



Meeting Minutes
October 25, 2019
Shepherd University, Byrd Congressional
Center
9:00 am

MEMBERS PRESENT

Chris Gray	Southern WV Community & Technical College
Carrie Watters	WVHEPC
Amy Pitzer	Concord University
Jane Fouty	BridgeValley Community & Technical College
Clark Kendall	Fairmont State University
David Hays	West Virginia State University
Dawn Swiger	West Liberty University
Shirley Robinson	West Virginia University
Beverly Jones	Pierpont Community & Technical College
Verne Britton	WVNET
Teresa Meddings	Marshall University
Sherry Donovan	Shepherd University
Michele Lang	Glenville State College
Kim McFee	West Virginia University -- Parkersburg

**MEMBERS ABSENT
(EXCUSED)**

LeeAnn Shreve	Eastern West Virginia Community & Technical College
Barbara Sanders	WV School of Osteopathic Medicine
Dee Preston	Mountwest Community & Technical College
Melissa Hoag	West Virginia University Institute of Technology
Deidre Guyton	Bluefield State College
Tabatha Parker	New River Community & Technical College
Jenna Derrico	West Virginia Northern Community College

(UNEXCUSED)

Angie Kerns	Community & Technical College System of West Virginia
Taylor Miltenberger	West Virginia University Potomac State College

GUESTS

Dr. Scott Beard	Provost, Shepherd University
The Honorable John Doyle	Delegate, Minority Vice Chair Education Committee, Jefferson County
Ken Harbaugh	Emeritus
Chelsea Barker	Shepherd University
Melody Gillespie	Shepherd University
Amy Speck	Shepherd University
Marie DeWalt	CHRO, Shepherd University

Tammy Gill	Shepherd University
Brian Hammond	Shepherd University
Jayne Angle	Shepherd University
Anna Mary Walsh	Shepherd University Classified Emeritus

I. CALL TO ORDER & ESTABLISH QUORUM

Amy Pitzer called the meeting to order at 9:03 am and thanked Sherry Donovan and Shepherd University for hosting the meeting.

II. Introductions/Guest

a. Sherry Donovan introduced Dr. Scott Beard, Provost of Shepherd University. Dr. Beard welcomed the ACCE member to Shepherd University and the Eastern Panhandle of West Virginia.

- i. Dr. Beard made the welcome on behalf of Shepherd President Hendrix. He pointed out that the location of the meeting, Robert C Byrd Congressional Center, houses not only the papers of Senator Byrd, but items on the history of the United States Congress.
- ii. Shepherd identifies as a public liberal arts college. There is a paradigm shift in the students who are attending college. Colleges have been struggling with the cuts in higher ed. He hopes that the recommendations for a new funding formula from the Blue Ribbon Committee will help with the funding for Shepherd and other colleges.
- iii. Dr. Beard said the Classified Staff are on the front lines dealing with students; the ones that a student or parent usually sees first. Classified Staff can be the ones that a troubled student goes to for help. Students are dealing with issues unlike in the past such as drug addiction and lack of academic preparedness.
- iv. Shepherd is looking at develop assets.
 1. Opened an agricultural center on a farm the university owns and sell products from the farm. Doing this to develop entrepreneurship in the area.
 2. Institute for Civil and Political Communication. So people can engage in respectful political dialogue.
 3. Photo Bio Modulation program received a grant. One area that photo bio modulation may help is with pain management.
- v. New programs create staffing issues especially with limited resources. This is leading to an increase of doing more with less staff but the institution does not want to burn the staff out.
- vi. Status of Blue Ribbon Commission -- unsure of the status. Institutions have been told to expect some budget cut mid-year but less than the original 4.5%. No word on future meetings of the Blue Ribbon Commission.
- vii. Relationship between faculty and staff. David Hays asked about this relationship. Dr. Beard tries to promote what the administrative staff does. Some of the systems the college has to use are somewhat labor intensive. This means some staff would be difficult to replace because of their broad scope of duties and their systems knowledge. Shepherd tries to have staff on all university committees. Tries to make sure to get information out to the staff. Opening up the lines of communications. Marie DeWalt pointed out that Classified Staff has a high level respect. She pointed out that as people retire, there is a loss in institutional history. Ken Harbaugh pointed out that classified staff are on most of

the committees including two staff that are voting members of the Shepherd Foundation. Even retired employees are still allowed to be part the college like keeping email, free parking pass, and invited to campus functions.

