

**MINUTES**  
**Annual Fall Meeting of the Shepherd Assembly**

**Monday, September 27, 2004**  
**Called to order at 4:10 p.m., by Dr. Bruce Kelley, Moderator**  
**Reynolds Hall**

**AGENDA**

**I. Approval of Minutes, Spring 2004 – M/S/P to approve with no amendments**

*(Available for review on the MinWeb: <http://www.shepherd.edu/minweb>)*

**II. Proposed Technical Amendments to the Constitution**  
**(Dr. Kelley, Mr. Perdue)**

*See proposal, below—full document with proposed changes inserted available on the MinWeb: <http://www.shepherd.edu/minweb>*

- **Result of Ballot as tallied on 10/11/04 by Assembly Cabinet representatives: 132 ballots were returned; 131 were in favor of the technical amendments; 1 was opposed. The amendments pass.**

**III. Introduction of New Faculty (Dr. Mark Stern, details available at <http://www.shepherd.edu/college/releases/newfacultyF04.html>)**  
**All who were present were warmly welcomed by the Assembly.**

**IV. Introduction of New Employees (Mr. Tim Haines)**  
**All who were present were warmly welcomed by the Assembly.**

**V. Reports to the Assembly**

- ♣ **Advisory Council of Classified Employees (Mr. Tim Haines for Mr. Ken Harbaugh):** Tim publicly thanked Ken for all his hard work in representing the ACCE.
- ♣ **Advisory Council of Faculty (Dr. Sylvia Shurbutt):** Report attached.

**VI. President's Report (Dr. David Dunlop)**

Expressed thanks to the ACCE and ACF representatives for grueling work.  
Suggested watching Independence Air for low-cost state travel to Charleston.

Several topics:

Fundraising proceeds with the new Task Force focus groups beginning their work. Robin Zanotti has been soliciting ideas for fundraising, and encourages attendance at any focus groups to share views with the task force. Providing a broad range of projects will be a challenge. The Performing Arts facility is a project we are already committed to. Task Force will finish in late September, then will take a plan to the Pre-Campaign Committee.

Enrollments are up approximately 3%. Preliminary numbers for Shepherd reflect one of the best % increases in headcount in the state. This is particularly important because of recent and upcoming budget cuts: 25% over the last 2 years, and probably another 5% cut with the new governor. Paid FTE is also up, and this directly affects the budget. The split with the CTC creates new complications: their enrollments disappear from our overall numbers, and finances and services that we are contracting to provide to them become much more complicated and expensive. No matter how we handle the situation, it is a very political and expensive proposition.

Residence Halls behind Westwoods are moving forward to accommodate our push for new students.

Discussions about parking problems are underway with Shepherdstown and university representatives, including students. SU has provided enough parking for each student who needs it, we assess very low parking fees—SU has done all it can to deal internally with parking issues.

The Assembly was adjourned at approximately 5:10 p.m.

Respectfully submitted,

Tracy Seffers  
Secretary to the Assembly

**Proposed Technical Amendments to the Constitution  
(Dr. Kelley, Mr. Perdue)**

The Assembly Cabinet has proposed to:

- 1) Replace all references to "Shepherd College" with "Shepherd University".
- 2) Excise all references to the Community and Technical College, since it is a separate institution.
- 3) Replace one remaining reference to "Division" with "School", in keeping with the technical changes already approved by the Assembly in October 2003.

**Voting Process (Ms. Seffers)**

Ballots will be distributed via campus mail to all Assembly members on the fifth class day following the Assembly meeting (Monday, October 4).

Ballots are to be returned to the Assembly via campus mail by the fifth class day following distribution (Monday, October 11).

# **West Virginia Higher Education Concerns: Accountability, Access, Retention, Equity, and Assurance of Quality**

## **2005 Higher Education Faculty Issues and Proposed Actions:**

- **Provide Legislative Funding for WV Higher Education Budgets At or Above National Average, Making Higher Education More Accessible to all West Virginians:**

**Rationale:** While the average state contribution of public funds for E&G Operations per full-time-equivalent student is \$4,810, West Virginia currently spends only \$3,995 per student (SREB-State Data Exchange, Table 55, "Public Funds for E&G Operations Per Full-Time-Equivalent Student, 2002-03"). Additionally, the State's share of appropriations to higher education has decreased from 14% in 1990 to 8% in 2003 ("Measuring Up 2004, State Report Card On Higher Education," National Center for Public Policy and Higher Education). Cuts in higher education funding have undermined opportunities for economic recovery; continued under-funding for higher education will diminish services to the State performed by institutions of higher education and deny future generations of West Virginians fair opportunity for obtaining a state-supported higher education at a reasonable cost. Parity with other states and peer institutions is an accountability issue.

