

BOARD OF VISITORS

FULL BOARD MEETING

December 6, 2024

MINUTES

1. Call to Order/Establish Quorum

Bishop Kim W. Brown, Rector, called the Norfolk State University Board of Visitors meeting to order at approximately 8:43 a.m.

A quorum was established with a 7-0 Roll Call vote. A list of individuals who joined the meeting is provided below.

Mr. Dwayne B. Blake, Vice Rector, Mr. T. Michael Andrews, and The Honorable James W. Dyke, Jr. provided their reasons of Electronic Participation Mr. Hall motioned, seconded by The Honorable Lionell Spruill, Sr. and with a 7-0 Roll Call vote, the Committee unanimously approved the virtual participation.

Present – Board Members

Bishop Kim W. Brown, Rector

Dr. Katrina Chase, Secretary

Mrs. Heidi Abbott (9:35 a.m.)

Mr. Conrad Hall

Dr. Harold Watkins, II (8:55 a.m.)

Mr. James Jamison

Mr. Delbert Parks

Mr. Edward Sanders

The Honorable Lionell Spruill, Sr.

Mr. Gilbert Bland (9:00 a.m.)

Board Members Virtual Participation

Mr. Dwayne B. Blake, Vice Rector

Mr. T. Michael Andrews

The Honorable James W. Dyke, Jr.

Student Representative to the Board

Mr. Za'Chary R. Jackson, SGA

Faculty Representative to the Board

Dr. Robert K. Perkins, Faculty Representative

Participants – NSU Administrators and Staff

Dr. Javaune Adams-Gaston, President

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

Dr. Justin L. Moses, Vice President for Operations and Chief Strategist for Institutional Effectiveness

Dr. DoVeanna Fulton, Provost/Vice President for Academic Affairs

Dr. Aurelia T. Williams, Senior Vice Provost, Office of the Provost

Dr. Gerald Ellsworth Hunter, Vice President and Chief Financial Officer, Finance and Administration

Dr. Leonard E. Brown, Vice President, Student Affairs

Mr. Eric W. Claville, J.D., M.L.I.S., Executive Advisor to the President, Governmental Relations

Mr. Clifford Porter, Vice President, University Advancement

Dr. Tanya S. White, Chief of Staff

Dr. Dawn Hess, Chief Compliance Officer

Mrs. Derika Burgess, Chief Audit Executive

Chief Brian K. Covington, Norfolk State University Police Department

Dr. Melody Webb, Athletics Director

Ms. Karla Amaya Gordon, Assistant VP of Finance and Administration/ University Controller

Dr. Melissa J. Barnes, Assistant VP for Enrollment Management

Mr. Dennis Jones, Executive Budget Director

Dr. Davida Harrell-Williams, Auxiliary Enterprises & Services

Dr. Sandra Williamson-Ashe, Associate Professor/ Social Work

Mr. Terry Woodhouse, Facilities, Interim Associate Vice President

Ms. Jennifer Eggleston, Audit Director, Risk Analysis and Monitoring

Mrs. Kimberly Gaymon, Scheduler/Financial Services Specialist

Mr. Christopher Gregory, OIT

Ms. Sher're Dozier, Clerk to the President for the Board of Visitors

2. Opening Remarks

Rector Brown discussed the significance of effective communication among Board Members, Faculty, and Staff, and highlighted its impact on customer satisfaction for students.

Dr. Adams-Gaston expressed her gratitude to the Board of Visitors and their dedication to the students' success. Dr. Adams-Gaston discussed the importance of alignment between faculty, administrators, and staff, through the examination of retention and graduation. Campus events were highlighted:

- Executive Cabinet, participated in serving the students for Thanksgiving
- The tree lighting event, open to the public, offers guests the opportunity to take photographs with Santa Claus.
- Student Leader holiday event, which is held at the President house.
- Faculty and Staff holiday event, which is held at the President house.
- Senior Toast which was held at the Student Center.

Rector Brown provided a reminder of Saturday, December 7, 2024, Commencement. Upon completion of graduation each graduate will be presented with a customized designed shirt.

3. Consent Agenda - Recommend Approval of October 24-25, 2024, Board Meeting Minutes

The Board unanimously approved with a 8-0 Roll Call Vote, the minutes for the October 24-25, 2024, Board Meeting, motioned by The Honorable Lionell Spruill, Sr. and seconded by Mr. Parks.

4. Auditor of Public Accounts-Ms. Jennifer D. Eggleston, CPA, CISA, CGFM Audit Director, Risk Analysis and Monitoring

Ms. Eggleston reviewed the objectives of the audit and provided a review of each line item. The process of reviewing risk and compliance was also discussed. Ms. Eggleston informed that in the completion of the audit, the goal of their office is to provide the results at the May 9th Board meeting.

5. Representative to the Board

Mr. Za'Chary R. Jackson, SGA, highlighted the goals and accomplishments achieved by the Student Government Association through the fall semester, which includes:

- Fostering support for Athletics

- Successfully organizing a week of homecoming activities
- Student engagement through the General Assembly and Town Hall Meetings

Mr. Jackson discussed the Spring 2025 goals, which include hosting the inaugural student body address, which will provide the opportunity to highlight administration, accomplishments, and plans for the coming year. The SGA also plans to collaborate with the campus community to increase student engagement with the upcoming State General Election. Mr. Jackson also highlighted the importance of ensuring communication between students and academic professionals.

Dr. Robert K. Perkins, Faculty Representative, discussed the development of the Ad-Hoc Committee, led by Dr. Claude Turner. The Ad-Hoc Committee will focus on the issues of Artificial Intelligence, and its impact on the classroom. Dr. Perkins also highlighted the collaboration with administration throughout the semester regarding adjustment of the tenure, and promotion timeline application process. Dr. Perkins informed of the collaboration with the administration. A protocol has also been established to address student concerns. Dr. Sheila Ward was recognized for her appointment to be the State Evaluator for Trauma Induced Effects for the State of Virginia.

6. Audit, Risk and Compliance Committee Update- Dr. Harold Watkins, Chair

Mrs. Derika Burgess, Chief Audit Executive, provided insight into BOV Policy # 30 (2020), by highlighting the establishment of the policy regarding roles and responsibilities for preventing, identifying and reporting fraudulent behavior. Mrs. Burgess provided further insight into BOV Policy #30.

Mr. Jamison motioned to approve the BOV Policy #30 (2020) Reporting and Investigating Suspected Wrongdoing, Seconded by Dr. Chase and with a 9-0 Roll Call Vote the Board unanimously approved.

Mrs. Burgess highlighted the mission, vision and goals of the department regarding the State of Internal Audit. Mrs. Burgess explained that the consultations and training in number of hours have doubled and are currently in the process of an external quality review. The total of applications received for the I.T. Auditor position was also highlighted. Mrs. Burgess discussed the management action plans process. The Higher Education Institution, Cybersecurity report was addressed regarding recommendations. The hazardous commodities policy was discussed, along with the consideration of adding additional modules to their platform, which will focus on record retention.

Dr. Dawn Hess, Chief Compliance Officer, provided a description of the position of the Research Operations Coordinator. Dr. Hess also highlighted animals in research, animal care and use, and advised that there currently is not any animal research occurring but has informed that there is a process in place to do so. The leadership meeting was highlighted which was held to discuss ethics and compliance. Dr. Hess also provided an update on new and updated policies. Dr. Hess reviewed updates on the student affairs activities.

7. Academic and Student Affairs Committee Update- Mr. Parks, Chair

Dr. DoVeanna Fulton, Provost/Vice President for Academic Affairs, provided an update on the accreditation change. Dr. Fulton informed of the production of the Interim 5th Year Report in the spring. Dr. Fulton advised that due to a response from the review committee it has been recommended to update the SACSCOC Statement for Accredited Institutions. The current and revised statement was provided for review.

Dr. Chase motioned to approve the revised statement of the Schools Commission on Colleges (SACSCOC) and with a 10-0 Roll Call Vote the Board unanimously approved.

Dr. Leonard E. Brown, Vice President, Student Affairs, reviewed BOV Policy # 20 (2017) Parental Notification of Dependent Students in Instances of Psychological Emergency. The policy informs of the responsibility to contact parents of tax dependent students who experience psychological emergencies and outlines the exceptions to those situations.

