

**OLD DOMINION UNIVERSITY
BOARD OF VISITORS**

**Governance Committee Meeting
Thursday, June 2, 2022, 3:00 PM
Kate and John R. Broderick Dining Commons Board Room**

AGENDA

- A. Call to Order
- B. Approval of Minutes
 - 1. April 21, 2022
 - 2. May 11, 2022
- C. Proposed Policy Revisions
 - 1. 1415 – Advanced Placement, International Baccalaureate and A/AS Level Credit
 - 2. 1530 – Code of Student Conduct
 - 3. 1810 – Naming of University Buildings, Building Spaces, or Areas
- D. Governance Committee Charter
- E.

NUMBER: 1810

TITLE: Naming of University Buildings, Building Spaces, or Areas

APPROVED: February 15, 1973; Revised June 18, 1992; Revised June 17, 2010;
Revised December 8, 2011; **Reviewed with no proposed revisions**

1. The naming of campus buildings, building spaces, or areas for gifts to the University of \$1,000,000 or more shall be approved by the Board of Visitors. The Board of Visitors authorizes the President to approve the naming of such building spaces, rooms and areas for gifts to the University under \$1,000,000. The President shall report the naming of such building spaces, rooms and areas to the Board of Visitors at the next regular meeting.
3. The University shall have a campus committee to review prospective naming opportunities from major gifts, as well as recommending the naming of existing facilities to memorialize individuals. The Committee will be chaired by the Vice President for University Advancement and will follow the reporting guidelines set in 1. And 2. above.
4. Naming in Recognition of Gifts to the University
 - a. Pledges for naming are acceptable for a period of five years only if matched with an irrevocable deferred instrument.
 - b. Once 50% of the pledge amount is received, the University will physically name or rename the facility.
 - c. Gifts of at least 20% of project cost for new buildings will be eligible for naming.
 - d. Gifts of at least 20% of the current value or replacement cost of an existing facility will be eligible for naming.
 - e. The minimum amount to name a college is \$10 million and ranges upward depending on the size, reputation, and range of gifts for similar projects received from appropriate peer institutions.
 - f. Naming rights for donors shall not be changed; however, the Board of Visitors reserves the rights to rename in the event of unusual or compelling circumstances.
 - c. Functionally descriptive names.
 - d. Normally, buildings shall not be named for current faculty or staff of the University.

- e. Naming rights for memorialized facilities shall be considered for a period of 30 years; however, the Board of Visitors reserves the rights to rename in the event of unusual or compelling circumstances.
6. Exceptions to this policy may be made only by the President of the University with final approval from the Board of Visitors.

CODE OF STUDENT CONDUCT REVIEW AND PROPOSED EDITS EXECUTIVE SUMMARY

Background This review

began during academic year 2020 and included obtaining consultation from an external consultant from the College of William & Mary, the Office of Student Conduct & Academic Integrity Director (OSCAI), and an internal review team led by the Special Assistant to the Vice President for Student Engagement & Enrollment Services (SEES). Based on this review, the Special Assistant obtained follow-up consultation from university counsel. This year, the Vice President for SEES recommended further vetting of the proposed changes, with student and faculty leaders, prior to presenting these changes to the Board of Visitors for their approval. This vetting concluded with vetting with the faculty senate's review of the Code. The Vice President reviewed proposed changes through this vetting process and provided additional feedback for changes. A draft was provided to counsel, and it was modified to reflect counsel's guidance.

Proposed Revisions to the Code of Student Conduct

Most of the proposed changes reflect recommendations to enhance user-friendliness by summarizing and reorganizing the Code's lengthy and comprehensive content. This would improve readability and the ability for the student to focus on the most important information. Some terminology changes were also made to emphasize the conduct process as being educational and restorative rather than adversarial and punitive in its focus.

The following substantive changes were made to accurately reflect the updated Policy 1008: Policy on Title IX & Sexual Misconduct, conduct-related practices, as well as to ensure compliance with the law.

