**Shepherd University Assembly Minutes**



**Monday, September 11, 2023**

**Reception at 3:45 p.m. in Erma Ora Byrd Atrium**

**4:10-6:05 p.m. Erma Ora Byrd 117**

**I.         Call to Order –**Moderator, Dr. Larry Daily

**II.       Approval of Minutes for April 10 Spring Assembly Meeting – MSP/Murphy, McKahan** Minutes at <https://www.shepherd.edu/assembly/assembly-minutes>.

**III.     President’s Report – Dr. Mary J.C. Hendrix**

**President Mary J.C. Hendrix** presented her report, Advancing Shepherd’s Mission,” stressing the positive accomplishments of the past months and University goals for 2023-24. These goals include addressing the $6 million structural deficit for FY 2024-25, through a combination of cost saving and revenue generation, as well as enhancing facilities infrastructure, strengthening career counseling for students, achieving academic prioritization, and seeking congressionally directed funding that Shepherd has thus far been successful at securing. These plans are also commensurate with implementation of the new five-year Strategic Plan, “Transforming Our Future.”

 **Kelly Hart** then took the podium to discuss enrollment Management, recruitment, marketing and other essential topics. A number of positive events were unfolded in Dr. Hart’s report: the largest freshmen class enrollment since 2018 (583), the largest dual enrollment (260), and proactively addressing student numbers dropped for nonpayment (95 reinstated this fall as a result of a concerted team effort including faculty). Dr. Hart touted the enrollment campaign, which includes the guidance counselors’ workshop and Open House dates (9/30, 10/28, and 11/11). International student admissions include students from Belarus, China, Ivory Coast, Japan, Kenya, and Vietnam. Regarding marketing, Dr. Hart announced that **Heidi Schlag** was serving as Acting Director of University Communications, and her work included changes on the website and marketing designs. Regarding Alumni Affairs, the new slate of officers was announced: President Randy Friend, Vice President Hannah Brumbaugh, Treasurer Danielle Sweeney, and Secretary Kahlen Browning. The new Alumni Association Strategic Plan will align with the Shepherd Strategic Plan and alumni activities including Family Day (9/23) Athletic Hall of Fame Breakfast (9/30) and Homecoming (10/19-21) are underway.

 **Scott Barton** addressed the financial status of the University, noting that it was not until May 2023 that the $6 million structural deficit was identified for FY 2024/25. The Board of Governors Finance Committee directed the University to pursue cost savings, and this was accomplished largely through personnel—i.e., 44 staff positions, 4 administrative positions, and 16 faculty positions. Through a range of cost-saving strategies, the goal will be to increase the number of days to have sound unrestricted cash reserves on-hand.

 **President Hendrix, as well as Dr. Best and Dr. Barton,** addressed the topic of Shepherd’s “striving for sustainability.” An email survey sent to campus elicited a plethora of recommendations for cost cutting and revenue generation. Of these, 77 were viable ideas—many already in progress. However, the committee established to review and make suggestions for implementation of cost cutting measures (Dr. Jenny Flora, Dr. Barton, Dr. Jim Dovel, Nick Mummert, Alan Perdue, and Jack Shaw) have identified cost savings and revenue generation amounting to $152,298.00. Sale of assets such as the Human Resources building might also bolster cash reserves. Finally, among “noteworthy highlights” was $6.6 million in congressionally directed 2023 spending awarded to Shepherd to enhance infrastructure, East Campus improvements, and other projects—while 2.7 million was allocated for 2024 projects. Questions about the athletic management crisis were brought up during the Assembly meeting, and **President Hendrix,** together with **Holly Frye,** addressed as many of these as possible, though they made clear that this was an ongoing issue still being explored, and those who had caused the problem were no longer at Shepherd. The question of NCAA sanctions being monetary came up, and Holly stressed that the first priority was to protect the student athletes. She also noted that 3-4 appeals had already been approved. This issue would be an unfolding story that a seven-member Crisis Management Team was diligently working on. A genuine interest was expressed by many in attendance to see a copy of the press release (distributed by Shepherd Athletics) describing the challenges affecting our student athletes, and President Hendrix promised to provide this.