- viii. Dr. Beard is working with other Academic officers at the state level to try to find ways to purchase things as a consortium in areas such as libraries.
 - ix. Many campus resources have been outsourced. Shepherd has outsourced campus dining services and bookstore. Colleges are going to need to work together to accomplish goals. Ken pointed out that there are additional costs to the state when services are outsourced. The college may save money but the total costs to the state, including social services, may end up actually being an overall greater expense.
 - x. Retention is important. Need to retain students and make them successful. The educational landscape is changing because of online courses and programs. Shepherd is working to offer online programs. One issue is how do you provide services and make the student successful in an online program.
- b. Sherry Donovan introduced members of the Shepherd University staff who were attending the meeting.

III. APPROVAL OF MINUTES

- a. There was discussion of the September minutes and a few minor corrections. David Hays motioned to approve the minutes with the corrections. Teresa Meddings seconded the motions. The motion passed.

IV. Discussion with special guest Delegate John Doyle

- a. Former Vice Chair of the House Finance committee.
- b. Helped to increase increment pay up to \$60 per year of service.
- c. He thinks in the upcoming legislative session there will be more attention to higher education. The Omnibus education bill took up time in the legislature the past two years.
- d. He is a member of the education committee.
- e. Does not want to eliminate the HEPC unlike WVU President Dr. Gee.
- f. Points out that about every 20 years WV reorganizes higher education
 - i. When HEPC was created, the colleges were given governance by having their own Board of Governors.
 - ii. Reviewed the history of higher education governance.
 - 1. HEPC was created as a regulatory agency.
 - a. HEPC was to keep bigger schools from cannibalizing small schools.
 - b. Perform research function for all colleges, but especially for the smaller institutions who would not be able to do some of the research.
 - iii. Problem of the HEPC
 - 1. Most members had been a member of the prior higher education governing structure. These members felt that they should be governing which is not what the HEPC was created to do.
 - 2. Need to change the rules for the HEPC.
 - iv. Lack of a funding formula has caused institutions to be underfunded and made it hard for them to grow.
 - 1. Difficult to give raises when given only one-time funding for those salary increases.

2. Legislature has passed four funding models through the years, but has not implemented any of these models.
3. Advocates Outcomes Based Funding for institutions.
 - a. Simplified version of performance based funding. Outlines what the expectations and goals the state expects each institution to achieve. Set different goals based on the institution.
 - b. Ken Harbaugh asked about outcomes based funding -- what model will be used and who will create the model?
 - c. The old model weighted each of your courses. Higher level courses got you more funding.
 - d. Need to look at the whole package of programs offered by an institution. The institutions should perform at certain level. If the institution exceeds their set goal/expectations, they get additional funding, but not at the expense of other institutions.
 - e. Would like to use the funding model from Tennessee.
 - f. By end of the 2020 session, develop a performance funding model.
4. Over the past 10 years, most states have reduced higher education funding. Maryland during this time increase higher education funding but reduced tuition rates which has hurt the eastern panhandle colleges in WV like Shepherd University.
5. How do you judge how successful each institution is? Each institution would have their own goals. Goals will be developed by the HEPC and set by looking at peer institutions. Each institution would have its own set of peer institutions.
6. The Tennessee system starts by all institutions getting full funding the first year then each following year starts at 50% and then earns the remainder.
7. The institutions on the state border will have a higher percentage of out of state students. Need to be more creative in how we retain WV students and these out of state students.
8. When money is appropriated for salaries there should be more control that the money is used for salaries and not on other items.
9. How will data be collected for the performance funding system. Look at how Tennessee went about collecting the data. Need to talk to Tennessee to see what they did right and what they did wrong.
- g. Accountability -- ACCE feels accountability has been lost. A large amount of the reporting has been removed. Some reports that were duplicates could have been combined. The HEPC has no oversight authority. Del. Doyle wants us to give him a list of reports that we think should be required. ACCE needs to give him what data is collected in the reports.
- h. Suggest that ACCE meet with Senate Education Chair Ellington and talk to him about our concerns.
- i. PEIA issue was effectively postponed. Del. Doyle suggests that we talk to legislators and get them to commit to fixing PEIA. We need to have them tell us where the funding is coming from.
- j. Outsourcing -- no changes until there are significant changes in the legislature

