



Meeting Minutes
April 26, 2021
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
Barbara Sanders	West Virginia School of Osteopathic Medicine
Deirdre Guyton	Bluefield State College
Jodi Miller	New River Community & Technical College
Kim McFee	WVU-Parkersburg
Teresa Meddings	Marshall University
Melissa Hoag	West Virginia University Institute of Technology
Mike Lynch	West Virginia University Potomac State College
Vicent Sirianni	West Liberty University
Jane Fouty	BridgeValley Community & Technical College
Mary Beth Myers	Shepherd University
Verne Britton	WVNET
Michele Lang	Glenville State College
Shirley Robinson	West Virginia University
Dee Preston	Mountwest Community & Technical College
David Hays	West Virginia State University

MEMBERS ABSENT
(EXCUSED)

Clark Kendall	Fairmont University
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(UNEXCUSED)

LeeAnn Shreve	Eastern West Virginia Community & Technical College
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GUESTS

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

1. Call to order
 - a. Chair Derrico determined there was a quorum and called the meeting to order 1:04 pm
2. Approval of Minutes
 - a. February 2021
 - i. Jane Fouty motioned to approve the February 2021 minutes as presented. Michele Lang seconded the motion. Motion passed and the February 2021 minutes were approved.
 - b. March 2021
 - i. March 2021 minutes were tabled to next meeting or by email vote.
3. Updates from Matt Turner, Executive Vice Chancellor for Administration
 - a. SB 14 – alternative certification of teachers. It could have impact on some teacher education programs in the state. Adds a third method for the certifying someone to be a teacher. Superintendent can issue a teaching certification to a person who has a bachelor's degree but not in education.
 - b. SB 277 – liability bill (COVID Job protection bill). This bill set forth basic liability protection. The liability coverage in the bill was extended to Higher Ed.
 - c. SB 657 – Free expression – This bill created a new section of code. Prohibited free speech zones on campuses.
 - d. SB 307 – provides in-state tuition rates for members of the military reserve.
 - e. SB 335 – fixed problems with WV Invest program. WV Invest grant will now cover all mandatory and required course/academic fees. Program/course fees must go before the Council and Commission for approval to be covered. This will begin with Fall 2021. Drug testing required only once a year instead of twice a year. If student tests positive, they are not automatically removed from the program. We must provide students resources to help deal with their drug usage, such as counseling. There has been only a small number of students to test positive.
 - f. Jump savings program – similar to a 529 program. Can be used for tools, equipment and licenses.
 - g. HB 3293 – Trans-gender bill – higher ed was added to the bill. Unclear as to what NCAA stance on this bill. NCAA has some guidelines dealing with trans-gender persons participating in sports.
 - h. No campus carry bill was passed. All campus carry bills died in committee.
 - i. Budget
 - i. Institutions were instructed to submit flat budgets.
 - ii. Total higher education appropriations \$470 million. Actually, cut Marshall \$10 million and WVU \$18 million. Restored most funding through a surplus transfer for the upcoming fiscal year.
 - iii. All four year schools were reduced by 1.5% but being restored through surplus transfers.
 - iv. Budget process begins in August for the upcoming legislative session.
 - v. Part of separation agreement between Fairmont State University and Pierpont Community & Technical College is \$3 million to help facilitate their separation.

