

**Senators present:** Linda Cowan, Lihua Chen, Craig Crow, James Crumbacher, Maurice T. Lockridge, Ken Sexten, Aaron Huffman, Richard West, Christopher Barrick, Brian Fencl, Ryan McCullough, Sarah Davis, Shannon Halicki, Dominique Hoche, Darrin Cox, Sylvia Hawranick-Senften, Corey Reigel, Sheli Bernstein-Goff, Regina Jones, Kate Tennant, Hollie Buchanan, Jon Serra, Fuhua Chen, Tracy Zang, Matthew Zdilla.

**Absent members:** Bonnie Porter, Judy Stechly

**Honored Guests & Ex Officio:** Brian Crawford, (*Provost*), James Stultz (*Vice President of Human Resources*)

**Absent:** Robin Capehart, (*President*), Frank Noble (*BOG Representative*)

Senate was called to order by the Senate Chair Linda Cowan at 3:04 pm.

**Approval of Minutes:** A motion was made and seconded to approve the minutes for September 17, 2013. Minutes were unanimously approved.

**Honored Guests:**

**Provost:** *Brian Crawford, Provost*

A new strategic plan is in the process. WLU has not had a strategic plan redone since 2008. We hope to make this a more collaborative, transparent, and cohesive process with accountability than it has been in the past. The Provost has reviewed some new budget planning documents that are currently in the planning phase involving the new administrative procedure #10. These will involve every faculty member in the process. This process will be completed every year by June. We have new documents for the academic plan and budget requests that each faculty member and or department will need to complete.

We are thinking from the big picture and trying to achieve long term budgeting. In addition to the new strategic platform, we will have objectives and goals. It will also include the University Compact as our response to HEPC master plan for the next five years in the areas of student access to higher education, student success, and the impact of our graduates in the state and region. The regional accrediting body and Higher Learning Commission also require us to have a quality initiative project. The new Administrative Procedure #10 involves every faculty member on this campus. Each program and department on campus will be required by mid-November to submit documents to propose a plan and budget for their department. The deans will meet with the chairs and program directors and review these. Then the Dean's Council will review the proposals and prioritize those with the most impact to determine which should be funded. The University Planning Council will have faculty members on it from each college in addition to the Chair of Faculty Senate and administrators and will make the final budgetary decisions. The individuals on the Council are: Robin Capehart, Brian Crawford, Jim Stultz, Jack Wright, Stephanie Hooper, Bill Baronak, Scott Cook, Linda Cowan, Jeff Knierim, Robert Kreisberg, Robert McConaughy, Tom Michaud, Peter Staffel, Sam Turrentine, Mike Turrentine, JoJo Ullum, and Bill McCullum. The final budget proposal is then submitted to HEPC. This process will be repeated every year. The provost showed faculty a form with eleven questions. A fiscal note form will be required to request new faculty members. A question was asked about the APT (Administrative Planning Team) scoring on the fiscal note. This shows expenses, and the return on the investment. Any changes that have a budgetary impact will require the fiscal note. Concern was expressed that the individuals involved in the budget process may not know anything about the content area a particular

request involves. Now they are empowered to make decisions about areas they know nothing about. The Provost is hopeful that when the Deans Council sets priorities, that those will remain the same for the year.

The Planning Task Force of fourteen members will include: Chris Barrick, Craig Crow, Diana Crutchfield, Annette Godown, Courtney Huffman, LouAnn Johnston, Tammi McClalin, Stephanie North, Cindi Magee, Angela Rehbein, Anthony Salatino, Michele Stack, Traci Tuttle, Lynn Ullom, and in support of the group we have Melinda Kreisberg, Ron Witt, and Crystal Lorimar. They will be guiding the creation of the strategic planning. It is to be as transparent as possible. This is not a continuing annual standing body, only for this year.

