



West Virginia University

Board of Governors

2023 - 2024

Meeting Agenda Booklet

April 12, 2024

Board Members

Charles L. Capito, Jr.
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 – April 12, 2024 – 10:15 a.m.**

**Erickson Alumni Center
Morgantown, WV**

**And
Via Zoom**

Meeting ID: 955 7442 1827

Passcode: RTh9GeyM

Dial-in: (888) 475-4499

MEETING AGENDA

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|---|---------------------------------|
| 1. Call to Order | Member Willis-Miller |
| 2. Classified Staff Report | Robinson |
| 3. SGA Report | Santmyer |
| 4. President’s Report | Gee |
| 5. Committee Reports For: | |
| • Ad Hoc Governance Committee meetings | Harris |
| • April 11, 2024 - Audit Committee Meeting | Hill |
| • April 11, 2024 Finance and Facilities and Revitalization Committee Meeting | Craig |
| • April 11, 2024 Strategic Plans and Initiatives Committee Meeting | Coppoolse |
| • April 12, 2024 Academic Affairs and Accreditation Committee meeting | Capito |
| 6. Proposed Final New Rule and Amended Rule and Official Comments Summary for the following: | Taylor |
| 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 | |

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| <p>7. Authorizing Resolution of the West Virginia University Board of Governors for the permanent financing of certain real property located in close proximity to the Evansdale Campus of West Virginia University through one or more Lease Purchase Agreements in an amount not to exceed \$11,500,000</p> | <p>Weiss</p> |
| <p>8. Approval of minutes from February 23, 2024 Regular Board Meeting and March 18, 2024 Special Board Meeting</p> | |
| <p>9. Information Items (Written Only)</p> | |
| <p>a. Report of Real Property Transactions – Third Quarter of FY 2024</p> | <p>Furbee</p> |
| <p>b. Confirmation of Previously Approved Naming Opportunity (Kendrick Family Ballpark)</p> | <p>Gee & Reed</p> |
| <p>c. Organizational Name Change at the West Virginia University Health Sciences Center (Department of Medical Oncology)</p> | <p>Gee & Reed</p> |
| <p>d. Board Approved Ongoing Capital Projects</p> | <p>Congelio</p> |
| <p>10. Consent Agenda (for Board Review and Action)</p> | |
| <p>a. Nominating Committee Appointments</p> | <p>Willis Miller</p> |
| <p>b. Approval of New Program: BS in Biology Pre-medical in the Eberly College of Arts and Sciences</p> | <p>Reed</p> |
| <p>c. Approval of New Program: BS in Chemical Forensics at West Virginia University Institute of Technology</p> | <p>Reed</p> |
| <p>d. Approval of New Program: BS in Supply Chain Management Science in the John Chambers College of Business and Economics at West Virginia University</p> | <p>Reed</p> |
| <p>e. Deactivation of the BA degree in Biology, Eberly College of Arts and Sciences</p> | <p>Reed</p> |
| <p>f. Approval of a new online Master of Science (MS) in Midstream Petroleum Engineering degree in the Benjamin M. Statler College of Engineering and Mineral Resources</p> | <p>Reed</p> |

- g. WVU Baseball Hitting & Pitching Facility** Congelio
- h. Sale of Real Estate (Property and Building) to WVU Hospitals** Furbee
- i. Master Services Agreement for Residential Wireless Network** Knotts & Pratt
- j. Appointment to County Extension Committees** Reed

11. Potential Executive Session, under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), 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, privileged updates and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University; and,**
- b. Confidential and preliminary matters involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment.**

12. Discussions Emanating from Executive Session – if any

13. General Business

14. The next regular board meeting is scheduled for June 21, 2024

15. Adjournment

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

ITEM: Annual Report of the Classified Staff Representative to the Board of Governors

INSTITUTION: West Virginia University

COMMITTEE: Full Board

RECOMMENDATION: Information Only/Board Presentation

STAFF MEMBER: Shirley Robinson
Classified Staff Representative

BACKGROUND: Each year the classified staff representative on the Board of Governors provides an overview or annual report on initiatives, progress, and future goals of this constituency group. Shirley Robinson, the current classified staff representative, will make this presentation during today's meeting.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2023

- ITEM:** Annual Report of the Student Government Association Representative to the Board of Governors
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board
- RECOMMENDATION:** Information Only/Board Presentation
- STAFF MEMBER:** Madison Santmyer
Student Government Association Representative
- BACKGROUND:** Each year the student government association representative on the Board of Governors provides an overview or annual report on initiatives, progress, and future goals of this constituency group. Madison Santmyer, the current student government association representative, along with other members of her constituency, will make this presentation during today's meeting.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

- ITEM:** Proposed Final New Rule and Amended Rule and Official Comments Summary for the following:
- 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 final Rules 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 final approval following the Notice of Proposed Rulemaking issued at the Board's February 24, 2024 meeting.

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.

The new Rule and proposed changes to the Rule were posted for the required thirty (30) day public comment period. In sum, 16 comments were received regarding Rule 5.14 and 4 comments were received regarding Rule 3.5. Those comments and the University's responses were posted on the University's website for at least ten (10) days in advance of this Board meeting. As noted in the comment summary, certain changes were made to Rule 5.14 to address the comments received and after further consideration and review by the University. No additional changes were made to Rule 3.5. Accordingly, the Board of Governors is asked to approve the final Rules as presented. If approved, the Rules will be effective in 15 business days, in accordance with the University's rulemaking procedures.

COMMENTS RECEIVED REGARDING BOG FINANCE & ADMINISTRATION RULE 5.14 AND TALENT & CULTURE RULE 3.5

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|---|---|
| 1 | 2/26/24 | BOG Talent & Culture Rule 3.5 – Employee Leave | 12.1 Jury Duty - currently it is limited to cover jury duty in WV but there are many employees that work remotely or in bordering states that may be called for jury duty. I recommend the leave policy be adjusted to cover any jury duty requirements. Thank you for your consideration. | It was determined that no modification to WVU BOG Talent & Culture Rule 3.5 was needed in response to this comment. |
| 2 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>An exception should be made so that deadly weapons (concealed or not) are prohibited from all classrooms during periods of instruction.</p> <p>It is absurd that deadly weapons are prohibited from campus safety buildings where the police who occupy those buildings carry weapons, and are trained in their use, yet they would be permitted in a classroom.</p> <p>Equally absurd is the prohibition of concealed weapons from the state capital while those working there promote having them carried by college students in classroom settings.</p> | The Campus Self-defense Act does not allow for a classroom exception; thus, it was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment. |
| 3 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | I support this rule | It was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment |
| 4 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | If allowable by the new law, WVU should have the option to not allow weapon storage in residence halls. There are numerous other locations on all three campuses that can be utilized that are safer, still convenient to students, and where storage can be provided more cost effectively than in a residence hall. | Campus Self-defense Act requires institutions “shall provide either” safes or secure locations for storage available for on-campus residents. W. Va. Code § 18B-4-5b(d); thus, it was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment. |

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|---|--|
| 5 | 2/26/24 | BOG Talent & Culture Rule 3.5 – Employee Leave | <p>Could there be some elaboration on the reason for the change to this:</p> <p>Section 5.8 – Modifies the language to provide that disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom shall be handled on a case by- case basis.</p> <p>It seems like this change to a more vague usage could be used to deny or restrict employees' ability to deal with a disability of this nature. It also raises concerns, particularly in light of what is happening to abortion access and childbirth in our state, about what rights and how they will be afforded to people dealing with these different circumstances.</p> | It was determined that no modification to WVU BOG Talent & Culture Rule 3.5 was needed in response to this comment. |
| 6 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>Section 2.3 should include the prohibition of deadly weapons (including licensed concealed carry weapons) in areas that are encircled by prohibited areas that are already outlined in this section. For instance, in Health Sciences, there are whole wings that are patient-care areas (where a weapon would be prohibited), but then a single hallway with faculty offices (also a prohibited area). Under the current guidelines, the hallway that connects these two prohibited areas is legally a place where a person could carry a weapon. However, given the person can not have their weapon in the other adjacent areas, it makes no sense to allow a weapon in the connecting hallways.</p> | Campus Self-defense Act does not specifically permit such a prohibition. However, the practical effect is clear and therefore will likely be addressed through enforcement or FAQ's, i.e., individuals are not permitted to carry through prohibited areas. Thus, it was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment. |
| 7 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>Rule 2.3.12.2(1)(b) "make available an appropriate safe that may be installed in a resident's room;" contradicts the parent rule 2.3.12.2 which does not provide exception for carrying weapons in resident's rooms or the hallways and passages leading to these rooms.</p> <p>Related to this, how is the issue of a weapon being held in a shared residence room being dealt with by the rules? In such circumstance it is reasonable to assume that the weapon will not be concealed at all times.</p> <p>I understand that the above is a consequence of the way the law was written. However the provision for providing safe storage within a residence room is not a requirement. It is an alternative to the option of having shared storage in the residence hall. I propose two possible solutions:</p> <p>1. Eliminate the option for storing weapons in the residence room and provide adequate shared storage (delete rule 2.3.12.2(1)(b))</p> | The definition of concealed allows for storage in cars and other storage areas but a change should be made to allow for further flexibility in implementing the residence hall protocol that have been designated to the President. The BOG Rule needs to be flexible in case administrative needs arise that require a change to the manner of storage in residence halls. Thus, a change was made to clarify that if safes are permitted, a resident will be allowed to have in their room for storage purposes. |

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|--|---|
| | | | 2. Apply rule 2.3.12.2(1)(b) only to residence rooms that have direct outside access not passing through common spaces. In case of multiple occupants require confirmation that the occupants of the room do not feel threatened by the presence of a weapon. | |
| 8 | 2/26/24 | BOG Talent & Culture Rule 3.5 – Employee Leave | It is disappointing to see the Board of Governors take it upon themselves to redefine the English language in service of radical, leftist political ideas. Human beings are male or female. The appropriate pronouns for male and female individuals are his/her, not their. By making these changes, the Board violates its mandate by picking sides in a valid civil debate. | It was determined that no modification to WVU BOG Talent & Culture Rule 3.5 was needed in response to this comment. |
| 9 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | Upon reading, this rule is reasonable and should be approved without further changes. | It was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment |
| 10 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>In section 2.4, the policy states it is not applicable to "members of the armed forces of the United States or the W. Va. National Guard." Does this apply to member of Armed Forces/WVNG acting in an official capacity with assigned weapons or to all members of the military carrying their own personal weapon? I ask because very few members of the military routinely carry a weapon and those that do are often required the weapon be assigned to them for a specific duty.</p> <p>According to federal law, the only members who can carry on military bases are on-duty members of the Military Police, thus it would not make sense to grant rights at WVU's campuses to members of the Armed Forces based on their service when they do not retain those same rights during their service. As such, unless carrying by a member of the military is in conjunction to their service similar to a LEO, members of the military and/or the WVNG should not be exempt from restrictions that other students must adhere to.</p> | A reference was added to W. Va. Code § 61-7-14(c) in a footnote, which notes that the provisions of the W. Va. Business Liability Act do not apply to that specific list of individuals while acting in his or her official capacity but note that is already stated in the Rule. However, after further review, some additional persons working within their official capacity should be added to the Rule to be consistent with law and have been added in Section 2.4. |

