



Board of Governors Regular Meeting

June 10, 2026 | 1 p.m.

Conference Center, Brad D. Smith Foundation Hall

COMMITTEE MEETINGS:

Athletics Committee - 10 a.m., Conference Center, Brad D. Smith Foundation Hall

Academic and Student Affairs Committee - 11 a.m., Conference Center, Brad D. Smith Foundation Hall

Finance, Audit and Facilities Planning Committee - 11 a.m., Moses Board Room, Brad D. Smith Foundation Hall



June 10 2026 Board of Governors Regular Meeting

AGENDA

1 p.m.

Lunch

Lunch for board members will be provided from Noon to 1 p.m.

Call to Order

Geoff Sheils, Chair

Approval of Prior Minutes

Geoff Sheils, Chair

Regular Meeting of April 8, 2026

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Classified Staff Council Annual Update

Lacie Bittinger, Chair, Classified Staff Council

Committee of the Whole

Approval of Revisions to Board of Governors Rule No. GA-3 - Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation Policy - Including Title IX

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H. Toney Stroud, Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

Committee Reports

Academic and Student Affairs Committee

Kathy D'Antoni, Chair

Action Items

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Review Recommendations

Robert Bookwalter, Interim Provost and Senior Vice President for Academic Affairs

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H. Toney Stroud, Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

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David Gozal, Dean and Vice President for Health Affairs,

Finance, Audit and Facilities Planning Committee

Kathy Eddy, Chair

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the State Institutions of Higher Education

Deferred Maintenance Grant Program

Brandi Jacobs-Jones, Senior Vice President for Operations

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on Northcott Court

H. Toney Stroud, Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

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Phase 1 (Fall 2027) and Phase 2 (Fall 2028)

Matt Tidd, Chief Financial Officer

Approval of Restructuring of Institutional 147

Merit Awards Beginning with Fall 2027

Freshman Class

Matt Tidd, Chief Financial Officer

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Matt Tidd, Chief Financial Officer

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Brandi Jacobs-Jones, Senior Vice President for Operations

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Perry Chaffin, Director of Audits

Athletics Committee

Jim Smith, Chair

Action Items

Information Items

Athletics Report - "Student-Athlete First: 158

Building Champions Beyond the Game"

Gerald Harrison, Vice President and Director of Athletics;

Niesha Campbell, Deputy Director of Athletics / Chief

Operating Officer / Senior Woman Administrator

—

Student-Athlete Success & Well-Being

Competitive Excellence & Winning the Right Way

Fan Experience & Community Engagement

Revenue Growth & Resource Development

Facilities & Capital Projects

President's Report

Brad D. Smith, President

Report from the Nominating Committee/Election of Officers

William Smith, Co-Chair

Executive Session under the Authority of WV Code §6-9A-4

H. Toney Stroud, Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

Commercial Competition Matters

Brad D. Smith, President

Chairman's Report

Geoff Sheils, Chair

Announcements

Geoff Sheils, Chair

Adjournment

Geoff Sheils, Chair

Upcoming Meeting Dates

August 3-4, 2026 (Retreat and Regular Meeting)

October 7, 2026

December 2, 2026

February 3, 2027

April 7, 2027

June 2, 2027

MINUTES
Marshall University Board of Governors
Microsoft Teams Meeting at
Shawkey Dining Room, Memorial Student Center
Livestream and In-Person
April 8, 2026

Present: Kathy D’Antoni, Vicki Dunn-Dionne, Kathy Eddy, Carleen McNeill, Angel Moore, Samuel Moore, Robin Riner, Geoff Sheils, Bill Smith, Jim Smith, Connor Waller, Charles Webb

PH: Kipp Bodnar, Donnie Holcomb, Ginny T. Lee, Charles Wendell

I. Call to Order

Subsequently, upon confirming the presence of a quorum, Chairman Sheils called the meeting to order.

II. Minutes Approval

Upon a motion by Kathy D’Antoni, seconded by Vicki Dunn-Dionne, the minutes of the regular meeting held on February 5, 2026, and special meetings held on February 17, 2026, and March 18, 2026, were approved.

III. Faculty Senate Update

Shawn Schulenberg, Faculty Senate Chair gave the Faculty Update. He began by thanking the Board for the opportunity to speak, noting that this marked his fourth and final address as Faculty Senate Chair. He shared that a new senate has been elected and a new chair will be selected at the end of June, as he prepares to begin a sabbatical.

Using the metaphor of a garden, Dr. Schulenberg reflected on the complexity of decision making within a university. He explained that, like a garden, the institution must balance multiple purposes such as productivity, community value, and preservation while working within finite resources. He emphasized that before making decisions, it is essential to understand the purpose of the “garden” and what is most important to sustain.

He described Marshall University as a “complicated garden,” tasked with providing broad education, supporting research and creative work, contributing to the region’s quality of life, fostering diverse perspectives, and preparing students not only for careers but for lifelong citizenship and civic responsibility.

Dr. Schulenberg acknowledged past challenges, noting that over time, programs expanded beyond what available resources could sustain. This resulted in limited investment across too many areas, preventing some programs from fully thriving. He recognized that the Board chose a more deliberate and thoughtful approach rather than making sweeping cuts, instead focusing on strategic planning and targeted investment.

He credited the university's recent progress, including addressing structural financial challenges, expanding access through initiatives like Marshall for All, increasing research activity, and developing the IDEA District, to collaborative efforts and shared governance among faculty, staff, administration, and the Board.

At the same time, Dr. Schulenberg raised concerns about overreliance on measurable outcomes such as enrollment, retention, graduation rates, job placement, and research funding. While acknowledging their importance, he cautioned that these metrics can shift institutional focus over time and may overlook less measurable but equally important aspects of the university's mission.

He emphasized the importance of preserving elements such as intellectual curiosity, open and civil discourse, ethical judgment, cultural and artistic engagement, and the development of well-rounded individuals. He noted that these qualities are harder to measure but are central to the university's role in fostering a healthy and pluralistic society.

Dr. Schulenberg concluded by reaffirming the university's broader mission to advance the public good through education, stressing that Marshall must continue to cultivate not only measurable outcomes but also the deeper intellectual, civic, and human development of its students. He closed by expressing his appreciation for the opportunity to serve and his confidence in the university's future.

IV. Committee Meeting Reports

Academic and Student Affairs

A) Approval of Revisions to Board of Governors Rule No. AA-6 -Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation & Emeritus Status

The following resolution was read:

Resolved, that the Marshall University Board of Governors approve the revisions to Board of Governors Rule No. AA-6 - Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation & Emeritus Status.

** This policy encompasses a comprehensive framework designed to manage the professional lifecycle of faculty members within Marshall University. The objective of this policy is to establish equitable and appropriate criteria, eligibility, expectations, notification, procedures, and standards for faculty from their initial appointment through to their potential transition to emeritus status, and the formation of promotion/tenure policies at the Academic Unit and Department levels. The adoption of the revised Rule AA-6 is necessary to modernize and unify Marshall University's promotion and tenure framework, which is currently fragmented across multiple outdated policies. The new policy provides a comprehensive, transparent, and equitable structure that addresses all aspects of the faculty life-cycle from appointment and classification through promotion, tenure, dismissal, resignation, and emeritus status-within a single governing document. It ensures consistency across academic units, incorporates nationally recognized best practices (including external review processes, tenure-clock extensions, and expanded faculty*

classifications), and aligns Marshall with peer R2 institutions and West Virginia statutory requirements.

This update enhances clarity for faculty, administrators, and review committees, while strengthening protections for academic freedom and due process. Upon approval of this resolution, this Rule will be posted at <https://www.marshall.edu/policies/> and a comment period will open and remain open until Wednesday, May 20, 2026. If substantive comments are received, a final policy will be presented to the Board for approval at a subsequent meeting. If no substantive comments are received, the policy will be considered approved in its current form with an effective date of the end of the comment period.

Upon a motion by Samuel Moore, seconded by Kathy Eddy, without further discussion, a vote of aye, no objections and the motion carried unanimously.

Prior to the committee reports, Dr. Kathy D'Antoni recognized a Faculty Recognition Program honoree for exceptional academic and research achievements. During this time, Dr. D'Antoni recognized Dr. Jagan Valluri (Biological Sciences) along with former faculty member Dr. Pier Paolo Claudio of the Joan C. Edwards School of Medicine for reaching a significant milestone.

Dr. Valluri stated that their ChemoID platform is designed to help physicians prioritize treatment by testing a patient's living tumor cells against approved chemotherapies to identify which drugs are most effective for that individual. Clinically validated through randomized trials, ChemoID has demonstrated improved overall survival in patients with glioblastoma multiforme (GBM) when therapy selection is guided by the assay. The U.S. Food and Drug Administration has reviewed the submitted clinical data and granted ChemoID Breakthrough Device Designation, recognizing its potential to significantly improve care for patients facing this aggressive brain cancer.

Provost Report

Interim Provost Robert Bookwalter gave the Provost's Update. He began by congratulating Dr. Valluri and his research partners on their recent achievements and noted that, as he reviews reports from across the university, he consistently finds outstanding work being done by faculty, staff, and students.

He provided an update on the recent Higher Learning Commission accreditation visit, which had been postponed earlier in the year due to severe weather. The visit took place the previous week and was described as very successful. While additional steps remain in the process, early feedback from the review team was encouraging, particularly regarding the thoroughness of the university's report and supporting materials. He expressed appreciation to Susan Tusing for leading the multi-year effort, as well as to faculty, staff, Board members, and campus leadership who participated in meetings with the review team. Dr. Bookwalter also shared that interviews for the Dean of the College of Liberal Arts have concluded, and the selection process will soon move forward, with an announcement expected in the near future.

He highlighted several recent accomplishments across campus, beginning with the fifth annual Student Research and Creativity Symposium, which featured more than 150 students presenting research and creative work. He also noted the success of CyberCon 2026, hosted by

the Institute for Cybersecurity, which brought together professionals, students, and leaders in the field, including keynote speaker retired General Keith Alexander.

He recognized the Thundering Word Speech and Debate team for placing tenth nationally at the Phi Kappa Delta National Tournament, with Joshua Hardesty earning fifth-place speaker honors and Mason Wheeler placing seventh. He also highlighted awards earned by WMUL-FM students at the Intercollegiate Broadcasting System Awards in New York City.

Dr. Bookwalter noted continued academic success across colleges, including multiple faculty and student research publications in the College of Engineering and Computer Science. The College of Education and Professional Development achieved reaccreditation for its counseling program, hosted a record-setting Appalachian Studies Conference with over 1,000 participants and 254 sessions, and contributed to the distribution of 146,000 books statewide through the Dolly Parton Imagination Library initiative.

In the College of Health Professions, the Doctor of Physical Therapy program reached full capacity and presented at a national conference. In the College of Liberal Arts, faculty and students contributed to a West Virginia Public Broadcasting documentary, and a student was selected for a prestigious West Virginia Senate internship. He also noted recognition of ChemoID the research and the designation of the Society of Physics Students as an Outstanding Chapter nationally.

He shared updates from the Division of Aviation, including expanded training programs and continued support from Embraer, which sponsored students to attend the Women in Aviation conference. The Lewis College of Business reported strong student outcomes, including a 100% pass rate in key areas of the Master of Accountancy program and recognition of distinguished leaders at its Business Hall of Fame event.

Dr. Bookwalter also highlighted exceptional outcomes in the School of Pharmacy, where graduates achieved a 100% pass rate on the Multistate Pharmacy Jurisprudence Exam and a 92% pass rate on the North American Pharmacist Licensure Examination, ranking among the top programs nationally.

Additional university initiatives included a library-led open textbook program saving students approximately \$250,000 annually, strong retention and success rates through the Center for Student Success, and increased utilization of counseling and accessibility services, prompting expansion into larger facilities.

He noted the launch of a three-year university-wide review of online courses to ensure quality and consistency across programs. He also highlighted the role of University College in supporting incoming, returning, and undecided students through advising and cohort-based learning.

Dr. Bookwalter concluded by recognizing the work of the Office of Career Education in preparing students for the workforce through internships, job shadowing, and career placement support, as well as efforts to track graduate outcomes and demonstrate the long-term value of a Marshall education.

Student Representative Update

Connor Waller, Student Body President, gave the Student Representative update. During his report, Mr. Waller shared several updates with the Board. He began by expressing his appreciation for the opportunity to speak and noted he would keep his remarks brief.

He reflected on the February “Food Fight” initiative with other Sun Belt Conference institutions, during which nearly 2,000 items were collected, valued at approximately \$300, all of which supported food insecurity efforts on campus. As a result, the Student Government Association (SGA) hosted a pop-up food pantry the week before spring break, serving nearly 100 students. He also shared that, through the support of a generous donor and in collaboration with Dr. Marcie Simms, SGA plans to host another pop-up pantry during finals week.

Mr. Waller also highlighted SGA’s partnership with the Women’s Center in March to support its 50th anniversary, which included a successful collection of period products. Looking ahead, he announced that on April 22, SGA will partner with Community Service and Family Programs to host a Herd Day of Service, working alongside the Sustainability Department, the campus thrift store, and the Memorial Student Center on several projects.

He concluded by announcing the results of the recent SGA elections, naming Alyssa Davis as the next Student Body President and Jimmy John Jacob Jr. (JJ) as Student Body Vice President. Mr. Waller closed by expressing his gratitude for the support he has received during his time in the role and noted he would share more reflections at the next meeting.

School of Medicine Update

Dr. David Gozal, Dean and Vice President for Health Affairs, presented the School of Medicine update. He began by sharing major progress toward the development of a new medical education building for the School of Medicine. He noted that, with the support of President Smith and many others, the university hosted U.S. Senator Shelley Moore Capito on February 19 to announce more than \$32 million in federal funding for the project. This was followed by a \$30 million matching contribution from the state, bringing the project to approximately two-thirds of the total funding needed. He emphasized the continued importance of philanthropic efforts and ongoing advocacy to complete the campaign and highlighted the long-term value the medical school brings to West Virginia through education and workforce development.

Dr. Gozal discussed the School of Medicine’s focus on rural healthcare training, noting that Marshall maintains the only rural surgery program in the country. He shared that federal support has been secured to provide housing for residents during rotations at Logan Hospital, where trainees split time between Logan and Cabell Huntington and St. Mary’s. He emphasized that addressing housing needs is critical to supporting long-term physician training and encouraging graduates to remain in rural communities.

He reported strong outcomes from Match Day for the Class of 2026, noting that 82 fourth-year medical students participated and initially achieved a 96% match rate, which has since reached 100%. He emphasized that 41% of students matched into primary care fields, and another 41% will remain in West Virginia for residency training. He also noted that, for the fourth consecutive year, all residency programs achieved a 100% match rate, including the inaugural class of the anesthesia residency program. Incoming residents and fellows will begin July 1 following an intensive orientation period.

Dr. Gozal highlighted several student and faculty research achievements. He recognized MD-PhD student Renat Roytenberg for his work in translational science, particularly research on COVID-related clotting risks and predictive identification of individuals at higher risk for complications such as stroke or pulmonary embolism. He also noted recent research by Dr. Wei Li, whose study—accepted in a leading journal—identified a potential link between COVID-19 infection and increased lung cancer risk, particularly among individuals with a history of smoking, along with a proposed biological mechanism.

He provided leadership updates, announcing that Dr. Hisham Keblawi will serve as interim chair of Obstetrics and Gynecology while a national search is conducted, following Dr. David Jude's transition to a part-time role. He also announced that Dr. Rita Ryan will join as the new chair of Pediatrics, bringing extensive experience in neonatology, lung biology research, NIH-funded work, and academic leadership.

Dr. Gozal discussed ongoing research initiatives aligned with the university's focus on aging. He noted that the latest request for proposals received a record 12 submissions, with three projects selected for funding. These projects focus on pancreatic beta cell function in obesity and aging, aging-related lung cancer, and GeriNet, an AI-based system designed to identify West Virginia residents at higher risk for cognitive decline.

He also highlighted advancements in data science and clinical innovation. Dr. Trupti Joshi has developed a powerful AI-driven predictive analytics platform that integrates multi-omics data with electronic medical records to enable precision medicine approaches. Additionally, in collaboration with Intermed Labs, Dr. Heather Pinckard-Dover is developing new technology to improve targeting in deep brain stimulation procedures for Parkinson's disease and related disorders, with plans for broader implementation.

Dr. Gozal noted the success of the 13th Annual Quality Improvement and Patient Safety Summit, which featured a keynote presentation by Dr. Amanda Lenhard of the University of Pittsburgh Medical Center and included 47 projects led by residents and students focused on improving healthcare quality and safety.

He also recognized several honors and achievements, including Dr. Larry Dial's induction into the West Virginia Healthcare Hall of Fame, along with alumni Dr. Michael Kilkenny and Dr. Greg Rosencrance. He highlighted a well-received presentation by Dr. Jennifer Anderholm at the West Virginia Chamber of Commerce Women's Summit on physician wellness and burnout prevention.

Dr. Gozal concluded by highlighting continued community engagement efforts, including mobile healthcare outreach through "Marco's Bus," participation in events such as Hard Hats and Heroes, and the student-led Marshall Medical Outreach program serving underserved populations. He also shared updates on Project Pre-Med, which provides students from underserved communities with exposure to medical careers, with the next session beginning July 12. He noted several upcoming events, including the School of Medicine Golf Classic and graduation-related ceremonies in May.

Finance, Audit and Facilities Planning Committee

The following are action items from the Finance, Audit and Facilities Planning Committee:

A) Approval of Budget for Fiscal Year 2026-2027

The following resolution was read:

Resolved, the Marshall University Board of Governors approve the Marshall University Budget for Fiscal Year 2026-2027.

** We are presenting the FY27 Marshall University Budget for approval.*

Our enduring financial principles continue to inform our proposed budget choices for 2027.

Grow Students, Not Fees

A minimal 2.5% tuition increase for Resident Students while holding Non-Resident, International, and Metro tuition flat to FY26 levels.

A conservative +1% Fall 2026 vs Fall 2025 total enrollment increase is assumed. A series of strategic investments have been included in the FY27 Budget to ensure and outpace this assumption.

Invest in our Team

Included in the FY27 budget are market equity adjustments of \$550 for 326 employees that will bring all employees to their competitive market zone and a \$2.2M State-funded raise pool that will be allocated based on a progressive, equity-focused, tiered structure that will provide a larger percentage increase to lower-paid employees while still recognizing the efforts of all employees.

Take Care of the House

Finalize 19 “Shock and Awe” capital projects, while advancing the IDEA District and the Health Sciences Corridor.

Manage Our Strategic Resources

Continue to define financial resiliency levels to provide fiscal sustainability, strategic investments and transition to an accountable financial model. The University will maintain our financial resiliency levels at 12 months of debt service plus two months of operating expenses. In addition, a series of strategic initiatives have been launched to reignite growth and align expenses to performance and benchmark expectations in the future.

Net Result

A proposed FY2027 budget that continues a multi-year journey:

- Projected Revenue: \$364.7M (+4.2% vs 2026 Projected)*
- Projected Expense: \$383.4M (+2.1% vs 2026 Projected)*

Upon a motion by Kathy D’Antoni, seconded by Jim Smith, without further discussion, a vote of aye, no objections and the motion carried unanimously.

B) Approval of Schedule of Fiscal Year 2026-2027 Tuition and Fee Rates

The following resolution was read:

Resolved, that the Marshall University Board of Governors approve the Fiscal Year 2026-2027 tuition and fee rates.

** We are presenting the FY27 Tuition and Fee Rate schedule for approval.*

The University is proposing an overall 2.5% increase to undergraduate and graduate resident tuition and fees. The University is proposing to maintain Non-Resident, International, and Metro undergraduate and graduate tuition rates at the FY26 level.

The School of Medicine is proposing increases to first- and second-year students to better align with the market.

The University is also proposing increases to Capital Fees and Auxiliary Fees. Various other tuition and fee pricing changes are captured in the accompanying schedules. In addition, the University is proposing an average ~2.8% increase in Housing rates and 4% in Dining rates.

Upon a motion by Kathy Eddy, seconded by Kathy D’Antoni, without further discussion, a vote of aye, no objections and the motion carried unanimously.

C) Authorization of Reallocation of Funds from the State Institutions of Higher Education Deferred Maintenance Grant Program

The following resolution was read:

Resolved, that the Marshall University Board of Governors authorize reallocation of funds from the State Institutions of Higher Education Deferred Maintenance Grant program for projects described below.

Furthermore, the Board of Governors reaffirm its commitment to prioritize deferred maintenance projects at Marshall University and to ensure the necessary funding for these projects to be completed safely and effectively; and The Board of Governors authorize the President to execute any documentation necessary to effectuate the reallocation of funds for the below-listed projects as part of the deferred maintenance program.

** In June 2023, the Board of Governors approved the submission of thirty-one (31) deferred maintenance projects under the State Institutions of Higher Education Deferred Maintenance Grant program.*

Some of Marshall's projects came in under budget; therefore, staff now seeks authorization to reallocate funding for projects, as follows:

- Reallocation of \$20,000 from Science Building Air Handler Units (WVHEPC-024) and \$40,000 from Holderby Hall Demolition (WVHEPC-M-014), a total of \$60,000 to Campus Building Fire Alarm System Upgrades (WVHEPC-M-002 for improvements to the Mid-Ohio Valley Center (MOVC) and the Chemical Storage Building on main campus.*
- Reallocation of \$121,000 from Chiller Replacement (WVHEPC-M-004) and \$4,000 from Building Roof Replacement (WVHEPC-M-025), a total of \$125,000 for Elevator Modernization (WVHEPC-M-003R) additional expenses to address repairs beyond initial scope.*
- Reallocation of \$80,000 from Building Roof Replacement (WVHEPC-M-0025) for Smith Hall/Henderson Center Concreate Work (WVHEPC-M-013) for replacement of exterior stairs and handrails for the Henderson Center.*
- Reallocation of \$140,250 from Science Building Air Handler Units (WVHEPC-M-024) to Fine Arts Renovations (WVHEPC-M-009) for the replacement of interior doors. By authorizing this request, Marshall will be able to use and transfer funds from deferred maintenance projects that finished under budget, as well as reduce budgets for other projects, in order to finance outstanding repairs and ensure the scope of work is completed satisfactorily.*

Upon a motion by Samuel Moore, seconded by Vicki Dunn-Dionne, without further discussion, a vote of aye, no objections and the motion carried unanimously.

D) Approval of Purchase of Property Located in the Huntington Gideon District, Previously the Site of ACF Industry

The following resolution was read:

Resolved, that the Marshall University Board of Governors approves the purchase of property located in the Huntington Gideon District, previously the site of ACF Industry.

** Marshall University wishes to purchase 1.73 acres located in the Huntington Gideon District, which was previously known as the ACF Property and is currently known as the Foundry. Huntington Municipal Development Authority (HMDA) is the seller of the property.*

This property would be used to house the new Marshall Advanced Manufacturing Center (MAMC). This purchase would allow MAMC to greatly expand its popular SMART industrial systems maintenance program, shared flexible manufacturing space and long-standing CNC Machining program, which just received a \$1M naming rights gift from the Gene Haas Foundation.

There is a new EDA Industry Transformation Grant pending for this project, and the purchase would be expressly contingent on Marshall securing the grant funding to make this purchase.

The purchase price of the property would be \$500,000.

Upon a motion by Kathy D'Antoni, seconded by Kathy Eddy, without further discussion, a vote of aye, no objections and the motion carried unanimously.

Information Items

Of note, in the package, there are updates for:

*Facilities and Operations Update
Internal Audit Update*

Athletic Committee

The following are action items from the Athletic Committee:

A) Approval of Athletics Budget for Fiscal Year 2026-2027

The following resolution was read:

Resolved, that the Athletics Committee does hereby recommend that the Marshall University Board of Governors approve the proposed Athletics Budget for Fiscal Year 2026-2027, as part of the university's budget process.

Upon a motion by Bill Smith, seconded by Angel Moore, without further discussion, a vote of aye, no objections and the motion carried unanimously.

Information Items

Of note, in the board package, there are updates for:

*Student-Athlete Success & Well-Being
Competitive Excellence & Winning the Right Way
Fan Experience & Community Engagement
Revenue Growth & Resource Development
Facilities & Capital Projects*

IV. President's Report

**The President's report is attached as an addendum to the Board of Governor's minutes.*

VII. Executive Session under the authority of WV Code § 6-9A-4

Upon a motion by Bill Smith, seconded by Kathy D'Antoni, the board entered Executive Session under the authority of WV Code §6-9A-4 to discuss Matters involving Commercial Competition and Personnel.

After a brief session, the Board entered open session. No votes were taken during the Executive Session.

V. Chairman Sheils Report

Chairman Sheils began by expressing his sincere appreciation to the Board, recognizing the time, energy, and thoughtful decision-making members have contributed during recent meetings.

He shared several upcoming announcements, including the Spring Fountain Ceremony scheduled for Saturday at 11:30 a.m., noting hopes for good weather as the fountain is turned back on for the season. He also highlighted the Women's Basketball Banquet taking place Sunday at 1 p.m. at the Vandalia, along with a full weekend of campus activities, including a home series for Marshall's baseball team.

Looking ahead, Chairman Sheils emphasized the importance of Spring Commencement on May 9, describing it as a significant and well-executed event each year and encouraging attendance if possible. He noted that the next Board meeting will take place in June and shared that, in the interim, he will be forming a nominating committee to present a slate of officers for the upcoming year. He invited Board members to express interest in serving on the executive committee and indicated he would be reaching out individually, including to those attending virtually.

Chairman Sheils concluded by opening the floor for any additional comments. Hearing none, he adjourned the meeting and thanked everyone again for their time and contributions.

VI. Announcements

VII. Adjournment

Without objection, the Board Meeting was adjourned.

Respectfully submitted,

Kathy D'Antoni, Secretary

**President's Report
April 2026**

- Thank you, Mr. Chairman.
- Good afternoon, my friends.
- As I've shared in recent monthly reports, the external environment remains dynamic and unpredictable.
- Higher education is at the center of this vortex ...
- Across the country, universities are navigating shifting demographics, policy changes, financial pressures, and evolving expectations about the role of higher education in society.
- To quote Joan Chittister, "the purpose of leadership is not to make the present bearable. The purpose of leadership is to make the future possible."
- It is moments like these when mission matters most.
 - What gives me confidence is we remain steadfast in our commitment to "inspire learning and creativity that ignites the mind, nurtures the spirit and fulfills the promise for a better future."
 - Our faculty are laser focused and committed to teaching, scholarship and service.
 - Our staff are creating an environment of support and agility that advances our shared mission.
 - And our students are setting the example with their effort, their talent and their grit.
 - Together, we are a community grounded in purpose ...
 - A university that continues to move forward with clarity about who we are ...and what we stand for ...
 - They say character is revealed in times of adversity ... and I am proud of the character that is on display across our campus and our community!
- With that context, I want to focus my update today on three areas:
 - First, an update on the recent legislative session and what it means for Marshall University.

- Second, summarize the progress we've made in advancing our impact and financial performance.
- And finally, a brief update on the Listening Tour 2.0 that many of you have participated in ... and how that work will inform our upcoming strategy refresh.

■ **Let me begin with the legislative session.**

- The 60-day legislative session recently concluded, and it was an active one.
- During the session, lawmakers introduced 2,777 bills, with 303 ultimately completing legislative action.
- Of those, 57 bills directly related to higher education, and 9 were ultimately enacted into law.
- Overall, I'm pleased to report that it was a very positive session for Marshall University, thanks to our amazing Government Relations team and the contributions of the entire campus community.
- Starting with our base budget:
 - The lawmakers fully implemented the higher education funding formula and reversed the proposed 2 percent budget reduction that had initially been suggested.
 - In doing so, they also supported the Governor's proposed 3 percent pay raise, which as a reminder, translates to 1.6% for our university, given only 55% of our salary budget is funded through state allocations.
 - Overall, this is excellent news!
 - Finance has been actively worked with the Budget Advisory Committee on the implications of these two developments, which we reviewed with you in detail earlier this week in our BOG Training Session.
 - For the broader campus & community:
 - This means our baseline budget will be the better of the two scenarios we had prepared for ... flat with the 5% reduction in supplies & other services to continue our efforts behind Save to Serve ...
 - In that budget, we will also pass through a pay increase that the Budget Advisory Committee has helped develop ...

- Using a progressive scale, similar to the progressive tax brackets, with more dollars going to those on the lower end of the pay scale ...
 - We will complement the state pay increase with \$550,000 in Save-to-Serve dollars, so we can finally achieve and officially declare that all employees' pay will have been brought to market levels as committed by FY'27.
- In addition to these two budget elements:
 - The Legislature also approved \$30 million for a new School of Medicine building, matching the \$31.8M previously approved at a federal level through Senator Capito ...
 - This gets us 2/3 of the way to the needed funding goal for a new School of Medicine building ...
 - And represents a significant investment in healthcare education and workforce development in West Virginia.
 - Finally, Marshall secured:
 - A fourth year of funding for the WV Grant Resource Centers totaling \$500,000 ... split 50/50 with WVU ...
 - This program has generated nearly million dollars in grant support for local communities across all 55 counties.
 - I want to thank you, as well as the many faculty and staff members who contributed their expertise and perspective during this process.
 - Your engagement continues to play an important role in shaping policy for higher education in our state.
- **Let me now transition to my second topic: the progress we're making in advancing our strategic impact and financial performance**
 - As we've discussed, higher education continues to navigate the disruption of the 3 D's: demographics, digital and doubt.
 - In FY23, we defined a roadmap to adapt and transform ... our Marshall for All, Marshall Forever strategy.

- The value proposition we're delivering is access to an affordable, flexible and achievement-oriented education for all who aspire to a more prosperous life.
- Grounded in our enduring Vision and Creed, we've established aspirational goals for 2037 with rolling three-year milestones aligned with the performance-based funding formula, and a strategic roadmap anchored in five student-first priorities.
- As a 21st century prosperity platform, we're delivering an in-demand curriculum through on-demand access, with six interdisciplinary pillars of distinction.
- We've been executing this transformation in three strategic phases
 - Optimizing to promote long-term financial sustainability,
 - Transforming by implementing best practices and
 - And leap-frogging to become the national case study.
- Our rolling three-year financial plan reflects our continuing progress towards financial sustainability.
- Grounded in our enduring financial principles, we've reduced our original \$27.7M operating deficit in FY'23 to \$2.9M in the next year, with a forecast to transition to a positive net position in calendar 2027.
- We've "grown our way out", prioritizing our people and increasing their wages to market levels, while eliminating waste through our Save-to-Serve efforts.
- We've embraced shared governance & introduced an Incentivized Budget Model, bringing increased transparency and shared accountability to the campus.
- Our cash flow forecast remains tight in FY'27, but we are on track and our forecast reflects increasing cash reserves in FY28-29.
- These enduring financial principles continue to inform our proposed budget for FY27:
 - Growing students, not fees: with a modest +2.5% increase for in-state tuition with room/board at +2.79%, below inflation.
- Investing in our team: with \$550K in pay adjustments to bring all employees to market levels in FY27, in addition to the state-wide pay increase of \$2.2M that will be distributed using a progressive pay scale to disproportionately benefit lower-paid team members.

- Taking care of the house: with remaining “Shock & Awe” deferred maintenance projects on track be completed in FY27, utilizing the \$21.8M provided by the state, while the IDEA District & Health Sciences Corridor (new School of Medicine) are advancing through public/private partnerships.
 - And managing our strategic resources: with external expertise being engaged to assess additional process and efficiency opportunities as we look ahead.
 - The culmination of these efforts reflects continued strategic progress ... as revenue is projected to grow +4.2% while expenses increase +2.1% in the coming year.
 - In summary, our plan is working and we are on track to deliver on the commitments we made when we started this journey together in FY’23.
- **Which takes me to my third and final topic, the Listening Tour 2.0 and how that work will inform our upcoming strategy refresh that will guide us through the Transform & Leapfrog phases of our journey.**
- Last week, we passed the halfway point of the scheduled 30 session Tour, with the remainder to be completed between now and the end of May.
 - The conversations have been thoughtful, candid, and incredibly helpful.
 - The active engagement is yet another example of the deep commitment that our campus and our community have to the future of Marshall University.
 - As we complete the second half of the Listening Tour, we are complimenting this work with a deep dive into external trends ...
 - Most notably the impact and implications of AI on education, the workforce and society ...
 - In doing so, we’ve enlisted the partnership of Paul LeBlanc, the former President of Southern New Hampshire University who now works for the Gates Foundation.
 - Paul has successfully led transformation in higher education during key technology shifts ...
 - And has deeply researched and written an incredible book on the potential implications of AI, which I had the chance to review in manuscript form.
 - It is amazing.

- We are purchasing copies for campus leaders across our shared governance structure to read once published ...
 - And I've invited Paul to co-facilitate several campus strategy workshops with me over the summer break.
 - The insights from our Listening Tour, combined with this external work and Paul's collaboration will directly feed into those strategy workshops ...
 - These workshops will include the Department Chairs, the Deans, the heads of the Five Families and the campus AI Task Force ...
 - Who, alongside the Administration, and ultimately this Board of Governors in our August Strategy Offsite...
 - Will synthesize and prioritize the Listening Tour feedback and these external trends to refresh our Marshall For All, Marshall Forever plan-on-a-page ...
 - By end of summer, our goal is to have a revised draft to share with the campus community in the early Fall,
 - Providing an opportunity for the broader campus community to review and contribute additional input and edits as appropriate...
 - Leading to a final draft that will set the course for the next five years of our journey ...
 - A journey to be a gold standard 21st Century Prosperity Platform that accelerates individual success, innovative ideas and economic impact for the state and the nation!
 - We have a busy summer ahead ...
 - But the greatest leaps forward occur in times of disruption and reinvention ...
 - And we're seizing the moment at Marshall University!
- So, as I close today, I'll return to where I began.
- Higher education is navigating a moment of significant change.
 - But change does not have to mean uncertainty.
 - At Marshall, I see something different.

- I see a campus community that is focused on its mission.
- A campus community that is willing to adapt and evolve ...
 - Our thinking ...
 - Our approach ...
 - And even our decisions when new data or new opportunities require us to ...
- To quote Charles Darwin:
 - “It is not the strongest of the species that survive,
 - Nor the most intelligent,
 - But the one most responsive to change.”
- Marshall University is not reacting ... we are responding ...
- Our work is not always easy ...
- But it is meaningful...
- And it is worth doing.
- Thank you for everything you do for our students and for this university.
- Marshall For All ... Marshall Forever!
- Go Herd.

Marshall University Board of Governors

Meeting of June 10, 2026

ITEM: Approval of Revisions to Board of Governors Rule No. GA-3 - Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation Policy – Including Title IX

COMMITTEE: Committee of the Whole

RECOMMENDED ACTION: *Resolved*, that the Marshall University Board of Governors approve the revisions to Board of Governors Rule No. GA-3 - Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation Policy – Including Title IX

STAFF MEMBER: H. Toney Stroud
Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

BACKGROUND:

The revisions to Board of Governors Policy GA-3 modernize and clarify the University's discrimination and sexual misconduct framework to ensure full alignment with updated Title IX regulations, federal nondiscrimination requirements, and institutional operational needs, while preserving existing protections, standards, and access to resources under the prior policy.

The changes do not fundamentally alter how reports are handled or how misconduct is prohibited, or the evidentiary standard, available supportive measures, or institutional authority to address misconduct. Instead, they improve legal precision, clarify jurisdictional distinctions, expand transparency around procedures and protections, and strengthen alignment with pregnancy, disability, and sex discrimination obligations.

Core Rationale for Revisions

- I. Alignment with Updated Title IX Regulatory Framework
 - A. Distinguishes clearly between Title IX sexual harassment and Non-Title IX sexual misconduct, ensuring compliance with 34 C.F.R. § 106.30 and § 106.8(c).
 - B. Explicitly requires dismissal of Title IX complaints that fall outside federal jurisdiction while preserving the University's ability to address the conduct under other applicable policies.
 - C. Clarifies jurisdictional boundaries and procedural pathways that were previously blended, reducing ambiguity and strengthening the clarity and defensibility of the University's response framework.
- II. Addition of a Standalone Sex Discrimination (Non-Harassment) Process
 - A. New Section 1.7 establishes prompt and equitable procedures for sex discrimination that does not meet the Title IX harassment threshold.
 - B. These procedures address discrimination related to pregnancy and related conditions, athletics, admissions, employment decisions, and other disparate treatment on the basis of sex.

- C. The process applies a preponderance of the evidence standard and provides for written outcomes and appeal rights, creating a clearly defined procedural pathway for sex-based discrimination claims that fall outside the Title IX sexual harassment framework.

III. Enhanced Pregnancy and Parenting Protections

- A. Explicit cross-references to Title IX pregnancy and related conditions requirements (34 C.F.R. § 106.40).
- B. Directs students and employees to appropriate, coordinated processes (TIXO, HR, OSAA).
- C. Although pregnancy protections were previously referenced in scope, the revised policy provides operational clarity needed to ensure consistent compliance with Title IX requirements

IV. Clarification and Expansion of Definitions

- A. Key terms were refined or expanded, including: Actual Knowledge / Consent / Incapacitation / Confidential Resource / Mandatory Reporter / Sex Discrimination / Sexual Exploitation
- B. These clarifications improve consistency and understanding across the policy, reduce ambiguity in application, and support more effective training, communication, and fair implementation during investigations and grievance processes.

V. Strengthened Retaliation Protections

- A. Explicitly provides that retaliation reminders may be included in all written communications issued under the policy.
- B. Clarifies that bad-faith false statements may be subject to discipline while preserving protections for good-faith reporting and participation.
- C. Formalizes existing practice and reinforces clear expectations for all participants in the grievance process, supporting consistent application and institutional compliance.

VI. Expanded Transparency in Grievance Procedures

- A. Codifies procedural timeframes as targets rather than guarantees.
- B. Clarifies the circumstances under which live hearings are used versus written questioning, particularly for employee respondents.
- C. Aligns appeal standards across grievance processes, providing clearer expectations for parties while preserving fairness and due process.

VII. Updated Confidential Resource List and Training Expectations

- A. Expands the list of confidential campus resources.
- B. Requires annual training related to confidentiality and Clery obligations.
- C. Reflects current campus operations and clarifies how individuals may access support without unintentionally triggering mandatory reporting obligations.

Upon approval of this resolution, a comment period will open and remain open until 10:00 am on Thursday, July 23, 2026. If substantive comments are received, a final rule will be presented to the Board for approval at a subsequent meeting. The rule changes for any individual rule are approved as final at the conclusion of the comment period if no substantive comments are received for that rule.

