**2017 Spring Shepherd University Assembly**

April 12, 2017

4:10 P.M.

Erma Ora Byrd Hall Auditorium

1. **Call to Order – Mr. Christian Benefiel**
2. **Approval of Minutes of the Fall 2016 Assembly Meeting – Mr. Benefiel**

Minutes are available at: <http://www.shepherd.edu/assembly/assembly-minutes>  
**-The minutes were moved, seconded, and approved by voice vote.**

1. **Approval of Candidates for Graduation – Ms. Tracy Seffers**
   1. Candidate lists were distributed electronically to faculty on April 3, 2017. Corrections and amendments have come confidentially to the registrar. Additional amendments will come as final grades are submitted and processed.
   2. The amended list for 2016-2017 candidates for graduation was approved by the Assembly faculty (MSP).
2. **Elections**
   1. Shepherd University Assembly Moderator (one-year renewable term)--Mr. Benefiel is incumbent
      1. Mr. Christian Benefiel was nominated from the floor, and nominations closed (M/S/P).
      2. Mr. Christian Benefiel was re-elected by acclamation.
   2. Shepherd University Assembly Secretary (one-year renewable term)—Kristin Kaineg is incumbent
      1. Ms. Kristin Kaineg was nominated from the floor, and nominations closed (M/S/P).
      2. Ms. Kristin Kaineg was elected by acclamation.
   3. Shepherd University Assembly parliamentarian (one-year renewable term)-- Dr. Christopher Lovelace is incumbent
      1. Dr. Christopher Lovelace was nominated from the floor, and nominations closed (M/S/P).
      2. Dr. Christopher Lovelace was elected by acclamation.
   4. Student Life Council Faculty Representatives (two-year term, non-renewable)-- Dr. Jonathan Gilkerson and Dr. Francoise Nelles are continuing; Dr. Andro Barnett and Dr. Greg Place (Graduate) continue term are expiring.
      1. Dr. Barbara Spencer and Professor Erin Neve were nominated from the floor to replace the Drs. Barnett and Place as SLC Graduate Representative, and nominations closed (M/S/P).
      2. Dr. Spencer and Professor Neve were elected by acclamation.
   5. Board of Governors- (two-year term Renewable) Dr. Jason Best is incumbent
      1. Dr. J.B. Tuttle was nominated from the floor, and nominations closed (M/S/P).
      2. Dr. J.B Tuttle was elected by acclamation.
   6. ACF Representative Election (two-year renewable term) Dr. Sylvia Shurbutt is incumbent
      1. Dr. Sylvia Shurbutt and Dr. Max Guiguis were nominated from the floor, and nominations closed (M/S/P).

The ballots were counted on Wednesday, April 12 by members of the Assembly Cabinet. The results were as follows: Dr. Sylvia Shurbutt = 35 • Dr. Max Guiguis = 50

* + 1. Dr. Max Guiguis was elected by paper ballot.
  1. ACF Representative Alternate Election (two-year renewable term) Dr. Jason Best is incumbent
     1. Dr. Sylvia Shurbutt and Dr. Jason Best were nominated from the floor, and nominations closed. Dr. Sylvia Shurbutt passed on nomination, moving forward with Dr. Jason Best as the nomination (M/S/P).
     2. Dr. Jason Best was elected by acclamation.