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|--|---|
| 11 | 2/26/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | School shootings have been an epidemic that have plagued our country for a long time. Just as recently as a few years ago, UVA experienced a school shooting and Virginia Tech experienced one as well. High schools are not the only public educational institutions that can have this tragedy strike them. Michigan State also experienced a deadly shooting event. Allowing people to concealed carry on campus can only increase the probability these events will happen. Many students who attend this campus will not feel comfortable attending here if this policy gets approved, including myself. It could also deter potential students from attending, and the university needs an increased attendance rate right now with budget cuts. Allowing for concealed carry on the university ground will ultimately hurt the student population. This policy should not be approved for those reasons. | It was determined that no substantive modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment. However, a change was made to Section 2.2 to make clear that the exceptions are required by the Campus Self-defense Act. |
| 12 | 2/28/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <ol style="list-style-type: none"> 1. There should be a provision that allows someone to carry a taser on campus legally. 2. We need to require the creation of a culture of gun safety. WVU needs to promote information about never using a gun while intoxicated, following all applicable laws, responsible gun ownership, and suicide prevention. 3. Please indicate the minimum age for being allowed a concealed carry permit on campus. Is it 18 or 21? | Unlike pepper spray, a conducted electrical device (Taser or stun gun), is not expressly permitted for self-defense under W. Va. Code § 61-7-2(5). Accordingly, no change is warranted for that prohibition. However, additional precision is needed in defining a dangerous object and deadly weapons and therefore edits were made to Sections 5.3 and 5.4. |
| 13 | 2/28/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>Section 2.3.3. I can see this section being abused by the University depending on if it is overused (i.e., used at too many buildings/locations). Also, this seems like it would be costly to set up these security measures when the U. is trying to save money. Finally, it seems to defeat the spirit of the Act, which is to allow for self protection of an individual while on U. property.</p> <p>Section 2.3.6 I think this needs expanded to make it clear that a U. employee in their own private office would be allowed to have their gun in their own office.</p> <p>Section 2.3.12 I think many would agree this section needs revised. Right now, this section would seemingly make it hard for a student with a permit to keep their gun in their dorm room, even going so far as to single them out by lumping them together in a section of a dorm. Or, charging them some so called "reasonable" fee to keep their gun with them in some elaborate secure section of a room. A student with a gun should be able to have any room and a small portable safe provided with a very small fee, for their gun.</p> | Footnote 9 cites the provision of the Campus Self-defense Act that says the WVU may not prohibit someone from carrying in their own office under that subsection. That said, some additional clarity on the Sole Occupancy exception is helpful to ensure that employees understand that, consistent with the plain language of the Campus Self-defense Act, that specific exception does not permit the University to prohibit all employees from carrying a concealed pistol or revolver in their office. |

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|--|---|
| 14 | 2/28/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>1) The fact that Concealed Pistols and Revolvers are allowed in classrooms and administrative buildings, scares me as a campus employee and spouse of a faculty member. I'm concerned with lack of building safety (ex. lack of cameras, lack of swipe locks, lack of visible staff with so many staff members working fully remote).</p> <p>2) I am especially concerned with, 2.3.12.2 that would contemplate an in-room storage safe within the residence hall. I have a problem, as a Mountaineer parent, with my son's roommate being able to carry a weapon to their shared space. I thought 2.3.12 designates that they would ONLY be allowed in residence halls in the lounges, dining areas and study areas. 2.3.12.2 could potentially move them into the individual rooms and hallways. I'm concerned that residence hall staff and students will become lax about checking weapons in/out.</p> <p>2) 2.3.6 indicates that Concealed Pistols and Revolvers are prohibited in 'Sole Occupancy Offices', but the occupant must designate that that they are prohibited. If they are prohibited, they are prohibited, period. Why must a sign be posted, if they are already prohibited?</p> <p>WVU should not be allowing students to carry weapons on campus!</p> | <p>See response to Comment #13. It has been made clear that it is up to the individual employee about whether the sole occupancy exception applies to their office and not every sole occupancy office is prohibited.</p> |
| 15 | 2/29/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | <p>The rule needs to clarify the use of tasers and similar self-defense tools on campus.</p> <p>The way I am interpreting Section 5: Definitions, it sounds as if dangerous objects could be carried so long as they are not “used in a manner which could or does result in an act of violence or a threat of violence against another person.” Additionally, they could be used for self-defense.</p> <p>If lethal weapons have been deemed necessary by the legislature for campus safety, it is incongruous to say that one may not carry a taser. While a concealed carry permit should not be necessary to carry a taser, would that allow one to carry this non-lethal item?</p> <p>1. “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.</p> <p>1. This includes fireworks or other explosives, tasers, air-powered rifles, imitation weapons without appropriate safety markings.</p> | <p>See Response to Comment #12. Clarifications to the definitions is necessary. Accordingly, Sections 5.3 and 5.4 have been modified.</p> |

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|--|--|
| 16 | 3/1/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | According to CNN, there have been 13 school shootings in 2024 (as of 02/21/24). In 8 weeks thirteen schools in the United States have gone through the trauma of gun violence in their halls. I am an instructor at this institution, but I will have a hard time recommending students to attend my class. I do not feel safe, given the proposed policy, and I will not endorse an environment where students will feel unsafe. | It was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment due to the requirements of the Campus Self-defense Act. |
| 17 | 3/6/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | I view this as a positive change for the University but have a consideration for areas of campus not under exclusion to the policy but have a safety hazard associated with its workers being that they may work in a shop with hazardous explosive materials or work in a manner such as crawling in tight spaces, under vehicles or work in manners where a IWB holster may let a firearm slip. For those areas that may wish to provide safes for their workers to safely store their firearm on sight or in office while performing these tasks we need a specification on the safes. Such as what material the safe should be made out of (Metal) and what kind of lock it should possess (biometric, combination, digital, etc.). Should this safe be secured to a surface (bolt to floor/wall, chain/cable around desk, etc.). The rule should also state that only the owner of the firearm should have sole access to that safe while their property is in it, no shared combinations, spaces etc, (maybe like a hotel safe where you choose the code when you close it and it resets after opening). Thanks for your consideration. | It was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment due to the requirements of the Campus Self-defense Act. |
| 18 | 3/19/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | Senate Bill 10, while well intended, is unlikely to deter a determined shooter. An open campus simply has too many access points - unless the institution plans to restrict entry to specific areas and use TSA level equipment and procedures at those locations. If that is the case, the legislature should fund those precautions. So the steps being taken are less effective before the trigger is pulled and take affect mostly after the gun smoke clears. | It was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment as WVU must comply with the West Virginia Campus Self-defense Act. |
| 19 | 3/21/24 | BOG Talent & Culture Rule 3.5 – Employee Leave | I don't see any real point to changing 5.3.1 and 10.5 unless you just want to doll up your retention metrics and make it more difficult for people to apply for unemployment. (Which you lot probably do, given your track record.) | It was determined that no modification to WVU BOG Talent & Culture Rule 3.5 was needed in response to this comment. |

| Comment No. | Date Received | Proposed Rule | Comment | Determination Made |
|-------------|---------------|--|---|---|
| 20 | 3/22/24 | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | I find the idea that persons can carry concealed weapons on a college campus appalling. I will no longer feel safe on the WVU campus. | It was determined that no modification to WVU BOG Finance & Administration Rule 5.14 was needed in response to this comment as WVU must comply with the West Virginia Campus Self-defense Act. |
| | | BOG Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-Defense Act | | After further review and consideration, some additional precision was needed to clarify that the W. Va. Campus Self-defense Act expressly applies to WVU's campus and not every area under the Board's control, such as areas off-campus. Thus, consistent with both the Campus Self-defense Act and 34 C.F.R. § 668.46(a), a definition of "WVU Campus" was added to Section 5, the definition of WVU Property was revised, and appropriate changes were made to Sections 1.2 and 2.2. |



Board of Governors Rule 5.14

Finance and Administration
 Deadly Weapons, Dangerous
 Objects, & W. Va. Campus Self-
 Defense Act
 Adopted: June __, 2024
 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

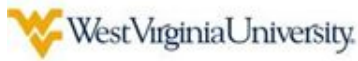
SECTION 2: POLICY.

- 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 As required by the Campus Self-defense Act, Section 2.1 does not apply to and WVU must allow a person holding a License to carry a Concealed Deadly Weapon and who is carrying a Concealed Pistol or Revolver on WVU ~~Property~~Campus,² except as set forth in section 2.3.

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

- 2.3 Consistent with both the Campus Self-defense Act and the W. Va. Business Liability 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. Nothing in this subsection, 2.3.6, is intended to prohibit an employee from carrying a Concealed Pistol or Revolver in his or her assigned Sole Occupancy Office.
 - 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

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).

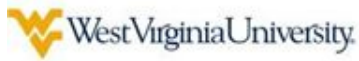
⁶ W. Va. Code § 18B-4-5b(b)(3).

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).



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is rented, leased, or under exclusive use of an entity for the actual period of time the function is occurring.¹¹

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

2.3.10.1 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

2.3.11.1 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

~~23.12.1~~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

¹¹ W. Va. Code § 18B-4-5b(b)(8).

¹² W. Va. Code § 18B-4-5b(b)(9).

¹³ W. Va. Code § 18B-4-5b(b)(10).

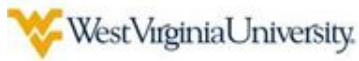
¹⁴ W. Va. Code § 18B-4-5b(b)(11).

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).



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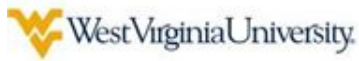
- 24 The exceptions set forth in Section 2.3 and the general prohibition on Deadly Weapons or Dangerous Objects do not apply to the following persons, while acting in their official capacity: law enforcement officers or law enforcement officials or chief executive officer; W. Va. ~~Department~~ Division of Corrections employees; members of the United States armed forces, reserve, or of the United States or the W. Va. National Guard; a federal law-enforcement officer or federal police officer authorized to carry a weapon in the performance of the officer's duty; any justice of the Supreme Court of Appeals; circuit judge; any retired justice or retired circuit judge designated senior status by the Supreme Court of Appeals of West Virginia; any family court judge; any magistrate; any; prosecuting attorney; any; assistant prosecuting attorney; or any investigator duly appointed by a prosecuting attorney;¹⁹ 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.²⁰
- 25 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

¹⁹ W. Va. Code § 61-7-14(c).

²⁰ W. Va. Code § 61-7-14(d)(1)(A)-(D).



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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 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.²¹
- 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.

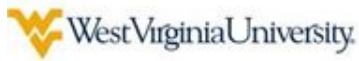
SECTION 5: DEFINITIONS.

- 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.²²
- 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.²³ 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/room where storage is permitted -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~~is designed to cause harm

²¹ W. Va. Code § 18B-4-5b(g).

²² W. Va. Code § 18B-4-5b(b)(4).

²³ See W. Va. Code § 61-7-2(3)(defining the term).



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or unnecessarily risks the safety of another person ~~and includes any item with a lawful purpose (such as, seissors, 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~~ conducted energy devices (stun gun or Taser), 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.²⁴
- 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.²⁵
- 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” or “Dangerous Object” does not include pepper spray when used by any person solely for self-defense purposes.²⁶
- 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

²⁴ See W. Va. Code § 61-7-2(5)(defining the term).

²⁵ See generally W. Va. Code § 61-7-2 (5).

²⁶ See W. Va. Code § 61-7-2(5).



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- 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.²⁷
- 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. 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*.²⁸
- 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.²⁹
- 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.³⁰
- 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.³¹
- 5.11 “WVU Property Campus” means all areas, ~~on campus and in the~~ including buildings, that are under custodial possession of the WVU Board of Governors, and- within the same reasonably contiguous geographic area and used in direct support of, or in a manner related to, the University’s educational purposes. It does not include areas rented, leased, or under an exclusive agreement for the full-time occupancy and use of a private entity.³²
- 5.12 “WVU Property” means any areas or locations, including those areas located off-campus, under the control, supervision, or custody of the WVU Board of Governors.

SECTION 6: DELEGATION.³³

²⁷ W. Va. Code § 18B-4-5b(b)(11).

²⁸ W. Va. Code § 18B-4-5b(i).

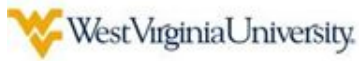
²⁹ W. Va. Code § 61-7-2 (13).

³⁰ W. Va. Code § 61-7-2(14).

³¹ W. Va. Code § 18B-4-5b(b)(6).

³² 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”); see generally 34 C.F.R. § 668.46(a).

³³ 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



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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 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.

procedures.

Effective: TBD

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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 hours 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.
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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.



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

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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.

