



*BOARD*

*OF*

*GOVERNORS*

**April 28, 2015**

## SCHEDULE

### PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS MEETING

April 28, 2015

Falcon Center Board Room, Locust Avenue Campus

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**2:00 PM Full Board Meeting**  
*Falcon Center Board Room*

**Chairman: James E. Griffin**

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**Legislated purpose for Pierpont  
Community and Technical College**

**H. B. 3215 – establishing  
community colleges, 18B – 3C-8  
Legislative findings and intent**

*“The primary goal of the Legislature is to create a statewide network of independently accredited community and technical colleges that focus on technical education, workforce training, and lifelong learning for the Twenty-First Century.”*

*“A necessary precedent to accomplishing the legislative goal is to change the way that leaders at all levels of education, including institutional governing boards, view community and technical colleges. Specifically, that the mission of technical colleges is different from that of traditional four-year colleges in what they accomplish and how they can achieve it effectively and that the state cannot compete successfully in today’s information-driven, technology-based economy if community and technical colleges continue to be viewed as add-ons or afterthoughts attached to baccalaureate institutions.”*

## AGENDA

### Pierpont Community & Technical College BOARD OF GOVERNORS MEETING April 28, 2015

#### Call to Order

1. Opening Comment (*Chairman, Jim Griffin*)
2. Last Call for Public Comment Sign Up
3. Board Member Commitment *Tab 1 – Informational*
4. Higher Education Acronyms *Tab 2 – Informational*
5. Approval of BOG Meeting Minutes (March 17, 2015) *Tab 3 – Action Item*

#### Special Recognitions/Updates

- 🏆 Recognition of Michael Walls, Asst. Professor School of Health Careers/Program Director Respiratory Care named Director-at-Large for the West Virginia Society for Respiratory Care (*Dean, Rose Romesburg*)
- 🏆 Recognition of Vickie Findley, Professor/Clinical Coordinator HIT Program elected Director for WV Health Information Management Association (WVHIMA) (*Dean, Rose Romesburg*)
- 🏆 Recognition of Martina Bachlechner, Instructor for School of Business, Aviation, and Technology received a \$5,000 Grant from NASA for a course development project PHYS 1102- Physics in the Arts I: Light and Color (*Dean, Jerry Bacza*)

#### President's Report (*Dr. Doreen M. Larson*)

#### Operation Reports

1. Academic Affairs (*Leslie Lovett*)
2. Classified Staff Council Report (*Mary Jo Rutherford*)
3. Faculty Senate Report (*David Beighley*)
4. Workforce Development Report (*Paul Schreffler*) *Tab 4 – Informational*

## **Committee of the Whole**

1. Financial Report (*CFO, Dale Bradley*)
  - a. February 28, 2015 Financial Report *Tab 5 – Informational*
2. Capital Projects Progress Report (*Tom Tucker*) *Tab 6 – Informational*
3. Approval for the Reorganization of Schools and Creation of Associate Provost (*Leslie Lovett*) *Tab 7 – Action Item*
4. Proposed New Policy No. 59 – Furlough and Reduction in Employee Workforce 30 Day Comment Summary (*Dale Bradley*) *Tab 8 – Action Item*
5. Proposed New Policy No. 60 – Tobacco Free Campus Policy 30-Day Comment Summary (*Dale Bradley*) *Tab 9 – Action Item*

## **Committee Reports**

1. Audit/Finance Committee Report (*Chair, Kyle Hamilton*)
2. Marketing Committee Report (*Chair, Barbara Pavel-Alvarez*)
3. Regional Academics Committee Report (*Chair, Sharon Shaffer*)

## **New Business**

- ✓ Pierpont Faculty Recognition Luncheon – May 1<sup>st</sup> at 11:00 AM, Robert H. Mollohan Center
- ✓ Pierpont Commencement Ceremony – May 15<sup>th</sup> at 6:30 PM, Feaster Center
- ✓ Diversity & Inclusion Leadership Conference – May 14<sup>th</sup> at 11:30 AM, Lakeview Resort Conference Center. Dr. Larson will participate in Session 1.

## **Old Business**

## **Public Comment**

## **Possible Executive Session**

\_\_\_\_\_ moved pursuant to 6-9A-4(b)2A of the WV Code that the Board shall go in to Executive Session to discuss personnel and personnel matters, which if discussed in public might adversely affect the reputation of any person.

\_\_\_\_\_ moved pursuant to 6-9A-4(b)9 of the WV Code that the Board shall go into Executive Session to consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision.

- ✓ **The next Pierpont Board of Governors Meeting will be held at 2:00 PM on May 19, 2015 in the Falcon Center Board Room, Locust Avenue, Fairmont**

*The Mission of Pierpont Community & Technical College is to provide opportunities for learning, training, and further education that enrich the lives of individuals and promote the economic growth of our service region and state.*

*Pierpont Community & Technical College strives to enhance the quality of life for people of north-central West Virginia through accessible, affordable, comprehensive, responsive, workforce-related training, and quality higher education opportunities.*

**Tab**

**1**

## Commitments by Board Members

I commit myself fully to the public trust I assume as a member of this Board.

In all matters, I commit to first seek to understand, then to be understood.

I commit to faithfully attend meetings, to be prepared to fully engage in the Board's business and to contribute my comments to the Board's discussion.

I commit to keep confidential matters confidential.

I commit to avoid any conflict of interest and to always act in a confidential manner.

I commit to consistently act in a manner, which evidences objectivity, fairness and my allegiance to the state's institutions.

I commit to refrain from making personal comments during board meetings, to be respectful of the views of others and to present my own views in a positive and constructive manner.

I commit to vote my conscience on issues brought before the Board, to voice my views in a responsible and supportive manner, to respect the final decisions of the Board and in expressing a dissenting view, to do so in a constructive manner.

I commit to honor and respect the positions of the Board chair and the President to serve as the official spokespersons for the Board.

I commit to build and maintain strong relationships with other Board members and the President, to seek the views of other Board members and to seek and accept constructive comments from other Board members and the President.

I commit to place my trust in my fellow Board members and to be worthy of their trust in return.

**Tab**

**2**



## Acronyms Used in Higher Education

AA	Associate of Arts
AACC	American Association of Community Colleges
AAS	Associate of Applied Science
ABE	Adult Basic Education
ACCT	Association of Community College Trustees
ACCTWVAG	Association of Community College Trustees West Virginia Advocacy Group
ACF	Advisory Council of Faculty
ACE	American Council on Education
AS	Associate of Science
AFA	Associate of Fine Arts
ALICE	Alert, Lockdown, Inform, Counter, and Evacuate
APPD	Applied Design
ASL	American Sign Language
ASTP	Airframe Structures Training Program
ATB	Ability to Benefit
ATC	Advanced Technology Center
ATMAE	Association of Technology Management and Applied Engineering
ATE	Advanced Technical Education
BA	Bachelor of Arts
BBA	Bachelor of Business Administration
BFA	Bachelor of Fine Arts
BOE	Board of Education
BS	Bachelor of Science
BTG	Bridging the Gap
CAS	Certificate of Applied of Science
CASA	Court Appointed Special Advocates
CASE	Council for Advancement and Support of Education
CCA	Complete College America
CCCT	Community College and Career Training

CCRC	Community College Research Center
CE	Continuing Education
CEWD	Center of Energy Workforce Development
CFWV	College Foundation of West Virginia
CHEA	Council for Higher Education Accreditation
CITE	Center for Information Technology Education
CIQG	CHEA International Quality Group
CMC	Competency Model Clearinghouse
CNME	Center for Nanofabrication Manufacturing Education
CPT	Certified Phlebotomy Technicians
CRD	Council for Resource Development
CTCS	Community and Technical College System
CTE	Career and Technical Education (K-12)
CUPA HR	College and University Professional Association for Human Resources
CWE	Center for Workforce Education (old terminology – now School of Workforce Development)
DHHR	Department of Health and Human Resources
DOE	Department of Education
DOL	Department of Labor
EC	Early Childhood
EDGE	Earn a Degree Graduate Early
EFC	Expected Financial Contribution
ELI	Executive Leadership Institute
EMR	Emergency Medical Responder

EMS	Emergency Medical Services
EMT	Emergency Medical Technician
ETA	Employment Training Administration (within DOL)
ERP	Enterprise Resource Planning
FAB	Fashion Advisory Board
FAFSA	Free Application for Federal Student Aid
FERPA	Family Education Rights and Privacy Act
FF&E	Furniture, Fixtures, and Equipment
FOSM	Food Service Management
FTES	Full Time Equivalent Students
HEAPS	Higher Education Adult Part-Time Student
HEPC	Higher Education Policy Commission
HEPI	Higher Education Price Index
HIT	Health Information Technology
HLC	Higher Learning Commission
ITEC	Information Technology Education Center
LEA	Local Education Agency
LLL	Life Long Learners
LPN	Licensed Practical Nurse
LOCEA	Legislative Oversight Committee for Education Accountability
MERCER	Higher Education Classified Annual Salary
MLT	Medical Laboratory Technician
MSSC	Manufacturing Skill Standards Council
MTEC	Monongalia County Technical Education Center
NACUBA	National Association of College and University Business Officers
NAEC	National Aerospace Education Center
NCATC	National Coalition of Advanced Technology Centers

