

Marshall University Classified Staff Council Minutes October 15th, 2020, Virtual Meeting via Microsoft Teams

Members Present: Nina Barrett, Amber Bentley, Lacie Bittinger, Karena Burriss, David Childers, Timothy Cline, Toni Ferguson, Samantha Fox, Chris Hodge, Carol Hurula, Dena Laton, Mary Layne, Becky Lusher, Missy Morrison, Denise Parks, Marcos Serrat, Crystal Stewart, Justin Tyler, Eric Wallace, Tony Waugh, Rob Williamson

Members Absent: Lisa Maynard, Mitzi Meade,

Members Absent (Excused): Teresa Meddings, Terri Thompson

Guests: Jerome Gilbert, Mark Robinson, Bruce Felder, Tracy Smith, Brandi Jacobs-Jones, Husein Al-Qawasmi, John Apel, Jean Ann Bevans, Yvette Blevins, Beverly Boggs, John Bowen, Charlotte Boyce, Jennifer Brown, Brent Burgess, Mallory Carpenter, Mary Chapman, Beretta Coleman, Margaret Cyrus, Bob Dorado, Anthony Drumm, Tracy Eubank, Trish Gallagher, Andrea Gray, Lindsey Harper, Joyce Harrah, Lisa Henry, Katherine Hetzer, Katherine Kay, Susan Midkiff, Nathan Miller, Becky Neace, Rebecca Pack, Ginny Painter, Dicky Parker, Leah Payne, Jody Perry, Amy Saxton, Chris Sochor, Gillian Sochor, Angela Strait, Brent Thomas, Shana Thompson, Ashley Vanderpool, Beth Waugh, Caitlin White, Rachel Williamson

Chair Tony Waugh called the meeting to order. Parliamentarian Becky Lusher verified there was a quorum.

Dr. Gilbert – University President

- Dr. Gilbert thanked Staff Council for providing care packages to the students being quarantined in Holderby Hall.
- COVID-19 Update
 - Marshall is continuing surveillance testing by testing 10% of campus (720 people) weekly.
 - We've had a less than 2% positive rate so far.
 - Dr. Gilbert recorded a video this week reminding individuals to wear their mask and wash their hands.
- Anti-bias/Diversity Training Update
 - Issues of social justice and a need to reflect on our core values here at Marshall led Dr. Gilbert to ask HR Director, Bruce Felder, to look into a training for this.
 - Dr. Gilbert stated that he wrote in the intro to the teaching module that he doesn't claim to be perfect in thoughts and actions, but attempts to do the right thing in daily life.
 - Dr. Gilbert stated that the training module was helpful to him and will be helpful to the rest of us also.
 - The training should be available to everyone today.
- Virtual Graduation/Large Indoor Events

- Graduation will be virtual because the University felt it would be nearly impossible to manage the large numbers, between 4,000-5,000 people, to have an indoor event. And it was felt that it would be too cold in December to hold it outside.
- International festival and homecoming parade will be virtual.
- Basketball games may not have fans, or may have a limited number of fans, but that decision has not been made yet.
 - If they have fans, the number will be drastically reduced. Conference USA requires fans are in the arena to be at least 25 feet above the floor area.
 - Any decision of having fans present will require permission from the Cabell County Health Department. The Governor would also have to give permission if the number of fans would exceed his allowed number of people at an event.
- **Q:** If furloughs or additional salary reductions are enacted what sort of advance warning would staff and faculty be given (weeks, months, etc) so they can adequately budget themselves and prepare?
 - **A:** Starting in November, CFO Mark Robinson will start reporting monthly on the budget, and any further budgetary actions taking place. Each month he will report on whether we will need to do additional budgetary cuts. There are currently some units outside of the core operating budget that are experiencing some financial pressures, which are the School of Pharmacy and RCBI. Those units are looking to find ways to try and address their financial challenges.
 - If any further budgetary actions are taken that would directly impact employees, such as furloughs or additional salary reductions, employees would be given at least a one month warning, if not longer.
- **Q:** There has been discussion about the professor who got in trouble for a politically charged rant last month. What became of that situation beyond her initial removal from the classroom? Do parents and staff have a right to know how it was handled? If so, how is that being communicated?
 - **A:** Last week's inquiry by faculty senate about the handling of this situation resulted in the correspondence attached on page 6. The following is a quote from that memo:
 - The Provost and I reviewed the confidential investigative report, which has been shared with the faculty member and her legal representatives, and decided upon an intended course of disciplinary action. The Provost communicated this intended action to the faculty member as required by Series 9 in Section 12. Further actions by the professor is possible in the process as outlined in Section 12. Unfortunately, the University cannot speak to exactly what action, if any, has or will be taken with the respect to the faculty member in question as this is a personnel matter and must by law remain confidential.

