

Faculty Senate Meeting

November 7, 2018, Cabe Room, Garrison Center

Senators present: Martin Campbell, Janice J. O'Donnell, Holly Morado,Carolynn Eoff, Shelley Austin, Beth Maxfield, Emilie Beltzer, Alan Blaylock, Catherine Leach, Fred Worth, Shannon Clardy, Lewis Kanyiba, Matt Gross, Dever Norman, Richard Miller, Torri Ellison, Paul Glover, Beth Wyatt, Glenda Hyer, Steve Becraft, David Stoddard, Natalie Scrimshire.

- 1. Call to order:** Meeting was called to order by President Fred Worth at 3:15 pm, with Natalie Scrimshire taking minutes.
- 2. Guest Speaker –** Tina Hall met with the Faculty Senate to present marketing activities. She gave an overview of and the results of the recent advertising campaigns. Ms. Hall explained the “Microsite” data results. Ms. Hall clarified a data percentage per request of a senator.
- 3. Approval of minutes:** Minutes from the October 3, 2018, were approved as distributed.
- 4. President’s Report:** See Attachment. Discussion about the Henderson Foundation, the Compensation Plan, the Hatcher Agency, and the COLA increases.
- 5. Reports of committees:**

A. Executive Committee—

Questions were submitted regarding International Programs and the MMLC. These and many other recent questions were addressed in the Campus FAQ shared by President Jones on October 24th. Several additional questions were addressed in the response to the Document of Concerns, which will be discussed under old business.

Lonnie Jackson and Paul Glover were nominated to serve on the New Faculty Excellence Award committee, in accordance with the faculty handbook, which states that the Faculty Senate executive committee will serve as the new faculty award committee with additional members selected from each of the five academic areas that is not already represented after suggestions from the appropriate deans.

In December, we will request that Brandie Benton attend the Faculty Senate meeting. If you have questions you would like to ask Dr. Benton, please submit them to the executive committee in advance.

B. Academics Committee – No report.

C. Buildings and Grounds Committee—

The Building and Grounds Committee met on October 25, 2018. Members present: Shannon Clardy, Dever Norman (chair), David Stoddard
Requests from Senate:

Determine whether there is to be a recycling plan to be implemented by SSC. There has not been so far. Building and Grounds has not had success with getting this to be a high priority on SSC’s list.

Determine if the sustainability committee is still active. All indications are that it is still in existence, but appears to be inactive, per Brett Powell and Ingo Schranz. We have not heard back from its

supposed chair, John Green.

Determine the status of the dishwasher (as of yesterday). Building and grounds is still trying to determine this.

Other business:

It was brought to the attention of Building and Grounds that there are numerous ideas being floated for improving custodial performance. Among them is the possibility of custodial rotations, which we are concerned would increase security concerns, not because we do not trust our familiar staff, but because it would increase the number of people having access to offices, labs, and other sensitive areas.

A campus walk-through was proposed for our new facilities management, but the committee believes it is in everyone's best interest for those walk-throughs to be planned by facilities management. We are in conversation with them now about this possibility.

Building and grounds now has an official email: BGcommittee@hsu.edu. This email will be used as an entry point into SSC's work order system so that whoever is on Building and Grounds in the future will be able to see the status of all work orders on campus.

Dr. Norman made a clarification after discussion on recycling that recycling is happening, but there has been no improved plan. There was discussion, but no motion, about the cost of football field lights during the Battle of the Ravine. It was asked also if SSC hired staff without the background checks. Dr. Worth emailed Dr. Powell during the discussion with an answer from the account manager that SSC has hired employees with minimal background check; however, they will be terminated if the full background check did not come back clean.

D. Finance Committee –

The Finance Committee inquired of the Senate if a resolution on compensation timeline should be drafted. After discussion, the Senate resolved the draft a resolution to have faculty representation in the compensation planning.

E. Operations and Handbook Committee –

Old Business:

From meeting #3 Nov.6, 2018

The committee met from 10-11 am. The suggestions for the following proposals were discussed and will be sent to administration by Fall 2018 semester end.

