

Faculty Senate Meeting

October 3, 2018

Cabe Room, Garrison Center

Senators present: Shelley Austin, Steve Becraft, Emilie Beltzer, Kristen Benjamin, Alan Blaylock, Troy Bray, Marty Campbell, Shannon, Clardy, Carolyn Eoff, Victoria Ellison, Paul Glover, Matt Gross, Lewis Kanyiba, Catherine Leach, Michael Loos (alternate for R. Moss), Beth Maxfield, Richard Miller, Holly Morado, Dever Norman, Jani O'Donnell, Malcolm Rigsby, Natalie Schrimshire, Peggy Woodall, Fred Worth, Beth Wyatt (alternate for C. McDowell)

Visitors: Cynthia Perez (SGA representative). Oracle reporter (?), unnamed visitor.

1. Call to order: Meeting was called to order by President Fred Worth at 3:15 pm, with Catherine Leach serving as acting secretary.
 2. Dr. Worth first noted that Dr. Malcolm Rigsby had resigned as president but not as senator. Worth also noted that Ms. Rebecca Langley had resigned as secretary and senator. The first action taken was to fill the offices of president-elect and secretary. Dr. Shannon Clardy was nominated to serve as president-elect for the remainder of the year; she was elected by acclamation. There were no nominations or immediate volunteers for the position of secretary; eventually, Dr. Carolyn Eoff volunteered to serve as secretary for the current meeting, under the presumption that others will volunteer to take minutes at the remaining meetings of the year.
 3. Approval of minutes: Minutes from the September 5, 2018 were approved without dissent or correction.
 4. President's Report: See Attachment. While Dr. Worth was reviewing the report it was suggested that he cede the chair to Dr. Clardy (which he did) to make additional comments regarding faculty and staff worries that there could be retaliation from the administration as a result of the Statement of Concern that was proposed at the last Senate meeting and subsequently drafted. Worth also noted that there had been an incident of a junior faculty member being pressured by a senior faculty member to support the Statement of Concern.
4. Reports of committees
- A. Executive Committee

Dr. Worth reported that Torri Ellison replaced Rebecca Langley as the at-large representative from instructors. Eric Bailey will be Ellison's alternate.

The importance of having as many senators as possible at the Planning and Budget Committee meetings was reiterated. Dr. Worth indicated he would send information about the time and location of subsequent meeting.

B. Academics Committee - No report.

C. Buildings and Grounds Committee: No report

D. Finance Committee – Dr. Eoff reported that the Budget and Planning Committee had met twice this fall. At the September 18 meeting, it was reported that there is additional revenue from increased enrollments (\$477,000+), but there was a deficit (\$365,314) carried over from spring that had to be covered. Dr. Powell recommended a conservative approach and suggested that we wait to see how spring enrollments hold before deciding how to use the extra funds. He said the salary study would be continued and updated. The upgrade to Poise would not be done this year. At the October 3 meeting, there was discussion about the University Operating plan, but little was accomplished. It was noted that strategic initiative proposals can be submitted and may be funded, but the stated deadline is sometime in October. It was not clear if this deadline would be extended.

E. Operations and Handbook Committee

See Appendix B.

F. Shared Governance Committee

No report. Ms. Morado stated she had received no documents.

G. Graduate Council. Dr. Eoff noted that Dr. Taylor sends out minutes promptly after each meeting. Major actions of the committee over the past many year have been to approve the new master's and doctorate degrees in nursing and the Ed.D. in education.

5. There was no Staff Senate representative present. The SGA representative in attendance was welcomed.

6. Dr. Lewis Kanyiba mentioned that the different areas on campus that produce research material are working to create policy that would promote uniform presentation of scholarly work; this might include font choice, paper quality. This was referred to the Academics Committee. It was suggested that any discussions should include the Provost and Graduate Dean.

It was noted that the IRB needed a representative from the School of Business. The procedure is that the dean of that college suggests nominees and the Senate votes on the nominees. Dr. David Rodriguez and Dr. Eunice Akoto were the nominees; a tie vote was broken by Dr. Worth in favor of Dr. Rodriguez.