**ACF Representative:** *Sylvia Hawranick-Senften.*

**BOG Representative:** *Frank Noble (absent)*

Guest: Jim Stultz: Human resources

Policy 213 – Personnel file information. We maintain two separate distinct personnel files, one of which is in the Human Resources Department that is limited to benefits, focused historical data, upgrades, promotion information after promotion is implemented, and documents that implement any salary adjustments, etc. The Provost Office has the maintenance accountability for what is included in your performance as a faculty member. These include evaluation documentation, and the tenure and promotion documentation. Jim passed out a copy of Title 133, HEPC, Series 8 (Procedural Rule for Personnel File). This states that you have the right to look at your file during normal working hours. They are supposed to note the date, time, and location that you reviewed your file. They are also supposed to have someone present when the faculty member is there looking at it. He encourages you to look through this on an annual basis to assure the information is correct.

The second page is more important and gets to the crux of the policy Dr. Crawford is bringing forward. This is the WLU BOG Policy 53, which pertains to your access to personnel file. State guidance from 133 above is incorporated into this policy. The next highest-ranking unit head summarizes faculty member evaluation for promotion, etc. A copy of the summation is given to the nominee. This information is maintained and supposed to be destroyed one month after the promotion is approved. They are not doing this currently and he feels that documentation is important to keep in case of legal issues. The intent of the evaluation process is that after the person received a promotion the information should be destroyed. He is not sure that this is a good move, and they don't do this because if they were sued, they would need to have access to the information. We need to do something about this policy, because it is not appropriate to have a policy that is not being adhered to.

The second file is information on file pertaining to a particular employee that is to be accessible to administrators on a need to know basis. The supervisor, chair, dean, provost, and Vice President for Academic Affairs, and other administrators are on a need to know basis entirely. If someone pulls your file, we need to know why. Usually if someone is in the chain of command, they would not ask because they would assume it is due to supervisory information in file. Anyone else who requests access to these files is required to explain why they need to look at them. The file would not be released unless the person requesting access has a legitimate reason to look at it. Any other inquiries for access to the file would require the permission of the employee, unless it is a legal directive.

Other files that are maintained include the personnel, grievance, and a file relevant to job performance. These are separate from the personnel file and this information is not released to anyone unless you agree to have it released. The two parties that are involved in this consent for release include the university and the individual. The Provost has a file relevant to the work that you do as faculty member in your job performance. This is the most in-depth file and includes your evaluations and promotion, etc. The personnel file is much smaller with less content such as letters of employment, contracts and stuff sent downstate for processing. Our supervisors have access to the provost file, but NOT to the information on file in the human resources department. Medical conditions and anything pertaining to medical information are locked up per HIPAA.

Information in personnel files: Handout from Jim Shultz.

HIPAA information: Based on the HIPAA Act of 1995, anything in a medical file such as medical benefits and health & life insurance, medical leaves, OSHA injuries, workers compensation, etc. is to be considered highly sensitive and kept in a separate locked file. These are kept where only human resource personnel have access to the file. This information is not released to those in the chain of command. The supervisor does not have access to anything related to health, health insurance, life insurance, family and medical leave act filing, workers compensation filing, or grievances. They are not doing everything in the Act, however, and will need to address this.

FERPA: For each student that works in a work-study job, all documents are confidential, as are all employee records. Students are required to sign consent for anyone to look at this information. Any student workers that work in an area with sensitive information are required to sign a confidentiality document. They have very few work-study students in Human Resources.

The grievance file is also separately maintained from the personnel file and is kept in a locked cabinet. It contains anything to do with workers compensation or harassment, etc. This is only released per a legal subpoena. There are a number of BOG policies that need to be revised. We are in the process of reviewing these so that we are in compliance. He has not seen any abuse of this as it is rare that anyone comes to look at the file. It usually has to do with finding out dates of employment and when they might be up for retirement, etc.

