

Faculty Senate Minutes March 20, 2012

Senators present: Robert Gall, Craig Crow, T. Maurice Lockridge, Jim Crumbacher, Earl Nicodemus, Lance Tarr, Richard Brown, Linda Cowan, Brian Fencl, Shannon Halicki, Darrin Cox, Tammy McClain, Corey Reigel, Tracy Hutchison, Carolyn Kinney, Hollie Buchanan, Travis Miller, Erik Root.

Absent members: Traci Tuttle, Aaron Huffman, Michael Aulick, Ryan McCullough, Bonnie Porter, Matthew Zdilla

Honored Guests: Carrie White, (BOG Representative), Eric Croasmun, (Student Government Secretary), LeeAnne Yeater, (Student Government Vice President).

Absent: Robin Capehart, (WLU President) and Ex Officio: Anthony Koyzis, Provost, Melinda Kriesberg, Assistant Provost

Senate was called to order by Chair Robert Gall at 3:03 pm.

The minutes of March 20, 2012 were approved with a change in the wording of Dr. Koysis comments at the end of the meeting.

Senator Erik Root rose to a Question of Privilege. He asked to introduce a motion at this time. The Chair denied this. Corey Reigel then moved to appeal that decision. A vote was taken on those in favor of accepting the Chair's decision. Ayes: 2 Opposed: 5 Abstentions: 15

Senator Erik Root moved the following: *We the undersigned senators present a motion of no confidence in the Faculty Senate Chair and further request that he resign his position immediately.* (Signed petition not produced.) Motion was seconded by Brian Fencl.

Discussion ensued:

Erik Root stated that he presented this motion due to recent (alleged) FERPA violations that went on in the last meeting. Other senators made comments regarding the legal differences between scandal and truth. We don't know if the allegations in the anonymous letter were true. The previous meeting had information presented that was from an anonymous source with the request for specific information about the admission criteria of the Advanced Academy. This was not presented as fact. A senator stated that there is no proof of any FERPA violation because the information was not released by a known person who was charged with holding the information private. A faculty member discussed the concerns of his constituents in terms of the manner in which the issue was raised. Professionalism and the best interests of the senate and of the student were major concerns of the constituency. Two faculty members stated that they had consulted lawyers regarding the anonymous letter and each reported conflicting legal opinions about whether a FERPA violation had occurred. An executive committee member expanded upon the concern from an academic policy and procedures standpoint that 'different students were getting different treatment.' Other senators expressed concern that the Senate Chair utilized a poor process over this issue and was trying to make his personal business the Senate Business. Erik Root discussed concerns about the public nature of how the issue was raised.

Chair comments: The Senate Chair recounted a meeting with the Provost in which the Provost discussed the proposed Advanced Academy with him. He quoted the Provost directly "I sympathize with the President's wish to do something for his daughter." The Chair continued: "The Provost thereby acknowledged the central concern of the anonymous letter that later surfaced in February. This had gone out to a number of faculty. I was not even the first person to see it. This issue is not as the Provost claimed an attack on a minor; that is a red herring. It doesn't matter if it is his daughter, a brother, or a close family friend, that's not the issue. The letter doesn't even criticize what he called an innocent young woman. The letter purports to describe public knowledge or beliefs of events regarding a young woman that have a bearing on the behavior of a public official. The issue is the President's motivation in developing this Advanced Academy, and whether the President is manipulating the development of this academy for personal reasons. That is entirely a legitimate concern of the faculty, just as it was a legitimate concern several years ago when the President of WVU granted a MBA to the daughter of a close family friend of then President Michael Garrison. The Provost has repeatedly noted the best practice of universities the policies of the AAUP. The AAUP states that in the best university practice, the faculty has the primary responsibility for decisions in such fundamental areas as curriculum, subject matter, methods of instruction, and faculty status, as relates to the educational process. Accordingly the Faculty Senate constitution and by-laws state the Faculty Senate as representative of the faculty, has the primary responsibility for standards of admission, selection and retention of students, and the development of programs for research and instruction. The academic and admission standards of WLU certainly fall within the areas of primary faculty responsibility and therefore have a great deal to do with our academic endeavors here at WLU.