NCCRS	National College Credit Recommendation Service
NCMPR	National Council for Marketing and Public Relations
NETL	National Energy Technology Laboratory
NHCA	National Health Career Association
NISOD	National Institute for Staff and Organizational Development
NOCTI	National Occupational Competency Testing Institute
NSF	National Science Foundation
MPA	Master of Public Administration
OSHA	Occupational Safety and Health Administration
OWHE	Office of Women in Higher Education
P2C	Pathway to Completion
PELL	Federal Grant Program (formerly called Basic Educational Opportunity Grants (BEOGs))
PIPE	Pierpont Institute of Energy Workforce Development of North Central WV
RAP	Registered Apprenticeship Program
RCCA	Rural Community College Alliance
RESA	Regional Education Service Agency
RHIA	Registered Health Information Administrator
RRT	Registered Respiratory Therapist
SAP	German Software Corporation, <b>S</b> ystems, <b>A</b> pplications, and <b>P</b> roducts (in Data Processing) or <b>S</b> atisfactory <b>A</b> cademic <b>P</b> rogress
SEA	State Education Agency
SGA	Student Government Association
SIPP	Survey of Income and Program Participation (US Census)

STEM	Science Technology Engineering and Mathematics
TAA	Trade Adjustment Assistance
TAACCCT	Trade Adjustment Assistance for Community College and Career Training
TEAS	Test of Essential Academic Skills
UCA	Unified College Account
WIA	Workforce Investment Act (federal law)
WIB	Workforce Investment Board

	(regional agency)
WVADE	West Virginia Association of Developmental Education
WVAYC	West Virginia Association for Young Children
WVCCA	West Virginia Community College Association
WVCCTCS	Council for the Community and Technical College System of West Virginia
WVCTCS	Community and Technical College System of West Virginia

**Tab**

**3**

**PIERPONT COMMUNITY & TECHNICAL COLLEGE**  
**BOARD OF GOVERNORS MEETING**  
March 17, 2015  
2:00 PM

**MINUTES**

**Notice of Meeting and Attendance**

A meeting of the Pierpont Community & Technical College Board of Governors was held on March 17, 2015, beginning at 2:00 PM in the Falcon Center Board Room.

*Board members present were:*

Chairman Jim Griffin, Linda Aman (via phone), Kyle Hamilton, Beverly Jones, Earl McConnell, Barbara Pavel-Alvarez (via phone), Sharon Shaffer, Jeff Tucker (via phone), Warren 'Chip' VanAlsburg (via phone), and Gene Weaver.

*Board members absent were:*

Kelly Buchanan and Rick Pruitte

*President's Cabinet members present were:*

President Doreen Larson, Dale Bradley, Stephen Leach, Rob Linger, Leslie Lovett, Cyndee Sensibaugh and Jennifer Weist.

Faculty and staff were also in attendance.

**Call to Order and Call for Public Comment**

Chairman Jim Griffin called the meeting to order at 2:05 PM and announced last call for public sign up for comments to the Board.

**Approval of Minutes**

The minutes of the Board of Governors meeting held on February 26, 2015 were presented for approval. Sharon Shaffer offered a motion to approve the minutes, as presented. Earl McConnell seconded the motion. All agreed. Motion passed.

**Special Recognitions/Presentations**

- 🏆 Jennifer Weist introduced Pierpont's recently hired employees working in the Student Services Center. William Shockley is serving students as the Financial Aid Counselor and Susan Clemens is a Counselor providing student mental health services.

## President's Report

Dr. Doreen Larson opened her report by wishing all a Happy St. Patrick's Day.

Dr. Larson shared that last month Chancellor Skidmore presented the Community and Technical College System Report Card to the Council, and later to the Legislative Oversight Committee on Education and Assessment (LOCEA).

This Report Card not only helps Pierpont to identify strengths and weaknesses, but also gives a comparative perspective as well.

Higher education report card highlights for Pierpont:

### *Measures of Student Success*

- Pierpont is tied for the #1 ranking in the state for students on the 6 year combined measure of student success. This is a measure of completion of a degree or certificate, or transfer to a four year college for the cohort of students who entered Pierpont in 2008. Pierpont held this steady at 37% and is tied with Blue Ridge for the highest rate in the state.
- Pierpont ranks #3 in the state for total numbers of certificate and degrees awarded. Last year, we graduated 385 students - the majority of who earned associate degrees. Pierpont was down slightly from the all-time high of 424 students last year, but still above the 5 year average of 315 graduates.
- Pierpont also ranks high in students continuing on to a four year college directly after graduation. Of the 380 student graduated the prior year, 253 were enrolled in a four year college the following fall. Only WVU Parkersburg ranks higher on this metric. Pierpont is one of three community colleges in the state to see an increase in this rate over 5 years.
- Specifically, Pierpont has seen a 17% increase in technical associate degree completers between 2010 and 2014. Pierpont is in the top three community colleges in this category for WV.
- Pierpont reported improvement on its 6 year graduation rate from 22% to 26%.
- Pierpont also reported improvement in its one year retention rates from 36% to 38%.

*Improvements in Developmental Education*

- Pierpont reported a large improvement in passing rates for students in Developmental English from 2010 to 2011. The passing rate moved from 40% to 50% and is holding steady at 50%
- In passing rates for Pierpont students in Developmental Math, Pierpont reported a large improvement this past year from 48% to 60% passing rates with the implementation of math modules. This developmental math passing rate is one of the highest in the state

*Enrollment numbers*

- The statewide system reported an overall enrollment decline of 8% from 2010. Pierpont's enrollment was down 3% in that same time period. Over this time period 7 colleges lost enrollments in excess of 10%.

The Budget Adjustment Committee, the Finance Committee of the Board and the CFO have developed a conservative and balanced budget for the next fiscal year. Some of the factors they have had to manage are the \$100,000+ cut in state appropriation, increased costs in infrastructure and personnel, maintaining full funding of the temporary classified staff salary schedule (also known as Mercer), funding faculty who have merited promotion, and predicting continued enrollment declines based upon statewide trends and high graduation rates.

In addition, Pierpont must consider high numbers of students enrolling in over 12 credit hours without any state compensation and continued costs and obligations resulting from the FSU shared bond projects from 2008.

Dr. Larson was pleased to report to the Board that a budget has been developed that, despite these factors, does not include an overall tuition increase.


Dr. Larson stated that the Deans and President's Council have worked to reduce, or eliminate the many course fees and instead use a program fee structure that will more closely align program costs with student fees. The use of program and school specific fees is widely used in the community college system in West Virginia and Pierpont has had the consultation and advice of our peers throughout our process. It is difficult to predict specifically the impact of this shift on individual students. A few may see an actual decrease in overall cost, most will see some increase, but the revenue will be used directly for their programs and courses. The fees will be pro-rated on a credit hour basis so that part-time students will not be charged the full-time fee.

This is the first time that Pierpont is using this approach across the college and adjustments will be made accordingly next year. Pierpont hopes to attract more students by keeping tuition costs steady and still keep high cost programs viable.


Dr. Larson closed by announcing events coming soon this month and next. On March 26 Pierpont will hold the Annual Employee Recognition Luncheon from 11:30 AM – 1:30 PM in Colebank Hall. In the evening of March 26 Pierpont will host the annual 5K race for veterans, partnering with High Tech Consortium. On Friday, April 10 Pierpont will hold the annual student awards reception at the Robert Mollohan building from 3:00 PM – 6:00 PM.


## Operation Reports

 *Academic Affairs Annual Report:* Provost Leslie Lovett said that Academic Affairs has been reviewing promotion and tenure policies and reorganizational plans. Ms. Lovett provided a Curriculum Proposal Status for 2014-2015 listing changes and new programs for review.

 *Classified Staff Council Report:* In absence of Classified Staff Council President, Mary Jo Rutherford, Beverly Jones provided the report. Ms. Jones gave an update on the recently held Classified Staff meetings and reviewed upcoming events. The nominations and elections for Classified Staff Council Officers will be handled by the Human Resources office in March for the July 1, 2015 through June 30, 2017 term.

Ms. Jones also provided updates on her work with the West Virginia Advisory Council of Classified Employees (ACCE) and the status of Senate Bill 430.

 *Faculty Senate Report:* David Beighley reported that the Faculty Senate met on March 13 and discussed the ATC construction budget, proposed Board Policies 59 and 60, and amendment of the Senate Committee meeting times. The recently launched Presidential evaluation survey was also discussed. Questions of anonymity and purpose for the survey were raised and were address as a follow up by Cyndee Sensibaugh and Gene Weaver.

 *Workforce Development Report:* Paul Schreffler was out of town. The report provided in the March 17, 2015 Board Book and asked for any questions. No questions were brought forward.

## Committee of the Whole

➤ *Financial Report - Informational*

Dale Bradley provided a report on the Pierpont Community & Technical College Unrestricted and Restricted Funds and Fund Manager Budgets for the current budget



and year-to-date actual as of January 31, 2015. The financial report provided in the March 17, 2015 Board of Governors Book was updated after the report was published. Mr. Bradley stated that funds from state appropriations were not included in the report. The updated report will be provided to the Board electronically.

