



COLLEGE COUNCIL MINUTES

February 22, 2018

3:00 – 5:00 p.m.

Eisenhower Board Room

Present: Randy Basinger, Jamie-Claire Chau, Leah Clarke, Richard Crane, Barry Goodling, Carla Gross, Kimberly Hawkins, Paula Maynard, Peter Powers, Sheryl Scaramuzzino, Richard Schaeffer, Kathie Shafer, William Strausbaugh, Jon Stuckey, David Walker, Samuel Wilcock

Absent: Todd Allen, John Chopka, Amanda Coffey, Lew Gladfelter, Kris Hansen-Kieffer, Angela Hare, Rhonda King, Caroline Maurer, Laura Miller, Stephanie Patterson, Rob Pepper, Kim Phipps, Richard Roberson, Katie Voorhies,

Chair: David Walker

Guest: Allen Snook

Minutes recorder: Melissa Cohen

Minutes and welcomeDavid Walker

David Walker, vice president for finance and planning, welcomed council members. Minutes from the January 18, 2018 meeting were approved.

Unauthorized Recording PolicyAllen Snook

Allen Snook, IT security analyst, provided an overview for the background of the new Unauthorized Recording Policy. Recently there was an incident on campus where a student recorded the professor without the professor’s knowledge. The issue was brought to the attention of Human Resources, which led to the need for an official policy in this area. Pennsylvania state law states that recordings cannot be done without prior approval from the person being recorded. The new Unauthorized Recording Policy reflects that law by stating that Messiah College prohibits members of the College community from engaging in the surreptitious recording of another person without that person’s consent or when that person has a reasonable expectation of privacy. Accommodations can be made for with students with ADA requirements and other students can also request permission to record for educational purposes, but students in the class must be notified and all recordings need to be destroyed at the end of the semester.

A. Snook noted that the policy contains an exception which states that amnesty may be provided to a College community member or bystander who, in good faith, records another person or persons in an effort to protect the welfare of another individual and/or to prevent or document a crime or policy violation.

Questions from the Council:

- *Kathie Shafer, vice president for operations:* Will this new policy be referenced in syllabi and communicated to students at the beginning of each semester?
 - *Provost Basinger:* A memo listing policies is sent out at the beginning of every academic year.
 - *K. Shafer:* Can it be a mandatory line in the syllabus that all students need to read? It is a legal risk issue, so keeping the policy in front of people is the challenge.
- *Bill Strausbaugh, vice president for IT and associate provost:* How far reaching is the “I thought I was recording a crime” question? If a person recorded something that was not a crime or policy violation, are they still subject to violating someone’s privacy?
- *Richard Schaeffer, professor of chemistry:* If a student records without the professor’s knowledge thinking that the professor may be violating a policy – how do you balance that?
 - *K. Shafer: (responding to both questions)* My assumption is that there would be an investigation - not necessarily a termination, but noting in the file of the person who made the recording that it was not an appropriate action.
- *B. Strausbaugh:* What kind of legal fines or penalty is there for not respecting someone’s privacy? What would happen if the recording had already been posted on social media?
- *R. Schaeffer:* Maybe a line could be added to the policy that states if you are recording something you think is wrong, it needs to go straight to the authorities.
- *C. Gross:* It is implied, but not specifically stated in the policy, that there is a difference between posting on social media versus taking the recording straight to appropriate authorities.
- *B. Strausbaugh:* Right now the policy appears as if there is no risk of taking videos and violating privacies in cases like this. We don’t want to prevent people from documenting crime, but maybe we could state what the penalty is on the policy.
 - *K. Shafer:* The police will say that the penalty depends on the crime. We can state that a violation could lead to legal or criminal charges, but we can’t be specific – it’s very much dependent on the particular case.

D. Walker asked the Council if they have enough information to vote on the policy:

- *C. Gross:* I don’t think the exception language is strong enough. From what we see in the Office of Marketing and Communications, there is a lot of crusading that happens on social media – posting for the name or cause of a greater good. I think that the policy implies appropriate reporting behavior, but I think it is currently too open to interpretation.
- *Richard Crane, associate professor of theology:* What are the existing protocols that could be included?
- *B. Strausbaugh:* We have various policies that state where to report other incidents – perhaps that language could be included in this policy.
- *R. Schaeffer:* Perhaps we say that “anyone evoking this needs to report to various authorities and nowhere else.”
- *K. Shafer:* I suggest tabling it, adding the appropriate language, and reviewing it at our next meeting.
- *Samuel Wilcock, professor of statistics:* Regarding the word “excludes,” we want to be clear that livestreaming a recording for protection is not applicable for amnesty – instead of recording it and submitting it to the appropriate authorities.
- *C. Gross:* Does “amnesty” mean from the College? This needs to be clarified – it could be misleading if they think they would receive legal amnesty.

The Council agreed to table the discussion so that the policy can continue to undergo revisions. The updated policy will be discussed at a future meeting.

FY18 Budget Update.....David Walker

D. Walker presented an update on the FY18 budget and the revenue challenges for the current budget year. Spring Snapshot Day occurred earlier this week, indicating a variance of over \$700,000 in financial aid due to the current first year, transfer and continuing student classes needing more aid. D. Walker shared that looking forward the College will need to provide more funds in the budget for discount rates for all students. There used to be a large differential between first-year and transfer students, but that differential is now closed. He pointed out a trend of continuing students who lose scholarship eligibility (due to grades) for a semester and then regain it later – the current budget model does not anticipate this. The volume of academic appeals is also increasing – the FY17 year had around 70-75 appeals, and this number is in the 130-140 range now. In addition, more students are coming back in between terms with change of life circumstances that require an enhancement to their aid package. When all of the above factors are added together in addition to a variance of six full-time equivalent students – the full variance number is close to \$900,000 - \$1 million.

The President’s Cabinet has been meeting to discuss this issue and is working with each division head to try to manage spending for the remainder of the year. D. Walker stated his confidence that the College will be able to manage the variance.

The FY19 budget will be brought to College Council in April. In order to mitigate the shortfalls from the current budget, the first-year discount rate has been increased in the budget model from 49 percent to 41 percent (transfer from 46 percent to 48 percent). The finance and admissions divisions have worked together to plan for what they anticipate to happen in terms of mid-year appeals, increased need, and assumptions for retention rates.

Questions were raised from the Council regarding the consistent underspending of line items that were used develop the FY18 budget and whether that and other capital spending will be enough to help solve the shortfall. D. Walker replied that the areas in question are areas where underspending has occurred in the past, and that there would be a bigger concern if the overspending had occurred relative to the December midyear target in terms of salaries and benefits. He is confident that based on the historic trends of year-end spending, the College can come up with the \$900,000 - \$1 million in known savings by the end of the fiscal year. He encouraged responsible stewardship between now and the end of the year. Using professional development as an example – unless flights have been booked and conferences paid for, those expenses should be held off for now.

D. Walker shared that the President’s Cabinet is currently drafting a communique to distribute to campus within the next few weeks that will offer ideas on how specific divisions can bring savings to their various areas.

The meeting adjourned at 3:45 pm.

Submitted by,

Melissa Cohen
Executive Assistant to the President
Assistant to the Board of Trustees