

**OLD DOMINION UNIVERSITY
BOARD OF VISITORS**

**SPECIAL EMERGENCY BOARD MEETING
Thursday, May 11, 2021, 12:30 PM**

MINUTES

A special emergency meeting of the Board of Visitors of Old Dominion University was held on Tuesday, May 11, 2021, at 12:00 p.m. The meeting was called by the Rector for the purpose of receiving a briefing from university leadership on the opening of campus. The meeting was held electronically via the Zoom application pursuant § 4-0.01(g) of Chapter 1289 of the 2020 Acts of Assembly. Present from the Board:

Kayd G. Decker, III
Jerri F. Dickseski
Alton J. Harris
Larry R. Hill
Toykea S. Jones
Ross A. Mugler
P. Murry Pitts
Maurice D. Slaughter

Absent from the Board:

Carlton F. Bennett
Lisa B. Smith
Armistead D. Williams, Jr.

Also present were:

John Broderick, President
Austin Agho
Alonzo Brandon
Greg DuBois
Morris Foster
Annie Gibson
Velvet Grant
Scott Harrison

Etta Henry
Donna Meeks
R. Earl Nance
Tom Odom
September Sanderlin
Amanda Skaggs
Don Stansberry
Jay Wright

CALL TO ORDER AND OPENING OF CAMPUS BRIEFING

The Rector called the meeting to order at 12:30 p.m. and called on Greg DuBois, Vice President for Administration & Finance, for a briefing on the opening of campus. Vice President DuBois made the following statement:

“As had been our practice throughout the pandemic and as we plan for the fall 2021 term, I am

voluntarily receiving the vaccine that an adequate threshold may be met and would approximate what would be met if required with normal medical and religious exemptions.

Mr. Bradley asked how this will be monitored and Vice President DuBois commented that a reporting system for students is already in place. The vaccine requirement will apply only to students, whether in-person or online, who are wanting to come on campus, but would not apply to students not in this region who are taking courses fully online. In addition, it would not apply to members of the general public who may come to campus for sporting or other events. This requirement is about ensuring the safety of our student community in our current setting and we feel confident that we have the mechanisms in place to assure our student body is vaccinated and we are maintaining a healthy environment. In a follow-up question from Mr. Bradley, Vice President DuBois indicated that the vaccine could be offered to students through the Student Health Center.

In response to a question from Mr. Hill, Vice President DuBois said that many international students may live in countries that are receiving vaccines that are not approved for use in the United States by the FDA. In those cases, the University would be able to provide an approved FDA vaccine for those students.

The Board is being asked to approve a resolution that affirms the President's authority to make this decision, as the Board has already delegated this authority to make these types of public safety and operational decisions for the University. The primary goal today was to brief the Board on the University's COVID-19 response and its plans for the reopening of the fall term. Mr. Hill commented that the Board has been fully briefed on the University's COVID-19 response without taking any action in the past, so why is it now requested. Vice President DuBois responded that this is a significant matter under consideration and the Attorney General's Office issued an opinion citing the authority of the Board 11-1.10.32 (f)-7 (n(r o)-10 (n (de)-6(t)(l)-2 2-1.14 (s)-1o-12 (h qu0 (n (de)-6(on

Vice President Stansberry said that almost 2000 students responded to a survey asking if they have been or are planning to be vaccinated, and whether a requirement to do so would impact their decision to attend or their mode of attendance. 58% responded that they have been vaccinated, 14% plan to be vaccinated, 14% said that the requirement would change their decision to come to ODU, and 12% said they would attend online so it didn't matter. While the workforce has not been similarly surveyed, many have voluntarily shared that information.

Board members discussed the merits of a formal motion, with some expressing their opinion that the President already has this authority and does not need a vote by the Board, while others taking the position that a motion to reaffirm is appropriate in this circumstance.

Prior to reading the motion, Mr. Bradley thanked President Broderick, Vice President DuBois and Vice President Stansberry for the thought and care that has been put into this decision. He then read the following motion:

“I move that the Board of Visitors acknowledge and reaffirm the authority of the President to decide, in his sole and complete discretion, based upon the health and safety of students, faculty, staff, and the surrounding community, whether or not Old Dominion University will require students to be vaccinated for COVID-19 as a condition of in-person attendance, as well as to take any further actions necessary to implement any such requirement. The Board acknowledges the President has sought the recommendation of Public Safety, Health and Scientific experts and informed the Board of his decision. The President also consulted with President-elect Hemphill who concurs with his decision.”

The motion was seconded by Mr. Slaughter and approved by roll-call vote (*Ayes: Allmond, Bradley, Broermann, Dabney, Decker, Dickeski, Harris, Kemper, Slaughter; Nays: None; Abstained: Corn, Hill, Mugler*). Mr. Mugler stated for the record that he abstained because he feels that the President already has the authority to make this decision and Board approval is not necessary. Mr. Corn and Mr. Hill noted their agreement.

With no further business to be discussed, the meeting adjourned at 1:09 p.m.