**Senators present**: Linda Cowan, Lihua Chen, Greg Chase, Judy Stechly, Ken Sexton, Herb Minch, Matthew Inkster, Jim Haizlett, Jeff Pfister, Aaron Harper, Jeremy Larance, Susan Herrick, Sheli Bernstein-Goff, Corey Reigel, Tracy Zang, Fuhua Chen, Jon Serra, Matthew Zdilla, Rick West, Dave Blowers. Teresa Faykus (alternate for Ronny Warrington.)

**Absent members:** Frank Noble *(BOG Representative),* Aaron Huffman, Ronny Warrington

**Administrators and Honored Guests:** John McCullough *(Interim President*), Brian Crawford, (Provost), Sylvia Hawranick Senften *(ACF Representative), Dave Thomas, (GIC Chair)*

Guests: Jerry Duncan, Hannah Harnar, Leann Andreth-Elkins, Bill Childers, Dave Thomas, Robert Kruse, Joseph Horzempa.

*The meeting was called to order by senate chair Linda Cowan at 3:31 pm.*

Linda called the Senate to order at 3:32 pm

A motion was made to suspend the rules, and seconded. Motion passed unanimously.

Linda requested that the Senate hear Dr. McCullough and Dr. Crawford first before addressing the minutes.

Linda then introduced Dr. McCullough

**Administrators**

**John McCullough, Interim President**

Dr. McCullough addressed the Senate:

He discussed the Reorganization and stated that WLU will stay with what we have. The three interim deans will continue to serve as interim for one year, and the searches for these positions should begin in the Fall of 2015. They hope to balance the budget and then move on from there. The search for a new president will begin shortly, and stated that faculty and staff will be directly involved. The vetting process will be similar to that used in the past and will include interviews and question and answer sessions. The final appointment will be made by the BOG and approved by Chancellor. The plan right now is for the candidates to be here at WLU in the fall, and to have an appointment made sometime in October and November with the new candidate taking office January 1st.

Our budget process is not paused. Again, there will not be any faculty salary increases for 2015-16. We will work to do what we can to see that 2015-16 is the last year with no increases. In light of no salary increases, Dr. McCullough stated that he knows that we still do our job and do it well. He thanked the faculty and staff for all the work we do, and added that thanks is probably not enough. Linda asked about the role of the faculty in the upcoming searches for the deans and president positions and whether faculty will be expected to be present for these searches this summer? Dr. McCullough responded that it would be late summer or early fall when we are back in session and stated that it is important to have a strong faculty voice and that they be heard. They will work on having more than one faculty representative involved in the upcoming searches.

A faculty member thanked him for taking on the job of interim president without a salary increase. He replied that that would send a very ugly message at a time when we don’t need ugly messages sent out. Further, concern was expressed that the equity issues should be addressed after the president had received $30,000.00 pay raises despite some poor evaluations while the faculty did not. Faculty said that the recent agreement between the former president, Robin Capehart and the BOG of WLU published in the newspaper stated that the Board of Governors (BOG) has agreed to not do anything further with Capehart regardless of the outcome of the ethics violations. A question was asked about a review of the W-48 agreements in currently place with an eye towards reducing monies spent on these consultant contracts. Dr. McCullough stated that he plans to do his “due diligence in reviewing these, especially when budgets are tight.” He will evaluate each contract with the value, purpose, and contribution in mind. He stated that the BOG Finance Committee also plans to look at these. Another concern discussed was that of accreditation and the required reporting of the leadership changes at the institution to the various accrediting bodies involved in several programs here at WLU such as the Physician Assistant Program, business and all the other programs involved with accreditation. Dr. McCullough stated that a change in leadership will need to be communicated o the accrediting bodies.

**Brian Crawford,** *Provost*

The Provost opened his remarks with the statement that at this time there is no plan to combine the College of Arts and Communication with the College of Liberal Arts. They will continue with interim deans in the current positions. They are also putting the plan to move Exercise Physiology and Athletic Training to the College of Sciences is also on hold for now. There are still discussions in the Dean’s Council of the departments of the College of Business being combined into one and the movement of secondary education students into the College of Education. This would have a major impact on all involved and the Dean’s Council will continue to consider this. Last Friday the HEPC approved the masters of criminal science program with no questions. The WLU MBA Program was not on the HEPC agenda, but the chancellor said he would approve it. Assuming we have both approvals in hand, we should be able to get both HLC change requests in. We expect approval sometime in the late fall semester and plan to have some courses online from these programs by the spring semester next year. The Provost was asked to address the initial letters of appointment. He stated that the majority of Letters of Appointment (LOA) are completed. The intent of the letters was to clarify and make it clear to faculty member what is expected for promotion. Also the focus of the changes in policies 214, 214, etc. most have been completed and anticipate all complete by end of semester.