**IV. Update – Academic Restructuring and Academic Prioritization, Provost Rob Tudor**

 **Provost Tudor** focused on Academic Affairs priorities, stressing the importance of clear weekly communications and updates on prioritization and restructuring at Shepherd. Dr. Tudor credited **Assistant VP for Strategic Planning and Institutional Effectiveness Dr.** **Jason Best** and **Sarah Maene** with preparing data and coordinating Accreditation and Strategic Planning. He credited **Associate Provost** **Dr. Richard Stevens** with developing new sabbatical policy and clarifying portfolio and classroom observation procedures and training, as well as managing promotion and tenure policies. He noted that the closing of the Martinsburg Center rendered significant savings. Regarding restructuring and academic affairs prioritization, it was clear that the size of Shepherd University did not warrant the administrative structure that accompanied four schools, thus whittling down from four to three deans appeared appropriate. Restructuring and moving from a 4-college model ($642,448.45) to a 3-college model ($425,257.06) generated a $217,191.39 savings. This savings in conjunction with closing the Martinsburg Center ($82,784) offered a total academic Affairs savings of $299,975.00. Prioritizing is thus needed every five years to evaluate program and resource priorities to keep the University’s finances on track. Provost Tudor likewise noted the work of **Associate Dean for Student Academic Enrichment Dr. Amy DeWitt’s** efforts to strengthen academic support and tutor services for students. **Regarding the timeline for Prioritization,** Dr. Tudor said the effort would continue through November 9. Provost Tudor noted that the new HEPC review process encourages universities to analyze their programs more frequently and creates “more opportunities for timely adaptation” to accommodate allocations. Tudor noted that allocations will be more data driven. The current prioritization timeline includes data analysis provided to all academic units with key questions concerning programs, an October 1 deadline for deans to meet with the provost to discuss data and rankings, and an October 15 deadline for the Provost to inform the University of the results of the data and program status. **Programs will be ranked with recommendations to 1) continue at current level, 2) continue with specific action, 3) continue at reduced level or consolidated, 4) discontinue with teach-out plan.**

 After these reports on the state of the University, there were a range of questions from the Assembly. **Jason McKahan** asked if this process and review would take the place of program review, and both Provost Tudor and Dr. Best answered “No.” kb Saine asked how faculty were expected to “tell our story when it’s all about numbers?” **Provost Tudor** made clear that “we are structurally too large for what we do,” and decisions will have to be made according to the data and the status of Shepherd’s financial situation at any given time. Dr. Tudor did concede that deans were the best advocates for positions and allocations. **Dr. Hanrahan** asked if prioritization information would be shared by all. Dr. Tudor responded that it would not unless the President asked him to share. **Dr. McKahan** asked specifically what was “pushing prioritization?” Dr. Tudor responded unequivocally, “Budget,” noting again that 44 staff and 16 faculty positions were simply gone. Dr. McKahan noted that this process for WVU’s administration had been a disaster, and the response was that the two institutions (WVU and Shepherd) were not necessarily comparable. Dr. Tudor stressed again that **President Hendrix** had specifically asked that this process be methodical and measured. It was also noted that there would be “no furlough’ for faculty in the plan. **Dr. Sam Greene** asked if Dr. Tudor had a specific financial goal for savings from prioritization, and **Dr. Tudor** responded, “No. This year’s savings will not include an additional reduction of faculty positions. However, we will begin to realize those savings in fiscal year 2025.” Tudor added, “Our targeted budget savings of $3 million will not come entirely from faculty positions.”

**V. Discussion Item from AHSS Chairs:** “That the composition of the P&T Committee remain the same as elected in the spring during the 2023-24 academic year, following the precedent of the University Senate.”