The inclusion of a clear policy in the faculty handbook that addresses Drug/Alcohol/Wellness treatment and disciplinary actions for tenure and non-tenure faculty. Review of current policy invites suggestions and **will need to pass through Shared Governance committee.**

The inclusion of a clear, succinct policy in the faculty handbook addressing online courses and ethical communication between student and teacher. This includes a distinction between graduate and

undergraduate courses online courses as well as distinction between physical classroom and online classroom. **This will not need to pass through Shared Governance.**

The inclusion of a clear, succinct statement on the steps of termination for non-tenure, tenure-track and tenure faculty for cause. This includes policy for having attorneys present at hearings. **This will need to pass through Shared Governance.**

New Business:

Inclusion of Social Media Statement in handbook to reflect the one found @ hsu.today and that includes a clear policy about faculty use of social media pertaining to student privacy.

The Operations Committee is aware of the Administrative Guide from Human Resources and the inclusion of faculty guidelines that may be in conflict with the Faculty Handbook. These issues are under review.

In addition, the current handbook in current revision may be accessed for review by emailing gloverp@hsu.edu

Meeting adjourned 11:00 am Nov. 6, 2018.

F. Procedures Committee— The committee met to prepare the elections. The next ones will be At-Large expected before Thanksgiving break.

G. Shared Governance Committee—

Shared Governance Policy Review:

Employee Administrative Guide

The Shared Governance Policy Review Committee met on October 24, 2018 to organize concerns combed out of the Employee Administrative Guide released August 15, 2018.

Members present: Beth Maxfield, Holly Morado, Dever Norman (chair)

Overall, the document was determined to require myriad changes in organization and clarity, but the SGRC focused its discussion on the highest priority concerns. Of these, the first two are bolded, as they are of particular significance. Our assessment in no way indicates that the current administration would use this handbook in an unethical way, but is instead intended as a proactive analysis on policy and precedent. The review committee also feels it would be most beneficial for Faculty Senate to communicate with Staff Senate in this perusal. It is important to note that the writers have clarified that faculty rules and regulations are not affected by this document. The concerns are as follows:

There are potential reasons for disciplinary action listed on page 24, and there are some examples of questionable wording among them (see Document A). However, even more concerning is the accompanying wording on pages 18 and 24 include disclaimers that appear to effectively set no limits on the reasons for which staff may be disciplined. In addition, although it is likely to be used for reasonable purposes, it is *possible* to unfairly indefinitely suspend an employee without pay during

the investigation period, and *then* end the process in termination. An appeals process is provided, but it does not explicitly offer preventative oversight for initial disciplinary reasoning.

The last paragraph on page 6, "About Your Administrative Handbook" (See Document B), declares that the policies and procedures in the handbook "do not create any employment agreement", but also declares that the administration "has the authority to interpret any statement in this Handbook and reserves the right, from time to time, to modify this Handbook without prior notice to members of the workforce." This appears to potentially have the effect of holding employees accountable for rules that are not constant, while not holding the university accountable for any of the statements written. This may be because the handbook is not intended to have any official impact, and if so that should be more clearly stated so that the handbook is not inadvertently used as a legal document.

There are several versions that appear to be in the works, as our committee had more than one version at the table, which makes it more difficult to assess.

It is not clear from this handbook alone who in the university fits into which category of employment, and therefore which employee is subject to which regulations. There is a set of terms given on page 10, but they are too vague to be able to determine where each person falls in the categorization. As an example, the distinction between "management" and "executive/senior management" is important on page 18 - "counseling review process" for disciplinary action, where executive/senior management are said to be exempt from the process (also both the meaning of this and the reasoning behind it are not clear).

Because of issue (4), it is also not clear to whom this document actually applies. As an example, there are several mentions of faculty rules in the document, such as teaching classes containing family members, but as stated above it has been clarified that the document does not change faculty rules in any way.

This document regularly refers to University Policies and Procedures as though there is a single document that can be referenced, but the committee could not locate any such single primary document.

6. Old Business: Documents of Concern. There was discussion about the future of Document of Concern.

7. New Business:

Proposed policy Faculty/ Staff Dependent/ Spouse:

The Faculty/Staff Dependent/Spouse remission of tuition is a fringe benefit to the employees of the University and not a student scholarship. For spouses and/or dependent children the tuition is \$10.00 per credit hour. *There will be a charge for graduate work of \$20.00 per credit hour of tuition for graduate courses for spouses and/or dependent children.* As a fringe benefit, this amount will be applied first.

