

**Faculty Assembly Meeting
Minutes for January 31, 2017
3:30-5:00 pm
Blow Hall Board Room**

Officers Present: Cathy Forestell (Vice President), Chris Abelt (Secretary) and Eric Chason (Faculty Representative to the Board of Visitors)

Other Members Present: Danielle Dallaire, John Eisele, Carl Friedrichs, Courtney Harris, Mark Hofer, Rex Kincaid, Scott McCoy, Christy Porter, Patty Roberts, Megan Tschannen-Moran and Sibel Zandi-Sayek

Members Absent: Sophia Serghi (President), Mark Forsyth, Steve Holliday, Ron Hess, Tricia Vahle and Cynthia Ward

Others in Attendance: Suzanne Hagedorn and Terry Meyers (Parliamentarian)

Ms. Forestell called the meeting to order at 3:34 pm.

1. Approval of Minutes for December 13, 2016

The minutes were approved by unanimous consent.

2. Discussion of the potential impact of HB 2001 with guests Steven Hansen, Vice Provost for International Affairs, and Steve Sechrist, Director of International Students, Scholars, and Programs

The scheduled report by R. Kelly Crase was canceled in light of the concerns raised by HB 2001. Mr. Sechrist reported that this bill would require all College employees to cooperate with the enforcement of federal law by ICE (U.S. Immigration and Customs Enforcement). Of immediate concern is the impact on students who are here under DACA (Deferred Action for Childhood Arrivals). The Reves Center is already required to cooperate in specific ways with the Department of Homeland Security with international students on the F-1 visa program. Fran Bradford, Associate Vice President for Government Relations, is in Richmond expressing the College's concerns with this bill. Mr. Hansen noted that even if the bill makes it out of committee, there are several more steps, including action by the governor, before it could become law. Given the high level of scrutiny of the College, taking a strong stand so early in the process may be counterproductive. Suzanne Hagedorn noted that sponsor of the bill likened the required enforcement to that of the Clery Act, but argued that such a comparison was a false equivalence. Mr. Sechrist talked about how the law would impact FERPA (Family Educational Rights and Privacy Act). The bill might set up a conflict between federal and state laws which would be resolved through litigation. FERPA is waived for

students on the visa program. Mr. Hansen said the best argument against the law would be the negative impact on the functioning of the university. Such an argument is apolitical and should have bipartisan support. Mr. Sechrist discussed the impact of the federal executive order on immigration. The thirty day ban on immigration from the seven countries (Iran, Iraq, Syria, Sudan, Libya, Yemen, and Somalia) would be followed by another sixty days where these countries would have to put in place further requirements recommended by the U.S. After the sixty day period, if the countries do not comply with the new requirements, immigration could be permanently banned. Certainly one result from the executive order is that visas will take much longer to process. There is also concern that DACA could be rescinded and that the OPT (optional practical training, available for up to twelve months after graduation, and twenty four months if the training is in a STEM field) and H-1B visa (worker visa) programs may be curtailed. The 85,000 H-1B visas available on April 1st each year are consumed in two-three days. The H-1B cap does not apply to educational and non-profit institutions. If the latter two programs are affected, it would in turn dissuade international students from studying in the U.S. Currently the College has 700 on student visas and 100 in OPT. Seven students and one faculty member are from the affected countries. Steven Hansen will address the Student Assembly on Wednesday. He noted that as state officials (faculty are “officers of instruction”) we are required to abide by state rules and regulations. In particular, we are not supposed to use state resources for political lobbying. The take home message is to use a non-W&M email account for such purposes. In particular, W&M emails can be subject to FOIA requests. Mr. Hansen also noted that the College did not respond to the executive order immediately because it was issued late on Friday, and it just takes some time to respond correctly, in this case on Sunday. Ron Schechter asked whether we should push for W&M to be declared a sanctuary campus. Mr. Hansen responded that many private universities have made such a declaration, but public universities have not. As of now, W&M has not made such a declaration. Ms. Roberts noted that using this term would not necessarily result in a change the current policy.