5. Old Business

At the September Senate meeting, an *ad hoc* committee was formed for the purpose of collecting faculty concerns in a document to send to the administration and the HSU Board of Trustees (BOT). That document, titled "Statement of Concerns" was drafted and sent to all senators to review and share with their constituencies for feedback. See Appendix C. President Worth called for discussion of the document and a determination of the will of the Senate regarding whether it should go forward, and to whom it should be sent.

There was serious and lengthy discussion. Some of the questions and points made regarding the Statement of Concern included:

- What does the Senate hope to achieve with this document?
- It should prompt an honest dialogue between faculty and administration, as well as the Board of Trustees .
- The vote of no-confidence by the tenured faculty was a singular action and should have been directly addressed by the administration and BOT. The failure to do so reflects a lack of respect for faculty by the administration and the majority of members of the BOT. *
- How are BOT members are selected?
- The Governor would likely only intervene if there were a vote of no-confidence in the BOT.
- Dismay was expressed at the seemingly perpetual lack of response to faculty concerns by the administration.

A motion was made and seconded for the Senate president to take the Statement of Concern to President Jones and allow him to respond to the specific concerns. The motion passed: 16 for, 3 against, and 1 abstention.

**This was somewhat addressed by BOT chair Bruce Moore in an email on May 29, 2018. See Appendix D.*

7. Adjournment: President Worth adjourned the meeting at 4:50 pm.

Appendix A. President’s Report

President's reports

Meeting with President Jones	
1	A recent Democrat-Gazette article indicated that the staff and faculty senate presidents would be addressing the Board of Trustees twice a year. When will senate president address the board?
	This would be a "if you have anything you want to share with the board you will be welcome to do so" kind of thing rather than a mandated address. It will probably be at the first and last meetings of the academic year.
2	In various discussions the expressions "salary reserve" and "salary savings" were used. What is the difference between them?
	President Jones indicated he had not used or heard the expression "salary reserve." "Salary savings" typically refers to money that was budgeted for a position that ended up not being filled. That is usually a temporary savings because the position would ultimately be filled.
3	If employee compensation is #1 priority are we going to get raises and if not, why not?
	We have more students than we did last year. Whether that will produce sufficient revenue for raises this year is not yet certain. A couple of factors are involved in that. First, do the students persist so the increased revenue will continue. The key is not "more students" but sustained growth. Second, we do not yet know exactly how much revenue those additional students are producing due to the number on scholarship and the number actually paying for their tuition. We discussed the continuing faculty dissatisfaction with the delays of the compensation plan and related

	issues along with their effect on morale. President Jones reiterated his commitment to do what we can do to remedy the salary issues.
4	I asked about any plans to implement merit pay.
	While there are no plans to implement a merit pay system, President Jones said that he could support the concept but noted that a strong system for assessing merit would need to be included as part of any discussion on this topic.
<p>I attended the Cabinet meeting on Monday, September 24. There is a handout with enrollment data that was presented during the meeting. I really enjoyed getting to hear about some of the things that are going on around campus and in the HSU community.</p> <p>I was particularly impressed with Dr Benton's report detailing the work she and her staff are doing in recruiting students. They are being very energetic, creative and effective in their recruiting. Their efforts in Benton/Bryant are particularly noteworthy.</p> <p>There was some significant discussion about issues with insurance and prescriptions. Of particular importance is the problems with getting some prescriptions refilled. Southern Scripts will sometimes require a specific reauthorization from the doctor before paying for a prescription. This is typically if the dosage is different from the "normal" dosage. If you have problems with this or any other issue, you can contact HR for assistance. If it is a prescription issue and you do not want to discuss your personal information with HR due to privacy concerns, you can call Southern Scripts directly.</p>	
Meeting with Vice-President Boyette	
1	Are departments notified when a donation is given to the foundation for the department or one of its scholarships?
	The Henderson Foundation provides monthly gift reports to the deans. These reports are by department so the deans can distribute to the department chairs. The monthly report lists the name, address, phone number and email address of the donor, so that colleges and departments can be involved in the stewardship process. We do not share gift amounts in those reports to protect donor privacy. In cases of bequests or significant gifts (more than \$10,000) with donor permission, the amounts are shared with deans and department chairs personally.
Shared Governance	
1	Due to Dr Rigsby stepping down as senate president, some changes needed to occur on the Shared Governance Committee. There are three faculty representatives on the Shared Governance Committee: past senate president, senate president, senate president-elect.
	A resolution was made and passed that would do the following:

- a. Extend Dr Hickerson's term on the Shared Governance Committee by one year.
- b. Since the chair of the Shared Governance Committee is to be the past faculty senate president, extend Dr Hickerson's tenure as chair through the end of the first summer session in 2019.
- c. Have Dr Worth's tenure as chair of the Shared Governance Committee begin early, with the beginning of the second summer session in 2019.

Report of meeting with President Jones and Vice-president Boyette regarding the Document of Concerns.

There was concern expressed regarding two points of the Document of Concerns.

The document said "President Jones did not answer a question regarding the objectives and plans for the HSU marketing department." Apparently President Jones had referred the question to Tina Hall, director of marketing. Ms Hall sent an email to Dr Rigsby on September 4, giving a detailed answer to the question. I have a hard copy of that email if anyone wishes to read it. If the senate desires, Ms Hall would be happy to visit with the senate to answer any questions.

Secondly, the document said "while others have seen elevations in both title and salary, such as the Associate Vice President of Development and Alumni Relations (replacing the Director of Institutional Advancement) and the Alumni Director (replacing the Coordinator of Alumni Services)." The various vice-presidents were informed of reductions in their budgets. Vice-President Boyette's area saw a 10% reduction. In order to bring in the best people as replacement for departed employees, and to recognize the qualifications of the new hires, the salaries and titles were deemed appropriate. The salary increases were funded by donations from alumni specifically sought to fund the AVP position and strategic funds allocated from Budget & Planning in FY17 to move the Alumni position from a coordinator level to a director level.

Meeting with Vice-President Powell

1 We were told that the Esports Room was funded by private money. I asked what the source of that money was and what would fund continuing costs

The Sturgis Foundation is a regular source of funding for various projects. We ask for funding for something and, if approved, get funding for that project. We did that for the Reddie Grill, the camera for the planetarium, and the Esports equipment and furnishings in the room. Continuing costs will come from the budget.

2 Where do we stand with the multimedia center?

Originally the UPS store was going to run it. They made a business-related decision to back away from operating it so we needed to hire someone to do it. We hired someone who quit after 2.5 days. We are in the process of interviewing now to fill that position.

3	I asked about some humidity issues in the Garrison Center.
	There were a number of issues in Garrison, Arkansas Hall and elsewhere where we had some climate control issues because Aramark was not taking care of regular maintenance on systems. That was part of the reason for changing providers for maintenance services.
4	I was asked to check into the costs for concurrent credit tuition.
	Dr Powell said he believed that faculty dependents should be getting the tuition waiver for said classes. Other students should be paying \$50/credit hour instead of the regular \$212/credit hour. If this is not how students are being billed, it would be wise to check with admissions to make sure the student's status was entered correctly.
5	Why is the Instructional Technology department now a part of Computer Services, who report to Dr Powell, when in the past, Instructional Technology reported to the Provost.
	It was purely a cost saving move. There were duplications of services (help desk, software, student workers) so to make operations more efficient and, thus, save costs, the two were consolidated under VP of Finance and Administration.
6	Prescription preapproval and privacy issues
	Denial of payment on prescriptions can come due to Southern Scripts wanting word from the doctor that the prescription is necessary, particularly if it is for a non-standard drug or dosage. Those typically end up being covered. If it is still denied, HR is willing to act as an advocate for the employee but the employee can call Southern Scripts personally if desired for privacy or other reasons. But in any case, they should give a specific reason why it was denied.
7	Cell phone policy/single device policy - These went through Shared Governance. Suggestions were made for revisions but the policies were then withdrawn. Why?
	Since there really was no policy before, the withdrawal essentially keeps us in a "no policy" situation. The proposal was for financial efficiency, wanting real justification for exceptions to the one device policy or justification for why an employee needs an HSU funded cell phone. That was the intent of the proposal. The revisions that were suggested, in Dr Powell's opinion, changed that meaning and thus it was withdrawn.
8	I was told that SSC, the firm replacing Aramark, was giving no paid holidays to employees. I asked if that was true.
	That WAS true, they were originally planning on no paid holidays and only gradually accrued vacation days. Dr Powell told them that was unacceptable and employees should have the usual paid holidays and any previously earned vacation days. They now do have those.
9	I also asked if any consideration was given to bringing the physical plant management back in house.
	Yes. However, due to an outlay by Aramark for equipment and other items, we would have had to pay Aramark \$482,448.24 as reimbursement for those costs. SSC will fund that under the contract.