- Included the "Applicability" section to provide context to the information provided in the Code.
- Included "amnesty" in the "Definitions" excerpt and updated definitions to the following terms, to conform with [Policy 1008: Policy on Title IX and Sexual Misconduct](#), Complainant, Consent, Incapacitation and Reasonable Person.
- Modified terms that appear outdated and could prove difficult to enforce if challenges due to vagueness or over breadth. Examples cited include terms such as "bullying," "breaches of peace and/or causing social disorder," "disruption" and "harassment."

Modified amnesty description to reflect current practices and enhance conciseness.

- Included "reassignment of Housing Agreement" to sanctioning provisions.

NUMBER: 1530

TITLE: Code of Student Conduct

2. Visitors and Guests

complaint under the [University Discrimination Policy 1005](#) and/or [Policy 1008: Policy on Title IX and Sexual Misconduct](#). a

- S. **Notice:** Written communication sent to a respondent, complainant, or other participant in a conduct case. Notice will be sent to a student's official email University address.
- T. **Online Misconduct:** harassment delivered by email, social media, posted to blogs, webpages, or other online postings. While the University does not monitor online

the student organization/group, or a reasonable person would conclude that the conduct was affiliated with or sanctioned by the student organization/group.

- f. Members of the student organization/group had an opportunity and failed to intervene, did not report the violation, attempted to conceal the conduct, or attempted to protect other members who were involved; or
- g. One or more officer(s) of the organization/group had prior knowledge or reasonably should have known the conduct would occur.

B. Student Athletes: As an NCAA member institution, student athletes must comply with the Code of Student Conduct, all applicable rules, and regulations of the NCAA and Conference partners as published in the University Student Athlete Handbook. Sanctions may be imposed by both the Athletic Director and Office of Student Conduct & Academic Integrity for any NCAA violation that also violates the Code. Incidents under this provision will be reported annually to the Board of Visitors, in accordance with the

2. Plagiarism is defined as using someone else's language, ideas, or other material without a proper citation in an academic exercise ¹(including but not li

- D. Smoking. Smoking or vaping inside or within 25 feet of the entrance to a university facility.
- E. Tobacco. Underage use or possession of tobacco or possession in a prohibited area.
- F. Fire safety. Failure to evacuate a university building during a fire alarm; unauthorized use, possession, or tampering with University fire safety

- S. Distribution of material. Unauthorized download, creation, sale, posting, transfer, access, reproduction, or distribution of copyrighted or class material.
- T. Failure to comply. Failure to follow directions of a university official or law enforcement officer, accurately identify oneself, comply with informal resolution outcomes, or complete a sanction by an assigned deadline.

HH. Helping any student violate or attempt to violate the Code.

IX. PROCEDURES

A. Reports of Violations

1. Those who are aware of misconduct are encouraged to report it promptly to the [Office of Student Conduct & Academic Integrity](#) and/or [Old Dominion University Police Department](#). There is no time limit on reporting violations; however, it may be difficult for the University to obtain information and witness statements and make a determination regarding alleged violations as time progresses after an incident. While anonymous reports may be difficult to investigate, the University takes all concerns and reports seriously. Incidents involving sexual harassment, including but not limited to sexual assault, stalking, dating and/or domestic violence and sexual exploitation should be reported directly to the [Office of Institutional Equity & Diversity - Title IX Coordinator](#). [Policy 1008](#): Policy on Title IX and Sexual Misconduct addresses the Title IX Coordinator's review of incidents of this nature.
2. Members of student organizations/groups are expected to promptly report violations by other members of the student organization/group of the Code or other University policies to the [Office of Student Conduct & Academic Integrity](#) including the following information:
 - a. detailed description of the concerning conduct including date, time, and location.
 - b. name(s) of any individual(s) involved; and
 - c. description of any internal actions taken by the student organization/group (e.g., chapter and/or inter/national organizational governing body), if applicable.
3. When concerning behavior is reported, the Office of Student Conduct & Academic Integrity may facilitate an investigation with the individual(s) included in the report. If information indicates the conduct was affiliated with or sanctioned by the student organization/group, the investigation may continue into the student organization/group. The Office of Student Conduct & Academic Integrity may assign violations to be heard by a trained self-governing body, if appropriate.
4. After reviewing a report, the Office of Student Conduct & Academic Integrity, will determine whether sufficient information exists to indicate that a student and/or student organization/group engaged in any prohibited conduct and, if so, identify applicable violations and appropriate resolutions.
5. If necessary, the Office of Student Conduct & Academic Integrity, may request a mandatory meeting with a student to discuss a report and/or