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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
Meeting of April 12, 2024

ITEM: Authorizing Resolution of the West Virginia University Board of Governors for the permanent financing of certain real property located in close proximity to the Evansdale Campus of West Virginia University through one or more Lease Purchase Agreements in an amount not to exceed \$11,500,000.

INSTITUTION: West Virginia University

COMMITTEE: Full Board

RECOMMENDATION: Resolved: That the West Virginia University Board of Governors approves the execution of an Authorizing Resolution for the permanent financing of certain real property located in close proximity to the Evansdale Campus of West Virginia University through one or more Lease Purchase Agreements in an amount not to exceed \$11,500,000.

STAFF MEMBER: Barb Weiss
Senior Associate Vice President for Finance

BACKGROUND: WVU wishes to permanently finance the costs of acquisition of certain real property located in close proximity to the Evansdale Campus of West Virginia University through one or more Lease Purchase Agreements in an amount not to exceed \$11,500,000.

The real property was originally acquired in 2013 and 2014, and is now the location of the University Park development. The initial lease purchase agreement entered to finance the acquisition of the property had a term of 10 years and matures on September 1, 2024. The final lease payment under the current lease purchase agreement is \$10,496,235.84. Proceeds of the proposed lease purchase agreement will be used to pay that final lease payment and related costs, allowing for a longer-term financing of the real property.

WVU will solicit financial institutions via an RFP process to determine the purchaser/lessor under the proposed lease purchase agreement.

**AUTHORIZING RESOLUTION
OF THE
WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
(University Park/Evansdale Campus)**

RESOLUTION AUTHORIZING THE PERMANENT FINANCING OF THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN CLOSE PROXIMITY TO THE EVANSDALE CAMPUS OF WEST VIRGINIA UNIVERSITY THROUGH ONE OR MORE LEASE-PURCHASE AGREEMENTS IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$11,500,000; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE LEASE-PURCHASE AGREEMENTS AND OTHER DOCUMENTS AND AGREEMENTS IN CONNECTION WITH SUCH LEASE-PURCHASE AGREEMENTS; DELEGATING TO THE PRESIDENT AND THE VICE PRESIDENT FOR FINANCE AND CHIEF FINANCIAL OFFICER OF WEST VIRGINIA UNIVERSITY AND THE CHAIRMAN AND VICE-CHAIRMAN OF THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS CERTAIN RESPONSIBILITIES IN CONNECTION WITH THE LEASE-PURCHASE AGREEMENTS, INCLUDING BUT NOT LIMITED TO DETERMINING THAT THE ISSUANCE OF REVENUE BONDS OR AN ALTERNATIVE FINANCING ARRANGEMENT WOULD BE MORE ADVANTAGEOUS TO WEST VIRGINIA UNIVERSITY THAN THE LEASE-PURCHASE AGREEMENTS; AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS AND THE TAKING OF SUCH OTHER ACTIONS AS MAY BE NECESSARY OR APPROPRIATE IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SUCH LEASE-PURCHASE AGREEMENTS AND CARRYING OUT THE TRANSACTIONS CONTEMPLATED HEREBY

WHEREAS, in furtherance of West Virginia University’s (the “University”) strategic development, in 2013 and 2014, the University acquired property in close proximity to its Evansdale campus for the purpose of developing, among other things, student housing and related amenities (the “Property”);

WHEREAS, pursuant to that certain Lease and Development Agreement dated December 23, 2013, by and between this Board, on behalf of the University, and University Park at Evansdale, LLC (the “Development Agreement”), the Property was developed into University Park (“University Park”), a combination of student housing, commercial enterprises and related amenities;

WHEREAS, to initially finance the costs of the acquisition of the Property, the University and Wesbanco Bank, Inc., entered into a Lease Purchase Agreement dated as of August 28, 2014 (the “2014 Lease Purchase Agreement”), which has a maturity date of September 1, 2024;

WHEREAS, on the maturity date of the 2014 Lease Purchase Agreement, the University will be required to pay the remaining outstanding balance of lease payments thereunder, which will be \$10,496,235.84;

WHEREAS, this Board has determined to pay the remaining outstanding balance of lease payments under the 2014 Lease Purchase Agreement and permanently finance the cost of the Property acquisition and related costs by entering into one or more lease-purchase agreements, in aggregate principal amount not to exceed \$11,500,000 (whether one or more, the "Agreement"), with one or more financial institutions or other appropriate entities, as lessor, responding to a request for proposals and proposing the terms for the Agreement determined by an Authorized Officer (defined below) to be most advantageous to the University and to be within the parameters set forth in Section 3, below (whether one of more, the "Lessor");

WHEREAS, pursuant to the authority contained in Chapter 18B, Article 19, Section 11 and other applicable provisions of Chapter 18B of the Code of West Virginia, 1931, as amended (together, the "Act"), this Board is authorized to enter into lease-purchase agreements to permanently finance the acquisition of the Property and related costs;

WHEREAS, the execution and delivery of the Agreement to provide funds for the payment of the remaining outstanding balance of lease payments under the 2014 Lease Purchase Agreement and permanently finance the acquisition of the Property, all as described in the foregoing Preambles and in the resolutions below, are hereinafter referred to together as the "Transaction";

WHEREAS, this Board has determined that the Transaction is necessary and desirable and allows for the continued provision of student housing and related amenities at a savings to the University and the State of West Virginia;

WHEREAS, this Board deems it desirable, in keeping with its purposes and in the best interests of the University, to authorize the execution, delivery and performance of the Agreement, and to take and authorize the other actions set forth herein, including but not limited to the delegation of certain actions in connection with the Transaction to designated officials of the University and this Board; and

WHEREAS, it is in the best interest of this Board to grant to the President and the Vice President for Finance and Chief Financial Officer of the University and the Chairman and Vice-Chairman of this Board, acting together or individually (each, an "Authorized Officer"), the power and authority to select the Lessor, to negotiate the terms of the Agreement within the parameters set forth in this Resolution and to execute, deliver and perform under the Agreement, and to take other actions and execute and deliver other documents as may be necessary or desirable to carry out the Transaction as contemplated by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS, AS FOLLOWS:

Section 1. Findings and Determinations. This Board specifically finds and determines as follows:

A. The findings and determinations set forth in the Preambles hereto are hereby incorporated as if set forth in full in this subsection.

B. This Board has full power and authority to execute, deliver and perform under the Agreement and to permanently finance the acquisition of the Property and related costs thereby, and to take other actions and enter other agreements required for the Transaction, including the payment of the remaining lease payments under the 2014 Lease Purchase Agreement, and this Board has taken or will take by the adoption of this Resolution all actions necessary for it to authorize its proper officers, including each Authorized Officer, on behalf of this Board to execute, deliver and perform under the Agreement and to permanently finance the acquisition of the Property and related costs thereby, and to take other actions and enter other agreements required for the Transaction; provided, that the Agreement must be approved as to form by the Attorney General of West Virginia.

C. This Resolution is adopted pursuant to and in accordance with the provisions of the Act.

D. The Transaction is hereby approved, ratified and confirmed or authorized and directed, as applicable, and any actions taken in connection therewith prior to the adoption of this Resolution are hereby approved, ratified and confirmed.

E. It is in the best interests of this Board and the University that an Authorized Officer have the power and authority to execute and deliver one or more certificates of this Board, as described in Section 3 hereof (whether one or more, the "Certificate of Determinations"), setting forth the Lessor and the terms and provisions of the Agreement not inconsistent with this Resolution.

Section 2. The Agreement.

A. There are hereby authorized to be executed and delivered and the Board hereby determines to execute and deliver, pursuant to the Act, one or more lease-purchase agreements (as previously defined, whether one or more, the "Agreement"), in aggregate principal amount not to exceed \$11,500,000, and to expend all of the proceeds from the Agreement to pay the remaining outstanding balance of lease payments under the 2014 Lease Purchase Agreement and permanently finance the acquisition of the Property and related expenses, and payment of all costs incurred by the Board and University in connection with the execution and delivery of the Agreement and the Transaction. The exact aggregate principal amount of the Agreement, not to exceed \$11,500,000, shall be approved by an Authorized Officer, such approval to be evidenced by the execution and delivery by an Authorized Officer of the Agreement.

B. The Lessor shall be the financial institution or financial institutions or other appropriate entity or entities proposing to enter into the Agreement upon terms acceptable to the University, all as set forth in the Certificate of Determinations.

C. The Agreement may be in the form of the 2014 Lease Purchase Agreement, with such modifications as the Authorized Officer may determine are necessary or desirable and in accordance with law. If required by and in accordance with the terms of the Agreement, and subject to Section 4, below, there is hereby authorized a lien on the Property.

D. The Agreement shall plainly state (i) that the Agreement constitutes a special obligation of the State of West Virginia; (b) that the obligation under the Agreement may be met from any funds legally available to the University and shall be cancelable at the option of this Board at the end of any fiscal year; (c) that the obligation under the Agreement, or any assignment or securitization of the obligation, never constitutes an indebtedness of the State of West Virginia, this Board, the University or any other department, agency or political subdivision of the State, within the meaning of any constitutional provision or statutory limitation, and may not be a charge against the general credit or taxing powers of the State of West Virginia or any political subdivision of the State.

E. The Agreement shall prohibit assignment or securitization without consent of this Board and the approval of the agreement as to form by the Attorney General of West Virginia.

F. The Agreement (i) shall be in such number and such principal amounts, not to exceed \$11,500,000 in aggregate principal amount, as set forth in the Certificate of Determinations; (ii) shall have such terms, not later than 30 years from their respective dates, set forth in the Certificate of Determinations; (iii) shall bear interest at a fixed rate or rates of interest, initially not to exceed nine percent (9%) per annum, which rate may be subject to increase based on an agreed-upon formula after the Agreement has been in effect for an agreed-upon time, or at a variable rate initially not to exceed seven percent (7%), all as set forth in the Certificate of Determinations; and (iv) shall have the prepayment provisions and other terms set forth in the Certificate of Determinations.

Section 3. Certificate of Determinations. Each Authorized Officer is hereby authorized and directed to set forth for the Agreement, the Lessor, the number, the principal amounts, the terms, the interest rates, the prepayment provisions and other terms and details of the Agreement, subject to the parameters set forth herein, including but not limited to Subsection 2(F), above, in the Certificate of Determinations to be executed and delivered prior to or contemporaneously with the execution and delivery of the Agreement. Assuming such parameters are met, the Certificate of Determinations shall have full force and effect as if adopted as a part of this Resolution.

Section 4. Agreement Is Special Obligation. The Agreement is a special obligation of the Board, the principal of and interest on which may be paid from any funds legally available to the University and which shall be cancelable at the option of this Board at the end of any fiscal year. The Agreement shall never constitute an indebtedness of the State of West Virginia, this Board, the University or any other department, agency or political subdivision of the State, within the meaning of any constitutional provision or statutory limitation, and shall not be a charge against the general credit or taxing powers of the State of West Virginia or any political subdivision of the

State. No recourse shall be had for the payment of the principal of or interest on the Agreement or for any claim based thereon, on this Resolution or on any of the documents executed in connection therewith against any official, member, officer or employee of this Board, the University or the State or any person executing the Agreement, and neither members of this Board nor any person executing the Agreement shall be liable personally on the Agreement by reason of the execution and delivery thereof.

Section 5. Personal Liability. None of the present or future employees, officers or members of this Board or the University or any person executing the Agreement or any documents relating thereto shall be personally liable for the cost of the Property or any other obligation relating to the acquisition of the Property or the Transaction or be subject to any personal liability by reason of the execution and delivery of the Agreement.

Section 6. Formal Actions. This Board hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board, and that all deliberations of the Board that resulted in formal action were taken at meetings open to the public, in full compliance with all applicable legal requirements.

