

ADVISORY COUNCIL OF CLASSIFIED EMPLOYEES

TO THE

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

The Advisory Council of Classified Employees (hereinafter referred to as the ACCE) to the West Virginia Higher Education Policy Commission (WVHEPC) was created to provide classified employees a means of conveying their concerns and recommendations on employee-employer relations to the WVHEPC. The term classified employees shall mean those employees designated by the WVHEPC policy as classified and does not include faculty or non-classified personnel. Recognizing that all matters within the WVHEPC's rule are governed by the West Virginia Code (WV Code), these by-laws are formed.

BY-LAWS

ARTICLE I. NAME

The name of this organization shall be the Advisory Council of Classified Employees (ACCE).

ARTICLE II. AUTHORITY

Authority of and for the ACCE is granted by WV Code 18B-6-4a. The ACCE is chartered specifically by WV Code and shall at all times conduct affairs in accordance with prevailing law, consistent with Robert's Rules of Order, Newly Revised.

ARTICLE III. PURPOSE

The purpose of the ACCE is:

- a. to serve as a representative body for the classified employees at institutions of higher learning throughout the state of West Virginia under the authority of the WVHEPC,
- b. to participate in such policy matters of the WVHEPC as may directly affect classified employees,
- c. to provide an avenue of information exchange concerning problems of mutual concern to the classified employees and to the WVHEPC,
- d. to foster a spirit of unity and cooperation among all classified employees under the authority of the WVHEPC,
- e. to consider methods and means by which employment conditions may be improved and the operating efficiency of the WVHEPC may be increased, and
- f. to act in an advisory capacity to the WVHEPC.

ARTICLE IV. MEMBERSHIP

The ACCE shall consist of one member from each institution of higher education throughout the state of West Virginia under the authority of the WVHEPC, including the facilities and staff supervised by the Vice-Chancellor for Administration employed by the Commission and the West Virginia Network for Educational Telecomputing [WV Code 18B-6-4a(b)]. Members of the council shall serve without compensation, but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties from funds allocated to the state institution of higher education served [WV Code 18B-6-4a(f)].

ARTICLE V. ELECTIONS

Elections of the ACCE members shall be conducted in April of each odd-numbered year, beginning in the year two thousand one [WV Code 18B-6-4a(b)].

ARTICLE VI. TERM OF OFFICE

- Section 1. The term of office for an ACCE member shall be for two years, beginning on the first day of July of each odd-numbered year [WV Code 18B-6-4a(b)]. Members of the council shall be eligible to succeed themselves.
- Section 2. Death, permanent incapacitation, termination of service to his/her institution, resignation, or impeachment shall cause vacancies (WV Code 6-6-3).

ARTICLE VII. OFFICERS

The officers of the ACCE shall be a Chairperson, Vice-Chairperson and Secretary.

- Section 1. Election of officers shall be conducted at the regular July meeting. The Chairperson shall be elected first, followed by the Vice-Chairperson [WV Code 18B-6-4a(c)] and then the Secretary.
- Section 2. Officers shall serve a term of one year, the term of office to be effective July 1 to June 30 of each year. The chair shall serve no more than two consecutive terms as chair (WV Code 18B-6-4a(c)).
- Section 3. Nominations shall come from the floor. Only elected members of the ACCE shall be nominated for office.
- Section 4. Votes will be by secret ballot unless only one person is nominated. The nominee receiving a majority of votes shall be elected.
- Section 5. In the event of a tie, a member authorized by the council shall select the officer by lot from the names of those persons tied.
- Section 6. No member may vote by proxy at the election of officers.

ARTICLE VIII. DUTIES OF OFFICERS

Section 1. The Chairperson shall:

- a. preside at all regular and special meetings of the ACCE and enforce all regulations and policies of the ACCE,
- b. serve as the spokesperson for the ACCE to the Chancellor and the WVHEPC,
- c. call special meetings when deemed necessary,
- d. prepare an agenda for distribution at least seven (7) days prior to the next regularly scheduled meeting,
- e. vote only in the event of a tie, with the exception of the election of officers, and
- f. appoint members to, and initiate committees and sub-committees when necessity dictates.