10	As a follow-up, I asked if new SSC employees would have the "no paid holidays" package or not.
	New employees will get six paid holidays and five vacation days.
Meeting with Provost/Vice-President for Academic Affairs Adkison	
1	All issues discussed with Dr Adkison were also discussed with others and those answers are reflected above.

Appendix B. Operations Committee Report

Faculty Senate Report for October 3, 2018

Operations Committee

Old Business:

From meeting #1 Sept 13, 2018

- The committee met from 10:30-11:30 am. The suggestions for the following proposals were discussed.
- The inclusion of a clear, succinct policy in the faculty handbook that addresses Drug/Alcohol/Wellness treatment and disciplinary actions for tenure and non-tenure faculty.
- The inclusion of a clear, succinct policy in the faculty handbook addressing online courses and ethical communication between student and teacher (teacher and teacher?). This includes a distinction between graduate and undergraduate online courses.
- The inclusion of a clear, succinct statement on faculty civility between colleagues.
- 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.

Also discussed were questions about Henderson's 504 coordinator (federal), anti-discrimination law and 1964 joint statement on research that may be applicable to any handbook policy.

Meeting adjourned 11:30 am September 13, 2018.

New Business:

From meeting #2 e-mail communication

Issues from meeting #1 were consolidated and 3 items were opened to discussion from faculty by e-mail per Dr. Fred Worth. They are presented to Faculty Senate for review.

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

Item 1

Henderson subscribes to the 1964 joint statement on conflicts of interest concerning government- sponsored research at universities issued by the American Association of University Professors and the American Council on Education . The statement has subsequently been amended and enlarged to cover non-government-sponsored consulting.

Faculty members have a responsibility to inform, in writing, the Office of the Provost/Vice President for Academic Affairs about proposed consulting activities whenever these involve significant amounts of time or the use of University facilities.

Numerous situations arise wherein faculty members could possibly act in an unprofessional or unethical manner to the detriment of the University. These include but are not limited to self-aggrandizement through University contracts, appropriation of the assets of the University (the use of student labor or research in one's own monetary interest), abuse of confidences such as the use of privileged information acquired through a faculty member's position for personal gain, and influence peddling. A faculty member must be aware of an institution's intangible assets –its prestige and reputation – and that these are to be held fiducially to be passed on to subsequent generations. For institutions of higher learning, the bulk of this duty resides with the faculty.

Faculty members are responsible for adherence to any statutory limitations or restrictions on class use of materials or texts for which the faculty member receives compensation. The University is responsible for informing the faculty of any such statutory limitations or restrictions.