Regarding Senate Bill 330:

This is a very serious piece of legislation dealing with higher education. He doesn't know of anything as harmful to you as this legislation. The intent was to correct the WV classified staff compensation system. There are 2,000 plus WV classified staff. The structure has not changed. We have 127 classified staff on campus. When we hire another one, we have to use the Mercer Scale for first level of pay grade that was established in 2001. It is a killer because our wages are far below the competitive wage. This affects our ability to hire qualified staff such as IT. If you are recruiting against the FBI, in Clarksburg, or WVU Ruby Memorial, you are going to be several thousand dollars below. Secondly, there are 23 learning institution in WV with no common structure as to how human resources is to function. The idea was to bring about common ways HR could be applied.

The state has created a Relative Market Equity study. The intent was to improve salary equity for classified staff. Now they have expanded that to a study intended to compare pay for faculty, administration, and classified staff to the regional area and others in similar jobs in the local community. Should someone here at WLU be at same level as WVU, or Shepherd? The questions are how should

pay flow, and how do jobs in different locations compare? The problem is that there should be some salary relationship between faculty, classified staff, and administrators. The idea was to bring our commonalities together. It is almost impossible to comprehend how this will work. A consulting firm called Fox-Lawson was hired to research this. Now the state has hired another consulting firm to supervise Fox-Lawson. An example of one problem is that an associate professor and physician were put on the same scale as an associate history professor. They did not take into account the differences in the content areas. If this is implemented, there will need to be a huge outlay of money to just begin the process. He is not sure where money is coming from. With budget cuts, he doesn't see this happening. The program is already a year and a half behind.

Another issue with the bill is that it totally changes the human resource function. A number of resource functions are transferred to the state. The president will have no impact on an institution's salary scale. His role also changes, as it will be a dual-role with him reporting to the state based on compliance with Senate Bill 330 and by the president here.

ACF Report: *(Sylvia Hawranick-Senften)* Sylvia mailed out list of Senate Bill 330 meetings. An ACF sponsored panel will be held in Montgomery this Thursday at 4:00 PM. A list of those who will be there was included. You can also listen to it online. On Monday there is a presentation in Morgantown that WVU is providing to faculty. This is open to all faculty at WVU. She asked Roy Nutter if there would be space for West Liberty faculty members to attend and he said yes, but she has to let him know. There is an ACF meeting on Thursday and she will report on that at the next Senate meeting.

### **Committee Reports**

**Academic Policies and Procedures:** *(Jim Crumbacher) No report.*

**Finance Committee Report:** *(Darrin Cox, Chair)* The Finance Committee is working Policy 245 on merit structure with the Provost. The president is looking to change the language to include marketability inside of the merit and raise structure. Right now, 52% of our raise money is merit and 48% is longevity. They are working on changing the language to an equity structure based on rank, discipline, and comparison to the median salary. The farther you are behind the median salary, the more you would get as a raise as opposed to someone who is already making the national average salary. This is making it more of an equity raise, rather than just longevity. This is the means the President is using to lessen the gap of what they might make here as compared to working somewhere else.

**Personnel and Policies Committee:** *(Dominique Hoche, Chair)* Personnel Policies and Procedures met and revised Policy 213 based on input from e-mail and verbal input. They added in some of the suggestions and changed the structure to make it more linear. This is an action item later on the agenda and we will explain all the changes then.

**Student Advising Committee:** *(Tracy Zang, Chair)*

We had our first meeting last week and discussed the issues with advising that the different departments are experiencing. A suggestion was made that we put together an advising workshop for new faculty in conjunction with Scott Cook because the section of the in processing for new faculty was cancelled this year. A request was made to also open this workshop to other faculty as well. We also discussed the possibility of a page on the university website with the advising sheets for each college and department. This will make advising easier for those who have advisees that need degree requirements from more than one degree, like secondary education content majors for example. Our plan is to meet with Scott

Cook and get his ideas about how to improve advising on campus as well as discuss setting up an advising workshop for new faculty. Please e-mail any ideas or suggestions to any member of the Student Advising Committee: Chair [tracy.zang@westliberty.edu](mailto:tracy.zang@westliberty.edu). Committee members: Abu Ma'afala, Serkan Catma, Brianne Poilek, Tammie Beagle, Scott Hanna, and Matt Zdilla.