Mark Robinson – CFO

- Mr. Robinson stated that he had nothing further to add, and that they are feverishly working on calculating where we're at with the budget, and will start communicating that to the Marshall community on a monthly basis. The goal is to balance the budget in a way that won't require any furloughs or further salary reductions.

- Used office supplies can be acquired by contacting Cathy Lawson, who has been collecting supplies donated from surpluses across campus.

When will we have a good feeling on what our budget for spring will be? – Chris Hodge – Hopefully in a few weeks so that there's enough time to try and reduce costs.

Bruce Felder – Human Resources

- Anti-bias Training
 - Training will be released today for Marshall Employees, who will receive the first of two emails. The first will be an introduction to the training, and the second will come directly from EverFi along with a link to the training.
 - It's a single sign on just like myMU.
 - Tomorrow, the training will go out to MURC employees.
 - The week after that it will go out to Marshall Health employees.
 - It will send a reminder every two weeks until you either complete the training or until December 31st, 2020. After that point it will send a weekly reminder through January.
- Drive Through Health Fair & Flu Shot Clinic
 - Took place yesterday, and Bruce thanked everyone who was involved, including Marshall Health and the Health Department for providing the vaccines.
 - Had two locations:
 - Drive through location at the stadium, where 107 people came through.
 - Walk up tent on the plaza, where 244 people came through.
 - Marshall Health and the Health Department are sponsoring several more drive through flu clinics that are coming up, including at the AD Lewis Center. Check the Marshall Health website or the Cabell Health Department website for more locations.
- Winter Break Plans
 - Our holiday calendar has the University shutting down for break on December 22nd and reopening on January 4th.
 - Students will be leaving campus around November 23rd and won't return until January 18th.
 - Even though students will not be here, employees will remain on campus.
 - Surveillance testing will continue with employees until the end of the year.

Can employees walk up for the COVID testing on campus even if they have not been randomly chosen to do so? – Lacie Bittinger – Any employee or student can get tested at any time from there.

Should a student who is symptomatic get tested at the walk-up tent on campus? – Mary Layne – Tracy Smith stated that any student who is symptomatic should contact Leah Tolliver or Michelle Biggs and we will get them a telehealth appointment. They can then arrange for testing, and/or isolation and quarantine.

Why are the same students being repeatedly chosen to get tested while others haven't been chosen at all? – Mary Layne – It's based on a randomization, and the students chosen more than once more than likely live in the residence halls.

How do we enforce the mandatory aspect of the testing? – Justin Tyler – Bruce asks employees to encourage each other to do the right thing and get tested, especially as this is a mandate from the Governor of West Virginia. If someone refuses, they can let him or Tracy Smith know.

Many Physical Plant employees do not check their email. Are you sending out paper notifications for things like trainings or surveillance testing? – Tony Waugh – Tracy said that no, there has not been any written requests for testing. However, going forward, they can reach out to the supervisors to disseminate the information. Bruce added that regarding the training, historically supervisors have passed that kind of information along. He will see if they can help with this also, as well as have access to a computer.

Is the anti-bias training required or optional? – Chris Hodge – It is required.

Tracy Smith – Director of Health and Safety

- There is a widespread COVID-19 community spread in the surrounding community right now. Employees are asked to be vigilant both on campus and off.
- We will continue the widespread surveillance testing throughout the semester as long as there are employees on campus. Once the students leave we will look at the total population on campus and reassess our numbers based on that.
- PPE for Spring
 - **Q:** Are there plans to allocate more PPE to faculty, staff and students for the Spring 2021 Semester? Would it be possible to distribute another round of “welcome back” kits to staff and students for the next semester?
 - **A:** When we return for the spring semester we will have kits, but it will be done a little differently this time. We will go through the deans and directors for each individual department to request the number of supplies needed. The kits will still include two masks and some hand sanitizer.