Comments should be sent via email to: commentstorpap@marshall.edu

MARSHALL UNIVERSITY BOARD OF GOVERNORS

Rule No. GA-3

DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT, SEXUAL & DOMESTIC MISCONDUCT, STALKING, AND RETALIATION POLICY – INCLUDING TITLE IX

Section I: General

- 1.1 Scope & Purpose: Marshall University ("University") does not discriminate on the basis of race, color, national origin, ancestry, age, physical or mental disability, marital or family status, pregnancy, veteran status, service in the uniformed services (as defined in state and federal law), religion, creed, sex, sexual orientation, genetic information, gender identity, or gender expression in the administration of any of its educational programs, activities, or with respect to admission or employment. Marshall is committed to providing a workplace, educational environment, and programs and activities free from sexual harassment and other sexual misconduct. To affirm its commitment to fairness and ensure compliance with federal and state laws and regulations, Marshall has developed this policy and related procedures to inform members of the University community about prohibited behavior and provide supportive measures designed to remediate the effects of sexual harassment and other sexual misconduct; and provide a prompt, fair, and impartial process to address alleged violations of this Policy. This Policy sets forth how discrimination, harassment, sexual harassment, sexual and domestic misconduct, certain consensual relationships, stalking, and retaliation will be addressed by Marshall University. This Policy also protects students and employees from discrimination based on pregnancy and related conditions. Students seeking pregnancy- or parenting-related reasonable modifications under Title IX or 34 C.F.R. §106.40 should consult the University's Pregnancy and Related Conditions Policy for Students for assistance. Employees seeking pregnancy- or parenting-related workplace accommodations should contact Human Resources, which coordinates requests under applicable federal and state law. The University will prominently post and widely disseminate its nondiscrimination statement and Title IX Coordinator contact information as required by 34 C.F.R. §§ 106.8 and 106.9.
- 1.2 Authority: W. Va. Code §§ 18B-1-6, 18B-2A-4; Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681; the West Virginia Human Rights Act, W. Va. Code §§ 5-11-1 to -20; the Campus Sexual Violence Elimination Act ("Clery Act"), 20 U.S.C. §1092, and the Violence Against Women Act ("VAWA") of 1994, 42 U.S.C. §13925.
- 1.3 Effective Date: [MAKE EFFECTIVE DURING THE SUMMER OF 2026, PREFERABLY AUGUST 1, 2026]
- 1.4 Revision History: Originally replaced Board of Trustees Series No. 9, which was transferred by the Higher Education Policy Commission to the institutional boards of governors. This policy was previously numbered as MUBOG Policy No. 5," amended again on April 27, 2016, and title changed to "Policy Regarding Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation," which was amended effective February 22, 2017. Due to changes in the federal guidelines, this policy originally became effective on August 14, 2020, by Marshall University Executive Order of the President. Thereafter, it was passed at the August 27, 2020, meeting of the MUBOG and became effective on November 18, 2020. Additional changes were made in 2021, 2022, 2023, and 2025. The current changes were passed on [DATE OF PASSAGE (HOPEFULLY DIFFERENT FROM EFFECTIVE DATE)].

Commented [JR1]: Marshall University is allowed to list protected categories in its nondiscrimination policy that are broader than those expressly recognized in current West Virginia statutes and federal authorities, but West Virginia has tried to introduce state legislation limiting the ability to do so. Should "gender identity" be removed from the nondiscrimination language?

The University's institutional nondiscrimination policy can include protections for gender identity; however, current federal Title IX enforcement, following the February 4, 2025 OCR Directive and applicable Executive Order, does not recognize gender identity as "sex" for purposes of Title IX's definition of sex discrimination or sexual harassment.

Commented [JR2]: This directs students to the University's Pregnancy Policy and directs employees to Human Resources for pregnancy accommodations. This ensures students' Title IX rights are clearly communicated and that employees receive accommodations.

Commented [JR3]: Required disclosure of nondiscrimination policies and Title IX contact info. Marshall already does this on its Title IX Office webpage, but is incorporating the requirement in this policy.

- 1.5 Basis for Policy: For purposes of this policy, "sexual harassment and other sexual misconduct" includes sexual harassment and sexual assault, domestic violence and dating violence, stalking, and retaliation. These behaviors are prohibited as unlawful discriminatory conduct under Title VII of the Civil Rights Act of 1964 (as amended), Title IX of the Education Amendments of 1972, the Violence Against Women Act Reauthorization Act of 2022 (VAWA), the Campus Sexual Violence Elimination Act (Campus SaVE Act), and/or the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). "Sexual harassment and other sexual misconduct," for purposes of this policy, also includes sexual exploitation. Additionally, this policy contains a statement regarding consensual relationships in which one party retains a direct supervisory or evaluative role over the other party.
- 1.6 Applicable Scope and Jurisdiction of Policy: The expectations for conduct contained within this policy apply to all aspects of Marshall University's operations, locations, and programs and activities, including, but not limited to, regional campuses, property owned or controlled by the university; online programs; university-sponsored events, activities, and travel; and in buildings owned or controlled by student organizations recognized by Marshall University.

These expectations apply to all members of the Marshall University community, which includes but is not limited to students, student organizations and student groups, faculty, administrators, staff, trustees and officers, and third parties such as agents, vendors, guests, visitors, volunteers, and campers.

Any person may submit reports of prohibited behavior. Further, this policy encourages, and in some cases requires, reports of sexual harassment and other sexual misconduct regardless of where the incident occurred.

A violation of this policy by a student, student organization, or student group would also violate the student code of conduct. The Marshall University student code of conduct applies to all students, student organizations, and student groups whether the prohibited behavior occurred on or off campus; therefore, this policy applies to prohibited behavior by students, student organizations, and student groups whether it occurs on campus or off campus. Further, allegations of other conduct prohibited by the student code of conduct may be investigated and adjudicated in conjunction with violations of this policy.

Reports of prohibited behavior by faculty, administrators, staff, trustees, and officers will be assessed by the Title IX Coordinator to determine if the alleged behavior occurred within Marshall University's operations, locations, and programs, as described above, or if the alleged behavior, if true, may have effectively denied the Complainant equal access to education or employment at Marshall university.

If the Respondent in a reported violation of this policy is a student, student organization or group, faculty member, administrator, staff member, trustee, or officer, the grievance process described in this policy may be utilized regardless of the status of the Complainant. Reports of prohibited behavior on the part of third parties such as agents, vendors, guests, visitors, volunteers, and campers will be assessed by the Title IX Coordinator to determine the best means to stop the behavior, remediate the impact on the Complainant, and prevent further prohibited behavior, such as barring individuals from university property or events, among other possible actions. If the Respondent is unknown or is not a member of the university community, the university will not be able to utilize the grievance process; however, resources and other supportive measures will be offered to the Complainant by the Title IX Coordinator.

Marshall University will respond to reports of sexual harassment or other sexual misconduct irrespective of when the alleged incident occurred, including during semester breaks, leaves of absence, or periods of dismissal. There is no time limit on making a report or submitting a formal complaint to the Title IX

Coordinator; however, if the Respondent is no longer a student or employee and/or if significant time has passed, the ability to investigate, respond, and provide remedies may be limited or not possible.

Acting on reports or formal complaints significantly impacted by the passage of time is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal action as appropriate. Marshall University will typically apply the policy in place at the time of the alleged misconduct and the process in place at the time a formal complaint is submitted by the Complainant or signed by the Title IX Coordinator.

The measures described in this policy and related processes may be initiated when a Respondent is charged with behavior that potentially violates both civil/criminal law and university policy, without regard to pending litigation in court or criminal arrest and prosecution. The investigation into violations of this policy may be carried out prior to, simultaneously with, or following criminal proceedings off campus. Determinations made, and sanctions imposed under this policy will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

If this policy directly contradicts any other university policy or procedures related to protected status discrimination, harassment, or retaliation, this policy takes precedence. An initial choice to use any particular policy does not preclude a later or simultaneous decision to use one or more of the others, or to use the criminal justice system.

The University must dismiss a formal complaint of Title IX sexual harassment as to conduct that

(a) would not meet the Title IX definition of sexual harassment if proved,

(b) did not occur in the University's education program or activity, or

(c) did not occur in the United States.

Such dismissal does not preclude the University from addressing the conduct under other policies (e.g., Non-Title IX Sexual Misconduct). For purposes of Title IX, "education program or activity" includes locations, events, or circumstances where the University exercises substantial control over both the respondent and the context in which the conduct occurred, including any building owned or controlled by a recognized student organization.

Note: Off-campus conduct may fall outside Title IX unless the "substantial control" test above is met; when it does not, the University may proceed under Non-Title IX procedures.

Commented [JR4]: Mirrors 34 C.F.R. § 106.44(a) & mandatory dismissal grounds; corrects the logic and aligns the control test.

1.7 Sex Discrimination (Non-Harassment) – Prompt and Equitable Procedures.

1.7.1 Scope. Allegations of sex discrimination that do not meet the Title IX definition of "sexual harassment" are addressed under this Policy through prompt and equitable procedures consistent with 34 C.F.R. §106.8(c). Examples include, without limitation, unequal treatment in programs or activities; athletics opportunities or benefits; academic, admissions, or employment decisions; pregnancy and related conditions; parenting accommodations; and other forms of disparate treatment on the basis of sex. Supportive measures are available regardless of whether a formal complaint is filed.

1.7.2 Intake & Notice. Upon receipt of a formal complaint, the Title IX Office will assess scope and jurisdiction and will either retain the matter or designate the appropriate University office to investigate and/or resolve it. The University will provide the parties with written notice of the allegations and the applicable procedures.

1.7.3 Impartiality. Individuals assigned to investigate or resolve the formal complaint will be free from conflicts of interest or bias for or against complainants or respondents and will evaluate the matter impartially based on the information available.

1.7.4 Opportunity to Be Heard. Each party will have an equitable opportunity to submit relevant information, identify witnesses, and present documentation for consideration. The University may conduct interviews and gather additional information as needed to ensure a fair review. Live hearings are not required for sex-discrimination complaints resolved under this Section, and the University will instead use a prompt and equitable investigatory process consistent with 34 C.F.R. §106.8(c).

1.7.5 Standard of Evidence. The University applies the preponderance of the evidence standard to all complaints resolved under this Section, whether the respondent is a student or an employee.

1.7.6 Timeframes. Matters will be resolved within reasonably prompt timeframes, generally targeted at 90 business days from notice of investigation to written final report, absent good cause (e.g., complexity, multiple witnesses, concurrent processes, breaks, or other legitimate reasons). Any extension and the reasons for it will be communicated to the parties in writing.

1.7.7 Written Outcome. The University will issue a written determination to the parties explaining the result, the rationale, and, where appropriate, any remedies designed to restore or preserve equal access to the University's education program or activity.

1.7.8 Appeal. Either party may appeal on the following grounds: (a) material procedural error that affected the outcome; (b) new evidence that was not reasonably available at the time of the determination and could affect the outcome; or (c) conflict of interest or bias by the investigator or decision-maker that affected the outcome. The appeal process and timelines will be provided in the written outcome.

1.7.9 Coordination with Pregnancy/Parenting & ADA/504. Complaints implicating pregnancy or related conditions, disability-related accommodations, or similar issues will be coordinated, as appropriate, with the Office of Student Advocacy & Accountability (OSAA), the Office of Accessibility & Accommodations (OAA), Human Resources, and/or the TTXO to ensure compliance with Title IX, Section 504, and the ADA.

1.7.10 Recordkeeping. Records of complaints, outcomes, and any remedies or accommodations provided under this Section will be maintained consistent with University policy and applicable law.

Allegations of sex discrimination that do not meet the Title IX definition of "sexual harassment" will be addressed under this Policy using procedures consistent with 34 C.F.R. §106.8(c). These complaints may include, for example, unequal treatment in programs or activities, athletics, academic or employment decisions, or pregnancy/parenting accommodations. Such matters will be investigated and resolved by the TTXO or the appropriate University office as designated by the Title IX Coordinator. Supportive measures are available regardless of whether a formal complaint is filed.

Commented [JR5]: Makes the procedural path explicit for sex discrimination allegations.

Section 2: General Definitions.

- 2.1 "Actual Knowledge" means notice of sexual harassment or other prohibited conduct or allegations of sexual harassment or other prohibited conduct to the University's Title IX Coordinator or any official of the University who has the authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to

constitute actual knowledge. This standard is not met when the only official of the University with actual knowledge is the Respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has the authority to institute corrective measures on behalf of the University. "Notice" as used in this paragraph includes but is not limited to a report of sexual harassment to the Title IX Coordinator.

- 2.2 "Administratively separate unit" means a school, department, or college of an educational institution (other than a local educational agency) admission to which is independent of admission to any other component of such institution.
- 2.3 "Admission" means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by a recipient.
- 2.4 "Advisor" means a person for a party (the Complainant or Respondent) to accompany the party to meetings related to an investigation and related proceedings under this policy, to advise the party on that investigation and related proceedings, and to question the other party and witnesses at the hearing, if any. If a party does not have an advisor to question the other party and witnesses at the hearing, the university will appoint one to do so.
- 2.5 "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, other sexual misconduct, or retaliation under this policy. Provided that, where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party under this part or any other part.
- 2.6 "Confidential resource" means an employee who is not a mandatory reporter and is not obligated by this policy to share knowledge and reports of sexual harassment, other sexual misconduct, or retaliation with the Title IX Coordinator. On-campus confidential resources include licensed mental health professionals and health care providers acting within the scope of their confidential roles. Marshall also designated the following offices as additional confidential resources: Student Support Services TRIO Program, Women's and Gender Center, Violence Prevention & Response Office, Peer Recovery Specialist and/or Program Coordinator of the Collegiate Recovery Peer Support team and Office of the Ombuds. All on-campus confidential resources will undergo annual training through the Title IX Office to ensure they obtain training regarding the requirement of record keeping regarding confidential reports, including Clery reporting obligations, and any other needed training regarding reporting obligations.
- 2.7 "Coercion" means the use of intimidation, threats of harm, or extortion to compel another individual to initiate or continue sexual activity against the individual's will or the use of these means for the purpose of retaliation as defined by this policy.
- 2.8 "Consent" means the following Marshall University's definition of consent:

Commented [JR6]: Added an additional confidential resource for the University.

Consent is knowing, voluntary, and clear permission to engage in sexual activity given by word or action. Reasonable reciprocation can be implied consent; however, silence, passivity or lack of active resistance alone, without words or actions demonstrating permission, cannot be assumed to show consent. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, that is, the person who wants to engage in the specific sexual activity, to make sure that they have consent from their partner(s). Relying solely upon non-verbal communication can lead to miscommunication. It is

important not to make assumptions. If confusion or ambiguity on the issue of consent arises at any time during the sexual interaction, it is important that the initiator stops and verbally clarifies the other individual's willingness to continue.

Consent to some sexual acts does not imply consent to others.

Past consent to a given act does not imply ongoing or future consent. A current or previous intimate relationship is not sufficient to constitute consent. Once given, consent can be withdrawn at any time through understandable words or actions that clearly convey that a party is no longer willing to engage in sexual activity. If and/or once consent is withdrawn, that sexual activity must cease immediately. Consent can expire as it lasts for a reasonable time, depending on the circumstances.

Consent cannot be obtained from someone who is asleep, unconscious, physically helpless, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Incapacitation means being in a state where a person lacks the capacity to appreciate the nature of giving consent to participate in sexual activity. One may not engage in sexual activity with another whom one knows, or should reasonably have known, is incapacitated as a result of alcohol or other drugs. The use of alcohol or other drugs can have unintended consequences. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol or drugs on another's ability to give consent. Being intoxicated or high does not diminish one's responsibility to obtain consent and is never an excuse for sexual misconduct.

Consent cannot be obtained by deception, fraud, threat, coercion, or force. Agreement given under such conditions does not constitute consent.

To give consent, one must be of legal age.

Consent within relationships must be considered in context. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar patterns that may be evidenced.

Consent cannot be implied or inferred by attire or from purchases made, such as buying dinner or spending money on a date.

Any individual who engages in sexual activity when the individual knows or should know that the other person has not given consent is in violation of this policy. It is not an excuse that the Respondent was intoxicated and did not realize the Complainant did not give consent.

- 2.9 "Education program or activity" means locations, events, or circumstances where the University exercises substantial control over both the Respondent and the context in which the conduct occurs, and includes any building owned or controlled by a student organization officially recognized by the University.
- 2.10 "Employee" means a person who performs work for the University and is paid for that work. For purposes of this Policy, employees include paid faculty, administrators, staff, graduate research and teaching assistants, and all student employees.
- 2.11 "Force" means the use of physical violence or constraint to gain sexual access to another person.

- 2.12 “Formal complaint” means a document submitted by a Complainant or signed by the Title IX Coordinator alleging behavior prohibited by this Policy (sexual harassment, other sexual misconduct, or retaliation) against a Respondent and requesting the University investigate the allegation.
- 2.13 “Grievance process” means the method of resolution utilized to address allegations of sexual harassment, other sexual misconduct, and retaliation as defined by this policy.
- 2.14 “Incapacitation” means a person who lacks the ability to make informed decisions is incapacitated and, therefore, cannot consent to sexual activity.
- A person is incapacitated and cannot give consent if they are unable to understand what is happening or are helpless, asleep, or unconscious for any reason, including due to consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.
- Merely consuming or being under the influence of alcohol or other drugs does not constitute incapacitation. Incapacitation is not the same as intoxication, being drunk, or the inability to remember decisions made or actions taken while "blacked out." Incapacitation is determined by considering all relevant indicators of an individual's condition and actions at the time of sexual activity.
- An individual who engages in sexual activity when that individual knows or should know that the other person is incapacitated is in violation of this policy. It is not an excuse that the respondent was intoxicated and, therefore, did not realize the complainant's incapacitation.
- 2.15 “Investigator” means the person or persons charged with gathering information about an alleged violation of this Policy and compiling this information into an investigation report and file of evidence.
- 2.16 “Mandatory reporter” means an employee obligated by this Policy to share knowledge and reports of sexual harassment, other sexual misconduct, or retaliation with the Title IX Coordinator. Employees listed as confidential resources are not obligated to report to the Title IX Coordinator.
- 2.17 “Member of the University Community,” for purposes of this Policy only, means an individual engaged in any University activity or program, whether on or off campus, or any individual lawfully on University property, including, but not limited to, any person who is a student, staff, faculty member, other University official, or a visitor.
- 2.18 “Notice” means when an employee, student, or third party informs the Title IX Coordinator or any other official with authority of an alleged incident of sexual harassment, other sexual misconduct, or retaliation.
- 2.19 “Official with Authority (“OWA”)” means an employee of the University with the authority to implement corrective measures for sexual harassment, other sexual misconduct, and retaliation on behalf of Marshall University. Notice to any OWA constitutes actual knowledge under this Policy. For purposes of this Policy, the following employees are designated OWAs: Title IX Coordinator and Title IX Office staff, President, Provost, Vice Presidents, Athletic Director, Dean of Students, and Chief Human Resources Officer.
- 2.20 “Party” means the Complainant or Respondent. Also, parties mean Complainant(s) or Respondent(s) in a matter, collectively.
- 2.21 “Reasonable Person” means a reasonable person under similar circumstances and with similar identities

to the Complainant.

- 2.22 "Remedies" means post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the University's educational program or activities, including employment.
- 2.23 "Report" means information provided to the Title IX Coordinator indicating that sexual harassment, other sexual misconduct, or retaliation may have occurred.
- 2.24 "Reporter" means, for purposes of this Policy, any individual that makes or files a report about prohibited conduct under this Policy. The Reporter may be the Complainant, any other person, or the University.
- 2.25 "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, other sexual misconduct, or retaliation under this policy. Student organizations or groups may also be Respondents in the grievance process. It is presumed that a respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 2.26 "Retaliation" means intimidation, threats, coercion, or discrimination against any person by Marshall University, a student, or an employee or other person authorized by Marshall University to provide aid, benefit, or service under Marshall University's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part, including in an informal resolution, in grievance procedures, and in any other actions taken by Marshall University. Nothing in this definition or this part precludes Marshall University from requiring an employee or other person authorized by Marshall University to provide aid, benefit, or service under Marshall University's education program or activity to participate as a witness in or otherwise assist with an investigation, proceeding, or hearing under this part.
- 2.27 "Review Panel" means those with decision-making and sanctioning authority when allegations proceed to a hearing within an investigation or related proceedings. It also means those who can review other appealable issues as listed in procedures.
- 2.28 "Sanction" means a consequence imposed by the University on a Respondent who is found to have violated this Policy.
- 2.29 "Sex Discrimination" means treating a person differently, or denying or limiting participation in or benefits of the University's education program or activity, on the basis of sex. Examples include unequal treatment in admissions, academics, employment, or athletics; discrimination based on pregnancy or related conditions; differential access to opportunities or benefits; and retaliation for reporting or participating in a process regarding sex-based discrimination.
- 2.30 "Sexual coercion" means unwanted sexual activity that happens when someone is pressured, tricked, threatened, or forced in a non-physical way. Coerced sexual behavior occurs more frequently than forcible sexual assault and typically involves repeated begging for sex or pressuring someone who is resisting sexual activity until they give in, often to end the coercion or to preserve the relationship.
- 2.31 "Student" means a person who has gained admission. This includes, but is not limited to, new students at orientation, persons not currently enrolled but who are still seeking a degree from Marshall

Commented [JR7]: Distinguishes sex discrimination from sexual harassment.

University, persons currently under suspension, and any other person enrolled in a credit earning course offered by Marshall University and subject to the Marshall University Board of Governors Policy SA-3, The Code of Student Rights and Responsibilities.

2.32 "Student with a disability" means a student who is an individual with a disability defined in the Rehabilitation Act of 1973, as amended, 29 U.S.C. 705(9)(B), (20)(B), or a child with a disability as defined in the Individuals with Disabilities Education Act, 20 U.S.C. 1401(3).

2.33 "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Supportive measures are designed to restore or preserve equal access to the university's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment or to deter sexual harassment, other sexual misconduct, and retaliation.

2.34 "Title IX Coordinator" means the official designated and authorized by Marshall University to coordinate Marshall University's efforts to comply with its responsibilities under Title IX and this policy. References to the Title IX Coordinator throughout this policy or other procedures may also encompass a designee of the Coordinator for specific tasks.

2.35 "Title IX Team" means the following, but not limited to: Title IX Coordinator, the Title IX Office staff members, Advisors, members of the Review Panel, and Appeal Officers.

2.36 "Witness" means a person who is requested to participate in the grievance process because they may have relevant information about the alleged violation. The investigators may identify potential witnesses, or their names may be supplied by the Complainant, Respondent, or others with knowledge of the matter.

Section 3: Defining and Recognizing Prohibited Conduct.

3.01 General. The University prohibits Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, Domestic Misconduct, Stalking, and Retaliation as defined in this Policy (collectively referred to as "prohibited conduct") by or against any member of the University community.

3.02 Applicability & Definitions Framework. Marshall University has adopted the following definitions of sexual harassment, other sexual misconduct, and sex discrimination to address the unique environment of our academic community, which consists not only of employer and employees, but of students as well. All definitions encompass actual offenses and may also encompass attempts to commit the offense. Acts of sexual harassment and other sexual misconduct may be committed by any person upon any other person, regardless of the sex, sexual orientation, gender identity¹, or gender expression of those involved.

Commented [JR8]: Depending on how "gender identity" is handled above, it will dictate how it is handled here.

3.03 Definitions Source. The offenses below include behaviors prohibited by the Title IX regulations

¹ The University's institutional nondiscrimination policy includes protections for gender identity; however, current federal Title IX enforcement follows the 2020 Title IX rule and does not recognize gender identity as "sex" for purposes of Title IX's definition of sex discrimination or sexual harassment, pursuant to the February 4, 2025 OCR Enforcement Directive and applicable Executive Order.

published in the Federal Register by the U.S. Department of Education, Office for Civil Rights on May 19, 2020, which incorporate Federal Bureau of Investigation Crime Reporting definitions; the offenses below also include additional behaviors prohibited by Marshall University. All listed offenses are violations of this policy.

- 3.0.4 Title IX vs. University Policy Coverage. Conduct meeting Title IX sexual harassment elements (see § 3.1) will be treated as Title IX sexual harassment if it occurred within Marshall University's education program or activity, in the United States, and the Complainant was participating in or attempting to participate in the education program or activity at the time of filing a formal complaint. "Education program or activity" includes locations, events, or circumstances where the University exercises substantial control over both the Respondent and the context, including any building owned or controlled by a recognized student organization
- 3.0.5 Non-Title IX Coverage. Under all other circumstances described in § 1.6, the offenses identified in § 3.2(A)-(B) constitute Sexual Misconduct under University policy (non-Title IX). Sexual Exploitation (§ 3.2(B)) constitutes Sexual Misconduct under University policy in all circumstances described in § 1.6.
- 3.1 Title IX Sexual Harassment
For purposes of Title IX jurisdiction, MU applies the definition of "sexual harassment" set forth in 34 C.F.R. §106.30. Conduct constitutes Title IX sexual harassment when it occurs within MU's education program or activity, in the United States, and the Complainant is participating or attempting to participate in MU's education program or activity at the time of filing the formal complaint.

A. Hostile Environment

Unwelcome conduct that a reasonable person would determine is:

- (i) severe,
 - (ii) pervasive, and
 - (iii) objectively offensive,
- such that it effectively denies a person equal access to MU's education program or activity.

B. Quid Pro Quo

- (i) A Marshall University employee
- (ii) conditioning the provision of a Marshall aid, benefit, or service
- (iii) on a person's participation in unwelcome sexual conduct.

C. Sexual Assault

Any sex offense defined under the FBI Uniform Crime Reporting (UCR) program, including the following, when committed without consent or where the Complainant cannot consent:

- (i) Forcible Rape – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Complainant's consent.
- (ii) Forcible Sodomy – Oral or anal sexual intercourse with another person forcibly and/or against that person's will (non-consensually), or not forcibly/against the person's will in instances where the Complainant is incapable of giving consent due to age or temporary or permanent mental or physical incapacity.
- (iii) Sexual assault with an object – Use of an object or instrument to penetrate, however, slightly, the genital or anal opening of another person, forcibly and/or against that person's will (non-consensually), or not forcibly/against the person's will where the Complainant is incapable of giving consent due to age or temporary or permanent mental or physical incapacity.
- (iv) Forcible Fondling – Touching of the private body parts (buttocks, genitals, breasts) of another person for the purpose sexual gratification, forcibly and/or against that person's will (non-

consensually), or not forcibly/against the person's will where the Complainant is incapable of giving consent due to age or temporary or permanent mental or physical incapacity.

(v) Non-forcible Sex Offenses:

- a. Incest – Non-forcible sexual intercourse between related persons who are related to each other within the degrees wherein marriage is prohibited by West Virginia law.
- b. Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

(vi) Statutory rape – non-forcible sexual intercourse with a person under the statutory age of consent.

D. Dating Violence

Violence or threat of violence committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship is determined based on the Complainant's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved. Dating violence does not include acts covered under the definition of domestic violence.

E. Domestic Violence

Conduct that would meet the definition of a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the Complainant; a person similarly situated to a spouse under West Virginia family or domestic violence laws; a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner; a person who shares a child in common with the Complainant; or a person who commits acts against a youth or adult Complainant who is protected under West Virginia family or domestic violence laws. Domestic violence does not include acts covered under the definition of dating violence.

F. Stalking (on the basis of sex)

A course of conduct directed at a specific person that would cause a reasonable person to (i) fear for their own safety or the safety of others, or (ii) suffer substantial emotional distress. "Course of conduct" means two or more acts, including acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

3.2 Sexual Misconduct Under University Policy

The following conduct is prohibited regardless of whether Title IX jurisdictional elements are met (see § 3.0 and § 1.6). These behaviors are addressed through the University's Non-Title IX procedures.

A. Sexual Harassment (non-Title IX)

Physical or verbal conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive, from both a subjective (Complainant's) and objective (reasonable person's) viewpoint, such that it (i) unreasonably interferes with a person's work or academic performance, or (ii) creates an intimidating, hostile, or offensive environment for working, learning, or living on campus.

In determining whether an environment is hostile, the University considers the totality of circumstances, which may include (i) frequency of the conduct, (ii) nature and severity of the conduct, (iii) relationship between the Complainant and Respondent; (iv) location and context in which the conduct occurs, (v) whether the conduct was physically threatening, (vi) whether the conduct was humiliating, and (vii) whether the conduct arose in the context of other discriminatory

conduct.

B. Sexual Exploitation

Knowingly or recklessly taking non-consensual or abusive sexual advantage of another person for one's own benefit or to benefit anyone other than the one being exploited, through behavior that does not otherwise constitute a separate violation of this Policy. Examples include, but are not limited to: (i) prostituting another person; (ii) non-consensual video- or audio-recording or photographing of sexual activity; (iii) going beyond the boundaries of consent (e.g., permitting others to observe consensual sex without the partner's knowledge); (iv) voyeurism; (v) public indecency (e.g., exposing genitals to others without consent); (vi) knowingly exposing another person to a Sexually Transmitted Infection (STI) or Human Immunodeficiency Virus (HIV) without prior knowledge and consent of the person to be exposed; (vii) causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) to compromise that person's ability to give consent to sexual activity or to make that person vulnerable to non-consensual sexual activity; or (viii) using contact-free means (e.g., threats of violence) to coerce a person to participate in sexual behavior against their will.

Section 4: Retaliation.

- 4.1. No person may intimidate, threaten, coerce, or discriminate against any individual,
- 4.2. for the purpose of interfering with any right or privilege secured by Title IX or this policy, or
- 4.3. because the individual has made a report or complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, or hearing.
- 4.4. The exercise of rights under the First Amendment does not constitute retaliation prohibited under this section.

Allegations of retaliation will be addressed under the Title IX Grievances Procedures. Marshall University will keep confidential the identities of the parties and witnesses except as permitted by FERPA, as required by law, or as necessary to carry out Title IX (e.g., investigations, hearings). Charging a party with a code of conduct violation for making a materially false statement in bad faith during a Title IX proceeding does not constitute retaliation; however, a responsibility finding alone is insufficient to conclude a party made a false statement.

Commented [JR9]: Implements § 106.71.

All written communications issued under this Policy, including intake notices, supportive measure letters, investigation notices, hearing notices, determinations, and appeals, may include a prominent reminder that retaliation is prohibited and provide a link to report retaliation.

Commented [JR10]: Reinforces retaliation protections, as retaliation protections can be noted on Title IX's written communications.

Section 5: Consensual Relationships.

- 5.1 Consensual romantic or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party are unethical, create a risk for real or perceived coercion, and are expressly a violation of this policy. Furthermore, the possibility of a future amorous relationship may distort the present instructional or advising relationship. Although consensual relationships are within the purview of individual privacy, those engaging in such relationships that occur between persons in inherently unequal and closely related positions at the University or employees within the same reporting line, including those between supervisors and supervisees, must remain aware that such relationships could lead to circumstances that result in harassment or sexual or domestic misconduct.
- 5.2 Therefore, persons with direct supervisory, evaluative, grading, or academic advising responsibilities who are involved in such relationships must bring those relationships to the attention of their supervisor. This will likely result in the necessity to remove the employee from the supervisory, evaluative, grading, or academic advising responsibilities. In some instances, if no suitable way to eliminate or mitigate the conflict is reasonably feasible, one or both individuals may be separated from employment at the University.

- 5.3 Staff Members, Faculty Members, Instructors, Coaches, Trainers or other employees are prohibited from engaging in a consensual relationship with a student whom one may instruct, evaluate, supervise, instruct, advise, coach or otherwise serve in a position over the student.
- 5.4 Where there is a pre-existing consensual relationship, the staff, faculty, instructor, coach or trainer shall forthwith notify one's immediate supervisor or other appropriate administrator. The supervisor or other appropriate administrator shall be responsible for making arrangements to eliminate or to mitigate any conflict, the consequences of which might prove detrimental to the University or to either party in the relationship.
- 5.5 Although Marshall University cannot prohibit consensual relationships between employees and students, whom they do not instruct, evaluate, supervise, advise, coach or train, the University strongly discourages such relationships. In addition, nothing contained in this Policy would otherwise prohibit a complaint from being made by either. It is important to note that these types of consensual relationships also may result in a hostile or offensive environment affecting other employees or students. For example, others may perceive a person involved in the consensual relationship as receiving favorable treatment in employment or educational decisions and actions. Marshall University does not intrude upon private choices regarding personal relationships when these relationships do not violate the university's policies or cause or increase the risk of harm to the safety and well-being of campus community members.
- 5.6 If no other behaviors prohibited by the sexual harassment and other sexual misconduct policy are alleged, investigations of alleged violations of the consensual relationships provision or other University policies or procedures regarding prohibited relationships may be conducted by an investigator chosen by the University. After interviewing the involved parties and any witnesses and reviewing relevant evidence, the investigator will compile a memorandum of finding, including a summary of information gathered during the investigation and a determination as to whether, by the preponderance of the evidence, the consensual relationship provision was violated. The memorandum of finding will be provided to the parties, and the supervisor(s)/department chair(s)/director(s) of the party or parties who are employees of the university for their consideration and appropriate action.

Section 6: Title IX Coordinator

- 6.1 The President or the President's designee shall appoint an administrator to act as the University's Coordinator to handle all reports of prohibited conduct and complaints under this Policy, including acting as the University's Title IX Coordinator. The Coordinator will oversee all complaints filed under this Policy generally and identify and address any patterns or systemic problems that arise during the review of such complaints. The Coordinator is further responsible for the coordination of training, education, communications, and administration of complaint procedures for faculty, staff, students, and other members of the University community. The Coordinator may also appoint deputy coordinators to assist the University in furthering this policy.
- 6.2 Title IX Coordinator ensures compliance with Title IX and oversees the implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating Marshall University's efforts related to the intake of reports, implementation of supportive measures, investigation and resolution of formal complaints, and other activities designed to stop, remediate, and prevent behaviors prohibited by this policy. References to the Title IX Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- 6.3 The Title IX Coordinator manages the Title IX Team and acts with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all processes under this policy. The

members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against complainants or respondents, generally.

6.4 Inquiries regarding this policy and its related processes may be made to:

Title IX Coordinator
Jessica H. Donahue Rhodes, Esq.
Marshall University
Old Main, First Floor, Room 107
Huntington, WV 25755
304-696-2934 (phone)
titleix@marshall.edu or jessica.rhodes@marshall.edu

Section 7: Reporting Violations of this Policy

7.1 Reports of sexual harassment, other sexual misconduct, or retaliation may be made using any of the options below. The Complainant may submit a report, or a third party may file a report on behalf of a person they believe has been adversely affected by conduct prohibited by this policy.

7.1.2 ~~Upon receipt of actual knowledge of Title IX sexual harassment, the University will respond promptly in a manner that is not deliberately indifferent, meaning not clearly unreasonable in light of the known circumstances.~~

Commented [JR11]: This adds the appropriate response standard.

7.2.3 If a Complainant is identified in the report, the Title IX Coordinator will attempt to contact the Complainant to offer supportive measures and to ensure the Complainant knows all of the options available to them, including making a police report and submitting a formal complaint, if applicable and desired. ~~Supportive measures are available with or without the filing of a formal complaint; see Section 19 for details.~~

Commented [JR12]: Ensures clarity that supportive measures do not depend on a formal complaint.

7.3.4 Reporting carries no obligation for Complainants to submit a formal complaint, and Marshall University respects Complainants' wishes regarding formal action unless there is a compelling threat to health or safety. While West Virginia law requires any person who has knowledge of a felony to make a report to law enforcement, the Complainant is not required to speak with law enforcement officers, even if the Title IX Coordinator must make such a report.

7.3.4.1 Report online using the Sexual Harassment and Other Sexual Misconduct Reporting Form by clicking on Submit a Report at <https://marshall-advocatesymplicity.com/public-report/index.php/pid204186?>. Reports submitted on-line are routed promptly to the Title IX Coordinator.

7.3.4.2 File a report with the Title IX Coordinator by mail, phone, or email. A report may be submitted at any time (including during non-business hours) using the contact information below. Reports may also be made in person at the Title IX Office (TIXO) on business days when a TIXO staff member is available.

Title IX Office
Marshall University
Old Main, First Floor, Room 107
Huntington, WV 25755
(304) 696-2934 (Phone)

titleix@marshall.edu or jessica.rhodes@marshall.edu

7.3-37.4.3 Reports of sexual harassment, other sexual misconduct, or retaliation by the Title IX Coordinator should be made to the Office of Student Advocacy and Accountability. Concerns of bias or potential conflict of interest by the Title IX Coordinator should also be raised with the Office of Student Advocacy and Accountability.

7.3-47.4.4 Reports of behavior prohibited by this policy by any other Title IX Team member should be reported to the Title IX Coordinator. Likewise, concerns of bias or potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

7.3-57.4.5 Inquiries and complaints may be made externally to: Atlanta Office
Office for Civil Rights
U.S. Department of Education
61 Forsyth St. S.W., Suite 19T10
Atlanta, GA 30303-8927
Telephone: 404-974-9406
FAX: 404-974-9471; TDD: 800-877-8339
Email: OCR.Atlanta@ed.gov

7.3-67.4.6 Inquiries and complaints involving employees may be made externally to: Equal Employment Opportunity Commission (EEOC)
Pittsburgh Field Office
William S. Moorhead Federal Building
1000 Liberty Avenue, Suite 1112
Pittsburgh, PA 15222
Phone: 1-800-669-4000
Fax: 412-395-5749
TTY: 1-800-669-6820
ASL Video Phone: 844-234-5122

Section 8: Formal Complaint

- 8.1 A formal complaint is a document submitted by the Complainant or signed by the Title IX Coordinator alleging a violation of this policy by a Respondent and requesting that Marshall University investigate the allegation(s). When the Title IX Coordinator signs a formal complaint, they are not a Complainant or other party in any resulting investigation.
- 8.2 A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail using the contact information in Section 5. It must contain the Complainant's physical or digital signature or otherwise indicate that the Complainant is the person filing the complaint and requesting that the allegations be investigated through the Title IX Grievance Procedures.
- 8.3 When a formal complaint is submitted, the University will provide the Respondent and the Complainant with prompt written notice of the allegations consistent with 34 C.F.R. § 106.45(b)(2). This written notice will include: (1) the identities of the parties, if known; (2) the conduct allegedly constituting Title IX sexual harassment or other prohibited conduct; (3) the date and location of the alleged incident, if known; (4) a statement that the Respondent is presumed not responsible for the alleged conduct; (5) a statement that each party may have an Advisor of their choice; and (6) a statement informing the parties

that knowingly making false statements or knowingly submitting false information is prohibited.

Commented [JR13]: Ensures the notice elements are captured in policy language.

8.4 A Complainant may submit a formal complaint at any time, with or without prior contact with TIXO staff. However, Complainants are encouraged to meet with TIXO staff before filing if they wish to learn about supportive measures or options for proceeding.

Section 9: Mandatory Reporters

- 9.1 All Marshall University faculty, administrators, and staff (except those identified as confidential resources in Section 11) have a duty to immediately report violations of this policy to the Title IX Coordinator if they receive a complaint of a violation or observe or learn of conduct that is reasonably believed to violate this policy.
- 9.2 Graduate assistants and student employees have a duty to report violations of this policy if they become aware of the violations in the course of their duties and those duties include responsibility for the safety and wellbeing of other members of the campus community or if they have supervisory, evaluative, grading, or advisory responsibility over other members of the campus community.
- 9.3 In certain limited circumstances, exemptions to mandatory reporting may be requested in advance from the Title IX Coordinator (e.g., Take Back the Night).
- 9.4 Complainants should consider if they want to share information regarding behaviors under this policy with non-confidential mandatory reporters, as all details of potential violations must be promptly reported to the Title IX Coordinator so that supportive measures and options may be made available to Complainants.
- 9.5 If any person suspects or has knowledge of criminal activity occurring on university property, they should call the Marshall University Police Department ("MUPD") at 304-696-HELP (4357) (in an emergency, dial 911 immediately). Incidents that occur off campus or at a regional campus should be reported to local law enforcement.