1. **President’s Report – Dr. Mary J.C. Hendrix**
   1. The President’s Report can be viewed at the following URL: <http://www.shepherd.edu/wordpress-1/wp-content/uploads/2017/04/Presidents-Report-4-12-17.pdf>
      * The report addressed and presented a multi-year plan to attain stability. The campus is striving for stability while continuing to provide a world-class liberal arts education.
      * Bill Sommers presented enrollment increases (2005-2011) and decreases (2011-2015) at Shepherd and outlined way we can improve retention and addressed that persistence to graduation is everyone’s job at shepherd.
      * James Vigil presented how the university will Implement basic energy management strategies and save university resources. in addition, he provided an update IT infrastructure and expanded services; guest wi-fi and improved experience for students
      * Moving Forward we need to look to more Extramural Funding. This effort is being led by Jessica Kump, Director, Office of Sponsored Programs Co-Director, Shepherd Entrepreneurship and Research Corporation (SERC)
        + Total Awarded Proposals to Date for FY’17-’18: $563,423
        + Total Pending Proposals to Date for FY’17-’18: $3,192,501
        + Proposals Currently in Development for 2017 Submission: More Than $6,200,000
      * Update on the following: Campus Projects, Medical Clinic Timeline, and Tabular Farm.
      * Innovative Education for WV Future Economy and development of the Center for Regional Development
   2. **Approval of New SLC By-Laws**
   3. The proposed revisions to the By-Laws of the Student Life Council of Shepherd University have been uploaded to the Shepherd University Website and can be view at the following URL: <http://www.shepherd.edu/assembly/constitutional-amendments>. Changes marked in Red can be approved by Assembly Approval. Changes marked in Blue Changes in Blue Require Assembly Approval and a Constitutional Amendment.
      1. A motion was made to approve The SLC By-Laws marked in red. Changes marked in red will go into effect. (M/S/P).
      2. A motion was made to accept the changes marked in Blue. Changes Marked in Blue will be sent out as a Ballot vote. The ballot, with approved/amended language, was distributed via campus mail on Monday, April 17.
2. **Vote on Constitutional Amendments**
   1. STUDENT LIFE COUNCIL **—**Proposed revisions to Article VI: Student Life Council in the SU Constitution.
      1. A motion was made to accept the amended language as presented. (M / S / P)
      2. The ballot, with approved/amended language, was distributed via campus mail on Monday, April 17.
   2. INSTITUTIONAL REVIEW BOARD — Proposed Revision to the Constitutional text relating to the Institutional Review Board (Article V, Section 4, Subsection K). Changes to Constitution can be viewed at the following URL: <http://www.shepherd.edu/assembly/constitutional-amendments>.
      1. Motion was made to accept the amended language as presented. (M / S / P)
      2. Discussion from the floor to ask for clarification on:  
         …the last paragraph. The last sentence was moved up to the previous paragraph so it is no longer its own paragraph.
      3. The ballot, with approved/amended language, was distributed via campus mail on Monday, April 17.

**VII. Reports to the Assembly**

1. **Advisory Council of Faculty—Dr. Shurbutt**

**This report provides an overview of Advisory Council of Faculty and Legislative activities that conclude the 2016/17 Academic year.  The report is succinct, and full details can be found in the regular ACF reports submitted to ACF and to Shepherd University Colleagues and located at the Shepherd University Faculty Senate website.**

**I.  Summary of Recent HEPC Accomplishments for Higher Education:**Under the leadership of Chancellors Hill and Tucker, as well as Academic Vice-Chancellor Dennison and a talented HEPC staff, there is much good news to share about West Virginia Higher Education, including the academic and curricular quality and consistency that the Council has successfully provided:

1. **STEM Graduates**are up 12%;
2. **Fifteen to Finish**, under the leadership of Dr. Green, has worked to increase the numbers of WV students finishing their higher education experience more timely and expeditiously;
3. **Transfer and Articulation**throughout state institutions have become more streamlined, consistent, and clearer in order for students to achieve a more timely graduation;
4. **Graduation rates** have increased 5% in four-year institutions;
5. **Co-requisite classes** for Core courses such as English and math have allowed students to finish “developmental” instruction in a single semester and have increased student success rates and thus increased retention: 80% pass rate for English co-requisite classes and 67% for math;
6. **Course Equivalencies**for algebra, pre-calculous, chemistry, anatomy/physiology, and trig are currently being finalized, again bringing consistency across the system, with a Math Workshop planned for May 15-16, which will focus on **Algebra and Quantitative Reasoning Co-requisite**models;
7. **PROMISE** continues to offer assistance for WV students who strive academically;
8. **Educational Grants**from a range of sources, from Complete College America to the Appalachian Regional Commission (ARC), have been secured to improve WV higher education;
9. **International students** are now enrolled in 23 higher education institutions in West Virginia, more than 4000 students throughout the state;
10. **Make Cents West Virginia** assists high school students achieve financial literacy, and plan and manage the cost of higher education;
11. **Gear-Up**and similar programs assist first-generation college students negotiating the challenges of higher education and breaking through the poverty line;
12. **The HEPC**serves as a coordinating entity for systematizing and streamlining common services and resources, including library, bookstore, transfer and articulation, RBA, job placement, international education, and campus efficiencies and merging across the state.