Mr. Jamison motioned to approve the BOV Policy #20 (2017) Parental Notification of Dependent Students in Instances of Psychological Emergency, Seconded by Dr. Watkins and with a 10-0 Roll Call Vote the Board unanimously approved.

Dr. Brown reviewed BOV Policy # 33(2019) Freedom of Speech and Expression and Campus Space Utilization. Dr. Brown informed that there were two significant changes to the policy.

- Letter B, under major events, the number of people that constitute a major event was lowered from 100 people to 50 people
- Letter D, reporting violations of policy, language regarding students, employees, and members of the public who are suspected of violating the policy would be handled.

Mr. Parks motioned to approve the BOV Policy #33 (2019) Freedom of Speech and Expression and Campus Space Utilization., Seconded by Mr. Jamison and with a 10-0 Roll Call Vote the Board unanimously approved.

Dr. Brown provided an update of the on-campus employment program. This program provides students with employment opportunities on campus, at rates that are competitive with off campus

retail rates. This program is collaborated with Dr. Hunter and has shown success by providing work-based employment on campus.

Mr. Parks provided a review of the Committee meeting, and highlighted Dr. Moses report. Dr. Moses gave an update on enrollment and informed of the success of recruitment events and open house participation. The Athletics update highlighted the Women's Cross-Country Championship, and the Women's Basketball program ranking.

8. Strategic Finance Committee Update- Mr. Jamison, Chair

Mr. Jamison reviewed the Quarterly Financial Report. Mr. Jamison also highlighted the revenue, expenses and positive fund value, and advised there were no significant weaknesses identified. Mr. Jamison also reviewed the resolution to approve the continuation of Level II Authority. The resolution allows the university to continue operating as a level 2. An update regarding the resolution was provided.

The Honorable James W. Dyke, Jr. motioned to approve Resolution to Operate as a Level II Institution of Higher Education Memorandum of Understanding Certification for Five Year Renewal Seconded by Mrs. Abbott and with a 10-0 Roll Call Vote the Board unanimously approved.

There have been no changes regarding the following updates since the previous committee meetings listed below:

- Facilities Management: Mr. Terry Woodhouse, Facilities, Interim Associate Vice President
- Legislative: Mr. Eric W. Claville, J.D., M.L.I.S., Executive Advisor to the President, Governmental Relations
- Human Resources/Information Technology: Dr. Justin L. Moses, Vice President for Operations and Chief Strategist for Institutional Effectiveness

Mr. Porter provided an overview of the BOV Policy #14 (2020) Naming Policy.

Mr. Hall motioned to approve the BOV Policy #14 (2020) Naming Policy. Seconded by Dr. Chase and with a 10-0 Roll Call Vote the Board unanimously approved.

9. Governance Committee Update- Ms. Heidi Abbott, Chair

Mrs. Abbott reviewed the Governance committee update, and highlighted the Board of Visitors SCHEV Orientation, and Norfolk State University attendance and participation on the panels.

NSU Panel Participation:

- Dr. Javaune Adams-Gaston, President “Campus Safety, Security, and Free Expression”
- Mr. Gilbert Bland “Institutional Budgeting, Tuition Setting, Strategic Financial and Academic Planning, Making tough decisions”
- Student Participants, Student advisory panel

Mrs. Abbott informed that there were not any updates on committee policies or procedures, and advised that many are undergoing review through various committees.

10. State of the University

Dr. Javaune Adams-Gaston, President, expressed her excitement of commencement, which will be held on Saturday, December 7, 2024, and elaborated on the importance of education. Dr. Adams-Gaston reviewed the accomplishments of the year 2024 and outlined the objectives for 2025. She emphasized the opportunities available for students to study abroad and highlighted five countries that were visited during summer.

- Ghana
- London
- Jamaica
- Italy
- Spain

The availability of paid internship opportunities for students was also discussed. Additionally, enrollment numbers have increased due to retention over the years. NIL was also highlighted and its impact and opportunities for student athletes. The continuation of faculty reaching the green and gold standard was discussed, by helping students to be successful. The impact of Artificial Intelligence in higher education was addressed, and its effect with critical thinking. The writing center has also implemented generative artificial intelligence initiatives to provide support to faculty and students. The university fundraising and fiscal health was highlighted, through management of funds, and management of the health of the university; through knowledge and

understanding of equity, and shared responsibilities. The success of the “Now Is Our Time” fundraiser was also discussed. The Commonwealth Senatorial Debate was also acknowledged.

10. Action Items

There was none.

11. Old Business

There was none.

12. New Business

There was none.

13. Motion-Closed Meeting Pursuant to 2.2-3711(A) 1, 3, 4, 6, 7, and 8 of the Code of Virginia

Secretary, Dr. Chase, read the following motion, seconded by Mr. Hall, and with an 10 Roll Call Vote the Board unanimously approved.

Mr. Chair, I move that we adjourn and reconvene in Closed Meeting pursuant to:

Section 2.2-3711(A) 1, 3, 4, 6, 7, and 8 of the Code of Virginia, for the following purposes, pursuant to the noted subsections:

(1): To discuss personnel matters, including more specifically, appointment, promotions, performance, salaries, of specific employees, and evaluation of performance of departments or schools where such evaluation will necessarily involve discussion of the performance of specific individuals and certain university employees; and

to discuss personnel matters pertaining to compensation of a high-level employee, which includes discussion of the subject matter of job performance; and

(3): To discuss or consider the acquisition of real property for a public purpose or of the disposition of public held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and

(4): to protect the privacy of individuals in personal matter not related to public business; and

(6): to discuss or consider the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected; and

(7) and (8): Consultation with legal counsel regarding specific matters requiring the provision of legal advice pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the university,

including more specifically for legal counsel to give a status update on pending and potential litigation of which the Board should be made aware; along with any necessary consultation with legal counsel regarding matters noted in this motion; and that any member of the NSU Board of Visitors be permitted to attend virtually, or by phone to participate in the Closed Meeting; and further that the following remain for or attend, when called, the Closed Meeting.

State all that apply:

_____ that the President

_____ University Counsel

_____ Vice President for Finance and Administration

_____ Vice President for University Advancement

_____ Chief Strategist for Operations & Vice President for Institutional Effectiveness

_____ Executive Advisor to the President for Governmental Relations

_____ Optional: NSU Names of NSU foundation members and/or their legal counsel

14. Open Meeting

Rector Brown read: Having reconvened in open session, we will now take a roll call vote on certification that (1) only public business matters lawfully exempted from open meeting requirements, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board. Any member of the Board who believes that there was a departure from the requirements as stated above, shall so state prior to the vote, indicating the substance of the departure that in his, or her judgment, has taken place.

Mr. Blake motioned approval of actions discussed regarding a high-level university employee at Norfolk State University, which includes discussion of the subject matter of job performance in a manner consistent with the discussion in closed session, Seconded by Dr. Chase and with a 10-0 Roll Call Vote the Board unanimously approved.

Mr. Jamison motioned on behalf of the Finance Committee, we asked the Full Board to consider a motion to approve the refinancing of the Spartan Suites as discussed in connection with matters discussed in closed session, Seconded by Mrs. Abbott and with a 10-0 Roll Call Vote the Board unanimously approved.

16. Public Comment

There was none.

15. Information Items

There was none.

16. Adjournment

At 1:41p.m.

Respectfully submitted,

Dr. Katrina Chase, Secretary Board of Visitor

Sher're Dozier, Clerk to the University President for the
Board of Visitor



**BOV POLICY # 30 (2020) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

Policy Title: Reporting and Investigating Suspected Wrongdoing
Policy Type: Board of Visitors
Policy Number: BOV Policy #30 (2020)
Approved: March 19, 2021
Responsible Office: Internal Audit
Responsible Executive: Chief Audit Executive
Applies to: All University organizations, students, faculty, staff, and volunteers

POLICY STATEMENT

The University will not tolerate fraud, theft, waste or abuse of state or University property or resources. University employees should report suspected wrongdoing or possible fraudulent activities to the Chief Audit Executive or the State Fraud, Waste or Abuse Hotline. All reported allegations will be fully reviewed, and substantiated fraudulent activities will be reported to the proper authorities.

The purpose of this policy is to establish the overall roles and responsibilities of University employees for preventing, identifying, and reporting fraudulent transactions at the University. This policy details responsibility for the reporting and investigation of suspected irregularities.