➤ *Resolution for Action on New Programs and Program Revisions*

Provost, Leslie Lovett presented a resolution for approval that Pierpont will offer AAS and CAS degree programs Advanced Welding, pending approval and notification to the WVCTCS, the NCA Higher Learning Commission, and the US Department of Education.

The two year AAS Advanced Welding Technology Degree program includes stackable credentials; an Advanced Skill Set in Welding, a one year Applied Welding Certificate of Applied Science (CAS) Degree, and a one year Welding Technology Certificate of Applied Science (CAS) Degree.

The Pierpont Faculty Curriculum Committee and Faculty Senate has reviewed and approved the programs of study. Complete details were provided in the March 17, 2015 Board book.

Sharon Shaffer offered a motion for approval that Pierpont is permitted to offer AAS and CAS degree programs Advanced Welding, pending approval and notification to the WVCTCS, the NCA Higher Learning Commission, and the US Department of Education. Kyle Hamilton seconded the motion. All agreed. Motion carried.

## **Committee Reports**

➤ *Audit/Finance Committee*

Kyle Hamilton, presented the Audit/Finance Committee Report

- a. Resolution for action to approve the E & G Tuition and Fee Changes for AY 2015-2016

Mr. Hamilton offered for approval the proposed increase to infrastructure and facilities fees and program fees to consolidate and simplify Pierpont's overall fee structure. This provides a means of eliminating the majority of course fees and specialty fees currently charged to students. Mr. Bradley noted that as Pierpont's finances improve there will be an opportunity to lessen the program fees. If that occurs, an emergency board meeting may be called to change the fee structure.

Complete details for the fee structure was included in the March 17, 2015 Board book, with an update identifying Special Fees provided via email prior to the Board meeting.

Kyle Hamilton offered a motion to approve the E & G Tuition and Fee Changes for AY 2015-2016. Linda Aman seconded the motion. All agreed. Motion carried.

- b. Resolution for action to approve the Recommendation for an Academic Programs Viability Review.

Kyle Hamilton offered a recommendation that President Larson conduct a review of all academic programs to determine their continued viability. This review will study program costs and enrollment. All academic programs undergo a five year review; however, this viability review will address critical issues to any academic program including minimum current and projected enrollments, number of graduates annually, costs per student, and employment outcomes upon graduation. The review should be conducted between the administration and faculty and should be completed by the conclusion of the Fall 2015 academic term.

Kyle Hamilton presented a motion to approve the Recommendation for an Academic Programs Viability Review. Sharon Shaffer seconded the motion. All agreed. Motion carried.

➤ *Marketing Committee Report*

Barbara Pavel-Alvarez, Committee Chair, reported that the committee has placed ads in the WV State Basketball Tournament programs. Full page ads are being placed in the Progress editions of the Exponent and Times WV. Marketing funds are being closely followed.

➤ *Regional Academics Committee Report*

Sharon Shaffer, Committee Chair, reported the committee had met immediately prior to the Board of Governors meeting. A Regional Academics reorganization plan has been drafted and will be incorporated in three phases. This plan will provide a good balance to all service locations and provide customer service at each facility. Any budget savings to reorganized positions will be reallocated, as needed, in the plan.

## **New Business**

Upcoming events details were provided and the Board members were encouraged to attend by Chairman Griffin.

## **Old Business**

No old business.

## **Public Comment**

No signatures were recorded.

Chairman Griffin publicly stated that he had been contacted by a state legislator who provided very positive comments about Pierpont and the work that the administration, faculty, and staff are doing. The legislator shared that it was easy to speak favorably about Pierpont and spread the word to his constituents. Chairman Griffin thanked the institutional staff for their good work and wanted to share these comments.

## **Executive Session**

A motion was made by Sharon Shaffer that pursuant to 6-9A-4(b)2A of the WV Code that the Board shall go in to Executive Session to discuss personnel and personnel matters, which if discussed in public might adversely affect the reputation of any person. Earl McConnell seconded the motion. All Agreed. Motion carried.

### *Exiting Executive Session*

At 2:58 PM, the Board exited Executive Session. There were no action items brought forward for a motion from Executive Session.

## **Adjournment and Next Meeting**

The next regularly scheduled Pierpont Board of Governors meeting will be held on April 28, 2015 at 2:00 PM in the Falcon Center Board Room.

There being no further business, the Chairman called to adjourn the meeting. Sharon Shaffer offered a motion to adjourn. Gene Weaver seconded the motion. All agreed. Motion carried. The Board meeting was adjourned at 3:07 PM.

*Respectfully submitted by Cyndee K. Sensibaugh*

**Tab**

**4**

# School of Workforce Development - Project Status Report

## *April 2014 – Board of Governors Meeting*

### **Industry-Sector Strategies**

- **Energy**

- ❖ *Petroleum Technology*

- ShaleNET hub schools met with representatives of Chevron organization at its Moon, PA headquarters on April 1. Discussed long-term financial support for colleges.
- Leo Gonot is the new Outreach Coordinator for the PTRM program at both schools. This position is funded through a Benedum grant, and he is employed by the WVCTCS. He is working in the areas of recruitment and internship development.
- In addition to its continued support for our internship program, Noble Energy has committed to hiring three positions and is interviewing May graduates next week.
- Pierpont signed a Memorandum of Agreement to establish an internship program with Dominion. This company will take four PTRM interns this summer.
- Faculty visited the WVU Petroleum Engineering program to discuss collaboration and potential articulation on April 17.

- ❖ *Power Systems Institute*

- Agreement has been reached with First Energy to undertake a program improvement project. This will involve college and company representatives over the next year. This project will allow us to collaborate even more closely to align our instructional offerings with those of First Energy, and will also meet the overall goals of the TAACCCT grant.

- **Aerospace**

- ❖ Completed a six-week training program to prepare civilian support technicians for A&P certification at the WV Air National Guard unit at the Martinsburg, WV airport. Students are now in the testing phase, and some have already successfully gained their A&P certifications.
- ❖ Planning is underway for a second training program at this facility.

- **Data Cabling and Fiber Optic Training**

- ❖ A program to train students as data cabling and fiber optic technicians will run June 1 through July 31 at the Dow Tech Park in South Charleston.

- **ATC**

- ❖ Working with faculty on purchasing requirements and scheduling of equipment acquisition, delivery and installation.
- ❖ Working on key structure for building.

- **Other Activities**

- ❖ CE Staff was integral in the planning and success of the Veterans' 5K race on March 26.
- ❖ Met with Skana Aluminum to assess employee needs.

**Tab**

**5**

**Board of Governors  
Financial Report FY 2015  
Pierpont Community & Technical College  
as of February 28, 2015**

**SUMMARY:**

The projected effect on net assets for FY 2015 as of February 28, 2015 is an increase of \$47,633. However, this amount also includes a Board approved spend down of \$11,658 in cash reserves which is a reduction of net assets, therefore the adjusted projected effect on assets at June 30, 2015 is an increase of \$35,975.

**UNRESTRICTED OPERATING FUNDS:**

The Budget Balance as of February 28, 2015 is \$47,633. This represents a budget increase of \$4,198 from the January 31, 2015 Financial Report. As of this report date, approximately 88% of projected tuition and fees revenue and approximately 80% of overall revenues have been realized while approximately 58% of operating expenses have been incurred. The primary budget changes that impacted the budget from the January 31, 2015 Financial Report, are as follows:

- **Operating Revenues Budget:**
  - Increased by \$19,447. This significant activities accounting for this change are as follows:
    - The “Tuition and Fees” revenue budget controlled by the Fund Managers increased by \$7,447 as the result of recognition of additional revenues in the Culinary Arts Program and the Power Plant Technology Program.
    - The “Support Services” revenue budget controlled by the President was increased by \$6,532 as the result of a PEIA update to a vacant chargeback position and a budget adjustment from Pos# 558 to Pos# 892.
    - The “Operating Costs Revenue” budget controlled by the Fund Managers increased by \$5,469 due to the recognition of additional revenues in the Laboratory Pre-School Program.
- **Operating Expenses Budget:**
  - Increased by \$15,249. This significant activities accounting for this change are as follows:
    - The “Salary” expense budget controlled by the President increased by \$2,373 as the result of budget changes within labor.
    - The “Benefits” expense budget controlled by the President decreased by (\$466) as result of the above changes within labor and PEIA updates.
    - The “Supplies and Other Services” expense budget controlled by the Fund Managers increased by \$11,064 due to recognition of planned expenses resulting from the recognition of the additional Fund Managers revenues identified above.

- The “Equipment Expense” budget controlled by the Fund Managers increased by \$3,524 due to recognition of planned expenses resulting from the recognition of the additional Fund Managers revenues identified above.
- The “Assessment for Support Services” expense budget controlled by the President decreased (\$1,245) due to updates to FSU severance positions, designation of a FSU position to non-charge back that was previously charged back, and PEIA updates.

Of the adjusted projected effect on net assets of an increase of \$47,633 as of June 30, 2015; President’s Controlled Fund(s) are projected to have a budget surplus of \$18,339; Fund Manager’s Controlled Fund(s) are projected to have a budget surplus of \$29,294 with Board approved spending of \$11,658 in cash reserves. The Year-To-Date Actual Budget Balance is \$2,765,851.

**RESTRICTED FUNDS:**

The February 28, 2015 Restricted Fund Finance Report has a budget balance of \$45,585.