Section 10: Officials with Authority (OWAs)

- 10.1 OWAs are university employees with the authority to implement corrective measures for sexual harassment, other sexual misconduct, and retaliation on behalf of Marshall University. Notice to any OWA constitutes actual knowledge under this policy. For purposes of this policy, the following employees are designated as OWAs: Title IX Coordinator and TIXO staff members, President, Provost, Vice Presidents, Athletic Director, Dean of Students, and Chief Human Resources Officer

Section 11: Confidential Resources

- 11.1 Certain campus and local resources may maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediate threat or danger, in cases of abuse of certain populations (e.g., minors), or when required to disclose by law or court order. Other resources are available as a confidential resource. These resources may offer options and resources without any obligation to inform a campus official or law enforcement authorities.
- 11.2 Marshall University's confidential resources include:
 - 11.2.1 Licensed professionals and staff at Counseling Center and Psychology Clinic,
 - 11.2.2 Licensed professionals and students registered for practice under a licensed psychologist at the Psychology and Social Work Clinic,
 - 11.2.3 Health care providers and staff at Student Health,
 - 11.2.4 Licensed professional counselors available through the Employee Assistance Program,

- 11.2.5 Student Support Services TRIO Program,
- 11.2.6 Women's and Gender Center,
- 11.2.7 Violence Prevention & Response Office,
- ~~11.2.7~~ ~~11.2.8~~ Peer Recovery Specialist and/or Program Coordinator of the Collegiate Recovery Peer Support team and
- ~~11.2.8~~ ~~11.2.9~~ Office of the Ombuds

Commented [JR14]: Added an additional confidential resource for the University.

- 11.3 Off-campus confidential resources include:
 - 11.3.1 Licensed professional counselors and other medical providers,
 - 11.3.2 Local rape crisis counselors,
 - 11.3.3 Domestic violence resources,
 - 11.3.4 Local or state assistance agencies,
 - 11.3.5 Clergy/Chaplains, and
 - 11.3.6 Attorneys.

11.4 Information regarding support resources, many of which are confidential, may be found on the Resources page on the TIXO website.

Section 12: Anonymous Reports

12.1 Anonymous reports may be submitted, and if the report contains information about conduct that would constitute a violation of this policy, TIXO staff will attempt to address the reported concerns; however, their ability to investigate or resolve anonymous complaints will likely be limited. Further, TIXO tries to provide supportive measures to all Complainants, which is impossible with an anonymous report.

Section 13: Amnesty for Violations of Alcohol and Drug Policies under the Student Code of Conduct

13.1 To encourage reporting of alleged violations of this policy and to support candid communication of information, students participating in the grievance process (Complainants, Respondents, and Witnesses) will not be charged with alcohol or drug-related violations if they engaged in unlawful or prohibited personal use of alcohol or drugs during the incident when the alleged violation occurred. Amnesty applies only to the personal use of alcohol or drugs during the incident in question and does not extend to other potential violations. University officials may consider the use of alcohol or drugs involving other disciplinary issues or actions outside this BOG policy and the related grievance process. Amnesty does not apply to the Respondent if drugs or alcohol were allegedly used to facilitate a violation of this policy.

Section 14: Reporting to Law Enforcement

14.1 Complainants are encouraged to make a report to law enforcement authorities, even if they decide not to report to the Title IX Coordinator. Making a report to the police does not obligate the Complainant to further participate in the criminal process. Reports of incidents occurring on the Huntington campus may be made to the Marshall University Police Department (304-696-HELP (4357)). Incidents occurring on a regional campus or center, or off campus, may be made to the local law enforcement agency. TIXO staff, advocates, counselors, and other university employees are available to assist complainants who want to make a report to law enforcement authorities.

Section 15: Preservation of Evidence

15.1 The preservation of evidence in incidents of sexual assault is critical to potential criminal prosecution and obtaining restraining orders and is particularly time-sensitive. A medical evidentiary examination provides documentation of the assault, identification of any injury, and forensic evidence collection. It is important for health, safety, and evidence collection to have an exam as soon as possible after a sexual assault.

15.2 Additionally, documentary evidence such as emails, texts, social media posts, pictures, videos, etc., may be vital to both a criminal investigation and the university's investigation process. Retention of these items preserves the opportunity to submit them for consideration if an investigation is undertaken by the police and/or the university.

Section 16: Federal Timely Warning Obligations

16.1 Under the Clery Act, Marshall University must issue timely warning for reported incidents that fall under the definitions of sexual assault, domestic violence, dating violence, stalking, or hazing and pose a serious or continuing threat of bodily harm or danger to members of the campus community. If possible, Marshall University will not disclose a Complainant's name and other identifying information, while providing enough information for community members to make decisions regarding their safety. Marshall University also collects and shares de-identified statistical information regarding reported incidents as required by the Clery Act.

16.2 Personally identifiable information obtained in the course of complying Title IX regulations will not be disclosed, except in the following circumstances:

- 16.2.1 When Marshall has obtained prior written consent from a person with the legal right to consent to the disclosure;
- 16.2.2 When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- 16.2.3 To carry out the purpose of this part, including action taken to address conduct that reasonably may constitute sexual harassment under Title IX in Marshall's education program or activity;
- 16.2.4 As required by Federal law, Federal regulations, or the terms and conditions of a Federal award, including a grant award or other funding agreement; or
- 16.2.5 To the extent such disclosures are not otherwise in conflict with Title IX regulations, when required by State or local law or when permitted under FERPA or its implementing regulations.

Section 17: Making a False Report

17.1 Intentionally making a false complaint or report of sexual harassment, other sexual misconduct, or retaliation is prohibited, violates this policy, constitutes misconduct subject to disciplinary action, and may also be a crime. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a finding of a policy violation.

17.2 Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation or hearing may be subject to discipline under Marshall University policy. TIXO will refer evidence of intentional false complaints or reports to the appropriate campus authority

Section 18: Privacy

18.1 Every effort is made by Marshall University to preserve the privacy of reports and of the identities of those involved in the grievance process. This information will not be shared except as necessary to carry out the purposes of Title IX regulations (34 CFR Part 106), as required by law, or as permitted by the Family Educational Rights and Privacy Act (FERPA).

18.2 Information related to reports will be shared with a limited number of Marshall University employees who

“need to know” to respond to the report and/or assist in its assessment, investigation, and resolution. Marshall University reserves the right to determine which officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to FERPA.

18.3 When a formal complaint is submitted by the Complainant or signed by the Title IX Coordinator, the Complainant’s identity and the allegations made in the report must be disclosed to the Respondent. Further, the parties and their advisors will have the opportunity to review all directly related evidence gathered during the grievance process.

18.4 When required by the Clery Act, the Marshall University Police Department will be provided information regarding the report so they can maintain the campus crime log and assess if a timely warning should be issued to the campus.

18.5 Additionally, if any party involved in alleged sexual misconduct is a minor, Marshall University personnel will notify the appropriate agencies, as required by West Virginia law.

Section 19: Supportive Measures

19.1 Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

19.2 Supportive measures are designed to restore or preserve equal access to the university’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university’s educational environment or to deter sexual harassment, other sexual misconduct, and retaliation.

19.3 Upon receipt of a report alleging a violation of this policy, the Title IX Coordinator will contact the Complainant to discuss the availability of supportive measures and consider the Complainant’s wishes regarding what supportive measures may be implemented. The Title IX Coordinator will also explain the process for filing a formal complaint, including that supportive measures are available with or without the filing of a formal complaint.

19.4 Marshall University will act to minimize the academic and/or occupational impact on the parties as much as possible and maintain the privacy of supportive measures to the extent that it does not impair the provision of the supportive measures.

19.5 Supportive measures may include, but are not limited to:

- 19.5.1 Referral to campus and community counseling, medical, and/or other health care services, including the employee assistance program, as appropriate
- 19.5.2 Implementing Mutual No Contact Orders between the parties²
- 19.5.3 Altering campus housing assignment(s)
- 19.5.4 Altering work arrangements for employees, including student employees
- 19.5.5 Academic support, extensions of deadlines, or other course/program-related adjustments
- 19.5.6 Class schedule modifications, withdrawals, or leaves of absence
- 19.5.7 Providing Campus safety escorts
- 19.5.8 Timely warnings
- 19.5.9 Increased security and monitoring of certain areas of campus

² Violations of Mutual No Contact Orders will be referred to the appropriate student or employee conduct process for enforcement.

- 19.5.10 Education to the campus community or community subgroup(s)
- 19.5.11 Any other actions deemed appropriate by the Title IX Coordinator

19.6 If a party procures a protective order or similar order from a court, the party is encouraged to notify MUPD and the TIXO of the order so that MUPD and the TIXO can assist, as needed, with enforcement of the order.

Section 20: Emergency Removal and Administrative Leave

20.1 Under specific circumstances, Marshall University may remove a student Respondent from the university's education program or activity on an emergency basis arising from allegations of Title IX sexual harassment, after an individualized safety and risk analysis determines an imminent and serious threat to the health or safety of any person. If so, the Respondent is provided notice of the emergency removal and an opportunity to immediately challenge the decision. A full description of the process for emergency removal may be found in the Title IX Grievance Procedures and Non-Title IX Grievance Procedures.

Section 21: Investigations of Formal Complaints

21.1 Investigation and adjudication of formal complaints under this policy will be conducted pursuant to the Title IX Grievance Procedures and Non-Title IX Grievance Procedures.

21.1.1 All reports are responded to promptly when received by the Title IX Coordinator. The grievance process begins when the Respondent is sent notice of the allegations. Every effort is made to complete the process within 90 business days. Business days for the purpose of this policy are weekdays (Monday-Friday) when Marshall University offices are open for normal operations. Sometimes, exceptions or extenuating circumstances can cause the grievance process to take longer, but Marshall University will avoid all undue delays within its control.

If the general timeframes for the grievance process outlined in the procedures document will be delayed, the TIXO will provide written notice to the parties of the delay, its cause, and an estimate of the additional time that will be needed as a result of the delay.

21.1.2 For formal complaints of Title IX sexual harassment involving student Respondents, the University will conduct a live hearing with real-time audio or audiovisual technology that enables the parties to see and hear each other. Each party's Advisor, not the party, will conduct questioning of the other party and any witnesses directly, orally, and in real time. Only relevant questions may be asked, as determined by the Decision-Maker, who will explain any exclusion of questions as not relevant at the time the determination is made, either before or during the hearing.

The University may request that parties submit proposed questions in advance of the live hearing to assist with the orderly administration of the process. Submission of questions in advance is optional and does not limit either party's right to ask additional relevant questions during the live hearing, including follow-up questions that arise based on hearing testimony. All questions, whether submitted in advance or posed during the hearing, are subject to the Decision-Maker's real-time determination of relevance.

Each party may be accompanied by an Advisor of their choice, who may be, but is not required to be, an attorney. The Advisor will conduct cross-examination on the party's behalf during the live hearing. If a party does not have an Advisor at the live hearing, the University will provide one, without fee or charge, for the limited purpose of conducting cross-examination. See § 2.4 regarding the University's obligation to appoint an Advisor for cross-examination when a party

lacks one. Advisors must adhere to University rules of decorum; the Decision-Maker may require a recess to allow a party to consult with their Advisor before a question is posed.

When a party attends the live hearing, the Advisor may pose relevant questions on the party's behalf, including follow-up questions that arise during the hearing, after consultation with the party. When a party does not attend the live hearing, the Advisor may pose only those questions or areas of questioning that were provided by the party in advance and may not independently generate new questions. The University does not permit parties to question each other or witnesses directly. All questioning must be conducted by the parties' Advisors.

A party or witness is not required to attend the live hearing or answer questions. The Decision-Maker will not draw an adverse inference regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions. If a party or witness does not attend or declines to answer some or all questions, the Decision-Maker will consider the available admissible and relevant evidence and will evaluate its reliability and weight consistent with applicable law, including the court-ordered modification to §106.45(b)(6)(i).³

For formal complaints of Title IX sexual harassment involving employee Respondents, the University may conduct a live hearing, but is not required to do so. If the University elects to conduct a live hearing in a matter involving an employee Respondent, the hearing will follow the same procedures set forth above for student Respondents, including advisor-led questioning and real-time relevance determinations. If a live hearing is not conducted, the Decision-Maker will permit each party to submit relevant written questions to be asked of any party or witness, provide each party with the responses, and allow for limited follow-up questions, subject to relevance determinations.

The Decision-Maker may consider only relevant evidence. Consistent with applicable law, the Decision-Maker will assess the relevance, reliability, and weight of all admitted evidence and will not draw an adverse inference regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions.

Commented [JR15]: keeps it aligned with § 106.45(b)(6)(i) and what occurs in our procedures.

21.1.4 The standard of evidence applied to determine responsibility for violating this policy is the preponderance of the evidence standard. The preponderance of the evidence means that the statements and information presented in the matter must indicate to a reasonable person that it is more likely than not that the Respondent committed a violation. Marshall University applies the same standard of evidence (preponderance) to all formal complaints of Title IX sexual harassment, whether the Respondent is a student or an employee.

21.1.5 When a Respondent is found to be in violation of this policy, appropriate disciplinary sanctions will be imposed. For a student Respondent, these may include, but are not limited to, formal warning, conduct probation, community service, probationary suspension, suspension, deferred suspension, deferral of the degree, withholding of the degree, revocation of the degree, reprimand, disciplinary probation, suspension, expulsion from the university, or any other sanction deemed to be just and appropriate. These sanctions may also be imposed on a student organization or group. For an employee Respondent, sanctions may include, but are not limited to, formal warning, probation, community service, censure, reprimand, suspension without pay, demotion and/or loss of tenure,

³ The 2020 Title IX regulations originally required that if a party or witness did not submit to cross-examination at the live hearing, the Decision Maker could not rely on any statement of that person when determining responsibility. In July 2021, a federal court in *Victim Rights Law Center v. Cardona* vacated that provision, meaning Decision Makers may consider earlier statements even if the party or witness does not participate in cross-examination, and institutions may not automatically exclude such evidence or infer a lack of credibility based solely on absence or refusal to answer questions.

dismissal/termination of employment, or any other sanction deemed to be just and appropriate. Sanctions take into account prior disciplinary history, if any.

In conjunction with a sanction, a Respondent found to be in violation of this policy may be assigned conditions of sanction deemed to be just and appropriate, which include but are not limited to, access restriction, revocation of rights and privileges, housing or worksite reassignment, educational activities, etc.

- 21.1.6. Where a determination of responsibility has been made against the Respondent, the university will provide remedies to the Complainant. Remedies are designed to restore or preserve the complainant's equal access to Marshall University's education program or activity. They may include the same individualized services as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. A Complainant is not entitled to a particular sanction against the Respondent.

Section 22: Consideration of Classroom and Instructional Settings

22.1 The classroom or other instructional setting (e.g., studio, laboratory, office hours) presents special issues because academic freedom protects the expression of ideas, even where the idea or its expression is perceived to be mature, controversial, explicit, graphic, or offensive. Nevertheless, conduct that would otherwise constitute a violation of this policy will not be exempt merely because it occurs in an instructional setting. Rather, the investigation will consider the legitimate pedagogical context and will take into account discipline-specific guidelines for professional practice as defined by the appropriate educational unit.

22.2 Accordingly, broad deference is given if the conduct that was the basis for the complaint occurred in an instructional context. When there is a legitimate pedagogical basis, the presentation or discussion of sexual topics that are mature, controversial, graphic, or explicit shall not be considered sexual harassment even if some persons find these topics subjectively offensive.

Section 23: Reasonable Accommodations for Persons with Disabilities

23.1 Any persons living with a disability involved in the Sexual Harassment and Other Sexual Misconduct Grievance Process have the right to request reasonable accommodation to ensure their full and equal participation. These requests should be made to the Office of Accessibility and Accommodations (OAA). Parties do not have to disclose information about the complaint or charge to request reasonable accommodation, except to the extent that it may assist in determining reasonable accommodations. Accommodations are determined on an individual basis by OAA and are implemented in consultation with the case investigator(s). Examples of reasonable accommodation include sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.

Section 24: Disability Complaint Procedures

24.1 Marshall University does not discriminate or permit discrimination on the basis of disability in matters of admissions, employment, housing, or services or in the educational programs or activities it operates. The Vice-President for Intercultural and Student Affairs has been designated as the Section 504 Coordinator for students. The Chief Talent Officer/Human Resources Director has been designated the Section 504 Coordinator for employees. Those serving as the Section 504 Coordinator coordinate compliance with the nondiscrimination requirements of Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and applicable federal and state regulations.

24.2 Marshall University adopts MUBOG Policy No. GA-3 as its ADA/Section 504 complaint procedures to provide prompt, equitable, and impartial resolution of complaints alleging any action prohibited by the ADA or Section 504. This policy applies to complaints of discrimination or harassment on the basis of disability by staff, faculty, students, or applicants for both University employment and academic admission, vendors, contractors, and third parties.

24.3 These rules will be construed to protect the substantive rights of interested persons, meet appropriate due process standards, and assure that Marshall University complies with the ADA, Section 504, and their implementing regulations.

24.4 The Office of Accessibility and Accommodations will maintain the files and records relating to complaints filed under this policy and other procedures.

Marshall University Office of Accessibility and Accommodations
Stephanie Ballou, Director
Prichard Hall, Room 117
Phone: 304-696-2467
Fax: 304-696-2288
wyant2@marshall.edu

Marshall University Board of Governors

Meeting of June 10, 2026

ITEM: Approval of 2025-26 Academic Program Review Recommendations

COMMITTEE: Academic and Student Affairs Committee

RECOMMENDED ACTION: *Resolved*, that the Marshall University Board of Governors approve the 2025-26 Academic Program Review Recommendations

STAFF MEMBER: Robert Bookwalter
Interim Provost and Senior Vice President for Academic Affairs

BACKGROUND:

The Office of Academic Affairs recommends the following actions based upon the Academic Program Review of scheduled programs for 2025-2026.

Undergraduate Certificate Programs	Recommendations
Information Assurance	Continue at current level

Undergraduate Degree Programs: Baccalaureate Degree Level	Recommendations
Biomechanics-BS	Consolidate this program as one of five majors in the Health & Movement Sciences BS degree (approved by BOG in June 2025).
Computer and Information Security-BS	Discontinue the program after all enrolled students have completed it.
Computer and Information Technology-BS	<p>Improve program through advancements in efficiency, quality, productivity, and focus.</p> <ul style="list-style-type: none"> • Create a comprehensive 5-year plan for program development • Develop and execute a plan for the systematic collection of assessment data and its use for continuous improvement • Complete annual assessment reports for each year of the next review cycle
Computer Science-BS	Continue at current level
Criminal Justice-BA	Continue at current level
Cyber Forensics and Security-BS	<p>Develop or expand the program due to demand</p> <ul style="list-style-type: none"> • Add a faculty member when resources in the college will allow

English-BA	Continue at current level
Environmental Science-BS	Develop or expand program due to demand <ul style="list-style-type: none"> • Add a faculty member when resources in the college will allow
Exercise Science-BS	Consolidate this program as one of five majors in the Health & Movement Sciences BS degree (approved by BOG in June 2025). After consolidation, the major should add an additional faculty member, when resources in the college will allow, in order to reduce the faculty/student ratio.
Geology-BS	Continue at current level
Journalism and Mass Communications-BA	Continue at current level
Natural Resources and Recreation Management-BS	Continue at current level
Occupational Safety and Health-BS	Continue at current level

Graduate Degree Programs: Master's Degree Level	Recommendations
Athletic Training-MS	Develop or expand program due to demand. <ul style="list-style-type: none"> • Add additional teaching faculty, when resources in the college will allow, to be shared with the Athletic Training major in the new BS in Health & Movement Sciences program.
Biomechanics-MS	Consolidate this program as one of four majors in the Health & Movement Sciences MS degree (approved by BOG in April 2025). After consolidation, the major should build enrollment and clarify how assessment leads to program action.
Computer Science-MS	Continue at current level
Criminal Justice-MS	Continue at current level
Cybersecurity-MS	Improve program through advancements in efficiency, quality, productivity, and focus. <ul style="list-style-type: none"> • Develop and execute a plan for the systematic collection of assessment data and its use for continuous improvement • Complete annual assessment reports for each year of the next review cycle • Develop an expanded, detailed 5-year plan for program development
Cyber Forensics and Security-MS	Discontinue the program after all enrolled students have completed it (similar program in CECS).
Data Science-MS	Continue at current level
English-MA	Continue at current level

Environmental Safety and Health-MS	Continue at current level
Exercise Science-MS	Consolidate this program as one of four majors in the Health & Movement Sciences MS degree (approved by BOG in April 2025). After consolidation, the major should improve assessment data so they can implement their 5-year plan as suggested by the Graduate Council.
Forensic Science-MS	Continue at current level
Journalism-MA	Discontinue the program after all enrolled students have completed it.
Natural Resources and the Environment-MS	Continue at current level

Graduate-level Certificate Programs	Recommendations
Digital Communications	Discontinue the program after all enrolled students have completed it.
Digital Forensics	Discontinue the program after all enrolled students have completed it.
Integrated Strategic Communications	Discontinue the program after all enrolled students have completed it.
Media Management	Discontinue the program after all enrolled students have completed it.

Marshall University Board of Governors

Meeting of June 10, 2026

- ITEM:** Approval of Board of Governors Rule No. AA-17 - Faculty Conduct and Disciplinary Procedures
- COMMITTEE:** Academic and Student Affairs Committee
- RECOMMENDED ACTION:** *Resolved*, that the Marshall University Board of Governors approve Board of Governors Rule No. AA-17, Faculty Conduct and Disciplinary Procedures.
- STAFF MEMBER:** H. Toney Stroud
Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

BACKGROUND:

This rule establishes a comprehensive, fair, and academically sound framework for addressing faculty misconduct while protecting academic freedom, due process, and shared governance and ensuring accountability and professional conduct. The policy:

1. Ensures consistent procedures across the institution.
2. Provides faculty-led adjudication of serious sanctions.
3. Aligns Marshall University with American Association of University Professors (AAUP) Recommended Institutional Regulations, MUBOG Rules No. AA-6 and AA-16, and WV Code.

Nothing in this rule shall be interpreted to restrict academic freedom, protected speech, or lawful participation in shared governance.

Key Provisions

- Applies to all faculty, including administrators when acting in faculty roles.
- Uses a three-tier misconduct framework:
 - Tier 1 (Minor): Corrective, non-disciplinary actions.
 - Tier 2 (Serious): Formal review and possible discipline.
 - Tier 3 (Grave): Possible suspension, tenure revocation, or dismissal.
- Ensures due process, including notice, investigation, hearing, and appeal rights.

Governance and Decision-Making

Serious cases are reviewed by faculty-led panels (Faculty Personnel Committee), with appeals to the Faculty Senate Executive Committee. The President issues the final institutional decision.

Process Summary

Complaint - Classification - Investigation - Hearing - Decision - Appeal - Final Action **Sanctions**
Outcomes range from corrective actions and warnings to salary reduction, suspension, or dismissal depending on severity and pattern of misconduct.

Conclusion

The policy establishes a faculty-led, tiered disciplinary system focused on fairness, consistency, and accountability while safeguarding academic freedom.

Upon approval of this resolution, a comment period will open and remain open until 10:00 am on Thursday, July 23, 2026. If substantive comments are received, a final rule will be presented to the Board for approval at a subsequent meeting. The rule changes for any individual rule are approved as final at the conclusion of the comment period if no substantive comments are received for that rule. Comments should be sent via email to: commentstorpap@marshall.edu

MARSHALL UNIVERSITY BOARD OF GOVERNORS

Rule No. AA-17

FACULTY CONDUCT AND DISCIPLINARY PROCEDURES

I. Purpose

This rule establishes a comprehensive, fair, and academically sound framework for addressing faculty misconduct while protecting academic freedom, due process, and shared governance and ensuring accountability and professional conduct. The policy:

1. Ensures consistent procedures across the institution.
2. Provides faculty-led adjudication of serious sanctions.
3. Aligns Marshall University with AAUP Recommended Institutional Regulations, MUBOG AA-6 and AA-16, and W. Va. Code.

Nothing in this rule shall be interpreted to restrict academic freedom, protected speech, or lawful participation in shared governance.

II. Scope and Authority

Applicability: This policy applies to all individuals holding faculty appointments (classifications) at Marshall University (including adjunct faculty, dual-credit instructors, tenured, tenure-track, clinical-track, teaching-track, librarian-track, and research-track faculty).

This rule applies equally to faculty-classified administrators when the alleged conduct arises from their faculty role or responsibilities. When a faculty-classified administrator is alleged to have committed misconduct, the complaint shall be reported to the Provost. The Provost (or the President, if the allegation concerns the Provost) will forward the complaint to the administrator's immediate supervisor and to the Chair of the University Faculty Senate Faculty Personnel Committee.

For dual-credit instructors, coordination with partner school systems will occur as required by applicable agreements and law; however, University disciplinary authority over faculty appointments remains unchanged.

Relationship to Other Policies: Allegations governed by federal or state law or other legally mandated policies—including Title IX, discrimination or harassment law, research misconduct regulations, and HIPAA/FERPA—shall be governed by those applicable laws and policies, which supersede the procedures outlined below.

Once fact-finding is complete and a policy violation is substantiated, sanctioning and appeals shall proceed under the applicable governing policies. When fact-finding is

conducted under another controlling policy, the faculty misconduct panel's role is limited to review and comment on the sanctions. Findings of fact shall not be re-adjudicated absent new evidence or due-process defects. In matters governed by Title IX, the Faculty Misconduct Panel shall have no review authority, and the Faculty Senate Executive Committee shall have no appellate authority

Dual-Role Faculty (Faculty with Administrative Appointments): When an individual serves in both faculty and administrative capacities, jurisdiction is determined by whether the alleged conduct occurred primarily in the administrative role or the faculty role.

The Provost, Chief HR Officer, and General Counsel will jointly make this determination and issue a written routing memo to the faculty member and the University Faculty Senate Faculty Personnel Committee Chair.

No party may unilaterally select the forum.

Authority: This policy is authorized under W. Va. Code §18B-2A-4, MUBOG AA-6, MUBOG AA-16.

History: This Rule was originally passed by the Board on _____, 2026, with an effective date of _____, 2026.

III. Guiding Principles

1. **MUBOG Rule AA-16 (Professional Responsibility, Academic Responsibilities, and Academic Freedom):** Faculty shall not face discipline for protected teaching, scholarship, or governance, and they shall have the freedom to speak on any matter of social, political, economic, or other interest to the larger community, without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence. Each faculty member is entitled to freedom in the classroom regarding discussion of the subject being taught. In addition, when faculty members speak or write as private citizens outside the institution they shall be free from institutional censorship or discipline, unless they are indicating they are speaking on behalf of Marshall University. The academic freedom, protected speech and activities, institutional responsibilities of faculty in relationship to alleged misconduct is further outlined below in the section on Academic Freedom and Nexus Requirement of this rule.
2. **Faculty-Led Adjudication:** Serious sanctions require an impartial hearing before a University Faculty Personnel Committee (FPC) panel of tenured faculty.
3. **Due Process:** Faculty are entitled to written notice of charges, access to evidence, representation, cross-examination of witnesses, a verbatim hearing record, and a defined appeal consistent with W. Va. Code §6C-2-3.

4. **Neutrality:** HR coordinates logistics; investigators and FPC panelists must be impartial and free from conflicts of interest.
5. **Progressive, Educational Approach:** The University seeks to remediate whenever appropriate, emphasizing corrective actions, particularly for Tier 1 Minor Misconduct.
6. **Proportionality and Consistency:** Sanctions must be proportionate to misconduct and consistent with prior comparable cases.
7. **Timeliness with Flexibility:** Timelines are clearly defined but may be extended for good cause, with written explanation.
8. **Burden and Standard of Proof:** The University bears the burden of proof in all faculty misconduct proceedings.
 - a. For Minor Misconduct Allegations (Tier 1), the University must establish the alleged misconduct by preponderance of the evidence.
 - b. For Serious Misconduct (Tier 2) Allegations and Grave Misconduct (Tier 3) Allegations, the University must establish the alleged misconduct by clear and convincing evidence.
 - c. Corrective and non-disciplinary actions, such as coaching, mentoring, and Faculty Development Plans, are remedial in nature and do not require formal evidentiary findings under either standard.
 - d. The applicable standard of proof shall be stated on the record at the outset of any formal hearing and applied consistently throughout the adjudication process.
9. **Academic Nature of Proceedings:** Faculty misconduct proceedings under this rule are academic and administrative in nature and are not judicial or criminal proceedings. The purpose of these proceedings is to determine professional fitness, institutional responsibility, and appropriate institutional action, not to adjudicate civil or criminal liability. Formal rules of evidence applicable in courts of law do not apply. However, all findings must be based on relevant, reliable, and probative information and evaluated under the applicable standard of proof established by this rule. Procedures shall be conducted in a manner that is fair, respectful, orderly, and consistent with the principles of academic due process, shared governance, and professional responsibility.
10. **Shared Governance:** Peer faculty review is central, with the University Faculty Senate's Faculty Personnel Committee (FPC) hearing all cases involving serious (Tier 2) or grave (tier 3) misconduct allegations. The Faculty Senate Executive Committee serves as the appellate authority in these cases.

IV. Definitions

For purposes of this policy:

1. **Adequate Cause:** Substantial reason demonstrably related to performance of institutional responsibilities, such that continued appointment is inconsistent with the institution's mission and obligations.
2. **Minor Misconduct (Tier 1):** Low-impact, isolated, or first-time behavior that is readily remediable and does not warrant formal disciplinary sanction.
3. **Serious Misconduct (Tier 2):** Repeated, willful, or significant breaches of professional responsibility that materially disrupt institutional operations, compromise trust, or harm students, colleagues, staff, or the University's interests.
4. **Grave Misconduct (Tier 3):** Willful, egregious, or fitness-impairing conduct (e.g., serious research misconduct, exploitation, violence, major fraud) that may warrant suspension, revocation of tenure, or dismissal for cause.
5. **Neglect of Duty:** Persistent failure or refusal to perform assigned academic or institutional responsibilities after written notice and an opportunity to improve.
6. **Unfitness to Serve:** Clear and convincing evidence that conduct, neglect, or incompetence substantially impairs effectiveness as a teacher, scholar, or community member.
7. **Corrective Action:** Non-disciplinary interventions aimed at remediation and improvement (e.g., coaching, mentoring, Faculty Development Plans).
8. **Disciplinary Action:** Formal sanctions imposed in response to substantiated misconduct (e.g., written reprimand, salary reduction, suspension, demotion, revocation of tenure, dismissal).
9. **Serious Sanction:** Any sanction altering pay, rank, tenure status, or fundamental faculty privileges (e.g., suspension without pay, demotion, salary reduction, loss of tenure, dismissal).
10. **Interim Measure:** Temporary, non-punitive action (typically with pay) used to protect safety, prevent disruption, or preserve investigation integrity while allegations are pending.
11. **University Presenting Party or University Representative:** The individual designated by the Provost (or designee) to present the University's case in a faculty misconduct hearing. This role may be filled by an attorney from the Office of General Counsel, an external attorney, or a trained University official. The presenting party must be trained in this rule, evidence handling, and hearing procedures and may not have served as investigator or decision-maker in the matter.
12. **Clear and Convincing Evidence:** Evidence that produces in the mind of the fact-finder a firm belief or conviction regarding the truth of the allegations. This standard is higher than a preponderance of the evidence but lower than proof

beyond a reasonable doubt and requires that the facts supporting the finding be highly probable. The University bears this burden for all serious sanctions.

13. **Preponderance of the Evidence:** Evidence that shows that a fact or allegation is more likely true than not true. This standard is met when the greater weight of the evidence supports the conclusion, even if the evidence is not overwhelming.
14. **Faculty Misconduct Review Panel:** A five-member hearing panel drawn from a trained pool of tenured members of the University Faculty Senate Faculty Personnel Committee, responsible for adjudicating serious faculty misconduct cases. Panel members must complete annual training and certify the absence of conflicts of interest prior to service. The panel is chaired by the University Faculty Personnel Committee Chairperson who presides over misconduct hearings.

V. Academic Freedom and Nexus Requirement

1. Faculty have the rights and responsibilities described in MUBOG AA-16 and AAUP's statements on academic freedom and tenure.
2. No disciplinary action may be imposed for:
 - Protected teaching or research content; or
 - Participation in shared governance; or
 - Extramural speech as a private citizen, unless there is a demonstrated nexus between the conduct and substantial impairment of professional fitness or institutional functioning.
3. Disagreement with viewpoints, scholarship, or criticism of the University is not misconduct.
4. Political speech, peaceful protest, and lawful public advocacy are acknowledged as protected forms of free speech and faculty expression.
5. Off-campus and/or mediated political speech, in and of itself, does not constitute misconduct.
6. Public criticism of institutional leadership shall not constitute misconduct, absent clear and convincing evidence of a direct and material impairment of assigned professional duties.
7. Institutional reputational impact alone cannot serve as a basis of disciplinary action absent material disruption to assigned duties or university operations.
8. When expression is implicated, decision-makers must explicitly analyze and document the nexus between the conduct and alleged impairment of assigned duties and institutional operations.

VI. Roles and Responsibilities

Department Chair/Director/Immediate Supervisor: First-level intervention, coaching, and documentation.

Dean: May issue minor discipline (reprimand, warning); refers serious cases to University Faculty Senate's Faculty Personnel Committee (FPC).

University Faculty Personnel Committee (FPC): Conducts hearings in all serious cases, makes findings of fact, and recommends sanctions. The FPC issues a written decision containing findings and recommendations. A faculty member may appeal the FPC's findings and recommendation decision to the Faculty Senate Executive Committee in accordance with this policy.

Faculty Senate Executive Committee: Serves as the final faculty-level appellate body. The Faculty Senate Executive Committee reviews appeals from FPC decisions and may affirm, reverse, or remand the FPC's findings and determination in accordance with this policy. The Executive Committee issues a written appellate decision.

President: The President retains final institutional authority following completion of all procedures required under this rule, but they may not bypass or disregard faculty-led adjudicative steps. The President, in consultation with the Provost, may affirm, reverse, or remand decisions issued by the Faculty Senate Executive Committee or the Faculty Personnel Committee only upon written findings of material procedural error, lack of evidentiary support under the applicable standard of proof, clearly disproportionate sanction, or newly discovered evidence. Any reversal or remand must include a written rationale. Faculty members may grieve final determinations consistent with W. Va. Code §6C-2-3.

Conflict of Interest and Impartiality Requirements: All individuals involved in the administration, investigation, adjudication, and appeal of faculty misconduct matters—including investigators, Faculty Personnel Committee panel members, administrators, and appellate reviewers—shall be impartial and free from actual or perceived conflicts of interest.

Prior to participation, such individuals must complete a written conflict-of-interest and impartiality disclosure affirming the absence of disqualifying conflicts.

Any party may raise a written objection requesting recusal for cause. The Faculty Personnel Committee Chair shall rule on recusal requests in writing. Individuals required to recuse themselves shall not participate further in the matter.

VII. Misconduct Classification and Illustrative Behaviors by Tier

An illustrative list of potential misconduct behaviors is listed in Appendix A.

The following examples are illustrative, not exhaustive. Classification depends on the nature of the conduct, intent, pattern, impact, and context.

A. Tier 1 Minor Misconduct (Informal Corrective Action (Non-Disciplinary):

Generally handled at the immediate supervisor level.

Tier 1 actions are corrective and developmental in nature. They do not constitute formal discipline, are not considered adverse employment action, and shall not serve as the sole basis for escalation except where a documented pattern of materially similar conduct demonstrates failure to respond to prior written notice and opportunity to improve.

Tier 1 conduct must be low-impact, isolated, and not materially impair student academic progress, institutional operations, or professional fitness. Isolated clerical or administrative errors corrected upon notice shall not constitute misconduct.

Tier 1 records are not considered disciplinary records and shall not be considered in promotion, tenure, or merit determinations unless they form part of a documented pattern of similar conduct demonstrating failure to respond to corrective intervention.

Tier 1 corrective actions are intended to address concerns early and constructively and should not be interpreted as disciplinary findings.

Examples:

- Isolated failures to hold or post office hours after reminder.
- Minor workplace interaction concerns that are appropriate for supervisory coaching or corrective guidance.
- Minor syllabus or assessment irregularities without material impact on student grades or progression.
- First-time late submission of grades or required administrative materials.
- Non-willful administrative or communication errors (e.g., confusion about deadlines or forms).
- Isolated minor collegial conduct issues remediable through coaching or a Faculty Development Plan (FDP).

B. Tier 2 (Serious Misconduct): Requires formal referral; serious sanctions cannot be imposed without an FPC hearing.

Tier 2 includes conduct that materially undermines professional responsibilities, student welfare, institutional integrity, or compliance obligations, or conduct demonstrating a documented failure to correct behavior following Tier 1 corrective intervention.

A documented pattern of substantially similar Tier 1 misconduct may warrant escalation to Tier 2 when the faculty member has received prior written notice of the concern, has been provided a reasonable opportunity to correct the behavior (including coaching or a Faculty Development Plan where appropriate), and the conduct continues in a manner that materially impacts institutional functioning.

Multiple substantiated incidents within a rolling three-year period may be considered evidence of such a pattern, typically three (3) incidents, but escalation shall not be automatic and must include written justification explaining why the continued conduct

demonstrates disregard of prior corrective intervention or inability to fulfill assigned duties.

Examples:

- Repeated unprofessional or hostile conduct after written notice and coaching.
- Documented FERPA or confidentiality breaches with potential or actual harm.
- Retaliation against students, faculty, or staff for reporting concerns or participating in a process.
- Significant grading irregularities or misuse of academic authority (e.g., grading motivated by personal animus rather than academic performance).
- Failure to adhere to required safety protocols or research compliance obligations after notice and training.
- Discriminatory or harassing behaviors not rising to Tier 3 but demonstrating serious misconduct.
- Persistent neglect of duty following an unsuccessful FDP.

C. Tier 3 (Grave Misconduct): Requires expedited FPC hearing; may warrant revocation of tenure or dismissal.

Tier 3 includes conduct that fundamentally undermines professional fitness, institutional integrity, or the safety and welfare of the University community. Grave misconduct may arise from a single egregious act or from a documented pattern of sustained Tier 2 misconduct demonstrating persistent disregard of prior interventions.

A documented pattern of sustained Tier 2 misconduct that continues following formal intervention and materially impairs professional fitness may constitute Grave Misconduct. Escalation must include written justification explaining why prior corrective or disciplinary interventions failed to resolve the conduct.

Examples:

- Fabrication, falsification, or serious plagiarism in research or scholarship as substantiated by the University's research misconduct process.
- Serious harassment, stalking, coercion, or exploitation of students, colleagues, or staff.
- Violence or credible threats of violence; dangerous behavior that endangers others.
- Fraudulent conduct, such as, impersonation, falsifying University records, significant financial misconduct, or misappropriation of funds.
- Severe abuse of authority, such as coercive relationships with students or supervisees or quid-pro-quo demands.
- Criminal acts that directly impact the faculty member's fitness to serve or the University's safety or integrity.

