reflected as a day-for-day addition to ~~his/her~~their leave balance. The leave record of the donating leave eligible employee shall have the donated leave reflected as a day-for-day reduction of the leave balance.
- 7.7 Use of donated credits may not exceed a maximum of twelve (12) continuous calendar months for any one catastrophic illness or injury. The total amount of leave received by transfer or withdrawn from a bank may not exceed an amount sufficient to ensure the continuance of regular compensation and shall not be used to extend insurance coverage post-retirement pursuant to West Virginia Code § 5-16-13. The leave eligible employee receiving donations of leave shall use any leave personally accrued on a monthly basis prior to receiving additional donated leave.

SECTION 8: PARENTAL LEAVE.**8.1 Parental Leave Program Description.**

- 8.1.1 Parental leave is an unpaid leave program.
- 8.1.2 During the parental leave, the institution shall continue group health insurance coverage provided that the employee pays the employer the full (employer and employee portions) premium cost of such group health plan.
- 8.1.3 The position held by the employee immediately before the parental leave is commenced shall be held for the employee's return to the position for a period ~~not to exceed the of at least~~ twelve-weeks and any additional time as required by the ADA and relevant law~~period of the parental leave and the employee shall be returned to that position.~~

8.2 Eligibility for Parental Leave.

- 8.1.4 An employee who has worked at least twelve (12) consecutive weeks for the state may request up to twelve (12) weeks unpaid parental leave.
- 8.1.5 The request must be due to birth or adoption by the employee or because of a



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planned medical treatment or care for the employee's spouse, son, daughter, parent, or dependent who has a serious health condition.

8.1.6 All annual leave must be exhausted before the parental leave begins. No more than a total of twelve (12) weeks of parental leave may be taken in any twelve (12) consecutive month period.

8.3 The employee should provide ~~his/her~~their supervisor with written notice two (2) weeks prior to the expected birth or adoption; or for the medical treatment; or for the supervision of a dependent. ~~Failure to submit a written request may be cause for denial.~~

8.4 The employee must provide Talent and Culture with certification by the treating physician and/or documentation regarding dependency status.

SECTION 9: FAMILY MEDICAL LEAVE ACT.

~~9.1~~—9.1 The institution shall comply with the provisions of the federal ~~Family Medical Leave Act~~FMLA, which provisions shall run concurrently with parental leave and/or any other applicable leave programs.



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SECTION 10: PERSONAL LEAVE OF ABSENCE WITHOUT PAY.

- 10.1 A leave eligible employee, upon application in writing and upon written approval by the institutional President ~~(President)~~, may be granted a continuous leave of absence without pay for a period of time not to exceed twelve (12) consecutive months provided all accrued annual leave has been exhausted.
- 10.2 The President, at ~~his/her~~their discretion, may require the written approval of the supervisor before accepting the written application of a leave eligible employee for a leave of absence without pay.
- 10.3 The President, at ~~his/her~~their discretion, shall determine if the purpose for which such a leave is requested is proper and within sound administrative policy.
- 10.4 At the expiration of a leave of absence without pay, the leave eligible employee shall be reinstated without loss of any rights, unless the position is no longer available due to a reduction in staff caused by curtailment of funds or a reduced workload.
- 10.5 Failure of the leave eligible employee to report promptly at the expiration of a leave of absence without pay, except for satisfactory reasons submitted in advance, shall be ~~cause for termination of employment by the institution~~considered a resignation of their position.
- 10.6 During a personal leave, the institution shall continue group health insurance coverage provided that the leave eligible employee pays the employer the full (employer and employee portion) premium costs of such group health plan.



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SECTION 11: MILITARY LEAVE.

- 11.1 An employee who is a member of the National Guard or any reserve component of the armed forces of the United States shall be entitled to and shall receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades, field service or active service to the State ordered by proper authority, or for field training or active service for the maximum period as provided by state and/or federal law.
- 11.2 The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increases, credit for years of service and experience with the institution. An employee shall be required to submit an order or statement from the appropriate military officer in support of the request for such military leave unless military necessity prevents giving of such notice.

SECTION 12: SPECIAL EMERGENCY LEAVE WITH PAY.