Item 2

4. Grants

It is the University's policy that equipment and non-consumable supplies purchased with grant funds under any type of grant program or project administered by, under, or through the auspices of the University, whether internally or externally funded, are the property of the University and remain so after the grant or program thereunder has expired or otherwise terminated, unless the particular funding entity retains such ownership. Any such equipment that falls within the definition of property to be inventoried will be tagged and added to the University inventory registry upon receipt; such equipment or supplies not required to be inventoried will be provided by the Project/Grant Director to her/his immediate supervisor in the form of a list and identified by description, cost, date of purchase and location. Any such equipment utilized off campus during the course of the grant program will be returned to the campus when the program is completed. It is the responsibility of each Chair or Department Director to review all grants within that Department and be aware of and monitor the purchase and utilization of grant equipment. Some funding agencies set forth certain conditions that apply to the disposal of

equipment acquired with grant funds; therefore, equipment should not be transferred, sold, or otherwise disposed of without first notifying the provost. Staff in the provost's office are responsible for researching and determining any specific agency regulations that may apply. It is University policy that a patent or copyright resulting from grants funded by or through the University may be shared with the University as negotiated with grant recipient(s) unless such ownership is retained by the funding entity.

Item 3

The University encourages faculty members to engage in professional activities whether or not these professional activities are directly connected with the institution. Such involvement serves to promote professional development, the advancement of knowledge, and the University image. While engaged in such activity under the auspices of the University, the faculty member will take

steps to see that the University's name appears as sponsor.

Any faculty doing research involving human or animal subjects must adhere to the University's Human Subjects guidelines and Animal Subjects guidelines.

Appendix C. Statement of Concern

On May 15th, the tenured faculty announced the result of the Vote of No Confidence in the current administration and submitted a notice to that effect to the Board of Trustees. Approximately 86% of tenured faculty responded with 64.4% of the respondents voting No Confidence (with 24.7% of voters opposing and 11 % of voters abstaining).^[*] This represents a large contingent of tenured faculty who do not have faith in the current administration. The Board has, as of yet, failed to either acknowledge the vote or address the faculty in any manner to restore confidence; rather, the Board's decision to ignore the Vote has the effect of increasing the faculty's lack of confidence in the university's leadership, including in the Board itself.

The Faculty Senate, on behalf of the university's faculty, expresses its concern that this vote has not been acknowledged by either the administration or the board and that actions have not been taken on the vote, either to follow its recommendations or to restore the confidence of the faculty.

The Vote of No Confidence was precipitated (if not solely caused) by events that occurred in May, 2018. Following a similar budget crisis in the Fall of 2017 (which the university met by cutting departmental budgets without close study, instituting a temporary hiring freeze, and considering furloughs and other drastic measures), in the spring of 2018 the VPFA, Dr. Powell, announced the need to cut 3.2 million dollars to produce a balanced budget for 2018-19. The strategy taken and the measures implemented prompted a crisis of confidence in the university's Administration, resulting in the Vote of No Confidence.

On Wednesday, May 2nd, Drs Powell and Adkison (VPAA/Provost) informed the Faculty Senate that the university would be eliminating seven staff positions, reducing matching contribution to the employees TIAA/CREF retirement plans by fifty percent (from a 10% to a 5% match),

reducing funding for adjunct and overload teaching, and cutting departmental budgets by forty percent. At this meeting they also reported that there would be more dismissals to come. The next day, Thursday, May 3rd, seven members of the university's staff and mid-level administration were informed that their contracts would not be renewed in July. In addition, they announced the pending closure of both the Multi-Media Learning Center and the International Program.

On May 9th, Drs Adkison and Powell, along with President Jones, met again with the Faculty Senate, at a special meeting. At this meeting members of faculty, staff, and student body asked them several questions regarding the budget cuts announced the previous week, including what savings each of the specific cuts would amount to, how the decisions to make those specific cuts were made, what preparations were being made to cover the positions and services that were being cut, and by what criteria our faculty positions and funding were to be evaluated in the future, especially considering that the cuts had, as Dr. Powell admitted, been conducted without reference to the non-instructional prioritization process (despite stating the opposite to the Staff Senate earlier the same day). Those questions have not yet been answered.

