

ADVISORY COUNCIL OF FACULTY DRAFT MINUTES OF THE MEETING OF FEBRUARY 20, 2003

The Advisory Council of Faculty met at the HEPC offices in Charleston, WV, on Thursday, February 20, 2003. The meeting was called to order at 2:20 p.m. by Chair Connie Moore. Those ACF members present were:

Bluefield State College	Roger Owensby
Concord College	Bob Whittinghill
Fairmont State College	Connie Moore, Chair
Marshall University	Ben Miller
Southern WV CTC	Mary Holder
WV School of Osteopathic Medicine	James Nemitz, Vice Chair
WV State College	Patricia Shafer, Secretary
WV University	Thomas Long (by telephone)
WVU-Institute of Technology	John David
WVU-Parkersburg	Gary Waggoner
WVU-Potomac State	Jim Hoey
HEPC	Bruce Flack

Those absent were:

Glenville State College	Gerry Hough
Marshall University Graduate College	Barbara O'Byrne
Shepherd College	Sylvia Shurbutt
West Liberty State College	Jody Seabright
WV Northern CTC	Mike Davis
WVU-School of Medicine	John Linton

The minutes of the January 23, 2003, meeting were amended to include the approval of the December 12, 2002 minutes after a typographical error was corrected. The minutes were then approved as amended.

The agenda was approved with the information that Dr. Flack would not be first but would be later in the agenda.

The Chair announced that the Chancellor, Institutional Presidents, and Boards of Governors Chairs were meeting at the Embassy Suites today.

Under old business, T. Long moved acceptance of the Evaluation of Institutional Administrators. J. David seconded and the motion passed. This document will now be sent with a cover letter to the Chancellor asking that it be included in the HEPC policies.

P. Shafer was asked about the outcome of the incident between the WVSC faculty member and an adversarial student. She related that Charles Jones of the Bureau of Risk and Insurance Management (BRIM) came to the February Faculty Senate meeting at WVSC and talked extensively about what BRIM covers and does not cover regarding faculty members. There is a Handbook that details the coverages under the BRIM and should be on every campus. It was

mentioned that we need to inquire on our campuses where this Handbook is kept. The question was asked whether the College counsel can defend the faculty member. It was pointed out that not every campus has counsel. In the WVSC situation, the faculty member resigned and we learned that at the end of January the battery charges against her were dropped. P. Shafer will supply each ACF member an excerpt from the WVSC Faculty Senate Minutes related to the presentation Mr. Jones made.

The ACF members determined to inquire if they have on their campuses an established procedure to investigate student allegations against faculty members. The group will consider whether Charles Jones should come to the next meeting. J. Nemitz shared that the WVSOM developed a policy on student professional behavior in the event the student should not continue at the college or university. It was noted that one of the biggest problems is getting written documentation on these events. M. Holder discussed an event from her campus where an Art faculty is required to travel to four campuses. This is really a work load issue.

There was discussion about the ACF presentation to the HEPC. J. Nemitz said we need to document negative changes resulting on our campuses as a result of the budget cuts. This might be a good item to do in the Fall of 2003 with specific incidents of the changes. It needs to be specifically tied to the effect of the budget cuts on our students. The group was asked to begin making plans for what we might consider and then complete the presentation after the election of the new ACF members (who will take office on July 1). It was suggested we might glean information from the Faculty Senate presidents when we meet with them in April to see what items they feel should be communicated to the HEPC and possibly to LOCEA.

Under new business, the Chair advised the group that a Board of Governors Legislative Relations Committee has been formed. There is a member from each Board of Governors on this. The Committee was given several discussion points. It was shared that according to what is being said now, there won't be any closures of institutions but there may be mergers and consolidations of joint services (business offices, etc.). The House Education Committee appears to want to reduce administration and get the money down to instruction. It has now been said that the dollar savings from higher education will not go to the Workers' Compensation Fund deficit since they are now abandoning the idea of closings. It was reported the Senate Education Committee is considering taking the closures out of the bill in their refashioning of it. The Senate has said they won't go with the tuition caps. They want to do shared purchasing for all of the purchasing on the campuses, for example. They want to do some consolidations of the CTCs with one central head and each (of the free-standings) to be a branch. There are some moves to alter the state grievance system to save institutions money from this process. The Senate Education Committee has discussed whether or not there should be bumping privileges on campuses in the

event of layoffs and they are discussing who should have such privileges. There is discussion that tuition changes will be based on whether campuses are achieving campus compact goals – if the institution is meeting its goals, it can have larger tuition increases. Chair Moore said the Chancellor is asking us to support the tobacco tax increase. SB 607 is to increase the pop tax. It has not been increased since it was instituted in the 1950s. This bill will increase it from 1 cent to 5 cents; WVU would get 2 cents of it, 1 cent would go to Marshall; ½ cent would go to WVSOM, and 1 ½ cents would go to Medicaid. It was reported that some higher education presidents are not happy about a new tax being developed that would benefit only three schools in the state. The point was made that one of the Legislative discussion points needs to be that we have had to eat so many unfunded mandates. The Discussion Points are attached to and made a part of these minutes.