- c. Students may submit a request to use aids, services, or other reasonable accommodations to participate in the conduct process by emailing the Office of Student Conduct & Academic Integrity at oscai@odu.edu no later than 3 business days prior to the meeting. Modifications or accommodations are determined by the Office of Student Conduct & Academic Integrity on a case-by-case basis after consulting with the Office of Educational Accessibility.
- d. The Office of Student Conduct & Academic Integrity may develop boards to hear cases. Composition, size, and responsibilities may be determined as appropriate. Boards will receive training from the Office of Student Conduct & Academic Integrity.
- e. Respondents and witnesses have the responsibility to avoid the following:
 - i. Falsifying, distorting, or misrepresenting information presented to any conduct administrator or panel;
 - ii. Failure to provide, destroying or hiding information during any investigation of an alleged policy violation, or otherwise impeding or obstructing an investigation of suspected Code violations;
 - iii. Attempting to discourage or impede an individual's participation in, or use of, the conduct process;
 - iv. Harassment (verbal or physical) and/or intimidation of a conduct administrator or panel member prior to, during, and/or after a conduct meeting;
 - v. Disrupting or otherwise interfering with a conduct meeting;
 - vi. Failure to comply with instructions provided during a conduct meeting;
 - vii. Failure to comply with the outcomes of an informal resolution;
 - viii. Failure to complete any sanction by an assigned deadline;
 - ix. Influencing or attempting to influence another person to abuse of the conduct process;
 - x. Helping a student violate, or attempt to violate, the Code; and Retaliation.

2. Conduct Administrator/Chairperson

- a. The conduct administrator or chairperson maintains order and determines the proper sequence of events during a conduct meeting. Any person who fails to comply with instrut ad-2.9 (ad-2(n)2.2 (b)2.2 o)4.2 (rd6 (n) o)4.

reasons the respondent believes an adjudicator cannot be impartial. The Office of Student Conduct & Academic Integrity will notify the respondent.

- c. The conduct administrator or chairperson may record the meeting, not including any discussions regarding decisions. Recordings are the property of the University. Respondents may be given access to the recording for the purposes of preparing an appeal. Any request to review a recording should be made by emailing the Office of Student Conduct & Academic Integrity at oscjai@odu.edu.
- d. Additional Information: The conduct administrator or chairperson may reconvene a conduct meeting to call additional witnesses, modify or add violations for a respondent, request information or documentation, or facilitate further investigation before issuing an outcome letter.
- e. Credibility and Relevance: Conduct administrators or chairpersons will determine the relevance of infor

made;

ii. Present relevant information on one's own behalf/on behalf of a student organization/group.

iii.

- i. Upon three (3) days written notice, a conduct conference permits the respondent to discuss the alleged violation with a conduct administrator. After considering all relevant information, the conduct administrator determines whether it is more likely than not that the respondent violated any policies contained in the

acknowledges the violation, the faculty member and respondent may

communications between the faculty member and respondent regarding the incident, a copy of the assignment/exam/quiz with the violations highlighted, a copy of the course syllabus, and the Academic Integrity Voluntary Resolution Form signed by both the respondent and faculty member. If the respondent is currently on conduct probation or has a previous academic integrity violation, a hearing will be scheduled.