Section 7. Incidental Actions. Each of the Authorized Officers is hereby authorized and directed to execute and deliver such other documents, agreements, instruments and certificates, and to take such other actions as may be necessary or appropriate in order to effectuate the execution, delivery and performance of the Agreement, and carrying out the Transaction contemplated therein and herein, all in accordance with the applicable provisions of the West Virginia Code. The execution, delivery and due performance of all documents and instruments required in connection with the Transaction are hereby in all respects approved, authorized, ratified and confirmed, including any and all acts heretofore taken in connection with the Agreement.

Section 8. Alternative Financing. If in carrying out the Transaction it is determined by the Authorized Officers that an alternative method of financing, including but not limited to bonds issued either pursuant to a bond trust indenture with a corporate trustee or as Additional Bonds as defined in and pursuant to the Bond Trust Indenture dated as of November 1, 2004, with United Bank, as trustee, is more advantageous from a financial, programmatic or other perspective to this Board, the University and the State than the Agreement, the Authorized Officers are hereby authorized to proceed with such alternative financing without further action of this Board; provided, that such alternative financing shall be within the parameters outlined in Subsection 2(F), above, and shall constitute special obligations as described in Section 4, above; provided, however, that such alternative financing need not be cancelable at the end of each fiscal year if payable solely from specified fees and revenues. Such alternative financing shall be outlined in the Certificate of Determinations, and the documents required therefor shall be negotiated by an Authorized Officer, with the assistance of counsel, and shall be executed and delivered by an Authorized Officer, with such execution to constitute conclusive evidence of their authorization hereunder.

Section 9. Effective Date. This Resolution shall take effect immediately upon its adoption, and all prior resolutions or parts thereof inconsistent herewith are hereby repealed.

Adopted this 12th day of April 2024.

WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS

Chairman

Secretary

WEST VIRGINIA UNIVERSITY BOARD
OF GOVERNORS

February 23, 2024

The two hundred seventeenth meeting of the West Virginia University Board of Governors was held on February 23, 2024 in Morgantown, WV in person and via zoom.. Board members in attendance/participating via zoom included Chair Taunja Willis Miller, and board 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, Robert Reynolds, Shirley Robinson, Frankie Tack, and Madison Santmyer..

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 and Executive Dean of Health Sciences, Clay Marsh;
Vice President for Research, Fred King;
Dean of Students, Corey Farris;
Vice President for Diversity, Equity and Inclusion, Meshea Poore;
Vice Provost, Paul Kreider;
Associate Provost for Budget, Facilities and Strategic Initiatives, Mark Gavin;
Deputy General Counsel, Kevin Cimino;
Associate General Counsel, Kylie Barnhart;
Vice President and Chief Financial Officer, Paula Congelio;
Senior Associate Vice President for Finance, Barbara Weiss;
Associate Vice President, Government Relations and Collaboration,
Travis Mollohan;
Associate Vice President for HSC Academic Affairs, Louise Veselicky;
Associate Vice President and Executive Director of the Office of Global Affairs, Amber Brugnoli;
Associate Vice President for Strategic Partnerships, Erin Newmeyer;
Associate Provost for Faculty Development and Culture, Melissa Latimer;
Associate Provost for Undergraduate Education, Evan Widders;
Associate Provost for Curriculum and Assessment, Louis Slimak;
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.

February 23, 2024

CALL TO ORDER

The meeting was called to order by Chair Taunja Willis-Miller at 10:00 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. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; the purchase, sale or lease of property; 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 opportunities; and
- c. 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 Kevin Craig, seconded by Alan Larrick, and passed. Following Executive Session, Elmer Coppoolse moved that the board rise from Executive Session. The motion was seconded by Charles Capito and passed. Chair Willis-Miller stated that a possible naming opportunity was discussed in Executive Session, resulting in one of the items on today's Consent Agenda – otherwise no actions resulted from today's Executive Session discussions.

COMMITTEE REPORTS

Enrollment Work Group: Susan Lavenski, Chair of the Enrollment Work Group, reported as follows:

The Enrollment Working Group, has met with staff in charge of recruitment on several occasions. Additionally, the Enrollment Work Group members have had two meetings with staff to discuss our current recruitment structure and strategies. The goal is to better understand what structure is in place, what has been working and how we can improve the process. The next step will be an in-person strategic planning session to establish goals and new initiatives meant to drive greater enrollment for incoming freshman, transfer students and graduate students.

February 23, 2024

January 25, 2024 and February 15, 2024 Ad Hoc Governance Committee

Meeting: Dr. Patrice Harris, Chair of this Committee, reported as follows:

Thank you, Madam Chair. We have had two meetings of the Governance Committee – one on January 25, 2024 and the other on February 15, 2024. We met in Executive Session during both meetings. During these sessions, we began our deliberative and initial conversations relating to the upcoming search for the next President of West Virginia University. The Committee is finalizing the details of that draft board rule.

At a special Board meeting in March, we plan to present that draft Board Rule regarding the process for conducting a presidential search. During that special meeting, we will ask the Board to approve putting the proposed Rule out for a 30-day public comment period. Following that comment period, we will have another special meeting in late April or early May to ask the Board to approve a final version, having had the opportunity to review the public comments.

Also in March, the University will be releasing a Request for Procurement proposal to begin the process to retain a search firm to assist the University with the upcoming presidential search.

At the Board meeting in April, the Governance Committee will make a presentation on the details of the process and timeline.

Madam Chair, this concludes my report.

February 22, 2024 Audit Committee Meeting: Richard Pill, Audit Committee Chairman, reported as follows:

Thank you, Madam Chair. Yesterday morning, there was a meeting of the Audit Committee.

First, we heard a report from Vice President and Chief Financial Officer Paula Congelio, who gave an update on our ongoing financial audits. The WV State Single Audit, of which WVU is part, is on track to meet the March 31, 2024 deadline. Next, Paula reported that CLA began an agreed upon procedures engagement (mid- year review) on February 5. This engagement is not an audit, but a review, and an opinion will not be expressed. A January 22, 2024 engagement letter with FORVIS was also provided, for information, for the annual review of WVU Research Corp defined contribution plan and for assistance with filing of employee benefit returns.

Second, we met in Executive Session. During Executive Session, we received a confidential and privileged report regarding legal matters from the University's General Counsel. As part of the legal report, we also heard a confidential and privileged report regarding some of the University's compliance and risk assessment efforts associated with ransomware and IT services. Next, we received a report from the Director of Internal Audit discussing confidential and ongoing audit investigations and reports. No votes or actions were taken during Executive Session.

Madam Chair, this concludes my report.

February 23, 2024

February 22, 2024 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting: Kevin Craig, who chaired this joint committee meeting, reported as follows:

Thank you, Madam Chair. Yesterday afternoon, your committee on Strategic Initiatives met in joint session with the Finance and Facilities and Revitalization Committee.

We met in Executive Session. During Executive Session, we discussed potential strategic initiatives relating to academic, health sciences, and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; matters relating to construction planning; and/or matters relating to the purchase, sale, or lease of property, or the investment of public funds and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University; and, confidential and preliminary matters involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment.

No actions or votes were taken during Executive Session. After a productive afternoon the Joint Committee adjourned.

That concludes my report, Madam Chair. Thank you.

.February 23, 2024 Academic Affairs and Accreditation Committee Meeting: Charles Capito, Committee Chairman, reported as follows:

Thank you, Madam Chair. Your committee on Academic Affairs held a public session this morning during which Provost Reed shared updates on Academic Transformation and other initiatives within Academic Affairs.

Provost Reed provided a recap of the latest results of the Academic Support Unit reviews and academic restructuring efforts, as well as an update on the regional campus program portfolio review and the development of a more rigorous annual program review process.

The Provost also highlighted the recent change in leadership at our Potomac State College campus, recent successes of WVU's Nursing program, and a new fund to support undergraduate research.

Following the Provost's report was a presentation by faculty and students highlighting the impact of the University's undergraduate research program.

Madam Chair, we had a busy morning and productive conversation, and this concludes my report. Thank you.

February 23, 2024

PUBLIC PRESENTATION ON CAMPUS SAFETY AND CAMPUS CARRY UPDATES

Vice President for University Relations, Sharon Martin, and Dean of Students, Corey Farris, presented this agenda item.

Passed by the West Virginia Legislature in 2023, the Campus Self-Defense Act allows a person to carry a concealed pistol or revolver on the grounds of an institution of higher education, with some exceptions, if that person has a current and valid license to carry a concealed deadly weapon.

Although the Campus Self-Defense Act includes several exceptions to the campus carry requirement, those exceptions are not automatically required by law. The Board must decide which, if any, exceptions it will adopt and must do this through its rulemaking process.

A web page has been established for those who want to learn more about the law and follow updates about how it will be implemented across the WVU System. FAQs and other pertinent information can be found there, with more to be added in the weeks and months ahead.

We want to help our campus understand the law and will provide access to the legislation stated Sharon Martin, Vice President for University Engagement and co-chair of the Campus Safety Steering Group.

Martin and fellow co-chair Dean of Students Corey Farris added that in addition to the web page, information will be shared in various ways including through emails, a Campus Conversation this spring and events such as New Student Orientation.

The public presentation listed above is detailed in the slides attached hereto and made a part hereof by reference.

NOTICE OF PROPOSED RULEMAKING

Associate General Counsel, Kylie Barnhart, presented a Notice of Proposed Rulemaking for the adoption of new proposed Rule and amendments to a current Board Rule as follows:

- 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

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

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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 attached to today's board meeting materials. 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.

Accordingly, Bray Cary moved that the board approve, as presented, the Notice of Proposed Rulemaking for the adoption of new proposed Rule and amendments to a current Board Rule as follows:

- c. West Virginia University Board of Governors Finance & Administration Rule 5.14 – Deadly Weapons, Dangerous Objects, & W. Va. Campus Self-defense Act; and,
- d. West Virginia University Board of Governors Talent & Culture Rule 3.5 – Employee Leave

The motion was seconded by Paul Mattox and passed.

APPROVAL OF MINUTES

Kevin Craig moved that the minutes for the December 15, 2023 regular board meeting be approved. This motion was seconded by Charles Capito 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:

This year is off to an exciting start at West Virginia University. Last month, our Rockefeller Neuroscience Institute announced a potential advancement in the treatment of Alzheimer's disease announced by the Rockefeller Neuroscience Institute. The next phase of this clinical trial will begin this year, offering hope to the 6 million Americans living with Alzheimer's disease and all those who love them.

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In related news, “60 Minutes” aired a report about RNI’s work using focused ultrasound to treat substance abuse disorder. An intense global response to the “60 Minutes” segment shows just how welcome new treatment methods are. According to RNI Vice President Kathryn Wallace, within five days of the broadcast alone, the Institute received more than 3,600 inquiries from people in all 50 states and 14 other countries. This includes researchers who want to collaborate, as well as many people seeking treatment or to participate in future trials. A team is working to connect all those who inquire with appropriate resources. RNI’s work, led by Director Dr. Ali Rezai, is elevating West Virginia University’s research stature and demonstrating our land-grant commitment to promoting health and saving lives.

Another kind of impact reverberates from the daily inspiration faculty mentors provide to our students. Tomorrow, we will remember one of these beloved educators and role models with the dedication of Kittie Blakemore Drive, formerly Rec Center Drive. The ceremony will take place before the women's basketball game against Baylor. Blakemore joined our faculty in 1960 as an instructor in what was then the School of Physical Education. While rising through the ranks as an assistant and then associate professor, she oversaw the women's intramural program on campus and tirelessly advocated the adoption of intercollegiate women's sports long before the passage of Title IX. In 1973, she became our first women's basketball coach and grew the program from its infancy. I had the privilege of knowing her during my first term as president, and her leadership and passion for student success left a lasting impression on me. After stepping down from coaching, she served as assistant athletic director for sports development until her retirement in 1997. Coach Blakemore, who died in 2020, played a pivotal role in the history of our University. Her determination to implement Title IX, her status as a beloved coach of women's basketball, and her mentorship through many decades of service made our campus a better place for countless students and colleagues. Each of us can follow in her footsteps by engaging with this University that we love—and, in doing so, extend its impact even further.