VIII. Routing and Gatekeeping

1. **Initial Classification** – The Department Chair makes a preliminary classification (Tier 1, 2, or 3) based on available information and consults with the Dean.
2. **Dean Confirmation** – The Dean’s confirmation or modification of classification must include a brief written rationale addressing severity, impact, pattern, and proportionality considerations.
3. **Disputed Classification** – If the faculty member or Dean disputes the classification, the FPC Chair issues a threshold ruling within five (5) business days on the appropriate procedural tier. This ruling determines whether the matter must follow the Tier 2/3 formal process.
4. **Routing for Dual-Role Cases** – As described in Section II, jurisdiction for faculty with administrative appointments is set through a written routing memo. If the faculty member is a Dean or Provost, their immediate supervisor fulfills each role above.

IX. Procedures and Timelines: All time periods are “business days” unless otherwise specified.

The timelines set forth in this rule are intended as procedural goals designed to promote timely resolution of faculty misconduct matters. These timelines are not rigid deadlines and may be extended for good cause, including but not limited to complexity of allegations, witness availability, academic calendar constraints, or the need to ensure procedural fairness.

Any extension of a procedural timeline must be documented in writing, include the reason for the extension, and specify the revised target date. Written notice of timeline extensions shall be provided simultaneously to both parties.

No disciplinary determination shall be invalidated solely due to a timeline extension that is supported by good cause and documented in accordance with this section.

Participants should maintain confidentiality regarding faculty misconduct matters to protect privacy and the integrity of the process. These confidentiality expectations do not prohibit accused faculty from consulting with legal counsel, advisors, union representatives, colleagues, or support persons, nor from making good-faith reports of retaliation or seeking assistance.

A. Step 1 – Intake, Documentation, and Preliminary Assessment (≤ 5 days)

1. **Incident Identification and Documentation**

- All allegations of misconduct shall be reported to the faculty member's chair (or immediate supervisor in the case of Dean or Provost misconduct).
 - If a report is received by another administrative office, it shall be promptly forwarded to the appropriate chair or supervisory authority for intake.
 - Upon report of alleged misconduct, the chair records the date, source, and nature of the concern, and they preserve any initial evidence.
2. **Informal Fact-Gathering**
 - The intake party may clarify factual issues with the reporting party and review relevant materials but shall not conduct a full investigation or make formal credibility findings.
 3. **Preliminary Classification**
 - Chair proposes Tier 1, 2, or 3; Dean confirms or modifies.
 4. **Notification to Faculty Member**
 - Faculty are notified in writing that a concern has been raised, the preliminary classification, and they are provided a copy of this policy, unless notification would compromise an external investigation or create a safety risk.

B. Step 2 – Formal Referral (Tier 2 or 3) (≤ 10 days after Step 1)

For Serious or Grave Misconduct:

1. Dean's Referral Packet sent to the Provost, HR (for logistics), and FPC Chair, including:
 - Alleged conduct (bullet points).
 - Dates, locations, involved individuals.
 - Preliminary evidence (e.g., emails, syllabi, reports).
 - Tier classification and rationale.
 - Policies potentially violated.
 - Any request for interim measures.
2. Copy to Faculty Member
 - The faculty member receives the same referral packet on the same day it is transmitted.

C. Step 3 – Notice of Charges (≤ 5 days from referral)

1. HR issues a formal (electronic) Notice of Charges that includes:
 - Specific allegations and conduct at issue.
 - Policy sections allegedly violated.
 - Summary of available evidence.
 - Statement of rights (representation, evidence access, hearing, appeal).
 - Timelines for response and subsequent steps.

- Non-retaliation statement.
2. Faculty acknowledge receipt in writing (electronically).

D. Step 4 – Investigation (target ≤ 15 days)

1. Appointment of Neutral Investigator

- The Provost (or designee) appoints a neutral investigator, who may be internal or external, and is not an HR decision-maker in the case.

2. Scope of Investigation

The investigator:

- Interviews complainants, the faculty respondent, and relevant witnesses.
- Reviews documents, digital records, LMS content, and/or other evidence.
- Maintains confidentiality to the extent possible.
- Offers the faculty respondent the opportunity for a full interview before completion of the report.

3. Investigative Summary

- The investigator produces a written summary of the facts and evidence collected.
- The summary does not recommend sanctions.
- All exculpatory evidence must be disclosed.

4. Distribution

- The Investigative Summary is provided simultaneously to the faculty member, the University's presenting party, and the FPC Chair.

E. Step 5 – Faculty Response (≤ 15 days after Investigative Summary)

The faculty member may submit:

- A written narrative or rebuttal.
- Exhibits or documents.
- A list of witnesses.
- A statement of desired outcome.
- Objections to procedural issues thus far.

Extensions may be granted for good cause.

F. Step 6 – Pre-Hearing Evidence Exchange (≥ 10 days before hearing)

Both parties must exchange:

- All exhibits they intend to introduce.
- Witness lists with brief descriptions of testimony.
- Any stipulations of fact.

- Objections to proposed evidence (relevance, prejudice, redundancy).
- Requests for witness sequestration.

The FPC Panel Chair rules on pre-hearing objections and motions in writing.

G. Step 7 – Scheduling and Panel Formation (Hearing within \leq 30 days after Step 5)

1. Panel Formation

- FPC Chair selects a five-member panel from the Misconduct Hearing Pool.
- At least one member is from the faculty member's Academic Unit when feasible.
- Parties may request recusals for conflict of interest; rulings are made by the FPC Chair.

2. Hearing Scheduling

- HR coordinates date, time, and location (or secure virtual platform).
- Scheduling reasonably accommodates the faculty member and key witnesses.

H. Step 8 – FPC Hearing

The hearing is conducted in accordance with Section X below.

I. Step 9 – Findings and Recommendations (\leq 15 days after hearing)

The panel issues a written decision that includes:

- Findings of fact (numbered).
- Conclusions as to each allegation (sustained or not sustained).
- Policy provisions violated, if any.
- Aggravating and mitigating factors considered.
- Recommended sanction(s) with proportionality rationale.

The decision is provided to:

- The faculty member.
- Chair and Dean.
- Provost.
- Faculty Senate Chair.
- HR (logistics).
- President.

J. Step 10 – Appeal to Faculty Senate Executive Committee (\leq 20 days)

The faculty member may file a written appeal (\leq 10 days) to the Faculty Senate Executive Committee (copying the Provost, HR, and the President) on one or more of the following grounds:

1. Material procedural error that likely affected the outcome.
2. New evidence not reasonably available at the time of the hearing.
3. Sanction is clearly disproportionate to the substantiated misconduct.

The Senate Executive Committee reviews the record and within (≤ 10 days) may:

- Affirm the FPC decision.
- Modify the sanction.
- Remand to FPC with instructions for further proceedings.

The decision is issued in writing to the FPC Chair, Provost, HR, and the President.

K. Step 11 – Final Institutional Determination / Action (≤ 10 days after appeal decision)

The President (or designee):

1. Reviews the FPC and Faculty Senate Executive Committee decisions.
2. Issues written notice of final institutional determination and action.
3. For revocation of tenure and dismissal for cause, submits a notice to the Board of Governors.

X. Hearing Procedures (Expanded)

Prohibition of Ex Parte Communications

Once a formal referral or Notice of Charges has been issued, ex parte communications regarding the merits of the case between any party and a panel member, investigator, administrator, or appellate reviewer are prohibited.

Communications limited to procedural scheduling, logistics, or administrative coordination do not constitute ex parte communications, provided no substantive discussion of the case occurs.

Any improper communication must be promptly disclosed to the Panel Chair and documented in the case record. Appropriate remedial action, including recusal if necessary, shall be taken to preserve fairness and process integrity.

- **Pre-Hearing Conference**

The Panel Chair may hold a pre-hearing conference to:

- Confirm witness lists and exhibits.
- Address outstanding motions.
- Clarify the order of proof and logistics.

- **Opening the Record**

At the start of the hearing, the Panel Chair:

- Identifies the case, panel members, and parties.
- Confirms the hearing is being recorded verbatim.
- States the applicable standard of proof for the case.
- States that the University bears the burden of proof.
- **Opening Statements**
 - University representative may present an opening statement.
 - Faculty member (or counsel) may present an opening or reserve until their case.
- **University Case-in-Chief**
 - University presents witnesses and exhibits.
 - Each witness is subject to direct examination, cross-examination by the faculty member or counsel, and questions from the panel.
- **Faculty Case-in-Chief**
 - Faculty member presents testimony, witnesses, and exhibits.
 - University may cross-examine; panel may question.
- **Rebuttal/Surrebuttal**
 - Limited to new issues raised.
- **Closing Statements**
 - Both parties have the opportunity to summarize the evidence and apply the standard of proof.
- **Evidence Rules**
 - Formal rules of evidence do not apply; relevance, reliability, and fairness govern.
 - The panel may exclude irrelevant, cumulative, or unduly prejudicial evidence.
 - Anonymous complaints may not be the basis for a finding.
- **Sequestration of Witnesses**
 - At the request of either party or on the panel's initiative, witnesses (other than the faculty member and the University representative) may be excluded from the virtual or physical hearing space except while testifying.
- **Counsel and Advisors**
 - Each party may be advised or represented by counsel or another advisor at their own expense.
 - The Panel Chair may set reasonable limits to ensure order and efficiency.
- **Deliberation and Decision**
 - After closing statements, the panel deliberates in private without HR or non-panel participants present.
 - Decisions are by majority vote.

- A written Findings and Recommendations document is prepared and signed by panel members.
- **Professional Conduct Expectations**
All participants, including parties, advisors, witnesses, and representatives, are expected to conduct themselves in a professional and respectful manner. The Panel Chair may impose reasonable procedural limitations, recess proceedings, or remove disruptive participants when necessary to preserve the integrity and academic character of the hearing

XI. Interim Measures

1. Interim measures are non-punitive and administrative in nature, typically with full pay and benefits, and may include administrative leave, reassignment of duties, temporary removal from teaching or supervisory responsibilities, limitations on access to certain University facilities or systems, or temporary removal from specific environments where risk is present.
2. Interim measures may be imposed only when:
 - Continued duties pose an immediate and serious risk to safety or operations, or
 - Continued duties would seriously impede the investigation.
3. When such risk is present, interim measures may include immediate administrative leave and temporary restriction from University property, activities, or systems pending investigation.
4. Interim measures may be imposed prior to any finding of misconduct and are based solely on the need to protect safety, institutional operations, or the integrity of the investigation.
5. The President, Provost, or their designee may implement interim measures when necessary. The FPC Panel Chair (or designee) reviews any interim measure within five (5) business days of implementation and may affirm, modify, or lift it.
6. Interim measures are not evidence of misconduct and must be clearly labeled as such in all communications.
7. Interim measures shall be narrowly tailored to address the identified risk and shall remain in place only for the duration necessary to address that risk.

XII. Sanctions and Collateral Consequences

1. **Corrective (Non-Disciplinary) Actions**
 - Coaching and mentoring.
 - Faculty Development Plan (FDP).
 - Classroom observations and feedback.
2. **Disciplinary Actions (Non-Serious Sanctions)**
 - Written reprimand.
 - Final written warning.
 - Monitored probation.
 - Targeted training requirements.

- Temporary limitation of certain duties or roles (e.g., committee chairing).
3. **Serious Sanctions (require FPC hearing and Senate appeal opportunity)**
 - Prospective salary reduction.
 - Suspension without pay for a defined period.
 - Demotion in rank or removal from specific roles.
 - Revocation of tenure.
 - Dismissal for cause.
 4. **Collateral Consequences**
 - May include temporary removal of graduate faculty status, PI eligibility, overload teaching, or leadership roles.
 - Collateral consequences must be explicitly stated, time-limited, and include conditions for reinstatement.
 5. **Proportionality**
 - Sanctions must be proportional to the nature and severity of the misconduct and consider intent, pattern, harm, remediation, and consistency with prior cases.

XIII. Non-Retaliation and Reporter Protections

1. Marshall University strictly prohibits retaliation against any person who:
 - Makes a good-faith report of misconduct or concern.
 - Participates in an investigation or hearing.
 - Serves as a witness or panel member.
2. Retaliation includes:
 - Adverse employment actions (e.g., negative evaluations, workload changes, loss of opportunities) motivated by the report or participation.
 - Threats, intimidation, or coercion.
 - Actions that would reasonably deter a person from reporting or participating.
3. Retaliation as Misconduct
 - Proven retaliation constitutes at least Serious Misconduct and may be treated as Grave Misconduct depending on severity.
4. Reporting Retaliation
 - Retaliation concerns may be reported to the Chair, Dean, FPC Chair, Provost, Title IX Office, or other designated reporting offices.
5. Supportive Measures
 - The University may implement supportive measures for reporters and participants, such as changes in supervision, workspace, or schedule, as appropriate.

XIV. Relationship to Grievance Procedures

1. This policy governs the investigation, adjudication, and sanctioning of alleged faculty misconduct.
2. The faculty grievance process remains available for:

- Claims of unfair treatment not addressed in a misconduct process.
 - Disputes over workload, resource allocation, or other employment conditions unrelated to a misconduct finding.
 - Alleged retaliation, which may also trigger a misconduct proceeding.
3. Limitations
 - The grievance process may not be used to re-litigate facts or misconduct findings already decided through an FPC hearing and Senate appeal.
 - Grievance officers or committees may not overturn or modify sanctions imposed through this policy.
 - Grievances related to issues intertwined with misconduct allegations will normally be held in abeyance until the misconduct process is complete.
 4. Knowingly false, malicious, or bad-faith allegations constitute misconduct under this rule. This provision shall not apply to complaints made in good faith that are not substantiated.

XV. Revocation of Tenure

1. **Tenure may be revoked only for adequate cause, following:**
 - An FPC hearing under this policy.
 - A clear and convincing evidence standard.
 - An appeal opportunity to the Faculty Senate Executive Committee.
 - Presidential review and action.
 - Where applicable, Board of Governors notification.
2. **Revocation of tenure may:**
 - Be coupled with dismissal for cause, or
 - Result in continued employment on a fixed-term appointment with explicit expectations and monitoring, in rare and carefully justified cases.

XVI. Dismissal for Cause

1. Dismissal for cause of a tenured faculty member, or of a non-tenured faculty member prior to the expiration of their appointment, must comply with:
 - This policy's procedural requirements.
 - MU BOG AA-6 provisions on dismissal for cause.
 - W. Va. Code
2. Dismissal for cause requires:
 - An FPC hearing and written findings of adequate cause.
 - Opportunity for Senate Executive Committee appeal.
 - Presidential action and Board of Governors notification.

XVII. Records, Reporting, and Expungement

1. Records

HR and Academic Affairs maintain official records of formal disciplinary actions and related hearing documents.

- Record Retention
The Office of the Provost, in coordination with Human Resources, shall maintain official records of faculty misconduct proceedings—including investigative reports, hearing recordings, findings, and final determinations—for a minimum period of seven (7) years following final resolution, unless a longer retention period is required by law or contractual obligation.
2. Access
 - Access to records is limited to individuals with a legitimate institutional need, consistent with law and University policy.
 3. Expungement of Minor Discipline
 - Minor (Tier 1) disciplinary records shall be expunged from personnel files after three (3) consecutive years of satisfactory performance with no related misconduct. Tier 1 corrective documentation shall not be considered in promotion, tenure, or merit determinations absent a documented pattern of materially similar misconduct.
 4. Annual Reporting
An anonymized annual report summarizing numbers and types of cases, sanctions, and resolution times will be provided to the University Faculty Senate's Faculty Personnel Committee.

XVIII. Training and Implementation

1. Annual training on this policy is required for:
 - a. Department Chairs and School Directors.
 - b. Deans and Associate Deans.
 - c. FPC members and panelists.
 - d. Investigators and relevant HR staff.
2. Training addresses:
 - Academic freedom and the nexus test.
 - Due process and impartial adjudication.
 - Evidence handling and confidentiality.
 - Recognition of bias and conflict of interest.
 - Appropriate use of corrective vs. disciplinary sanctions.

XIX. Review and Revision

This policy will be reviewed at least every five (5) years by the Faculty Personnel Committee, Faculty Senate, and Academic Affairs to ensure continued alignment with law, AAUP standards, and institutional needs. Proposed revisions follow shared governance processes and require appropriate approvals.

Appendix A

Illustrative Misconduct Examples by Tier

*The following examples are **illustrative and non-exhaustive**. Classification of misconduct depends on the nature, severity, intent, frequency, context, impact, and applicable institutional standards. The absence of a specific example from this list does not preclude conduct from being addressed under this rule. The examples in this appendix are illustrative only and do not independently establish misconduct absent conduct meeting the definitions and standards set forth in Section VII.*

TIER 1 — MINOR MISCONDUCT

Generally isolated, low-impact, or first-time issues that are readily remediable through coaching, feedback, or a Faculty Development Plan.

Examples may include:

- **A. Workplace Conduct and Professional Interactions**
- Isolated workplace interaction concerns that are low-impact and readily correctable through supervisory coaching, and that do not involve hostility, intimidation, harassment, or disruption of institutional operations.
- Minor displays of frustration or discourtesy that do not involve hostility, intimidation, or a pattern of conduct.
- Repeated failure to respond to administrative communications after reminder.
- **B. Teaching & Course Management**
- First-time late submission of grades.
- Minor syllabus or assignment irregularities that do **not** affect student progress.
- Failure to post or hold office hours after a reminder.
- Incorrect or outdated information on syllabi without material impact.
- **C. Administrative Responsibilities**
- Occasional missed internal deadlines (assessment reports, schedules, updates).
- Minor errors in paperwork or recordkeeping without harm or pattern.
- **D. Student Interaction**
- Unclear communication causing minor confusion.
- Minor boundary concerns that are not inappropriate but require clarity or professional reinforcement.
- **E. Research/Compliance**
- Minor IRB or compliance oversight (e.g., late continuing review submission with no impact).
- Failure to complete required training (e.g., FERPA or Title IX) after reminder.
- Accidental or unintentional plagiarism that does not materially misrepresent scholarship and lacks intent to deceive.

TIER 2 — SERIOUS MISCONDUCT

Behavior that is repeated, willful, significantly harmful, violates important obligations, or reflects disregard for professional responsibilities. Tier 2 requires a formal referral and FPC hearing before any serious sanction.

Examples may include:

- **A. Professionalism & Conduct**
 - Repeated unprofessional, disrespectful, or hostile interactions following documented notice from supervisor.
 - Behavior that creates a disruptive or unhealthy working environment.
 - Inappropriate comments or conduct that do **not** rise to Tier 3 harassment but are concerning.
- **B. Teaching & Student Impact**
 - Significant grading irregularities or violations of academic policies.
 - Failure to follow required accommodations (e.g., ADA) after notice.
 - Ignoring safety protocols in labs, clinics, or fieldwork after prior instruction/reminder.
- **C. Confidentiality & Data Security**
 - FERPA violations with potential or actual harm to students.
 - Mishandling sensitive student information.
- **D. Retaliation (Non-Severe)**
 - Lowering grades, limiting opportunities, or altering workload in apparent response to a student or colleague raising concerns.
 - Excluding a colleague from routine departmental functions due to their participation in a complaint.
- **E. Research/Compliance**
 - Failure to follow IRB protocol requirements after notice.
 - Misuse of University resources or research property (not rising to fraud or criminal misuse).
 - Significant or repeated plagiarism arising from negligent scholarship or disregard for professional standards, without evidence of intent to deceive
- **F. Neglect of Duty**
 - Persistent failure to meet contractual expectations (teaching, advising, research, service) after documented intervention.
 - Repeated refusal to carry out reasonable assignments or departmental responsibilities.

TIER 3 — GRAVE MISCONDUCT

Egregious, harmful, unethical, or illegal behavior that may warrant suspension, revocation of tenure, or dismissal. Requires expedited investigation, FPC hearing, and Board approval for dismissal.

Examples may include:

- **A. Research Misconduct (Confirmed by RIO/ORI Process)**
 - Fabrication or falsification of research data.
 - Serious plagiarism in published work or grant submissions (plagiarism cases must be intention (deliberate appropriation of another person's ideas, data, or language without attribution, with intent to deceive, or substantial plagiarism constituting research misconduct.)
 - Manipulation/mechanical removal of data to produce false findings.
- **B. Exploitation, Harassment, and Abuse**
 - Sexual harassment, stalking, coercion, or exploitation of students or supervisees.
 - Quid-pro-quo relationships or abuse of power.
 - Physical intimidation, threats, or credible threats of violence.
 - Harassment, including intimidation, coercion, or targeted harassment of a colleague, student, or staff member; harassment of a colleague's family members or associates; intimidation outside the University context (e.g., through social media or other external venues); or knowingly false or malicious allegations intended to harm another individual.
- **C. Criminal or Dangerous Acts**
 - Criminal conduct that impacts fitness to serve (e.g., assault, threats, fraud, identity theft).
 - Possession or misuse of weapons or dangerous materials in violation of law or policy.
- **D. Severe Breaches of Integrity**
 - Intentional falsification of University records, timesheets, financial documents.
 - Significant misuse or misappropriation of University funds or property.
 - Intentional destruction of evidence or obstruction of institutional processes.
- **E. Severe Retaliation**
 - Threatening or harming individuals for participating in a complaint, investigation, or hearing.
 - Direct interference with witnesses or evidence.
- **F. Gross Neglect of Duty / Unfitness to Serve**
 - Complete abandonment of teaching responsibilities.
 - Conduct that demonstrably undermines student safety or welfare.
 - Severe or repeated violations that demonstrate unfitness for the faculty role.

Appendix B

Consequence Ladder

Consequence	When it's used	Prerequisites / Process	Typical Terms	Collateral Effects
Advisory Conversation (Documented Coaching) (<i>non-disciplinary</i>)	First, low-level issues; misunderstandings; performance drift	Chair/Director discussion; emailed summary to faculty; improvement checkpoints	1-3 months follow-up	Not placed in personnel file as discipline; may be referenced if issues persist
Faculty Development Plan (FDP) (<i>non-disciplinary</i>)	Performance gaps likely correctable (teaching, service, timeliness)	Written goals, supports, timeline (3-12 months), check-ins	Milestones; classroom observations; mentoring	FDP completion (pass/extend/fail) informs later steps
Written Reprimand	Policy breach or failure to meet FDP goals	Dean issues after review; faculty response opportunity	Specifies conduct, expectations, monitoring window	In personnel file; may affect merit for that cycle
Final Written Warning (last-chance)	Repeated or more serious breach after reprimand	Dean issues; states that further breach may trigger serious sanctions	6-12 months monitoring; may pair with targeted training	Eligibility limits (e.g., merit raise, overloads) during period
Loss/Restriction of Specific Privileges (e.g., graduate faculty status, PI eligibility, chairing committees, independent study supervision)	Misconduct impacting supervision, safety, or integrity but not rising to severe sanction	FPC not required unless contested or severe; written notice with reasons and review window	1-3 years or until conditions met; periodic review	May affect stipend, course assignments, student load; report to Sponsored Programs if PI limits apply

Consequence	When it's used	Prerequisites / Process	Typical Terms	Collateral Effects
Restitution / Financial Remedy	Verified misuse or loss to the University	Determination of amount; repayment schedule	Lump sum or installments; failure may escalate	May combine with other sanctions; reported as required
Mandatory Training / Monitored Probation	Correctable conduct or climate issues	Plan defines training, mentor, probation length	6–12 months	Non-completion escalates sanction
Salary Reduction (Prospective) — Serious Sanction	Sustained misconduct where continued employment is appropriate but deterrence warranted	FPC hearing → Senate appeal → Presidential action	Prospective only; amount and duration defined (e.g., 5–10% for 1–2 years)	Adjusts base going forward; cannot be retroactive
Suspension With Pay (Interim) (not a sanction)	Safety/disruption risk pending outcome	Admin action; must be reported to FPC within 5 business days	Short, limited; reviewed every 30 days	No loss of pay/benefits; not a finding
Suspension Without Pay — Serious Sanction	Significant misconduct; strong deterrence needed short of separation	FPC hearing → Senate appeal → Presidential action	Time-limited (e.g., up to one semester); terms to return	No pay during period; may limit access to campus; may impact future merit/sabbatical eligibility per policy
Demotion in Rank or Role — Serious Sanction	Proven unfitness for current rank/responsibilities but continued service possible	FPC → Senate → Presidential action	Permanent or time-limited with re-review	Title/rank change; possible pay band change; duties reassigned
Revocation of Tenure — Serious Sanction	Adequate cause shown: gross misconduct, persistent neglect after notice/opportunity to improve, severe	FPC hearing (clear and convincing) → Senate	See details below	Removes continuing-appointment presumption;

Consequence	When it's used	Prerequisites / Process	Typical Terms	Collateral Effects
<p>Dismissal for Cause — Serious Sanction</p>	<p>policy/law breach, or unfitness for continued service</p> <p>Adequate cause proven; separation is necessary to protect the University, students, or the integrity of the academic enterprise</p>	<p>appeal → Presidential action</p> <p>FPC hearing → Senate appeal → Presidential action</p>	<p>Immediate separation upon decision; final pay/benefits per law</p>	<p>may pair with dismissal or rare fixed-term continuation</p> <p>Loss of position; potential loss of emeritus eligibility; campus access may be restricted</p>

Appendix C

Review Panel (Faculty Misconduct Panel)

Review Panel (Faculty Misconduct Panel):

A Review Panel is a five-member adjudicatory body constituted from a standing **pool of tenured faculty members of the University Faculty Personnel Committee (FPC), chaired by the FPC Chairperson**, who have completed required annual training under this rule. Review Panels are responsible for conducting hearings, making findings of fact, and recommending sanctions in cases of Serious or Grave Misconduct.

Panel Pool Composition and Training:

Members eligible for service on a Review Panel must:

- Be current members of the University Faculty Personnel Committee;
- Hold tenure at Marshall University;
- Complete annual training on this rule, including:
 - Academic freedom and the nexus requirement,
 - Due process and standards of proof,
 - Evidence handling and confidentiality,
 - Hearing procedures and witness examination,
 - Recognition and management of bias and conflicts of interest.

Panel Selection:

For each case, the FPC Chair selects four (4) panelists from the trained pool, giving reasonable consideration to disciplinary representation while ensuring impartiality. At least one panelist shall, when feasible, be from the faculty member's academic unit or a closely related field.

Conflict of Interest and Impartiality:

All Review Panel members must be impartial and free from actual or perceived conflicts of interest. Prior to service, panelists shall submit a written **Conflict of Interest and Impartiality Statement** affirming that they:

- Have no personal, professional, supervisory, or adversarial relationship with the faculty member, complainant, witnesses, or investigators that would compromise neutrality;
- Have no prior involvement in the investigation, classification, or administrative handling of the matter;
- Can adjudicate the matter fairly based solely on the record and applicable standards.

Any party may request recusal of a panelist for cause. The FPC Chair shall rule on recusal requests in writing. If the FPC Chair is the subject of a recusal request, the Faculty Senate Chair shall designate an alternate decision-maker for that determination.

Authority and Independence:

The Review Panel operates independently of Human Resources, Academic Affairs administrators, and investigators. HR provides logistical support only and does not participate in deliberations. Panel decisions are made by majority vote based on the evidentiary record and the applicable standard of proof.

Appendix D

Faculty Misconduct: Sanction Ladder Matrix

Marshall University (Benchmark-aligned). Use this matrix to map substantiated misconduct to proportional consequences. Serious sanctions (salary reduction, suspension without pay, demotion, revocation of tenure, dismissal) require FPC hearing, clear-and-convincing standard, Faculty Senate Executive Committee appeal, and presidential implementation. Specialized matters (Title IX, research misconduct/ORI, IRB/IACUC, HIPAA/FERPA) follow controlling policies for investigation; this matrix guides sanction selection and collateral terms. This matrix provides guidance for proportional sanctioning and does not replace the procedures or standards established in this rule.

Category	Example Misconduct	Default Tier	Typical Sanctions (starting point)	Escalate To (if pattern/egregious)	Routing / Notes
Teaching and Student	Unjustified no-shows/cancellations; failure to meet class obligations	Tier 1	Advisory + FDP; Written reprimand	Tier 2: Final warning; monitored probation; loss of overload eligibility; Tier 3 for chronic abandonment	Academic Affairs routing; document attendance/coverage
Teaching and Student	Arbitrary/capricious or discriminatory grading	Tier 2	Final warning; grade audit/redo; mandatory training; probation	Tier 3: suspension without pay; demotion in role; dismissal if willful and persistent	Coordinate with Registrar/EO; consider independent regrade
Teaching and Student	Significant intrusion of irrelevant/inappropriate content	Tier 1–2	Reprimand; syllabus remediation; observation; training	Tier 3 if pattern after notice	Academic freedom review to ensure protected content not penalized

Teaching and Student	FERPA breach of student records	Tier 2	Training; probation; access restrictions	Tier 3 if willful/wid spread harm	Route through Registrar/Privacy Officer
Research and Scholarly	Research misconduct (FFP: fabrication/falsification/plagiarism)	Tier 3	Revocation of tenure + dismissal for cause (default); sponsor notifications	—	ORI/Research Misconduct policy controls fact-finding; this matrix sets sanctions
Research and Scholarly	IRB/IACUC/biosafety noncompliance (conduct outside approved protocol)	Tier 2	Removal of PI status; study hold; training; probation	Tier 3 if risk/harm/defiance: suspension without pay; dismissal	Route via IRB/IACUC/IBC; notify sponsors/regulators
Research and Scholarly	Data mismanagement; failure to maintain records; undisclosed selective reporting	Tier 2	Reprimand; probation; recordkeeping plan; PI restrictions	Tier 3 for willful deception or sponsor impact: salary reduction; suspension	Coordinate with Sponsored Programs
Research and Scholarly	Misrepresentation of credentials/contributions; coercive authorship	Tier 2	Reprimand; probation; correction/retraction; removal from committees	Tier 3 if material fraud: suspension or dismissal	Notify publishers as required
Professional and Collegial	Persistent neglect of duties after FDP	Tier 2	Final warning; monitored probation; workload adjustment	Tier 3: demotion; salary reduction; dismissal	Document FDP outcomes; ensure supports provided
Professional and Collegial	Interference with governance/retaliati	Tier 2–3	Suspension of committee	Tier 3: suspension without	EEO/HR consult; protect

	on against colleagues		roles; probation; training	pay; dismissal	complaints
Professional and Collegial	Dishonesty in reviews/committees; falsifying deliberations	Tier 2	Reprimand; removal from roles; probation	Tier 3 if consequential fraud: suspension; dismissal	Senate/Provost notified for governance integrity
Discrimination /Harassment	Harassment or discrimination (protected classes)	Tier 2-3	Suspension; pay reduction; role restrictions; mandatory training	Tier 3: demotion; dismissal for egregious conduct	Title IX/EEO investigates; discipline follows findings
Discrimination /Harassment	Retaliation against complainant/witnesses	Tier 3	Suspension without pay; dismissal for cause	—	Zero-tolerance; interim measures to prevent further harm
Conflict-of-Interest (COI)/ Commitment	Undisclosed financial COI; improper influence in research/procurement	Tier 2	Management plan; restitution if applicable; PI/role restrictions	Tier 3 if willful/benefit gained: salary reduction; suspension; dismissal	Follow COI policy; disclose to sponsors
Financial and Resource	Misuse/misappropriation of funds, P-card/grant/travel fraud	Tier 3	Restitution; suspension without pay; dismissal; possible criminal referral	—	Notify sponsors; audit; legal counsel
Financial and Resource	Unauthorized personal use of facilities/equipment/staff	Tier 2	Reprimand; restitution; access limits; probation	Tier 3 if significant value/pattern: salary reduction; suspension	Facilities/HR coordination
Information and Data	HIPAA/FERPA/Confidential data breach (negligent)	Tier 2	Training; probation; access	Tier 3 if willful/widespread:	Privacy/Security Office

			limits; incident remediatio n	suspension; dismissal	leads investigati on
Information and Data	Unauthorized system access; credential sharing	Tier 2	Reprimand; access revocation; probation	Tier 3 if intentional/i mpactful: suspension; dismissal	CISO involveme nt; reportable incident review
Safety and Compliance	Serious lab/field safety breach creating risk/harm	Tier 3	Suspension without pay; demotion; dismissal	—	EHS leads; regulator notificatio n
Safety and Compliance	Failure to report/correct known hazards; repeated PPE violations	Tier 2	Reprimand; training; lab restrictions; probation	Tier 3 for pattern/defi nition: suspension	EHS corrective action plan
Administration and Service	Falsification of official records (minutes, rosters, evaluations)	Tier 2–3	Reprimand; removal from admin roles; probation	Tier 3 if material impact: salary reduction; dismissal	Notify governanc e leadership
Administration and Service	Abuse of authority in admin roles (coercion, retaliation)	Tier 2–3	Role removal; probation; training	Tier 3 for grave misuse: suspension; dismissal	HR/Genera l Counsel consult
Legal and Criminal	Criminal conviction impacting fitness/safety (fraud, violence, exploitation)	Tier 3	Dismissal for cause (often) or suspension without pay pending outcome	—	Backgroun d, legal counsel; consider interim leave
Legal and Criminal	Misuse of university title/status in unlawful activity	Tier 3	Suspension without pay; dismissal	—	Public affairs/lega l coordinatio n
Other	Knowingly false or malicious	Tier 2	Reprimand; probation;	Tier 3 if severe	Safeguard against

	complaints; abuse of process		process training	harm: suspension	chilling legitimate reports
Other	Misuse of university name/logo; reputational harm unrelated to protected speech	Tier 1-2	Cease-and-desist; reprimand; training	Tier 3 for willful commercial misuse: suspension	Coordination with Marketing/ Legal

PROVOST REPORT

JUNE 2026



ACADEMIC
AFFAIRS



A Message from Academic Affairs

Greetings,

As we conclude this semester and close out the academic year, we reflect on a year marked by momentum, innovation, and meaningful progress across our academic community. The following highlight key accomplishments and initiatives from across Academic Affairs:

College of Arts and Media

- WMUL-FM student media earned national recognition, including Best Newscast, through the SNO (School Newspapers Online) Network, a national student journalism organization recognizing student media excellence.

College of Engineering and Computer Science

- Civil engineering students earned multiple awards at the ASCE (American Society of Civil Engineers) Student Symposium, including third place overall in the Concrete Canoe Competition, second place in Steel Bridge stiffness, and third place in Sandcastle Competition.

College of Education and Professional Development

- The HELP Program secured a \$40,000 Teubert Foundation grant to support visually impaired students and expand services through a shared psychologist model and a new testing center initiative.

College of Health Professions

- The School of Physical Therapy is ranked #87 out of 278 DPT programs nationally by U.S. News & World Report, placing it in the top third and making it the highest-ranked healthcare program at the university.

College of Liberal Arts

- The PsyD Clinical Program achieved a 100% internship match rate, reflecting strong student preparation, faculty mentorship, and program quality.

College of Science

- The Department of Natural Resources and Earth Sciences generated royalty funding from a patented DNA-based process developed through student-faculty research led by Dr. Liz Murray.

Division of Aviation

- The program received a \$900,000 federal grant through U.S. Representative Riley Moore to expand facilities at Martinsburg Airport, supporting increased enrollment and aviation workforce training.

Lewis College of Business

- The Brad D. Smith Center for Business and Innovation hosted the WV Innovation and Business Model Competition Finals, awarding over \$9,000 in funding to student ventures and showcasing student entrepreneurship across multiple disciplines.

School of Pharmacy

- The 11th annual hooding ceremony awarded 22 PharmD and 5 MSPS degrees, celebrating the graduation of professional pharmacists and pharmaceutical scientists.

University Libraries

- Drinko Library launched a new Seed Library initiative in partnership with the Sustainability Department, offering 20 varieties of seeds with over 100 packets borrowed in the first two weeks.

In addition to academic units, student support services continue to strengthen advising, tutoring, mentoring, retention, and career readiness while enhancing the overall student experience through student-centered support:

Center for Student Success

- 21 campus employees were recognized as Student Success Champions, reflecting university-wide commitment to retention, student support, and student-centered engagement across all colleges and units.

Division of Student Affairs

- Esports varsity teams achieved national success, including a 3rd place national finish in Super Smash Bros. and multiple top-15 national rankings in Valorant, Overwatch, and Call of Duty competitions.

Division of Student Affairs

- Greek Life and campus organizations raised over \$10,000 for Hoops Family Children’s Hospital through Greek Week programming and service initiatives.

Online Education

- Marshall Online completed a campus-wide Digital Accessibility Fix-a-Thon, generating 546 accessibility fixes in one day to advance compliance and improve digital learning access for students.

On behalf of Academic Affairs, we thank our faculty, staff, students, and alumni for their commitment and contributions, and invite you to celebrate their scholarly, creative, and student successes throughout the year.

Sincerely,



Robert B. Bookwalter, Ph.D.

Interim Sr. Vice President for Academic Affairs
& Provost



Karen McComas, Ed.D.

Associate Vice President for Academic Affairs
& Associate Provost

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PROGRAM HIGHLIGHTS

- WMUL-FM won four first-place awards and placed four finalists at the Society of Professional Journalists Mark of Excellence Awards for Region Four which represents MI, OH, WV, and western PA.

FACULTY & STAFF ACHIEVEMENTS

School of Art & Design

- Kyle Dyer received a Summer 2026 John Marshall University Scholar Award for his project “The Intrinsic Value of Land.”
- Ian Hagarty received a Spring 2026 John Marshall University Scholar Award to study the emerging relationship between traditional modes of painting and generative AI models.

School of Journalism & Mass Communication

- Dr. Robert Quicke presented “Finding Your Voice in Podcast and Radio Production” and “Student News Live: From 24-Hour Coverage to National Podcast” at the 2026 Broadcast Education Association Conference in Las Vegas, NV.
- Dr. Christopher Swindell participated in a workshop on Crisis Communication at Shawnee State University, May 14, 2026.

School of Music

- Dr. Julio Alves performed a solo guitar concert as part of the Chamber Music Concert Series at First Presbyterian Church of Huntington, on April 9, 2026.
- Dr. Johan Botes performed a solo piano concert as part of the Chamber Music Concert Series at First Presbyterian Church, on April 30, 2026.

School of Theatre and Dance

- Leah Turley began her term as President of the West Virginia Theatre Association.

STUDENT & ALUMNI ACHIEVEMENTS

School of Art & Design

- Alumni Amy Pabst, Sarah Fox, Callie Thacker, Courtney Chapman, and Levi Simpkins, and SOAD adjunct faculty Allison Broome were awarded grants for murals for the RenewAll Quilt Trail project directed by Alum Sassa Wilkes.
- Addyson Aftanas, BFA Studio Art Alum, Courtney Chapman, BFA Ceramics Alum, and Seth Cyfers, BFA Graphic Design Alum, were selected to participate in the ArtFields Exhibition in Lake City, SC, April 10-May 2, 2026.
- Amy Pabst, BFA Fibers Alum, was selected to be a Wingate-Lamar Fellow for 2026. The fellowship award is \$15,000 for FY 2027.
- Josh White, BA Visual Art & Design, had his art exhibition "Burning at Both Ends" on display at the Huntington Art Collective and Studios (HACKS) during the month of March.