If a respondent does not agree to an AIVR or the faculty member chooses not to meet with the respondent, the faculty member will submit an Academic Integrity Incident Report to the Office of Student Conduct & Academic Integrity, and a hearing will be scheduled. The report should include a description of the allegation, copies of any relevant communications between the faculty member and respondent regarding the incident, a copy of the assignment/exam/quiz with the violations highlighted, a copy of the course syllabus, and the faculty member's sanction recommendations. Faculty may recommend suspension or expulsion as a sanction of a graduate student, even for a first violation.

- a. The faculty member will be asked to attend the hearing as a witness to give insight regarding the allegation and to answer questions. The hearing may be facilitated by a conduct administrator or the academic integrity council.
- b. If facilitated by the academic integrity hearing council, the following conditions apply:
 - i. The Council will be drawn primarily from a pool of students and faculty nominated by the Student Government Association and the Faculty Senate. The Office of Student Conduct & Academic Integrity may also nominate students or University Officials to serve on the Council. Nominees who complete initial and ongoing training provided by the Office of Student Conduct & Academic Integrity will be recognized as Council members and eligible to serve as a panelist for any given Council hearing. Appointments to the Council will be valid for one year and are renewable. Council members will not be eligible to serve more than 3 consecutive years. Two University Officials and two students will normally serve as panelists for a Council hearing. A Council hearing may proceed with as few as three members, including a Council Chairperson appointed by the Director to oversee Council hearings, one faculty member, and one student. The Council Chairperson will not normally vote, except in cases of a tie.
 - ii. The respondent, reporting faculty member, and any relevant witnesses will be given the opportunity to provide information at any hearing that occurs on the basis of the faculty member's report. The faculty member is strongly encouraged to participate in the hearing.
 - iii. The council chairperson will submit a recommendation of findings for review and approval to the Office of Student Conduct &

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- E. **On-Campus Reassignment:** modification of a housing assignment.
- F. **Restitution:** compensation for loss or damage to university property, funds, or premises applied to a respondent's financial account.
- G. **Termination of On-Campus Housing & Dining Agreement:** cancellation of a respondent's Housing & Dining Agreement. The respondent remains financially responsible for the entire cost of the agreement period for the assigned building.
- H. **Separation of Student Organization/Group:** a period of time (up to or including permanent separation) that a student organization/group is not recognized by the University; therefore, may not access University resources or support.
- I. **Conduct Suspension:** Conduct suspension is the separation of a student or student organization/group from the University for a designated period of time. Suspension may include satisfaction of conditions for re-enrollment in the University as established by a Conduct Administrator or panel. Re-enrollment in a specific College or academic degree program is subject to that College or program's approval. During a suspension, the suspended student is not permitted on university premises or at University activities without express permission from the Director. A registration hold is placed on the student during the suspension. In cases of suspension, tuition refunds will be evaluated in accordance with the Tuition Refund Policy as outlined in the Old Dominion [University Catalog](#). A deferment of suspension may be appropriate if the student complies with certain conditions set forth by the Conduct Administrator.

1. A student or student organization/group may be required to complete the reactivation/reenrollment process for the University and/or degree program. During the suspension...

XI. TRANSCRIPT NOTATIONS

A. The Office of Student Conduct & Academic Integrity may issue a transcript notation for academic integrity violations. If the respondent has completed all sanctions and conditions and has not been found responsible for additional violations of similar nature, the respondent may submit a request to the Office of Student Conduct & Academic Integrity at oscai@odu.edu to have the notation removed. A respondent may only petition to have one notation removed.

B. Sexual Misconduct. In accordance with [Va. Code § 23.1-900](#), the University is required to place a notation on a respondent's transcript if suspended, dismissed, or expelled from the University after being found responsible for a violation of the Student Code of Conduct. 6 (i)-3.3 (f)-3 b,e,2.2 0 g.Ties.8 (i)10.5 (o)-6.6 ()-3

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OLD DOMINION UNIVERSITY
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