Ms. Forestell asked the Assembly about the appropriate next step. Mr. Meyers said that we should address a resolution to President Reveley to avoid the appearance of political lobbying. Ms. Zandi-Sayek thought that we should consider formulating a much broader statement of values. Several members agreed that the bill was a moving target and that a resolution is premature. Mr. Chason suggested that we not take any action. At this point the Assembly learned that the bill did

not make it out of committee. The Assembly thanked Ms. Hagedorn for bringing the bill to its attention.

3. Consideration of a proposed amendment of the Faculty Handbook from the Personnel Policy Committee to allow NTE faculty to be eligible for emeritus status

The proposed amendment from the PPC was handed out. It differed from the one sent to PPC from the Assembly last year in having the words “many year of” stricken (see attached). Ms. Tschannen-Moran noted the sentence that followed only pertained to A&S faculty. Mr. Friedrichs said that despite this exclusionary statement, faculty from VIMS have been similarly promoted upon retirement. Mr. Chason remarked that any further changes at this point would send the amendment back to PPC and that approving the amendment does not preclude making other changes in the future. Ms. Roberts moved to approve the amendment. The motion was seconded and approved unanimously.

4. Reports from Standing Committees

Executive Committee: Cathy Forestell

The executive committee continues to be updated on developments in the personnel case from last fall.

Liaison Committee: Cathy Forestell

Chon Glover and a member of the Task Force on Race and Race Relations will speak to the BOV about the progress in the implementation of the recommendations made by the committee last spring. Margaret Saha will speak to the BOV about iGEM at the April meeting.

COPAR: Patty Roberts

COPAR has two upcoming meetings. The first is to rank PBRs and the second to see the initial prototype budget.

Faculty Affairs: Megan Tschannen-Moran

Ms. Tschannen-Moran asked whether the committee should expand its charge to change other obviously out-of-date sections of the Faculty Handbook. Mr. Chason suggested doing what they could after first dealing with their specific charge and considering the short time left in the semester. The FAFAC has been assisted by Kiersten Boyce, Chief Compliance Officer and Title IX Coordinator, with some of the outdated language.

Academic Affairs: Christie Porter

The committee will be addressing issues brought up in the December meeting with Michele Jackson, Associate Provost for University eLearning Initiatives. Ms. Roberts noting that in a separate meeting Ms. Jackson mentioned a need for help in dealing with policy issues.

5. Old/New Business

No new or old business was raised.

Ms. Forestell adjourned the meeting at 5:01.

Prepared by Chris Abelt

Appendix PPC proposal

At its April 2016 meeting, the Faculty Assembly unanimously endorsed proposed changes to the Faculty Handbook that would allow emeritus status for non-tenure-eligible faculty. At its meeting on December 7, the Personnel Policy Committee (PPC) met to discuss the proposed amendments to *Faculty Handbook* Sections III.B.3.a “Emeritus faculty” and III.C.1.e “Emeritus Faculty,” as suggested by the Faculty Assembly.

1. Change to Section III.B.3.a was approved.

Delete the word “tenured” from Section III.B.3.a so as to read:

Emeritus Faculty. Retired ~~tenured~~ faculty may be awarded “Emeritus” status (see III.C.1.e.).

2. Changes to Section III.C.1.e were approved, with one additional revision (shown in green below) suggested by the Committee.

Retired ~~tenured~~ faculty may be awarded “emeritus” status; ~~retired~~ as recognition of their many years of dedicated service and meritorious contributions to the College and academic community. Retired associate professors in the Faculty of Arts and Sciences may be promoted to Professor Emeritus. The award “emeritus” and/or promotion to Professor Emeritus must be approved by the department or school in which the retiree held ~~tenure~~ his or her appointment (consistent with any relevant department or school procedures and with the standards enumerated in III.C.1.), by the appropriate Dean(s), and by the Provost, President, and Board of Visitors. Emeriti faculty members continue to enjoy certain privileges of active faculty members, including parking, email, and library loan privileges.