Where should we send students who do not have a mask? – Chris Hodge – Michelle Biggs with Student Affairs.

Who do we contact to get more PPE or get replacement PPE? – Mary Layne – Send an email request to safety@marshall.edu.

Minutes

August 20th, 2020 minutes approved as written.

September 17th, 2020 minutes approved as written.

Committee Reports

Election Committee – Nina Barrett – We recently finished a special election to fill vacancies. Congratulations to those who won:

- Chair:
 - Tony Waugh (Physical Plant)

- EEO Group 30 – Other Professionals
 - Chris Hodge (Library)
 - Rob Williamson (Information Technology)
- EEO Group 40 – Technical & Paraprofessional
 - Toni Ferguson (College of Education/Professional Development)
- EEO Group 50 – Clerical
 - Mary Layne (Mailroom)
 - Terri Thompson (College of Education/Professional Development)

Legislative Committee – Carol Hurula – No report.

Personnel/Finance Committee – Lacie Bittinger – No report.

Physical Environment Committee – Crystal Stewart – No report.

Service/Staff Development Committee – Missy Morrison –

- We have delivered 98 care bags so far to Housing for the students quarantining in Holderby Hall as a result of the donations that have been given.

If someone has already received a care bag, do they get another on the next delivery as well? – Becky Lusher – No, Mistie Bibbee has been doing the distribution herself so as to not miss anyone or duplicate anyone.

- Since we cannot have our annual thanksgiving dinner for students who remain on campus during break, Staff Council will instead buy and individually pack a variety of holiday pies to be delivered to them.
- The Bob Hayes Staff Awards Committee will resume work to take nominations and make the awards before the end of the year.

Announcements

Will there be any way of doing the Staff Awards Luncheon? – Chris Hodge – The awards are being distributed either by mail or to individuals directly. As of right now there are no plans to have a luncheon due to the COVID-19 restrictions in place.

Minutes taken and prepared by: _____
Katie M. Counts, Program Assistant, Classified Staff Council

Minutes approved by: _____
Tony Waugh, Chair, Classified Staff Council

Minutes read by: _____
Dr. Jerry Gilbert, University President




**Marshall University
Office of the President**

216 Old Main
One John Marshall Drive
Huntington, WV 25755-1000
Tel: 304-696-2300 | Fax: 304-696-6453
marshall.edu

October 6, 2020

To: Dr. Philippe Georgel and the Faculty Senate Executive Committee

From: President Jerome Gilbert 

RE: Inquiry of Faculty Investigation

Anytime an administration is placed in the position of having to investigate a faculty member for potential misconduct, it is a difficult situation for all involved. I have received and understand your interest in the current investigation of the Biology professor in question and what, if any, disciplinary action will be taken by the University.

In response to your inquiry and the motion passed by the Executive Committee of the Faculty Senate, the University must follow the requirements set forth in Title 133, Series 9, Academic Freedom, Professional Responsibility, Promotion and Tenure. Please see:
<http://www.wvhepc.edu/wp-content/uploads/2020/02/133-9final.pdf>

Further as the faculty member in question is tenured, there are specific procedures the University must follow in Section 12 of Series 9. Therefore, the University believed that before it determined what action, if any, would be appropriate in light of the situation regarding the faculty member's comments that it was important to fully investigate what had occurred. We utilized an investigator in our Title IX and Equity Office to conduct an investigation, and in the investigation, she reviewed materials and communicated with individuals, including the professor and some of her students.

The Provost and I reviewed the confidential investigative report, which has been shared with the faculty member and her legal representatives, and decided upon an intended course of disciplinary action. The Provost communicated this intended action to the faculty member as required by Series 9 in Section 12. Further actions by the professor is possible in the process as outlined in Section 12. Unfortunately, the University cannot speak to exactly what action, if any, has or will be taken with the respect to the faculty member in question as this is a personnel matter and must by law remain confidential.

I appreciate your inquiry and know that the University is following the required policies and procedures to address this situation.

C: Provost Jaime Taylor