Now I shared the article from Charleston Gazette with the Executive Committee simply as a matter of information. I didn't know what to do with that. That's why I tried to get some information and feedback from other people. That's why I have had regular executive committee meetings. Prior to my taking over as Senate Chair, the Chair did whatever he wanted. There weren't any executive committee meetings. As I said in my e-mail right after Dr. Koysis's e-mail that was sent to the entire faculty without any context or information, I received this (letter), and even some retired faculty had gotten it. This should have been addressed. It was sent by someone who clearly did not feel comfortable identifying themselves and was signed 'Non-tenured faculty member,' who believed that the information they had was correct.... I had already gotten indications from the Provost that this was going on. Whether or not the young woman has the educational background or not, I have no idea. Could I have handled it differently? Probably. Knowing what I know now, certainly. I just don't know how to bring up issues of favoritism on the part of administrators for someone without mentioning who it is for.I have tried to make information available for the Executive Committee and the Senate.

This has nothing to do with my personal stake and my personal feelings towards the president. I did not put anything out there in regards to my personal feelings about the president. ...I was just trying to put out information, to make people aware. I didn't know anything about this until Monday, Jan. 30th in my meeting with the Provost. I understand that the Dean of Education is getting calls about the Advanced Academy and she doesn't even know anything about it. So information is not being shared, and I'm guilty of sharing it."

Comments then were made about the possibility of a formal reprimand, and the agenda of those who signed the motion. There is nothing in the by-laws about the removal of a senator. The parliamentarian added to the discussion with the statement that if the motion succeeds, the chair does not have to step down. A faculty member then brought up that there have been personal issues between the senators that signed the motion and Dr. Gall in the past. One of them would step up as Senate Chair if he stepped down. The Vice Chair would step up, so he has an investment in seeing that happen. To say that Dr. Gall's motivation was purely his vendetta against the president, it seems that we actually have the same of conflict of interest on the part of those raising the motion.

The question was called; discussion ended. The motion was defeated.

Erik Root made a motion to adjourn. The motion was defeated.

Report by Dr. Koyzis, Provost (absent) –No Report

BOG Report – Carrie White – No report; the BOG meets in April.

Advisory Council Report: Erik Root, No report (He left immediately after the defeat of the motion to adjourn.)

Committee reports:

Academic Policies and Procedures: *Hollie Buchanan, Chair*

Academic Policies and procedures have not met as a group, but discussed some issues that we thought would be discussed with the Provost in this meeting, but now will not be. I do not know if they will come up as Faculty Forum later or not.

Finance Committee Report: *Darrin Cox, Chair*

Discussed with Jack Wright

1. Regarding meeting with Jack Wright about the budget overages of \$575,000.00.

The shortage of funds is not that we are in the red, it is due to the requirement that we keep 10% of operating capital must be held in a savings account in order to have a healthy statement for investment and for people giving grants, etc. The largest expenditures were that more adjuncts were hired this year for about \$73,000.00 and the majority of funds were from two large areas. First in Shaw Hall, they forgot to order furniture, a fairly sizable expenditure. Also the scholarships offered to Elbin Scholars at a full ride (~ 350,000) contributed to this situation; the contract ran over. More students than ever before have done this. Further questions by senators for Jack Wright included: Has the gap been eliminated? Why did these large overages show up now? Will the budgets be reinstated at the same levels next year? Jack Wright has offered to come to a Faculty Senate meeting for questions. He has asked Darrin to make it clear to the Senate that these are one- time overages.

2. Parking gate issue: Darrin asked about the parking gate that was mentioned. One of the summer projects currently being investigated is the installation a parking gate for the library employee lot. However, the side of the hill by this parking lot needs reinforced first, and there are concerns about the

nearby dorm parking. There is a person coming to campus to assess the feasibility of the parking gate. Concerns about the business office lack of a business office manual for faculty on travel settlement procedures.

Personnel and Policies Committee: *Linda Cowan, Chair*

We have an action item later on regarding Policy 214. Linda met with Brian Crawford over break regarding the tenure policy discussions because he is re-writing the tenure policy. The Provost told Linda that Brian Crawford was directed by the Attorney General of the state of WV to rewrite the tenure policy here. Personnel and Policies will wait to touch base on this with him.