**II. Legislative Effects on Higher Education**:  Below are the bills that will have the greatest effect on higher education.  Most of the gun bills did not pass, and the draconian permissiveness of “guns on campuses” was mitigated.  Though we are still waiting for clarification on some details, here are a few particulars:

1. **HB2018 (Budget Bill):** This bill would have made cuts in institutional budgets amounting to 8.5% for WVU and Marshall, 4% for other institutions, and have taken $90 million from the Rainy Day Fund to achieve a balanced budget, as well as cutting public programs across the state.  The Governor vetoed this budget bill on April 13 (see Senate Finance Chair Hall’s comments about this scenario in the March 15 ACF Report).
2. **HB2542 (Personnel Bill):**  This bill, written by WVU, essentially makes all BOG rules supersede HEPC rules.  The HEPC had little if any input on this bill, which was run through the legislative process with speed and efficiency.  Thus the fall-out bears faculty and staff concern and attention. **(The HEPC summary of this bill is available upon request.)**
3. **HB2815 (Higher Education Governance):**This bill was directed at the 4-year and graduate institutions, as there is little change in the way the Community and Technical College Commission will work and oversee CTC education in the state.  Essentially, the HEPC will have no oversight or power at all over WVU, Marshall, and the Osteopathic School (WVSOM); and for all intents and purposes oversight for other institutions is mostly in terms of “approvals.”  The autonomy of BOGs is at once exciting for some and troublesome for others.  Local BOG success, power, and influence is largely dependent on the wisdom and knowledge about higher education that board members possess; thus **faculty and staff input is more important than ever.**  **(The HEPC summary of this bill is available upon request.)**
4. **HB 2020 Freezing PEIA Employee Premiums for 3 Years did not pass**; however, Bruce Walker noted that new legislative rules concerning PEIA**may** make it possible for BOGs to select other providers and, in such case, for employees of those institutions to opt out of PEIA.  When the lawyers finish interpreting legislative actions on PEIA, we will know for sure.

**Finally, upon request, sketch-pad summaries are available of other bills concerning public health, nursing licensure, abolishing the Women’s Commission, dissolving RESA, and other higher-education related issues.**

**III.  Summer Retreat Plans:**Senator Mann has agreed to come to our summer retreat at Pipe Steam.  Also an invitation will be extended to the Governor for the **July 15, 16, 17** retreat.  The ACF will determine its 2017-18 faculty issues at the summer retreat.

