

**West Virginia State University
Advisory Council of Faculty Report
Faculty Senate Report**

**Friday, March 4, 2011
Dr. Sean A. Collins
ACF Representative**

Due to inclement weather (January 21), and Higher Education Day at the Capitol (February 17), there has only been one full Advisory Council of Faculty meeting in the last 3 months (December 21). This report comprises the salient points and major discussion topics from those meetings.

December 21, 2010:

One-time salary enhancements

There was a brief and informal discussion of one-time salary enhancements. There was no new information concerning the possibility of extending these beyond this year. Multiple institutions in the state should be commended for developing and implementing resourceful and ingenious means of procuring funds for the one-time enhancements.

Report from Bruce Flack

Bruce Flack commented that there is a push to reduce the number of credit hours for baccalaureate degree programs to 120 credit hours and for associate degree programs to 60 credit hours. He noted that exceptions would be necessary for some curricula. He mentioned teacher education and engineering as two examples of programs where the above requirements may not apply. Dr. Flack believes that cuts should not be made in general education requirements or free electives.

He also reported that his office is currently conducting a study to determine if there is a need for expanded pharmacy education. Of special note was the potential "conflict" between Marshall University and the University of Charleston over pharmacy education. The HEPC is conducting a feasibility study to determine if there is enough need for pharmacy education to justify Marshall's proposal to establish one; all interested parties will have an opportunity for input into that study.

January 21, 2010

Release time for ACF representatives

An issue with several ACF representatives is the 3-hour release time that each member is supposed to be granted for serving, but for which very few members actually are granted. Those ACF representatives who are granted release time reported that their institutions have put the reassigned time into their respective constitutions under such titles as "Legislative Liaison" or "ACF Representative" and it is given the same consideration as other reassigned positions, for example, faculty senate or council chair.

With the Legislative session in full swing, below are listed bills of particular interest to education and educators in general, and the ACF specifically:

Senate and House Bills of interest to the ACF:

SB223: establishes tax credits of up to \$500 for repayment of student loans

SB246 & HB2100: include Salem International U. for PROMISE funds

SB273 & HB2879: provide one-time suppl. salary increase for all state employees eligible for incremental pay. SB273 states that "state employees eligible for incremental pay will

receive a one-time supplemental pay increase of 2% of their salary on July 1, 2011, or \$500, whichever is greater. Payment to be made on Dec. 16, 2011."

SB330 & HB3017: Higher Ed. Personnel Bills; these bills are a resurrection of the failed Personnel bill of last year, it contains "reorganization of higher education personnel laws, certain flexibilities for institutions, and changes in tuition increase procedures.

SB375: authorizes HEPC to gather data from private as well as state institutions

SB 411: allows for higher education employees to serve in legislature

SB 592: requiring schools have crisis response plans

HB2003 & 2005: Extends Higher Education Flexibility Act to other state institutions & removes program approval (??) and tuition oversight

HB 2029: raises annual incremental pay from \$60 to \$100 each summer

HB2148: provides tax credit for scholarship donations

HB2177: freezes PEIA premiums for 3 years

HB2189: related to PEIA fee increase prohibition

HB2445: requires Legislature to approve changes in PEIA rise

HB2280: relates to repayment of PROMISE if student drops or withdraws from classes

HB2394: protects academic speech and faculty being denied tenure passed upon content of research or work.

These bills are still in their relevant committees. When the fates of these bills have been determined, they shall be reported.

Great Teachers Seminar

Again, the HEPC is looking for educators to participate in the Great Teachers Seminar. This year the event will be taking place at North Bend State Park on June 20 - 23. Attached to this report is a flyer for this year's event and the registration form. I will be sending these electronically via the listserv later today. The deadline is May 1.

February 17, 2010

One of the main bills being debated on the Senate floor is SB330 (see above). It failed to pass last year and is being re-introduced largely intact. The ACF met with State Senator Robert Plymale, the Chair of the Senate Education Committee, to discuss widespread concerns regarding the bill. Below is an excerpt from the official ACF minutes of that meeting (as compiled by Shirley Shurbutt). Concerns are presented in normal text, Senator Plymale's responses follow each in bold.

"This was a very good meeting, at which Senator Plymale addressed each concern that had been posited about SB 330. Plymale said that 85% of this bill was the same as last year, and the additions were justified, most to mandate that all institutions follow the rules. He likewise said that if any portions of this huge bill did not appear to work, they would be revisited next year and fixed. This was a promise made very decidedly. Below are the questions posed by one of our members during ACF discussions prior to the meeting and Plymale's answers:

1. "It will centralize many personnel matters in the state, and this includes the faculty. If we are truly for being employees of our BOGs, if SB 330 passes, we can kiss that goal goodbye. We will be forever employees of the state." **Plymale disagreed with this interpretation and called it an exaggeration.**
2. "SB 330 requires personnel development funding BEFORE faculty development." **Plymale answered, "No, it did not."**

3. "It harms our professional programs and the salaries of those instructors in said professional programs. You think we have problems with faculty pay now, wait until this thing passes. Our constituents will be complaining loudly." **Plymale again said that this was an overstatement and generality applied to all institutions.**
4. "It is a costly bill and will add many millions of dollars of burden on all our higher education institutions—with the administration, I agree on this point in particular." **Plymale answered that those institutions that had been doing what they were supposed to, getting their house in order, and funding the salary schedule as mandated would be in good shape; so this dire prediction purely depends on the institution.**
5. "It brings hiring underneath the HEPC by creating a chancellor of HR. I do not know about you, but centralizing hiring and HR in Charleston is a very bad idea and constrains our institutions." **This part of the bill, Plymale noted, is to make sure that institutions are complying with the laws that already exist. The HEPC has no desire to "decentralize hiring," but some oversight is necessary since not all institutions follow rules already in place.**
6. "It diminishes the importance and freedom of our BOGs as they exist presently." **Plymale noted that it "did not." He likewise noted that certainly some of those flexibilities that Marshall and WVU had would now be extended to other schools.**
7. "It takes remedial education out of our hands and centralizes it per HEPC direction and approval—thus removing an important power local faculty presently enjoy." **Plymale noted that rules already exist concerning bench lines for remedial education. He mentioned the attempt to bring public education in line with higher education so that the transition for students would be seamless, but he noted that this part of the bill was more targeted more at the 2-year institutions than 4-year in order to bring standards in line.**
8. "It makes tuition and fees more controlled by HEPC." **Plymale noted that tuition was more controlled now than after SB330.**
9. "It will have a chilling effect on the hiring of Adjunct Professors because of the costs associated with adjunct salary requirements, and other costs to the college." **The ACF has been lobbying for fewer adjuncts and an improved adjunct situation for years (see 2006 Faculty Personnel Report that we helped to write). Plymale said that he and Vice-chair Root should agree to disagree on this item.**
10. "It takes basic salary decisions out of our institutions and places them in the hands of the state, while also requiring certain mandates that some colleges may not be able to afford." **Plymale answered again, "No, the bill does not do this."**

Plymale stressed the positive aspects of SB 330, which would in the long run enhance higher education in the state. He again said that those parts that didn't work would be addressed, not ignored. He likewise noted that much of this bill came from the Staff Personnel Study that was laboriously conducted several years ago, and thus most of the bill is thoughtfully conceived. It is clear that there will not be a general agreement on SB 330 since our institutions are in different stages of compliance with rules."

Report submitted by S. Bailey Shurbutt, ACF Legislative Advisory Coordinator

The next scheduled Advisory Council of Faculty meeting is scheduled for today, March 4 2011