A question was asked about the LOA’s regarding how they more helpful than the legal contract we get in July or August. He replied they were more specific in terms of expectations. The intent is that they are established and may remain the same for a long time, although there will be exceptions and they will be modified as needed in consultation with the Dean and Department Chair. Linda asked for a word change to the title of the “Initial/continued Letter of Appointment.” He replied that the purpose is to make sure the faculty member knows what is expected for promotion and tenure, and the title may be modified. Linda suggested that we might make the change on Policy 214 and then do a retroactive change across the policy.

The Provost stated that they would have a better idea of what vacant faculty positions can be filled after the Board of Governors Finance Committee meeting next week. Nursing faculty vacancies will need to be filled due to the State Board of Nursing requirements. The Provost also noted that he would make it clear to the BOG Finance Committee about the loss of the funds for university programs, technology and computer supplies, lab supplies, etc., from the ‘golden parachute’ given to president in response to a request for comment from a senator. A question was asked about whether WLU Foundation money was used to ‘pay off this man’, or just university state funds. Dr. McCullough stated that he believes that Faculty Senate has already been effective as a public forum. A question was asked about the members of the BOG Finance committee. George Couch, Richard Carter, Pat Kelly, the Provost, the President, Jack Wright, and Stephanie Hooper. A request was made to ask for a faculty member to be put on the BOG Finance Committee. Sylvia Hawranik Senften volunteered. A question was asked about the fact that there was no approval from HEPC on the deal the BOG cut with the former president. Dr. McCullough noted that personnel issues are not published.

Linda asked about a timeline for budgets for departments and budgets for scholarships. The Provost responded that next Monday they would set the bottom line and begin holding meetings to decide how much each area is funded. They plan to have the budget ready for the April 15th full Board of Governors meeting. He hopes to have a better idea before then where we stand. A senator brought up the fact that legal documents show John Gompers as the legal representative for Robin Capehart, yet Mr. Gompers negotiated the deal between the BOG and Robin Capehart. He believes the contract should be null and void due to this conflict of interest. The provost responded that the BOG made the least expensive and most expeditious settlement they believed they could get. A question was asked about who is going to raise that point at the BOG meeting. The Provost suggested that we make a motion, and go thorough the whole process here in Faculty Senate. He also noted that the next full BOG meeting is an open meeting but that there is an opportunity for a limited number of individuals to speak at the BOG meetings now. Those who wish to speak at the Bog meeting have to sign up on a sheet. Linda can also ask to be put on the BOG meeting agenda if the request is made by early April before the Agenda is set. A faculty member asked where information about the BOG fiduciary responsibilities. The Provost says it is in the WV State Code.

Linda asked Senate to put the reading program on the agenda so it can be approved by BOG. A motion was also made to table the approval of the minutes until our next meeting and seconded. The motion passed unanimously.

**Sylvia Hawranick Senften *(ACF Representative)***

Sylvia addressed several points:

1. There will need to be forms filled out for the various accrediting bodies as far as the change in leadership.

2. The next HEPC meeting is scheduled for May. Sylvia attends as an observer and is not part of decision-making process.

3. At the last ACF meeting, the Vice Chancellor suggested changes to articulation agreements. There must be agreement on 70% of course objectives in order to transfer from one institution to another. There are already core transfer agreements in place with several institutions and some waivers in place.

4. The Great Teachers Seminar will be held at North Bend State Park and we have two teachers interested already. Susan Herrick and Judy Stechley both mentioned that the Great Teachers Seminar is inspiring, fun, intellectual with lots of group work. Teachers can exchange techniques that have been successful and very rewarding, especially for newer faculty. A question was asked about how this is paid for. Brian said the state pays for it.