- 12.1 Special emergency leave with pay may be granted by the President ~~of the institution~~ or ~~his/her~~ their designee to full-time employees in the event of extreme misfortune to the employee or the immediate family. The leave should be the minimum necessary, and in no case may it exceed five (5) days within any twelve (12) consecutive month period. Typical events which may qualify an employee for such leave are fire, flood, or other events (other than personal illness or injury or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.
- 12.2 The President or their designee has the authority to approve special emergency leave with pay to respond to emergency situations impacting the operations of the University. Requests for special emergency leave with pay shall be granted according to policies or procedures established by the Vice President for Talent and Culture.

SECTION 13: WITNESS AND JURY LEAVE.

- 13.1 Upon application in writing, a leave eligible employee may be granted leave with pay as indicated hereinafter in this section provided the leave eligible employee is not a party to the action. Annual leave will not be charged under the provisions of this section.
- 13.1.1 When, in obedience to a subpoena or direction by proper authority, a leave eligible employee appears as a witness for the Federal Government, the State of West Virginia, or a political subdivision thereof, the leave eligible employee shall be

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entitled to leave with pay for such duty and for such period of required absence.

- 13.12 When a leave eligible employee serves upon a jury, or is subpoenaed in litigation, the leave eligible employee shall be entitled to leave with pay for such duty and for such period of required absence.
- 13.2 When attendance in a court is in connection with a leave eligible employee's usual official duties, time required ~~in~~ going and returning shall not be considered as absence from duty.
- 13.3 The leave eligible employee shall report to work if ~~he/she/they is/are~~ excused by the court before the end of ~~his/her/their~~ regular work-day. Provisions for leave eligible employees who work a shift other than day shift shall be made according to institutional policy.

SECTION 14: LEAVE USE AS IT RELATES TO FACILITY DISRUPTION AND UTILITY SERVICE INTERRUPTION.

- 14.1 Utility Service Interruptions - When extended power and utility service interruptions occur or work facilities are not available for other reasons, administrators should ~~make arrangements~~plan for leave eligible employees' usual work routine to be accomplished at alternate work locations, or make affected leave eligible employees available to other administrators for work in other areas. Also, if an administrator deems it advisable and the leave eligible employee agrees, time off during the utility service interruption may be granted and charged against a leave eligible employee's accumulated annual leave or Compensatory Time Off. Combinations of the above alternatives may be necessary, but in all cases interruptions of work schedules must be dealt with in accordance with applicable laws, including West Virginia Code §12-3-13. This law is interpreted to mean that if pay is associated with the absence from work, the absence must be charged to accumulated annual leave or Compensatory Time Off.

SECTION 15: LEAVE USE AS IT RELATES TO EMERGENCY SITUATIONS.

- 15.1 In the event that an emergency exists, the President, in conjunction with local or state public safety officials, has the authority to comply with the emergency situation and close the institution or part of the institution. The President, working with public safety officials, will determine when the emergency condition no longer exists. Should a leave eligible employee be required to work by the President during a declared emergency, the time worked shall be compensated according to policies or procedures established by the Vice President for Talent and Culture. Work time lost by any leave eligible employee during a declared emergency will be considered regular work time for pay purposes and will not require that the time be charged to annual leave, nor will there be a requirement that the time be made up.

- 15.2 Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, accumulated compensatory time, floating holiday



Board of Governors Talent & Culture Rule 3.5

time or the leave eligible employee must be removed from the payroll for the time in question. Sick leave may not be charged for absences due to weather. The leave eligible employee's supervisor has discretion to assign a remote work assignment in response to weather conditions. Time lost from work also may be made up in the same work week at the discretion of the leave eligible employee's supervisor.

SECTION 16: LEAVE FOR RESIDENTS AND FELLOWS.

16.1 Notwithstanding any other provision of this Rule, residents and fellows will receive leave in accordance with any applicable accreditation requirements to the extent those requirements are inconsistent with this Rule.

SECTION 17: DEFINITIONS.

17.1 All defined terms for this Rule are contained within the Definitions Section of Board of Governors Talent & Culture Rule 3.1, unless the text clearly indicates a different meaning.

[17.2 "FMLA" means the Family Medical Leave Act.-](#)

[17.3 "ADA" means the Americans with Disabilities Act.-](#)

[17.4 "Terminal Leave Period" means a period of paid leave following the employee's final working day.-](#)

SECTION 18: DELEGATION.

18.1 The Board of Governors delegates to the [Assistant](#) Vice President for Talent and Culture the ability to adopt internal human resource policies and procedures in order to implement the provisions of this Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.