**Pierpont Community & Technical College**  
**Actual vs Budget Statement of Revenues and Expenses**  
**Current Unrestricted**

As of February 28, 2015

		<b>Approved Budget</b>	<b>Current Budget</b>	<b>YTD Actual</b>	<b>YTD Actual to Current Budget</b>
<b>OPERATING REVENUE</b>					
	Tuition and Fees	9,182,244	8,019,134	7,020,548	87.55
	Faculty Services Revenue	865,000	865,000	306,857	35.47
	State/Local Grants and Contracts	0	0	0	0.00
	Auxiliary Enterprise Revenue	892,586	739,480	719,515	97.30
	Operating Costs Revenue	182,331	114,237	50,348	44.07
	Support Services Revenue	205,106	366,656	273,026	74.46
	Other Operating Revenues	381,394	418,828	85,176	20.34
	<b>Total:</b>	<b>11,708,662</b>	<b>10,523,334</b>	<b>8,455,469</b>	<b>80.35</b>
<b>OPERATING EXPENSE</b>					
	Salaries	6,888,571	6,627,952	3,790,801	57.19
	Benefits	1,537,276	1,477,802	820,012	55.49
	Student financial aid-scholarships	158,938	158,938	278,207	175.04
	Utilities	22,353	22,353	10,073	45.06
	Supplies and Other Services	2,644,212	2,360,631	1,301,020	55.11
	Equipment Expense	98,280	82,089	66,813	81.39
	Loan cancellations and write-offs	0	0	0	0.00
	Fees retained by the Commission	138,910	138,910	99,992	71.98
	Assessment for Faculty Services	810,000	810,000	274,040	33.83
	Assessment for Support Services	2,785,961	2,573,315	1,431,108	55.61
	Assessment for Student Activity Costs	147,949	122,608	109,147	89.02
	Assessment for Auxiliary Fees & Debt Service	892,586	739,480	663,682	89.75
	Assessment for Operating Costs	1,791,133	1,815,678	1,014,162	55.86
	<b>Total:</b>	<b>17,916,168</b>	<b>16,929,757</b>	<b>9,859,057</b>	<b>58.24</b>
<b>OPERATING INCOME / (LOSS)</b>		<b>(6,207,506)</b>	<b>(6,406,422)</b>	<b>(1,403,587)</b>	<b>21.91</b>
<b>NONOPERATING REVENUE (EXPENSE)</b>					
	State Appropriations	7,584,426	7,584,426	5,081,566	67.00
	State Fiscal Stabilization Funds	0	0	0	0.00
	Gifts	0	0	0	0.00
	Investment Income	7,194	7,194	3,552	49.38
	Assessment for E&G Capital & Debt Service Costs	(1,313,829)	(1,088,220)	(915,680)	84.14
	Reappropriated State Funding	0	0	0	0.00
	<b>Total:</b>	<b>6,277,791</b>	<b>6,503,400</b>	<b>4,169,438</b>	<b>64.11</b>
<b>TRANSFERS &amp; OTHER</b>					
	Capital Expenditures	0	0	0	0.00
	Transfers for Financial Aid Match	(61,006)	(61,006)	0	0.00
	Indirect Cost Recoveries	0	0	0	0.00
	Transfers for Capital Projects	0	0	0	0.00
	Transfers - Other	3	3	0	0.00
	One-time use of reserve	11,658	11,658	0	0.00
	<b>Total:</b>	<b>(49,345)</b>	<b>(49,345)</b>	<b>0</b>	<b>0.00</b>
<b>BUDGET BALANCE</b>		<b>20,940</b>	<b>47,633</b>	<b>2,765,851</b>	
<b>PERSONNEL BUDGET SAVINGS</b>		<b>0</b>	<b>0</b>		
<b>PROJECTED EFFECT ON NET ASSETS AT JUNE 30</b>		<b>20,940</b>	<b>47,633</b>	<b>2,765,851</b>	
<b>* Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year</b>		<b>1,599,777</b>	<b>1,599,777</b>		
<b>Less: USE OF RESERVE</b>		<b><u>11,658</u></b>	<b><u>11,658</u></b>		
<b>Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year</b>		<b><u>1,609,059</u></b>	<b><u>1,635,752</u></b>		

\* Projected Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2014 in the amount of \$3,323,527

\* Unrestricted Net Asset Balance is 9.88% of the current budgeted total operating expense. Management has established a target of 15% or \$2,428,542 as the goal for the level of unrestricted net asset balance that should be maintained.

Pierpont Community & Technical College  
Actual vs Budget Statement of Revenues and Expenses  
Current Unrestricted - President

As of February 28, 2015

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
<b>OPERATING REVENUE</b>					
	Tuition and Fees	8,162,822	6,916,680	6,649,834	96.14
	Faculty Services Revenue	865,000	865,000	306,857	35.47
	State/Local Grants and Contracts	0	0	0	0.00
	Operating Costs Revenue	182,331	114,237	50,348	44.07
	Support Services Revenue	205,106	366,656	273,026	74.46
	Other Operating Revenues	286,792	296,792	9,487	3.20
	<b>Total:</b>	<b>9,702,051</b>	<b>8,559,365</b>	<b>7,289,552</b>	<b>85.16</b>
<b>OPERATING EXPENSE</b>					
	Salaries	6,586,601	6,302,364	3,670,736	58.24
	Benefits	1,488,383	1,434,875	801,582	55.86
	Student financial aid-scholarships	147,438	147,438	271,207	183.95
	Utilities	22,253	22,253	9,959	44.75
	Supplies and Other Services	1,929,642	1,583,539	1,054,297	66.58
	Equipment Expense	52,156	32,442	43,390	133.75
	Loan cancellations and write-offs	0	0	0	0.00
	Fees retained by the Commission	138,910	138,910	99,992	71.98
	Assessment for Faculty Services	810,000	810,000	274,040	33.83
	Assessment for Support Services	2,785,961	2,573,315	1,431,108	55.61
	Assessment for Student Activity Costs	147,949	122,608	109,147	89.02
	Assessment for Operating Costs	1,791,133	1,815,678	1,014,162	55.86
	<b>Total:</b>	<b>15,900,426</b>	<b>14,983,423</b>	<b>8,779,619</b>	<b>58.60</b>
<b>OPERATING INOCME / (LOSS)</b>		<b>(6,198,375)</b>	<b>(6,424,058)</b>	<b>(1,490,067)</b>	<b>23.20</b>
<b>NONOPERATING REVENUE (EXPENSE)</b>					
	State Appropriations	7,584,426	7,584,426	5,081,566	67.00
	State Fiscal Stabilization Funds	0	0	0	0.00
	Gifts	0	0	0	0.00
	Investment Income	7,194	7,194	3,552	49.38
	Assessment for E&G Capital & Debt Service Costs	(1,313,829)	(1,088,220)	(915,680)	84.14
	Reappropriated State Funding	0	0	0	0.00
	<b>Total:</b>	<b>6,277,791</b>	<b>6,503,400</b>	<b>4,169,438</b>	<b>64.11</b>
<b>TRANSFERS &amp; OTHERS</b>					
	Capital Expenditures	0	0	0	
	Transfers for Financial Aid Match	(61,006)	(61,006)	0	0.00
	Transfers for Capital Projects	0	0	0	0.00
	Transfers - Other	3	3	0	0.00
	One-time use of reserve	0	0	0	0.00
	<b>Total:</b>	<b>(61,003)</b>	<b>(61,003)</b>	<b>0</b>	<b>0.00</b>
<b>BUDGET BALANCE</b>		<b>18,414</b>	<b>18,339</b>	<b>2,679,371</b>	
<b>* Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year</b>		<b>920,225</b>	<b>920,225</b>		
<b>Less: USE OF RESERVE</b>		<b>0</b>	<b>0</b>		
<b>Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year</b>		<b>938.639</b>	<b>938.564</b>		

\* Projected Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2014 in the amount of \$3,323,527

Pierpont Community & Technical College  
Actual vs Budget Statement of Revenues and Expenses  
Current Unrestricted - Fund Manager

As of February 28, 2015

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
<b>OPERATING REVENUE</b>	Tuition and Fees	1,019,423	1,102,454	370,713	33.63
	Other Operating Revenues	94,602	122,036	75,690	62.02
	<b>Total:</b>	<b>1,114,025</b>	<b>1,224,490</b>	<b>446,403</b>	<b>36.46</b>
<b>OPERATING EXPENSE</b>	Salaries	301,970	325,588	120,066	36.88
	Benefits	48,893	42,927	18,430	42.93
	Student financial aid - scholarships	11,500	11,500	7,000	60.87
	Utilities	100	100	114	114.15
	Supplies and Other Services	714,570	777,092	246,723	31.75
	Equipment Expense	46,124	49,648	23,423	47.18
	Loan cancellations and write-offs	0	0	0	0.00
	<b>Total:</b>	<b>1,123,157</b>	<b>1,206,854</b>	<b>415,756</b>	<b>34.45</b>
<b>OPERATING INCOME / (LOSS)</b>		<b>(9,132)</b>	<b>17,636</b>	<b>30,647</b>	<b>173.78</b>
<b>NONOPERATING REVENUE (EXPENSE)</b>	Gifts	0	0	0	0.00
	<b>Total:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
<b>TRANSFERS &amp; OTHER</b>	Capital Expenditures	0	0	0	0.00
	Indirect Cost Recoveries	0	0	0	0.00
	Transfers - Other	0	0	0	0.00
	One-time use of reserve	11,658	11,658	0	0.00
	<b>Total:</b>	<b>11,658</b>	<b>11,658</b>	<b>0</b>	<b>0.00</b>
<b>BUDGET BALANCE</b>		<b>2,526</b>	<b>29,294</b>	<b>30,647</b>	
<b>Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year</b>		<b>674,750</b>	<b>674,750</b>		
<b>Less: USE OF RESERVE</b>		<b><u>11,658</u></b>	<b><u>11,658</u></b>		
<b>Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year</b>		<b><u>665,618</u></b>	<b><u>692,386</u></b>		