School of Journalism & Mass Communications

- Staff members of *The Parthenon* won Best of SNO awards from the SNO (School Newspapers Online) Network for their articles:
 - Abby Ayes, Kaitlyn Fleming, and Nate Courtney: “A day in the life: before & after recovery”

- Ashton Pack and Haven Steele: “Harm Reduction: How Naloxone saves lives”
- Baylee Parsons and Riley Burnett: “ONEbox, countless chances to save lives.”
- Baylee Parsons won first place in Feature Writing and was named a finalist for Editorial/Opinion Writing in the Society of Professional Journalists Mark of Excellence Awards for Region Four (MI, OH, WV, and western PA).

School of Music

- Emma Dial, Josh Lynch, Dylan Morgan, Sydney Ooten, Rachele Snyder, and Jayce Townsend performed their Senior Recitals in April in Smith Music Recital Hall.
- Graduate student Jenna Toms performed her Graduate Recital on April 19 in Smith Music Recital Hall.

School of Theatre and Dance

- Eliza Aulick, graduating senior, was accepted into the University of Central Florida’s MFA Acting Program this fall.
- Daniel Calwell, junior, and graduating seniors George Kinley and Eliza Aulick have been hired by the Greenbrier Valley Theatre in Lewisburg, WV, and will appear this summer in their production of *The Greenbrier Ghost*.
- George Kinley, graduating senior, was accepted into the University of South Carolina’s MFA Acting Program this fall.
- Landon Mefford, sophomore, will be working at the French Woods Performing Arts Festival this summer as a counselor and technician.
- Faith Young, graduating senior, will be working with the Texas Musical Theatre Company as a Theatre Technician.

COMMUNITY ENGAGEMENT

- The School of Art and Design held its Capstone Exhibitions, Group 1+2, April 13-24, 2026, and its Foundations Review Exhibition April 20-May 1, 2026.
- The Marshall University Orchestra performed their spring concert on April 29, 2026.
- The Marshall University Wind Symphony performed their spring concert on April 30, 2026.
- Senior Emma Dial performed Menotti's *The Old Maid & the Thief: An Operetta in 14 Grotesque Scenes* for her Senior Capstone Presentation in Smith Music Recital Hall, May 3, 2026.
- The Brass Band of the TriState performed on May 19, 2026, in the Smith Music Recital Hall.
- The School of Theatre and Dance’s production of *Much Ado About Nothing* was performed at the Joan C. Edwards Performing Arts Center, April 22-25, and 26, 2026.

PROGRAM HIGHLIGHTS

- Civil engineering students took home awards from the ASCE (American Society of Civil Engineers) annual Student Symposium at Old Dominion University in Virginia. The symposium brings together civil engineering students from colleges and universities throughout Virginia and West Virginia for a chance to compete and showcase their design and building skills. Marshall earned third place overall in the Concrete Canoe Competition, second place in the stiffness category in the Steel Bridge Competition, and third place in the Sandcastle Competition.

FACULTY & STAFF ACHIEVEMENTS

- Tyler Perry, assistant professor of Mechanical and Industrial Engineering, was awarded a Student Success Champion plaque on April 21, 2026. This award is nominated solely by students for faculty, staff, and students who go out of their way to help students succeed.
- The following faculty awards have been given in the College of Engineering and Computer Sciences for academic year 2025-2026:
 - Dr. Arka Chattopadhyay-Weisberg Research Award, Junior Category
 - Dr. Yousef Sardahi-Weisberg Service Award
 - James “Joe” Fuller-Weisberg Academy of Distinguished Teachers
 - Dr. Paulus Wahjudi-Weisberg Academy of Distinguished Teachers
 - Dr. Wael Zatar-Weisberg Academy of Distinguished Teachers
 - Dr. Iyad Hijazi-CECS Citizenship Award
 - Tyler Perry-CECS Citizenship Award
- Dr. Seulki Yeo, assistant professor of Civil Engineering, was awarded a \$24,759 NASA WV EPSCOR Seed Grant for his project, “Pilot-Scale Investigation of Contaminant Accumulation and Autonomous Breakthrough Detection in Closed-Loop Water Recovery Systems for Space Habitats.”
- Dr. Ananya Jana, assistant professor of Computer Science, was awarded a \$24,760 NASA WV EPSCOR Seed Grant for her project “Towards Regional Large Language Models: A West Virginia Prototype.” Dr. Jana also co-authored the article, “Brushstroke: Capturing Artistic Nuance Through Domain Adaptive Diffusion,” published in the *Proceedings of the ASEE North Central Section Conference*, March 2026.
- Dr. Shan Liu, assistant professor of Biomedical and Electrical Engineering, was awarded a \$24,776 NASA WV EPSCOR Seed Grant for her project, “Heterogeneous Legged Robotic Teaming for Autonomous Exploration of Extreme Environments.”
- Dr. Wael Zatar, professor of Civil Engineering, Dr. Gang Chen, professor of Mechanical Engineering, and post-doctoral researcher Dr. Hien Nghiem co-authored the article, “Structural Health Diagnosis Using Advanced Spectrum Analysis and Artificial Intelligence of Ground Penetrating Radar Signals,” published in the journal *Buildings*, March 2026.
- Dr. Wael Zatar and Dr. Hien Nghiem presented, “Optimizing GPR Sampling Density for Representative and Reliable Assessment of Concrete Bridge Members,” during the *Determining Appropriate Test Sample Sizes for Concrete Repair Projects Session* at the American Concrete Institute Spring Convention.
- Dr. Wael Zatar also served as a Session Moderator at the Transportation Research Board Annual Meeting in Washington, D.C.
- Dr. Haroon Malik, associate professor and Chair of Computer Science, co-authored the article, “Real-Time Distracted Driving Detection Using Lightweight CNNs on Edge Devices,” published in the *Proceedings of the ASEE North Central Section Conference*, March 2026.

- Dr. Isaac Wait, professor and chair of Civil Engineering, Dr. Greg Michaelson, associate professor of Civil Engineering and Associate Dean, and Justin Fleming, CECS Student Support Specialist, presented “From Duty to Mentorship: Strategies for Strengthening Faculty Advising in Engineering Education,” at the 2026 ASEE North Central Section Conference, March 2026.
- Dr. Ammar Alzarrad, associate professor of Civil Engineering, Dr. Sudipta Chowdhury, assistant professor of Industrial Engineering, and Dr. Husnu Narman, associate professor of Computer Science, presented “Advancing AI-Driven Near-Miss Detection: A YOLOv8-YOLOv12 Evaluation Framework for Construction Safety” at the ASCE Construction Research Congress, March 2026.

STUDENT & ALUMNI ACHIEVEMENTS

- Hamzeh Al-Qawasmi was awarded the prestigious National Science Foundation Graduate Research Fellowship Award to attend Graduate School at a school of his choosing. He has accepted a full fellowship to Rice University for a PhD in Biomedical Engineering.
- Ethan O’Malley received a NASA WV Graduate Fellowship in the amount of \$30,000 to support his pursuit of the PhD in Engineering. Ethan is a PhD student under the direction of Dr. Ross Salary, associate professor of Mechanical Engineering.
- Omar Al-Babele, Computer Science graduate student, received a Best Student Paper Award at the ASEE-NCS 2026 conference for the paper “Are Lightweight Vision Transformers Enough for Deepfake Face Detection? Performance, Scalability, and Explainability Study.”
- Junior Maggie Dickerson earned first place in the Hardy Cross Oratory Competition at the ASCE annual Student Symposium at Old Dominion University in Virginia.
- The first annual CECS Student Olympics was held on April 23, 2026, in the Indoor Athletic Training Facility at Marshall. Five teams of students competed in the events. The Gold, Silver, and Bronze Team Medals went to the following teams:
 - Gold: Team BLUE: Kayla Clatterbuck, Jacob Ingram, Alex Nelson, Micha Foster, and Evan Vickers
 - Silver: Team ORANGE: Josh Brubaker, David Wallace, Colt Smith, Indigo Graves, and Sophia Fry
 - Bronze: Team GREEN: Joseph Jean, Owen Crimmel, Jason Mathis, Maddie Higgins, and Nina Nugent

COLLEGE OF EDUCATION AND PROFESSIONAL DEVELOPMENT (DEAN: DR. KELLY BRADLEY)

PROGRAM HIGHLIGHTS

- The HELP Program secured a \$40,000 Teubert Foundation grant to support visually impaired students and expand services through a shared psychologist model as well as advancing a new testing center initiative.
- The June Harless Center supported PK-12 educators through professional learning focused on high-quality project and problem-based learning, emphasizing real-world application, student agency, and rigorous instruction.
- The Counseling program highlighted successful collaboration among a student, faculty, and Marshall legal counsel to finalize an out-of-state clinical placement agreement, allowing a student to complete practicum work in New York.
- Faculty collaboration continues to advance innovation in educator preparation, including work in artificial intelligence literacy and competency-based microcredentialing.

FACULTY & STAFF ACHIEVEMENTS

- 2025–2026 COEPD Awards of Excellence recipients:
 - Dr. Sandra Stroebel, Dr. C. Robert Barnett Award for Excellence in Research
 - Dr. Michael Huesmann, Dr. Barbara P. Guyer Award for Excellence in Service
 - Dr. Monica DellaMea, Dr. Dorothy “Dot” Hicks Award for Excellence in Teaching
 - Ms. Terri Thompson, Hazel Shrader Staff Award Excellence in Professional Support
 - Dr. Hillary Adams, Hazel Shrader Staff Award for Excellence in Service and Impact.
- COEPD faculty, staff, and students reported 6 forthcoming publications and 13 professional presentations during this reporting period.
- Dr. Maggie Luma in the June Harless Center served as lead author on a forthcoming book chapter, “Institutionalizing AI Literacy in Teacher Preparation: A Competency-Based Microcredential Framework,” with Drs. Tisha Duncan, Taylor Browning, Sissy Isaacs, and Dean Kelly Bradley, for the forthcoming book *Harnessing AI for Education Reforms: Frameworks, Best Practices and Considerations for Quality Education*.
- Dr. Huanshu Yuan (Curriculum and Instruction) authored “Creating Supportive Community for Minority Students in Higher Education – Review on Current Issues and Opportunities for Change” published in the *Journal of Higher Education and Learning*. She also presented at several national and international conferences including AERA and CIES. Dr. Yuan was also selected to serve on two national editorial boards.
- Dr. Jill Minor (Counseling) co-authored “Pages of Progress: Professional Practices of School Counselors,” published in the *Journal of School Counseling*.
- Faculty and students presented at major professional meetings including the Eastern Educational Research Association, AERA, CIES, the University of Pittsburgh Mentoring and Research Summit, and the Southeast Postsecondary Education Alliance.
- Dr. Tisha Duncan (Leadership Studies) was selected as the recipient of the 2026–2027 Sarah Denman Faces of Appalachia Fellowship Award, recognizing her impactful research focused on the diverse identities and lived experiences of Appalachian communities.
- Dr. Sissy Isaacs, Associate Dean of COEPD, received the Marshall University Distinguished Service Award at the Spring General Faculty Meeting.
- Dr. Kim McFall (Curriculum and Instruction) received the Stephen and Sue Zemba Excellence in Online Teaching Award.

- Toni Ferguson, academic advisor for the COEPD, received a John Marshall Service Award for outstanding service to the University.

STUDENT & ALUMNI ACHIEVEMENTS

- Counseling graduate students Cecilia Hart and Greg Wolff received 2026 departmental awards recognizing academic achievement, service, and professional promise in the field of counseling.
- Jennifer Badzek, an EdD student, presented at the 2026 American Educational Research Association (AERA) Annual Meeting. She also received a graduate COEPD Poster Award at Marshall's Research and Creativity Symposium.
- Seventeen students from the HELP program graduated this semester, with 21 additional students currently committed to Fall enrollment.
- Students in the Child Development Academy showcased their learning through their "*The World According to Us*" art exhibition.

COMMUNITY ENGAGEMENT

- The June Harless Center partnered with Valley PK-8 School in Fayette County, West Virginia, to provide professional learning for teachers and administrators, strengthening regional school partnerships.
- The Child Development Academy hosted a legislative visit recognizing the passage of West Virginia House Bill 4191 and participated in statewide advocacy through the Grow the Good Conference.
- More than a dozen COEPD faculty members and graduate students served as judges for the state literacy and social studies fair, supporting student learning and statewide academic engagement.
- The upcoming Harless Hall of Fame will celebrate 20 years of Dolly Parton's Imagination Library in West Virginia, recognizing leaders and organizations supporting early childhood literacy.

PROGRAM HIGHLIGHTS

- Dr. Scott Davis will assume the role of Interim Dean of the College of Health Professions on July 1, 2026, upon retirement of Dean Michael Prewitt. During this period, Dr. Yi Po Chiu will serve as Interim Chairperson and Program Director of the School of Physical Therapy through July 1, 2027, ensuring continuity in leadership and program operations.
- The School of Physical Therapy has achieved notable national recognition, ranking #87 out of 278 DPT programs in the U.S. according to *U.S. News & World Report*. This distinction places the school within the top third of all DPT programs nationwide and represents the highest-ranked healthcare program at Marshall University.
- Dr. Pam Meadows, professor of Clinical Science and president of the WV chapter of the American Society for Clinical Laboratory Science (WVSCLS), facilitated proclamations for National Laboratory Professionals Week (April 19-26) from the governor's office as well as the mayor's office of the city of Charleston. Dr. Meadows and Dr. Jennifer Perry attended the Charleston city council meeting on April 20th for the proclamation from Mayor Amy Goodwin.

FACULTY & STAFF ACHIEVEMENTS

- Nikki Dudley (Communication Disorders) presented at the Alive to Thrive Day.
- Sarah Clemins (Communication Disorders) was invited to be a Champion for the national ALS Clinic Exchange.
- Dr. Jodi Cottrell (Communication Disorders) was the recipient of the 2025-2026 Pickens-Queen Award. This prestigious recognition highlights Dr. Cottrell's dedication to her students, her passion for teaching, and the meaningful impact she makes every single day in the classroom and clinic.
- Dr. Jaspreet Sodhi (Physical Therapy) gave a platform presentation, "Exploring the Pathway from Pain to Frailty: The Mediating Role of Depression in Older Adults: Evidence from a National Cohort" at the United States Association for the Study of Pain Conference.
- Dr. Brad Profitt (Physical Therapy) was selected as a TEDx Marshall University speaker, presenting "Focus Determines Direction."
- Drs. Laura Stephens and Gretchen Prather (Physical Therapy) presented their research at the American Physical Therapy Association (APTA) Combined Sections Meeting.
- Emily Wiseman and Drs. Lisa Muto and Sarah Hodges (Nursing) presented their research at the West Virginia League of Nursing Conference in Parkersburg, WV.
- Dr. Suzanne Konz won the 2026 MAATA Service Award at the 2026 Mid-Atlantic Athletic Trainers Association Annual Sports Medicine Conference and Symposium. Dr. Konz also presented "Navigating the Regulatory, Legal, and Ethical Frontier of Artificial Intelligence" at the conference.
- Shikeal Harris (Social Work) gave a talk at The Hope Exchange: Stronger Together event sponsored by the TRIO EOC highlighting educational opportunities, career pathways, and resources for those in recovery.
- Dr. Jim Harris (Social Work) presented at the WV Supreme Court Probation and Family Preservation Conference.
- Drs. Peggy Proudfoot Harman, Theresa Hayden, and Robin Looney (Social Work) co-presented "Aging in Silence: Trauma-Informed Suicide Prevention for Older Adults in Rural and Appalachian Communities" at the WV Collegiate Suicide Prevention Conference.
- Dr. Peggy Proudfoot Harman also presented at the 2026 Appalachian Studies Conference held on Marshall's campus.

STUDENT & ALUMNI ACHIEVEMENTS

- Exercise Science student Allison Dodd was awarded a \$5,000 Undergraduate Research Scholarship by the NASA West Virginia Space Grant Consortium for her project entitled “The effects of aging and sex on skeletal muscle size in rats following unweighing and reloading.” Allison’s project is under the supervision of Dr. Kumika Toma.
- Health Science undergraduate student Kylee Hogsten won second place in the original research category of the COHP Research Day poster session.
- Fifteen students in the Department of Health and Movement Science presented at the COHP Research Day. Katherine Dyer and Levi George won Best Oral Presentation. Samantha Riddle won Best Clinical Case Study. Tristen Camarillo, Payton Fanning, and Ian Sullivan were runners up for Best Research Proposal.
- Biomechanics major Tyler Young won the Touma Foundation Award for Best Poster at the 5th Annual Marshall University Student Creativity and Research Day.
- Communication Disorders students Karli Bowling, Hannah Buly, Grace Dickerson, Olivia Parsons, Sydney Pearson, Rachelle Snyder, Kaleigh Welch, and Emily Huddleston presented at the College of Health Professions Research Day. Sydney Pearson won first place in her category.
- DPT students Justin Grant and Christopher Pinkerton received third place for Best Poster from the Technology Special Interest Group at the American Physical Therapy Association (APTA) Combined Sections Meeting (CSM).

COMMUNITY ENGAGEMENT

- Mona Sanders, Communication Disorders faculty, participated in an episode of Valley Health’s podcast *TMI* discussing autism spectrum disorder in children.
- Communication Disorders students delivered handmade valentines to patients at Hoop’s Children’s Hospital for Valentine’s Day.
- Paula Rymer, Social Work faculty, organized the WV Collegiate Suicide Prevention Conference, March 9–11, 2026, with over 300 attendees across three days.
- The Huntington Scottish Rite hosted an Easter Egg Hunt for the community on Buskirk Field.
- The MU Speech and Hearing Center Pragmatic Group and Itty-Bitty Therapy Horses came together in April to celebrate meaningful therapy experiences for neurodiverse youth and their families.

PROGRAM HIGHLIGHTS

- The PsyD Clinical Program achieved a 100% internship match rate, a key indicator of program quality and student preparedness for professional practice. This outcome reflects strong faculty mentorship, rigorous training, and effective student support.
- The Psychology Department is overseeing a \$450,000 per year HRSA Graduate Psychology Education grant supporting student training in underserved communities. The successful completion of Year 1 reflects progress in expanding access to mental health services and preparing students for work in high-need areas.

FACULTY & STAFF ACHIEVEMENTS

- Dr. Robin Riner (Sociology/Anthropology) published multiple chapters in major edited volumes and continues to advance interdisciplinary research in language, ethics, and public discourse. Her collaboration with student Cecilia Burke on a forthcoming publication highlights the College's commitment to integrating undergraduate research into faculty scholarship.
- Dr. Rachel G. Witt (Sociology/Anthropology) published "The Purpose Death Serves: Trauma Analysis of Human Sacrifices at El Pollo, Moche Valley, Peru" in *Latin American Antiquity* (April 2026), contributing to international scholarship and enhancing the College's global research profile.
- Dr. Jeremy Barris (Humanities) published "The Wisdom of Stan Lee's Style," demonstrating the interdisciplinary reach of humanities scholarship and its engagement with contemporary cultural studies.
- Dr. Robert Ellison (English) and the Library of Appalachian Preaching received the e-Appalachia Award, recognizing innovative digital humanities work that preserves and promotes Appalachian culture and history.
- Dr. Del Chrol (Humanities) received an Ovation from the Classical Association of the Middle-West and South (CAMWS) for distinguished service to the profession as well as having been appointed as the next Executive Director of the John Deaver Drinko Academy.
- Dr. Syd Roy (Humanities) was elected President of the CAMWS Southern Section, reflecting national leadership and scholarly impact.
- Patricia Proctor, Director of the Simon Perry Center for Constitutional Democracy and Pre-Law Advisor, received the Women of Marshall Lifetime Achievement Award, recognizing her long-standing commitment to student mentorship, civic engagement, and leadership.
- Additional faculty recognitions include: Dr. Jamie Warner (Faculty Distinguished Service Award), Dr. Rich Jones (Graduate Advisor of the Year), Dr. Walter Squire (Hedrick Outstanding Faculty Award), Drs. Deborah Thurman and Sarah Walton (Pickens-Queen Teacher Award), Professor Nicole Lawrence (Council of Chairs Excellence in Teaching), Dr. Jess Morrissette (Distinguished Artists & Scholars Award), and Dr. Damien Arthur (Excellence in Online Teaching Award). These awards reflect excellence across teaching, advising, research, and service.
- Dr. Wendi Benson (Psychology) received a Champion Award for Students and published research examining psychological outcomes among women Reservists, with additional work in press.
- Dr. Dawn Goel (Psychology) was recognized for outstanding advising and published research focused on workforce development in rural Appalachia.
- Dr. Masa Toyama (Psychology) was approved to teach in the KIIS program in Japan, further strengthening international engagement opportunities for students.
- Dr. Julie Snyder-Yuly (Communication Studies) received a Mentor Excellence Award through her work on a National Science Foundation STEM grant in collaboration with the Engineering Program, highlighting the College's role in interdisciplinary education.

STUDENT & ALUMNI ACHIEVEMENTS

- Students in the College of Liberal Arts continue to achieve national recognition and competitive success. Marshall University's debate program, Thundering Word, earned a top 10 national ranking, demonstrating excellence at the highest level of competition. Individual students advanced to national elimination rounds and earned speaker awards, reflecting both individual talent and strong program coaching.
- The Psi Chi/Psychology Club received multiple honors during Marshall's Division of Student Affairs 2025-2026 Leadership & Service Awards including Student Organization of the Year and Outstanding Community Impact and Service. Kris Jackson was named Outstanding President of the Year, and faculty advisor Dr. Dawn Goel was recognized for excellence in student mentorship.
- Nico Pace (Anthropology) received the Undergraduate Creative Discovery and Research Award for their capstone research on West Virginian projectile point typology, contributing to regional archaeological scholarship.
- Harper Aulick (English) was accepted into Master of Fine Arts programs at Butler University and George Mason University, demonstrating the strength of the College's preparation of students for graduate study in the arts and humanities.

COMMUNITY ENGAGEMENT

- Dr. Marianna Linz (Psychology) is PI on the SAMHSA grant through Grants Benefitting Homeless Individuals: The Wellness Project, which supports agencies serving individuals experiencing homelessness and addressing substance use and co-occurring mental health conditions. Now in Year 3 of a 5-year grant, the project demonstrates sustained impact in the region.

PROGRAM HIGHLIGHTS

- Dr. Sachiko McBride organized the 12th Annual West Virginia State Science Olympiad Tournament. Approximately 170 students from 9 high schools across West Virginia attended.
- The Department of Natural Resources and Earth Sciences in the College of Science has received royalty funding generated from a patented DNA-based process developed by former students working with Dr. Liz Murray. The work was created through student research conducted in collaboration with faculty and supported by grant funding.

FACULTY & STAFF ACHIEVEMENTS

Biological Science

- Dr. Cheyenne Tait received a \$15,000 NASA West Virginia Space Grant Consortium Seed Grant for her study lab to study “Neural basis of behavior while receiving abnormal vestibular input.”
- Dr. Hansol Im received a \$15,000 NASA West Virginia Space Grant Consortium Seed Grant for his student lab to study “Cell Integrity under microgravity and its consequence on pneumococcal infection.”
- Dr. Alicia Purcell received a \$25,000 NASA West Virginia Space Grant Consortium Research Initiation Grant for her student lab to study “Viability and characterization of plant growth promoting microorganisms after suborbital space flight.”

Chemistry

- Dr. Yongick Kim delivered an oral presentation on his students’ research at the ACS Spring 2026 Meeting. Dr. Kim’s research article “Effects of sodium chloride on circadian period and temperature compensation of KaiC phosphorylation” was published in *Scientific Reports*. Undergraduates Eugene Kim, Makayla Adams, and Soren Tyree contributed to the article.
- Dr. Rosalynn Quinones received a First2 Mini Grant Award of \$10,000.

Criminal Justice

- Dr. Kim DeTardo-Bora co-authored the book *Juvenile Delinquency and Justice in the United States* (2nd ed.), Carolina Academic Press, 2026.
- Dr. Stephen Young presented “Lights, camera, exploitation: Examining films role in defining race, gender, and deviance in Appalachia” at the Sarah Denman Faces of Appalachia Symposium in Huntington, WV.
- Dr. Josh Brunty delivered a TEDx Talk, "Staying Human in an AI-Driven World," at the 8th annual TEDxMarshallU event.

Natural Resources & Earth Sciences

- Dr. Rick Gage received the Marshall & Shirley Reynolds Outstanding Teacher Award for 2025-2026 and was re-elected to Faculty Senate for his third term (2026-2028).

Math & Physics

- Dr. Tom Cuchta was elected Editor-in-Chief of the *Pi Mu Epsilon* journal.
- Dr. Stephen Deterding presented a talk on the "Geometric conditions for bounded point evaluations in spaces of several complex variables" at the Southeastern Analysis Meeting in Richmond, Virginia. He was also accepted to the MU-FOCUS 2026 Mobile Summer Institute on Scientific Teaching.
- Dr. Sean McBride participated in the 2026 John Marshall Leadership Fellows program where he and his cohorts presented their project titled, “A.I. Use at Marshall University, Setting the Tone with a WOW Experience.”

STUDENT & ALUMNI ACHIEVEMENTS

- Biological Science undergraduate major Ella Peterson was awarded a 2026 HEPC Undergraduate Summer Research Fellowship of \$4,800.
- Biological Science undergraduate major Allison Plantz received a \$5,000 NASA West Virginia Space Grant Consortium Undergraduate Research Fellowship.
- Biological Science graduate student Rianna Smith was awarded a \$15,000 NASA West Virginia Space Grant Consortium Graduate Research Fellowship.
- Biochemistry undergraduate major Braxten Green presented a poster of his research at the American Chemical Society (ACS) Spring 2026 Meeting in Atlanta, GA.
- Chemistry major Aaron Grimmatt delivered an oral presentation at the ACS Spring 2026 Meeting.
- Chemistry students Braxten Green, Niko Faulcon, Ash Mills, Greg Jimison, Teaghan Beasley, and Elise Shamblen presented a poster at the ACS Spring 2026 meeting.
- Students from the Omega Gamma chapter of Alpha Phi Sigma, the National Criminal Justice Honor Society, won the Social Media Award at the 2026 National Alpha Phi Sigma Conference.
- NRE Master's student Sam McGrath accepted a Board Fellowship position with The Nature Conservancy WV.
- Physics major Tyler Parsons, working in Dr. Judy Fan's laboratory, was awarded a 2026-2027 NASA WV EPSCoR Undergraduate Research Scholarship.

COMMUNITY ENGAGEMENT

- Students in the Forensic Science master's program coordinated a "CSI-Huntington" event for high school and middle school students on April 24, 2026.
- Dr. Sachiko McBride organized the Family Science Fun Day on March 28 with 16 STEM-activity stations. Approximately 187 children and their parents participated in the event.
- Dr. Sean McBride presented a wave and sound demonstration show to Westside High School students. He also coordinated the 2026 High School Science Day event with support from the NASA West Virginia Space Grant Consortium.
- Students in NRRM 310 hosted a wildlife education event for kids at the MU Early Education STEAM Center, the daycare and pre-school on campus.
- NRES student volunteers interacted with students during the High School Science Day.
- Students in the Plants Groups (Drs. Pamela Puppo, Kyle Palmquist, and Eugene Shakirov labs) participated in the Wildflower Weekend at Carter Caves State Park.

PROGRAM HIGHLIGHTS

- Marshall Aviation began talks with Mingo County and AEP to expand Unmanned Aircraft Systems (UAS) training through their high school and certification programs. This training will emphasize certification as well as developing specific skill sets necessary to enter the industry. The commercial UAS industry continues to grow at well over 20% annually. New positions are opening within West Virginia in the power and energy industries as the state leans into new technology to increase efficiency in mission critical operations.
- Marshall Aviation will host three FAA annual inspections at its Huntington, Charleston, and Lewisburg locations this summer. These annual regulatory compliance inspections are part of a continuous improvement system designed to update processes and procedures through a robust feedback system comprised of students, faculty, and regulatory bodies on the quality and safety of the Aviation programs.
- A signing ceremony was held April 29, 2026, for Berkeley County rising Juniors selected as the inaugural class of Aviation students. Twenty-four students out of a pool of over 80 applicants were selected to begin the 2-year CTE program taking place at Marshall Aviation facilities at Martinsburg Airport. The first year includes an in-depth introduction to the aviation industry. The second year provides a choice of pathways for the students with flight, technician, and aviation business pathway possibilities. The program does have some aviation certification possibilities and will provide support for those who want to enter the aviation degree programs at Marshall University.
- Marshall University was the proud recipient of \$900,000 federal grant from U.S. Representative Riley Moore during a ceremony at Martinsburg Airport on April 17, 2026. The funds will go to expand Marshall Aviation's facilities at the airport to support growing enrollment in the flight program. The funds will be used to double classroom size, add office space, and a student lounge area. Flight students from the eastern West Virginia panhandle were able to share their stories and their gratitude with the congressman and visitors at the ceremony.
- Marshall Aviation is proud to add dispatcher certification to the flight program. This additional 10 credit, 16-week course provides key skills in remote fleet dispatching, complex aircraft performance, and international flight plan and logistical support for small or large fleets. FAA certification takes place at the end of the program and is a vital part of presenting a well-rounded aviation background to prospective employers.
- The first class of FAA aircraft dispatchers enjoyed a full day tour at the famed NetJets Columbus headquarters on April 16, 2026. Students and faculty were welcomed to the NetJets Operations Center where they shadowed aircraft dispatchers and meteorologists as they managed a fleet of over 900 aircraft operating all over the world. NetJets is the largest fractional operator in the world serving customers across 6 continents in meeting their private transportation needs.

PROGRAM HIGHLIGHTS

- Four members of the MU chapter of the Financial Management Association attended the Global Asset Management Education Forum in New York City. They attended numerous sessions focused on career development, market outlook, and global events. It was an incredible opportunity to meet new people, hear from industry leaders, and explore the city.
- The Service Wire Transformative Sales and Service Excellence Center (TSSEC) hosted a Sales Symposium on April 7, 2026, led by Dr. Monisha Gupta who leveraged strong industry relationships to convene a diverse panel of professionals from finance, manufacturing, real estate, and industrial distribution. Panelists and additional company representatives provided students with broad exposure to career pathways and organizational perspectives, reflecting a strong alignment between industry needs and student learning. The program featured targeted speaker insights, a moderated discussion incorporating student-submitted questions, and active student facilitation, offering participants meaningful experience in professional communication and engagement.

FACULTY & STAFF ACHIEVEMENTS

- Under the leadership of Dean Rohan Christie-David, the Lewis College of Business launched a Research Brown Bag Seminar series, to be held quarterly, aimed at bringing leading scholars to campus and strengthening a culture of research excellence. The inaugural seminar on April 1, 2026, featured Dr. Christie-David presenting “Financial Gains, Social Strains: How Innovation Drives Markets and Inequality.” The seminar was well received by faculty and students, generating strong engagement and discussion. In addition, the Dean has resumed the monthly Research Boot Camp, providing faculty with dedicated time to collaborate and advance their research, further supporting the College’s commitment to scholarly productivity.
- Glen Midkiff received the Dr. Robert P. Alexander Mentorship Award, presented by the LCOB Executive Advisory Board during its 10th annual recognition, honoring exceptional mentorship, student support, and sustained impact on student professional development within the College.

STUDENT & ALUMNI ACHIEVEMENTS

- The Society for Advancement of Management (SAM) earned 1st Place in the Written Case Study (Open Division) at the International Business Competition in Providence, RI, and advisor Glen Midkiff received the Outstanding Chapter Advisor Gold Medal.
- President Brad D. Smith was initiated into Marshall University’s chapter of Delta Sigma Pi on March 2, marking a meaningful moment for both the fraternity and the Lewis College of Business. Delta Sigma Pi, the world’s largest professional business fraternity, promotes leadership, service, and professional development among its members. President Smith’s initiation reflects his strong commitment to student engagement and leadership development. His involvement reinforces a culture of mentorship and opportunity, and the College looks forward to the continued positive impact of this partnership on students and the broader community.
- The Brad D. Smith Center for Business and Innovation hosted the eighth annual WV Innovation and Business Model Competition (WVIBMC) Finals on April 22, 2026, featuring eight student ventures from Marshall University. Emceed by Alys Smith, the event included a keynote from alum Katy Spears who reflected on her experience as a past winner and entrepreneur. Fiona Feng earned first place (\$3,000) for HerdON, followed by Ryleigh Hicks (\$2,000) for Blending Buddies, and Sadie Rogers (\$1,000) for Second Swim. Additional participants received at least \$500 for ventures spanning

multiple disciplines. Judges praised the professionalism and innovation of the competitors, and more than \$9,000 in total funding was awarded to support continued venture development.

- Delta Sigma Pi and the Society for Advancement of Management (SAM) members from the LCOB were recognized with 5 awards at Marshall University's annual Leadership and Service Awards ceremony. As an organization, Delta Sigma Pi received the Outstanding Leadership in Campus Programming Award for hosting several impactful events throughout the year including Leaders of Lewis, the Shark Tank Innovation Challenge, and an initiation and a reception for President Brad D. Smith. Additionally, 5 students received awards: Anna Tran, John Marshall Emerging Leaders Graduate Award; Chris Hermann, Outstanding New Member Award; Clare Walker, Officer of the Year Award; Michael Borsuk, President of the Year Award.

COMMUNITY ENGAGEMENT

- Thomas Hawighorst presented his talk, "Learning Faster Than the World Changes: Staying Ahead in the Age of AI" in the Lewis College of Business Encova Auditorium on March 5. The event had a tremendous turnout with over 150 people in attendance. The Lewis College of Business prides itself on being able to bring forth extracurricular events that work to bridge the gap between curriculum and what happens in the real-world business environment.
- Beta Alpha Psi, Beta Gamma Sigma, and the Student Center for Public Trust recently collaborated to host the "Turning the Page" book drive to promote literacy in the community. The organizations surpassed their initial goal of 100 books by collecting a total of 334 donations from the Marshall community with additional contributions from Baker Tilly and Forvis Mazars. These books will be donated to Branches Domestic Violence Shelter, along with handmade bookmarks to accompany the donations.
- Beta Gamma Sigma and the Student Center of Public Trust recently partnered with Read Aloud West Virginia for a meaningful day of service at Central City Elementary School. Officers spent the morning working directly with students, helping each child select a brand-new book to take home and enjoy. This hands-on experience fostered a love of reading while allowing students to build personal connections with the volunteers. The books were purchased by Read Aloud WV through the support of prior-year donation efforts, making this initiative a powerful example of how community partnerships can create lasting educational impact.

PROGRAM HIGHLIGHTS

- The Marshall University School of Pharmacy held its 11th annual hooding ceremony at the Keith-Albee Performing Arts Center on May 7, 2026. During the ceremony, 22 Doctor of Pharmacy (PharmD) and five Master of Science in Pharmaceutical Science (MSPS) degrees were awarded.

FACULTY & STAFF ACHIEVEMENTS

- Dr. Ruhul Amin participated in the NIH Study Section ZRG1-MSOS-K (55) on April 23, 2026.
- Dr. Boyd Rorabaugh participated as an Integrative Myocardial Physiology/Pathophysiology A (MPPA) NIH Study Section member on April 23, 2026.
- Dr. Michael Hambuchen and Todd Davies, Ph.D., associate director of research and development in the Division of Addiction Sciences at the Joan C. Edwards School of Medicine, published their research study, “Ketamine enhancement of dexmedetomidine attenuation of methamphetamine-induced agitation in rats” in the *Journal of Pharmacy & Pharmaceutical Sciences* (2026). The new study suggests a potential breakthrough in how doctors manage severe agitation caused by methamphetamine and/or cocaine use, particularly in cases in which opioids have also been used. Student researchers Madhuri Budamkayala, Jyostna Yalakala, Surya Karuturi, Madison Skeen, Chelsey McPhillen, and Kristen Bailey also contributed to the study.
- Drs. Thomas Pile, Craig Kimble, and Nandini Manne collaborated with Dr. Alberto Coustasse in the LCOB for a poster presentation on “GLP-1 Agonists and Below Cost Reimbursement: Operational and Financial Impact on Pharmacy Operations” at the American Pharmacists Association (APhA) Annual Meeting, March 28, 2026, in Los Angeles, CA.
- Dr. Ruhul Amin, MSPS graduate Raji Lukmon, and former MU student Jihan Amin presented their poster, “The Combination of Actinomycin D and Resveratrol Induces Synergistic Anticancer Activities Against Aerodigestive Tract Cancer” at the American Association for Cancer Research Annual Meeting, April 17-22, 2026, in San Diego, CA.
- Dr. Angel Kimble was named Teacher of the Year at the annual MUSOP Awards & Pinning Ceremony on April 13, 2026.
- Dr. Tiffany Davis was awarded the Dean’s Award for Excellence in Education at the annual MUSOP Awards & Pinning Ceremony on April 13, 2026.
- Kasie Erlewine, Admissions Counselor Sr, was named Staff Person of the Year at the annual MUSOP Awards & Pinning Ceremony on April 13, 2026.
- Megan Russell, Director of Progressions, was recognized as one of twenty campus employees to receive a Student Success Champion award on April 21, 2026. Megan also gave the presentations “Rock, Paper, Wizards: Using Your Interests to Make Authentic Advising Connections” and “From Burnout to Belonging: Designing Advising Retreats that Revitalize Your Team” at the NACADA Region 3 & 4 Annual Conference in Louisville, KY.

STUDENT & ALUMNI ACHIEVEMENTS

- MSPS graduate Suya Teja Naidu published “Draft genome assemblies of doxycycline-resistant derivatives of *Bacillus cereus* strain ATCC14579” in the research journal *Microbiology Resource Announcements* with faculty member Dr. Tim Long.
- MUSOP students HollyAnn Swann and Ashley Current represented Marshall at the first-ever Pediatric Pharmacy Association (PPA) Student Clinical Skills Competition at the PPA’s annual meeting.

COMMUNITY ENGAGEMENT

- The Pediatric Pharmacy Association (PPA) raised \$2,010 for the Hoops Family Children's Hospital with their MUSOP Gear for Good fundraiser. This effort was led by HollyAnn Swann, P3 class president.
- MUSOP students Julia Fanelli, Carley Carter, Ashley Current, Hannah Marcum, Gabrielle McNab, Kateri Spoor, Bailey Baker, and Kaitlyn Atkins visited PreK4 classrooms at St. Joe Catholic School. They taught students about different types of medicine and their safety.
- P3 students Jordan Anderson, Kaitlyn Blair, and Grant Harrison visited Cannonsburg Elementary for Career Day. They spent the day with 3rd-5th grade students sharing what it's like to be in pharmacy school and what pharmacists do every day. They also held a hands-on vaccine simulation that brought learning to life.