5. Sylvia discussed the ACF agenda and noted that we should be meeting with BOG. She added a reminder about the WV code §18B-6-3a that refers to at least an annual meeting of the Faculty Senate with governing board. ([http://www.legis.state.wv.us/wvcode/ChapterEntire.cfm?chap=18b&art= 6](http://www.legis.state.wv.us/wvcode/ChapterEntire.cfm?chap=18b&art=%206))

Sylvia meets with BOG as the ACF representative although this is not a requirement in code. The governing BOG should be meeting annually with the Faculty Senate. Discussion ensued. Linda then took a quick poll of senators who would be able to attend the upcoming BOG meeting on April 15th. About half of the senators present indicated that they were interested and able to attend the BOG meeting. Linda will take our request to the BOG to meet with faculty senators, not just the chair.

6. Sylvia also added that we could write letters or other communications to BOG.

**Frank Noble *–*** *Board of Governor Report –* no report.

Linda reminded the Senate that onWednesday, April 22nd we have a general faculty meeting scheduled and encouraged all to attend. She also asked that we all think about who should be the Board of Governors and the Advisory Council of Faculty representatives as these positions will be up for a vote on April 22nd. Linda commented that she brought Frank’s BOG report with her today and passed the report around for review.

**Jeremy Larance** (*General Studies Committee Chair*)

The General Studies Committee is working on making the recent changes easier for all. They plan to meet tomorrow.

**Action Item:**

Linda called for a motion to add the masters level Reading Intervention Specialist Program action item to the agenda. Rick West made a motion to add the Reading Intervention Specialist Program to the agenda. The motion was seconded. The vote was 18 Yea, 0 No’s, and 2 abstentions. Rick West presented the Reading Intervention Specialist at the masters level and the Early Intervention Program (at the bachelor’s level). A question was asked about whether the program would add another faculty member. A motion was made and seconded to approve the Reading Intervention Specialist in the Masters of Arts and Education Program. Linda called for discussion. A question was asked about whether this was a special curriculum. Rick answered yes and noted that it does add one faculty member. Judy Stechley noted that this specialization is needed throughout the state. The vote was 18 Yea with two abstentions. The motion approving the Reading Intervention Specialist Program passed.

Rick moved that we approve the addition of the Early Intervention Program to the College of Education. Corey seconded. Discussion involved questions about whether these students would need to take human development and psychology. Rick answered that the students would take the regular general studies classes. The vote was 17 Yea, 1 No, and 2 abstentions. The motion passed.

**4. Committee Reports**

**Personnel Policies and Procedures Committee-** *Rick West, Chair -- no report*

**Green Initiative Committee Minutes -** *David Thomas, Chair*

Dave Thomas discussed that the Green Initiative Committee has received Presidential recognition and that the former president and the current president have been very supportive. The Recycling program is working well. Recycling education is ongoing. He passed out green flyers with information on recycling and contact information and asked that Senators post them in their areas. Dave mentioned that he has received resignations from Lihua Chen & Vishakha Maskey. The Green Committee has received donations of $87.00 from WGLZ and the WLU Ski Club, through Jeff Pfister. The yearly West Liberty Environmental Education Day is upcoming on Wednesday, April 22, 2015. We have 16 participants registered and also have received Riesbeck’s corporate sponsorship that includes $300 in tote-bags. The committee is currently looking for funding for refreshments to serve at the event. The recycling program is working well. To contact the committee, email [green@westliberty.edu](mailto:green@westliberty.edu) or [green6665@wix.com/g-i-c](mailto:green6665@wix.com/g-i-c) , [thomasdj@westliberty.edu](mailto:thomasdj@westliberty.edu) or call X8199. A question was asked about whether ‘*frackers*’ would be there. Dave responded that the gas and oil companies or ‘*frackers*’ will not be registered participants this year. Linda asked Dave for a copy of the email resignations.

**Ethics Committee –** *Aaron Harper, Chair* – noreport “nothing ethical has happened”

If you have any concerns about ethics matters that you want us to consider, please send email.

**Policy 214 -** *Matthew Inkster, Chair*

The Policy 214 Committee has made good progress on the Policy 214 revisions and will have action items for our April meeting.

**Policy 215 –** *Jon Serra, Chair* – The Policy 215 Committee is now completed and will be taken off the agenda. John thanked all committee members and noted that they all worked hard in completing the review of Policy 215 and rewriting the Student Course Evaluation questions. Committee members were Steve Criniti, Tracy Tuttle, Thersa Faykus, and Tracy Zang. The Provost thanked John and all who were involved. He stated that there were a few hiccups in the course evaluation roll-out online but they are working those issues out and it will be a huge improvement in our process. Linda commented on the changes she has made in the committee process and highlighted how well the Policy 215 Committee worked together as a positive indication that the new process is working well.