Non-compliance with this policy may result in disciplinary action up to and including termination of employment. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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BOV POLICY # 30 (2020) REPORTING AND INVESTIGATING SUSPECTED WRONGDOING

DEFINITIONS

Abuse: Abuse involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. Abuse also includes misuse of authority or position for personal financial interests or those of an immediate or close family member or business associate. Abuse can occur in financial or nonfinancial settings and does not necessarily involve fraud, violation of laws, regulations, or provisions of a contract or grant agreement. Examples may include excessive charges, improper billing practices, or payment for unnecessary services

Fraud: The State Fraud, Waste and Abuse Hotline Policies and Procedures Manual defines fraud as, "The intentional deception perpetrated by an individual or individuals, or an organization or organizations, either internal or external to state government, which could result in a tangible or intangible benefit to themselves, others, or the Commonwealth or could cause detriment to others or the Commonwealth. Fraud includes a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, which deceives and is intended to deceive."

Some Examples of Fraud, Waste, and Abuse:

- Personal use of state-owned supplies or equipment
- Contract fraud
- Conducting personal business on state time
- Embezzlement or other financial irregularity
- Unauthorized use of University employees/time
- Violations of state procurement policy
- Falsification of official documents (time and leave records, check deposit, etc.)
- Inappropriate expenditures
- Engaging in bribery, kickbacks, or seeking unauthorized rebates

Good Faith Report: A report of conduct wrongdoing or abuse which is made without malice and which the person making the report has reasonable cause to believe is true.

Internal Controls: Policies, practices, and procedures that are designed to provide reasonable assurance that objectives are achieved in the following categories:

- Effectiveness and efficiency of operations (including safeguarding of assets and records)
- Reliability of financial reporting
- Compliance with laws and regulations
- Safeguarding of assets



BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING SUSPECTED WRONGDOING

Red Flag: A red flag is a set of circumstances that are unusual in nature or vary from the normal activity. It is a signal that something is out of the ordinary and may need to be investigated further. By themselves, they don't necessarily mean anything, but the more that are present, the higher the risk that fraud, waste and abuse is occurring, or could occur.

Waste: Waste is the intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use, or squandering of resources, to the detriment or potential detriment of the University. Waste also includes incurring unnecessary costs as a result of inefficient or ineffective practices, systems, or controls.

Whistleblower: An employee or citizen of the Commonwealth who witnesses or has evidence of wrongdoing or abuse and who makes or demonstrates by clear and convincing evidence that he is about to make a good faith report of, or testifies or is about to testify to, the wrongdoing or abuse to one of the employee's superiors, an agent of the employer, or an appropriate authority.

Wrongdoing: A violation, which is not merely technical or minimal in nature, of a federal or state law or regulation or a formally adopted code of conduct or ethics of a professional organization to protect the interests of the public or employee.

CONTACT(S)

The President's Office officially interprets this policy and is responsible for matters pertaining to this Policy as it relates to the University Community. The President's Office is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) *Creating and Maintaining Policies*](#) through the appropriate governance structures. Questions regarding this policy should be directed to the Chief Audit Executive.

STAKEHOLDER(S)

All University organizations, students, faculty, staff, and volunteers

REPORTING AND INVESTIGATING SUSPECTED WRONGDOING POLICY CONTENTS

University employees are responsible for safeguarding University resources under their control and for ensuring that those resources are used only for authorized purposes and in accordance with University policies, and applicable federal and state laws. Administrators and all levels of management have additional responsibility for the design and implementation of effective internal controls to protect University resources from misuse or abuse. Administrators and managers should be familiar with the potential risks and exposures in their areas of responsibility and be alert to any indicators of fraud and financial misconduct, including abusive or dishonest activities.



**BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING
SUSPECTED WRONGDOING**

Upon discovery of information or circumstances suggesting fraud or misuse of University property or funds, the individual should report the information to the Chief Audit Executive or the Office of State Inspector General Fraud, Waste, and Abuse Hotline by phone at 1-800-723-1615. To avoid conflict, employees are discouraged from personally conducting investigations or interviews. Self-investigating may also compromise the investigation.

Concerns related to employee's moral, ethics or behavior should be referred to the University Human Resource Department or the State Department of Human Resource Management. If unsure whether or not actions are considered as fraud or whom to contact, the employee should contact Internal Audit for guidance.

To protect employee confidentiality, allegations and results will not be disclosed or discussed with anyone other than those with legitimate need to know. The University will provide appropriate support to reporting employees to protect against retaliation and respond to concerns of retaliation or unfair treatment linked to the employee's reporting. Allegations made maliciously will not be tolerated.

All reported allegations will be fully investigated and results reported to the appropriate levels of management. Internal Audit may coordinate the investigations with the General Counsel, University Police and/or other affected areas, both internal and external. Once probable criminal activity has been detected, the University Police will take over the investigation. Internal Audit will support the investigation as required.

Internal Audit will work with management to identify control weaknesses, if any, to prevent further similar violations. Management Action Plans should be developed to mitigate the weaknesses identified. The status of the action plans should be communicated to the President and the Audit Committee on a quarterly basis.

Internal Audit will communicate all substantiated cases of fraud or financial misconduct to the University President, Audit Committee and General Counsel. Internal Audit will not make any recommendations related to disciplinary action. Criminal or civil actions may be taken against employees who participate in fraudulent acts. Decision to take action will be made by the Division Head in conjunction with General Counsel and the President's Office. The determination of disciplinary action is not dependent on the outcomes of law enforcement's investigations or prosecutorial decisions as to whether or not to file criminal charges. The reporter of the allegation may not be privileged to the results of the report submitted.

Code of Virginia § 30-138 requires agency heads to promptly report circumstances suggesting a reasonable possibility that a fraudulent transaction has occurred to the Auditor of Public Accounts, Office of the State Inspector General, and Virginia State Police. The President of the University has assigned this reporting responsibility to the Chief Audit Executive. The University is committed to assisting law enforcement and/or other agencies in the prosecution of those suspected of committing fraud.



BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING SUSPECTED WRONGDOING

An employee suspected of committing or otherwise involved in fraud may be suspended with or without pay during an investigation of the allegations. If the evidence substantiates that the employee participated in fraudulent acts, the employee will be subject to disciplinary action, up to and including termination, pursuant to the policies outlined in the Virginia Department of Human Resource Management Standards of Conduct Policy 1.60, the Teaching Faculty, and Administrative and Professional Faculty Handbook.

WHISTLEBLOWER PROTECTION

University employees shall not intimidate or take retaliatory action, directly or indirectly, against any member of the University community as a result of whistleblowing. Retaliation against employees for making good faith reports is prohibited by the Virginia Fraud and Abuse Whistleblower protection Act, as set forth in Section 2.2-3011 of the Code of Virginia. The University will provide appropriate support to reporting employees to protect against retaliation and respond to concerns of retaliation or unfair treatment linked to the employee's reporting.

The types of retaliation that are prohibited include, but are not limited to: (1) intimidation, (2) adverse actions with respect to the whistleblower's work assignments, salary, vacation, and other terms of employment; (3) unlawful discrimination; (4) termination of employment; (5) adverse actions against a relative of the whistleblower who is a University employee or student; and (6) threats of any of the above.

EDUCATION AND COMPLIANCE

New employees should be advised of this policy at the time of hire. Periodic training should be provided to all stakeholders, at minimum on an annual basis. Please log into MOAT, choose the Norfolk State University Vault and complete. Completion of this training module is mandatory and failure to complete the training will result in notifications to direct supervisors and the Human Resource Department. An assessment will be given at the end of the session to test understanding of:

- (A) Norfolk State's Suspected Wrongdoing Policy
- (B) The effective use of Fraud, Waste and Abuse Hotline
- (C) The rights and protections afforded to all Hotline Callers

Internal Audit will review completion logs on a quarterly basis and report noncompliance to the Division Vice Presidents for appropriate corrective action.