PROGRAM HIGHLIGHTS

- The Provost’s Office recognized 21 individuals as Student Success Champions in a ceremony on April 21, 2026. The recipients represented seven colleges, eight academic departments, and six support units. Most of recipients were introduced by the students who nominated them. The wide range of nominations reminds us that retention and student success is indeed a campus-wide effort and that many campus employees take the extra step to make sure that our students feel seen, heard, cared for, and supported. The 2025-2026 Student Success Champions are:

Kayla Barber	Dalton Monk
Wendi Benson	Tyler Perry
Hilary Brewster	Dee Dee Perdue
Deb Carder-Deem	Zelideth Rivas
Shane Darling	Kandice Rowe
Peyton Fannin	Megan Russell
Toni Ferguson	Niyah Sapp
Madison Higgins	Mikey Taylor
Dan Hollis	Jacob Walker
Hanna Kozlowski	Jessica Woodrum
Manoj Manna	

FACULTY & STAFF HIGHLIGHTS

- CSS Assistant Director Morgan Conley, recognized on multiple occasions as an expert on college students from foster care backgrounds, was invited to speak on a panel at the 2026 Share the Vision conference on mental health at the Marshall Health Network Arena. Her topic on the panel was Improving Outcomes for Youth in Foster Care.
- CSS Director Kateryna Schray secured a \$10,270 High Rocks/First2 mini-grant to support Marshall’s Supplemental Instruction program for first year students in STEM.

STUDENT ACHIEVEMENTS

- FAM Peer Mentors held 15 events this semester, attended by 487 students. The FAM program follows different curricula for freshmen, sophomores, and transfer students and has dedicated FAMs to support students navigating college from fifteen perspectives (First Gen, International, Neurodivergent, etc.).
 - In response to requests from sophomore students – whose needs are different from that of freshmen – three FAM events were developed this semester to help create connection to their majors: Pi Day, in partnership with several STEM student organizations and the College of Engineering; Celebrating Social Work, in partnership with the Department for Social Work to help students understand what to expect with clinicals and questions they have about the program; and COEPD Bingo, in partnership with COEPD to help get students connected to resources for students majoring in education.
 - FAM Peer Mentors Peyton Fannin, Madison Higgins, and Jacob Walker, who serve freshmen, were nominated by their students and recognized as 2025-2026 Student Success Champions at the CSS Student Success Champions Ceremony on April 21, 2026.

- All forty FAM Peer Mentors have completed certification training in mental health. Additionally, all returning FAM Peer Mentors have been certified in Mental Health First Aid, valid for three years and nationally recognized.
- Fostering Independence recognized and corded the first graduate from the program, Social Work major Teanna Stubbs.

COLLABORATIONS & PARTNERSHIPS

- Fostering Independence (FI), a psychoeducational support group for students who have been in foster care or kinship care, are homeless or have no family, completed its second year as a pilot program. The program is a collaboration between the Center for Student Success, the Marshall University Counseling Center, and Level Up/Marshall University Center of Excellence for Recovery with support from the Missions for Christ Adult Sunday School Class at Steele Memorial United Methodist Church in Barboursville.
- CSS partners with University College, Advising, and the Department of English to offer sections of ENG 101P specifically for Conditionally Admitted freshmen with embedded support from the Center for Student Success and linked to a section of UNI 100 to form a learning community. Successful completion of ENG 101P and UNI 100 are two of the three requirements for students to transition from Conditionally Admitted to Fully Admitted status.
- CSS partners with University College and Advising by offering an alternative to suspension for full-time Freshmen who accumulate 20 or more deficit points in their first semester. These students are encouraged to enroll in UNI 280 as an alternative to sitting out the semester. In addition to attending class, UNI 280 students also meet one-on-one weekly with a graduate student who helps them address any challenges beyond academics and work with them on life skills, stress management, and shame resiliency.

DIVISION OF STUDENT AFFAIRS (VICE PRESIDENT: DR. MARCIE SIMMS)

PROGRAM HIGHLIGHTS

Vice President for Student Affairs

- The office hosted the last Snacks with Simms in collaboration with the Registrar's Office.

Student Advocacy and Accountability

- The office collaborated with the Registrar's Office to host Countdown to Commencement, March 10-11, with 800 in attendance (an increase of 187 students from last Spring).
- The office facilitated Student Listening Sessions and Faculty Campus Care Conversations.
- 238 Conduct Cases: Issued 313 Sanctions from August 2025-present.

Fraternity and Sorority Life

- In partnership with the Dance Thunder student organization, Greek Week participants raised \$10,478 in support of the Hoops Family Children's Hospital.
- The National Pan-Hellenic Council (NPHC) welcomed 15 new members.

ACE (Access, Connections and Engagement) Center

- The final ACE Essentials Life Skills Workshop of the semester, "Keyed In: Rent Smarter Not Harder," was held on April 15 in partnership with the Huntington Housing Authority.
- The Center hosted the Formal Fits: Graduation Fit Sidewalk Giveaway from April 26-May 1, focused on providing students with professional and graduation-ready attire at no cost.
- The Center launched the Gowns for the Grads Initiative in partnership with the Registrar's Office which redistributes graduation regalia to students who may not have the financial means to purchase their own.

Student Activities

- The Campus Activities Board (CAB) hosted a series of spring semester programs including an NCAA Tournament Championship Watch Party in the residence halls.
- CAB's Earth Day initiative combined multiple service and engagement opportunities including serving liquid nitrogen ice cream during MU's High School Science Day.

Community Service and Family Programs

- The office collaborated with the City of Huntington and Fraternity & Sorority Life for the 2nd Annual Greek Week City Clean-Up.
- In collaboration with SGA, student volunteers provided 22 hours of community service during Herd Service Day.
- Students contributed 222+ community service hours during the spring semester.

Military and Veteran Affairs

- The MVA office fielded more than 50 calls, emails, and in-person visits from incoming or potential new military-connected students and helped them connect to resources they need.
- The MVA office assisted 17 military dependents this spring in connecting them with VA resources for Chapter 35 benefits.

Wellness Center

- The Wellness Center hosted the Safer Spring Break event on March 11 to educate students about various aspects of safety during spring break.
- Dr. Jennifer Newman, Wellness Center Coordinator, helped facilitate the yearly BRIDGES Out of Addiction symposium as part of her community outreach with UK King's Daughters.

Collegiate Recovery

- Coordinator Jeremy Bailey facilitated Recovery Ally training and provided one-on-one support to 5 students. Fourteen people were trained in opioid overdose response education.
- Chapter members served food at Harmony House as part of community outreach.

Violence Prevention and Response Program

- The office hosted Light the Night, a kick-off event for Sexual Assault Awareness Month, where students, faculty, and staff assisted in planting solar lights in honor of survivors.
- 'Designated Survivor Spaces' were established in the following offices across campus: Women's Center, Wellness Center, Counseling Center, Title IX Office, and Drinko Library.
- The office assisted 3 students with issues related to interpersonal violence, including stalking and physical assault and assisted 1 student in Family Court.

Counseling Center

- MUCC continued its collaboration with BetterMynd, an online therapy platform, providing virtual counseling for online and international students, with 87 active users.
- MUCC provided a total of 2,881 clinical appointments to 633 clients. The center also conducted 234 crisis-related clinical appointments.

Women's Center

- In partnership with Cycle of Care WV & Break Free WV, the Center supplied menstrual products across campus and established the first period pantry available to community members at The Market on 3rd Avenue.
- In collaboration with the ACE Center & KYMoms, the Center supplied 96 meals to children and their mothers in recovery living in Boyd County, KY.

Esports and Club Sports

- The Call of Duty Varsity Team tied for 19th in the nation and advanced to the CCL National Quarterfinals. The team also finished 7th in the nation at the NACE Grand Final.
- In their first varsity seasons, the Valorant team finished 8th in the nation within its division, and the Overwatch team finished 15th nationally.
- The Super Smash Bros team finished 3rd in the nation and received an invitation to move into Varsity Premier for Fall competition, joining the top collegiate programs in the country.

STAFF ACHIEVEMENTS

- Dr. Gabe Brown, Director of Community Service and Family Programs, completed the 2026 cohort of the John Marshall Leadership Fellows Program.
- Women's Center Coordinator Alissa Rookard was selected to participate in the 2026 Innovation Catalyst Cohort.
- Shaunte Polk, Director of Access, Connections, and Engagement, was recognized as the Top Ambassador for Marshall University's Annual Day of Giving, placing first for her outreach and fundraising efforts in support of university initiatives.

PROGRAM HIGHLIGHTS

- An informational page was created to accompany the continued rollout of the AI-supported Three-Year Online Course Review process, providing faculty with targeted recommendations aligned to accreditation expectations and the H.O.M.E. Framework. Online Office Hours are now offered weekly for faculty to drop in with questions.
- The Digital Accessibility Resource Center in Blackboard has been expanded to include Fix-a-Thon recordings, faculty-focused guidance, and math/STEM-specific resources.
- The Master of Science in Library Science (MSLS), a fully online, asynchronous program, was launched, expanding flexible graduate pathways for future library and information science professionals. Communication Studies also launched a fully online BA, giving students flexible access to theory-driven, practical communication training.
- Marshall Online is continuing its asynchronous and blended H.O.M.E. certification options in preparation for the June 30, 2026, deadline for certification of all distance faculty. To date, 351 faculty have earned badges with 59% of online faculty trained.
- The February issue of the Marshall Online Newsletter promoted digital accessibility and featured Marshall alum Aaron Preece, editor of *AccessWorld*, demonstrating the student experience of using a screen reader in Blackboard. The March issue on Cultivating Belonging featured a faculty spotlight video highlighting tips for Instructor Welcome videos.

STAFF ACHIEVEMENTS

- Dr. Julia Spears, Assistant Provost of Online Education and Certification, presented “Exploring the LER Accelerator Initiative” at the Higher Learning Commission Annual Conference, representing Marshall in the national initiative. Dr. Spears also co-presented with collaborators on LER progress at the 1EdTech Conference.
- Michelle Morrison, Senior Director of Student Engagement, presented “Motivation in Academic and Career Advising” at the 2026 NASPA Conference. Kasey Freeman, Online Student Engagement Coordinator, and Heidi Blaisdell, Instructional Designer, also attended the conference, presenting “Inclusive Advising for a Neurodiverse Campus.”
- Michelle Morrison and Lisa Clark from Blackboard presented “Designing for AI Fluency: A Collaborative Reframing of Bloom’s Taxonomy” at the 2026 UPCEA Conference.
- Dr. Julia Spears, Michelle Morrison, and Instructional Designer Hilary Gibson attended the WV CALM conference in Morgantown to collaborate with the HEPC, the Strada Education Foundation, Education Design Lab, and representatives from all two and four-year institutions in the state of WV. The purpose of the conference was to establish a statewide Learning Mobility framework and a Learner Employment Record for learners across WV. Workgroups focused on three areas: institutional data, credit for prior learning, and microcredentials and stackable pathways.

COLLABORATIONS & PARTNERSHIPS

- Marshall Online hosted a campus-wide Digital Accessibility Fix-a-Thon event in collaboration with MU IT, Academic Affairs, the Office of Accessibility and Accommodations, the Center for Teaching and Learning,

Blackboard, and Adobe. There were 80+ participants who generated 203 Ally Accessibility Reports and completed 546 accessibility fixes in one day, accelerating progress toward the federal compliance deadline.

- In collaboration with Education Design Lab, Mountwest Community and Technical College, regional employers, and MUIT, Marshall Online advanced a seamless AAS-to-BAS Cybersecurity pathway aligned with industry credentials and workforce needs. This pathway is specifically designed to prepare students to work in the student-led Security Operations Center (SOC) at the new Institute for Cybersecurity.
- Marshall Online partnered with Workforce West Virginia, HEPC, the Strada Education Foundation, and the Coleridge Initiative to securely link education and workforce data, strengthening Marshall's ability to measure employment outcomes tied to degrees and microcredentials. The first data ingestion was completed with analysis beginning this summer.
- The LER initiative at Marshall is being advanced through continued participation in the national LER Accelerator community and partner convenings, aligning Marshall's microcredential and skills data with emerging interoperability standards. Current work is focused on mapping credential metadata, clarifying governance and data-sharing requirements, and identifying priority use cases to support learner mobility and employer recognition.
- The self-paced Master Your Digital Identity microcredential was launched in partnership with Cybersecurity and the former WV Technology Hub. The course is designed for an era of AI-driven fraud and emerging quantum threats, helping learners explore security essentials, industry tools, and risk management.
- In Partnership with FasterWV, Marshall Online developed and delivered workforce-aligned microcredentials focused on practical skills for small business owners and entrepreneurs, including business operations, leadership, project management, and digital tools. These short, flexible courses were designed to help working adults quickly apply new skills to grow and strengthen their businesses.

COMMUNITY ENGAGEMENT

- The Online Student Engagement team held a series of virtual student events this spring focused on career readiness, wellness, and persistence culminating in an in-person Online Graduation Reception.
- Staff participated in the annual S.C.O.R.E.S competition and Collegiate Recovery events.
- MU Online continues to expand awareness and referrals for nationally certified Academic Life Coaches and continued facilitation of the Marshall Online Herd Hub to foster belonging and connection for online students.



June 10, 2026

EDUCATION



School of Medicine conducts 46th doctoral graduation, fourth physician assistant hooding ceremony

The Joan C. Edwards School of Medicine awarded 83 doctoral degrees and recognized 29 Master of Medical Science graduates at ceremonies Friday, May 8, at the Keith-Albee Performing Arts Center.

At its 46th annual doctoral graduation and investiture, Marshall University President Brad D. Smith and Dr. David Gozal, vice president of health affairs and dean of the School of Medicine, conferred 83 Doctor of Medicine (MD) degrees, three Doctor of Philosophy (PhD) degrees in biomedical research and one combined MD/PhD degree.

Physician, ethicist and national leader in bioethics Lainie Ross, MD, PhD, inspired graduates through her keynote address, encouraging them through her four “pearls” of wisdom to remain curious, embody trustworthiness and act ethically, embrace uncertainty and maintain humility. She reminded them that at its core, the doctor-patient relationship is an ethical relationship.

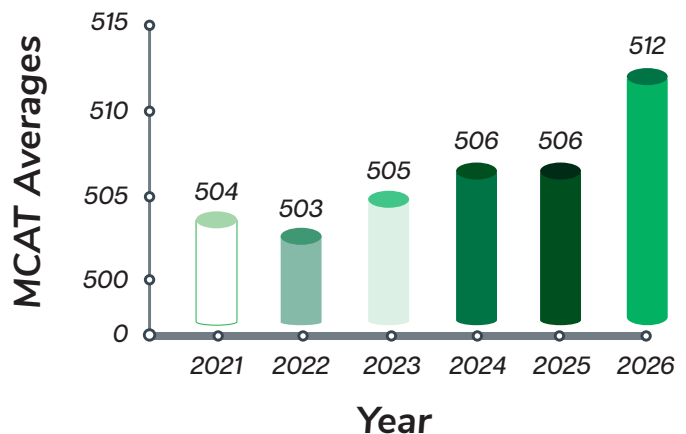
Ali Oliashirazi, MD, professor and chair of orthopaedic surgery, pictured with School of Medicine Alumni Association President Andrea M. Lauffer, MD ('10), was recognized as the School of Medicine’s 2026 Honorary Alumnus during the annual investiture ceremony.

MD Class of 2030 Profile

School of Medicine prepares to welcome largest incoming medical student class in its history

- **99 students** committed to enroll
- Average MCAT: **512**
- Average BCPM* GPA: **3.8**
- WV Residents: **31**
- Gender: **60 Male | 39 Female**
- Top States of Residents: **West Virginia, Ohio, Maryland**

*Biology, Chemistry, Physics & Mathematics



DONOVAN SPENCER, MD



Born in Georgia and raised in West Virginia, Dr. Donovan Spencer chose medicine to serve his community and help people through some of their hardest moments.

One of the most meaningful parts of his medical school journey was volunteering at the refraction clinic, where he helped provide free glasses and vision screenings. Later seeing a patient using the glasses he provided reminded him how lasting even small acts of care can be. During his time at Marshall, Donovan also became the first student in the medical program accepted into the Harvard University Ophthalmology Research Scholars program, a milestone he hopes will inspire future students.

Donovan matched in Internal Medicine at Northside Hospital Gwinnett in Georgia, returning to the same hospital network where he was born. He credits Marshall for reinforcing the importance of empathy, teamwork and building strong relationships, lessons he plans to carry throughout his career.

EMMA GROE, PHYSICIAN ASSISTANT



Originally from Charleston, West Virginia, Emma Groe was inspired early on by the importance of health literacy within her family and community, leading her to pursue a career as a physician assistant. She attended the University of Charleston, where she studied exercise science while playing collegiate softball. Those experiences helped shape the teamwork, discipline and adaptability she brings to patient care today.

Emma chose the Joan C. Edwards School of Medicine Physician Assistant Program for its focus on rural medicine and hands-on learning opportunities. During clinical rotations, she developed a passion for family medicine, continuity of care and patient education, finding fulfillment in helping patients better understand and manage

their health. Emma looks forward to beginning her career and continuing to make a positive impact in the communities she serves.

Graduate medical education programs welcoming incoming residents, fellows

- 126 incoming resident physicians and fellows will officially begin their training July 1 at the School of Medicine.
- The incoming cohort includes the first group of anesthesiology residents in Huntington.
- Marshall's newest cohort of trainees represents 69 medical schools across 17 different states and 25 countries.
- The School of Medicine now has 342 total trainees across 29 programs, the largest in the school's 49-year history.

2026 Day of Giving Summary

Challenge gifts from alumni Dr. Mark ('83) and Mrs. Monica Hatfield, in memory of Dr. John Boswell ('82), along with the Dr. Monica Richey-Walker ('84) family, kickstarted Day of Giving for the School of Medicine. This year, the School received \$87,285, from 34 gifts.

A graphic for the Day of Giving. On the left, a green box contains a quote: "Support like this makes a real difference, not just financially but emotionally. It reminds me I'm not alone and motivates me to keep moving forward with purpose." Below the quote is the name "-Sofia Rashid" and "Class of 2028". At the bottom left of the green box are the "DAY OF GIVING" logo and the Marshall University logo. On the right is a portrait of Sofia Rashid, a young woman with blonde hair, smiling.

Researchers explore potential link between COVID-19, lung cancer risk

Researchers at Marshall University and the Hebrew University of Jerusalem have identified a potential association between COVID-19 and increased lung cancer risk, driven by underlying biological mechanisms in the lung. The study, published in *Frontiers in Immunology*, integrates human clinical data with mechanistic research in animal and cellular models to better understand how SARS-CoV-2, the virus that causes COVID-19, may contribute to long-term lung disease. The research team also observed a higher incidence of lung cancer among patients with a history of COVID-19, particularly among current and former smokers. Cayleigh Wallace of Marshall and Alex Gileles-Hillel, M.D., of Hebrew University and Hadassah Medical Center served as co-first authors on the study. Li and Hong Yue, Ph.D., of Marshall served as co-corresponding authors. This work supports a pending NIH R03 grant application led by Yue, with David Gozal, M.D., M.B.A., Ph.D. (Hon) of Marshall serving as a consultant.

New research links aging gut changes to increased disease risk

Researchers at Marshall University, led by Abdelnaby Khalyfa, MSc, PhD, in collaboration with researchers at the University of Missouri, have identified new evidence suggesting that microscopic particles produced in the gut, known as gut luminal exosomes, may contribute to inflammation and chronic disease associated with aging. Published in the journal *Aging Cell* in April 2026, the study found that exosomes from older animals carried molecular signals linked to insulin resistance, inflammation and weakened gut barriers, while exosomes from younger animals appeared to reduce those effects in older animals. The research highlights how aging may simultaneously affect metabolism, immune function and cellular signaling, while also identifying potential new targets for detecting and treating age-related diseases.

People News



Shahrad Taheri, BSc, MSc, MBBS, PhD, FRCP, joined the Joan C. Edwards School of Medicine and Marshall Health Network in May to lead obesity and diabetes health initiatives as professor and vice dean of adiposity-based chronic diseases. An internationally recognized physician-scientist, Dr. Taheri has significantly advanced the understanding of

obesity and metabolic health through his research. His work has explored the complex relationships between sleep, circadian rhythms, hormones and metabolism, helping reveal how disruptions in these systems contribute to obesity and related chronic diseases. He has also led pioneering clinical studies focused on diabetes prevention and lifestyle interventions, including large-scale community-based programs designed to improve population health outcomes.



Dr. David Gozal, MD, MBA, PhD (Hon), vice president for health affairs and dean of the School of Medicine, was awarded the 2026 Assembly on Sleep and Respiratory Neurobiology Lifetime Achievement Award by the American Thoracic Society (ATS), honoring his outstanding contributions to the field of sleep neurobiology. Dr.

Gozal was recognized during the ATS International Conference in May in Orlando, Florida. The annual award honors the career of individuals who have made both scientific and scholarly advances in the field of sleep or respiratory neurobiology, as well as mentoring, teaching and advocacy to advance public health. Gozal was previously honored by the ATS in 2021 with the Assembly on Pediatrics Lifetime Contributions to Pediatric Respiratory Medicine Award. He is the only person to be recognized with lifetime achievement awards by two different Assemblies of the ATS.

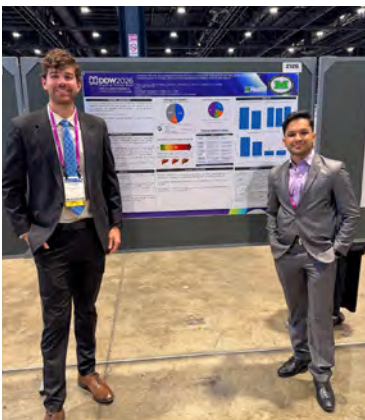
Study finds new ACL surgery approach helps most patients return to activity

New research from an orthopaedic team led by Dr. Chad Lavender at Marshall Health Network and the Marshall University Joan C. Edwards School of Medicine demonstrates promising outcomes for patients undergoing anterior cruciate ligament (ACL) reconstruction using an advanced surgical technique that combines biologic augmentation with internal stabilization. The study, published in the April 2026 edition of *Arthroscopy, Sports Medicine, and Rehabilitation*, evaluated patient outcomes following ACL reconstruction using a quadriceps tendon autograft enhanced with bone marrow aspirate concentrate (BMAC), demineralized bone matrix and suture tape augmentation. Researchers found that more than 91% of patients returned to their pre-injury activity levels following the procedure.

Researchers enrolling patients in lung cancer study evaluating personalized immunotherapy

The Edwards Cancer Institute at Marshall Health Network (MHN) is enrolling eligible patients in a clinical trial evaluating whether a personalized immunotherapy approach can enhance the effectiveness of treatment following lung cancer surgery. The study is investigating the use of an individualized therapy designed with a tumor's unique biology from a surgical sample to help the immune system better recognize and attack cancer cells when used alongside the immunotherapy drug pembrolizumab. Researchers at the Marshall University Joan C. Edwards School of Medicine and MHN are studying whether the combination improves outcomes compared with immunotherapy alone in patients who have undergone surgery for non-small cell lung cancer.

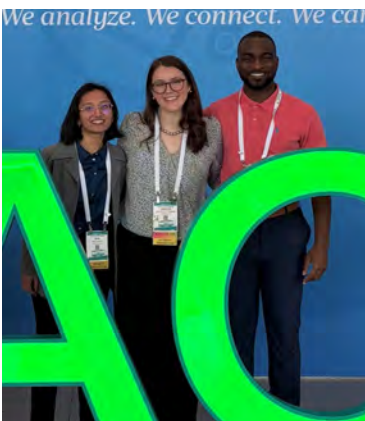
The future of research



Third-year medical students Christopher Potts and Akbar Ali recently joined Marshall gastroenterology attendings, fellows and resident physicians at Digestive Disease Week® in Chicago, one of the world's leading conferences focused on digestive health.



Third-year medical student Isabella Stuart and second-year medical student Cole Fisher at the West Virginia Plastic Surgery meeting during the American College of Surgeons conference at The Greenbrier.



Fourth-year medical students Damir Adeshina and Jordyn Torrens, along with third-year medical student Isha Gupta, at the American College of Physicians (ACP) Internal Medicine Meeting 2026 in San Francisco.



Dr. Harshal Sawant at Digestive Disease Week® in Chicago, one of the world's leading conferences in digestive health and biomedical research.

UPCOMING DATES:

- **June 26:** Physician Assistant White Coat Ceremony (Class of 2028)
- **July 12-17:** Project PREMED
- **July 31:** MD White Coat Ceremony (Class of 2030)
- **August 22:** Standing Out In Our Field 10

Marshall University Board of Governors

Meeting of June 10, 2026

ITEM: Approval of FY2027-32 Capital Project List

COMMITTEE: Finance, Audit, and Facilities Planning Committee

RECOMMENDED ACTION: *Resolved*, that the Marshall University Board of Governors approve the attached FY2027-32 Capital Project List

STAFF MEMBER: Brandi D. Jacobs-Jones
Senior Vice President for Operations

BACKGROUND:

In accordance with Finance, Facilities, and Audit Committee requirements, Marshall University must annually submit a rolling five-year capital appropriation request to the Marshall University Board of Governors (MUBOG) and the West Virginia Higher Education Policy Commission (WVHEPC). This Capital Project List formally communicates the University’s capital priorities to the State of West Virginia.

Inclusion on the list does not guarantee funding; however, it positions the University to be considered should state funding become available. Recent state allocations, including the \$21 million “Shock and Awe” investment, demonstrate the importance of maintaining an approved and current capital priority list.

FY2027–32 Capital Project List

The proposed FY2027–32 Capital Project List was developed by the Division of Operations in consultation with campus stakeholders, including Academic Affairs, Athletics, Facilities and Operations, Information Technology, and the Joan C. Edwards School of Medicine. The list includes new construction, major renovations, deferred maintenance, and capital projects exceeding \$100,000.

The draft list was reviewed with faculty and staff through the Physical Facilities and Planning Committee of the Faculty Senate on January 22, 2026, distributed to campus stakeholders on February 13, 2026, and was presented as an information item at the April Board of Governors meeting.

Take Care of the House

FY27-32 CAPITAL PROJECT LIST (Building Stabilization)

Priority	Description	Category**	Total Cost
1	CORBLY HALL CHILLER REPLACEMENT	Bldg. SS	\$ 550,000
2	MORROW LIBRARY HVAC UNIT	Bldg. SS	\$ 212,000
3	SCIENCE BUILDING CHILLER REPLACEMENT	Bldg. SS	\$ 825,000
4	MSC ROOF REPLACEMENT	Bldg. SS	\$ 2,000,000
5	SCIENCE BUILDING ROOF REPLACEMENT	Bldg. SS	\$ 1,796,202
6	GULLICKSON HALL ROOF REPLACEMENT PHASE II	Bldg. SS	\$ 680,000
7	SHEWEY ATHLETIC BUILDING ROOF REPLACEMENT	Bldg. SS	\$ 797,500
9	GULLICKSON HALL WINDOW REPLACEMENT	Bldg. SS	\$ 500,000
10	MECHANICAL UPGRADES AND REPLACEMENTS - CAMPUS WIDE	Bldg. SS	\$ 7,320,000
16	PLUMBING IMPROVEMENTS - CAMPUS WIDE	Bldg. SS	\$ 4,180,000
17	SHEWEY ATHLETIC BUILDING AIR HANDLER UNITS	Bldg. SS	\$ 2,000,000
18	FORENSIC SCIENCE MECHANICAL UPDATES	Bldg. SS	\$ 833,750
22	ELECTRICAL UPGRADES - CAMPUS WIDE	Bldg. SS	\$ 1,500,000
23	ARCHITECTURAL TRADES AND SITE SERVICES	Bldg. SS	\$ 2,500,000
25	AVIATION MAINTENANCE HANGAR A - PHASE I	Bldg. SS	\$ 275,000
27	SCIENCE BUILDING RENOVATION PHASE I	Bldg. SS	\$ 50,000,000
31	AVIATION MAINTENANCE HANGAR A - PHASE II	Bldg. SS	\$ 1,200,000
35	MARSHALL MEDICAL CENTER FIBEROPTIC NETWORK CONNECTION	Bldg. SS	\$ 200,000
55	ERMA BYRD CLINICAL CENTER ROOF REPLACEMENT	Bldg. SS	\$ 1,500,898
56	MARSHALL MEDICAL CENTER ROOF REPLACEMENT	Bldg. SS	\$ 1,526,250
57	MARSHALL MEDICAL CENTER HVAC & BOILER REPLACEMENT	Bldg. SS	\$ 840,000
	Building Stabilization Subtotal		\$ 81,236,600



Take Care of the House
FY27-32 CAPITAL PROJECT LIST (Health & Safety)

Priority	Description	Category**	Total Cost
8	REPLACE FEDERALLY BANNED SECURITY CAMERA EQUIPMENT	H&S	\$ 200,000
19	BRYD BIOTECH SCIENCE CENTER MECHANICAL UPDATES	H&S	\$ 583,625
20	ELEVATOR MODERNIZATION PHASE II	H&S	\$ 2,000,000
21	OLD MAIN INTERIOR STRUCTURE REPAIRS	H&S	\$ 3,000,000
28	HENDERSON CENTER NW STAIR REPLACEMENT	H&S	\$ -
29	LANDSCAPE ACTIVATION PHASE I	H&S	\$ 1,638,000
34	MARSHALL MEDICAL CENTER ELEVATORS UPGRADE	H&S	\$ 5,675,000
39	MARSHALL MEDICAL CENTER GENERAL RENOVATIONS	H&S	\$ 3,250,700
54	SECURITY & CONTROLS FOR SOM FACILITIES	H&S	\$ 190,000
	Health & Safety Subtotal		\$ 16,537,325



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FY27-32 CAPITAL PROJECT LIST (Invest) (Total)

Priority	Description	Category ^{^*}	Total Cost
11	CLASSROOM UPGRADES - IT - PHASE I	Invest	\$ 1,500,000
12	CAMPUS WIDE NETWORK UPGRADE	Invest	\$ 700,000
13	MARSHALL INSTITUTE FOR CYBER SECURITY	Invest	\$ 45,000,000
15	NEW RESIDENCE HALL	Invest	\$ 30,000,000
24	DRINKO LIBRARY RENOVATIONS	Invest	\$ 1,667,500
26	CORBLY HALL RENOVATIONS-PHASE I	Invest	\$ 5,000,000
30	MSC ENTRANCE	Invest	\$ 250,000
33	CLASSROOM REPAIR/RENEWAL-CAMPUS WIDE PHASE II	Invest	\$ 1,000,000
38	NETWORK CLOSET ACCESS CONTROL	Invest	\$ 500,000
40	UNIVERSITY EMC DATA DOMAIN/BACKUP TARGET	Invest	\$ 500,000
41	RESIDENCY SUPPORT SPACE	Invest	\$ 7,500,000
42	UNIVERSITY STORAGE AREA NETWORK (SAN) REPLACEMENT	Invest	\$ 750,000
45	DEVELOPMENT OF MEDICAL STUDENT STUDYSPACE	Invest	\$ 10,250,000
46	HENDERSON CENTER/GULLICKSON HALL HVAC	Invest	\$ 11,254,000
47	CLASSROOM UPGRADES - IT - PHASE II	Invest	\$ 6,000,000
48	SUPPORT FOR THE MODERNIZATION OF MEDICAL EDUCATION	Invest	\$ 12,500,000
49	REWIRE OF FINE ARTS BUILDING FOR NETWORK	Invest	\$ 300,000
50	DEVELOPMENT INFORMATICS AND POPULATION ANALYTICS CENTER	Invest	\$ 3,500,000
51	UPGRADES RESEARCH LABORATORIES COON MED EDU BLDG	Invest	\$ 750,000
52	UPGRADES VIVARIUM BYRD BIOTECHNOLOGY CENTER	Invest	\$ 1,500,000
53	CONSTRUCTION OF NEW GROSS ANATOMY LAB	Invest	\$ 6,750,000
	Invest Subtotal		\$ 147,171,500



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FY27-32 CAPITAL PROJECT LIST (Miscellaneous)

Priority	Description	Category**	Total Cost
14	MARSHALL ADVANCED MANUFACTURING CENTER	Misc.	\$ 25,000,000
32	WAYFINDING	Misc.	\$ 1,993,387
36	CHRIS CLINE INDOOR FACILITY - TRACK REPLACEMENT	Misc	\$ 750,000
37	CHRIS CLINE INDOOR FACILITY - TURF REPLACEMENT	Misc	\$ 475,000
43	DUNFEE WEIGHT ROOM - FLOOR REPLACEMENT	Misc	\$ 275,000
44	DOUGLASS CENTRE RENOVATION	Misc.	\$ 6,630,000
	Misc. Subtotal		\$ 35,123,387

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Architectural Trades and Site Services (ATSS)

Various maintenance issues across campus have created safety and ADA concerns as well as the need for general repairs to maintain the buildings. Project scope would include roof replacements, sidewalks, security cameras, window repair/replacement, replacement of doors and automatic openers, brickwork, etc.

Aviation Maintenance Hangar A - Phase I

The Aviation Maintenance Hangar A is a renovated Cold War-era National Guard Armory. The building currently serves as the primary facility for our general certificate and airframe certificate programs. The hangar space currently has one available restroom stall for all female staff and program participants, and limited space for staff offices. (The main staff office is only accessible through the main classroom, causing class interruption.) The boiler system is antiquated and ineffective. The air conditioning systems in portions of the building are unable to keep up with the influx of students and summer heat. These renovations are necessary to ensure the facility is conducive to a safe distraction-free learning environment.

Aviation Maintenance Hangar A - Phase II

The second phase renovates 6,000 square feet of classroom and office space, bringing interiors up to code with updated electrical and HVAC. It includes materials to match other facility spaces, adds streaming and A/V components for distance education, and covers furniture costs for desks and tables.

Byrd Biotech Science Center Mechanical Updates

Built in 2006, this building is heavily used and requires mechanical upgrades.

Campus Wide Network Upgrade

This is a lifecycle replacement of the network and Wi-Fi equipment to include data center switches, access switches and upgrades to pervasive WI-FI 7, and is necessary to network connectivity to students, faculty and staff. Provide network connectivity for all faculty, staff, and students in academic, administrative, and residence hall spaces. Provide pervasive and consistent Wi-Fi for all faculty, staff, and students in academic and administrative spaces. Additionally, replace old network cabling in remaining builds. Most of the cabling in a few remaining buildings is old Category 3 and doesn't meet modern standards for speed and power-over-ethernet.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Chris Cline Athletic Facility - Track Resurfacing

Track surface has exhausted life expectancy. Resurfacing is needed for health and safety of student-athletes. It is Athletics-only track and therefore serves as both practice and competition site.

Chris Cline Athletic Facility - Turf Replacement

The current turf, which was installed when the building was constructed, has surpassed its expected lifespan. According to industry standards, turf surfaces should be replaced every 8 to 10 years; the existing turf is now over 12 years old. Replacement is necessary to maintain appropriate health and safety standards for student-athletes.

Classroom Renovations Phase II (Campus-wide)

Renovations would consist of new flooring, painting, ceiling tiles, classroom furnishings, chalk/white boards, and electrical upgrades for IT initiatives. These renovations will make classrooms more functional. Project would deploy and expand Technology Enhanced Classrooms with full multimedia capabilities of hosting distance education courses and web conferencing services to meet current demand for remote attendance and participation, multimedia instruction, and lecture capture of audio/video/data for lecture archival.

Classroom Upgrades - IT

This project involves upgrading and modernizing technology for 100+ classrooms at Marshall University. This will support hybrid learning and the ability to join classes remotely.

Construction of New Gross Anatomy Lab

This project proposes the construction of a new gross anatomy lab on the site of the planned Medical Education Building. This facility will provide modernized resources for medical and PA students and allow for increases in student class sizes.

Corbly Hall Renovations Phase I

Corbly Hall, an academic facility opened in 1980, is scheduled for renovations to be implemented in three stages. These enhancements will address both the functionality and aesthetics of the building. The primary focus will include upgrading classrooms and lobbies, as well as replacing furniture, ceilings, and flooring. Such improvements are expected to prolong the facility's service life and support recruitment efforts. Notably, the windows and doors remain original to the structure; therefore, the planned addition of vestibules will provide insulation benefits, contributing to more consistent interior temperatures and reduced energy expenditures.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Corbly Hall Chiller Replacement

The existing chiller at Corbly Hall has lost approximately 50% of its capacity due to a circuit failure, leaving the remaining circuit unable to reliably meet the building's cooling demands. Given its deteriorated condition, the unit is unlikely to remain operational through another cooling season. Corbly Hall houses classrooms, office space, and the Early Education STEAM Center, and supports the Dietetics program's classrooms, making reliable cooling essential for operational continuity, occupant comfort, and safety. Funding is being sought to replace the malfunctioning chiller. Planning and Construction will engage an engineer or architect to assess the system; although full replacement is advised, the ultimate decision will be based on the results of the engineering study.

Development of an Informatics and Population Analytics Center

The School of Medicine is in the planning stages for the development of an Informatics and Population Analytics Center. This multidisciplinary initiative will provide added resources/experiences to students, foster innovative, clinically relevant research, and improve clinical treatment and responsiveness. In addition to operational costs, the plan calls for the construction of new physical space, infrastructure development, and equipment procurement.

Development of Medical Student Study Space

One of the most significant capital needs for the School of Medicine is an increase in study space for students. A lack of study space is a near constant concern for students and is frequently identified by the school's accrediting body as an area of needed improvement. With the school scheduled for a 2027 accreditation site visit, this is a critical short-term need. In addition to satisfying accreditation requirements, this space will improve student outcomes and collaboration with the community.

Douglass Centre Renovation

This project includes the potential renovation of the former gymnasium into a mixed-use, community-focused space and restoration of the 550-seat auditorium into an ADA-compliant gathering space for use by both the School of Medicine and the community at large. The renovation of these spaces would complete prior grant-funded work on the property and give function to currently unusable spaces. The 1985 designation request to the National Register of Historic Places cited that, "restoring Douglass to its former place of prominence would be of incalculable value to the entire area." The School of Medicine and Marshall Health continues to honor that commitment and goal by giving renewed purpose to a historical landmark that represents a prominent piece of history in our community.

Drinko Library Renovations

The building was constructed in 1998. The carpet has been replaced in the highest traffic areas but remains a safety hazard and in need of replacement in many public areas throughout the building. Renovations on first, second, and third floors. Replacement of aging furniture in public areas and in DL402. Acquisition of equipment and technology to support student groups; multimedia presentation development; video and audio editing. Addition of video surveillance for additional security.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Dunfee Weight Room Flooring Replacement

Existing weight room flooring has exceeded life expectancy. Industry standard for weight room flooring replacement, of this standard, is 15-28 years. Floor is 21 years old. Replacement is necessary for the health and safety of student-athletes.

Electrical Upgrades - Campus Wide

Various electrical deferred maintenance issues exist across campuses. This project would include, but is not limited to, lighting improvements, electrical panel upgrades, replacement of fuse boxes, switchgear replacements, control upgrades, and power upgrades.

Elevator Modernization Phase II

To keep equipment safe and reliable, elevator modernization is needed on the following elevators: 1. Old Main Elevator 1; 2. Fine Arts passenger; 3. Sorrell Maintenance Building freight; Prichard Hall (if feasible) second elevator; and Morrow east elevator. These elevators have surpassed life expectancy, and code, safety, and ADA requirements have changed, parts are becoming obsolete, and technology has advanced.