Pierpont Community and Technical College  
Board of Governors  
Financial Report  
For the period ending February 28, 2015

<b>New Grant Funds</b>	<b>0.00</b>
<b>Gifts</b>	<b>0.00</b>
<b>Other Grant/Restricted Fund Related Changes</b>	<b>664,338.00</b>
TAACCCT Grant Year 2	664,338.00
<b>Net Change</b>	<b>0.00</b>

Pierpont Community and Technical College  
 Budget vs Actual Statement of Revenues and Expenses  
 For the period ending February 28, 2015

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
<b>OPERATING REVENUE</b>	Federal Grants and Contracts	13,288,376	13,952,714	6,301,354	45.16
	State/Local Grants and Contracts	4,732,577	5,059,786.38	2,032,446	40.17
	Private Grants and Contracts	416,000	431,000	430,544	99.89
	<b>Total:</b>	<b>18,436,953</b>	<b>19,443,501</b>	<b>8,764,344</b>	<b>45.08</b>
<b>OPERATING EXPENSE</b>	Salaries	981,795	1,543,117	491,566	31.86
	Benefits	139,447	184,468	87,747	47.57
	Student financial aid-scholarships	22,953,501	23,003,001	11,215,557	48.76
	Supplies and Other Services	469,737	469,653	185,505	39.50
	Equipment Expense	1,927,673	1,929,000	60,491	3.14
	<b>Total:</b>	<b>26,472,153</b>	<b>27,129,239</b>	<b>12,040,866</b>	<b>44.38</b>
<b>OPERATING INCOME / (LOSS)</b>		<b>(8,035,200)</b>	<b>(7,685,738)</b>	<b>(3,276,523)</b>	<b>42.63</b>
<b>(EXPENSE)</b>	Federal Pell Grant Revenues	8,000,000	8,000,000	4,142,956	51.79
	Investment Income	0	0	19,135	0.00
	Gifts	24,995	24,995	0	0.00
	<b>Total:</b>	<b>8,024,995</b>	<b>8,024,995</b>	<b>4,162,091</b>	<b>51.79</b>
	Capital Expenditures		(344,024)	(448,863)	130.47
	Construction Expenditures	(9,653)	(9,653)	(9,252)	95.85
	Transfers for Fin Aid Match	61,006	61,006	61,006	100.00
	Indirect Cost Recoveries	0	0	0	0.00
	Transfers - Other	0	0	0	0.00
	<b>Total:</b>	<b>51,353</b>	<b>(292,671)</b>	<b>(397,109)</b>	<b>135.68</b>
<b>BUDGET BALANCE</b>		<b>41,148</b>	<b>46,585</b>	<b>488,459</b>	<b>1048.53</b>
*	<b>Add: PROJECTED RESTRICTED NET ASSETS - Beginning of Year</b>	<b>2,232,907</b>	<b>2,232,907</b>		
**	<b>Equals: PROJECTED RESTRICTED NET ASSETS - End of Year</b>	<b>2,274,055</b>	<b>2,279,492</b>		

**Tab**

**6**

**Pierpont Community and Technical College  
Board of Governors  
Meeting of April 28, 2015**

**ITEM:** Capital Projects for FY 2015 Progress Report

**COMMITTEE:** Committee of the Whole

**INFORMATION ITEM**

**STAFF MEMBER:** Tom Tucker

**ATTACHMENTS:** Summary of FY 2015 Capital Projects Completion Status.

**CAPITAL PROJECTS**

**FY 2015**

Project	Project Budget	Encumbrances & Expenses	Available Project Budget	Project Updates
Academic Fund	\$ 159,312.93	\$ 86,244.41	\$ 73,068.52	Various Academic Projects throughout the year. Carry-over encumbrances from FY 14
Landscaping	\$ 100,000.00	\$ 63,178.58	\$ 36,821.42	Various Projects for FY 15
Small Projects	\$ 306,805.27	\$ 117,525.78	\$ 189,279.49	Various Projects for FY 15, Carry-over from FY 14
Aerospace Gutter Repairs	\$ 44,420.00	\$ 44,420.00	\$ -	Complete.
Aerospace HVAC Replacement	\$ 51,843.48	\$ 42,494.68	\$ 9,348.80	Complete.
Campus - ADA Restrooms	\$ 50,000.00	\$ 39,921.10	\$ 10,078.90	On-going project
Caperton Boiler & Temperature Controls	\$ 400,000.00	\$ 400,000.00	\$ -	Complete.
Caperton Waterproofing	\$ 166,412.50	\$ 141,792.50	\$ 24,620.00	Scheduling work to begin this Spring, weather permitting.
Hazardous Waste Building	\$ 40,000.00	\$ 30,024.56	\$ 9,975.44	Complete.
Infrastructure - Paving	\$ 332,662.26	\$ 248,062.88	\$ 84,599.38	Awaiting contract & Notice to Proceed.
Infrastructure - Merchant Street Retaining Wall	\$ 375,041.74	\$ 375,041.74	\$ -	Complete.
Physical Plant Expansion	\$ 160,000.00	\$ -	\$ 160,000.00	On Hold
School House Museum Repairs	\$ 70,000.00	\$ 16,000.00	\$ 54,000.00	Omni is finalizing specifications. Preparing to bid.



**Tab**

**7**

**Pierpont Community & Technical College Board of Governors  
Meeting of April 28, 2015**

**ITEM:** Pierpont Community & Technical College  
Reorganization Plan

**COMMITTEE:** Committee of the Whole

**RECOMMENDED RESOLUTION:** Resolved, that the Pierpont Community & Technical  
College Board of Governors approve the  
Reorganization Plan.

**STAFF MEMBER:** Leslie J. Lovett, Provost and Vice President for  
Academic Affairs

**BACKGROUND:** Pierpont Community & Technical College Board of  
Governors Policy 1, “Change in the Organization of  
Schools, Departments or Other Administrative  
Units” requires approval by the Pierpont Board of  
Governors prior to implementation of changes in  
organizational structure of any School, Department  
or other administrative unit of Pierpont, and written  
notification to the Chair of the Board.

Pierpont seeks to create the position of Associate Provost who will have oversight of the operations of the Regional Campus locations, and primary responsibility for the quality of academics and required compliance and annual reporting of course and faculty assessment and evaluation, early admission accountability to the WV Council for Community and Technical College Education and the Higher Learning Commission.

In addition, the School of Academic Studies that houses full-time English, Mathematics and Communications faculty will be dissolved. A Department of Math and Science will be created under the School of Business, Aviation and Technology and a Department of English, Communications, & Humanities and a Department of Social Science & Interdisciplinary Studies will be created under the School of Human Services. The Liberal Studies degree program will be housed in the School of Human Services.

**Tab**

**8**

**Pierpont Community & Technical College Board of Governors  
Meeting of April 28, 2015**

**ITEM:** New Policy No. 59 - Furlough and Reduction in Employee Workforce

**COMMITTEE:** Committee of the Whole

**RECOMMENDED RESOLUTION:** Resolved that the Pierpont Board of Governors approve Policy No. 59 - Furlough and Reduction in Employee Workforce. A final draft of this policy submitted for approval includes modifications based on comments received during the announced 30-day public comment period.

**STAFF MEMBER:** Dale Bradley

**BACKGROUND:**

At the Pierpont Board of Governors meeting of November 18, 2014, a 30-Day Public Comment Period was established from November 19, 2014 to December 18, 2014 to provide the public the opportunity to address the proposed new BOG Policy 59 – Furlough and Reduction in Employee Workforce. The public comment period was announced via campus email to Pierpont faculty, staff, and student. Notice of the comment period was also provided via email to legal counsel and staff members at the Council for Community and Technical College Education. A copy of the policy was available for public viewing during this time period

Comments were received during the 30-day public comment period and are provided with this resolution. Modifications were made to the initial draft of the new Policy No. 59 - Furlough and Reduction in Employee Workforce, for consideration by, and approval of, the Pierpont Community & Technical College Board of Governors.

This policy was brought before the Pierpont Board of Governors with a resolution for action to approve at the Pierpont Board of Governors meeting of February 26, 2015. After discussion on the motion, the Board voted to table Policy #59 until the April 2015 Board of Governors meeting to allow time to address further concerns that the faculty and staff expressed.

