

**Fairmont State University Board of Governors - Bylaws Committee**  
**Monday, September 23, 2024, at 9:00am**  
**Hardway 219 and Teams**  
**Meeting Minutes**

Present:

In person: Gina Fantasia, Jennifer Kinty, Jon Dodds, Drew Paton, Lance Puccio, Michael Davis, Brian Selmeski, Janna Bredeson, Cheryl Lewis

Teams: David Goldberg

Absent: Jason Pizatella

**Call to Order**

Committee Chair Gina Fantasia called the September 23, 2024, Bylaws Committee meeting to order at approximately 9:00 am.

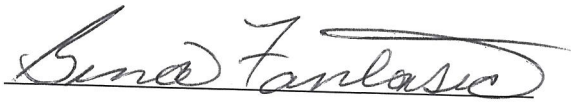
**Agenda Items**

- Gina Fantasia described the purpose of the meeting as a work session to address necessary updates to Policy 50 the "Policy on Policies." She expressed a desire for the Committee to recommend revisions at the October 23, 2024, Board of Governors meeting. She explained to the new Board members that policies then must be posted for a 30-day public comment meeting, so the Board could approve a new Policy 50 at their December meeting.
- Gina Fantasia then offered initial comments on the draft revision of Policy 50 authored by Legal Counsel Cailey Murray, and shared insights from HEPC Counsel Kristin Boggs.
- Committee Members agreed that the Policy on Policies is the foundational policy for the Board. They then discussed policy naming and numbering conventions. Committee members recommended that the Policy on Policies be renamed, so it is more recognizable, and that it be the first policy, in accordance with its role and importance.
- Committee members discussed whether policies should be called rules, in accordance with Series 4. Gina Fantasia commented that Kristin Boggs counseled against this change and members agreed. Committee members then discussed how to differentiate policies, as defined by Series 4 §133-4.-2.1, from what are often referred to as policies but do not constitute policies, per Series 4 §133-4.-2.1. a, 2.1.b, and 2.2. There was consensus that policies should be referred to as "Board Policies" and guidance issued by the President or Vice Presidents should be referred to as "Administrative Procedures", in accordance with Series 4 §133-4.-2.2.


- Committee members emphasized the benefits of writing Board Policies in plain English. They also concurred that Board Policies should be written to guide institutional practices under both normal and atypical circumstances.
- Gina Fantasia clarified that Fairmont State University's administrative exemption does not apply to rulemaking. She also clarified the difference between the regular rulemaking process (Section 2 of the draft) and the emergency rulemaking process (Section 3 of the draft).
- Gina Fantasia emphasized Series 18's requirement for the Board to consult with interested stakeholders regarding Board Policies.
- Committee members recommended edits to clarify Section 2, Rulemaking Process, of the draft.
- David Goldberg noted that it is essential to differentiate between governing the University, which should be guided by Board Policies, and operating the University, which should be guided by Administrative Procedures.
- Committee members discussed Section 4, Delegation, of the draft. President Davis reiterated his commitment to keep the Board updated on the work of the Administrative Policies and Procedures Committee mentioned in paragraph 4.3 of the draft.

### **Adjournment**

Gina Fantasia adjourned the meeting at approximately 10:00 am.



Gina Fantasia, Committee Chair



Date