March 20th marks the seventh West Virginia University Day of Giving, organized by the West Virginia University Foundation. Since 2017, the 24-hour event has raised \$66 million from more than 28,000 gifts. The funding benefits all areas of the University, including life-changing scholarships, health care, groundbreaking research and improvements to campus. Scholarships are one of the top fundraising priorities. We want to remove as many barriers as possible to allow students access to higher education. Gifts to support scholarships will help move us toward our goal of helping each student achieve their degree and graduate from West Virginia University with little to no student debt.

Then, on April 20, the WVU Alumni Association is sponsoring a Day of Service. Through chapters nationwide, alumni will demonstrate the Mountaineer value of service in their local communities. I encourage everyone to learn more about these events and engage with the University through them and other means. West Virginia University’s impact on the world is growing, and I am grateful to all Mountaineers for making this possible.

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 Madison Santmyer moved that today's Consent Agenda be approved. This motion was seconded by Frankie Tack and passed.

Thereupon, the following Consent Agenda items were approved:

1. Approval of New Program: BS in Respiratory Therapy in the School of Medicine

Resolved: That the West Virginia University Board of Governors approves the creation of a new BS degree in the School of Medicine.

2. Café Evansdale Kitchen Renovation (Sodexo)

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

3. Milan Puskar Stadium – Sports Lighting Upgrades

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

4. Deactivation of Career Technical Education at WVU Institute of Technology

Resolved: That the West Virginia University Board of Governors approves the deactivation of Career Technical Education at WVUIT.

5. Naming Opportunity

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.

GENERAL DISCUSSION AND ADJOURNMENT

Chair Willis-Miller announced that the next planned board meeting is scheduled for April 12, 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 12:35 p.m.

Dr. Patrice Harris, Secretary



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.

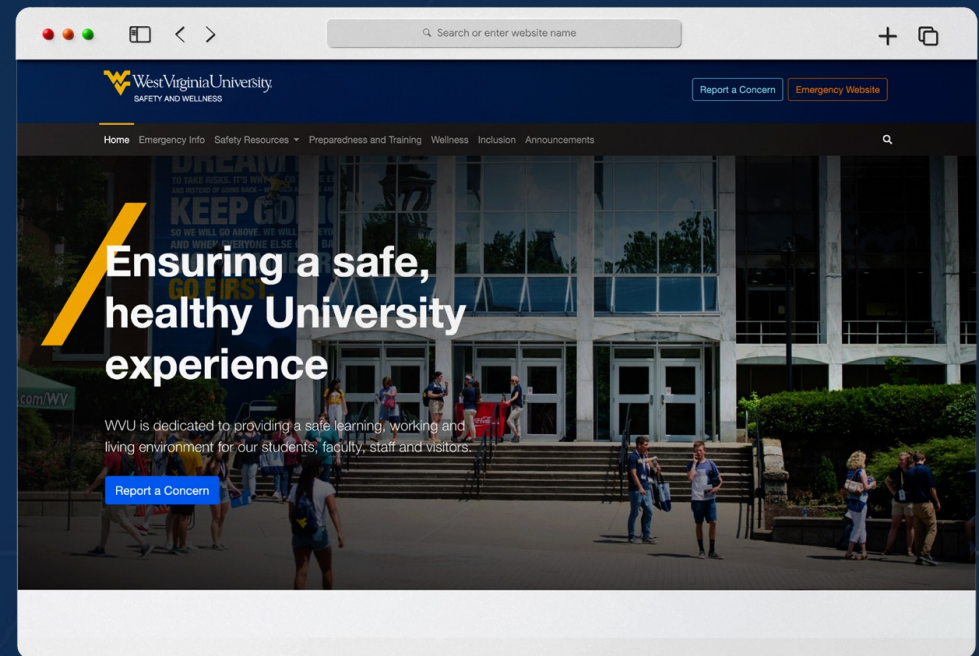
PROGRESS TO DATE

- / 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

March 18, 2024

The two hundred eighteenth meeting of the West Virginia University Board of Governors was held on March 18, 2024 in Morgantown, WV via zoom. Board members in attendance/participating via zoom included Chair Taunja Willis-Miller and members Charles Capito, Bray Cary, Elmer Coppoolse, Michael D’Annunzio, Dr. Patrice Harris, Dr. Stanley Hileman, Alan Larrick, Susan Lavenski, Paul Mattox, Richard Pill, Shirley Robinson, Madison Santmyer, Frances E. “Frankie” Tack, and Robert Reynolds. Board members Kevin Craig and J. Thomas Jones were absent and excused.

Note: The following WVU officials, representatives (and others) participated:

President, E. Gordon Gee;
General Counsel, Stephanie Taylor;
Vice President for University Relations, Sharon Martin;
Deputy General Counsel, Gary G. Furbee, II;
Associate General Counsel, Kylie Barnhart;
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 11:00 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 Sections 6-9A-4(b)(2)(A), (b)(9) 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; the purchase, sale or lease of property; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University; and
- b. Matters relating to internal Board of Governors operations.

The motion was made by Robert Reynolds, seconded by Frankie Tack, 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.

NOTICE OF PROPOSED RULEMAKING

Associate General Counsel Kylie Barnhart presented this agenda item.

The West Virginia University Board of Governors is asked to approve the issuance of a Notice of Proposed Rulemaking, as presented, pursuant to BOG Governance Rule 1.1, for consideration of a Notice of Proposed Rulemaking for the adoption of a new proposed rule, as follows: West Virginia University Board of Governors Governance Rule 1.3 – Presidential Selection, Contracts, & Evaluation

BOG Governance Rule 1.3 outlines the guiding principles for the selection, employment, and evaluation of the President of West Virginia University. The new Rule provides that the Board shall conduct presidential searches using a committee-led search process, and the final selection must be approved by a majority vote of the Board. The Board's Chair shall negotiate a contract with the individual selected. Finally, the Board Chair shall provide a performance evaluation of the President each year, and the Board shall conduct a formal, written performance evaluation, at a minimum, at the end of the initial contract period and every third year of employment thereafter.

Substantively, the provisions of the new proposed Rule are set forth in detail in the table located in the Notice of Proposed Rulemaking and in the draft included in today's meeting materials. Following the issuance of the Notice of Proposed

Rulemaking, the new proposed Rule will be posted for the required thirty (30) day public comment period from March 19, 2024, through April 18, 2024, after which any substantive changes will be made, based on the comments received, and another special board meeting will be scheduled to approve the final Rule.

Dr. Patrice Harris (Chair of the Ad Hoc Governance Committee) stated that it was the committee's recommendation to approve the Notice of Proposed Rulemaking, and therefore moved that the full board approve the issuance of a Notice of Proposed Rulemaking, as presented, pursuant to BOG Governance Rule 1.1, for consideration of a Notice of Proposed Rulemaking for the adoption of a new proposed rule, as follows: West Virginia University Board of Governors Governance Rule 1.3 – Presidential Selection, Contracts, & Evaluation. The Chair called for a vote – noting that no second is needed for a committee motion – and the motion passed.

Dr. Harris then provided the following remarks regarding the progress being made by the Ad Hoc Governance Committee: This is a responsibility we take very seriously. We will engage with campus communities, University stakeholders and other interested parties as we move through this process. We want to hear from all constituents and stakeholders, to understand their perspectives on the qualities, skill sets, attributes and capabilities our next president should have. This is an exciting time for West Virginia University, and we look forward to working collaboratively in the months ahead. The Committee will continue to work on finalizing the timeline and will have more details at the April Board meeting.

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 Elmer Coppoolse moved that today's Consent Agenda be approved. This motion was seconded by Charles Capito and passed. Thereupon, the following Consent Agenda items were approved:

1. Approval of Sale of Real Property (Land and Building)

Resolved: That pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the sale of the University's interest in the real estate associated with Catamount Place in Keyser, Mineral County (Keyser District, Tax Map 9, Parcel Nos. 441, 442, 449, 449.1, and 449.2), West Virginia. Accordingly, the

Board grants authority to the President or the Vice President for Finance to initiate, negotiate, and close a sale on terms deemed favorable to the University.

2. Approval of Golf Practice Facility

Resolved: That, pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the proposed agreement with Pete Dye Golf Course resulting in collegiate memberships and the use of a practice facility for the benefit of the WVU Golf team. Accordingly, the Board grants authority to the President or the Vice President and Director of Athletics to finalize an agreement on terms deemed favorable to the University.

**GENERAL DISCUSSION AND
ADJOURNMENT**

Chair Willis-Miller announced that the next board meeting is scheduled for April 12, 2024. There being no further business to come before the board, Charles Capito moved to adjourn the meeting. The motion was seconded by Dr. Stanley Hileman and passed. The meeting was adjourned at 11:38 a.m.

Dr. Patrice Harris, Secretary

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

ITEM: Report of Real Property Transactions –
Third 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.
- Pursuant to authorization granted on March 18, 2024, the University is in the process of selling Catamount Place which is located in Keyser, West Virginia. A closing has not yet been scheduled.

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

- Attached is a two-part report summarizing the real property agreements which were executed or became effective in the previous fiscal quarter.

REPORT OF REAL PROPERTY TRANSACTIONS* – PART 1: Q3, FY 23-24, FROM WVU TO A THIRD PARTY

| Date of Agreement | Type of Agreement* | Lessee / Grantee / Licensee | Location | Term End | Space / Description |
|-------------------|---------------------------------------|--|--|------------------|--|
| 7/1/2023 | Restated Amendment to Lease | Gamma Pi, LLC on behalf of Sigma Nu Fraternity | 617, 633 & 647 North Spruce Street, Morgantown, WV | Until Terminated | Boreman RFL House & neighboring dwellings |
| 1/1/2024 | Land Use Renewal | West Virginia University Hospitals, Inc. | Research Park, Morgantown, WV | 12/31/2024 | Overflow parking for WVUH, Inc. employees |
| 1/24/2024 | Right of Way & Easement Agreement | Morgantown Utility Board | Willowdale Road near Caperton IPF | Until Terminated | 32 ft. sewer line upgrade along Willowdale Road |
| 2/1/2024 | Facilities Use Agreement Amendment II | Almost Heaven Media | Charleston, WV | 6/30/2024 | Office space in Equities House |
| 3/1/2024 | Lease Addendum II | CAMC Health Education & Research Institute, Inc. | Charleston, WV | 6/30/2025 | Space in WVU building by faculty and staff at CAMC |

* Unless otherwise noted, WVU Finance and Administration BOG Rule 5.1 did not require prior authorization or approval by the Board.

REPORT OF REAL PROPERTY TRANSACTIONS* – PART 2: Q3, FY 23-24, TO WVU FROM A THIRD PARTY

| Date of Agreement | Type of Agreement* | WVU Program | Planned Use | Lessor / Grantor | Location | Term End | Space / Description |
|-------------------|---|--|-------------------------------|---|---|------------------|---|
| 7/1/2023 | (WVU-345) Lease | WVU DDEI, Faculty Staff Assistance & Chief Grievance Officer | Office Space | WVU Innovation Corporation d/b/a Peak Health Operations | Suncrest Center 1085 Van Voorhis Road, Morgantown, WV | 6/30/2025 | 8,813 sq. ft. of office space - 2 nd floor |
| 8/1/2023 | (WVU-A051) Facilities Use Agreement Addendum I | WVU Tech Athletics | Stadium Use | Linda K. Epling Stadium | 476 Ragland Road, Beckley, WV | Until Terminated | Baseball Stadium |
| 1/1/2024 | (WVU-078) Lease Renewal | WVU Computer Based Testing Center | Computer Based Testing Center | Allegheny Development Corporation | 6 Riddle Court, Morgantown, WV | 12/31/2024 | 1,800 sq. ft. of office space |
| 2/19/2024 | (WVU-A057) Memorandum of Understanding | WVU Extension Office – McDowell County | Office Space | McDowell County Board of Education | 13509 Rocket Boys Drive, War, WV | Until Terminated | Office Space |

* Unless otherwise noted, WVU Finance and Administration BOG Rule 5.1 did not require prior authorization or approval by the Board.