- k. Suggests that Pierpont Community and Technical College move to the Caperton Center and not merge back with Fairmont State.
- l. Opposed to a unified community college system. A unified system would allow for no consideration to the needs of the local area.
- m. Issues between the CTCS and Vo-Tech schools. There needs to be a better way to coordinate and work together.
- n. BridgeValley -- South Charleston campus versus Montgomery Campus
 - i. Montgomery Campus is draining funds from South Charleston campus. The majority of BridgeValley students are at the South Charleston campus.
- o. Exempted School --- is there any thought process or criteria to determine if other schools can become exempt? Any other school would have to get legislative authority, i.e. a code change to become an exempt school.
- p. Need to develop partnerships between the two year and four year colleges. The four years should offer their higher level courses at the CTCs.
- q. The move from Classified to Non-Classified
 - i. There seems to be more nepotism and favoritism. Colleges should see the value of high employee morale.
 - ii. Lack of valuing employees.
- r. Need more transparency in the executive branch of government including higher education.
- s. Senator Rucker was invited to meet with ACCE, but was called to a meeting in Charleston. Senator Rucker is willing to meet with ACCE at a later date

V. Discussion/Examples regarding HEPC Response to ACCE Presentation

- a. Policy Commission listened and asked questions about our presentation.
- b. Chair Ferrell talked to Amy after the presentation. ACCE is to meet with Chair Ferrell and Chancellor Tucker about issues we have. Chair Ferrell wants examples of what is going wrong at the institutions. There are now problems because each college can have their own policy. Amy is asking all ACCE reps to review all board policies. Work with your Board rep. Keep up when policies are coming up for review and provide comments. All the college (except for the exempted schools) have to follow what the Council and Commission pass (i.e. state level rules) if they don't have an approved Board of Governors rule in place. No one at the HEPC has been reviewing policies. What do we do if a policy is not conforming to state policy, state or federal law? Ken brought up that we could go to LOCEA to hold the Policy Commission and the colleges accountable. Chair Ferrell was upset with what some of the institutions are doing to staff.

VI. Discussion of State Code, Chapter 18B, Articles 7, 9A and 9B

- a. Ken emailed to the group copies of Chapter 18B, Articles 7, 9A, and 9B.
- b. Discussion ensued on the Chapters of WV State Code.
 - i. Some issues are addressed in other parts of code such as grievances.
 - ii. Chapter 18B, Article 6
 - 1. There is legislative intent included in WV Code so you know what the intent of the law was. This helps with interpretation of the code. Important to read the legislative intent because it will tell you if the definition applies to what part of code, the section, article or chapter.

2. The definitions usually for that particular section of the article.
 3. There is some cleanup needed in code that has resulted from code changes in 2017 with House Bill 2542.
 4. State code specifically defines Institutional Classified Employee Council and that colleges must have a classified staff council. We are worried for the lack of uniformity across all colleges for representation of employees.
 5. Clarification of what is exempt and nonexempt.
 6. Ken and Amy point out that the colleges are to pay travel expenses for the Advisory Council representatives from the state appropriated funds they receive. The same language covering travel is in each section for ACCE, ACF and Student advisory councils.
- c. Chapter 18B, Article 7
1. All schools have to follow state and federal law including the exempt schools.
 2. Reduction in Force
 - a. HB 2542 removed bumping rights.
 - b. RIF can be eliminating positions or reduction in FTE.
 3. Institutions can contract for supplemental benefits plan.
 4. Institutions can contract for supplemental retirement plans.
 5. Professional Development -- each school shall establish and operate an employee continuing education and development program.
 6. Employment practices -- establish a rule governing part-time employment. Staff Councils get to provide input but do not have to approve the rule.
 7. Merit increases -- may grant merit increase with promulgated rules which are in line with the model rule of the Commission and Council.
 - a. The Commission and Council have not created rules for merit increases.
- d. Chapter 18B, Article 9A
1. Establish the Classification and Compensation system.
 2. Salary structure and salary schedule.
- e. Carrie Watters motioned that the remainder of the discussion on State Code and other agenda items be tabled to the next meeting. Teresa Meddings seconded the motion. The motion passed.

VII. Carrie Watters requested that everyone need to go back to their campuses and talk to employees to find out about any problems/issues.

VIII. UPCOMING MEETINGS

November 22, 2019	WV ACCE Meeting, hosted by New River CTC, Beaver WV
December 12, 2019	WV ACCE Meeting, hosted by BridgeValley CTC, North Central Advanced Technology Center (ATC)

December 5, 2019	WV Community and Technical College System Meeting, Regional Technology Park, South Charleston
December 13, 2019	WV Higher Education Policy Commission, Regional Technology Park, South Charleston

IX. ADJOURN

Motion to adjourn made by Carrie Watters, seconded by Jane Fouty. Voting all in favor. Motion carried. Meeting adjourned at 4:14 pm.

Submitted by,
 J. Christopher Gray
 ACCE Secretary