18.2 To the extent federal and state law is inconsistent with this Rule and it is not possible for the University to comply with all, applicable law will govern. Accordingly, Talent and Culture, with advice from the Office of General Counsel, has the discretion to implement any necessary changes in order to comply with legal obligations.

SECTION 19: AUTHORITY.

19.1 Family and Medical Leave Act ("FMLA") of 1993, 29 U.S.C. §§ 2601-2654; Uniformed Services Employment and Reemployment Act ("USERRA") 38 U.S.C. §§ 4301-4335; W. Va. Code §18B-1-6; §18B-2A-4; §18B-7-14; and §21-5D-1 to -9.

Effective: **TBD**

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SECTION 20: SUPERSEDING PROVISIONS.

20.1 This Rule supersedes and replaces Higher Education Policy Commission (“HEPC”) Series 38 (W. Va. Code R. §§133-38-1 to -13), which was adopted November 19, 1992; HEPC Series 55 (W. Va. Code R. §§ 133-55-1 to -27, including Appendix A), which was adopted June 4, 2018 and any other current or subsequent Rule of the HEPC which relates to the subject matter contained within this Rule. This Rule also repeals and supersedes WVU BOG Policy 24 – Employee Leave, which was adopted on June 17, 2005, and any other Human Resources policy or procedure which relates to the subject matter contained within this Rule.

WEST VIRGINIA UNIVERSITY BOARD
OF GOVERNORS

December 15, 2023

The two hundred sixteenth meeting of the West Virginia University Board of Governors was held on December 15, 2023 in Morgantown, WV in person and via zoom. Board members in attendance/participating via zoom included Chair Taunja Willis-Miller and members Charles Capito, Bray Cary, Elmer Coppoolse, Kevin Craig, Michael D’Annunzio, Dr. Patrice Harris, J. Thomas Jones, Dr. Stanley Hileman, Alan Larrick, Susan Lavenski, Paul Mattox, Richard Pill, Shirley Robinson, Madison Santmyer, Frances E. “Frankie” Tack, and Robert Reynolds.

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

President, E. Gordon Gee;
Provost and Vice President for Academic Affairs, Maryanne Reed;
General Counsel, Stephanie Taylor;
Vice President for University Relations, Sharon Martin;
Vice President for Diversity, Equity and Inclusion, Meshea Poore;
Vice Provost, Paul Kreider;
Associate Provost for Budget, Facilities and Strategic Initiatives, Mark Gavin;
Vice President and Chief Financial Officer, Paula Congelio;
Senior Associate Vice President for Finance, Barbara Weiss;
Associate Vice President for HSC Academic Affairs, Louise Veselicky;
Associate Vice President and Executive Director of the Office of Global Affairs, Amber Brugnoli;
Chief Information Officer, Brice Knotts;
Associate Vice President and Lead Government Relations and Collaborations, Travis Mollohan ;
Deputy General Counsel, Gary G. Furbee, II;
Director of Internal Audit, Bryan Shaver;
Assistant Vice President for Strategic Initiatives, Erin Newmeyer;
Associate Provost for Academic Personnel, Tracy Morris;
Associate Provost for Graduate Academic Affairs, Richard Thomas;
Associate Provost for Faculty Development and Culture, Melissa Latimer;
Associate Provost for Undergraduate Education, Evan Widders;
Associate Provost for Curriculum and Assessment, Louis Slimak;
Director of Communications, Office of the Provost, Kimberly Becker;
Executive Officer and Assistant Board Secretary, Jennifer Fisher;
Director of News Communications, Shauna Johnson;
Executive Director of Communications, University Relations, April Kaull; and,
Special Assistant to the Board of Governors, Valerie Lopez.

Members of the Press also participated.

CALL TO ORDER

The meeting was called to order by Chair Taunja Willis-Miller at 9:00 a.m. A roll call was taken to determine who was in attendance and a quorum established.

EXECUTIVE SESSION

Chair Willis-Miller requested a motion to move Executive Session, under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), (b)(10), and (b)(12) to discuss:

- a. Approval of Honorary Degree Candidates;
- b. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University;
- c. Possible naming opportunity; and
- d. Confidential and preliminary matters involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment.

The motion was made by Dr. Patrice Harris, seconded by Susan Lavenski, and passed. Following Executive Session, Kevin Craig moved that the board rise from Executive Session. The motion was seconded by Charles Capito and passed.