Dr. Flack joined the group and commented on SB 438, which would require any professor who teaches nine credit hours to be classified as full-time faculty. He said the chief academic officers were implored to keep adjuncts to six hours so they remain in the adjunct category. SB 474 related to including faculty and non-classified staff in the catastrophic leave bank was to be introduced that day at 5:00 p.m. Chair Connie Moore said Senator Prezioso had planned to include faculty in the increment pay bill but it may not have gotten into it. We should have the bill ready for next year so it doesn't get lost. It was noted it will take a constitutional amendment to permit higher education faculty (and other state employees) to serve in the Legislature. Evidently Senator Fragale has proposed such an amendment and it appears to be still active.

Dr. Flack was asked if the Chancellor ever counters the Legislature with a list of the unfunded mandates we have absorbed. Dr. Flack responded he believes there is an effort to bring this to their attention.

Dr. Flack said there are a lot of things moving behind the scenes at the Legislature. He reiterated that today the Chancellor is meeting with the institution Presidents and Boards of Governors Chairs. One of the things being pointed out is a linkage between achieving the compact objectives and tying that to tuition increases. He believes the HEPC will be coming out with quality quantitative indicators and then giving a "grade" to the institutions determining whether tuition can be increased and by how much. The question was asked who would be judging the outcomes and rating them. The answer was that it would be an HEPC responsibility. The question was asked whether there would be mitigating factors, such as lack of resources. Dr. Flack felt those would be considered by the presidents. The reporting of the compact results changed and now 2001-2002 is the base year and it will be difficult to measure how well the institutions are doing because of these changes. They might look at some quantifiable measures to go back for two to three years and factors on which most people would agree. In further discussion of performance indicators, it was noted that those institutions that have large numbers of students in the National Guard may

work against them since once activated these students have withdrawn from school. The question was asked whether they are still included in the institution enrollment numbers as if they were still there – since this was an involuntary withdrawal.

Regarding future meetings, the topic of a chatroom was discussed. It was pointed that these may be fine for one or two issues but for a whole meeting it might be too time-consuming. Conference calls might be a better way to go. Dr. Flack's office has said they will set it up and bill each campus that participates. It was decided we will do a conference call for the March meeting if we need a meeting. If we wish to discuss items among ACF members, we have a list serve; that address is: hepc.acf@listserv.wvnet.edu

It was observed that in the Governor's State of the State address, the public school teacher of the year was introduced; the higher education professor of the year was not. We see this as a major omission from higher education and the question was asked why the Chancellor doesn't get this to the attention of the governor. J. Nemitz said we should request that the Chancellor try to get this in the Governor's next address.

Chair Moore noted that April of this year is when the ACF members must be re-elected. She will e-mail the Faculty Senate presidents to remind them of this.

Faculty Senate presidents wanted to meet with the ACF in the Spring again. We will try to set that up for the April meeting. The HEPC meeting is Thursday, April 24. We might try to meet on Thursday afternoon or on Friday, April 25. C. Moore will inquire whether the HEPC has anything scheduled for the afternoon; if not, the preference is to meet Thursday afternoon.

Some of the group went to the 5:00 meeting of the Senate Education Committee for the introduction of Senate Bill 474. With the business of the agenda completed, the Council adjourned at 4:30 p.m.

Respectfully submitted,

Patricia M. Shafer, Secretary

DISCUSSION POINTS

LEGISLATIVE AGENDA

1. Increased flexibility is essential if colleges and universities are to operate and maintain quality services with reduced resources. Relief should be granted from both central state government and HEPC rules and regulations.
2. Ability to increase tuition and fees within the guidelines established by the HEPC. Graduated increases will be authorized based on the performance measures and progress in meeting Compact goals.
3. Additional funding is needed for need-based financial aid programs. Both the state grant and HEAPS program need incremental funding, especially if proposed modifications to eligibility are enacted.
4. Restoration of budget reductions or offset to expenditure increases for the health science divisions and schools.
5. Funding for enrollment growth that has not been funded since the late 1990s.
6. Funding for components of the SB 653 agenda:
 - a. Community college initiatives
 - b. Research challenge
 - c. State incentives
7. Authorization to refinance existing bonds and issue a new bond package funding between \$125 and \$150 million in needed renovations and construction.
8. Limited funding of institution-specific initiatives but not at the expense of the above priorities.