**Dr. Sam Greene** presented the AHSS chairs’ discussion item. **Alan Purdue** objected to the item, raising a point of order that this agenda item was distributed less than one business day prior to the Assembly meeting, thus inconsistent with the spirit of Article II, Section 5 of the Shepherd Constitution. **Moderator Larry Daily** noted that the faculty could only offer “recommendations” of this sort to the administration and Board of Governors; therefore, whether this particular item were to be “actionable” would be left to the administration. As this final version of the agenda was distributed twice in days prior to the Monday Assembly meeting, the objection was thus denied, and the discussion of the agenda item was allowed to proceed. **However, it was clear that faculty fully supported the recommendation**. The **Department of English/History** was emphatic about its support. **Dr. Murphy** asked about the question of Nursing and its losing School status. **Dr. Sandy** noted that under the new School designations, many faculty would not have representation on the PT Committee. **Dean Warburton** suggested that faculty take the issue to the Senate for discussion and recommendation. **Cecelia Mason** shared that she had been here long enough to see financial crises come and go, and generally it fell to staff to bear the burden. Faculty sentiment in the Assembly echoed appreciation for Shepherd’s staff who are our educational partners. These and other questions brought before the Assembly during the meeting were clearly important to all in EO Byrd. At the end of the discussion, all were asked to read carefully the reports below, as the late hour brought the meeting to a close.

**VI.     Summary Reports to the Assembly**

 **A.     Classified Employees Council Report—Cecelia Mason, Chair**

The Classified Employees Council had elections in the spring of 2023. Election results were as follows: Cecelia Mason, Chair; Yulia Friman, Representative to the Advisory Council of Classified Employees; Jayne Angle, Representative to the Board of Governors; Category 1 (Comprises Executive, Administrative, and Managerial There are no classified employees in Category 1; Category 3 (Comprises Professional Non-Faculty) Catherine Ellzey, representative, Barbara Kandalis, vice chair and representative; Chris Silka, alternate, Frank Santiago-Cabrera, alternate, Yulia Friman, alternate; Category 4 (Comprises Clerical and Secretarial)Teresa Newcome, representative, Karen Fisher, representative, Sharon Carpenter, secretary and alternate; Category 5 (Comprises Technical and Paraprofessional) Isabella Sager, representative, Sharika Abdul-Muhaimin, representative, Diana Patterson, alternate; Category 6/7 (Comprises Skilled Crafts and Service/Maintenance) Dave Moulton, representative, Marci Magaha, representative, Ann Hoover, alternate.

However, the CEC had to run a second election to choose a Representative to the Board of Governors after Jayne Angle was selected to replace Mona Kissel as the administrative associate for the College of Business and the position was de-classified. Kevin Murphy, trades specialist II with Facilities, was subsequently elected the BOG representative. This is the first time in recent memory that the BOG representative has come from Facilities.

Teresa Newcome retired at the beginning of September, moving Secretary Sharon Carpenter into the position of representative.

As of August 23, 2023, the number of classified versus non-classified employees as reported by Human Resources was as follows:

|  |  |  |  |
| --- | --- | --- | --- |
|  | FT | PT | Total |
| Classified Staff | 92 | 18 | 110 |
| Non-Classified Staff | 132 | 0 | 132 |
| **Total** | 224 | 18 | 242 |

In the fall of 2003, there were 318 full time and 9 part time staff. Based on the August 23 numbers, there are approximately 94 fewer full-time staff working at Shepherd this year as compared to 10 years ago. These numbers fluctuate from week to week.

The Advisory Council of Classified Employees (ACCE) requested to have a meeting at Shepherd this fiscal year. CEC voted to host ACCE in June.

The Classified Employees Council Children’s’ Scholarship fund is supporting one student this academic year.

**B.     Advisory Council of Faculty Report—Dr. Guirguis, ACF Representative**

The ACF has met twice since the end of the 2022-23 academic year. One meeting was held in late April and the other in July. April’s meeting had two main items: Erosion of tenure at WV community & technical colleges (CTCs) and review of the 2023 legislative session.