Erma Ora Byrd Clinical Center Roof Replacement

The roof is no longer properly adhering to its membrane and has reached the end of its anticipated service life. The planned capital expenditure will encompass engineering, demolition, and construction activities. This work is expected to be required within the next three years. As part of facilities sustainment, this resource requirement aligns with regular scheduled roof replacements that are necessary throughout a facility's lifecycle. It should be classified as a scheduled replacement of a major facility component (roof), undertaken to preserve the integrity of the building.

Forensic Science Mechanical Updates

Replacement of HVAC updates.

Gullickson Hall Roof Replacement - Phase II

The ballasted rubber roof is in poor condition. The roof has reached its life expectancy and there are multiple leaks causing damage to areas below. This project will replace Area 3 of the roof. The capital expense will include engineering, demolishing, and construction.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Gullickson Hall Window Replacement

Built in 1959, Gullickson Hall's original single-pane windows need replacement. The new non-operational Low-E double-pane windows will improve energy efficiency.

Henderson Center/Gullickson Hall HVAC

Henderson Center Arena is underused due to lack of air conditioning. Installing HVAC would expand its use beyond basketball and volleyball. Gullickson Hall Gymnasium also lacks climate control, with temperatures ranging from 50°F in winter to 90°F in summer. Adding HVAC would improve space utilization and address safety concerns related to extreme temperatures during physical activity.

Henderson Center/NW Stair Replacement

The concrete topping slab at the Cam Henderson Center has severe damage at the bottom due to freeze-thaw cycles and exposure to deicing chemicals. The slab wasn't air-entrained, making it vulnerable to cracking and water damage. Proposed replacement of slab with air-entrained concrete and installing an upgraded drainage system to prevent future issues.

Landscape Activation Phase I

Landscaping Phase I is the creation of walkways which will make areas safer and ADA compliant for pedestrians. The first two areas are on main campus on College Avenue behind Twin Towers and to improve ADA route between Smith Hall and Morrow Library. The third area is on the Health Science campus beside the parking garage on 15th Street. Project will create a safe path for pedestrians.

Marshall Advanced Manufacturing Center

This project consists of the development of a new building for the Marshall Advanced Manufacturing Center (MAMC) and Innovation Resource Hub. The building is to be located in the new Innovation (IDEA) District on the corner of 15 Street and 4th Avenue in Huntington. The building will be approximately 50,000 square feet over two floors. The building will include the MAMC program and the Innovation Resource Hub program, which consists of prototyping and maker space-type labs with supporting collaboration spaces and offices.

Marshall Institute for Cyber Security

The establishment of the new Institute for Cyber Security (ICS), serving as the National Center of Excellence for Cybersecurity in Critical Infrastructure, marks a groundbreaking advance in the 4th Avenue Innovation District's ongoing development. The ICS will provide dedicated teaching, research, and collaboration spaces to support critical demand curriculum with real-world and simulated experiential learning environments. It will also connect students, faculty, staff, and industry partners. The building will be the designated home of the National Center of Excellence for Cybersecurity in Critical Infrastructure. The new ICS project will provide both a student-centered academic experience, and space for secure government and private partners to co-locate and collaborate with the program. The clear direction from the project steering committee early in the programming process was that the project must leverage the ICS program connections to broader partnerships to be more than just an academic building.



Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Marshall University Medical Center Elevator Upgrade

The elevator system at Medical Center is nearing the end of its expected useful life. Funding is needed to upgrade three elevators. These are the original elevators and were installed in 1998. The Medical Center remains the primary educational, training, and clinical facility for the School of Medicine and, as such, these elevators are vital to day-to-day operations.

Marshall University Medical Center Fiber Optic Network Connection

The fiber optic network connection that links the School of Medicine facilities to the network of the Marshall University Huntington campus, and beyond that to the Internet and Internet2, is at maximum capacity (24 strands) and is due to life cycle replacement of materials. This funding will replace that connection with a newer link of higher capacity.

Marshall University Medical Center HVAC & Boiler Replacement

The School of Medicine facility located at the university's Medical Center at Cabell Huntington Hospital has a pressing need to upgrade the older chiller and boiler, as both older units are nearing the end of their life span. Their excessive age has previously caused complications with repairs issues that have affected their performance and the readiness of this facility to meet its service needs. These crucial items are necessary to ensure the facility's mechanical systems are upgraded to stay functioning properly and to prevent any serious issues for the operation of this facility's HVAC equipment.

Marshall University Medical Center General Renovations

The Medical Center has significant deferred maintenance needs, including flooring, fixture, and casework replacement within its educational and clinical spaces. These renovations will allow the School of Medicine to continue to provide a high-quality environment for faculty, staff, students, and patients. The Medical Center was completed more than 25 years ago and, as such, many of its finishes are nearing the end of their useful life.

Marshall University Medical Center Roof Replacement

The School of Medicine proposes to proceed with the roof replacement of the Medical Center at Cabell Huntington Hospital. This project will involve removing the existing roof down to the decking and replacing it with new insulation and a fully adhered membrane roof, complete with all necessary flashings. Fall protection and access ladders will be installed as well as new overflow roof drains. This is a facilities sustainment resource requirement and includes regular roof replacements that are expected to occur periodically throughout the lifecycle of facilities and should be considered a scheduled replacement of a major facility component (roof) as needed to maintain the facility integrity.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Mechanical Upgrades and Replacements - Campus Wide

Various mechanical deferred maintenance projects exist across the campuses. This project would include, but is not limited to, HVAC replacements/repairs, A/C replacements, boiler replacements, HVAC controls and upgrades, air compressor replacements, and repairs to supports and structures for these units. The South Charleston campus is included in this project.

Memorial Student Center Entrance

Built in 1969, the Memorial Student Center is one of the most-used buildings on campus. The original main entrances provide a barrier to the elements when entering and exiting the building. They provide little energy efficiency and are difficult to keep aligned. Replacement of doors with a double entrance way/vestibule will improve energy efficiency and security.

Memorial Student Center Roof Replacement

The Memorial Student Center required architectural design services to address significant roof issues, including a longstanding leak in the John Marshall Room that has persisted despite multiple repair attempts and whose source cannot be located. Recent investigation revealed the presence of an additional built-up roof layer beneath the existing one, which is believed to contain asbestos; this condition necessitates professional assessment, design planning, and proper abatement rather than a standard roof replacement. Due to their extensive familiarity with the building, RossTarrant has evaluated the existing conditions and developed a comprehensive plan for partial or full roof replacement and hazardous material removal.

Morrow Library HVAC Unit

The rooftop HVAC unit at Morrow Library is failing and requires replacement, and due to the building's high static pressure, a customized unit will likely be necessary to meet performance requirements. Morrow Library contains office space, the Morrow Stacks, government documents, and special collections, making reliable environmental control essential for daily operations and long-term preservation. Failure of the HVAC system during heating or cooling seasons would create health and safety concerns for occupants and has already contributed to moisture and mold issues that threaten books and archival materials, posing significant risks to collection integrity. Funding is requested to replace the failed unit with a modern, energy-efficient system designed to meet current and projected needs, improve energy performance, reduce operating costs, provide warranty and service coverage, and comply with current environmental and safety standards. One of five units is non-functional while the other four have exceeded life expectancy.

Network Closet Access Control

Provides additional protection for our network and provides an audit log of access.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Old Main Interior Structure Repairs

Old Main is the oldest building on campus and houses many student services as well as administrative offices. There is a need for additional HVAC, plumbing, sewer, and electrical systems upgrades, as well as ADA upgrade requirements. A switch gear upgrade is needed. These upgrades will extend the useful life of this historical building and decrease operating and maintenance costs.

Plumbing Improvements - Campus Wide

Various plumbing and sewer deferred maintenance issues exist across campuses. This project would include, but is not limited to, 18th Street supply line replacement that feeds four buildings and other supply line replacements, waterline replacements, hot water tank replacements, upgrades to sewer piping and fixtures, as well as downspout replacement, new backflow preventers, and pump replacements.

Replace Federally Banned Security Camera Equipment

This project began with the National Cyber Security Center of Excellence project. During research/investigation and discussions with the Department of Defense (DoD), there is a list of products that are federally banned and must be removed from any location that receives federal funding. This includes DoD funding for ICS and any federally funded grants. Over the past year, the Action Learning Team for security has identified a number of these devices specific to Public Safety that will need to be replaced as soon as possible.

Residence Hall

With the Holderby Hall demolition, potential enrollment growth, and the changing student demographic, there is a need for additional residence halls. The new building will be 250 beds with single-speed rooms and ability to convert them into double-occupancy rooms.

Residency Support Space

As the Graduate Medical Education (GME) programs continue to grow residencies and fellowships, we are seeking permanent space for administration of and support to existing cohorts. Currently, the GME offices are in trailers.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Science Building Chiller Replacement

The Science Building's chiller plant is experiencing severe deterioration and is at imminent risk of failure, creating a high likelihood of disruption to research operations, laboratory functions, and educational activities if replacement is not completed. The facility relies on stable climate control to protect temperature-sensitive research equipment, laboratory specimens, and instructional spaces, and a failure during the cooling season could result in loss of critical research data, disruption to lab-based courses and research programs, damage to sensitive scientific equipment, and health and safety concerns for building occupants. Replacement of the existing chiller plant with a modern, energy-efficient system is recommended to provide reliable cooling for current and future needs, reduce operational costs, ensure appropriate warranty and service coverage, and meet current environmental and safety standards.

Science Building Renovation Phase I

The Science Building and Annex was built in 1984 and 1993. It is a four-story scientific research and instructional building containing classrooms, laboratories, and houses several academic divisions for College of Science. A stormwater project has occurred to address the flooding. Once the flooding issue has been confirmed to be resolved, spaces that were unusable need to be renovated. This project will improve the safety of our students and help with maintaining the building.

Science Building Roof Replacement

Existing slate roof is in poor condition. The sections of slate should be replaced using an up-to-date slate replacement type system.

Shewey Athletic Building Air Handler Units

There are five air handler units that will need replacement. Total capital dollars include cost engineering, architectural planning and contract services needed to complete the project. The resulting upgrade may have a small benefit to operating expenses due to being energy efficient and existing costs related to repair and maintenance. Continue to provide a high-quality work environment for faculty, staff, and students.

Shewey Athletic Building Roof Replacement

Shewey building has original roof from construction in early 1990s. The building has ceiling leaks quite regularly and has to be repaired. The building desperately needs a resurfaced roof installation.

Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Security and Controls for School of Medicine Facilities

The fire alarm and panel system and the camera system at the Erma Byrd Clinical Center is no longer supported by the vendor and is in need of replacement to continue to ensure the safety of students and patients and the security of the facility, particularly for students. The Marshall University Medical Center camera system is no longer supported by the vendor and is in need of replacement to ensure the security of the facility to protect vulnerable populations as well as students, staff, and patients. The School of Medicine's HVAC control system has become outdated systemwide. With the current software we are unable to view the control graphics to properly maintain and monitor temperatures throughout our buildings. Upgrading the system will not only enhance user comfort but will also improve efficiency and lower heating and cooling costs.

Support for the Modernization of Medical Education

The School of Medicine (SOM) has received favorable consideration of its FY25 congressionally directed spending request calling for the development of a medical simulation center. This investment is critical to preparing medical and allied health professional students for emerging challenges in healthcare. It is also necessary for the SOM to remain competitive from a recruitment perspective for both students and faculty. Finally, these investments provide the opportunity to improve patient outcomes and lower costs by providing state-of-the-art training to faculty, residents, and community physicians. Ongoing support will be needed for the purchase of equipment and operational expenses.

University EMC Data Domain/Backup Target

The university's primary Data Domain, EMC DD6300 – the backup target for all university backups – expired the initial 5-year support in June 2024. We have put this unit under third-party support, which will extend support to December 2026. This storage system is a critical component of the university's backup architecture for the entire server environment.

University Storage Area Network (San) Replacement

The university's primary Storage Area Network, EMC Unity – the storage subsystem for all server virtual machines – expired the initial 5-year support in April 2025. The unit will be extended to End of Life support with EMC, which was April 2026. This storage system is a critical component of the university's computing infrastructure and will need to be replaced.

Upgrades to Research Laboratories at the Coon Medical Education Building

Minor renovations (casework, flooring, HVAC, and equipment replacement) are needed to various research laboratories at the Coon Medical Education to render them operational. These renovations will allow the School of Medicine to expand its basic and translational research capacity. This space is uniquely useful given its proximity to the VA animal resource facility and will also provide opportunities to expand student research experiences.



Take Care of the House

FY27-32 CAPITAL PROJECT DESCRIPTION (ALPHABETICAL)

Upgrades to Vivarium at Byrd Biotechnology Center

This project calls for minor renovations to the vivarium at the Byrd Biotech Center (primarily HVAC) to increase capacity and ensure a stable, compliant environment. These renovations will expand opportunities for behavior-based studies and other enhanced research protocols.

Wayfinding

Project would consist of new exterior directional signage and replacement of interior signage. There is no exterior directional signage on campus for vehicle or pedestrian traffic. The existing campus interior signage is currently outdated and is not consistent or user friendly. Standardized signage across campuses will be developed that will welcome visitors, clearly define the environment, and provide directions to destinations in buildings.

Marshall University Board of Governors

Meeting of June 10, 2026

- ITEM:** Authorization of Reallocation of Funds from the State Institutions of Higher Education Deferred Maintenance Grant Program
- COMMITTEE:** Finance, Audit and Facilities Planning Committee
- RECOMMENDED ACTION:** *Resolved*, that the Marshall University Board of Governors authorize reallocation of funds from the State Institutions of Higher Education Deferred Maintenance Grant program for projects described below.
- Furthermore*, the Board of Governors reaffirm its commitment to prioritize deferred maintenance projects at Marshall University and to ensure the necessary funding for these projects to be completed safely and effectively; and
- The Board of Governors authorize the President to execute any documentation necessary to effectuate the reallocation of funds for these projects as part of the deferred maintenance program.
- STAFF MEMBER:** Brandi Jacobs-Jones
Senior Vice President for Operations

BACKGROUND:

In June 2023, the Board of Governors approved the submission of thirty-one (31) deferred maintenance projects under the State Institutions of Higher Education Deferred Maintenance Grant program.

Some of Marshall's projects came in under budget; therefore, staff now seek authorization to reallocate funding for projects, as follows:

- Reallocations of \$31,500 from Electrical Systems Upgrades (WVHEPC-M-001), \$34,000 from Fine Ars Renovations (WVHEPC-M-009) and \$14,500 from Roof Replacements (WVHEPC-M-025), a total of **\$80,000** for additional demolition expenses from Holderby Hall Demolition (WVHEPC-M-014)
- Reallocation of **\$27,500** from Electrical Systems Upgrades (WVHEPC-M-001) for additional expenses to address repairs beyond scope for Smith Hall/Henderson Center Concrete Work (WVHEPC-M-013)

- Reallocation of **\$2,700** from Roof Replacement (WVHEPC-M-025) for additional expenses associated with Old Main Structure Repairs-Phase I (WVHEPC-M-023)
- Reallocation of \$4,425 from Memorial Student Center Restroom Repairs and Renovations (WVHEPC-M-015) and \$4,785 for Henderson Center E Level Sanitary Pipe Replacement (WVHEPC-M-007) for **\$9,210** additional expenses associated with Classroom and Restroom Repair/Renewal (WVHEPC-019)

By authorizing this request, Marshall will be able to use and transfer funds from deferred maintenance projects that finished under budget, as well as reduce budgets for other projects, to finance outstanding repairs and ensure the scope of work is completed satisfactorily.

See attachments for supporting documentation.

**RESOLUTION AUTHORIZING APPLICATION FOR THE
STATE INSTITUTIONS OF HIGHER EDUCATION
DEFERRED MAINTENANCE GRANT**

IN THE MATTER OF AUTHORIZING Marshall University TO APPLY FOR A STATE INSTITUTIONS OF HIGHER EDUCATION DEFERRED MAINTENANCE GRANT FROM THE WEST VIRGINIA GOVERNOR'S OFFICE FOR DEFERRED MAINTENANCE AT Marshall University AND DELEGATING AUTHORITY TO THE PRESIDENT TO SIGN THE APPLICATION.

WHEREAS the West Virginia Governor's Office is accepting applications for the State Institutions of Higher Education Deferred Maintenance Grant; and

WHEREAS Marshall University desires to continue participation in this grant program as a means of providing needed maintenance to Marshall University campus facilities; and

WHEREAS, Board of Governors and Institutional Leadership have identified deferred maintenance improvements at Marshall University as a high priority need; and

WHEREAS the highest priority need identified includes the reallocation of funds for the following projects:

- Reallocations of \$31,500 from Electrical Systems Upgrades (WVHEPC-M-001), \$34,000 from Fine Ars Renovations (WVHEPC-M-009) and \$14,500 from Roof Replacements (WVHEPC-M-025), a total of **\$80,000** for additional demolition expenses from Holderby Hall Demolition (WVHEPC-M-014)
- Reallocation of **\$27,500** from Electrical Systems Upgrades (WVHEPC-M-001) for additional expenses to address repairs beyond scope for Smith Hall/Henderson Center Concrete Work (WVHEPC-M-013)
- Reallocation of **\$2,700** from Roof Replacement (WVHEPC-M-025) for additional expenses associated with Old Main Structure Repairs-Phase I (WVHEPC-M-023),
- Reallocation of \$4,425 from Memorial Student Center Restroom Repairs and Renovations (WVHEPC-M-015) and \$4,785 for Henderson Center E Level Sanitary Pipe Replacement (WVHEPC-M-007) for **\$9,210** additional expenses associated with Classroom and Restroom Repair/Renewal (WVHEPC-019)

NOW, THEREFORE, BE RESOLVED BY THE BOARD OF GOVERNORS OF Marshall University AS FOLLOWS:

The Board of Governors demonstrates its support for the submittal of the grant application for the State Institutions of Higher Education Deferred Maintenance Grant for this project by Marshall University: and

The Board of Governors demonstrates its support to prioritize this project as the highest priority with regard to deferred maintenance at Marshall University: and

The Board of Governors authorizes its President to execute the application for the State Institutions of Higher Education Deferred Maintenance Grant and any other documentation necessary to effectuate submittal of the grant application.

This Resolution shall be effective following its adoption by the Board of Governors.

Passed by the Board of Governors this 10th of June 2026.

ATTEST:

Signature, Board of Governors Authorized Official

Printed Name Title

Marshall University Board of Governors

Meeting of June 10, 2026

ITEM: Approval of Acquisition of Property Located on Northcott Court

COMMITTEE: Finance, Audit and Facilities Planning Committee

RECOMMENDED ACTION: *Resolved*, that the Marshall University Board of Governors approve the acquisition of property located on Northcott Court, as described below. It is further resolved that the President of Marshall University is hereby authorized to execute any necessary documents to effectuate this purchase.

STAFF MEMBER: H. Toney Stroud
Chief Legal Officer / Vice President for Strategic Initiatives and Corporate Relations

BACKGROUND:

Marshall University wishes to acquire 3.894 acres located on Northcott Court, Hal Greer Boulevard, Huntington, West Virginia. The acquisition will be accomplished by way of an assignment and purchase involving Fairmount Properties.

Marshall's interest in the property is to develop it for the location of the new Joan C. Edwards School of Medicine and Community Health Institute, subject to compliance with all State code and processes with respect to property acquisition and construction project practices. The objective is to enable the School of Medicine to have a stand-alone facility.

The purchase price of the property would be three million, three hundred dollars (\$3,300,000), plus an administrative fee of three hundred fifty thousand dollars (\$350,000) to be paid to Fairmount Properties for their interest in the property and provision of due diligence materials. This acquisition is being funded through an appropriation from the State of West Virginia.

See attached images.



LEGEND

- ⊙ PROPERTY CORNER - AIR SURVEY SET
- ⊙ PROPERTY CORNER - NORMING SET
- ⊙ UTILITY POLE
- ⊗ GAS VALVE
- ⊗ WATER VALVE
- ⊗ SANITARY MANHOLE

NOTE: STATION AND OFFSET LABELS ARE REFERENCED TO WMDOT PLAN NO. L2008-10-17-80 THOUGH PROPERTY SPLITS 2 STATE ROAD PROJECTS.

50' WIDE PUBLIC RIGHT OF WAY
MINTON STREET

HUNTINGTON CHINA COMPANY SUBDIVISION OF THE CERAMIC SUBDIVISION TO HUNTINGTON



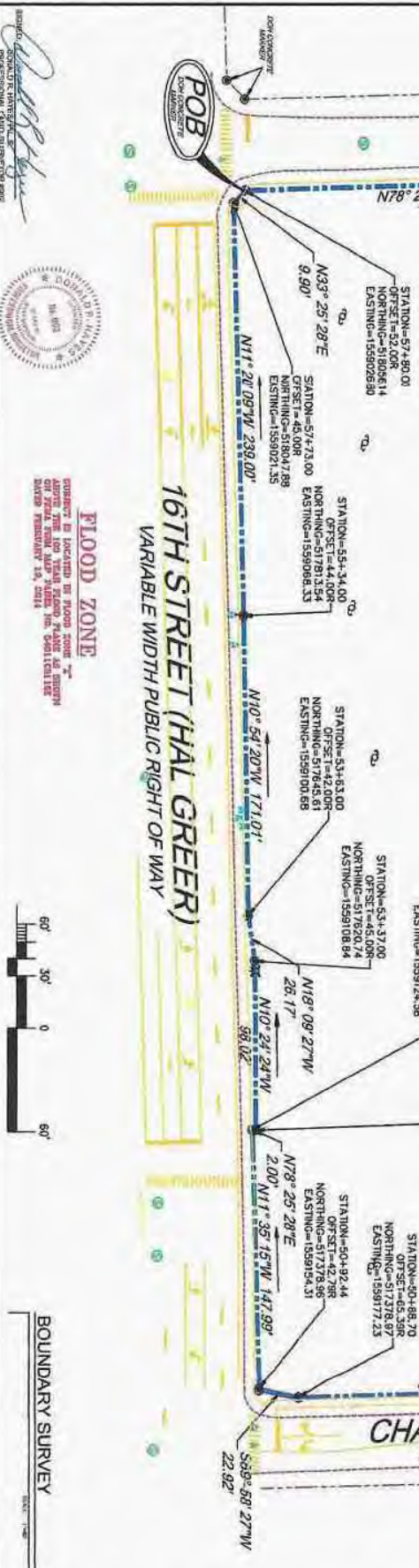
DOULTON AVENUE
50' WIDE PUBLIC RIGHT OF WAY

15' ALLEY

3.894 ACRES
HUNTINGTON WV HOUSING AUTHORITY
MULTIPLE DEEDS
PARCEL 14
TAX MAP 31

16TH STREET (HAL GREER)
VARIABLE WIDTH PUBLIC RIGHT OF WAY

CHARLESTON AVENUE
50' WIDE PUBLIC RIGHT OF WAY



FLOOD ZONE

CONTRACT IS LOCATED IN FLOOD ZONE "X"
ADJUST THE BID TO TAKE INTO ACCOUNT
THE FLOOD ZONE AND THE
SHADE THEREON IN THE SPECIFICATIONS
DATED FEBRUARY 19, 2014



BOUNDARY SURVEY

© 2014 RANDOLPH ENGINEERING & SURVEYING, INC.

RANDOLPH ENGINEERING
1849 TEAY'S VALLEY ROAD SCOTT DEPOT, WV 25969-0346
OFFICE: 304-751-8211 FAX: 304-751-1009

A PLAT SHOWING
A SURVEY OF NORTHCOTT COURT BEING 3.894 ACRES
PROPERTY OF THE HUNTINGTON WV HOUSING AUTHORITY
SITUATE IN THE CITY OF HUNTINGTON
CABELL COUNTY, WEST VIRGINIA

REV	DESCRIPTION OF REVISION	DATE	BY
1	DATE PLOTTED	02/10/2014	1
2	DATE PRINTED	02/10/2014	1



Southerly view from Doulton Avenue



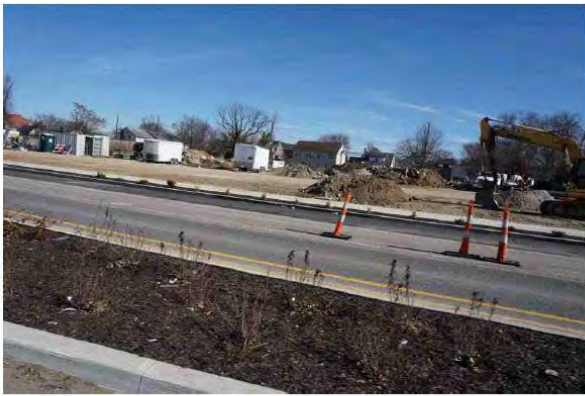
Northerly view showing public right of way



Charleston Avenue Relocation



Charleston Avenue Relocation



Easterly view of subject 3.894-acre site



Westerly view of subject 3.894-acre site



Northerly view from Charleston Avenue, showing the elevation of the subject 3.894-acre site.



Southwesterly view from Doulton Avenue, showing the

elevation of the subject 3.894-acre site.



Southeasterly view from Hal Greer Boulevard, showing the front elevation of the 3.894-acre site.





Northerly view along Hal Greer Boulevard, showing Charleston Avenue and the subject 3.894-acre site.



Marshall University Board of Governors

Meeting of June 10, 2026

ITEM:	Approval of Metro Tuition Rate Expansion - Phase 1 (Fall 2027) and Phase 2 (Fall 2028)
COMMITTEE:	Finance, Audit and Facilities Planning Committee
RECOMMENDED ACTION:	<i>Resolved</i> , that the Marshall University Board of Governors approve expansion of the Metro tuition rate in a phased approach beginning in Fall 2027 and continuing in Fall 2028, as described below.
STAFF MEMBER:	Matt Tidd Chief Financial Officer

BACKGROUND:

Marshall University continues to look for ways to maintain its affordability mission and remain true to our enduring financial principle of Growing Students, Not Fees.

To that end, we are presenting for approval the expansion of the Metro tuition rate. We are proposing a two-phased approach as outlined below.

Phase 1 – True 150-Mile Radius (Fall 2027)

The current 150-mile radius for the Metro tuition rate applies only to the states of Kentucky and Ohio. Beginning in Fall 2027, we are proposing a true 150-mile radius that will expand the Metro rate to additional counties over seven states, including Ohio, Kentucky, Tennessee, North Carolina, Virginia, Indiana and Pennsylvania.

The university currently enrolls approximately 28 students from these counties in undergraduate, graduate and online programs. In order for the university to break even on this proposal, we will need to add approximately two additional undergraduate students from these counties and an additional six graduate students. Phase 1 will be the foundation for moving toward *Phase 2 – The Border State Benefit*.

Phase 2 – The Border State Benefit (Fall 2028)

We are proposing to offer the Metro tuition rate to any student who resides in a state the borders West Virginia. This will include students from Ohio, Kentucky, Pennsylvania, Maryland and Virginia. This expansion of the Metro rate will be effective beginning in Fall 2028.

The university currently enrolls approximately 173 undergraduate and 109 graduate non-resident students from these five states. In order for the university to break even on Phase 2, we will need to add approximately 91 additional undergraduate students and an additional 41 graduate students.

Grow Students, Not Fees

PROPOSAL: TRUE 150-MILE RADIUS

Phase 1 – Fall 2027



Phase 1: To cover a true 150-mile radius over seven states, including Ohio, Kentucky, Tennessee, North Carolina, Virginia, Indiana and Pennsylvania.

- **Current Student Population:**
 - Undergraduate: 6 Headcount / 4.75 Full-Time Tuition Equivalent (FTTE) (2 Athletes)
 - Graduate: 21 Headcount / 14.9 FTTE
 - Online: 1 Headcount / 0.25 FTTE (Not Applicable)
- **Breakeven:**
 - Undergraduate: Need 4.25 total FTTE from these states which is an **additional 1.5 FTTE** based on the Fall 2025 class
 - Graduate: Need 21 total FTTE from these states which is an **additional 6 FTTE** based on the Fall 2025 class

Grow Students, Not Fees

PROPOSAL: THE BORDER STATE BENEFIT

Phase 2 – Fall 2028



Phase 2:

Any student from a state bordering West Virginia will be eligible for the Metro tuition rate. This will include Ohio, Kentucky, Virginia, Maryland and Pennsylvania.

Current Student Population:

- Undergraduate: 173 Headcount / 168 Full-Time Tuition Equivalent (FTTE)
- Graduate: 109 Headcount / 101 FTTE

Breakeven:

- Undergraduate: Need 259 total FTTE from these states, which is an **additional 91 FTTE** based on the Fall 2025 class
- Graduate: Need 147 FTTE from these states, which is an **additional 41 FTTE** based on the Fall 2025 class

Marshall University Board of Governors

Meeting of June 10, 2026

- ITEM:** Approval of Restructuring of Institutional Merit Awards Beginning with Fall 2027 Freshman Class
- COMMITTEE:** Finance, Audit and Facilities Planning Committee
- RECOMMENDED ACTION:** *Resolved*, that the Marshall University Board of Governors approve restructuring of the university's financial aid merit awards beginning with the Fall 2027 freshman class, as described below.
- STAFF MEMBER:** Matt Tidd
Chief Financial Officer

BACKGROUND:

Marshall University proposes a shift in institutional financial aid strategy to align practices with peer institutions and provide increased clarity for prospective students and their families, as well as to help us to remain true to our enduring financial principle of Growing Students, Not Fees.

This proposal is a two-part approach that will simplify the university's merit waiver structure and shift financial aid policy to a "last-dollar-in" approach for institutional merit waivers.

These changes will be effective with the Fall 2027 class of incoming freshmen.

Part 1

The university currently offers 11 separate merit award categories with varying names, criteria and award levels. We propose to consolidate the 11 awards down to 4 awards under a single brand, the John Marshall Scholarship. The John Marshall scholarship will have four levels based on high school grade point average (GPA) and/or standardized test scores. Additional information is provided in the following pages.

Part 2

The university currently permits merit waivers to be stacked on top of other financial aid sources, without limits. This approach requires refunds to student accounts for amounts beyond the institution's Cost of Attendance, necessitating significant institutional subsidy in some cases. We propose changing to a "last-dollar-in" approach that will allow institutional merit waivers to be applied to a student account only until the account reaches a balance of \$0, and will permit a maximum refund of \$750 per semester to help cover books and other expenses. This proposal will align university policy with common national practice and help the university better anticipate cash outflows. Additional information is provided in the following pages.

Grow Students, Not Fees

PROPOSAL: SIMPLIFICATION OF MERIT AWARD STRUCTURE

CURRENT					
Name	AND		Resident	Metro	Non-Resident
	HS GPA Requirement	Test Score Requirement			
John Marshall	>= 3.9	ACT >= 30 or SAT >= 1360	\$ 5,500	\$ 7,966	\$ 14,000
John Laidley	>= 3.7	ACT >= 28 or SAT >= 1300	\$ 4,500	\$ 6,196	\$ 12,000
Board of Governors	>= 3.5	ACT >= 26 or SAT >= 1230	\$ 4,000	\$ 4,426	\$ 10,500
Presidential	>= 3.25	ACT >= 24 or SAT >= 1160	\$ 3,000	\$ 3,540	\$ 8,000
A. Michael Perry	>= 3.0	ACT >= 22 or SAT >= 1100	\$ 2,500	\$ 2,213	\$ 6,000
Opportunity Grant	>= 3.0	ACT >= 20 or SAT >= 1030-1090	\$ 2,000	\$ 1,770	\$ 5,000
Get Started Scholarship	>= 4.2		\$ 3,500	\$ 4,647	\$ 7,000
	>= 3.8 - 4.19		\$ 2,500	\$ 3,319	\$ 5,000
	>= 3.5 - 3.79		\$ 1,500	\$ 1,991	\$ 3,000
	>= 3.2 - 3.49		\$ 1,250	\$ 1,660	\$ 2,500
	>= 3.0 - 3.19		\$ 750	\$ 996	\$ 1,500



PROPOSED					
Name	OR		Resident	Metro	Non-Resident
	HS GPA Requirement	Test Score Requirement			
John Marshall					
Level 1	>= 3.9	ACT >= 30 or SAT >= 1360	\$ 5,500	\$ 8,000	\$ 14,000
Level 2	>= 3.8		\$ 3,000	\$ 4,200	\$ 9,000
Level 3	>= 3.5		\$ 2,000	\$ 3,000	\$ 7,000
Level 4	>= 3.0		\$ 1,250	\$ 2,000	\$ 5,000

Takeaways

- Begins with Fall 2027 incoming freshman class
- Reduces current structure of 11 merit waivers down to 4
- All merit waivers to be named for John Marshall
 - Four levels based on GPA and/or standardized test scores
 - No changes to current top-level John Marshall requirements or amounts
- ~\$1.6M annual savings in first three years
- ~\$3.4M annual savings after full implementation (4 years)

Grow Students, Not Fees

PROPOSAL: RESTRUCTURING MERIT WAIVER STACKING

Beginning with Fall 2027 Freshmen Class

Eliminates the ability for merit waivers to be 100% stackable on top of other financial aid sources. This concept of “**last dollar in**” for institutional merit waivers would get a student’s **account to \$0** and allow for a maximum **\$750 refund per semester** to cover books and other expenses.

Impact: The fall 2025 freshman class received ~\$2.8M in merit waivers and \$1.2M in refunds. Under this proposed structure, the university would have saved \$500,000.

Benchmarking: Among 40+ institutions benchmarked, Marshall University is an outlier in allowing institutional dollars to be stacked and fully refunded.

FY26 PROJECTION

Marshall University					
	FY24 Actuals	FY25 Actuals	FY26 Projection	FY26 Budget	FY26 Projection vs FY26 Budget
Operating Revenues					
Student Tuition and Fees (net of allowance)	72,286,000	65,616,000	73,600,000	76,146,000	(2,546,000)
Grants and Contracts	53,841,000	122,880,000	141,620,000	122,439,000	19,181,000
Auxiliary Enterprise Revenue	38,531,000	30,242,000	35,327,000	43,827,000	(8,500,000)
Other Operating Revenues	16,987,000	12,804,000	10,998,000	12,303,000	(1,305,000)
Total Operating Revenues	238,006,000	231,542,000	261,545,000	254,715,000	6,830,000
Operating Expenses					
Salaries and Wages	159,747,000	164,392,000	165,776,000	166,072,000	(296,000)
Benefits	34,460,000	46,402,000	43,051,000	41,518,000	1,533,000
Supplies and Other Services	86,088,000	95,019,792	82,454,000	95,954,000	(13,500,000)
Utilities	11,137,000	12,277,000	11,625,000	12,450,000	(825,000)
Scholarships and fellowships	27,694,000	18,312,000	17,525,000	27,100,000	(9,575,000)
Depreciation	21,252,000	25,692,000	23,394,000	20,500,000	2,894,000
Other Operating Expenses	203,000	229,000	-	-	-
Total Operating Expenses	340,581,000	362,323,792	343,825,000	363,594,000	(19,769,000)
Operating Income (Loss)	(102,575,000)	(130,781,792)	(82,280,000)	(108,879,000)	26,599,000
Nonoperating Revenues (expenses)					
State Appropriations	116,418,000	76,037,000	77,108,000	76,188,000	920,000
Federal Pell Grants	18,965,000	22,872,000	22,900,000	22,500,000	400,000
Gifts	1,804,000	3,922,000	2,750,000	2,550,000	200,000
Investment Income	11,383,000	6,508,000	7,300,000	2,750,000	4,550,000
Interest on indebtedness	(7,265,000)	(7,775,000)	(7,670,000)	(7,242,000)	(428,000)
Fees assessed by Commission for Debt Service	(285,000)	(234,000)	(285,000)	(285,000)	-
Other nonoperating revenues (expenses)	(673,000)	(2,000)	-	-	-
Total Nonoperating Revenues (expenses)	138,348,000	101,328,000	102,103,000	96,461,000	5,642,000
Increase/Decrease in Net Assets	35,773,000	(29,453,792)	19,823,000	(12,418,000)	32,241,000
One-time adjustments		-	(30,000,000)	-	(30,000,000)
Capital Grants and Gifts	(50,348,866)	11,330,000	-	-	-
Increase/Decrease in Net Assets - Adjusted	(14,575,866)	(18,123,792)	(10,177,000)	(12,418,000)	2,241,000

ANALYSIS

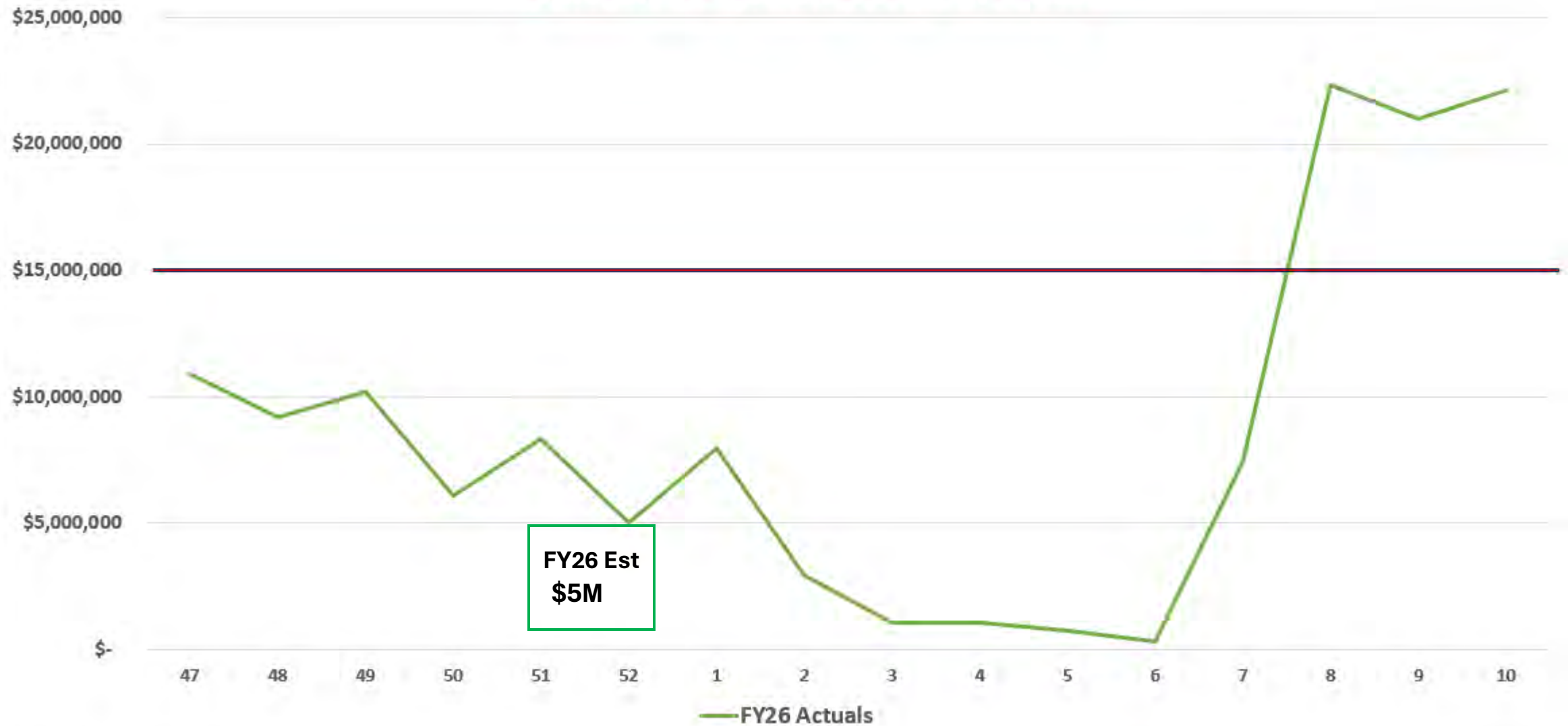
- **Operating Revenue (+\$6.8M)**
 - **Auxiliary Revenue (-\$8.5M):** Primarily due to the change in scholarship allowance calculation offset by increases in Housing revenue.
 - **Tuition and Fees (-\$2.5M):** Increased gross tuition offset by change in scholarship allowance calculation.
 - **Grants and Contracts (+\$19.2M):** Increase due to School of Medicine (SOM) building State Grant (+\$30M) offset by decreases in federal and other state grants at MURC and SOM.
 - **Other Operating Revenue (-\$1.3M)**

- **Non-Operating Revenues (+\$5.6M)**
 - **Investment Income (+\$4.6M):** Meketa portfolio actual gains through April.
 - **Pell Grants (\$0.4M):** Continued increases in Pell student population.