**IV.  Final Report from Shepherd ACF Legislative Coordinator Shurbutt:**This is my final ACF report, as **Dr. Max Gurguis,**[**mguirgui@shepherd.edu**](https://exchgs1.shepherd.edu/owa/redir.aspx?C=ibCKTydawbxy-eeF6cdBJ61WJmAE9zeUnIPpTdJoxn5mL0873IfUCA..&URL=mailto%3amguirgui%40shepherd.edu)**,**  from Shepherd’s Political Science Department, has been elected in my place.  Lest we think that the ACF has had little impact on the West Virginia’s higher education, it is good to look at  several important faculty accomplishments over the years, among these directly emanating from the Advisory Council of Faculty were the **abolishment of legislative restrictions on Tuition Waivers** and the **inclusion of higher education faculty in state employee Incremental Pay**. This last item had been an ACF issue for many years before a powerful delegate from the Eastern Panhandle was pressured by Shepherd faculty to relent his opposition and a bill finally passed that gave to faculty the same monetary reward for remaining in the state that other state employees and university administrators received each July.  For 3 years that delegate, long retired, refused to speak to me, but the accomplishment was tangible and important, and it is one of our ACF accomplishments that I am most proud of.  Members of the ACF for the past decade have been visible and important in serving on HEPC committees that have improved transfer and articulation, co-requisite education, course equivalencies, the RBA degree that is immensely important in adult education (Suzanne Shipley chaired that HEPC committee called RBA Today), and a range of HEPC programs and projects that have increased retention and graduation rates for our students.

I would like to personally thank the office of **Valerie Owens** at Shepherd University, who designed most of our ACF  brochures, and ACCE leader **Ken Harbaugh**, who for the period of time he was in charge of the print shop at Shepherd, printed our ACF brochures which articulated faculty issues endorsed by senates and assemblies across the state.  These brochures, which have been distributed to BOGs, faculty, legislators, and others, provide a face for the Advisory Council of Faculty, and they articulate West Virginia higher education faculty issues and accomplishments each year.  Anyone who has served on the State Advisory Council of Faculty has had the opportunity and privilege to meet and become familiar with a remarkable and dedicated higher education faculty across the state that has made the lives of thousands of WV students more productive and provided students with the mentoring, life and job skills, and knowledge needed to contribute to society.  Certainly, it has been a privilege to serve this organization and West Virginia for the past 15 years.  I had hard shoes to fill following **Rhonda Smith and Ed Snyder**, who were an inspiration for what I could accomplish—I wish all the best for Max.

1. **Faculty Senate – Dr. Chris Lovelace**

The Senate committees have been hard at work this year. In particular, the Professional Development Committee, chaired by Kathy Reid, has awarded 19 mini-grants totaling $10,000, three summer stipends totaling $10,500 each, one Create the Future grant for $1,250, and granted five sabbatical requests.

The Scholarship & Awards Committee, chaired by Geri Crawley-Woods, have compiled our list of McMurran scholars and are hard at work preparing for the McMurran convocation a week from this Friday.

You may have noticed a recent change in the structure of the Senate agenda. This was done to conform to the order of business suggested by Robert’s Rules, with business at the beginning and guests and announcements at the end. This has helped our meetings run more efficiently.

We approved the details of academic calendars brought forward from the Calendar Committee covering fall 2017 until spring 2020. One change is that the two spring recess days have been converted to instructional days, with the idea being that one of those will eventually become an undergraduate research day.

President Hendrix spoke to the Senate about US News & World Report rankings, noting that Shepherd has been moved from a regional comprehensive to the national liberal arts category. That means we face tougher competition in the rankings. A committee consisting of Senators and several others will be starting this summer to look at ways to boost our rankings.

In light of the creation of the College of Business and the College of Social and Behavioral Sciences, we began a discussion of faculty service on campuswide committees. I count over 200 individual campus-level faculty service roles (excluding department or school service). Some of these require either one or two faculty representatives from each school. I calculate that the COB will need to cover 30 positions with their 12 faculty and SBS will need to cover 34 positions with 22 faculty. Starting next fall, the Senate will be evaluating whether it will be advisable to reduce this service load to adapt to University re-organization and, if so, how.

The Senate endorsed allowing students who are very close to completing their degree to participate in the May commencement ceremony. This will allow students who will graduate after summer classes to “walk” with their friends and not have to wait until the following spring. We will work out specifics in the fall.

I’d like to conclude by thanking all of the Senators for their hard work this year, in particular the Senate officers, Senate Secretary Mary Hancock and Senate Parliamentarian Jeff Groff, and the members and chairs of the numerous Senate-affiliated committees. I’d also like to thank President Hendrix and Provost Ames for all their help and cooperation over the last year.