**PIERPONT COMMUNITY & TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
POLICIES**

**SUMMARY OF COMMENTS RECIEVED  
FOR POLICIES OUT FOR 30-DAY COMMENT PERIOD**

**New Policy No. 59 - Furlough and Reduction in Employee Workforce**

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**Number of Comments Received:** Seven comments were submitted, altogether, with one comment submitted on behalf of the faculty of the School of Health Careers, one comments submitted on behalf of tenured faculty members, and one comment submitted on behalf of the Classified Staff.

**Source of Comments Received:**

**Legal Counsel**

#1 General Legal Counsel of the WVHEPC provided the following comments:

- Section 5. Reduction in Force Policy – Faculty, 5.1, in the last sentence: ...”importance to a specific program will be retained in preference to other faculty members, whatever their status of seniority.” **Is ‘probably contrary to statute’.**
- Section 6. Reduction in Force Policy – Classified Staff. 6.1, in the last sentence: ...”importance to a specific program or service will be retained in preference to other staff members, whatever their status or seniority.” **Is ‘contrary to statute’.**

**Staff**

#1 A staff member provided a memo to the Board not directly related to content revision of the policy, but general questions about the policy. The memo was forwarded electronically to the Board.

#2 A staff member provided questions to the Board on behalf of the Classified Staff not directly related to content revision of the policy, but general questions about the policy. The questions were forwarded electronically to the Board.

## **Faculty**

- #1 A faculty member provided comments to the Board requesting clarification of definitions. The questions were forwarded electronically to the Board.
- #2 A faculty member provided comments to the Board for consideration on behalf of tenured faculty members:
- In Section 3. Definitions of Employees, add the following:  
3.13. Financial Exigency: An imminent financial crisis which threatens the survival of the institution as a whole.
  - In Section 5. Reduction In Force Policy – Faculty, revise the second sentence of 5.1 to read as follows:  
Following the declaration of a financial emergency, the President shall undertake program/curriculum reviews through collaborative assessment by representatives of administration, faculty and staff to consider pertinent program/curriculum or administrative information.
  - Add Section 5.2.3 as follows:  
Every effort should be made to reassign a tenured individual to instructional or non-instructional duties commensurate with the faculty member’s training and experience, and offers of release time or leaves of absence should be made to enable such persons to acquire capabilities in areas in which their services would be required by the institution. Faculty development programs and funds should be used to facilitate such reassignments.
  - In Section 5.3 President’s Recommendation, revise the first sentence to read as follows:  
In addition to recommendations made in response to a financial emergency, the President may recommend the termination of the employment of faculty members to the Board of Governors through collaborative assessment by representatives of administration, faculty and staff at any time for reason of lack of funds, lack of work, reduction in enrollment or abolition of position.
  - Insert a new Section 5.3.2 (and renumber current Section 5.3.2 and the subsequent sections through 5.3.10) as follows:

5.3.2 Severance of Tenured Faculty: If appropriate employment cannot be found for the tenured faculty member, a severance package will be offered equivalent to one full year of current salary distributed equally over a two year period.

#3 A faculty member provided questions to the Board on behalf of the Faculty of the School of Health Careers not directly related to content revision of the policy, but general questions about the policy. The questions were forwarded electronically to the Board.

#4: A faculty member provided a letter to the Board not directly related to content revision of the policy, but general questions about the policy. The letter was forwarded electronically to the Board.

**President's Cabinet**

No comment.

**General**

No comment.

*Notice: A complete written copy of the policy comments received during the 30-day comment period were, and are, available for public viewing at 320 Adams Street, Suite 406, Pierpont Community & Technical College, Fairmont, WV.*

**PIERPONT COMMUNITY & TECHNICAL COLLEGE**  
**Board of Governors Policies and Procedures**  
**POLICY # 59**

**TITLE: Furloughs and Reduction in Employee Workforce**

**Authority/Reference:** West Virginia Code §18B -7-3 and Title 133, West Virginia Council for Community and Technical College Education, Series 8, *Personnel Administration*, and Series 9, *Academic Freedom, Professional Responsibility, Promotion and Tenure*

**Effective Date:**

**Amended:**

**Repealed:**

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**SECTION 1. PURPOSE**

- 1.1 The purpose of this policy is to establish uniform procedures that will provide a means to address employee furloughs and reductions-in-force within the ranks of regular full-time employees at Pierpont Community & Technical College (Pierpont) in response to financial condition necessitating a reduction in the institution's labor budget.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy shall apply to all regular full-time (.53 FTE and above) employees and positions, to include faculty, classified, non-classified and Faculty Equivalent/Academic Professional (FEAP) employees.
- 2.2 This policy is intended to apply only to full-time regular employees, i.e., those at .53 FTE and above. Employees at less than .53 FTE, i.e., part-time regular ("1039") or temporary, casual or project employees are not included in this policy, as they are considered "at-will" employees whose positions may be abolished if deemed necessary.

**SECTION 3. DEFINITIONS OF EMPLOYEES (from Title 133, Series 8, 2.1)**

- 3.1 **Full-Time Regular Employee (FTR):** Any employee in a classified position created to last a minimum of nine months of a twelve-month period and in which period such employee is expected to work no less than 1,040 hours during said period. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Personnel who fail to meet the work threshold for designation as full-time classified personnel shall hold no seniority and will be considered "at-will" employees.
- 3.2 **Full-Time Faculty:** Employment as a faculty member for a full academic year (at least a nine-month contract basis) for at least six (6) semester credit hours teaching per semester or the equivalent in teaching, research, public service, and/or administrative responsibilities. Faculty are not considered classified employees or subject to the classification program.



- 3.3 **Non-Classified Employee:** An employee, designated by the president, who is responsible for policy formation at the department or institutional level or reports directly to the president of the institution. Non-classified employees are not subject to the classification program but are eligible for benefits.
- 3.4 **Part-Time Regular Employee:** An employee in a position created to last less than 1,040 hours during a twelve-month period. An employee in a PTR position is not eligible for benefits, but is covered under the classification program.
- 3.5 **Temporary Employee:** An employee hired into a position expected to last fewer than nine months of a twelve-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but is covered by the classification program.
- 3.6 **Casual Employee:** Position created to meet specific operational needs at an institution for no more than 225 hours in a 12-month period. Individuals in a casual employee position are not eligible for benefits and are not covered by the classification program.
- 3.7 **Furlough:** ~~A positive alternative to employee layoffs.~~ A furlough is mandatory time off work for no pay for an employee or employees, a program typically implemented in lieu of reductions in force and the permanent loss of jobs and positions.
- 3.8 **Reduction in Force (RIF):** The termination of employees and/or positions due to lost funding or unmet revenues; or due to institutional or programmatic changes; or due to the reorganization of business operations. Reduction in force for classified employees shall be in accordance with West Virginia Code § 18-B-7-3.
- 3.9 **Seniority (for classified employees):** For purposes of reduction in force, “seniority” means uninterrupted service in the higher education system. Uninterrupted service means the continuous period of time that an employee is in payroll status - i.e., being paid for time worked regardless of when the payment occurs. Therefore, persons on unpaid leaves of absence (regardless of the reason) do not accrue seniority service for purposes of reduction in force. An employee hired at Pierpont who previously worked at another institution under the jurisdiction of the Higher Education Policy Commission or Council for Community and Technical College Education must have no break in service between the two institutions in order to have the previous institutional service counted toward seniority calculations for reduction in force purposes at Pierpont.
- 3.9.1 For regular employees, this excludes adjunct teaching experience and part-time temporary and/or casual work experience. Temporary and casual employees do not earn or carry seniority.
- 3.10 **Seniority (for faculty employees):** For regular faculty employees, seniority may apply in some circumstances, as detailed in Section 5 following.
- 3.11 **Seniority (for non-classified and FEAP employees):** Seniority is not a mitigating

factor or consideration for non-classified and FEAP employees, who are considered “at-will” employees.

- 3.12 **Full-time equivalency (FTE):** Full-time equivalency is the percentage of time for which a position is established; a 1.0 FTE is a position assigned to work 1950 hours per the twelve (12) months of the fiscal year.

#### **SECTION 4. FURLOUGH POLICY**

- 4.1 After the decision that a financial condition necessitating a reduction in the institution’s labor budget exists the President shall have the authority to determine and implement a feasible furlough plan, which shall be applied to all regular employees equitably and in a manner appropriate to their FTE’s and employment type as described above in Section 3. Such a plan must be approved by the Board of Governors in a regular meeting or by another method of voting approved by the Board.
- 4.2 The furlough plan must be designed such that it minimizes the financial impact on employees.
- 4.3 Teaching faculty will be provided work-release as the method of their furlough.
- 4.4 Seniority is not a consideration in furloughing.