Since the announced cuts and dismissals, some eliminated staff have been reassigned to other positions and the matching pension contribution has been restored; however, new positions, such as the Media Coordinator and the International Student Services Director (replacing the dismissed Director of the International Program, whose program had scored strongly in the non-instructional prioritization process), have also been created, while others have seen elevations in both title and salary, such as the Associate Vice President of Development and Alumni Relations (replacing the Director of Institutional Advancement) and the Alumni Director (replacing the Coordinator of Alumni Services). This, among other developments, calls into question the motivation behind the elimination of positions that occurred last May; in effect, they do not seem truly to have been motivated by budgeting concerns. In addition, there is significant concern about both the negative effects on current students, faculty, and community members from the limited hours of operation of the MMLC and the lack of information forthcoming about future plans for this resource, one much-valued and much-used by students, faculty, local educators, and other members of the local and regional community.

The Faculty Senate also expresses concern that faculty are often learning of university business through the media, rather than from our own administration. Recent incidents include articles on the downgrading of the university's bond credit rating, the HLC's rating of HSU at "below the zone" (0.8) for two years running (2014-15 and 2016-16), the Board of Trustees' discussion regarding bylaws, and enrollment data sent to the HLC.

Regarding the President's Report to the Faculty Senate for the meeting on September 5th, and discussion with Dr. Steve Adkison at that same meeting, the Faculty Senate expresses concern over either vague answers or non-answers to specific requests for information. For example, according to the President's Report, President Jones did not answer a question regarding the objectives and plans for the HSU marketing department, and Dr. Powell was unable to answer questions regarding either movement on the compensation plan or the future of the MMLC. In addition, when directly asked at the September 5th meeting, Dr. Adkison was unable to articulate

the conditions under which the compensation plan, particularly in relation to the university's "record" enrollment of this fall, would be continued. President Jones has admitted that communication has been sub-par, but does not appear to have rectified that problem, although he has now instituted a Focus Group to address communication concerns, which met for the first time on September 7th.

The Faculty Senate requests that the Administration and Board of Trustees acknowledge and address each of these concerns in a timely manner.

[*]One tenured faculty member was inadvertently left out of the original emailed poll and subsequently indicated preference against the Vote of No Confidence, which would cause adjustment to the outcomes as follows: For, 63.5%; Against, 25.7%; Abstain, 10.8%.

Appendix D. Email from BOT president, Bruce Moore (via Tina Hall)

From: HALL, TINA [mailto:hallt@hsu.edu]
Sent: Tuesday, May 29, 2018 4:40 PM
To: Everyone At HSU <campus@hsu.edu>
Subject: Board of Trustees update

The Board of Trustees has authorized the university to pursue a bond issuance up to \$6.2 million for critical repairs for Smith Hall or Newberry Hall. These Auxiliary Enterprise Revenue Secured Bonds, Series 2018, may be utilized to repair exterior issues and heating, ventilation and air conditioning systems while a long-term use evaluation of both facilities can take place. Smith Hall opened in 1965, and Newberry Hall opened in 1968. Both have housed multiple generations of Reddies.

Statement from Bruce Moore, Chair of the Board of Trustees:

Members of the Board of Trustees have had the opportunity to visit with Henderson's stakeholders in the past weeks about topics that we all care about deeply. Please know that we appreciate and acknowledge all feedback that we have received from the Henderson State University community. Know that we have heard you and that we share your passion for continuing the excellence, spirit and tradition that this campus has embodied for more than 125 years. We—the Trustees—are graduates of this school and are committed to its success.

To address some of the specific comments that we have received, the Board of Trustees will consider the contract of the president at its next regularly-scheduled meeting. We do not manage other personnel decisions of the university but are aware that annual evaluations of other positions are currently in progress. The planning and budget committee has addressed the continuation of the 10 percent retirement contribution, and the Board of Trustees has approved the budget for next fiscal year.

While we have a number of decisions to make, including how best to plan for campus housing of the future, we are genuinely optimistic about the opportunities before us. We continue to welcome your comments and feedback as we work together to continue the traditions of this campus while considering how best to prepare for the next generation of Reddies.

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