- j. Programs to build nursing workforce did not make it out of committee this year, but may see movement on nursing programs and behavioral health next year.
 - k. Concurrent Resolution 55 -- Study resolution – studying the viability of creating a veterinary school in WV.
 - l. Not much discussion in the legislature about funding formulas. HEPC will be looking at funding formula this summer.
 - m. Next Commission meeting will be on April 20, 2021. A major agenda item is the decrease in the college going rate. Most of the impact is on the community college side.
 - n. Current state of Governor's Travel Ban
 - i. Institutions are permitted to in-state travel. It is an institutional decision for travel.
 - ii. HEPC in-state travel has been limited. No out of state travel.
 - iii. Governor has lifted the ban on social gatherings.
 - o. HEPC is not fully back to working in office, still partially remote.
 - p. Asked if the Commission and Council will be having elections to replace the ACCE representatives. Trish said that the staff councils have not been active since remote working. She will send out a reminder. Trish has spoken to the CHROs at other institutions about electing and sending representatives even if that person is non-classified.
 - q. Most of the four-year institutions are having in-person graduations.
 - r. May 10, 2021 will be interim Legislative meetings. Matt will update us more when he gets more information.
4. Updates from Trish Humphries
- a. JCC – Trish is working on letters to send out members.
 - i. JCC has a request to modernize a title.
 - b. Is the HEPC planning to write policy on remote work. No sure about issuing a separate rule on remote working from home.
 - c. Guidance on emergency closure of campus. Rewrite rule Inclement Weather Rule. Governor is the only one who can declare a state of emergency. Looking at revising Inclement Weather Rule to clarify and clean up the language. Any rule that provides benefits or compensation to an employee, needs to be a legislative rule according to HEPC counsel.
 - d. Comp time and how people use comp time.
 - i. Rules on comp time is that comp time has to be used within a certain time of earning it. There is an issue with Kronos about how it accounts for comp time and when it expires. It can lead to an employee have a negative comp balance.
 - ii. Comp time cannot be cashed in for money.
 - iii. Institution can require overtime, but the employee gets to choose to receive comp time or overtime pay.
 - e. Trish has interviewed for vacant position in HR office. This will help with the market study work.
5. Retreat Planning
- a. Shirley did contact Canaan Valley.
 - i. Available July 18 – 20, 2021.

- ii. Room rate \$99 per room.
 - iii. Canaan will have to charge us \$100 to use the meeting room.
 - iv. Date to cancel meeting room reservation is June 6, 2021.
- b. If the majority of the group has been vaccinated, then we should be able to justify an in-person retreat. We would need to poll the members. Response to the poll would be total voluntary, since we cannot require any member to disclose their vaccination information.
- c. Does Canaan have the availability to provide equipment to allow some members and guests to attend virtually?
- d. Poll to see
 - i. Institutions allowing in-state travel
 1. BridgeValley – yes
 2. WVNET – maybe
 3. Shepherd – maybe
 4. Mountwest – yes
 5. WVSOM – unsure
 6. New River – probably allow
 7. WV Tech (Melissa Hoag) – probably allow
 8. Potomac – probably allow
 9. WVU – probably
 10. Concord – probably
 11. Southern -- probably
- e. The consensus of the group is to pursue trying for an in-person retreat in July.
- f. Retreat Presentation and Guest Speakers
 - i. Presentation/Trainings
 1. Using the Legislative website
 2. Encouraging campus staff councils to be more effective
 3. How to communicate with legislators
 4. Review of WV Code pertaining to ACCE and institutional staff councils
 5. Salary structure and system
 6. How to advocate for your employees
 7. Grievance procedures
 8. College Finance and Budgets
 9. ACCE members duties and responsibilities
 10. Terms and definitions
 - ii. Guest Speakers
 1. Matt Turner
 2. Chancellor Tucker
 3. Senator Rucker
 4. Delegate Ellington
 5. Kristin Boggs
 6. Trish Humphries
 7. Chair of Commission – Ferrell
 8. Delegate Jennings

6. New Business

- a. HEPC meeting April 30, 2021. Chairperson Derrico will be reporting to the Commission.
 - i. JCC has full staff membership and should be meeting soon.
 - ii. Importance of the salary market study to be done this year. We support the conducting of the salary market study. The JCC determines the benchmark positions for the market study. Point out that K-12 should be included in our market study.
 - iii. Ongoing liability, of higher ed budget being cut. Higher ed does not get any funds restored when there is a budget surplus.
 - b. Cost of labor study needs to be brought up to Matt and Trish when looking at the five-year salary market study. The only difference in the cost of labor has been cost of housing.
7. Motion to adjourn was made by Barbara Sanders. The motion to adjourn was seconded by Verne Britton. The motion passed. The meeting adjourned at 4:18 pm.

Submitted by,
J. Christopher Gray
ACCE Secretary