A question was asked regarding the March date for application for Tenure and Promotion here at WLU. Other WV universities use September 1st, not March 1st. If a faculty member applied March 1, then they find out results after the next application deadline. Linda replied that she would find out if it is feasible to change the dates of the policy.

Social Committee: *Travis Miller, Chair*

The social committee is working on a few social events. The next meeting is in April to discuss a final social event and the next monthly social. This Thursday there is a faculty social event at Generations at 6:00 pm. Let Travis know if you want to attend so he can notify Generations.

Student Advising Committee: *Tammy McClain, Chair*

The Student Advising Committee has not met, but after the last meeting she was asked to clarify issue of second advisor. The question was if a student has two majors, can we have both advisors have access to WINS data? Both advisors should be able to access WINS. If there are problems with this, see Scott Cook. Please encourage students to talk to other advisors in the second major.

Green Committee: *Travis Miller, Chair*

We are planning some Earth day activities, and also working on a park and ride, and other green initiatives. A suggestion was made that any student club has the right to have access to the 15 passenger WLU vans. If a student club sponsors van to highlands, the Student club fills out a request form to have van every day with volunteer drivers. This way, students could force the administration to help. Student government representatives commented that the problem is that vans book up so fast, and the vans get pre-empted by sports teams as needed. Also people often ride with friends instead. This was brought up last year Eric Croasmun stated, and students were denied, because athletics always has first priority. It was suggested that athletics purchase a charter bus instead of taking the 4 vans of players and a van for equipment.

Ad Hoc Committee on General Education Requirements: *Robert Gall, Chair*

The committee will meet tomorrow for last time. Robert will have final recommendations on the General Education Committee results for the April meeting.

Announcements

1. The Tobacco Policy is out for comments. Please take a look at it.

2. Elections for Faculty Senate are coming up the first week of April. A notice was sent to the chairs of Departments to arrange for elections.

Action Items:

1. Motion #1 – Reapportionment of Faculty Senate. This proposal is according to the by-laws and adds 4 senators. Financial Systems, Social and Behavioral Sciences, Health Sciences, and the Natural Sciences and Mathematics Department all get one additional senator each. Despite the eventual plans to make the Physician Assistant Program a separate department, it is not yet a stand- alone department. We are required to apportion the senators according to the department numbers as they stand in March. A motion was made to reapportionment the Faculty Senate based on the numbers of faculty in each department. (See attached)
The motion passed unanimously.

2. Motion #2 - Motion to change Policy 214: Tenure and Promotion.

Linda Cowen presented changes from the Personnel and Policy Committee. Note under point 2: Evaluation system. We have added an additional sentence *“Faculty shall establish specific evaluative criteria of performance factors. These criteria will be made public to the Provost, the School Dean, and to any member of the faculty.”* Also under #3-A an additional sentence was added: *“Performance factors will be sent to the Provost for review and recommendations.”*

People wanted more say in how they are evaluated and how many points or how much worth is assigned a specific value. This was the most general terminology we could come up with to fit the various departments’ evaluation systems. Also we changed the wording under J and K on the final page for the Tier ranking. *“Upon final calculation of tier ranking, the chair will notify faculty of their tier rank.” If the faculty member is dissatisfied with rank the faculty member may choose to appeal their ranking to their respective dean prior to the issuance of the faculty member’s new contract.”*

Discussion ensued regarding the use of the tier system and on making the process as flexible as possible for the chair and the faculty member. One faculty member suggested eliminating the tier system as many businesses have done.

Motion to change policy 214 as presented: Motion carried unanimously.

Faculty Forum:

A faculty member suggested using a closed session for personnel issues and the role of the Faculty Senate in these issues. Other faculty stated the opinion that the Faculty Senate minutes are public record by law. Richard Brown, the Parliamentarian, noted that they simply need to request that visitors leave and go to a closed session. The Chair noted that Senate meetings are public by state statute. Richard Brown will look into that.

A Motion was made to adjourn, motion seconded.

Meeting adjourned.

Faculty Senate Minutes March 20, 2012

The next Faculty Senate meeting will be April 17, 2012 at 3 pm.

Respectfully Submitted,

Tracy Zang (Hutchison)
Recording Secretary