Chair Willis-Miller stated that no actions resulted from today's Executive Session discussions with the exception that a possible naming opportunity was discussed, resulting in one of the items on today's Consent Agenda, and also during today's Executive Session the board reviewed names of individuals submitted for Honorary Degrees from West Virginia University. Each year nominations are received and reviewed by a committee of faculty, staff and students. Those selected by the committee are then forwarded to the Faculty Senate for approval, and then to the governing board. The WVU Faculty Senate has endorsed the names discussed during today's Executive Session, as required by University policy. Chair Willis-Miller also noted, for the record, that board members J. Thomas Jones, Madison Santmyer, Frankie Tack and Shirley Robinson abstained from the vote on today's Honorary Degree Candidates – since they were members of the Honorary Degree Selection Committee involved in this process. Chair Willis-Miller requested a motion for approval of the Honorary Degree Candidates discussed during today's Executive Session - with a notation that the persons to be honored will be announced at a later date. Robert Reynolds so moved and the motion was seconded by Bray Cary and passed.

APPROVAL OF MINUTES

Charles Capito moved that the minutes for the November 17, 2023 regular board meeting and December 1, 2023 special board meeting be approved. This motion was seconded by Frankie Tack and passed.

INFORMATION ITEMS

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

PRESIDENT'S REPORT

President Gee offered the following remarks:

As this semester comes to a close, we prepare to celebrate the most important milestone in University life—Commencement.

Nearly 2,700 students will receive their hard-earned degrees, and those of us taking part in the two ceremonies will once again enjoy honoring our graduates' accomplishments and wishing them well for the future.

For the second year in a row, we will also reinforce the importance of education by giving an outstanding West Virginia teacher a presidential honorary degree. This year, we honor Jessica Weaver, a teacher at Morgantown's South Middle School, for cultivating interest and understanding among her students.

While celebrating Commencement, we are also celebrating the holiday season.

And I am proud that West Virginia University is represented in Washington, D.C., through the U.S. Capitol Christmas Tree, an evergreen with many connections to the Mountain State and WVU Extension.

When it was announced that this year's U.S. Capitol Christmas Tree would hail from the Monongahela National Forest, the Forest Service reached out to WVU Extension to enlist the helping hands of 4-H members and other Extension volunteers.

The tree, along with more than 65 companion trees, would need ornaments — approximately 14,000 of them. WVU Extension, with offices in all 55 counties, had the people and expertise to help with this effort.

Working with the Forest Service, WVU Extension 4-H created a service project which would be carried out at state and county camps, giving young people and volunteers opportunities to use their creativity and love of the state for the displays on the West Lawn and at Capitol buildings.

In all, 4-H members made nearly 5,400 ornaments at camps and other events, contributing 2,500 service hours to the project.

As another year ends, this project symbolizes hope and renewal for West Virginia and our University.

CONSENT AGENDA

Chair Willis-Miller called for any discussion of today's Consent Agenda items and asked whether any items needed to be pulled for a separate discussion/vote. There being no such request made Bray Cary moved that today's Consent Agenda be approved. This motion was seconded by J. Thomas Jones and passed.

Thereupon, the following Consent Agenda items were approved:

1. Approval of New Program: BS in Robotics Engineering in the Benjamin M. Statler College of Engineering and Mineral Resources

Resolved: That the West Virginia University Board of Governors approves the creation of a new BS degree in the Benjamin M. Statler College of Engineering and Mineral Resources.

2. Approval of the Personal Rapid Transit Agency Safety Plan (PRTASP).

Resolved: That the West Virginia University Board of Governors approves the Personal Rapid Transit Agency Safety Plan (PRTASP), as presented.

3. Approval and execution of one Statements of Work ("SOW") under such MSA for audit, assurance, and other services provided by CliftonLarsonAllen LLP ("CLA"), WVU's external auditor, to West Virginia University

Resolved, that the following SOW will be executed under the MSA by the Audit Committee Chair, Richard Pill. The SOW describes the scope of the specific professional services to be provided by CLA -

- SOW – Agreed Upon Procedures ("AUP") for WVU as of December 31, 2023

4. Approval of Naming Opportunity

Resolved: That pursuant to BOG Governance Rule 2.2, the West Virginia University Board of Governors hereby approves the naming opportunity as discussed during today's Executive Session.