**Social Committee:** (Chris Barrick) The Social Committee has been fairly busy, with the first event of the year held on October 1<sup>st</sup>. About 40% of those up for promotion and tenure met and had an enjoyable time. We had our first meeting last week. The faculty lounge in the union is almost ready with the furniture in place. Pat Henry is working on getting a microwave in there so that you can heat up your lunch in there and once the TV will be mounted to wall and is not a theft issue the room will be open during union hours. We are working on getting more seating in there, but they are on a budget, but he is meeting with the president tomorrow morning to discuss this. Our committee also discussed ideas for events this year and looked at the survey results from last year. The survey results included people who wanted more family friendly events. We are looking for dates to have a potluck dinner or an outdoor event later this year. We heard from people who said stop going to bars and having drinking events, and some who said go to more. We are dropping the name happy hour and emphasizing faculty 'social hours' instead. These will be held at either Generations or Liberty Tavern. We are working on identifying campus events to have social events in conjunction with. The next upcoming event is to be on November 20<sup>th</sup> in conjunction with the opening of the musical "Spring Awakening". We will have a faculty social hour from 5:30 – 7:00 PM at Liberty Tavern. Angela Rabine is heading up a get-together for a Nailors game, and also after-hours coffee and cookies during workday hours hosted by different departments.

**Green Committee:** *Dave Thomas, Chair – (Report forwarded to Faculty Senate Secretary.)*

The Green Committee is interested in increasing membership by soliciting new members and adding staff to potential membership. So if you know of someone who is interested in being a GIC member, contact any GIC member or Dave Thomas by phone at X8199 or by e-mail at [thomasdj@westliberty.edu](mailto:thomasdj@westliberty.edu). The committee has the graphic design students working on a logo and letterhead for the GIC. We discussed the particulars of the 2013 REAP (Rehabilitation Environmental Action Plan) Grant for a campus-wide recycling program, the awarding of which will be announced in early November. The West Liberty University Environmental Education Day is to be held on Wednesday, 24 April 2014. They hope to increase the number of participants from last year's program, which was thirteen. If you know of any willing participants who would like to display, sell, or inform about "green" items, please have them contact any GIC member or Dave Thomas. We continue to work our voluntary recycling programs. WATCH recycles paper, cardboard, and aluminum cans, and Sunset recycles our plastics at this time. They also discussed that November 15, 2013 was America Recycles Day, and are planning a project to coincide with that date. More info about this activity shall be forthcoming.

**Announcements:**

1. Faculty Excellence Awards are due this Friday. If you are interested in this please check the Provost page. The deadlines have significantly moved, but this has changed and also the eligibility timeline. It used to be that no one was eligible the first three years of service, but this is no longer a requirement, and everyone is eligible. The structure of competing within your own college and then that winners competing at the university level is no longer in place. Now all nominee portfolios and application materials are sent directly to the university level committee.

2. Linda has heard from a few senators about the change in the time of the Senate meeting. Next spring the Faculty Senate meeting will be held at 3:30 pm due to the schedule change next semester.
3. Senate Apportionment: This issue was passed through the Deans Council. Some were in favor of 15% apportionment and one was in favor of 20%. Jean Bailey (Business) was more in favor of 20 % because the College of Business will be losing representation. Remember that the by-laws are contradictory and we need to change our by-laws in November. We will vote on this next time.
4. Linda is attending BOG meeting tomorrow at 4:00 pm, which is why there is no report from Frank. Linda will report on what we are doing and what kinds of things we do today and what might be coming down the pike, like the restructuring of tenure and promotions.

### **Action Items:**

#### **BOG Policy 51: Textbook affordability**

BOG Policy 51 involves the sale of textbooks by faculty members. Linda recommends that we have Frank bring this issue up at the BOG meeting.

