

Robert S. Corn, Chair
Ross A. Mugler, Vice Chair
R. Bruce Bradley (ex-officio)
P. Murry Pitts (ex-officio)
Andrew Hodge
Elza Mitchum

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Kay Kemper (via Zoom)

Rudy Middleton

Rick Wyatt

President

Amber Kennedy
Brandi Hephner LaBanc
Maggie Libby
Donna Meeks
Tom Odom
Chad Reed
September Sanderlin
Ashley Schumaker
Wood Selig
Amanda Skaggs
Rob Wells
JaRenae Whitehead
Allen Wilson

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approved timely by supervisors in the departments in need of improving their records management practices to fully comply with the Virginia Public Records Act and University Policy, and the Athletic Business office also did not have a departmental continuity plan in place. Management is currently working towards being in compliance on their corrective action plans.

- ii. Activity and Status of Open Audit Issues Since April 2024 – Ms. Skaggs reported that there were 4 open action items in the April report and 4 are now complete, 18 items are in progress, and 2 are planned.

C. Discussion of Open Audit Projects

- i. Enterprise Data Storage and Recovery Survey
- ii. College of Engineering and Technology Survey
- iii. Student Financial Aid Survey
- iv. Onboarding Processes (Classified and AP Faculty) Survey
- v. Provisioning of Affiliate Access Planning
- vi. Special Projects and Other Activities

D. FY2024 Audit Plan Extension Proposal Ms. Amanda Skaggs requested an extension for the FY24 audit plan through calendar year 2024 in light of the pending merger with EVMS to include approving the standard annual engagement to be conducted during the FY2025, Office of the President FY2024 Expenditures, and Police Department Fiscal Activities FY2024.4S / T T d 7 8 a (n) - 3 c e n d . 9

discussion of matters other than that stated in the motion convening the closed session. I shall now take a roll call vote of the Board. All those who agree that only lawfully exempted matters and specifically only the business matters stated in the motion convening the closed session were discussed in closed session say "aye." All those who disagree say "nay." The certification was approved by roll call vote (Ayes: Corn, Mugler, Bradley, Pitts, Hodge Mitchum; Nays: None)

VI. Report from the Vice President for Human Resources Diversity, Equity, and Inclusion – Vice President for Human Resources, Diversity, Equity and Inclusion September Sanderlin presented the report.

A. Policy Updates-

- i. FLSA- The Fair Labor Standards Act latest update is going to be rolled out in stages. Effective July 1, 2024, the minimum salary threshold will change from \$35,568 to \$43,888. However, on January 1, 2025, the minimum salary threshold will be updated to \$58,656. Additionally, the highly compensated rate will change from \$107,432 to \$132,964 July 1 and on January 1 it will change to \$151,164.

The committee was informed that salary threshold adjustments under the FLSA are set to occur every three years, starting from July 2027. Previously, there was no such mechanism in place, but new regulations will mandate these adjustments.

As of the upcoming July 1st changes, the impact is minimal, affecting fewer than 20 employees initially, but now only eight employees due to a recent 3% state increase.

The FLSA updates for January 1, 2025, and every three year updates are being contested in Federal court in Texas by several businesses and national associations. VP Sanderlin shared that back in 2016 a similar contestation occurred, which delayed the FLSA updates at that time. The outcome of the current challenge may impact future updates. The FLSA updates will be brought to the attention of the committee as we learn more later in the year.

- ii. Virginia Commonwealth Second Chance Hiring Initiative There is a new statewide initiative focused on "Second Chance Hiring" commissioned by the Governor of Virginia. This program is designed to assist individuals recently released from prison in finding gainful employment. The initiative is a partnership between Virginia Works and the Department of Corrections. The initiative aims to facilitate reentry success for individuals coming out of prison by providing them with employment opportunities in -full-time classified positions, wage positions, and apprenticeship programs. The broader goal is to mitigate generational incarceration by offering sustainable employment opportunities to individuals who have served their sentences.

Our University, along with other institutions in sectors like healthcare, childcare, and education, which involve access to vulnerable populations, is not specifically targeted for participation in this program.

While the program's immediate impact on the University is minimal due to the nature of its operations and the populations it serves, it is important to be aware of the broader employment landscape changes. ODU remains committed to supporting second chances where feasible.

Background checks will continue to be a crucial part of the hiring process for classified positions, wage positions, faculty, and administrative roles.

- iii. Title IX- VP Sanderlin introduced Title IX Coordinator, A. Kate Couch, to present to the committee on upcoming regulatory changes. Ms. Couch shared updates on the 2024 Title IX regulatory changes from the Department of Education and the Office for Civil Rights. The Title IX Statute has not changed; however, the regulations that the U.S. Department of Education uses to enforce the statute are changing August 1, 2024, and institutions must have updated policies by this date.

Ms. Couch shared three main terminology and scope changes with the term "sex-based harassment" replacing "sexual harassment," the definition of quid pro quo has been expanded, and a hostile environment was redefined. Sex discrimination now includes differential treatment, which provides a broader scope of protection and reporting. Off campus activities that create a hostile environment on campus or school-sponsored programs are now under the University's scope of responsibility. Also, included in the changes is a Federal mandate on annual training.

The implementation team which includes ODU and EVMS is working together drafting the new policy to meet the August 1 deadline and stay informed about potential legal changes that may affect the implementation timeline.

- B. Administrative and Professional Faculty Appointments- VP Sanderlin shared with the Committee that there were 650 Administrative and Professional Faculty appointments. The appointments will be reviewed for approval at the full board meeting on Friday, June 14, 2024.
 - i. ODU Faculty Appointments 17 appointments in total
 - ii. EVMS Faculty Appointments 393 appointments in total
 - iii. EVMS Restricted Medical Faculty Residents 544 appointments in total
 - iv. EVMS Librarians w/Rank 6 appointments in total

VII. Adjournment - There being no further business, the meeting adjourned at 12:07 p.m.