Some of the CTC representatives on the ACF decried the reduction or elimination of tenure-track appointments following the passage of HB 2542 in 2017. The bill decentralized personnel decisions by giving institutional BOGs new powers to develop policies regarding tenure and workforce reduction. It also established a “20 percent rule” whereby CTCs could “employ faculty for an indefinite period without a grant of tenure” and “work toward a staffing goal of no more than twenty percent of the faculty.” In effect, the cap has operated as a ban on tenure for new faculty hires. The conclusion of the discussion was that the restoration of tenure at CTCs would require legislative action, since the “20 percent rule” was codified in state law. As a matter of legal principle, local governing boards have no authority to override enacted legislation, even if they want to bring back tenure.

The legislative session analysis was brief and focused on possible ways to enhance the efficacy of the ACF’s advocacy efforts. Though the group was well-organized and cohesive, it could not prevent the passage of bills it opposed, partly because of the solid legislative support they enjoyed, and partly because the legislature ran the bills quickly through committee to the floor or did not follow the standard set of procedures known as “regular order.” Next year, the ACF will try working in small individual groups that can go to the state capitol multiple times during the legislative session. This approach would have the dual advantage of strengthening the ACF’s relationship with key lawmakers and reminding them of the group’s position on issues.

The July meeting was devoted to administrative and housekeeping matters, such as electing officers, welcoming new members, and scheduling upcoming ACF meetings. Dr. Corley Dennison, the Vice Chancellor Emeritus of the HEPC, joined the meeting to present some highlights from the open educational resources (OER) conference that took place on April 12-14, 2023 in Charleston, WV. Noting that OER have saved WV students at least $3.4 million in only three years, Dr. Dennison encouraged the faculty to keep abreast of current developments in open learning and to expand their commitment to OER adoption and creation. While the quality of OER is variable, recent studies have shown that it is generally comparable to that of costly textbooks. Faculty members seeking to adopt or create OER for use in a college course are eligible to apply for a $1,000 grant, which may be awarded up to four times.

C. **Faculty Senate Report—Dr. Heidi Hanrahan, Senate President**

After meeting several times over this most dramatic summer at Shepherd, the Faculty Senate looks ahead to a busy and productive year, especially given our new academic structure and the Academic Prioritization project. Our topics will include, but are by no means limited to:

**Committee Structure/Representation:**

* While we already know our new structure, we find ahead of us the work of reviewing our committee representation and other issues connected to this change.
* We will continue to work with Associate Provost Stevens on these matters, including potential revisions to the Faculty Handbook and the University’s Constitution.

**Program Identity after Restructuring:**

* At our June 2023 special Faculty Senate meeting, we approved the following resolution, which was passed onto President Hendrix and Interim Provost Tudor: “Departments and schools that are combined be allowed, encouraged, and supported in their efforts to maintain individual disciplinary identities in marketing, recruiting, and professional efforts.”
* We will continue to work to ensure that these goals are achieved.

**Academic Prioritization:**

* We don’t know yet the outcomes of Academic Prioritization project, but regardless, we are prepared to do our part.
* The Senate is committed to advocating for our Mission, Vision, and Values, using them to guide our response to this project and the proposed changes that might follow.

**Cost Savings:**

* The Senate realizes the continuing budget challenges, and we are eager to help address them in responsible, fair, and sustaining ways.
* The Senate is committed to advocating for our students, staff, and faculty as we address these challenges.

**As always,** please consult the Senate Highlights emails and regularly communicate with your senator if you have questions or concerns. In this time of great challenges in higher education, a vibrant, engaged, and active Faculty Senate—fully representing their constituencies—is vital.

**D.    Student Life Council Report—Rachael Meads:** The Student Life Council has not held a meeting yet this semester. However, we can report the following: The EPTA campus shuttle route has been updated to include daily stops at Tabler Farm on the Ram Express to improve student access to the farm and its learning labs.