



**Meeting Minutes**  
**December 14, 2020**  
**Via Zoom**  
**1:00 pm**

**MEMBERS PRESENT**

Jenna Derrico	West Virginia Northern Community College
Amy Pitzer	Concord University
Chris Gray	Southern West Virginia Community & Technical College
Teresa Meddings	Marshall University
Dee Preston	Mountwest Community & Technical College
Jodi Miller	New River Community & Technical College
Vincent Sirianni	West Liberty University
Jane Fouty	BridgeValley Community & Technical College
Melissa Hoag	West Virginia University Institute of Technology
Shirley Robinson	West Virginia University
Barbara Sanders	West Virginia School of Osteopathic Medicine
Verne Britton	WVNET
Diedre Guyton	Bluefield State College
Clark Kendall	Fairmont State University
David Hays	West Virginia State University
Michele Lang	Glenville State College

**MEMBERS ABSENT**  
**(EXCUSED)**

Kim McFee	West Virginia University at Parkersburg
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**(UNEXCUSED)**

LeeAnn Shreve	Eastern West Virginia Community & Technical College
Mary Beth Myers	Shepherd University

**GUESTS**

Matt Turner	Executive Vice Chancellor for Administration, WV Higher Education Policy Commission
Ken Harbaugh	Emeritus
Bob Long	Emeritus

1. Call to Order and Establish Quorum
  - a. Meeting was called to order at 1:04pm
2. Discussion of Legislative Rule
  - a. Rule and code sunsets after five years. What happens in five years when the code and rule sunsets?
  - b. This rule only applies to the four-year institutions.
  - c. Initial request for exempt status will come from the school. The school will provide the initial data for the determination of meeting three of the five criteria. HEPC will verify data submitted by school. There will be an annual verification to determine if a school is still meeting three of the five criteria. Does not matter what criteria that they meet from year to year as long as they meet three of the criteria.
  - d. If a school does not meet three of the criteria after initially getting exempt status, they are put on probation for one year. What happens during the probationary period? Does the school have to meet the same three criteria each year? What if the institution does not meet two criteria and picks up two different criteria? HEPC needs to verify all data both on the application and annual review.
  - e. What justifies special consideration? The commission should detail what was considered for the special consideration. There should be some sort of annual review for institutions that are given exempt status under special conditions.
  - f. Page 3 of rule has some grammatical issues that are causing ambiguity.
  - g. Will there be any exceptions or special considerations for a year because of the COVID-19?
  - h. An institution that is on probation or had status revoked needs to meet more than 3 criteria.
  - i. There is already data collection and analyzing issues before implementation of the rule. How is the Commission going to address accurate data collection and analysis?
  - j. Code and rule do not list what the exemptions are. Are the exemptions that same as what the original exempted school have exemptions from following?
  - k. Rules needs more details on granting and revoking exempt status because of special circumstance. Rule needs to specify special circumstance is reviewed annually.
  - l. Does the HEPC have the capacity to review the data for the criterion?
  - m. Who needs to submit the request for exempt status? The institutional Board of Governors should submit the request.
3. Introduction of ACCE members
4. Updates from Matt Turner, Executive Vice Chancellor of Administration
  - a. HEPC is working on some of ACCE's issues that Jenna has brought to the Commission.
  - b. HEPC is meeting with legislators for the upcoming session.
  - c. Session will begin in February 10, 2021.
  - d. Due to COVID, the speaker is wanting to focus on major bills.
  - e. Senator Rucker still the chair of the Senate Education Committee.
  - f. At this time, not hearing anything major for higher education during the session.
  - g. Biggest concern is fall and spring enrollment.
  - h. FASFA applications are down for fall 2021.
  - i. Issues affecting fall enrollment
    - i. Because of COVID-19 and social distancing, high school student are not able to take national tests like the ACT or SAT.
    - ii. With high schools doing remote learning, counselors not being able to work with students.
  - j. Education Alliance is participating with the HEPC in a contest to encourage students to apply.
  - k. All classified staff have worked hard to pull off a successful fall semester.
  - l. Any guidance on the COVID-19 vaccination.