#### **SECTION 5. REDUCTION IN FORCE POLICY - FACULTY**

- 5.1 It shall be the policy of the Board of Governors to undertake reductions in the workforce or personnel in a consistent and equitable manner. Following the decision that a financial condition necessitating a reduction in the institution’s labor budget exists, the President shall undertake program/curriculum reviews to consider pertinent program/curriculum or administrative information. The President may recommend to the Board of Governors the elimination or reduction of programs/curricula deemed appropriate, given financial and enrollment considerations, and in the best interest of the College in general. The primary consideration in any resulting decision to eliminate positions and to reassign or reduce the number affected faculty positions and personnel will be the preservation of the quality and effectiveness of the College’s programs and overall mission. ~~Consequently, those employees who are deemed to be of key importance to a specific program will be retained in preference to other faculty members, whatever their status or seniority.~~
- 5.2 **Basis for Elimination of Faculty Positions:** Recommendations by the President to the Board of Governors concerning the elimination of any faculty position will be made on the basis of need within each discipline, as defined by the President after consultation with the Chief Academic Officer, the Deans and department chairs.
- 5.2.1 **Elimination of Positions with Equal Rank in Same Discipline/Department:** In the event all other factors are considered to be equal and a choice must be made concerning the elimination of the position of one of two or more faculty members

holding the same rank and teaching the same discipline, the faculty member with the greater seniority will be retained. Also, in the event of a conflict between rank and seniority, such as when an assistant professor has substantially more seniority than his or her equally qualified counterpart who is an associate professor, the department chair, dean and the chief academic officer will jointly review the annual evaluations of both faculty members for the previous three years, as well as any other relevant data, and make a recommendation to the President concerning which of the positions better serves the vital interests of the College.

**5.2.2 Order for Elimination of Faculty Positions:** Non-tenured faculty members, within the discipline to be reduced, will be terminated prior to the termination of the employment of tenured faculty members. Employment terminations of faculty members will generally follow the order specified below unless there is an identified need to retain faculty members who are deemed to be of key importance to a particular program:

**Non-Tenured:**

1. Adjunct Faculty
2. Lecturer and Temporary Faculty
3. Instructor
4. Assistant Professor
5. Associate Professor
6. Associate Professor/Senior
7. Professor
8. Professor/Senior

**Tenured:**

9. Assistant Professor
10. Associate Professor
11. Associate Professor/Senior
12. Professor
13. Professor/Senior

**5.3 President's Recommendation:** In addition to recommendations made in response to a financial condition necessitating a reduction in the institution's labor budget, the President may recommend the termination of the employment of faculty members to the Board of Governors at any time for reason of lack of funds, lack of work, reduction in enrollment or abolition of position. Recommendations of the President to the Board of governors relative to the termination of the employment of faculty members shall not be made until affected faculty members have been afforded a hearing as provided herein.

**5.3.1 Notice and Hearing for Tenured Faculty Members:** The President shall provide written notice to any full-time tenured faculty member of the intent to recommend termination of employment based upon a reduction-in-force. The notice shall contain a description of the reasons for the intended recommendation. The President must make every effort to give as much notice as is

practical in light of a financial condition necessitating the reduction in the institution's labor budget exists to each affected faculty member in advance of the effective date of the layoff. Yet, the legislative appropriation process or the recognition of a reduction in revenues and the subsequent analysis needed before a decision that a financial condition necessitating a reduction in the institution's labor budget exists may allow little time for formal notice to the employees who are to be laid off. Upon receipt of such notice, the affected faculty member may request a hearing to be conducted by the President or his or her designee. A request for a hearing must be made within five (5) calendar (working) days of a notice of recommended termination. Among the issues to be considered by the President or designee are:

- a. Ensuring that reductions-in-force do not arbitrarily violate the principles of academic freedom or established law on the basis of individual qualifications such as race, color, gender, sex, sexual orientation, gender identity, gender expression/association, national origin, age, height, weight, religion, creed, genetic information, disability or veteran's status, as identified and defined by relevant and appropriate employment law.
- b. The burden of proof in position or employee termination proceedings rests with the faculty member. The decision that a financial condition necessitating a reduction in the institution's labor budget rests solely within the President's authority and discretion with the approval of the Board and is not subject to contest by any faculty member.
- c. The hearing shall be recorded by mechanical means and a written transcript provided to all participating and appropriate parties to be included with the final response as described in (e) below. The strict rules of evidence shall not, however, be applied during the hearing.
- d. Following the hearing, the President or designee shall prepare a written decision upon any matters raised by the faculty member who requested the hearing. The decision shall contain a description of the concerns raised by the faculty member and a response to each thereto. A copy of the decision and transcript shall accompany any subsequent recommendation made by the President to the Board of Governors. These actions will all be completed within ten (10) working days of the appeal meeting, unless an extension is mutually agreed upon by the faculty member and an approved designee of the College.
- e. Use of the appeal procedure does not delay the effective date of employment termination of the faculty member.

**5.3.2 Non-Tenured Faculty Members:** In most instances, a reduction-in-force of faculty members under fixed-term appointments will be accomplished by non-reappointment rather than by layoff during the term of employment. Non-renewal under these circumstances does not entitle a faculty member to notice and hearing under the terms of this policy. In the event a faculty member serving under a fixed-term appointment is recommended for employment termination during the term of employment because of a reduction-in-force resulting from a

decision that a financial condition necessitating a reduction in the institution's labor budget, that faculty member shall be entitled to use the appeal procedure described in Section 5.3.1.

- 5.3.3 **Action by the Board of Governors:** Upon receipt of a recommendation by the President, the Board of Governors may approve the termination of employment of a faculty member. No separate hearing shall be afforded to affected faculty members by the Board of Governors. The affected faculty member shall be provided with written notice of the action taken by the Board of Governors and shall also be provided with a copy of the instructions and form for filing an appeal with the West Virginia Public Employees Grievance Board.
- 5.3.4 **Transfers/Refusals to Transfer:** In some cases, the President may decide (as a result of the above-described review process), to abolish or combine certain programs or curricula, or to close certain physical campuses or locations, whether for purposes of a financial condition necessitating a reduction in the institution's labor budget or for reorganization or reallocation of resources. In such a case, an employee may be reassigned to a new program, school or physical location. If a faculty member refuses the reassignment to a program, school or physical location, the President may then terminate that faculty member's employment; as an equitable offer has been made and refused, the College is under no further obligation to maintain the employee's job or employment.
- 5.3.5 **New Faculty Positions:** New positions will not be created while a financial condition necessitating a reduction in the institution's labor budget is in effect unless a serious disruption in the functioning of the College or a loss of grant funds would otherwise result, as determined within the sole discretion of the President. New academic programs or faculty positions may be created only when it can be demonstrated that these programs or positions will help the College extricate itself from the financial conditions necessitating the reduction in the institution's labor budget and /or program and curriculum performance. Priority for filling these positions will be given to existing, qualified faculty whose positions are slated for abolishment.
- 5.3.6 **Re-employment Following Financially Based or Other Termination:** Notwithstanding any other recall rights contained in the policy, in the case of the termination of the employment of a tenured faculty member occupying a permanent faculty position, the position concerned may not be filled by replacement within a period of two (2) years from the effective date of the termination of employment, unless the faculty member has been offered a return to employment in that position and has not accepted the offer within 30 calendar days after the offer is extended.
- 5.3.7 **Termination of Exigency:** The conclusion of a financial condition necessitating a reduction in the institution's labor budget will not imply that employment terminations that were made during that period are automatically withdrawn,

revoked or otherwise invalid.

- 5.3.8 **Process for Re-employment of Affected Personnel:** The following process shall be observed for determination of recall and reassignment of affected faculty members following their termination during a financial condition necessitating a reduction in the institution's labor budget: When filling academic positions, the highest ranking qualified tenured faculty member whose employment has been terminated as part of a financial condition necessitating a reduction in the institution's labor budget reduction-in-force (and who has not been employed in an academic position elsewhere) shall be offered the position. If the position is refused, it shall be offered to other similarly affected faculty members in rank order. Any refusal of employment by a faculty member shall extinguish any further rights to recall. However, a refusal to accept a position shall not preclude a faculty member from making application for other posted position openings. The Office of Human Resources shall notify faculty members whose employment has been terminated of position openings in accordance with the terms of this policy. The notice shall be sent by certified mail to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status.
- 5.3.9 **Assumption of Responsibilities:** The duties of a faculty member terminated under the provisions of this policy will be assumed by his/her remaining colleagues in so far as is feasible.
- 5.3.10 **Rights of Returning Tenured Faculty Members:** A tenured faculty member who has been terminated and who accepts re-employment with the College under the terms of this policy will resume tenure and the rank held at the time of employment termination, be paid a salary commensurate with the rank and length of previous service, be credited with any sick leave accrued as of the date of employment termination and be credited with any annual leave accrued as of the date of employment termination for which payment has not been made. Annual increment service time will begin accruing upon reinstatement; no annual increment or other service time accrues during the period of reduction-in-force.

## **SECTION 6. REDUCTION IN FORCE POLICY - CLASSIFIED STAFF**

- 6.1 It shall be the policy of the Board of Governors to undertake reductions in the workforce or personnel in a consistent and equitable manner, in adherence to the provisions of WV Code §18B -7-3. The President, however, following the decision that a financial condition necessitating a reduction in the institution's labor budget exists, shall undertake program, administrative and service reviews to consider pertinent program, administrative or service information. The President may recommend to the Board of Governors the elimination or reduction of programs or services deemed appropriate, given financial, enrollment and other pertinent considerations, and in the best interest of the College in general. The primary consideration in any resulting decision to eliminate

positions and to reassign or reduce the number affected staff positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission. ~~Consequently, those employees who are deemed to be of key importance to a specific program or service will be retained in preference to other staff members, whatever their status or seniority.~~

6.2 **Basis for Elimination of Classified Staff Positions:** It shall be the policy of the Board of Governors to undertake reductions in the workforce of classified personnel in a consistent and fair manner, and in accordance with WV Code §18B -7-3, insofar as the needs of the institution, its mission and its students are met first. Following a reduction in workforce in the ranks of classified personnel, the continuation of services and programs with appropriately trained and qualified personnel shall be afforded primary consideration in all decisions related to elimination of positions and the reassignment of affected classified personnel.