5. Approval of BOG Committee Changes

Resolved: That the West Virginia University Board of Governors approves two proposed committee changes, one being the formation of an Ad Hoc Governance Committee and the second changing the Chair of the Academic Affairs and Accreditation Committee from Dr. Patrice Harris to Charles Capito, which changes will be incorporated into the existing committee assignments listed on the WVU Board of Governors website

**GENERAL DISCUSSION AND
ADJOURNMENT**

Chair Willis-Miller announced that the next board meeting is scheduled for February 23, 2024. There being no further business to come before the board, Charles Capito moved to adjourn the meeting. The motion was seconded by Kevin Craig and passed. The meeting was adjourned at 1:26 p.m.

Dr. Patrice Harris, Secretary

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of February 23, 2024

ITEM: Report of Real Property Transactions –
Second Quarter of FY 2024

INSTITUTION: West Virginia University

COMMITTEE: Full Board

RECOMMENDATION: Informational

STAFF MEMBER: Gary Furbee, II
Deputy General Counsel & Exec. Dir. of Real Estate Operations

BACKGROUND: Pursuant to Section 2.3 of BOG Finance and Administration Rule 5.1, a report of all leases and transfers of real property shall be presented to the Board at least quarterly.

Completed and Pending Acquisition(s) or Disposition(s)

- Pursuant to authorization granted on November 17, 2023, the University is in the process of purchasing a one acre parcel located within the Core Arboretum, Morgantown, West Virginia. A closing has not yet been scheduled.
- Pursuant to standing authority renewed on June 23, 2023, the University is leasing, and intends to transfer, to the City of Montgomery certain parcels of vacant land associated with the former WVU Tech campus in Montgomery, WV.

Other Real Property Transactions (e.g., Leases and Easements)

- Facilities Use Agreement (WVU-A053) dated October 1, 2023, for the benefit of the Institute for Community & Rural Health. The location in Arbovale, WV, will be used for housing for community based clinical experiences.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of February 23, 2024

ITEM: Confirmation of Previously Approved Naming Opportunity
(Kittie Blakemore Drive)

INSTITUTION: West Virginia University

COMMITTEE: Full Board – Information Only

STAFF MEMBERS: Dr. E. Gordon Gee
President

Maryanne Reed
Provost and Vice President for Academic Affairs

BACKGROUND: At a previous meeting the Board of Governors approved a naming opportunity. Information concerning the naming opportunity was withheld until a later date to allow for a formal announcement.

Legendary WVU women’s basketball coach Kittie Blakemore will have a street on the Evansdale campus named in her honor when the University dedicates Kittie Blakemore Drive on February 24, 2024, before the women’s basketball game against Baylor.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of February 23, 2024

- ITEM:** Confirmation of Discontinuation of Graduate Academic Programs
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board
- RECOMMENDATION:** Informational
- STAFF MEMBERS:** E. Gordon Gee, Ph.D.
President
- Maryanne Reed, BA, MS
Provost and Vice President for Academic Affairs
- BACKGROUND:** Pursuant to WVU BOG Academics Rule 2.2 and in furtherance of the approval by the Board of Governors in its September 15, 2023, meeting, the following academic programs have been formally discontinued effective Fall 2024:
- PhD in Mathematics degree program, Eberly College of Arts and Sciences; and
 - Certificate in Community Development Policy and practice, Eberly College of Arts and Sciences.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of February 23, 2024

- ITEM:** Approval of New Program: BS in Respiratory Therapy in the School of Medicine
- INSTITUTION:** West Virginia University
- COMMITTEE:** Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approve the creation of a new BS degree in the School of Medicine.
- STAFF MEMBERS:** Maryanne Reed. BA, MS
Provost and Vice President for Academic Affairs
- BACKGROUND:** The program in respiratory therapy recognizes the needs of the state and missions of the West Virginia University School of Medicine and Health Sciences system. The program seeks to prepare Respiratory Therapists who care for patients of all age groups who have trouble breathing. This ranges from a chronic respiratory disease, such as asthma or emphysema, to acute problems such as trauma and viruses. They will also be prepared to provide emergency care to patients suffering from heart attacks, drowning, or shock. Respiratory therapy graduates, by being educated in a comprehensive health sciences center which is affiliated with a large hospital system, will be ready to provide a workforce to the state of WV and beyond which is able to deliver state of the art respiratory care using sophisticated contemporary practice and technology.
- The alignment with the mission of West Virginia University is clear. West Virginia University, as a land grant institution, is dedicated to service to the people of the state of West Virginia. As a state with high levels of cardiovascular and pulmonary needs, the availability of a respiratory therapy workforce to meet those needs is exemplary of how WVU fulfills its mission.
- This proposed degree program has been endorsed by the department, faculty, Chair, College Curriculum Committee, Dean, Provost, Senate Curriculum Committee, and was approved by the Faculty Senate at its February 5, 2024, meeting.
- The curriculum is designed to be 127 credit hours. The new degree program will be available to students beginning in Fall 2024.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
February 23, 2024