**Action:** Adequately fund higher education to increase state funding per student to national average.

- **Provide Legislative Funding for Annual Experience Incremental Pay for Faculty, WV Code 5-5-1**

**Rationale:** Faculty are the only higher education employees who do not receive the Annual Experience Incremental (AEI) pay increase each year--i.e. \$50 times the employee's years of service. For two academic years (2002-2004), most faculty received no pay increase whatsoever, while other state employees, including college and university staff and administrators, continued to receive the incremental salary payment. The AEI is an important "fairness issue" and will help address the serious problem of faculty retention.

**Action:** Pass legislation to amend WV Code 5-5-1 to include faculty in AEI pay increase.

- **Provide Higher Education Faculty Parity with Public School Teachers' State Retirement Contribution Rates for TIAA-CREF**

**Rationale:** The State of West Virginia's TIAA-CREF contribution is 3.7% lower than the 9.7% average for peer institutions (June 9, 2003 Higher Education Faculty Presentation to the Interim Joint Sub-committee on Higher Education). Furthermore, WV higher education faculty receive only a 6% contribution rate, compared to 7.5% for WV public school teachers. The discrepancy impacts both hiring and retention of quality higher education faculty, hampering higher education's ability to prepare a workforce to meet the challenges of our changing economic environment.

**Action:** Pass legislation to fund raising the State TIAA-CREF contribution to 7.5% for all higher education employees.

- **Reinstate into State Code 18B-8-3, Item (c), the Minimum 10% Salary Increase upon Faculty Promotion in Rank**

**Rationale:** Any deviation from the standard 10% increment will ultimately lead to salary compression and even inversion. Further, this award for promotion serves to encourage the continued pursuit of excellence among WV higher education faculty and to keep morale high. Such a salary increase, based upon rigorous standards and a defined application process, is ultimately the best indicator of "merit" that higher education faculty can achieve. While some institutions have committed, as a matter of principle, to continuing the 10% promotion salary increase, others have not.

**Action:** Pass legislation to re-instate a minimum 10% salary increase upon faculty promotion in rank—18B-8-3, Item C.

- **Provide Legislative Funding for New Faculty Lines in Order to Assure Quality Higher Education Programs**

**Rationale:** Adjunct faculty compose 50% of West Virginia higher education teaching staff (2001 HEPC Data). While higher education faculty recognize the important contribution made by adjunct staff with specialized teaching skills, we are concerned that the continued increase in hiring adjunct faculty will 1) compromise the quality of education, particularly General Studies education in the State, and 2) lead to abuse of those higher education faculty unable to secure tenure track positions and forced to accept long-term adjunct status.

**Action:** Legislative action to increase funding for additional faculty lines to curb the hiring of adjunct teaching staff.

- **Allow Tenure for a Minimum of 30% of CTC Faculty Lines**

**Rationale:** As the State attempts to enhance the community college system in West Virginia and recruit and retain qualified

faculty from around the country, it is important to provide a system of tenure that is commensurate with the status and service to which the new community college system aspires. This includes both a rigorous tenure application process and increased number of tenured-faculty lines, particularly in those crucial, foundational areas of college instruction (i.e., General Studies Education).

**Action:** Change legislative State Code 18B-3C-9, Item (a), Sub-item (4), Paragraphs (A) and (B), to permit the CTC Council to allow a minimum of 30% tenured faculty.

- **Repeal State Code 18B-7-4, Item (b) by Providing Legislation Following AAUP Guidelines for Giving Notice of Non-retention of Tenure-Track Faculty Hired after March 2004**

**Rationale:** Since enactment of HB 2224, administrators need only give notice by March 1 of non-retention of tenure-track faculty who are employed after March 2004, regardless of years of service or needs of a department. Such a practice restricts advertising for replacement faculty, inhibits the careful and meticulous hiring process implemented at most institutions for tenure-track positions, and is detrimental to long-range faculty retention. West Virginia already offers candidates less salary, less retirement, and fewer benefits than other states, and now we give them less notice of termination.

**Action:** Repeal State Code 18B-7-4, Item (b) on non-retention of tenure-track faculty who are employed after March 2004, to be consistent with State Code 18B-7-4, Item (a) and with "AAUP Guidelines for Standards of Notice": "1. Not later than March 1 of the first academic year of service; 2. Not later than December 15 of the second academic year of service; 3. At least twelve months before the expiration of an appointment after two or more years in the institution" ("Standards for Notice," 8, Online at [www.aaup.org/statements/Redbook/Rbrenew.htm](http://www.aaup.org/statements/Redbook/Rbrenew.htm)).

- **Provide Faculty with their Fundamental Political Right to Serve in the Legislature**

**Rationale:** The right to serve in the State legislature is a fundamental right of all citizens of the State of West Virginia.

**Action:** Pass legislation to allow faculty to serve in the legislature, a right that public school teachers currently enjoy in the State; or recognize higher education faculty as employees of local boards of governors, thus allowing them to serve (as public school teachers are currently recognized as employees of local boards of education).