BOV POLICY # 30 (2018) REPORTING AND INVESTIGATING SUSPECTED WRONGDOING

PUBLICATION

This policy will be widely published and distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the Online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet publication requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review: March 2024
- Approved by, date: Board of Visitors, March 19, 2021
- Revision History: September 28, 2018
- Supersedes: *BOV Policy #30 (2018)*

RELATED DOCUMENTS

State agencies, courts, and local constitutional officers to report certain fraudulent transactions; penalty. [Code of Virginia § 30-138](#)

Department of Human Resource Management Employee Dispute Resolution. <http://www.dhrm.virginia.gov/employmentdisputeresolution/workplaceconflictconsultationprogram>

Department of Human Resource Management policy 1.60 - Standard of Conduct http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_60.pdf?sfvrsn=2

Office of the State Inspector General, State Fraud, Waste, and Abuse Hotline. <https://osig.virginia.gov/program-areas/citizen-services/report-fraud-waste-and-abuse/>

Code of Virginia: The Fraud and Abuse Whistleblower Protection Act <http://law.lis.virginia.gov/vacode/title2.2/chapter30.1/>

Common types of fraud in higher education and examples of red flags (document attached).

FORMS

There are no forms associated with this policy.



BOV POLICY #20 (2017) PARENTAL NOTIFICATION OF DEPENDENT STUDENTS IN INSTANCES OF PSYCHOLOGICAL EMERGENCY

Policy Title:	Parental Notification of Dependent Students in Instances of Psychological Emergencies
Policy Type:	Board of Visitors
Policy Number:	BOV Policy # 20 (2017)
Approval Date:	March 19, 2021
Responsible Office:	Counseling Center and Spartan Health Center
Responsible Executive:	Vice President for Student Affairs
Applies to:	Campus Community

POLICY STATEMENT

The Norfolk State University Board of Visitors is authorized under the Code of Virginia § 23.1-1301 et seq. to, among other things, make regulations and policies concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. Section 23.1-1303 (B)(5) of the Code of Virginia (the Code) requires that the governing board establish policies and procedures requiring the notification of the parent of a dependent student when such student receives mental health treatment at the institution’s student health or counseling center, and such treatment becomes part of the student’s educational record in accordance with the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and may be disclosed without prior consent as authorized by the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations (34 C.F.R. Part 99). This policy establishes requirements for the institution for parental notification of tax-dependent students in instances of psychological emergencies.

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CONTACT(S)	

The Vice President for Student Affairs officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Vice President for Student Affairs is the Executive responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures.

DEFINITIONS

Dependent Student: means a student under the age of 24 who is claimed for federal income tax purposes as a dependent by his/her parents.

POLICY CONTENTS

Section 23.1-1303(B)(5) of the Code of Virginia requires a parent of dependent student to be notified in the following instances:

- (a) When such student receives mental health treatment at the institution's student health or counseling center; and
- (b) When such treatment becomes part of the student's educational record in accordance with the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and may be disclosed without prior consent as authorized by the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations (34 C.F.R. Part 99); and
- (c) if it is determined that there exists a substantial likelihood that, as a result of mental illness the student will, in the near future, (i) cause serious physical harm to themselves or others as evidenced by recent behavior or any other relevant information or (ii) suffer serious harm due to his/her lack of capacity to protect themselves from harm or to provide for his/her basic human needs.

Such notification may be withheld if any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions who is treating the student has made a part of the student's record a written statement that, in the exercise of his/her professional judgment, the notification would be reasonably likely to cause substantial harm to the student or another person.

The Norfolk State University Counseling Center and Spartan Health Center shall notify the Vice President for Student Affairs (or his/her designee) at the earliest known opportunity whenever a student is treated by their respective offices and meets the criteria for parental notification under Code of Virginia § 23.1-1303(B)(4). A record of all notifications will be maintained.

The Vice President for Student Affairs (or his/her designee) is responsible for contacting the parent of any such dependent student. The Vice President for Student Affairs (or his/her designee) is also responsible for reviewing this policy.

Upon making a disclosure pursuant to the Code, Norfolk State University and its employees are not civilly liable for any harm resulting from such disclosure unless such disclosure constitutes gross negligence or willful misconduct by the institution or its employees.

EDUCATION AND COMPLIANCE

The Counseling Center shall make training available to all Counselor Center employees on the requirements of this policy on an annual basis. Records of training will be maintained in the Counseling Center.

REVIEW SCHEDULE

- Next Scheduled Review: March 2024
- Approval by, date: Board of Visitors,; March 19, 2021
- Revision History: August 29, 2008; August 28, 2017; September 15, 2017; December 11, 2020

Supersedes: Policy # 24.001 Parental Notification of Tax-Dependent Students in Instances of Psychological Emergency (2008); Policy #24-01 Parental Notification of Tax-Dependent Students in Instances of Psychological Emergency (2014)

RELATED DOCUMENTS

- Code of Virginia § [23.1-1303\(B\)\(5\)](#) (eff. July. 23, 2024)

FORMS

There are no forms associated with this policy.



**BOV Policy #33 (2019) Freedom of Speech and Expression
and Campus Space Utilization**

Policy Title: Freedom of Speech and Expression and Campus Space Utilization
Policy Type: Board of Visitors
Policy Number: BOV Policy #33 (2019)
Approval Date: March 19, 2021
Responsible Office: Vice President for Student Affairs
Responsible Executive: Vice President for Student Affairs
Applies to: University Community

POLICY STATEMENT

Norfolk State University is committed to creating an environment that fosters the exercise of protected speech and other expressive activity on university property while maintaining an atmosphere free of disruption to the mission of the university. It recognizes that the free expression of ideas and open inquiry are essential in fulfilling its academic mission by embracing rigorous open discourse, and the exploration of ideas. As such, the university has established requirements for use of its property to pursue its academic mission, provide a safe environment, and preserve the functional and aesthetic integrity of the campus. Expression by individuals or groups, as described in this policy is not speech made by, on behalf of, or endorsed by the University.

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DEFINITIONS

Expressive Activity: For the purpose of this policy, expressive activity may include, but is not limited to, speaking, silent protest, distributing literature such as leaflets or pamphlets, displaying signs, wearing certain clothing or accessory items, dancing, meetings, performances, demonstrations, rallies, and vigils.

Solicitation: Selling or promoting products, goods or services; using staff and faculty listings for the purpose of selling/promoting goods and/or services; seeking contributions or pledges, including distributing printed materials; and conducting membership drives.

University Property: Buildings, grounds, and land owned or controlled by NSU. This includes property leased, rented, or otherwise contractually reserved for NSU operations, either permanently or on a temporary basis.

CONTACT(S)

The Vice President for Student Affairs officially interprets this policy. The Assistant Vice President for Campus Life & Diversity is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to the Assistant Vice President for Campus Life & Diversity.

FREEDOM OF SPEECH AND EXPRESSION AND CAMPUS SPACE UTILIZATION POLICY CONTENTS

This policy applies to activities conducted on university property. The restrictions are designed to comply with Code of Virginia sections 23.1-900.1 and 23.1-401 and are narrowly tailored to serve the university’s interest in maintaining the safe and effective educational and administrative operations of the university without regard to the viewpoint of any speech or expression.

NSU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is strictly prohibited.

General Prohibitions

The U.S. Constitution, its First Amendment, and the Code of Virginia do not protect certain expressions. Such expressions include the following, all of which are prohibited by NSU on

NSU property: defamation, incitement to unlawful conduct, imminent threats of actual violence or harm, obscenity, fighting words, copyright or trademark violation, criminal or civil harassment, sexual harassment, trespass, and false advertising. The university further prohibits any person from interfering with university and authorized functions, activities, and events and from participating in unlawful conduct on university property. As such, in engaging in expressive activity no person may do any of the following on university property:

1. Obstruct or impede vehicular, bicycle, pedestrian, or other traffic;
2. Obstruct any entrance or exit to any building, assembly space, driveway, parking lot, vehicular path, stairway or walkway or impede entry to or exit from any such area;
3. Disrupt, disturb, or interfere with educational or administrative activities, events, or operations inside or outside any building;
4. Enter into any building or facility or occupy any university property without appropriate authorization;
5. Violate any applicable federal, state, or local law, rule, or ordinance;
6. Fail to comply with any reasonable instruction by university police or any university official acting in the performance of their duty;
7. Cause any threat to the health or safety of any passerby or member of the university community;
8. Obstruct, disrupt, or attempt by physical force to cancel or discontinue speech by any speaker, or the observation of speech by any person intending to see or hear a speaker;
9. Damage university property, including structures, grass, shrubs, trees, or other landscaping;
10. Mark university property, including any vertical or horizontal surface, other than in accordance with written requirements, such as rules for authorized chalking;
11. Use amplified sound, including bullhorns, except as approved in advance under applicable policy and within sound limits that will not disrupt university operations; or
12. Organize or lead any major event, as described in this policy without written authorization as set forth in that section.