**5. Announcements:**

Dr. Crawford has requested a Faculty Senate Social Media Policy Committee. The Provost’s committee has created a draft social media policy document and he would like for this new Senate committee to work through it. This will be a one-month turn-around. The Chair will work with the committee to get it done quickly and the new Social Media Policy rolled out. The Provost stated that the procedure is basically done and it is a matter of reformatting the procedure and determine what you can pull out as policy and what can be procedure. The Provost stated that we should restrict the use of social media by WLU. Jeremy Larance volunteered to chair the new committee.

**6. Action Items:** *See above*

**7. Faculty Forum**

- Course evaluations should report data in terms of the median since these are ordinal data and not numbers. This gets rid of extreme scores, and focuses on the middle scores.

- Concerns were expressed about the name of the Initial Letter of Appointment. Discussion ensued and focused on dropping the word ‘Initial”. This item was sent to the Policies and Procedures Committee.

- Susan Herrick noted that it is clear from what Dr. McCullough said that this is the time for our voices to be heard. The BOG ought to know that we are not satisfied with the package the former president received and that the possible conflict of interest by having the same lawyer represent Mr. Capehart and the BOG is not acceptable. Discussion ensued. Jeremy Larance commented that the BOG wants us to say something. At this point Linda noted that there was a reporter in the room (Ian Hicks). Aaron Harper suggested that we invite the BOG to come talk to us on this matter. Concerns also included whether the contract was arms length and whether it would hold up. The BOG as trustees of the university should have as their primary goal the best interest of the university. A question was asked about why the attorney general was not involved. A comment was made that the final place this goes to is the WV State Bar Association.

The ethics charges were low on the list of reasons why the no confidence vote occurred.

Susan Herrick made a motion that we write a letter to WV Ethics Commission. Susan then rescinded her motion and reworded it to the following:

“I move the Faculty Senate compose a letter to Robert Wolfe, the Chair of the WV Ethics Commission requesting that the Capehart allegations are not settled out of court.” The motion was seconded. Discussion ensued. The vote was 17 yea, with no opposed and no abstentions to accept the motion. Note: Two senators left after the motion was put on the floor. Discussion ensued and involved who should write the letter. Senators suggested that Linda should write the letter with the advisement of the Executive Committee. Linda stated that they would hold a special meeting in one week that would also be open to anyone who wants to be involved.

A senator called the question and was seconded. The vote on the motion proposed by Susan that the Faculty Senate compose a letter to Robert Wolfe, the Chair of the WV Ethics Commission requesting that the Capehart allegations are not settled out of court.” was 15 Yea, with no opposed and no abstentions. The motion passed.

A motion was then made by Susan Herrick that the “Faculty Senate Executive Committee write the letter to the Chair of the West Virginia Ethics Commission,” and seconded by Corey Reigel. Discussion ensued. A senator moved that we call the question and was seconded. The vote for the motion on that the Senate Executive Committee writing the letter was: Yea – 14, Nay - 1 with no abstentions. The motion carries.

Jim Haizlett moved that the “Faculty Senate open an investigation with the WV State Bar Association into the recent contract negotiations between WLU BOG and Robin Capehart.” Susan Herrick seconded the motion. Discussion ensued and concerned questions about why the lawyer for the BOG is not appointed by the state among other issues. Our counsel in dealing with this contract may have had legal contractual dealings with Robin Capehart who was on the other side of the table. A suggestion was made to amend the motion and to use the words “ ask the bar to investigate through the bar” instead of the word ‘open’. (Note: Another senator left the room, leaving the number of senators at 14.)

A senator motioned to close the discussion and was seconded. The vote was 13 Yea, no opposed, and 1 abstention. The vote on Jim’s motion that the Faculty Senate open an investigation with the WV Bar Association into the recent contract negotiations between WLU BOG and Robin Capehart was 12 Yea, 2 No’s, and 0 abstentions. The motion passed.

Linda will send all the information to Frank Noble, our BOG representative. She can send to BOG if we want.

**8. Adjournment** A motion was made to adjourn and seconded. Senate adjourned at 5:44pm.

Respectfully Submitted,

Tracy Zang,

Faculty Senate Secretary

***Attachments:***

*1. March 17, 2015 sign-in sheet*