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

- ITEM:** Confirmation of Previously Approved Naming Opportunity
(Kendrick Family Ballpark)
- 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.
- The West Virginia University Department of Intercollegiate Athletics, in conjunction with the WVU Foundation, has announced a generous gift from Ken Kendrick, Arizona Diamondbacks owner and WVU alumnus, to support the WVU Baseball program. The gift includes the renaming of Monongalia County Ballpark as the facility now will be known as Kendrick Family Ballpark at the Monongalia County Baseball Complex.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

ITEM: Organizational Name Change at the West Virginia University Health Sciences Center

INSTITUTION: West Virginia University

COMMITTEE: Full Board

RECOMMENDATION: Informational

STAFF MEMBERS: Dr. E. Gordon Gee
President

Maryanne Reed
Provost and Vice President for Academic Affairs

BACKGROUND: WVU BOG Governance Rule 1.2, Section 2.1 – 2.2 provides that “the President may, for purposes of organizational efficiency or other administrative or academic purposes, implement changes in the administrative and academic structures of the University or within the organization of colleges, schools, divisions, departments or other administrative units. The president of the institution shall inform the Board of Governors of any such change prior to its implementation.”

The Department of Hematology Oncology in the WVU School of Medicine is changing its name to the Department of Medical Oncology. This change in nomenclature better positions the Department to fully support the WVU Cancer Institute as a premier, contemporary oncologic research and academic home. In so doing, it facilitates organizational efforts to achieve National Cancer Institute (NCI) Designation status. The Department of Medical Oncology includes Physicians and other staff who clinically, academically and from the research point-of-view are involved in prevention, diagnosis, and treatment of solid tumors and hematologic neoplasms including cellular therapy and blood and marrow transplantation.

1. This name change should significantly position us to receive credit by NCI for oncologic clinical trial enrollment activities as well as in how we define cancer-relatedness in extramural funding procurement.
2. This name change will assist us to attract funded and promising clinician-scientists and translational/basic-scientists to the WVU Cancer Institute and academically become a member of the Department of Medical Oncology.

3. The focus of all current faculty members (except for one) in the Department is on Oncologic Disorders and not on Classical Hematology Disorders.

WVU BOG Governance Rule, Section 2.3, provides that “the president’s written notification to the Board of Governors . . . shall confirm that, when appropriate, elected faculty, classified staff, student representatives and/or organizations were consulted prior to implementing any organizational change.

Consultation occurred with several Department faculty. Additionally, an email communication was sent to all Department faculty and fellows soliciting questions or suggestions regarding the proposed name change. This name change was discussed and supported by the following leadership: Dr. Hazard-Jenkins, Dr. Michael Edmond, Dr. Clay Marsh, and Dr. Ashkan Emadi.

The effective date for the name change is April 15, 2024.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

- ITEM:** Board Approved Ongoing Capital Projects
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Agenda
- RECOMMENDATION:** Resolved: Informational Only
- STAFF MEMBER:** Paula Congelio
Vice President and Chief Financial Officer
- BACKGROUND:** Status of ongoing Capital Board of Governors approved projects.
- A.** Chitwood Hall Renovation
 - B.** Creative Arts Center, Clay Theatre Lighting
 - C.** Field Hall Renovations
 - D.** HSC Surgical Skills and Fresh Tissue Laboratory Renovation
 - E.** Milan Puskar Stadium Sports Lighting Upgrades
 - F.** Mon County Ballpark Artificial Turf Replacement
 - G.** One Waterfront Place Chiller and Cooling Tower Replacement
 - H.** Sodexo – Café Evansdale Kitchen Renovation
 - I.** Sodexo – Coliseum Apron Club



BOARD OF GOVERNORS APPROVED ONGOING CAPITAL AND ITS PROJECTS

CHITWOOD HALL RENOVATION

PROJECT DESCRIPTION: While Chitwood Hall is vacant, the University plans to perform upgrades to the building prior to bringing in the Eberly College’s History Department as occupants. Work includes upgrades to flooring, ceilings, lighting and painting. Other improvements include creating ADA restrooms, bringing stairwell handrails up to code and adding online locks. The project also includes replacing the exterior windows, updating the elevator and updating the main entry door.

- ✓ **Approved by the Board of Governors:** September 2022.
- ✓ **Initial Approved Budget:** \$3,415,000.
- ✓ **Current Anticipated Budget:** \$3,515,000.
- ✓ **Anticipated Substantial Completion Date:** December 18, 2023.
- ✓ **Current Status and Updates:** The project is complete and the occupants have moved into the renovated facility.



CREATIVE ARTS CENTER (CLAY THEATRE LIGHTING)

PROJECT DESCRIPTION: The electrical distribution for the theatrical lighting in the Clay Theatre is failing. Upgrades to the house lighting were previously completed in Phase 1 of this project. During Phase 2, original building infrastructure will be replaced; the venue will be brought up to industry standards; daily operation safety will be improved; and the space will be prepared for another 40 years of theatrical productions.

- ✓ **Approved by the Board of Governors:** June 2022.
- ✓ **Initial Approved Budget:** \$1,410,000.
- ✓ **Current Anticipated Budget:** \$1,975,000.
- ✓ **Anticipated Substantial Completion Date:** August 15, 2024.
- ✓ **Current Status and Updates:** The project is 90% complete. The new 2,000-amp electrical switchgear arrived on September 19, but received some damage in transport. A new replacement switch arrived on December 27, but there was not enough time to install it over winter break. Due to the schedule of events in 2024, the earliest opportunity to take the theater offline for an extended period of time to do the install is July 22 through August 8.



FIELD HALL RENOVATIONS

PROJECT DESCRIPTION: Field Hall, formerly the Business and Economics Building, is vacant and requires renovations before departments from the Eberly College of Arts and Sciences move into the building. Renovations include elevator modernization, fire alarm upgrade, new all-gender restroom, new lactation room, electronic locks, new IT equipment for the main distribution room, minimal re-fresh to the building's interior finishes and new office furniture. There are no major changes planned to the existing building layout.

- ✓ **Approved by the Board of Governors:** November 2023.
- ✓ **Initial Approved Budget:** \$3,423,000.
- ✓ **Current Anticipated Budget:** \$3,423,000.
- ✓ **Anticipated Substantial Completion Date:** August 2024.
- ✓ **Current Status and Updates:** WVU awarded the project to Manheim Corporation and work started in March 2023.



HSC SURGICAL SKILLS AND FRESH TISSUE LABORATORY RENOVATION

PROJECT DESCRIPTION: This project consists of renovating approximately 1,972 square feet of space on the ground floor of HSC North, adjacent to the new Morgue. This project was previously planned in conjunction with the Human Gift Registry project in the location of the old morgue, but was put on hold due to budget constraints. The new Surgical Skills and Fresh Tissue Lab will create an environment for students to gain surgery experience using human cadavers. The lab will include a teaching space, storage room, mechanical room and meeting room. WVU Medicine is funding the entire project.

- ✓ **Approved by the Board of Governors:** April 2023.
- ✓ **Initial Approved Budget:** \$2,200,000.
- ✓ **Current Anticipated Budget:** \$2,200,000.
- ✓ **Anticipated Substantial Completion Date:** May 2024.
- ✓ **Current Status and Updates:** The project is 75% complete and will be finished in May. The project is tracking under budget.



MILAN PUSKAR STADIUM SPORTS LIGHTING UPGRADES

PROJECT DESCRIPTION: The sports lighting system at Milan Puskar Stadium is over 20 years old and currently does not meet NCAA standards for live televised broadcast. This upgrade will replace the existing system with a new sports lighting system comprised of 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 work that has been done at peer institution football stadiums.

- ✓ **Approved by the Board of Governors:** February 2023.
- ✓ **Initial Approved Budget:** \$1,500,000.
- ✓ **Current Anticipated Budget:** \$1,500,000.
- ✓ **Anticipated Substantial Completion Date:** July 2024.
- ✓ **Current Status and Updates:** The project has been awarded to Musco and work will start in April 2024.



MON COUNTY BALLPARK ARTIFICIAL TURF REPLACEMENT

PROJECT DESCRIPTION: The artificial turf at the Mon County Ballpark is over 10 years old and has reached the end of its lifespan. The entire field will be replaced. Replacement panels will be included in this project, which will be stored on-site and used to restore high-wear areas throughout the life of the new artificial turf.

- ✓ **Approved by the Board of Governors:** November 2023.
- ✓ **Initial Approved Budget:** \$1,200,000.
- ✓ **Current Anticipated Budget:** \$1,200,000.
- ✓ **Anticipated Substantial Completion Date:** January 9, 2024.
- ✓ **Current Status and Updates:** The project was completed on time and under the approved budget.



ONE WATERFRONT PLACE CHILLER AND COOLING TOWER REPLACEMENT

PROJECT DESCRIPTION: The One Waterfront Place chilled water system, which provides cooling to the HVAC system, has reached the end of its serviceable life and needs to be replaced. The system is comprised of two (2) chillers with a split-basin cooling tower original to its construction in 2001. The new design includes larger chillers, variable speed pumps and additional piping to provide redundant cooling for the WVU Data Center housed within the building. The WVU Foundation Board of Directors has approved the full initial funding for the replacement project, which is estimated at \$3.53M. A MOU exists defining the lease agreement as a cost share of WVU 89% and WVUF 11% for capital expenditures.

- ✓ **Approved by the Board of Governors:** November 2023.
- ✓ **Initial Approved Budget:** \$3,530,000.
- ✓ **Current Anticipated Budget:** \$3,530,000.
- ✓ **Anticipated Substantial Completion Date:** March 2025.
- ✓ **Current Status and Updates:** The project design is complete and the chillers have been ordered. WVU will bid out the installation portion of the project in April 2024. Work is scheduled to begin in November 2024.



SODEXO - CAFÉ EVANSDALE KITCHEN RENOVATION

PROJECT DESCRIPTION: The kitchen that serves Café Evansdale will be renovated to meet the needs of a modern dining facility. The project will be a complete renovation of the 12,000 sq. ft. kitchen, including electrical and plumbing infrastructure, cooking hoods, refrigeration equipment, cooking equipment, lighting, and finishes. The layout and configuration of the kitchen will be modified to be more efficient. The project will include re-connecting a natural gas service to support natural gas fired cooking equipment, which is an industry standard and offers improved performance.

- ✓ **Approved by the Board of Governors:** December 2022 and February 2024.
- ✓ **Initial Approved Budget:** \$3,000,000.
- ✓ **Current Anticipated Budget:** \$4,500,000.
- ✓ **Anticipated Substantial Completion Date:** August 5, 2024.
- ✓ **Current Status and Updates:** The second phase of the project is scheduled for the summer of 2024. All kitchen equipment has been purchased and is in storage. March Westin is under contract to Sodexo for the construction and they will start work on May 6. The renovated kitchen will be complete and open for the start of the fall 2024 semester.



SODEXO - COLISEUM APRON CLUB

PROJECT DESCRIPTION: WVU Athletics, in coordination with Sodexo, plans to construct a new dining club addition to the WVU Coliseum. It will be constructed on the apron adjacent to the Gold Gate, near the existing kitchen. The space will serve as a training table for student athletes in Olympic sports, club space for premium seat holders, and a banquet/gathering space. The addition will be designed to complement the iconic Coliseum structure and fit within the adjacent facade aesthetic. The addition will be 7,500 gross square feet, which includes a large dining area, a renovated kitchen and installation of new equipment to diversify and improve food options. This project will be funded through the Sodexo Athletic agreement as part of their commitment to invest in WVU.

✓ **Approved by the Board of Governors:** December 2022.

✓ **Initial Approved Budget:** \$7,000,000.

✓ **Current Anticipated Budget:** \$8,175,000.

✓ **Anticipated Substantial Completion Date:** November 1, 2023.

✓ **Current Status and Updates:** The project is complete, open and operational. The space was named "Clark Mountaineer Club" after Fred and Linda Clark and their family, who gave a gift of \$3 million for the club's completion.



WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

- ITEM:** Board of Governors Nominating Committee Appointments
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the following composition for a nominating committee to formulate/present a slate of officers for vote by the full board during the June 21, 2024 regular meeting: Kevin Craig as chair, with the following members: Charles Capito, Bray Cary, Dr. Stanley Hileman and Shirley Robinson.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of April 12, 2024

- ITEM:** Approval of New Program: BS in Biology Pre-medical in the Eberly College of Arts and Sciences
- 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 Eberly College of Arts and Sciences
- 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 Biology department serves a large number of students who wish to pursue health-related careers. While our current curriculum meets most of the competencies required for health professional programs (Medicine, Dentistry, Physician Assistant), the proposed changes will allow students to obtain all the requirements while continuing to receive broad liberal arts training.
- The proposed program will provide skills and knowledge that allow students to work in health professions by combining STEM Competency (Biology, Chemistry, Physics, Math, and Statistics), scientific skills (Biology courses, especially the research-based capstone), and interpersonal skills (ethics, leadership, world culture, human experience courses in Eberly College). This will prepare students for careers as medical doctors, dentists, and physician’s assistants, or pursue adjacent careers in healthcare administration, human services, public health/epidemiology, health policy, and biomedical research in industry, government and academia (hereafter referred to as “health professions”).
- 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 March 4, 2024, meeting.
- The curriculum is designed to be 120 credit hours. The new degree program will be available to students beginning in Fall 2024.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of April 12, 2024

- ITEM:** Approval of New Program: BS in Chemical Forensics at West Virginia University Institute of Technology
- INSTITUTION:** West Virginia University
- COMMITTEE:** Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approve the creation of a new BS in Chemical Forensics at West Virginia University Institute of Technology (WVUIT)
- STAFF MEMBERS:** Maryanne Reed. BA, MS
Provost and Vice President for Academic Affairs
- BACKGROUND:** The program's mission, vision and values appear to be consistent with WVU's mission, vision and values. West Virginia University Institute of Technology provides an accessible and supportive environment in which students are guided to be active and contributing members of society by fostering intellectual and personal growth through comprehensive educational experiences.
- This new program at WVU Tech capitalizing on their high quality chemistry facilities. Will use existing curriculum and faculty and instrumentation. No new allocation of resources.
- 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 March 4, 2024, meeting.
- The curriculum is designed to be 120 credit hours. The new degree program will be available to students beginning in Fall 2024.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of April 12, 2024

ITEM: Approval of New Program: BS in Supply Chain Management Science in the John Chambers College of Business and Economics at West Virginia University

INSTITUTION: West Virginia University

COMMITTEE: Consent Agenda

RECOMMENDATION: Resolved: That the West Virginia University Board of Governors approve the creation of a new BS in Supply Chain Management Science in the John Chambers College of Business and Economics at West Virginia University

STAFF MEMBERS: Maryanne Reed. BA, MS
Provost and Vice President for Academic Affairs

BACKGROUND: The program's mission, vision and values appear to be consistent with WVU's mission, vision and values.

The new STEM and data science-oriented supply chain management program that will be marketed to international students, especially in India. Will use existing supply chain and data analytics curriculum and faculty in Chambers. No new allocation of resources.

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 March 4, 2024, meeting.

The curriculum is designed to be 120 credit hours. The new degree program will be available to students beginning in Fall 2024.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of April 12, 2024

ITEM: Deactivation of the BA degree in Biology, Eberly College of Arts and Sciences

INSTITUTION: West Virginia University

COMMITTEE: Full Board – Consent Agenda

RECOMMENDATION: Resolved: That the West Virginia University Board of Governors approves the deactivation of the BA in Biology

STAFF MEMBERS: Maryanne Reed
Provost and Vice President for Academic Affairs

BACKGROUND: West Virginia University approved the deactivation of the BA in Biology. As a result of program changes resulting in a new major to take its place.

Effective Summer 2024

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of April 12, 2024

- ITEM:** Approval of a new online Master of Science (MS) in Midstream Petroleum Engineering degree in the Benjamin M. Statler College of Engineering and Mineral Resources
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the creation of an online Master of Science (MS) in Midstream Petroleum Engineering degree in the Benjamin M. Statler College of Engineering and Mineral Resources.
- STAFF MEMBERS:** Maryanne Reed, Provost and Vice President for Academic Affairs
- BACKGROUND:** West Virginia University, Benjamin M. Statler College of Engineering and Mineral Resources, is requesting approval to initiate a new online Master of Science (MS) in Midstream Petroleum Engineering in the Fall of 2024.
- Midstream Petroleum Engineering trains graduate students to gain core competency for implementing practical solutions to real-world problems relative to the application of engineering solutions for the midstream oil and gas industry, including designing, monitoring, and maintaining transportation, storage, and processing facilities for natural gas, oil, and future fuels such as Hydrogen.
- The proposal for this certificate program was approved on February 8, 2024, by the Graduate Council.
- The West Virginia University Board of Governors is asked to approve this new degree program.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
April 12, 2024

- ITEM:** WVU Baseball Hitting & Pitching Facility
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: The Board of Governors approves the project
- STAFF MEMBER:** Paula Congelio
Vice President for Strategic Initiatives
- BACKGROUND:** WVU Athletics wishes to construct a hitting and pitching facility for the WVU Baseball program at the Kendrick Family Ballpark at the Monongalia County Baseball Complex.
- The 8,200 square foot facility will include two pitching lanes and warm up areas for pitcher development. Also included are two hitting cages, both with cutting edge technologies to track various metrics of players during the hitting and pitching training sessions. These technologies are used in peer institutions and in professional training facilities across the country and in the Big 12 conference. This facility will give the baseball program the technology and tools to improve the health and performance of players. The facility design has been completed. The WVU Foundation has secured a gift from alumni Ken Kendrick to fund the construction.
- Schedule:** Solicitation for construction April-June 2024,
Construction June 2024 – January 2025
Substantial Completion – February 2025
- Budget:** Total Budget: \$4,600,000
- Funding:** Foundation

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

- ITEM:** Sale of Real Estate (Property and Building) to WVU Hospitals
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the sale of the University’s interest in the real estate associated with the University Police Department Building and adjacent parking areas consisting of approximately 4.75 acres in Morgantown, West Virginia. Accordingly, the Board grants authority to management to negotiate and finalize a sale on terms deemed favorable to the University.
- STAFF MEMBERS:** Gary G. Furbee, II
Deputy General Counsel & Exec. Dir. of Real Estate Operations
- BACKGROUND:** The University seeks to sell to WVU Hospitals that certain tract or parcel of real estate which is the current site of University Police Department Building and its associated parking lots (7th Ward, Map 6, Parcel 76.2), as well as the land associated with the parking lot designated as J82 (part of 7th Ward, Map 6, Parcel 76), in Morgantown, West Virginia. It has been determined that it is in the best interest of the institution to sell this property.
- The acreage of the J82 parcel will be surveyed. Furthermore, pursuant to W. Va. Code 18B-19-10, the sale price of the property shall not be less than the average of two independent appraisals.

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

- ITEM:** Master Services Agreement for Residential Wireless Network
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved, That the West Virginia University Board of Governors authorizes management to continue to negotiate, finalize, and execute a new Master Services Agreement for Residential Network Services, consistent with the terms as provided in Executive Session, in accordance W. Va. Code § 6-9A-4(b)(9).
- STAFF MEMBERS:** Brice Knotts, Chief Information Officer
Jeff Pratt, Chief Procurement Officer
- BACKGROUND:** Through a competitive procurement process, the University has identified a third-party to manage the University’s primary residential wireless network in Morgantown. Management has been negotiating with the selected vendor and is requesting authority to finalize the proposed agreement consistent with terms provided during Executive Session, in accordance W. Va. Code § 6-9A-4(b)(9).

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
Meeting of April 12, 2024

- ITEM:** Appointment to County Extension Committees
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the nominees and alternates for positions on the County Extension Service Committees in West Virginia, as presented.
- STAFF MEMBER:** Maryanne Reed
Provost and Vice President for Academic Affairs
- BACKGROUND:** The Board of Governors of West Virginia University is responsible for approving the appointments of individuals to the County Extension Service Committees which function in each county of West Virginia.
- Please review the nominees and alternates. You are asked to approve both, as a first choice may have to refuse the position, and the alternate is then approached.

4/1/24, 10:22 AM

WVU-ES

Barbour County

03/20/2024 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Larry Foy

Address: Concord Rd Belington, WV 26250

Date term expires: 6/2023

NOMINATED MEMBER:

Name: Derek Price

Address: 8518 Morgantown Pike Montrose WV 26283

Phone Number(s): 304-621-1992

E-mail: dprice14wv@gmail.com

Education: B.S. Animal and Natural Resources

Occupation: Cattle Grader, WVDA

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Served as a committee member of the local FSA, and species (Beef) chair for the Barbour County Livestock Association (BCLA).

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

BCLA, and Farm Bureau

Previous experience with WVU Extension Activities:

Volunteer activities include Winter Dinner Ag meeting, 4-H camps and livestock projects during the Barbour County Fair.

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

No previous service.

4/1/24, 10:22 AM

WVU-ES

Barbour County
03/20/2024 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Eddy Poling
Address: 1902 Moatsville Hollow Moatsville, WV 26405
Date term expires: 06/2024

NOMINATED MEMBER:

Name: Debbie Schoonover
Address: 804 Baughman Rd Philippi, WV 26416
Phone Number(s): 304-457-5183
E-mail: dschoonover@barbourhealth.org
Education: B.S.
Occupation: COO, Barbour Co. Health Association

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

COO of Barbour County Community Health Association. Past President and member of the Barbour County Fair Association.

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

CEOS member

Previous experience with WVU Extension Activities:

Past volunteer at 4-H Camp. Partner with the Families and Health Unit to operate the FARMacy program in Barbour County.

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

Previously submitted as an alternate.

4/1/24, 10:22 AM

WVU-ES

Barbour County

03/25/2024 Date

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: Laura Morrison

Address: 541 Rock Ford Rd

Phone Number(s): 3044573254

E-mail: wvteach04@yahoo.com

Education:

Occupation: Teacher

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

President of Camp Barbour Board

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Barbour County youth sports

Previous experience with WVU Extension Activities:

Vetted Volunteer and helped with overnights and 4-H camps

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

None

4/1/24, 10:22 AM

WVU-ES

Barbour County
03/25/2024 **Date**

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: Ashley Workman

Address: 1892 Mountaineer Rd Moatsville WV 26405

Phone Number(s):

E-mail: ashley.workman@k12.wv.us

Education:

Occupation: Dean of Education @ D&E

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Committee Chair of youth events at the Barbour County Fair

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Previous member of the Camp Barbour Board

Previous experience with WVU Extension Activities:

Vetted Volunteer, Assists with overnights and camp events

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

none

4/1/24, 10:22 AM

WVU-ES

**Braxton County
Date**

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: John Wayne

Address: 8976 Chapel Rd., Gassaway, WV 26624

Date term expires: 6/30/2024

NOMINATED MEMBER:

Name: John Wayne

Address: 8976 Chapel Rd., Gassaway, WV 26624

Phone Number(s): 304-364-8055

E-mail: savedbygrace08@rocketmail.com

Education: High School Diploma

Occupation: Owner/Operator of Wayne Cattle Company

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Former Vice-President, Braxton County Fairs and Festivals Celebration, Inc.