Shelley Austin made that a motion new the policy as presented by Holly Morado, and seconded by Mathew Gross. The motion passed.

8. Adjournment: President Worth adjourned the meeting at 5:07 pm.

November President's Report

President Jones	
	<ul style="list-style-type: none"> • Salaries - compensation plan <ul style="list-style-type: none"> ○ We have long range enrollment and budget projections that are used to plan for multiple needs and priorities. We have used these projections to have a better understanding of what can be accomplished with our priorities, such as the compensation plan, and what must be addressed, such as our housing study. However, these projections are based on our best estimate of what will occur 2 - 5 years out. Since none of our projections can be guaranteed, we prefer to be more conservative in our short term thinking. Planning conservatively while projecting based on most likely scenarios allows us to avoid unexpected shortfalls in our current budgeting and in our long-term needs. ○ As it relates to merit: There have been some very early-stage conversations regarding a long-range compensation plan that would include cost-of-living, equity, and merit-based adjustments. Again, this has only been a preliminary conversation. Any future discussion will be expanded to include faculty and staff.
	<ul style="list-style-type: none"> • Why changes in international program? <ul style="list-style-type: none"> ○ I did not ask this question because I see the FAQ as having answered this.
	<ul style="list-style-type: none"> • Compensation and enrollment - HLC told one thing and we've been told other things <ul style="list-style-type: none"> ○ HLC requested a report to show that we have a firm understanding of our current finances and a plan to manage them going forward. To illustrate this, we provided the review team with enrollment and budget projections.
	<ul style="list-style-type: none"> •
Provost Adkison	
	<ul style="list-style-type: none"> • Salaries - compensation plan <ul style="list-style-type: none"> • Dr Adkison reiterated his support for salaries being top priority, as has been repeatedly stated by the president over the past 2-3 years.
	<ul style="list-style-type: none"> • How is Dr Xu's salary being paid and how is her work being divided <ul style="list-style-type: none"> • In her role with the international program, she reports to Dr Powell. She was hired as an business analytics professor in the School of Business, into an existing faculty line, but because of her background, it made sense to take advantage of her experience in getting the China program established. School of Business Dean Miller graciously allowed half of her load to be working with the international program and thus half of her salary is being funded from that part of the budget. That is not a permanent arrangement. [for more details on this point, see report on visit with Dr Powell]

	<ul style="list-style-type: none"> • What is the timeline for putting a merit pay plan in place? <ul style="list-style-type: none"> • Time in rank and merit need to be included in the compensation plan. Concrete criteria and processes would be key to consistent application of any merit plan, and the faculty senate will need to help construct those criteria and processes. Solid criteria and processes will help the university ensure that the appropriate application of a merit plan are centered at the department level, not the dean or provost level, though the deans should be responsible for accountability at the department level relative to process. <hr/> <ul style="list-style-type: none"> • How do the enrollment numbers look right now? Will you please have pre-registration and new enrollment numbers for us for the December meeting? <ul style="list-style-type: none"> • It is a little early to answer this since pre-registration hasn't begun but things look good. 1st semester to 2nd semester retention correlates very strongly to freshmen to sophomore retention. • Transfers seem likely to increase with a larger than usual transfer of first semester freshmen transferring from other four-year schools for this next semester. Refer to the data/chart I supplied and highlighted for more specific information. <hr/> <ul style="list-style-type: none"> • Is a weeklong orientation for incoming freshmen something we could consider. <ul style="list-style-type: none"> • The benefits of such programs could be positive and it's certainly worth discussing the specifics. However, the discussion should be balanced with concerns over keeping the students engaged and effectively busy for that week, rather than at loose ends, to balance concerns over student wellbeing. Many institutions experience increased student behavior concerns, if students have too much free time during such pre-session weeks.
•	VP Powell
	<ul style="list-style-type: none"> • Excellence awards amounts <ul style="list-style-type: none"> • Excellence awards have historically been "grossed up," so that after taxes, the awardee receives the published award amount. There is some question as to whether that practice has continued. Dr Powell will investigate and get back to me. Dr Powell got back with me later and said, "I looked at the Excellence Awards payments made in August. They were grossed up for taxes." <hr/> <ul style="list-style-type: none"> • Salaries - compensation plan <ul style="list-style-type: none"> • In 2017, we had old data with poor comparisons. In March 2018, we started using CUPA-HR data with new numbers to get accurate and