1. **Advisory Council of Classified Employees—Mr. Ken Harbaugh (given by Mr. Brian Hammond)**

Ken planned to be here to deliver this message himself, but due to his back giving out suddenly, he is unable to do so. Three items to present:

* The need for strong Classified Employee Councils and Faculty Senates at the institutions is more important now than ever before.
* HB 2542 and 2815 has created three exempt institutions, which have much more flexibility from the HEPC. WVU, Marshall and WVSOM are those exempt institutions. These two House Bills will drastically change Higher Education for all institutions, but especially for non-exempt ones such as Shepherd is currently. Be vigilant.
* A personal note from Ken — He thanks the faculty, Classified and non-Classified staff for the support you have given him for all of these years.

1. **Classified Employees Council – Mr. Brian Hammond**

We have invited at least one member of the Executive team to each of our meetings. Tony Major has joined us for two of our meetings; Tom Segar, James Vigil, Monica Lingenfelter, and Aida Blanco for one; and President Hendrix for three. We also had Sergeant Dave Kelvington and Officer Robert James joined us for a meeting to discuss active shooter scenarios and crime on campus.

The Council kept an eye on the movement of the market study. It was completed and sent to the HEPC a year and one half to two years ago. The HEPC has provided little, if any, information to the ACCE about the findings of this study. Classified Employees are under a classification system put into legislation about 24 years ago with job classifications and duties not updated since that time. In 2001, the governor signed into code our revised salary schedule. In 2008, a bill signed by the Governor removed the restrictions for exceeding the 2001 salary schedule. Nothing has changed since, so it is also very outdated like the classification system.

The Classified Employee Council will be changing over time due to the passage of and Governor Justice signing HB 2542. This bill will change positions exempt from the FLSA from classified to non-classified. This change will occur after the current classified employee in that position retires or leaves the employment of Shepherd. The replacement hired for the position will be as non-classified instead of as classified.

Shepherd hosted the Advisory Council of Classified Employees for their October 2016 meeting on Monday, October 17th, 2016. Thank you to Ken Harbaugh, Paula Wamsley, Nancy Cowherd, Mona Kissel and many others I cannot remember at this time who made this meeting a success.

Our annual Spring luncheon and business meeting will be Friday, April 28th at Noon in the lower level of the Dining hall. Part of the business meeting this year will include nominations of category representatives and officers taken from the floor for the Council elections this year.

I will not be seeking re-election for the next two-year term of the Council, either as a category representative nor as the Chair. This is by legislative action, signed by the Governor, in HB 2542. All IT Services personnel who are currently Classified employees, will be moved to Non-classified status on or around July 1. I want to thank the Classified Employee Council members and officers for their support as their chair for 5 terms. I also want to thank the Classified Employees, the faculty members, the non-classified employees and the administration of Shepherd for their support over my tenure as a Council representative, vice-chair, temporary chair and elected chair of the Council. Without your help and assistance over the years, it would not have been possible, and I ask that all of you continue your support and cooperation with the new Council and its Officers.

1. **Student Life Council – Dr. Jon Gilkerson**

The SLC has been having regular meetings.  We began the semester by replacing several student vacancies.  A major objective for this year’s committee was to update the By-Laws.  We have put forward changes to the the Assembly for these changes and a Constitutional amendment to reflect these changes.

We have approved a number of clubs and organizations, and have adopted a new system to steam line registration of those. Clubs are no longer required to submit a constitution for approval, only organizations.  All must register on RamPulse.

Finally, the committee is the process of updating and approval a new version of the student handbook.  The new version of the handbook will be a pdf document with hyper-links to other resources.

**VIII. Adjournment – Mr. Benefiel**

The Assembly heartily approved (M/S/P). The Assembly adjourned at 5:39pm.

Respectfully submitted,

Kristin Kaineg, Associate Professor

Secretary to the Assembly