Section 2. The Vice-Chairperson shall:

- a. preside over the regularly scheduled meetings and special meetings in the absence of the chairperson,
- b. assist in the coordination of legislative activities,
- c. attend WVHEPC meetings as a liaison in the absence of the Chairperson, and
- d. assist the Chairperson with the preparation of the agenda for the regularly scheduled meetings.

Section 3. The Secretary shall:

- a. prepare and keep in permanent form the minutes of all meetings of the ACCE (WV Code 6-9A-5) including a tally of votes,

- b. conduct the regularly scheduled meetings in the absence of both the Chairperson and the Vice-Chairperson,
- c. have the authority to appoint another Council member to record the minutes of the meeting should the secretary have to preside in the absence of the Chairperson and the Vice-Chairperson,
- d. distribute to each member copies of the minutes of all meetings of the ACCE within ten (10) working days following the meeting, and
- e. make minutes available, upon request, to any classified employee of a state institution of higher education represented on the Council (WV Code 18B-6-4a(g)).

ARTICLE IX. MEETINGS

- Section 1. The ACCE shall meet at least once each quarter with additional meetings to be called as deemed necessary. One of the quarterly meetings shall be during the month of July, at which meeting the council shall elect a chairperson.
- Section 2. A quorum at a meeting of the ACCE shall be a majority of the currently elected membership (more than one-half) of the ACCE.
- Section 3. All meetings shall be open to the public (WV Code 6-9A-3), except in the instance when the ACCE enters into executive session (WV Code 6-9A-4).
- Section 4. Non-members attending ACCE meetings may participate in discussions when recognized by the ACCE Chairperson.
- Section 5. Non-members representing institutions in the absence of the ACCE representative shall only vote if provided with a written, signed proxy from the absent member.
- Section 6. Any vote required outside of a regularly scheduled or special meeting can be given by mail, fax or email. In the event of an emergency meeting the Chair, or Vice-Chair in the absence of the Chair, may ask the ACCE to approve an item.
- Section 7. The ACCE shall meet annually, between the months of October and December, with the WVHEPC to discuss matters of higher education in which the classified employees or the commission may have an interest [WV Code 18B-6-4a(e)].
- Section 8. The rule of procedural order for all meetings shall be as follows:
1. Call to order/Roll call to establish quorum
 2. Special speaker/program/presentation or other planned activity (if any)
 3. Approval of Minutes
 4. Liaison Report
 5. Committee Reports
 6. Old Business
 7. Business Agenda
 8. New Business
 9. Future Activities Planning
 10. Remarks/Comments/Announcements by Members
 11. Call of Executive Session (if necessary)
 12. Adjournment

ARTICLE X. STANDING COMMITTEES

The Standing Committees of the ACCE shall be:

1. Benefits Committee

2. Governmental Liaison Committee
3. Legislative Committee
4. Policy Committee
5. Communications Committee

The ACCE Executive Committee shall appoint these standing committees during the July meeting. This section in no way limits the recognition of any standing committees, sub-committees, or ad hoc committees deemed necessary and appointed by the ACCE Chair or Executive Committee.

ARTICLE XI. RESTRICTIONS

In so far as practical, no position taken by the officers, committees, or individual members shall be considered the ACCE's official position until such position has been approved by the ACCE.

ARTICLE XII. AMENDMENTS

- Section 1. Amendments to the by-laws must be made by a two-thirds vote of the currently elected membership of the ACCE, providing all members are given an opportunity to vote by mail, FAX, email, or in person.
- Section 2. A notice that an amendment is to be proposed must be given to all ACCE members at least one regularly scheduled meeting prior to the regularly scheduled meeting at which the amendment will be proposed. This notice shall contain the proposed amendment in context and the general nature of the matter. Friendly amendments to any proposed amendment may be suggested and voted upon.
- Section 3. Revisions to the by-laws are effective from passage.

On behalf of a majority of the Advisory Council of Classified Employees to the West Virginia Higher Education Policy Commission, the Executive Committee has attested to approval of these By-Laws by the signatures below:

Amy Pitzer, Chair
Advisory Council of Classified Employees

A. Jenny Fertig, Vice-Chair
Advisory Council of Classified Employees

Stephanie A. Neal, Secretary
Advisory Council of Classified Employees

(Revised 05/08/03)

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