- i. Campuses still need to focus on the most vulnerable populations.
    - ii. Campuses are providing survey information.
    - iii. Don't know exactly when the vaccines will begin to be administered.
    - iv. National Guard will be helping to support the distribution of the vaccines.
    - v. Possible additional COVID testing in the spring. Looking at testing all students who are on campus.
    - vi. Current 10% surveillance testing will continue.
    - vii. What can be expected in funding since several institutions are suffering financially due to COVID-19 and reduced enrollment.
  - m. Funding formula development
    - i. Data for determining a funding formula has been affected by COVID-19.
    - ii. Model would have to use historical or projected data.
    - iii. HEPC is going to continue to work on developing the formula in the spring.
  - n. The House will limit budget presentation, but Higher Ed is still on the list to present.
  - o. Working on getting some backfill funding for the Promise grant.
  - p. Working with several institutions on the Ad Astra program.
  - q. Legislative Rule
    - i. The plan is for LOCEA to meet in January. The rule will be on their agenda
    - ii. Five-year sunset rule and what happens after five years
      - 1. Matt believes that the rule has to be reviewed and reapproved. The rule and law does not just end. The intention was to ensure laws and rules are kept updated/current.
    - iii. School meets three specific criteria one year, but meets some different group criteria the next year. What happens?
      - 1. Intention is that if they meet any three of the five criteria, they will keep their exempt status.
    - iv. Data collection and analysis
      - 1. When a college applies, they will provide data. The Commission will review the data provide by the college. ACCE wants HEPC to validate initiate data for request. Matt – most of the data is collected by the HEPC. The HEPC will data check and can request additional data from the institution.
      - 2. Is the process to review all five criteria each year? Matt believes that HEPC will look at all five criteria during the annual review.
    - v. Special Circumstances
      - 1. Review Process: Matt will have to look at this more closely.
      - 2. Could institution be able to apply for special circumstances while on probation? There is some latitude for the Commission to decide.
    - vi. Request that the Board of Governors request the exempt status
  - r. Human Resources
    - i. Is the Class and Comp position going to be filled? Working on redefining the position. Hoping to get authorization to hire soon.
    - ii. Trish will need to answer about the Market study to update the salary schedule. Trish is working on trying to get salary survey data.
5. Updates from Trish Humphries, Vice Chancellor for Human Resources
- a. Unavailable today because of office being moved
6. Review of Minutes
- a. Amy Pitzer made the motion to approve the September 25, 2020 minutes. The motion was seconded by Barbara Sanders. The motion to approve the September 25, 2020 minutes passed. The minutes were approved.

- b. David Hays made the motion to approve the October 20, 2020 minutes. The motion was seconded by Jane Fouty. The motion to approve the October 25, 202 minutes passed. The minutes were approved.
- 7. Development of Legislative Priorities
  - a. Jenna shared the AFC Legislative priorities
    - i. Broadband Needs: To expand and improve broadband capabilities statewide to ensure that students, higher education institutions, and industries have access to the technology they need to develop, innovate, and grow.
    - ii. COVID Challenges and Adaptation Strategies: To continue adapting to the challenges brought forth by the pandemic through working to sustain, improve, and protect the health and education of our students.
    - iii. IT Needs: To address IT needs at the institutional level through funding and trainings for faculty and staff.
    - iv. Mental Health Needs: To study and improve access to mental health resources for our students.
    - v. Globalization Bill: To encourage and support recruitment for post-secondary education globalization initiatives in West Virginia.
    - vi. Campus Governance: To provide transparency in campus governance and initiate faculty and staff evaluations of Boards of Governors as well as administrators at the dean level and above.
  - b. Need to look at defining furlough in state code since furlough was added to code but not defined. Need to clearly define layoff and furlough.
  - c. Only state employees that do not have recall, bumping rights, and seniority rights
  - d. Priorities
    - i. Permanent funding for PEIA
    - ii. Funding for Higher Education
    - iii. Increased Broadband
    - iv. Needing to clarify the definition of furlough in state code
    - v. Only group of state employees that do not have recall, bumping rights, and seniority rights
    - vi. Definition of a non-classified employee
- 8. List of Concerns for Chancellor Tucker
  - a. Email Jenna any concerns that should be brought to the Chancellor's attention.
  - b. We need to give the Chancellor points that she can look into and then report back to us.
- 9. Selection of ACCE Meeting Dates
  - a. Tuesday, January 26, 2021, 1pm to 4pm
  - b. Monday, February 22, 2021 1pm to 4pm
  - c. Monday, March 22, 2021 1pm to 4pm
- 10. New business
  - a. Update on JCC and the Compensation, Planning and Review Committee and what these committees will start meeting.
  - b. Mountwest has started their presidential search again.
- 11. Adjourn
  - a. Dee Preston made a motion to adjourn. Barbara Sanders seconded the motion to adjourn. The motion to adjourn passed. The meeting adjourned at 3:54pm.