- **Operating Expenses (-\$19.8M)**
 - **Salaries and Benefits (+\$1.2M):** Increased projection to align with FY25 actuals and capture FY26 year-to-date activity.
 - **Supplies and Other Services (-\$13.5M):** Decrease in supplies due to decreased federal and state grants for MURC and the SOM.
 - **Scholarships (-\$9.6M):** Due to change in scholarship allowance calculation. Scholarship expense decreased while the tuition and fee allowance increased.

CASH OUTLOOK – FY26 INTO FY27

Current 16-Week Cash Forecast





Marshall University

Accelerating Individual Success, Innovative Ideas and Economic Impact

June 10, 2026

*Board of Governors Meeting
Facilities and Operations Update*



Enduring Financial **PRINCIPLES**

1. Grow STUDENTS, Not Fees.

- ✓ Minimize tuition and fee increases.
- ✓ Institutional success is measured by our accessibility, affordability and lifetime value for the students we serve.

2. Invest in our TEAM.

- ✓ Align employee compensation with market.
- ✓ Incentivize for performance and living the Marshall University Creed.

3. Take Care of the HOUSE.

- ✓ Investments in facilities are essential to the university mission.
- ✓ Invest in innovative technologies to meet modern challenges.

4. Manage our Strategic RESOURCES.

- ✓ Build key reserves for fiscal and operational resiliency.
- ✓ Invest available resources to new market-driven opportunities.

Take Care of the House

PROJECT UPDATES

HEPC Project Number	Project Name	Projected timeline	Status
WVHEPC-M-001	Electrical Sys Upgrades-Emergency Generators/Safety - Phase I	February 2024 to May 2026	
	Emergency Generators/Safety - Phase I-Public Safety	May 2026	Project complete, awaiting final paperwork
	Emergency Generators/Safety - Phase I-Drinko Library		Project complete, awaiting final paperwork
	Emergency Generators/Safety - Phase I-Prichard Hall		Project complete, awaiting final paperwork
WVHEPC-M-002	Campus Buildings Fire Alarm System Upgrades	February 2024 to January 2026	
	Corbly Hall		Project Completed
	Morrow Library		Project Completed
	Myers Hall		Project Completed
	Prichard Hall		Project Completed
	Smith		Project Completed
WVHEPC-M-003R	Sorrell		Project Completed
	Elevator Modernization	February 2024 to June 2026	
	Elevator Modernization-Corbly Hall		Project Completed
	Elevator Modernization-Harris Hall		On Schedule - Additional vendor brought on site to address pit grease clean-up.
	Elevator Modernization-Science Building		Delayed - West elevator requires inspection, once inspection is complete, will begin work on East elevator.

Take Care of the House

PROJECT UPDATES

WWHEPC-M-04	Chiller Replacement	January 2024 to August 1, 2025	
	Smith Hall Chiller Replacement		Project Completed
	Drinko Library Chiller Replacement		Project Completed
WWHEPC-M-005	Laidley Hall Demolition	February 2024 to May 2024	Project Completed
WWHEPC-M-007	Henderson Center E Level Sanitary Pipe Replacement	February 2024 to June 2026	Completion is anticipated before mid-June.
WWHEPC-M-008	South Charleston Roof Replacement (Both Buildings)	February 2024 to November 2025	
	South Charleston Roof Replacement-Academic		Project Completed
	South Charleston Roof Replacement-Administration		Project Completed
WWHEPC-M-009	Fine Arts Renovations	February 2024 to May 2026	Project reopened to accommodate addition of replacement of doors.
WWHEPC-M-010	Morrow Library ADA Upgrades	February 2024 to June 2026	Wheelchair lift has been completed and is in service; work will resume by Otis following completion of Science Building elevator
WWHEPC-M-011	Smith Hall Classroom Locks	May 2024 to December 2025	Project Completed
	Fine Arts Locks	May 2024 to January 2025	Project Completed
WWHEPC-M-012	Erma Ora Byrd Floor Renovations	March 2024 to March 2025	Project Completed
WWHEPC-M-013	Smith Hall Concrete Work (Exterior ADA Ramp)	May 2024 to April 2025	Project complete, awaiting final paperwork
	Henderson Center Concrete Work	May 2024 to June 2026	Keaton Construction completed removal and construction of steps. Additional concrete will begin May.

Take Care of the House

PROJECT UPDATES

WWHEPC-M-014	Holderby Hall Demolition	February 2024 to November 2025	Project complete, awaiting final paperwork
WWHEPC-M-015	Memorial Student Center Restroom Repairs & Renovations	February 2024 to November 2025	Project complete, awaiting final paperwork
WWHEPC-M-016	Stormwater Improvements Phase I	February 2024 to March 2026	Project complete, awaiting final paperwork
WWHEPC-M-017	MRI Building HVAC Replacement	January 2024 to March 2025	Project complete, awaiting final paperwork
WWHEPC-M-019	Classroom Repair/Renewal Campus-wide Phase I	February 2024 to November 2025	Project complete, awaiting final paperwork
	Restroom Repair/Renewal Campus-wide Phase I	March 2024 to March 2025	Project Completed
WWHEPC-M-023	Old Main Structure Repairs - Phase I	January 2024 to November 2025	Project complete, awaiting final paperwork
WWHEPC-M-024	Science Building Air Handler Units	January 2024 to December 2025	Project complete, awaiting final paperwork
WWHEPC-M-025	Drinko Library/Gullickson Hall Roof Replacement	March 2024 to February 2026	Both projects completed, awaiting final paperwork
WWHEPC-M-026	Student/Band Bleacher Replacement	March 2024 to March 2025	Project Completed

MU Internal Audit

BOG Informational Report

June 10, 2026

1 ACTIVITY SINCE THE LAST MEETING

- A. Advisory Services – Nothing during this reporting period.
- B. Audit Projects – Begin follow-up work on HELP Program review report, year-end planning and information gathering.
- C. Other – No significant Whistleblower Hotline activity for this reporting period.

2 PLANNED ACTIVITIES BEFORE THE NEXT MEETING

- A. Monitoring of Whistleblower Hotline.
- B. Completion of HELP Program Report follow-up.
- C. Year-End data gathering and audit schedule preparation.
- D. Adhere to planned activities in the approved Audit Plan and Continued Monitoring of other Institutional Activities.

3 PROFESSIONAL DEVELOPMENT ACTIVITIES

- A. ACUA – Endpoint Security.
- B. Internal MU Procurement Training and Seminars.



BOARD OF GOVERNORS

June 10, 2026

Gerald J. Harrison

Vice President & Director of Athletics

Niesha Campbell

Deputy Director of Athletics | Chief Operating Officer | Senior Woman Administrator



Our **PLAN-ON-A-PAGE**

VISION



“To inspire learning and creativity that ignites the mind, nurtures the spirit, and fulfills the promise of a better future”

CREED

Educational | Open | Civil | Responsible | Safe | Well | Ethical | Pluralistic | Socially Conscious | Judicious

2037 GOALS



Individual Success

100% Career Outcome Rates for Graduates
Zero Students Graduate with Student Loan Debt



Innovative Ideas

\$150M Research, Grants, Contracts
3X Start-Ups Incubated



Economic Impact

30X Return for Every \$1 Invested
3X GDP Impact in West Virginia (\$2.3B)

STAKEHOLDER GOALS

Students

Offer an affordable education with a distinctively supportive and flexible experience to ensure lifelong prosperity

Team

Empower faculty and staff to do the best work of their lives

West Virginia

Improve the well-being of all West Virginians by creating breakthrough opportunities and solutions

Financial Stakeholders

Build a resilient and sustainable institution to outlast headwinds

STRATEGY

Marshall for All, Marshall Forever

In-Demand Curriculum • On-Demand Delivery • Distinctive Value Proposition

PRIORITIES

Increase access

Ensure affordability

Grow support programs

Deliver on demand

Enable lifetime achievement

METRICS

- Strategic Enrollment Mgt. Plan
 - New student enrollment
 - Target segments enrollment
- Recruitment contacts
- Conversion rates

- Student debt load
- Debt-free cohorts/retention
- Internships and jobs
- M4A fundraising campaign
- Undergraduate ROI

- HerdConnect mentorship
- Center for Student Success
- 1st yr retention/6 yr graduation
- E2E student experience
- AI-based customized support

- In-demand programs & microcredentials
- HyFlex/Hybrid courses
- AI assessment/application
- Online degree programs

- Customized training - MAMC
- Academic pathways selected
- Career Engagement participation
- Lifelong learning

Department of Intercollegiate Athletics **PLAN-ON-A-PAGE**



University: “To inspire learning and creativity that ignites the mind, nurtures the spirit, and fulfills the promise of a better future.”

Athletics: “To be the most complete athletics department in the nation—where student-athletes advance through holistic development, cultivate lifelong growth, and leave a lasting mark on their communities.”

VISION

MISSION

Marshall Athletics exists to empower student-athletes to grow holistically, cultivate lifelong impact, and lead beyond the game through **The Herd Mentality**—while delivering unforgettable fan experiences that energize and unite our community, and generating sustainable resources to fuel competitive excellence across all programs.

GUIDING PRINCIPLES

Through **The Herd Mentality**, we honor tradition, embrace innovation, and foster a culture of academic and athletic excellence—empowering every Marshall student-athlete to lead with purpose, compete with integrity, and grow beyond the game.

Honor the Journey

Commit to personal growth and pursue your fullest potential.

Engage with Purpose

Show up fully in competition, in the classroom, and in the community.

Rise Through Innovation

Embrace creativity, challenge the norm, and shape what’s next.

Dedicate to Others

Invest in teammates, campus, and community through service and support.

CORE PILLARS & STRATEGIC PRIORITIES

Pillar 1: Student-Athlete Experience

Prioritize Holistic Development and Well-Being

- Enhance academic, wellness, nutrition, leadership, and career services while retaining top staff to maximize student-athlete support.
- Amplify student-athlete voices through SAAC and leadership opportunities.
- Win the right way by upholding NCAA compliance standards.
- Compete at the highest level with a consistent focus on championships.

Pillar 2: Fan Experience & Community

Fan-First, the *Best Show* in West Virginia

- Deliver unmatched game day atmosphere and traditions.
- Expand access and inclusivity for all fans.
- Strengthen digital engagement and storytelling. Tell our story—highlight achievements, traditions, and values that make Marshall unique.

Pillar 3: Revenue Generation

Build Sustainable Resources to Fuel Success

- Grow Big Green membership and annual giving.
- Expand sponsorships and maximize Learfield partnership.
- Create innovative NIL and revenue-share models for recruitment and retention.
- Pursue capital projects that enhance both fan and student-athlete experience.

METRICS

- Graduation Success Rate (GSR) and Academic Progress Rate (APR).
- Team GPAs above 3.0; department GPA 3.35+.
- Career/graduate school placement rates.
- Student-athlete satisfaction surveys.
- Employee surveys.
- 15+ hours of service per athlete.
- Bubas Cup (Sun Belt all-sports ranking).

- Attendance growth (average per game, % capacity).
- Fan satisfaction survey scores.
- Engagement rates on digital platforms.
- Average viewers per broadcast
- Website clicks
- Fan Engagement – Eloqua email open rates

- Consistently rank among the top third of Sun Belt institutions in annual revenue generation.
- Annual fund growth and retention (% increase in Big Green membership).
- Sponsorship revenue and partner retention.
- 50/50 progress

Reoccurring Agenda

Student-Athlete Success & Well-Being

- Updates on academic performance, GSR/APR, career outcomes, mental health, nutrition, and holistic development programs.
- Progress on the Student-Athlete Success Center.

Competitive Excellence & Winning the Right Way

- Strategies to consistently contend for championships.
- Coaches Review/Report Card.
- Commitment to NCAA compliance and integrity in all programs. NCAA Legislative updates.

Fan Experience & Community Engagement

- Updates on enhancements to the game day atmosphere, traditions, and fan-first initiatives.
- Building deeper connections with Huntington, alumni, and the state of West Virginia.

Revenue Growth & Resource Development

- Budget review.
- Fundraising updates (Big Green, NIL, gifts, sponsorships).
- Revenue-share models, sustainability of funding streams, and facilities ROI.
- Progress on 50/50.

Facilities & Capital Projects

- Progress on debt reduction and strategic upgrades (stadium, baseball, Buck).
- Future facility priorities that support student-athletes and fans.





AGENDA

- Student-Athlete Success & Well-Being
- Competitive Excellence & Winning the Right Way
- Fan Experience & Community Engagement
- Revenue Growth & Resource Development
- Facilities & Capital Projects




Student-Athlete Success & Well-Being

Pillar 1: Student-Athlete Experience

Updates on student-athlete
academic success and
development



A woman with long, wavy brown hair, wearing a black top, looking directly at the camera. She is positioned in the center of the frame, with rows of black stadium seats behind her, each featuring a green Marshall 'M' logo.

Sydni Burko
INSIDE THE HERD



MARSHALL
ATHLETICS

**SPRING
SEMESTER**

3.43

SPRING 2026 OVERALL GPA

5

Teams
break
their
semester
Team GPA
record

[Record Breaking]
Men's Basketball - 3.43
Women's Basketball - 3.61
Football - 3.27
Women's Soccer - 3.78
Volleyball - 3.84



Academic Success

- Spring 2026 Department GPA: 3.43
- All teams above a 3.0
- Teams with Record Semester Team GPAs:
 - Men's Basketball – 3.43
 - Women's Basketball – 3.61
 - Football – 3.27
 - Women's Soccer – 3.78
 - Volleyball – 3.84
- 86 Student-Athletes with 4.0



Maria Chaves – Women’s Soccer
Fernanda Dantas Lessa Ribeiro – Women’s Soccer
Kylan Overstreet – Men’s Track & Field
Otenidi Omot – Men’s Track & Field

Professional Development

- Four Marshall student-athletes were selected for the NCAA Legacy Lab, a competitive program featuring just 41 Division I student-athletes nationwide in a four-day immersive experience in Indianapolis.
- The program concluded with “The Hustle Bowl” venture presentations. Marshall’s Kylan Overstreet (Men’s Track & Field) was on the winning team and received a three-year website domain and mentorship from GoDaddy entrepreneurial ventures.



- **Sun Belt Conference Postgraduate Scholarship Award:** Abbey Bull, Women's Golf
- **Outstanding Undergraduate Awards – Honors Convocation:** Swim & Dive student-athletes Nina Nugent and Katie Fisher
- **Dr. Pepper Go Teach Tuition Nomination:** Nicole Navarro, Women's Soccer
- **NCAA Career in Sports Forum Selection:** Elli Barry, Volleyball

Personal Development



- Marshall Athletics partnered with Huntington's Kitchen and Marshall Health Network to provide hands-on cooking and nutrition classes for student-athletes.
- Four classes scheduled this spring, helping student-athletes build practical life skills.

Career Development

Marshall
ATHLETICS

NEXT PLAY

CAREER NETWORKING EVENT

March 23RD, 2026 | 6^{PM} - 8^{PM}

Big Green Room in Joan C. Edwards Stadium

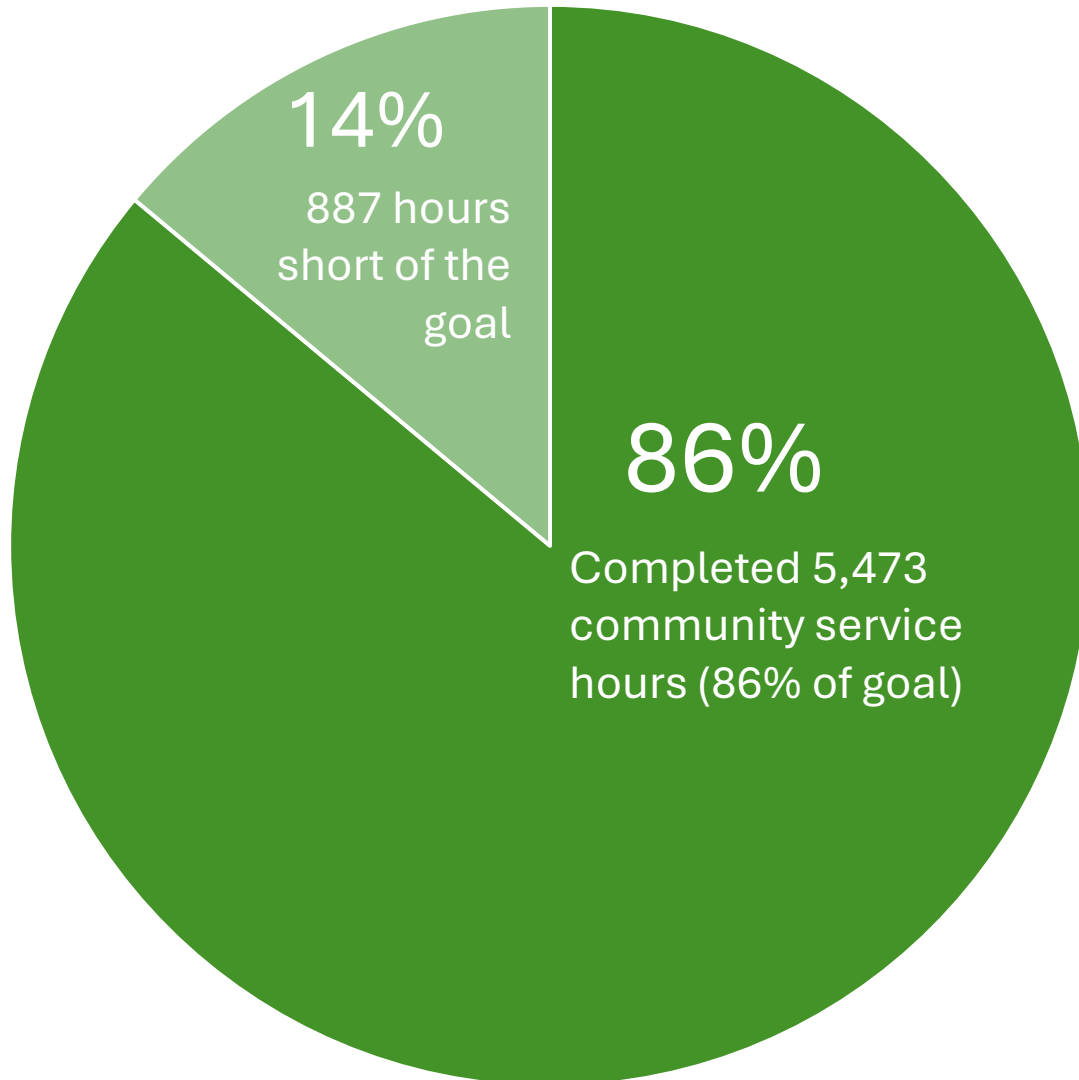
Vendors can set up beginning at 5^{PM}





Community Service

Updates



12 Teams Achieved 100%

- Men's Basketball
- Women's Basketball
- Men's Golf
- Women's Golf
- Women's Soccer
- Softball
- Swim and Dive
- Volleyball
- Men's and Women's Track & Field and Cross Country



Competitive Excellence & Winning the Right Way

Pillar 1: Student-Athlete Experience

Spring Sports Updates
NCAA Legislation Updates
New Hires



Spring Season Finishing Strong

Tennis

- Advanced to the SBC Championship for the second straight year.
- Won five straight matches before falling to Old Dominion in SBC Championship.
- Polina Gumeniuk Named SBC Freshman of the Year. (She posted a 14-5 record in singles.)



Spring Season Finishing Strong

Track

- Nine All-Conference members/podium finishers at the 2026 SBC Outdoor Championships, the most since joining the Sun Belt.
- Lara Check - Champion in Long Jump. Check was also Champion in Indoor Long Jump, sweeping the event.
- A program record six athletes qualified for the first round of NCAA Championships.



Spring Season Finishing Strong

Baseball

- Pitcher Bryce Blevins leads the nation in innings pitched (95.0).
- Swept Georgia State and St. Bonaventure.
- Won SBC Series over Old Dominion and ULM.



Spring Season Finishing Strong

Softball

- Third appearance in NCAA Tournament in program history (2013, 2017).
- Head coach Morgan Zerkle first to make NCAA Tournament as a player *and* a coach.
- Herd was 15-3 at Dot Hicks Field this season.
- Sydni Burko was named SBC Player of the Year and SBC Newcomer of the Year.



NCAA Legislation

Winning the Right Way

Soccer Redistribution Model (Effective 2027–28)

- Approved pending final Division I Cabinet approval.
- Shifts soccer competition across both fall and spring terms, with conference championships in April and NCAA Championships in May.
- Maintains the current 132-day season and maximum contest limits.
- Intended to improve student-athlete well-being, academic balance and development, and reduce midyear transfers.
- May reduce missed class time by decreasing midweek two-game travel trips.



NCAA Legislation

Winning the Right Way

Proposed Age-Based Eligibility Model

- NCAA is considering replacing the current “4 seasons in 5 years” model with a five-year age-based eligibility framework.
- Eligibility would begin after a student-athlete’s 19th birthday or high school graduation, whichever occurs first.
- Redshirts and most waivers would be eliminated, with limited exceptions (e.g., military service, pregnancy, religious missions).

Potential concerns include:

- Current student-athletes who exhausted eligibility would not receive an additional season.
- Potential recruiting impacts for international prospects who delay enrollment after high school.



THE HERD MENTALITY

MARSHALL ATHLETICS EXECUTIVE TEAM



Niesha CAMPBELL
Deputy AD | Chief Operating Officer
& Senior Women Administrator



Andrew BROWN
Senior Associate AD | Capital Projects
& Championship Facilities



Teddy KLUEMPER III
Senior Associate AD | Championship Resources
& Executive Director of Big Green Scholarship Foundation

Gerald J. HARRISON
VP | Director of Athletics



Mike VALENTINE
Senior Associate AD | General Manager



Cody SPARROW
Senior Associate AD | Compliance
& Student-Athlete Success



Deja JAMES
Senior Associate AD |
Student-Athlete Welfare



Max REMY
Associate AD | Chief of Staff



WE ARE...
MARSHALL





INTRODUCING

HEAD STUNT COACH

EVYNN RICHARD



Fan Experience & Community Engagement

Pillar 2: Fan Experience

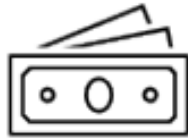
Updates on enhancements to the game day atmosphere, traditions, initiatives.



Revenue Updates

FY26

Baseball



Tickets

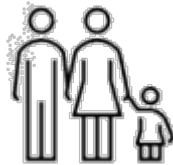
2024-2025

Total: \$193,234

2025-2026

Total: \$245,312

Increase of 27% year over year



Attendance (YTD)

2024-2025

Average 1,460

2025-2026

Average 1,597



FY27 Ticket Revenue

Women's Soccer ticket sales have currently reached 31% of this year's sales goal.

Men's Soccer tickets have been on sale for 48 hours and have already generated approximately \$50,000 in ticket revenue, representing 25% of this year's sales goal.



FY27 Ticket Revenue

Football Season Ticket Revenue

- **2025-26 Season Ticket Renewals:** 64% renewed
- **Former Season Ticket Holders (2021–2024):** 49 season tickets sold
- **Saturday Pass:** 4 passes sold
- **Family Pack:** 646 tickets sold

Dutch Miller Deck Sales: 46 sold



Wed, May 6 at 2:47 PM

Marshall Football: 📧 Hey, you checked out our Family Pack - seats are going fast. Lock in 4 tickets at \$99 each + new family concession prices before they're gone.

Grab yours today with the link below:

goherd.getvozzi.com/m/plwPx1D

Marshall Offers & Alerts
Reply STOP to unsubscribe

Tue, Mar 31 at 3:52 PM

Former Season Ticket Holder Exclusive ••

For a limited time, enjoy Welcome Back pricing: 20% OFF + NO FEES on 2026 Marshall Football season tickets!!

Secure your seats now:
goherd.getvozzi.com/m/8KxJ76

Marshall Offers & Alerts
Reply STOP to unsubscribe



New Revenue (FY27)

Logo Patch

- Five-year partnership for an all-sport jersey patch on every Marshall Athletics uniform, beginning with the 2026-27 athletic seasons.
- Marshall Athletics and Marshall Health Network partnership is only the 4th in the nation to be an all-sport jersey patch.
- Marshall joins Arkansas, LSU, and Memphis.
- Overall, it's the 11th jersey patch deal completed since the NCAA passed legislation allowing for commercial jersey patches in January.

New Revenue (FY27) Premium Spaces

The Joan C. Edwards Stadium

- Expand indoor suite inventory with projected annual net revenue potential of approximately \$70,000.
- Add four new outdoor premium suites with projected annual net revenue potential of approximately \$40,000.



New Revenue (FY27) Premium Spaces

Cam Henderson Center

- Renovation of the Hartley Room with projected annual net revenue potential of approximately \$70,000.
- Continued expansion and enhancement of Sky Deck premium spaces with projected annual net revenue potential of approximately \$90,000.
- Addition of new courtside premium seating opportunities with projected annual net revenue potential of approximately \$30,000.



New Revenue (FY27)

Premium Spaces

Veterans Memorial Soccer Complex

- Relocation and renovation of the 20/20 Club, allowing for the addition of new bleacher seating to expand capacity by approximately 280 seats, with projected new ticket revenue of approximately \$22,000 annually.



Revenue Growth & Resource Development

Pillar 3: Revenue Generation

3Q Budget and fundraising updates.



Updates Operating Expenses

Operating Expenses

Athletic Student Aid	7,192,228	8,914,411	(1,722,183)
Guarantees	609,000	885,000	(276,000)
Coaching / Support Personnel Salary & Benefits (2)	10,109,754	13,766,877	(3,657,123)
Severance Payments (5)	-	-	-
Recruiting	419,858	900,000	(480,142)
Team Travel + Home Team Expenses	5,180,277	5,316,377	(136,100)
Student-Athlete Meals (non-travel, home team expenses)	449,952	330,000	119,952
Equipment & Uniforms	1,729,352	2,100,000	(370,648)
Game Expenses	1,388,764	1,648,220	(259,456)
Fundraising, Marketing & Promotion	237,445	205,000	32,445
Sports Camp Expenses (3)	70,353	164,100	(93,747)
Administrative Expenses/includes Facility Maintenance	686,943	780,000	(93,057)
Athletics Facilities, Debt Service, Leases and Rental Fee	38,008	750,000	(711,992)
Spirit Groups (5)	66,915	-	66,915
Indirect Institutional Support (1)	-	-	-
Medical Expenses & Insurance	1,149,940	1,050,000	99,940
Memberships and Dues	65,185	135,000	(69,815)
Other Operating Expenses	1,319,131	1,245,100	74,031
Football Bowl Expenses	-	900,000	(900,000)
Football Bowl Expenses - Coaching Compensation (4)	-	-	-
Total Operating Expenses	30,713,105	39,090,085	(8,376,980)

(1) This category will only be presented as part of NCAA Membership Financial Statement Review

(2) This category will be separated into coach / support staff as part of NCAA Membership Financial Statement Review

(3) Sports Camps revenue and expenses not included in approved board of governors budget; operate on cash basis

(4) Accounted for in Coaching / Support Salaries and Benefits line

(5) This category will be completed as part of NCAA Membership Financial Statement Review

Operating Expenses

Year-over-Year Analysis

Operating Expenses

Athletic Student Aid	7,192,228	6,792,085	400,143
Guarantees	609,000	715,687	(106,687)
Coaching / Support Personnel Salary & Benefits (2)	10,109,754	9,769,308	340,446
Severance Payments	-	-	-
Recruiting	419,858	559,981	(140,123)
Team Travel	5,180,277	5,284,996	(104,719)
Student-Athlete Meals (non-travel)	449,952	539,420	(89,468)
Equipment & Uniforms	1,729,352	1,845,989	(116,637)
Game Expenses	1,388,764	1,291,944	96,820
Fundraising, Marketing & Promotion	237,445	317,892	(80,447)
Sports Camp Expenses	70,353	258,605	(188,252)
Direct Overhead and Administrative Expenses	686,943	588,144	98,799
Athletics Facilities, Debt Service, Leases and Rental Fee	38,008	182,126	(144,118)
Spirit Groups (5)	66,915	100,321	(33,406)
Indirect Institutional Support (1)	-	-	-
Medical Expenses & Insurance	1,149,940	837,035	312,905
Memberships and Dues	65,185	193,124	(127,939)
Other Operating Expenses	1,319,131	1,996,088	(676,957)
Football Bowl Expenses	-	10,918	(10,918)
Football Bowl Expenses - Coaching Compensation (4)	-	-	-
Total Operating Expenses	30,713,105	31,283,661	(570,558)

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(3) Sports Camps revenue and expenses not included in approved board of governors budget; operate on cash basis

(4) Accounted for in Coaching / Support Salaries and Benefits line

(5) This category will be completed as part of NCAA Membership Financial Statement Review

Expense Considerations

- **Game Guarantees:** Tracking below budget; \$270K in savings projected.
- **Recruiting:** Trending under budget; additional savings projected.
- **Equipment & Uniforms:** Trending below budget; additional savings projected.
- **Team Meals:** Over budget; cost-control measures have been implemented. Spending is currently tracking below where we were at this same point last fiscal year.
- **Fundraising/Marketing:** Timing-related; will normalize with reallocations.
- **All Other Categories:** Anticipated to fully utilize budgeted allocations.

Year-over-Year Comparison: Overall expenses are trending approximately \$570,000 lower than they were at the same point last fiscal year.



Updates Operating Revenues

Operating Revenues	FY 26 Actuals (3/31)	FY 26 Budget	Actuals v Budget
Ticket Sales	3,137,846	4,585,437	(1,447,591)
Student Fees	5,997,264	6,775,000	(777,736)
Guarantees	2,089,500	2,040,000	49,500
Contributions, includes Sky Suite revenue	1,774,193	3,752,405	(1,978,212)
In-Kind (1)	-	-	-
Direct Institutional Support	11,934,606	14,438,143	(2,503,537)
Indirect Institutional Support (1)	-	-	-
NCAA Distributions	-	850,000	(850,000)
Conference Distributions	-	1,725,000	(1,725,000)
Program, Novelty, Parking, Concessions	542,094	745,000	(202,906)
Royalties, Licensing, Advertisements, Sponsorship	1,593,305	2,725,000	(1,131,695)
Sports Camps (3)	81,783	164,100	(82,317)
Endowment Investments & Income (1)	5,461	-	5,461
Other Operating Revenue	1,179,976	740,000	439,976
Football Bowl Revenue	-	550,000	(550,000)
Total Operating Revenues	28,336,028	39,090,085	(10,754,057)

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(3) Sports Camps revenue and expenses not included in approved board of governors budget; operate on cash basis

(4) Accounted for in Coaching / Support Salaries and Benefits line

(5) This category will be completed as part of NCAA Membership Financial Statement Review

Operating Revenues

Year-over-Year Analysis

Operating Revenues	FY 26 Actuals (3/31)	FY 25 Actuals (3/31)	Actuals v Prior Year
Ticket Sales	3,137,846	3,552,541	(414,695)
Student Fees	5,997,264	5,872,835	124,429
Guarantees	2,089,500	2,181,000	(91,500)
Contributions	1,774,193	1,740,024	34,169
In-Kind (1)	-	-	-
Direct Institutional Support	11,934,606	11,741,388	193,218
Indirect Institutional Support (1)	-	-	-
NCAA Distributions	-	-	-
Conference Distributions	-	20,000	(20,000)
Program, Novelty, Parking, Concessions	542,094	484,200	57,894
Royalties, Licensing, Advertisements, Sponsorship	1,593,305	1,727,413	(134,108)
Sports Camps	81,783	109,858	(28,075)
Endowment Investments & Income (1)	5,461	34,635	(29,174)
Other Operating Revenue	1,179,976	712,301	467,675
Football Bowl Revenue	-	-	-
Total Operating Revenues	28,336,028	28,176,195	159,833

(1) will only be presented as part of NCAA Membership Financial Statement Review

(2) This category will be separated into coach / support staff as part of NCAA Membership Financial Statement Review

(3) Sports Camps revenue and expenses not included in approved board of governors budget; operate on cash basis

(4) Accounted for in Coaching / Support Salaries and Benefits line

(5) This category will be completed as part of NCAA Membership Financial Statement Review

Revenue Considerations

- **Ticket Sales:** Anticipating a shortfall. Actively expanding Herd Hospitality and facility rentals (Spring 2026) to help offset.
- **Contributions (Big Green / Sky Suites):** Expect to collect remaining Sky Suite revenue; projecting a Big Green shortfall driven by prior-year allocations.
- **NCAA/Conference Distributions and Sponsorships:** Revenue is currently projected to exceed the budgeted amounts.

Year-over-Year Comparison: Overall revenues are trending approximately **\$150,000 higher** than they were at the same point last fiscal year.



Updates Big Green

Membership Snapshot

2,336

Current Members

496

Non-renewed Members (2024-2025), representing a \$207,749 opportunity for re-engagement

232

New members added to-date



Updates Big Green

Financial Snapshot

\$3.1M

FY Goal: \$3.1M

74%

Total Pledged: \$2,283,821 (74% of goal)

Total Received: \$2,052,619

Outstanding Commitments: \$204,321



Athletic Fundraising Priorities

I. Taking Care of the House

Prioritize critical infrastructure improvements and ongoing facility maintenance to protect and enhance our assets.

II. Competitive Excellence

Sustain annual investment in revenue sharing to strengthen recruiting, retention, and overall program competitiveness.

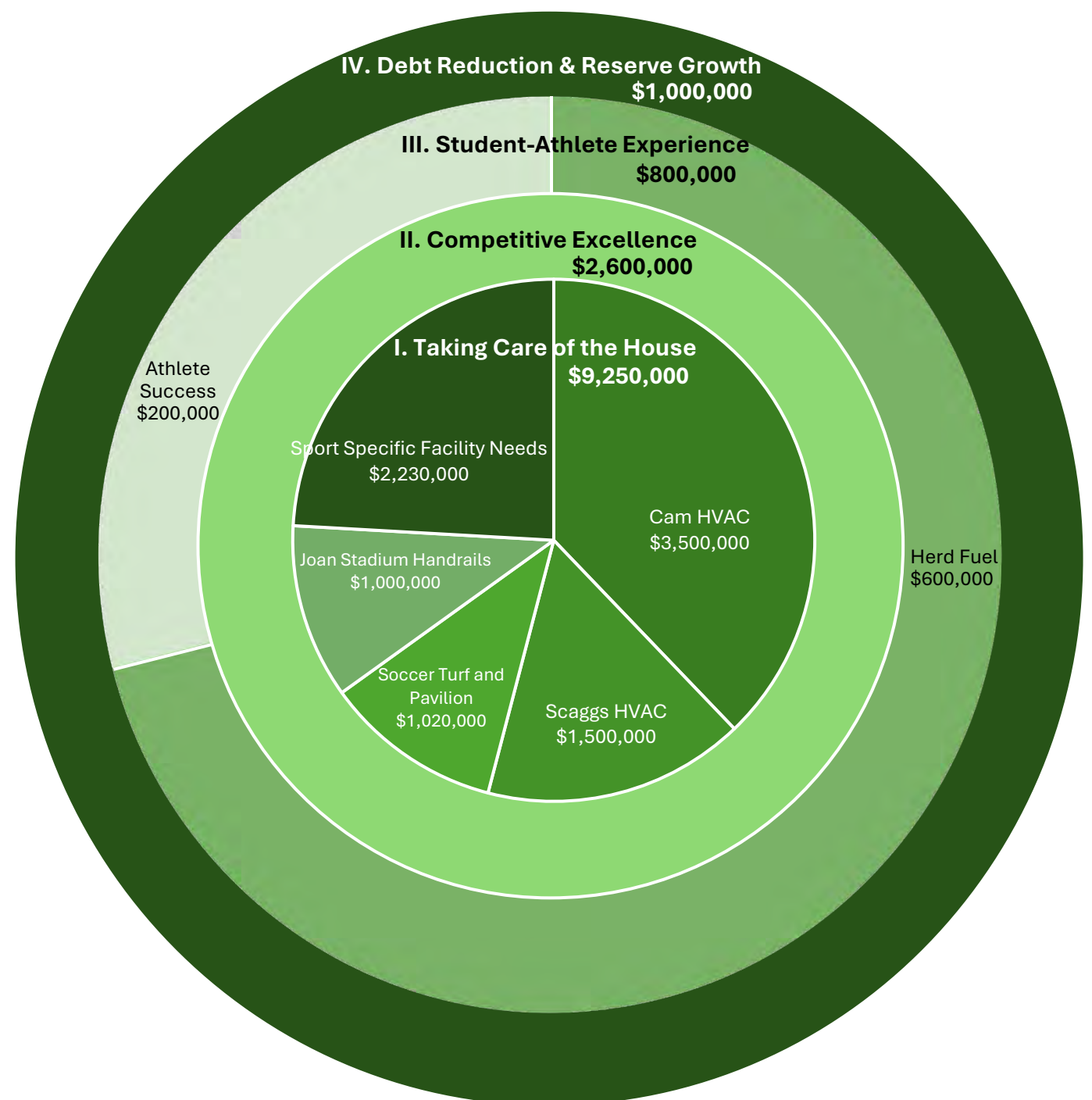
III. Student-Athlete Experience

Invest \$200,000 annually in student-athlete development programming (e.g., cooking classes, etiquette training, professional development)

Allocate \$600,000 annually to support student-athlete nutrition and Herd Fuel.

IV. Debt Reduction & Reserve Growth

Commit to reducing existing facility debt while building strategic reserves to ensure long-term financial stability



Facilities & Capital Projects

Pillar 3: Revenue Generation

Progress on debt reduction and facility priorities that support student-athletes and fans.



Taking Care of the House

Joan C. Edwards Stadium

- Stadium lighting replacement
- Fencing removal on west concourse
- Addition of two suite opportunities
- Addition of South Endzone premium suites

Chris Cline Indoor Facility

- Full turf replacement

Cam Henderson Center

- Installation of new arena goals
- Hartley room renovations
- New premium spaces: Courtside Lounge and Sky Deck



HERD TOGETHER





BOARD OF GOVERNORS

June 10, 2026

Questions