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Active in farming community; business supports educational opportunities for youth and adults; active in Otterbein UMC; WV Farm Bureau Young Farmer Committee

Previous experience with WVU Extension Activities:

Participates in Extension sponsored educational activities; hosted farm tour for Women in Ag Conference; children are members of 4-H

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

2021-2024

4/1/24, 10:22 AM

WVU-ES

Braxton County

3/19/2024 Date

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: Sarah Wayne

Address: 8976 Chapel Rd., Gassaway, WV 26624

Phone Number(s): 304-364-8055

E-mail: savedbygrace08@rocketmail.com

Education: High School Diploma

Occupation: Owner/Operator of Wayne Cattle Company and Farm to Fork Market

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Former FSA committee member; coordinator for Down on the Farm events at Braxton County Fair

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

4-H volunteer; Braxton County Farm Bureau Young Farmer; supports educational opportunities for youth and adults; speaker for 2024 Annie's Project programming

Previous experience with WVU Extension Activities:

Participates in Extension sponsored educational events (Women in Agriculture - hosted farm tour); subject of programming educational videos; participated in Beef Trans4

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

None

4/1/24, 10:22 AM

WVU-ES

Lewis County
3/27/24 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Katrina Johnson

Address: 148 Court Ave, Weston, WV 26452

Date term expires: June 30, 2024

NOMINATED MEMBER:

Name: Katrina Johnson

Address: 148 Court Ave, Weston, WV 26452

Phone Number(s): 304-269-5151

E-mail: katrina.smith@clark.lib.wv.us

Education: BA Regency Arts, Marshall University

Occupation: Lois Bennett Public Library Director

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Public Library Director, Runs summer feeding and reading program at the library

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Lewis County 4-H volunteer, Lewis county 4-H primary Club leader, member of Lewis County FRN collaborative, Lewis County Schools volunteer, Jamboree at the Mill (Lewis County 4-H showcase) treasurer

Previous experience with WVU Extension Activities:

Member of the Lewis County 4-H program as a youth

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

Is just completing 1st term. This nomination is for a 2nd term.

4/1/24, 10:22 AM

WVU-ES

Marion County
3/25/2024 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Tony Meluzio
Address: 159 Lambert Hollow Rd, Bridgeport, WV 26330
Date term expires: 6/30/2024

NOMINATED MEMBER:

Name: Tony Meluzio
Address: 159 Lambert Hollow Rd, Bridgeport, WV 26330
Phone Number(s): 304-816-7430
E-mail: tmeluzio@hotmail.com
Education: Masters Degree
Occupation: Content Manager

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Former President of the Marion County Master Gardeners

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Member of the Rotary

Previous experience with WVU Extension Activities:

Current ESC member

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: Yes

Previous service on CESC: (include approximate dates of service)

7/1/2021-6/30/2024

4/1/24, 10:22 AM

WVU-ES

Marion County

3/25/2024 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Sandy Martin

Address: 705 Ices Run, Fairmont, WV 26554

Date term expires: 6/30/2024

NOMINATED MEMBER:

Name: Sandy Martin

Address: 705 Ices Run, Fairmont, WV 26554

Phone Number(s): 304-368-8414

E-mail: smartin1825@gmail.com

Education: Masters Degree

Occupation: dietary manager

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Dietary director at work

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

4-H parent, heavily involved in youth livestock program, member of church group

Previous experience with WVU Extension Activities:

Current ESC member, parent of 4-H members, livestock program parent.

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

7/1/2021-6/30/2024

4/1/24, 10:22 AM

WVU-ES

Mason County
March 28, 2024 **Date**

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Jim Henderson
Address: 9720 Kanawha Valley Road, Henderson, WV
Date term expires: June 30, 2024

NOMINATED MEMBER:

Name: Lisa Bechtle
Address: 780 Bud Chattin Road, Leon, WV 25123
Phone Number(s): 304-675-0601
E-mail: howlis@outlook.com
Education: College Degree
Occupation: Medical Lab Tech Supervisor

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Local church, 4-H club work, and Mason County Fair

Previous experience with WVU Extension Activities:

Previous ESC member, 4-H and agriculture

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: Yes

Previous service on CESC: (include approximate dates of service)

Approximately 2012-2015

4/1/24, 10:22 AM

WVU-ES

Monroe County

3/25/24 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Open to lack of CEOS President

Address:

Date term expires:

NOMINATED MEMBER:

Name: April Ernst

Address: 3493 Greenville Rd. Union, WV 24983

Phone Number(s): 304-832-6811

E-mail: aprilernst@gmail.com

Education: 2 yrs. at Shepard College

Occupation: Owner Old World Libations Winery

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Family Resource Network-President Family Service Center-President Monroe County Day Care-Advisor Officers Club- Vice President in ID

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Friends of Monroe Board Visit Southern WV Board Fisher House Board, ID

Previous experience with WVU Extension Activities:

Friend of Monroe 4-H, Host numerous 4-H activities, Former 4-H Parent

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (Include approximate dates of service)

4/1/24, 10:22 AM

WVU-ES

**Monroe County
Date**

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Dr. Amanda Bostic

Address: 455 Neff Orchard Rd Sinks Grove WV 24976

Date term expires: 2024

NOMINATED MEMBER:

Name: Steve Broyles

Address: 549 Cooks Run Rd

Phone Number(s): 540-353-7206

E-mail: lou9_82@yahoo.com

Education: B.A. Degree in Accounting from WVU

Occupation: Farm Manager/Farmer

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Sunday School Superintend

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Previous experience with WVU Extension Activities:

WV 4-H All Star 4-H Vetted Volunteer Former Treasurer Monroe 4-H Leader Association

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

None

4/1/24, 10:22 AM

WVU-ES

Monroe County
3/25/24 **Date**

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Kristen Dillon
Address: 211 Top Dog Lane Lindside WV 24951
Date term expires: 2024

NOMINATED MEMBER:

Name: Kevin Miller
Address: P.O. Box 863 Union WV 24983
Phone Number(s): 304-994-0474
E-mail: kevin.miller@courtsww.gov
Education: criminal justice hours at Bluefield State College
Occupation: Magistrate

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Town Of Union-Councilman Union Lions Club-Past President Monroe County Shrine Club-Past President Monroe Lodge #77- Current Secretary

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Previous experience with WVU Extension Activities:

Monroe 4-H Foundation-President 4-H Camp Counselor 4-H Vetted Volunteer

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

None

4/1/24, 10:22 AM

WVU-ES

Monroe County

3/25/24 Date

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: Tracy Dransfield

Address: 4317 Sweet Springs Valley Rd Gap Mills WV 24941

Phone Number(s): 304-646-9162

E-mail: tdransfield@k12.wv.us

Education: M.A. Sociology U of Tennessee

Occupation: Guidance Counsler

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Union Chamber of Commerce Solid Waste Board Monroe Democratic Community-Chair

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Previous experience with WVU Extension Activities:

Previous 4-H Leader Parent of 4-Hers

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

2001-2004

4/1/24, 10:22 AM

WVU-ES

Monroe County
3/25/24 Date

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: William Shiflet

Address: P.O. Box 560 Union, WV 24983

Phone Number(s): 304-646-3398

E-mail: shiflew@hotmail.com

Education: BS Marketing Concord University

Occupation: Nationwide Insurance Agent

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Member Monroe County Solid Waste Authority Monroe County Cattlemen's Past President Represents Monroe County on Greenbrier Valley Economic Development Board Union Chamber of Commerce Region 1 Planning Board

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Former member of Greenbrier Valley United Way Board - Member of the WV State Fair - Previous Board Member of the Greenbrier Valley Conservation District

Previous experience with WVU Extension Activities:

- 4-Her in Monroe County - Served previously on ESC representing the Monroe County BOE - Has three children that were actively involved in 4-H
- Has participated in the Monroe County Calf Pool

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

2007-2010

4/1/24, 10:22 AM

WVU-ES

Monroe County
3/25/24 Date

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: Laura Thompson
Address: 164 Angus Farm Rd. Ballard WV 24918
Phone Number(s): 304-887-5528
E-mail: lara.ballengee@gmail.com
Education: B.A. English Concord University
Occupation: Magistrate Assistant

Leadership positions in community:
(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Involvement in other community activities:
(e.g. member, county library board; volunteer, community council; member, FRN)

Sports of Monroe Foundation Taylor Robinson Memorial Scholarship Committee

Previous experience with WVU Extension Activities:

None

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

4/1/24, 10:22 AM

WVU-ES

Taylor County
03/28/2024 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Todd Bolyard
Address: 524 Gawthrop Rd, Grafton, WV 26354
Date term expires: Expired

NOMINATED MEMBER:

Name: Todd Bolyard
Address: 524 Gawthrop Rd, Grafton, WV 26354
Phone Number(s): 304-677-0581
E-mail: tscblyrd@aol.com
Education: Bachelor's Degree
Occupation: Director Transportation - Taylor County Board of Education

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)
Regional Director WV Cattlemen's Association

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)
Member Farm Bureau

Previous experience with WVU Extension Activities:

Previous participant in Central/Taylor Calf Pool. Attends educational programs, primarily programs associated with cattle production.

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

7/2019-7/2022

4/1/24, 10:22 AM

WVU-ES

Taylor County
03/28/2024 Date

Employees and/or community leaders involved in selection of those recommended:

RECOMMENDED ALTERNATE:

Name: Mark Currey

Address: 4122 George Washington Hwy, Grafton, WV 26354

Phone Number(s): 304-203-2534

E-mail: curreyfarmswv@gmail.com

Education:

Occupation: Retired

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Member Farm Bureau Member WV Cattlemen's Association

Previous experience with WVU Extension Activities:

Participant in Central/Taylor Calf Pool Attends educational programs associated with cattle production.

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

None - previous alternate but never served.

4/1/24, 10:22 AM

WVU-ES

Tyler County
10-31-2023 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Elizabeth Jackson
Address: 919 Maple Lane, Sistersville WV 26175
Date term expires: 06-30-2025

NOMINATED MEMBER:

Name: Toni VanCamp
Address: 121 Little Sancho Creek Rd Middlebourne WV 26149
Phone Number(s): 304-771-2506
E-mail: tonirenee@hotmail.com
Education: Associates
Occupation: customer service

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)
Past Secretary for the Tyler County Farm Bureau

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)
Volunteer member of Middlebourne United Methodist Church; Member of the Tyler County Fair Board

Previous experience with WVU Extension Activities:

Past 4-H volunteer

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

N/A

4/1/24, 10:22 AM

WVU-ES

Wood County
03/25/24 Date

Employees and/or community leaders involved in selection of those recommended:

Incumbent:

Name: Jill Parsons

Address: 703 33rd St., Vienna WV 26105 (home); 501 Avery St., 9th Floor, Parkersburg WV 26101 (work)

Date term expires: 06/30/24

NOMINATED MEMBER:

Name: Jill Parsons

Address: 703 33rd St., Vienna WV 26105 (home); 501 Avery St., 9th Floor, Parkersburg WV 26101 (work)

Phone Number(s): 304.422.3588

E-mail: jparsons@movchamber.org

Education: Master of Business Administration, University of South Carolina May 1994 Concentration in Marketing

Occupation: President/CEO Chamber of Commerce of the Mid-Ohio Valley

Leadership positions in community:

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Rotary Club of Parkersburg, Treasurer/Past President; Girl Scouts of Black Diamond Council, Past Board Member; Goodwill Industries of Kanawha Valley, Board Member Workforce Development Board (WDB), Board Member; Mid-Ohio Valley Regional Council, Board Member ;MOVRC Loan Committee, Member; WVU-P Business Advisory Council, Member WWW Interstate Planning Commission, Member; Wood County Economic Development Authority, Member; WV Chamber of Commerce Executives, Past President; Humane Society of Parkersburg, Past Board Member

Involvement in other community activities:

(e.g. member, county library board; volunteer, community council; member, FRN)

Leadership WV, 2014 Graduate; Marshall University MOV Alumni Club, Board Member United Way Alliance, Past Agency Reviewer; Trained DDI facilitator Blennerhassett Historical Foundation, Past Board Member; Volunteer Action Center, Past Board Member American Heart Association, Past Board Member

Previous experience with WVU Extension Activities:

Good working relationship with several local WVU Extension staff who actively participate and support various MOV Chamber events, such as the High School Business Symposium and the Schools & Business Committee

Please indicate if this nomination is submitted to achieve balance of committee membership in regard to:

Race: No Gender: No

Previous service on CESC: (include approximate dates of service)

Good working relationship with several local WVU Extension staff who actively participate and support various MOV Chamber events, such as the High School Business Symposium and the Schools & Business Committee