	<p>reliable comparison data. Devising and funding a compensation plan is top priority.</p>
<ul style="list-style-type: none"> Who ultimately pays for trips to China? Are costs reimbursed by the Foundation? 	
<ul style="list-style-type: none"> Some expenses are covered by the host institutions. All other expenses are paid by the HSU Foundation. 	
<ul style="list-style-type: none"> Dr Xu - 1/2 time business, 1/2 time international director, being paid \$50K from each? Being paid more than Dr Smith for part-time work while he worked full-time? Two courses, 50% teaching? How is her work week divided? 	
<ul style="list-style-type: none"> Her husband was hired to start the School of Business' data analytics program. His wife happened to be a PhD in economics, we needed one, and had an open salary line in the School of Business so she was hired. With the change in staffing, the China program being developed, and her experience (study abroad experience) and ethnicity, it made sense to split her work load to allow her to assist with the implementation of the China program. Dean Miller agreed in order to help the university implement the program. At some point, she will become full-time in one position or the other. 	
<ul style="list-style-type: none"> Why is the HSU Foundation not subject to FOIA? Ms. Boyett is an employee of HSU and over the Foundation. 	
<ul style="list-style-type: none"> The Foundation is not a state agency and thus is not under FOIA. Accounting of the Foundation is kept separate from university accounting. Ms Boyett is a volunteer as Foundation Director. 	
<ul style="list-style-type: none"> Is there a yearly public report on the finances (including new monies raised) of the HSU Foundation? If not, why not? 	
<ul style="list-style-type: none"> Yes, there is. Attached. 	
<ul style="list-style-type: none"> What is the overall discount rate for tuition for the fall 2018 class? 	
<ul style="list-style-type: none"> In 2018, first semester freshmen are paying 66% of their tuition, with 34% scholarship. In 2017, that was 68%/32%. 	
<ul style="list-style-type: none"> Why use Hatcher? Convenience/expertise or savings? 	
<ul style="list-style-type: none"> Within a month of Dr Powell's arrival, we got a report of insurance usage and we were spending 130% of anticipated usage so we were hit with a 30% proposed increase in costs. We had trouble getting bids so we hired Hatcher and they got it down to 25%. The next year they got us more competitive bids. They do not pool customers but with 600-700 accounts, they have leverage that we do not have. Last year we had 60% utilization and being self-insured allows us to keep the savings. The 1.5% increase in costs this year was 	

	<p>absorbed by the university. Hatcher has access to market information and factors that we don't know. Southern Scripts gave us a \$100,000 rebate that Blue Cross would have kept. Hatcher got that to happen. They are not paid directly. If we were fully insured, BC/BS would be paid based on an estimate of claims and operating costs. With self-insured, we pay claims, reinsurance policy to manage risk and an administrative fee for UMR. They charge us per member per month and a fee that they pay Hatcher (approximately 5%). Hatcher takes care of reporting.</p> <ul style="list-style-type: none"> • Administrative guide and open enrollment forms say we are 10-month employees but my understanding is we're 9 months • He will check into this. As of the time I am sending this out I did not yet get a clarification.
VP Boyett	
	<ul style="list-style-type: none"> • What is done to keep the Foundation and HSU "separate" for FOIA purposes? <ul style="list-style-type: none"> • The Foundation is not a state agency and is thus not bound by FOIA. Foundation files are stored in a non-university affiliated Gmail account, meaning those records are not stored on the university's network or hardware. • Is the Director of University Development a new position or replacing someone? <ul style="list-style-type: none"> • The Director position is a re-opening of a failed search from the spring. That search was to replace a person who left.

Faculty Senates in Arkansas - I am involved in discussions with the presidents (or chairs) of the faculty senates (or closest equivalent group) on the campuses of the other eight four-year state universities in Arkansas. It appears we will be organizing an association of senate presidents to facilitate discussion among the groups and hopefully help them better served their faculty and university.