#### *Policy 51:*

*“Prohibit any employee of the Board from receiving any payment, loan, subscription, advance, deposit or money, service benefit or thing of value, present or promised, as an inducement for requiring students to purchase a specific textbook or supplemental course materials. Provided, however, that an employee may receive royalties or other compensation for such sales that include the employee’s own writing or work. An employee may also receive free sample copies, instructor’s copies and instructional materials but may not resell those items.”*

The concern is that faculty members in the Social Sciences receive a large number of unsolicited textbooks each week from publishers. Faculty members in these areas have to get rid of those books somehow. Linda suggested tabling this. Please talk about this with your constituents and we will vote on sending a recommendation to Frank Noble to take to the BOG next time.

#### **Policy 213:**

Dominique introduced the changes the Personnel and Policies Committee made to Policy 213. Linda received about 20 responses about this policy and forwarded them to Dominique and Brian. The committee rearranged section 3 on file contents to make this clear to faculty what is required. They combined section 3a and 3b on teaching areas and service. 4 became 3b, and 9 became 3c. They added sub-sections on and also added a comment about the electronic transition of policy. They discussed section 8 on the continuing chronological inventory, file integrity and who has access to the file. Section B was also reorganized to clarify readability. The committee added in B.2.c in which now states that every file will have a sign-in sheet with the name, date and time so that we know who is accessing the file. Another change was that faculty members must be notified in writing when changes are made to the file. A question of electronic filing came up. We added a statement that updates will be made when West Liberty has wholly changed over to electronic filing.

The Provost commented on the changes. In terms of electronic filing, we do anticipate this change to occur at some point down the road and this policy will need to change at that time. We are not going to put anything in the ‘cloud’ that involves the personnel file. We will keep that in our office and that information will be controlled. He would like to add to the 2B section on notifications of changes to the file some wording that includes ‘other than routine additions made in accordance with West Liberty University policy.’ This will reduce the number of individual notifications for course evaluations, for

example. Otherwise they would need to hire someone to perform notifications. They have no problem at all with the sign-in sheet for those who access the file.

An amendment was then proposed and seconded to add to the following wording to the policy section 2.B.2 'other than routine additions made in accordance with West Liberty University policy.' The motion was seconded and passed. Regarding the parenthetical statement at the end of the first paragraph of 2B, the Provost agreed to make minor edits. Ryan stated that it is superfluous since all policies are subject to review at any time and proposed that we strike the sentence completely.

Dominique requested debate because she is concerned that two faculty members in her department did electronic promotion folders and she did paper. They are at nexus in system. Since we are between the two, and we don't know what new technology is coming that will affect decisions. This is a whole new discussion according to IT as to how to protect information, how to access the information, etc. Brian suggested clarification because there are entire colleges on campus who are using electronic portfolios. Ryan moved that we reconsider the motion to strike the sentence stating that the past is not relevant to this debate. Darrin moved to call the question and a motion was proposed to strike the parenthetical statement from the policy. The motion passed with two voting nay, and four abstaining.

A motion was then made and seconded to adopt Policy 213. The motion passed with one abstention.

**Faculty Forum:**

A concern was raised regarding the function of WLU Internet. Internet speeds and accessibility have been diminishing over the past 2-3 years. The dorms have Comcast as a provider and the rest of campus has Frontier as the Internet provider. Discussion ensued and many faculty members indicated that they also had difficulties connecting to Internet resources and with Internet slowness during class. Darrin also mentioned that there is a dedicated server for mobile devices, which is notoriously slow due to cell phone use. If you are using a laptop as mobile device, you might need to go to IT and get your laptop as a recognized device for the real network, etc. Mention was made that WLU does not have a 5-year technology plan. Linda assigned the Internet speed and accessibility issue to the Academic Policies and Procedures Committee to investigate.

A suggestion was made that Policy 213 be renamed the Provost's Personnel File or Faculty Promotion File to avoid the confusion due to multiple personnel files in multiple cabinets. A discussion also ensued regarding the scarcity of parking and the student vehicles that never move from the Library parking lot and other Employee parking spaces.

A discussion took place about work-study students handling personnel files.

Motion to adjourn at 5 pm. Motion was seconded and approved.

Tracy A. Zang,  
Senate Secretary