Use of University Property

University property, including outdoor areas, is designated primarily for use by students, faculty, and staff to advance the educational mission of the university. Any university student or employee may generally use campus spaces in accordance with university policy. However, any other person may use university property for assembly or organized expressive activity only (1) if sponsored or hosted by a member of the university community with authority under an applicable university policy or (2) by reserving a specifically designated area through the process set forth in this policy.

The university may require any person to pay applicable rental or usage fees and comply with appropriate contractual obligations. In addition to complying with the restrictions set forth in this policy, persons desiring to use certain university spaces must comply with standard

requirements established by the university office responsible for the specific space. Such requirements, including restrictions for reservation, scheduling, insurance, posting and other use of such space, must be consistent with this policy and other reasonable time, place and manner restrictions and not based on the content or viewpoint of the expressive activity or the persons involved. If any such restriction conflicts with this policy, this policy governs.

Instructions for Specific Uses of University Property

A. Non-University Commercial Use

Any commercial use of university space must be authorized in writing by the vice president with oversight of the administrative unit managing the space or designee authorized by that vice president. Commercial door-to-door activities and commercial solicitations are prohibited. The university does not permit the solicitation, distribution or selling of products or services of any kind at any time on university property by university employees other than as a required job function.

B. Events

Any person organizing an event must comply with this policy regardless of any expressive purpose of the event and whether the event is planned in advance. Advance notice and written authorization are required only for major events and event reservations, as described below. However, NSU Police request notice prior to commencement of any event or activity to promote the safety and security of all persons on campus. University officials will coordinate with the primary organizer or responsible person regarding appropriate logistical issues related to safety, time, and location.

Advance notification must include the day, time, anticipated attendance, items or equipment associated with the event, the planned location(s), and the full name and detailed contact information for the primary organizer and/or person responsible for the activity. University officials will also consider factors such as required accommodations, traffic, noise, time, relationship to nearby areas and activities, security needs, and other relevant viewpoint-neutral facts and circumstances to determine to what extent (a) a suitable location exists and (b) special precautions or arrangements are necessary.

a. Events requiring authorization (major events):

All major events require advance notice and permission from the university because they may disrupt university functions or activities, destroy property, or present insurmountable or unreasonable logistical or security challenges. A major event is an event, other than an academic course, program, or curriculum approved by the provost, which involves any one of the following risk factors:

1. Expected attendance over 50 persons;
2. Setting with safety concerns (including time and location) based on assessment from the NSU Police;
3. The event is a dance or concert, regardless of how many attendees;
4. Presence of any object or substance requiring review by the Office of Environmental Health and Safety, including but not limited to any animal, open flame, firework, pyrotechnic, or other flammable or hazardous item;
5. Installation of any structure, such as a tent, stage, scaffold, bleacher, bounce house, or carnival- style ride;
6. Alcohol served; or
7. Outdoor amplified sound, including but not limited to bullhorns, Bluetooth speakers, etc.

To request authorization for a major event, students should contact the Assistant Vice President for Campus Life & Diversity or the Director for Auxiliary Enterprises & Services for appropriate guidance. Employees and members of the public should contact Auxiliary Enterprises & Services at (757) 823-8085. The process to request the use of facilities for an event reservation is described below. (However, major events may not be reserved through this process.):

i. Event reservations by students and employees

Students and employees may reserve certain campus facilities or areas by submitting requests online through <https://25live.collegenet.com>. Such requests should be submitted within 14 working days of the planned event to allow sufficient time for logistical support and to otherwise comply with applicable facility requirements.

ii. Event reservations by members of the public

The university has designated certain campus facilities/spaces for use by any person, including members of the general public, by reservation. These facilities/spaces are available by reservation only. Reservations will be granted to members of the general public on a space-available basis and denied only if sufficient space is not available. All requests for reservations of space by members of the general public must be made through NSU's Office of Conference Services by calling (757) 823-8085. Information is also available on the Conference Services website. Such requests should be submitted at least 14 working days from the date of the planned event.

In addition, a student or employee may host or sponsor an event in cooperation with members of the public as invited guests. The sponsor or host may reserve university space for such sponsored or hosted events according to applicable reservation

requirements and may be held accountable under applicable university conduct policies for use under the reservation, including for use by an invited guest. In such cases, invited guests may use the reserved space consistent with restrictions applicable to the sponsor or host. The university may rescind the invitation of a guest for failure to comply with applicable restrictions. Unsponsored public speaking, distribution of literature, or other expressive activity by members of the public is prohibited on campus other than by reservation under this section.

iii. Event Fees and Charges

All persons and event organizers are responsible for costs of damage, repair and clean up arising from their use of university facilities. Examples of such costs related to event reservations include the cost of providing tents, platforms, special fixtures and equipment, or the assignment of maintenance or security personnel. The university will determine any fee for security based on viewpoint-neutral standards used to assess risk, such as the number of expected attendees as determined by the university, the location of the event, the time of day, and presence of alcohol or special equipment. Consistent with lawful protection of expressive activity, NSU will not charge security-related fees based on the content of the expressive activity, the likelihood of disruption caused by others than event attendees, or the actions of those who may protest the expressive activity.

C. Placement of Materials on Campus

Printed materials, writings, or other tangible means of expression may not be attached to University property, including sidewalks, trees, walls, or other property (including on vehicles parked on campus), except: (1) that such materials may be placed on outdoor bulletin boards designated as public bulletin boards--all postings on public bulletin boards will be removed at regular intervals; and (2) banners promoting a University or NSU sponsored event may be displayed at location designated as approved locations in advance.

Printed materials, writings, or other tangible means of expression may not be placed on any interior surface of any University building without the written permission of the relevant Building Supervisor and in accordance with the rules established for each building. Permission shall include a designated date for removal.

Individuals and organizations are responsible for cleanup, property restoration, and for any associated costs incurred by the University from their activities. Individuals and organizations are also responsible for the content of any signage, pamphlets, or structure that they post, distribute, or erect on campus. Furthermore, the University reminds any

organization distributing materials to be aware of laws concerning defamation, obscenity, fair labor practices, etc.

D. Reporting Violations of this Policy

Any suspected violation of this policy shall be promptly investigated by the university, and corrective action will be taken when warranted. Members of the public who are suspected of violating this policy may be removed from University property by the Campus Police. Students who are suspected of violating this policy may be referred to the Dean of Students Office for possible Code of Student Conduct violations. Employees who are suspected of violating this policy may be referred to the Office of Human Resources for possible job action. Students should report suspected violations to the Assistant Vice President for Campus Life & Diversity at 757-785-3866. Employees should report such violations to the Office of Human Resources at (757) 823- 8160.

EDUCATION AND COMPLIANCE:

The Division of Students Affairs will provide annual training on the provisions of this policy to all members of the University Community. Training will incorporate accepted best practices in the area of Freedom of Speech on Campus.

PUBLICATION:

This policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Executive will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community, including current and prospective students, within 14 days of Board of Visitors approval;
- Submit this policy for inclusion in the online Policy Library within 14 days of approval; and
- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

REVIEW SCHEDULE:

- Next Scheduled Review: March 2024
- Approved by: XX/XX/XXXX; Board of Visitors, March 19, 2021
- Revision History: May 3, 2019; December 11, 2020

Supersedes: *None*

RELATED DOCUMENTS

- NSU Conference Services and Events Policies for Facility Use and Fees Manual <http://www.nsu.edu/auxiliary-services/forms>
- Virginia law governing speech on campus, Va. Code § [23.1-401](#) and [23.1-401.1](#)

FORMS:

Conference Website:

<https://www.nsu.edu/auxiliary-services/forms>

REFERENCES:

- <https://www.equalityhumanrights.com/en/our-work/news/freedom-speech-education-foundation-effective-society>
- <https://www.aclu.org/other/speech-campus>
- <https://mtsu.edu/first-amendment/post/637/college-students-support-free-speech-with-exceptions>
- <https://www.insidehighered.com/news/2019/09/16/states-passing-laws-protect-college-students-free-speech>



TO: Dr. Gerald E. Hunter
Vice President Administration and Finance

FROM: Monique D. Robinson
Director of Procurement Services

DATE: November 18, 2024

SUBJECT: Level II Institution of Higher Education Memorandum of Understanding
Certification for Five Year Renewal December 8, 2024 – December 9, 2029

On December 8, 2021, the University and the Commonwealth of Virginia entered the original three-year Memorandum of Understanding (MOU), with the appropriate Cabinet Secretaries, as designated by the Governor, granting operational authority, for the functional areas of information technology and procurement.

