**Advisory Council of Faculty report to the West Virginia State University Faculty Senate**

**meeting of Friday, April 5, 2013**

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The West Virginia Legislature is in session. Below is the status (as of Friday, March 29) of key bills the ACF is following. You can keep up with the status of these bills at the web page for the Legislature (Google WV Legislature, bills pending). ACF commentary is in italics.

**Senate bill 69** Edgell *et al.*

Would make faculty and staff at state institutions of higher education eligible to serve in the WV Legislature. Defines higher ed employees as not being state employees, to avoid the constitutional prohibition against state employees serving in the Legislature.

Next to SE, then to SJ.

*This gets raised pretty regularly, but goes nowhere. The only concern I hear is that, if we're not considered state employees, then we wouldn't be eligible for annual pay adjustments. Not that we get them now.*

**Senate bill 326** Plymale *et al.*

Establishing appropriation request process for higher education system: i.e. outcomes based funding. First year would be a pilot. Rules still being developed. A 5% redistribution of state funds each year for the next five years of implementation. Institutions will give direct access to their data via WVNET.

Currently on Senate floor.

*ACF's primary concern here is that the legislation is moving along without input from educators, and without transparency. In a meeting on March 21, Senator Plymale told ACF reps that "We've found that when educators are involved, we don't come to agreements, but when it's just legislators, we do." We simply don't know the details of the bill, wherein lies the devil. Senator Plymale said that, the first year being a pilot period, there would likely be fine-tuning of the funding mechanism down the road, and that educators could attend public meetings at that time.*

*An excerpt from an ACF presentation: " While the concept of “outcomes-based funding, like “merit pay,” is admirable with positive potential, there are faculty concerns that have not been addressed in the information and data generated by the CTCC/HEPC staff thus far: 1)****that institutional missions be appropriately considered in establishing outcomes criteria and in requesting and reporting data; 2) that safeguards be instituted in funding formulas that reward degree and certificate completion without considering quality, i.e., safe-guards to avoid grade inflation, etc.****On the other hand, if clear criteria and the process are articulated, outcomes-based funding is an excellent way to reward institutions that excel.  We hope that the CTCC/HEPC staff will include the ACF in refining the process and structures that will become practice.  Our input may be useful."*

*Yes, ACF reps continue to point out that outcomes-based funding formulae should take into account the different missions of different institutions, that any funding penalties would be added to already shrinking state funds, and that there are inherent dangers of institutions lowering their standards to keep competitive for funding.*

**Senate bill 359** Kessler *et al.*

Reform of public education: Governor’s public ed reform bill. As to higher ed: before a state institution of higher ed provides professional development services to RESAs in other districts they now would have to inform SBOE instead of CforPD; before 2014 school year SBOE, HEPC and CTC to collaborate on adopting college readiness standards and whether remedial courses needed in postsecondary; SBOE to direct teacher prep programs to have appropriate training to teach college and career readiness standards; high school students graduating after 2017 shall only be evaluated by higher ed for placement in remedial by standards adopted by SBOE; creates a loan assistance program under Underwood-Smith for teachers teaching in critical need areas to get loan assistance to pay off current or future education loans.

Completed legislation.

*One concern has been that, in this legislation, colleges would be required to use the new standard tests being developed by the state Board of Education for college remedial placement. In the March 21 meeting with ACF reps, Senator Plymale assured us that colleges could set their own cut-offs for remedial placement, albeit using the SBOE test scoring.*

**House bill 2566** Polling *et al.*

Institutional operating budgets: same as SB 326

Passed HE, now in HF.

*Same comments as above.*

**House bill 2725** Thompson *et al.*

Transforming and improving public ed: Governor’s public ed reform bill (same as SB 359)

To HE then to HF.

*Same comments as above.*

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ACF will meet with HEPC in Morgantown, April 26, 2013. We continue to press for full representation on HEPC. We acknowledge, though, that HEPC Chair Henderson and Chancellor Hill have been very inclusive and collegial with ACF reps, and have had numerous, frank discussion with us on the gamut of issues that matter to higher ed faculty.

It's hard to keep abreast of developments that affect higher ed! Legislators call meetings with short notice (ex. several hours) during work days. We don't know the details of bills, and we learn about changes significantly after the fact. To be effective, an ACF rep should have release time.

I continue to encourage WVSU Faculty to inform themselves about issues that affect us, our students, and our institution, and then to make their voices heard. Thanks again to Ms. Deborah Wells for posting ACF info on the WVSU Faculty Senate web site; please check it out.

Great Teachers Seminar, June 17-20, 2013 at North Bend State Park. See Dr. Jeff Pietruszynski for details and to apply. A flier is included with this report.

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Rich Ford, ACF rep.

On his way to the West Virginia Academy of Science 88th annual meeting at the Canaan Valley Institute, near Davis WV.