ITEM: Café Evansdale Kitchen Renovation (Sodexo)

INSTITUTION: West Virginia University

COMMITTEE: Full Board – Consent Agenda

RECOMMENDATION: Resolved: Approve Project Price Increase

STAFF MEMBER: Paula Congelio
Vice President and Chief Financial Officer

Erin Newmeyer
Associate Vice President for Strategic Partnerships

BACKGROUND: The kitchen that serves Café Evansdale is undergoing renovations to meet the needs of a modern dining facility. The 12,000sf kitchen at the Evansdale Residential Complex has not had significant renovations in 20 years. The layout of the kitchen will be reconfigured to be more efficient. Much of the cooking equipment is old and uses steam heat, which causes the kitchen to be hot. New equipment with natural gas heat will improve performance and reduce heat load in the kitchen providing a more comfortable working environment. The project will include a new natural gas service to support gas fired equipment which is industry standard and offers improved performance.

This project was previously approved by the BOG in February 2023 for \$4,000,000. Since that time, all the kitchen equipment has been pre-purchased, and the project was split into two phases. Phase 1 was completed over the summer of 2023. The final pricing for the remaining work is coming in higher than the estimates completed last year and a budget increase of \$500,000 is being requested. The project team will continue to evaluate cost savings options to reduce budget.

Schedule: Phase 2: Summer - complete by August 2024

Budget: Approved Budget: \$4,000,000
Budget Increase: \$500,000
Revised Budget: \$4,500,000

Funding: Sodexo Facility Enhancement Fund

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
February 23, 2024

ITEM: Milan Puskar Stadium – Sports Lighting Upgrades

INSTITUTION: West Virginia University

COMMITTEE: Full Board – Consent Agenda

RECOMMENDATION: Resolved: The Board of Governors approves the project

STAFF MEMBER: Paula Congelio
Vice President and Chief Financial Officer

BACKGROUND: The sports lighting system at Milan Puskar Stadium is antiquated technology nearing its end-of-life. The existing system is 20+ years old and currently does not meet NCAA standards for live televised broadcast. Parts and replacement components are no longer supported.

This upgrade will replace the existing system with a new sports lighting system comprised of Light Emitting Diode (“LED”) color-changing fixtures installed on the existing light poles and in the same locations. The new system will include a digital lighting control system interfaced to the stadium’s audio-visual system allowing for various lighting effects during events. This upgrade is similar to other peer institutions football stadium Capitalizing on the success of the football program this will enhance the fan experience and boost excitement for the upcoming season.

Schedule: Solicitation of lighting partners Feb – March 2024,
Replacement and Installation – April – July 2024

Budget: Total Budget: \$1,500,000

Funding: Foundation funds

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of February 23, 2024

- ITEM:** Deactivation of Career Technical Education at WVU Institute of Technology
- INSTITUTION:** WVU Institute of Technology
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the deactivation of Career Technical Education at WVUIT.
- STAFF MEMBERS:** Maryanne Reed
Provost and Vice President for Academic Affairs
- BACKGROUND:** West Virginia University Institute of Technology approved the deactivation of the Career Technical Education program. This program is no longer offered at WVUIT.
- Effective Fall 2024

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of February 23

- ITEM:** Naming Opportunity
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That pursuant to BOG Governance Rule 2.2, the West Virginia University Board of Governors hereby approves the naming opportunity discussed during today’s Executive Session.
- STAFF MEMBERS:** E. Gordon Gee
President
- BACKGROUND:** The administration has presented a naming opportunity. Details of the naming opportunity will be withheld until a later date at which time formal announcements and ceremonies will be held.