Substantial compliance by the University with the terms of the agreement and the Governor not exercising his/her authority to terminate the agreement as provided in the memorandum of understanding, the agreement shall automatically renew for an additional five-year term.

As Norfolk State University Director of Procurement Services, to the best of my knowledge and belief, I certify that the university remains in compliance with the terms of the MOU and submit this memorandum as documentation for continued procurement operation as granted by the Commonwealth of Virginia and appropriate Cabinet Secretaries and approved by the Norfolk State University Board of Visitors.

CERTIFICATION

I certify that the requirements of the 2008 Acts of Assembly, Chapters 824 and 829, procurement operational authority, have been met.

Monique D. Robinson
Director of Procurement Services
Norfolk State University
Level II Institution of Higher Education



SUBJECT: Level II Institution of Higher Education Memorandum of Understanding

Certification for Five Year Renewal December 8, 2024 – December 9, 2029

On December 8, 2021, the University and the Commonwealth of Virginia entered into the original three-year memorandum of understanding, with the appropriate Cabinet Secretaries, as designated by the Governor, granting operational authority, for the functional areas of Procurement and Information Technology.

If the university remains in substantial compliance with the terms of the agreement and the Governor has not exercised his right and power to terminate the agreement as provided in the memorandum of understanding, the agreement shall automatically renew for an additional five-year term.

As Norfolk State University Director of Procurement Services, to the best of my knowledge and belief, I certify that the University remains in compliance with the terms of the memorandum of understanding and submit this memorandum as documentation for continued procurement operation as granted by the Commonwealth of Virginia and appropriate Cabinet Secretaries and approved by the Radford University Board of Visitors.

CERTIFICATION

The University hereby certifies that all **general criteria** satisfied in the original MOU is still in good standing and where applicable shall continue to be so for the term of this renewal of the subsequent memorandum of understanding.

- The University continues to receive certification pursuant to § 23-9.6:1.01 of the Code of Virginia from the State Council of Higher Education for Virginia (“SCHEV”) during the renewal period including the most recent fiscal year for which SCHEV has completed certification, and has maintained, and shall continue to maintain, that certification.
- The University’s Board of Visitor, by at least two-thirds vote in the affirmative through a Resolution adopted on November 5, 2021, expressing that the University is qualified to be, and should be, governed by separate MOU’s for Procurement and Information Technology authority.

The University hereby certifies that all **functional criteria** originally satisfied in the original MOU, is still in good standing and where applicable shall continue to be so for the term of this renewal MOU.

- Decentralized Procurement Authority: The University has decentralized procurement authority delegated it by the Department of General Services pursuant to Chapter 11 (§ 2.2-100 et seq.) of Title 2.2 of the Code of Virginia.
- Virginia Public Procurement Act: The University remains in compliance with the requirements of the Virginia Public Procurement Act, Chapter 43, (§ 2.2-4300 et seq.) of Title 2.2 of the Code of Virginia. As part of the Level II authority requirements, the



We see the future in you.

University adopted the *Rules Governing Procurement of Goods, Services, Insurance and Construction by a Public Institutions of Higher Education of the Commonwealth of Virginia*.

- **Rules.** The University adopted the *Rules Governing Procurement of Goods, Services, Insurance and Construction by a Public Institutions of Higher Education of the Commonwealth of Virginia* contained in Attachment 1.0 to §3.0 of the second enacted clause of *Chapters 824 and 829* to govern the University's procurement of goods, services and insurance.
- **Certification.** The University's Chief Procurement Officer and all current buyers have and shall maintain the Virginia Contracting Officer ("VCO") certification. Any new buyers hired will attain certification within two years of hiring.
 - The Department of General Services issued a written exemption, dated October 21, 2011, allowing all Higher Education Institutions who entered a MOU to be exempt from the requirements that the University's Chief Procurement Officer and buyers maintain their Virginia Contracting Officer (VCO) as well as the requirement that newly hired buyers obtain their VCO within two years of hire. Higher Education Institutions who adopted the "Rules Governing Procurement of Goods, Services, Insurance and Construction" (Rules) were granted this exemption based on replacing the VCO with VASCUPP training and certification program, or an equivalent.
- **Small, Women, and Minority-owned (SWaM).**
 - The University's Small, Women, and Minority-owned business ("SWaM") Plan goals and its aspirational SWaM plan goals, signed by the Agency Head, have and will continue to be submitted as required.
- **Policy and Procedures.** As its implementing policies and procedures for the procurement authority granted by this Memorandum of Understanding, the University will continue to use (i) the Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and their Vendors (the "Manual"), other than those provisions of the Manual requiring state agency review or approval for procurements covered by Chapters 824 and 829, including by the Department of General Services and its Division of Purchases and Supplies, and (ii) the University's internal procurement policies and procedures to implement the Rules and the Manual.

Furthermore, this recertification is for the five-year renewal of the MOU for the current term ending December 8, 2024.

NORFOLK STATE UNIVERSITY BOARD OF VISITORS

RESOLUTION TO APPROVE CONTINUATION OF LEVEL II AUTHORITY

WHEREAS, the 2005 Session of the General Assembly enacted Chapters 933 and 945, Acts of Assembly, known as the Restructured Higher Education Financial and Administrative Operations Act (the "Act"), now codified at Chapter 10 of Title 23.1, Sections 23.1-1000 through 23.1-1028 of the *Code of Virginia* (1950), as amended, and

WHEREAS, the 2008 Session of the General Assembly enacted Chapters 824 and 829, Acts of Assembly to amend and reenact §23-38.90, now codified at §23.1-1003 of the *Code of Virginia* relating to operational authority for public institutions of higher education in information technology, procurement, and capital projects excluding leases of real property, and which allows the University to enter into a memoranda of understanding for additional operating authority in two, but no more than two of these three areas; and

WHEREAS, as November 5, 2021, the University and the Commonwealth of Virginia entered into original memoranda of understanding with the appropriate Cabinet Secretaries, as designated by the Governor, granting appropriate operational authority, for the functional areas of information technology and procurement.

WHEREAS, the University desires to continue the operational authority originally granted and as required must enter into a subsequent memoranda of understanding with the Commonwealth. As a condition to entering into subsequent memoranda of understanding, the Board of Visitors must approve a resolution affirmed by at least two-thirds of the Visitors expressing the sense that the institution is qualified to be, and should continue to be, governed by such subsequent memoranda of understanding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Visitors does hereby approve that the President of the University, the Vice President for Administration and Finance and CFO and the Vice President for Operations & Chief Strategist for Institutional Effectiveness are authorized to proceed in cooperation with the applicable Cabinet Secretaries to obtain the additional operating authority outlined in §23.1-1003 of the *Code of Virginia* relative to information technology and procurement and to take all actions deemed by them to be necessary or advisable to facilitate this understanding.

BE IT FURTHER RESOLVED, that upon approval of the subsequent memoranda of understanding with the applicable Cabinet Secretaries, the President of the University, the Vice President for Administration and Finance and CFO, and the Vice President for Operations & Chief Strategist for Institutional Effectiveness are granted full continuation of the additional authority and responsibility of management of the information technology and procurement functions of the University outlined in §23.1-1003 of the *Code of Virginia*.

Approved:

Kim W. Brown, Rector

Dr. Katrina Chase, Secretary

Policy Title: Naming Policy
 Policy Type: Board of Visitors
 Policy No.: BOV Policy # 14 (2020)
 Approval Date: March 19, 2021
 Responsible Office: Division of University Advancement
 Responsible Executive: Vice President for University Advancement
 Applies to: University Community

POLICY STATEMENT

Institutions of higher education have long offered naming opportunities as an important part of their recognition and fund-raising efforts. Norfolk State University (NSU) recognizes the value of these commemorations, especially for those within the University Community who have rendered distinguished service to the University and/or made a substantial contribution to the University or a University-related foundation. Such naming actions should not detract from the University's values, integrity, or reputation, nor create a conflict of interest, or the appearance of a conflict of interest, or confer special privileges.

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10 PURPOSE

The purpose of this Policy is to define the requirements for making and receiving recommendations for the naming of facilities and spaces at (hereafter NSU). This Policy contains procedures to ensure a coordinated and equitable process for approving current and future naming proposals and for protecting the wishes of donors. The Division of University Advancement shall ensure that all nominees for naming recognition applications meet the established guidelines and requirements as set forth by the Board of Visitors.

DEFINITIONS

Substantial Contribution: means the target gift amount for naming that is established for (a) a current, approved project; (b) a future project; or (c) an existing facility or space. A substantial contribution toward a project as part of the project budget must be approved by the Board of Visitors.

Facilities and Spaces: means physical structures or parts thereof; buildings or portions of buildings (such as classrooms, auditorium, foyer, library, etc.); and colleges or schools, academic programs, centers, institutes, or departments, outdoor and interior areas, spaces, features, or objects.

CONTACT

The Vice President for University Advancement officially interprets this Policy and is responsible for matters pertaining to this Policy. The Vice President for University Advancement is responsible for obtaining approval for any revisions as required by [BOV Policy # 01 \(2014\) Creating and Maintaining Policies](#) through the appropriate governance structures. Please direct questions pertaining to this Policy to the Division of University Advancement.

COMMEMORATIONS IN GENERAL

This Policy applies to naming opportunities for both new and existing facilities and spaces. All new and existing naming commitments shall be memorialized in a written agreement prepared by the Division of University Advancement in accordance with the guidelines set forth in this Policy. No agreement shall detract from the institution's values, dignity, integrity, or reputation, nor shall it create a conflict, or the appearance of a conflict of interest or confer special privileges.

In the event that there are any inconsistencies or ambiguities between this Policy and other University Naming Rights rules or practices, this Policy shall take precedence. Substantial

contributions may be made directly to the University or through University-related foundations or associations for the exclusive support of the University.

Named designations may be removed at any time if the honored individual or entity is found to be in violation of the laws of the Commonwealth of Virginia, engages in activities that bring dishonor to the University or Commonwealth of Virginia, or impugns the values of the University or Commonwealth.

The University reserves the right, on reasonable grounds, to revise the form of or withdraw recognition in the event of changed circumstances.

Process for Naming Opportunities

Parties interested in naming opportunities should direct the request or proposal in writing to the Vice President of University Advancement or the President of the University. A written agreement, specifying the nature of the gift, its purpose and how the project or program will be implemented, must be signed by the donor or designee, the Vice President for University Advancement and the Foundation's Executive Director prior to a request for approval by the University's Board of Visitors. The Vice President of University Advancement (or designee) shall oversee and manage the process of the written agreement and work closely with the Office of the President on requests for naming opportunities.

The Strategic Finance Committee (or the standing committee on University Advancement) must preapprove potential building/school or college naming opportunities while the Board of Visitors will review the final resolution. If the request or proposal conforms to the guidelines set forth in this Policy, the resolution shall be presented at the next meeting of the Board of Visitors for final approval. Any such agreement is not valid until approved by the Board and resolution passed.

The nominee shall be informed in writing and the appropriate university office(s) (e.g., University Events) shall take the necessary steps to prepare for the appropriate recognition ceremony or event if applicable.

Pledge Duration

Donors who pledge to donate funds and receive recognition benefits to name a facility or entity must commit to complete the payment no more than five (5) years from the date of the gift agreement. In some circumstances, and only with the authorization of the university's Vice President for University Advancement, a pledge payment schedule may exceed five (5) years.

Deferred Gift Commitments

Conditions for conferring a naming on the basis of a deferred-gift commitment vary, depending on whether a physical or non-physical entity is being named, and when the naming is to be conferred. Naming thresholds will increase over time. Future naming made on the basis of deferred gifts (e.g., bequests) will be conferred only if the gift meets the criteria in place for the specified purpose when

the gift is eventually received, unless otherwise approved by the Vice President for University Advancement.

A present-day naming opportunity may be reserved and named based on a gift commitment that defers payment (i.e., with a will commitment or deferred-gift vehicle) to a date more than five years from the agreement date only when all of the following conditions apply:

- A) The donor appropriately documents that his or her commitment is irrevocable or makes a revocable gift in tandem with an outright gift, aligned with current naming levels.
- B) The gift is not required for immediate use by the university (e.g., to complete a construction project, or for the immediate expansion of the programs of the benefiting unit).
- C) Actuarial and financial calculations indicate the net present value of the donor's commitment (i.e., its value in today's dollars) will be no less than if an outright gift in the full amount of the naming value were received today.
- D) The Vice President for University Advancement determines the conditions of the gift are beneficial to the university.

Buildings, Physical Facilities, and Other Commemorations

The University will consider commemorative naming of facilities and spaces, and the erection of plaques, signs, and portraits as a tribute in appropriate instances where the University has significantly benefited from the relationship with the person or organization, and such naming brings no adverse reflection on the institution. No university facilities or spaces shall be named without a concomitant monetary gift agreement and a minimum of 75% of the pledge payment received (with the exception of approved bequest gifts) at the established naming opportunity level. Minimum levels of financial support to the University shall be established for most naming categories by the Division of University Advancement in conjunction with the Board's standing committee on University Advancement. Marketability and the visibility of a facility or space will also be considered when determining the appropriate amount for such a naming opportunity. Levels of financial support shall be maintained and periodically updated in an Inventory of Naming Opportunities publication. The levels of financial support are not exclusive and exceptions to this requirement may be made by the Board of Visitors or upon recommendation by the University Advancement committee of the Board or the President.

Facilities or spaces may be named for a person or family associated with the University community who has rendered distinguished service to the University or who has made a significant contribution to society, or for a donor to the University whose gifts represent a "substantial contribution" toward the project cost, provided that the individual or family or donor has a prominent relationship with the University and/or the region, with a positive image and demonstrated integrity.

Corporations or organizations are encouraged to be major donors to the University by recognizing, with naming opportunities, an organization or individual important to their success.

The business entity shall have a prominent relationship with the University and/or the region, and have a positive image and demonstrated integrity. In the event of changed circumstances, the University reserves the right, on reasonable grounds, to revise the form of or withdraw recognition.

The name will appear on the building utilizing the appropriate signage as determined by the University, and on University maps and other documents in University approved lettering. No corporate logos will be permitted, except pursuant to the section, Athletics Facilities and Playing Fields Temporary Naming Rights Agreement. See page 4. Additionally, all names attached to facilities and/or spaces on the Norfolk State University campus are so attached for the useful life of the facility/space that bears the approved name. There is to be no assumed transferability of attached names from existing to new facilities/spaces on the Norfolk State University campus. However, the original donor will be given the first right of refusal to name the new facility/space at the approved funding level. Any naming from an existing facility/space to a new facility/space on the Norfolk State University campus is subject to review, discussion, and approval by the Norfolk State University Board of Visitors.

New and renovated facilities are imperative for the growth and success of the university. Donors may help NSU create an educational environment of excellence through facilities.

The NSU policy for naming buildings is as follows:

- A new building with 100 percent private funding requires at least 50 percent of the construction cost.
- A new building with public or private funding component requires at least 50 percent of the private fundraising goal.
- An existing building may be named at the discretion of university leadership in accordance with costs associated with renovation. When a new facility will afford multiple naming opportunities, the University executive responsible for the facility or academic unit, should consult with the Vice President for University Advancement before the full range of naming opportunities and their respective giving levels are finalized.

In all cases, a gift of at least \$5 million is required to name a building at Norfolk State University.

Other Physical Facilities/Outdoor Structures

Gifts may enable donors to name spaces within buildings, such as lecture halls, laboratories, conference rooms, specialty classrooms, and regular classrooms not pursuant to the Athletics Facilities and Playing Fields Temporary Naming Rights Agreement.

Minimum amounts are necessary to name facilities. They include:

FACILITY:	AMOUNT:
Laboratory	\$125,000 - \$250,000
Electronic Classroom	\$150,000

Distance Learning Classroom	\$75,000
Classroom/Offices	\$30,000 – \$125,000
Conference Room	\$50,000
Auditorium (with 150 or more seats)	\$400,000
Theater (with 150 or more seats)	\$1,000,000
Auditorium (with fewer than 150 seats)/Theater	\$200,000
Benches, fountains, outdoor plantings, memorial trees, other outdoor structures or areas	Varied costs – Contact University Advancement for more information

*If a structure is for a student memorial or a student project, the project costs is needed.

Athletics Facilities and Playing Fields Temporary Naming Rights Agreements

The University may enter into agreements with business entities to temporarily name athletics facilities or playing fields when the business entity makes a substantial contribution to the University's athletics program. An agreement to temporarily name an interior feature, object or space may also include the right to place a sign or signs, as deemed appropriate by the President, on the exterior of a building or in an outdoor area. A "substantial contribution" in this context means that facts and circumstances, including relevant market conditions, show that the business entity is making a substantial financial contribution to the University's athletics program.

Any such agreements must be reviewed and prepared by the Division of University Advancement in conjunction with the Athletics Department and University Counsel and presented to the Board's Strategic Finance Committee upon the recommendation of the President. Agreements for temporary naming rights shall be for a fixed term not to exceed 10 years. The Terms of the Agreement should be consistent with the contribution to the University and its Athletics Department.

Logos

The logo of a business entity may be included on the name temporarily affixed to an interior feature, object, space, building or outdoor area if the logo is part of a unique design created in part for the purpose of acknowledging the relationship between the University and the business entity.

Inclusion of a logo in a unique design on the name temporarily affixed to a building or outdoor area or affixed to an interior feature, object or space shall be approved by the Board of Visitors upon the recommendation of the President.

Academic and Major University Units

Contributions to name an academic or other major university unit must be able to transform the unit involved, enabling that unit to reach a level of excellence that cannot be achieved with state

or university funds alone. At a minimum, 75% of a gift to name an academic unit should be in the form of endowment support (unless otherwise approved by the Vice President for University Advancement), with income from the endowment used to provide a margin of excellence for the unit. The gift should not replace state funds previously made available to that unit.

Minimum endowment levels for colleges, departments, centers, and institutes include:

- School, college, or division — \$10,000,000
- University-wide Center or Institute — \$1,500,000
- College-based or unit-based Center or Institute — \$750,000
- Department-- \$500,000

Endowed Faculty Positions

Naming opportunities for chairs or professorships are available throughout campus. Endowed chair designation is linked to a select faculty position filled by an outstanding scholar and teacher, as judged by rigorous, nationally accepted standards. Named professorships typically are held by faculty members whose accomplishments indicate potential for national and international leadership and distinction in their field, and whose current efforts are focused on honing teaching skills and/or establishing a superior record of research or other scholarly activity.

Minimum levels for endowed faculty positions are:

- Chair — \$1,000,000
- Professorship — \$500,000

Some colleges, schools or departments may require higher amounts.

Lectureships and Lecture Series

Norfolk State University encourages naming opportunities for distinguished lectureships, presidential lecture series and visiting lecture series.

A distinguished lectureship is a select position to be filled by a top scholar who becomes a part of the NSU community for a specified period, but who typically does not accept a permanent position on the faculty. A presidential lecture series will bring to the university a variety of outstanding individuals with broad experience and expertise for presentations that will have university-wide and interdisciplinary appeal, while a visiting lecture series brings a variety of individuals with experience and expertise relevant to the special interests of a particular college or school.

Minimum endowment levels for lectureships and lecture series are:

- Distinguished Lectureship — \$1,000,000
- Presidential Lecture Series — \$1,000,000
- Visiting Lecture Series — \$250,000

Fellowships and Scholarships

Endowed fellowships and scholarships enable NSU to attract and retain the best and brightest students from throughout Virginia, the region, and the nation. Fellowships offer educational assistance primarily for graduate students and provide full or partial support that enables students

to complete their educational experience at NSU. Scholarships primarily offer educational assistance for talented undergraduate students.

The Foundation offers two types of scholarships, those which may be funded and awarded annually, and those which are awarded based on earnings from an established endowment.

The established minimum endowment levels for fellowships and scholarships are:

- Graduate Fellowships — \$250,000
- Presidential Endowed Scholarships — \$250,000
- Endowed Scholarships — \$25,000
- Annual Scholarships (non-endowed) — \$1,000

Presidential Endowed Scholarships

Donors seeking to strengthen undergraduate scholarships may establish endowments through the Presidential Endowed Scholars Program. In addition to providing competitive, multi-year scholarships to talented incoming students, this program also affords mentoring opportunities for donors and students.

The Presidential Endowed Scholarships challenge outstanding students to excel academically and distinguish themselves through their studies and campus leadership roles. Recipients of these prestigious scholarships are among the most elite students in the nation, who come to Norfolk State for the opportunity to further their educational goals as they aspire to make their benefactors proud.

Endowments for Presidential Endowed Scholarships can be established with gifts of \$250,000 or more.

Other Naming Opportunities

Endowed funds of excellence and awards allow the university to recognize outstanding teaching, service, research, and staff performance. Naming awards is an outstanding way to commemorate the work ethic, success or lifetime achievements of an outstanding individual.

An endowed fund for excellence may be established in support of a college, school, department, academic discipline, or other university program of interest to the donor. Typically, earnings enhance the selected program by supporting research, faculty development and travel, or for other education enrichment activities. Endowed funds for teaching, service, research, and staff awards recognize outstanding performance in the classroom, in service to the university, and in research by faculty, other professionals or support staff members in the specified college, school or division.

Minimum levels for funds for Spartan excellence awards and other types of endowments have been established. These include:

- Endowed Fund for Spartan Excellence — \$25,000
- Teaching, Staff, Service and Research Awards — \$25,000
- Other Endowments — \$25,000

EDUCATION AND COMPLIANCE

The Division of University Advancement will educate faculty and administrators that will have a role in administering this policy including Norfolk State University Foundation, Norfolk State University Athletic Foundation and the Norfolk State University Research and Innovation Foundation staff. Education sessions will occur for those with roles that include soliciting and accepting philanthropic gifts for NSU.

As necessary, the Division of University Advancement will educate and train all stakeholders and appropriate audiences on the policy’s content using virtual or face to face learning sessions. Participants are required to sign an NSU Naming Policy Training Acknowledgment Form.

Policy Compliance and Violations:

The Division of University Advancement will ensure conformity of the requirements of this policy. Violations of this policy will be reported to and addressed by the Vice President of University Advancement annually.

PUBLICATION

This Policy shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the Responsible Office shall make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of Board approval;
- Submit the Policy for inclusion in the online Policy Library within 14 days of Board approval;
- Post the Policy on the Board’s Website; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the Policy’s content, as necessary.

Failure to satisfy procedural requirements does not invalidate this Policy.

REVIEW SCHEDULE

- Next Scheduled Review: March 2024
- Approved by, date: Board of Visitors, March 19, 2021

- Revision History: April 27, 2016 review; May 6, 2005 (eff. July 1, 2004; approved June 16, 2004); April 27, 2016; May 6, 2016; September 15, 2017; November 13, 2023
- Supersedes: NSU Policy # 51. 005 Naming Policy (2021)

RELATED DOCUMENTS

There are no related documents associated with this policy and procedures.

FORMS

There are no forms associated with this policy and procedures.

ⁱNote: This policy was adapted from the Virginia Polytechnic Institute and State University Policy No. 12005 Rev.: 4 (April 1, 2008), Policy on Commemorative Tributes and University of Washington Board of Regents Governance Policy No. 6 (February 9, 2012), Facilities and Spaces Naming Policy.

Approval of BOV Policy # 33 (2019) Freedom of Speech and Expression and Campus Space Utilization	Yes	Yes	V	Yes	V	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	10-0
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Approval of Resolution to Operate as a Level II Institution of Higher Education Memorandum of Understanding Certification for Five Year Renewal December 8, 2024-December 9, 2024	Yes	Yes	V	Yes	V	Yes	Yes	V	Yes	Yes	Yes	Yes	Yes	10-0
Approval of BOV POLICY # 14 (2020) Naming Policy	Yes	Yes	V	Yes	V	Yes	Yes	V	Yes	Yes	Yes	Yes	Yes	10-0
Motion-Closed Meeting	Yes	Yes	V	Yes	V	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	10-0
Motion-Open Session	Yes	Yes	V	Yes	V	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	10-0

Approval of actions discussed regarding a high-level university employee at Norfolk State University, which includes discussion of the subject matter of job performance in a manner consistent with the discussion in closed session	Yes	Yes	V	Yes	V	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	10-0
Approval of the refinancing of the Spartan Suites as discussed in connection with matters discussed in closed session	Yes	Yes	V	Yes	V	Yes	Yes	--	Yes	Yes	Yes	Yes	Yes	10-0