6.2.1 Part-time regular (1039), casual, project and/or temporary classified positions and employees are not covered under the provisions of this policy.

6.2.2 A reasonable reduction in the number of hours an employee works (FTE) is NOT considered a reduction in force; i.e., altering the FTE of a position or employee's job by .20 or less does not trigger the provisions for "bumping" as outlined in WV Code §18B -7-3.

6.3 **Calculation of Seniority:** Seniority accumulation for regular full-time employment (i.e., .53 FTE and higher) begins on the date the employee enters regular full-time employment duties and continues until such regular full-time employment is severed with the College. Full-time service will be prorated by FTE. Part-time service performed prior to becoming a full-time regular employee will not be counted in the seniority calculation. Only full-time, benefit eligible service will be counted. Additional seniority shall be given for full-time service in the West Virginia system of higher education; however, an entitlement to credit for service earned at another eligible institution of higher education requires an uninterrupted transition to service at Pierpont. Such additional seniority shall be applied to adjust the total months of service. Employees shall accrue seniority while on paid sick leave or annual leave, while receiving temporary total disability benefits under the workers' compensation system, while on approved military leave, or on any authorized paid leave. Employees shall not accrue seniority during periods of disciplinary suspension without pay, leave without pay, or unauthorized absences. Any loss of seniority occasioned by disciplinary suspension or unauthorized absences shall result in an adjustment to an employee's total months of service for seniority purposes.

6.3.1 An employee who voluntarily terminates service through resignation or who is terminated for cause shall permanently lose all accumulated seniority. An employee who is subject to a reduction-in-force shall, upon re-employment, receive credit for previously accumulated seniority, but shall not accumulate seniority during the period of absence prior to re-employment.

- 6.3.2 If two or more employees accumulate identical seniority, the priority shall be determined by a random selection established by the employees and approved by the Office of Human Resources. Priority shall be established anew in the context of each personnel decision where a tie in seniority must be broken.
- 6.4 **Correction of Erroneous Total Months of Seniority:** It shall be the responsibility of all classified personnel to validate the correctness of their total months of service and adjustments thereto. An employee who fails to correct erroneous total months of service and who is subject to adverse personnel action by virtue of erroneous seniority shall be prohibited from raising the error in the context of the adverse personnel action. However, an employee's erroneous seniority shall be corrected for all purposes other than the adverse personnel action in question.
- 6.5 **Specific Qualifications or Training:** Any specific qualifications or training associated with a classified position shall be set forth in the Position Information Questionnaire (PIQ). If specific qualifications or training are set forth in the PIQ, such positions shall only be available to more senior employees whose positions have been eliminated if such more senior employees hold the specified required qualifications or have acquired such training. Specific qualifications and training shall be reviewed annually by the supervisor in the context of Position Information Questionnaire reviews during the performance appraisal process. Any significant changes recommended by supervisors or by the Office of Human Resources shall be submitted to the President for approval. The lack of qualifications or training by a more senior employee whose position has been eliminated shall be regarded as conclusive evidence that the more senior employee cannot perform the duties and responsibilities of a position where such specific qualifications or training is included in the PIQ.
- 6.5.1 No pretextual PIQ's are to be submitted to, nor will they be reviewed by, Human Resources, if it is perceived or determined by the President or HR that such submission is intended solely or in the main to protect an individual's position or employment from abolishment. PIQ's to be used in the review process are those that were in effect 90 days or more before the announcement of a reduction-in-force.
- 6.6 **President's Authority and/or Recommendation:** The President may eliminate classified positions without prior recommendation to the Board of Governors for reasons other than financial conditions necessitating a reduction in the institution's labor budget. These reasons may include, but are not limited to lack of funds, expirations of special grants or revenue streams, lack of work, material changes in duties, or changes in organization. In the event of a decision that a financial condition necessitating a reduction in the institution's labor budget exists, the President shall eliminate filled or vacant part-time (1039), casual, project or temporary and non-critical vacant positions prior to recommending the elimination of positions held by regular full-time classified personnel.



- 6.7 **Affected Personnel:** Personnel who are serving in positions that have been designated for elimination shall be considered for reassignment based upon their seniority, classification and any relevant specific qualifications or training they may possess. Once positions have been designated for elimination, the affected employees must update their record of credentials and specific qualifications and training within a reasonable timeframe as determined by the Office of Human Resources.
- 6.8 **Consideration of FTE Status:** – FTE status shall be considered in evaluating the suitability of positions for reassignment. Notwithstanding the fact that employees with FTE's between .53 and 1.0 are considered full-time, vacancies and other potential positions for an employee's reassignment must not vary more than .20 of the affected employees' FTE status to be considered suitable. However, if there are no suitable vacancies or other available suitable positions held by employees with less seniority, an employee may be reassigned to a position that would otherwise be considered non-suitable for reason of FTE disparity.
- 6.9 **Process for Reassignment of Affected Personnel:** The following process shall be observed for determination of reassignment of affected personnel. In all cases, employees whose jobs have been identified for abolishment must meet the stated qualifications for and be able to perform the duties (as described in the PIQ) of the position into which they would be slated on the basis of seniority to move. Human Resources is to make such determinations.
- 6.9.1 Priority One – Qualified affected employees will be transferred to current vacant positions, without regard to seniority, in order to avoid a layoff situation by the institution. Attempts will be made to transfer affected employees to vacancies in the same classification. If a vacancy does not exist in the same classification, attempts will be made to transfer employees to vacant positions in lower classifications.
- 6.9.2 Priority Two – In the event that a layoff situation has not been avoided through application and the terms of Priority One, qualified affected employees will be transferred to other positions within the same classification, displacing the least senior employees in that classification.
- 6.9.3 Priority Three – After exhaustion of available positions in the same classification, qualified affected employees will be transferred to other positions in a lower classification, displacing the least senior employees in that classification.
- 6.9.4 Priority Four – Transfer to a part-time vacancy within the same classification.
- 6.9.5 Priority Five – Transfer to a position held by a part-time employee within the same classification.
- 6.9.6 Priority Six – Transfer to a position held by a part-time employee in a lower classification.

- 6.10 **Application of Seniority in Reassignment Determinations:** If the employee holding in a position that has been identified for elimination has more seniority than other employee(s) within the employee's classification, the employee shall displace the least senior employee within the classification who holds a position for which the more senior employee qualifies, so long as the displaced employee has the same qualifications and can perform the same work as delineated in the PIQ for the position held by the less senior employee(s) within that classification. In the event a PIQ for positions held by less senior employees contain specific qualifications or training necessary to provide the services identified by the President as critical to the mission, operations and needs of students, the positions will only be available to more senior employees if the more senior employees hold such specific qualifications and are able to perform such duties. If an employee refuses reassignment to a position in an equivalent classification, the employee forfeits all rights of recall.
- 6.10.1 If there are no positions within the displaced employee's classification, lower classification (in descending rank order of pay grade) shall be considered as potential assignments in the same manner as described in the foregoing Sections; provided, however, that an employee may elect not to accept reassignment to a lower classification and to be placed on the recall list instead.
- 6.10.2 Employees who have been displaced by a more senior employee whose position has been eliminated shall have the same rights to reassignment as described in the foregoing Sections.
- 6.10.3 If more than one position in a particular classification is eliminated, reassignments shall be considered in order beginning with the most senior affected employee.
- 6.11 **Preferred Recall List:** All employees who lack sufficient seniority to retain employment in a reduction in work force or who have been displaced as a result of the elimination of their positions and who elect to refuse reassignments to lower classifications shall be placed on a preferred recall list. Employees on the preferred recall list shall be recalled to any position opening by the institution within the classification in which the employee had previously been employed or to any position in a lower classification for which the employee is qualified on the basis of seniority and ability to perform the required duties of the job.
- 6.11.1 An employee on the preferred recall list shall not forfeit the right to recall if compelling reasons, as defined by the President, require the employee to refuse an offer of re-employment. The President and Human Resources, in consultation, will review an employee's opined compelling reasons and decide on their merits whether the employee should or should not forfeit the right to recall.
- 6.11.2 The Office of Human Resources shall notify all employees on the preferred recall list of all position openings that exist from time to time. The notice shall be sent

by certified mail to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status and to be contacted.

6.11.3 An employee's listing shall remain active for a period of one year. However, employees must annually request in writing that their listing be renewed for the succeeding year. An employee who fails to renew listing on the recall list prior to the anniversary date of placement on the list or last renewal shall be removed from the list.

6.11.4 No position openings shall be filled by the institution, whether temporary or permanent, until all employees on the preferred recall list have been properly notified of existing vacancies and have been given an opportunity to accept re-employment.

## **SECTION 7. REDUCTION IN FORCE POLICY - NON-CLASSIFIED AND FEAP STAFF**

7.1 Seniority of employees in non-classified or FEAP positions is neither a factor nor a consideration in determining reduction in force of such positions, in which employees are considered "at-will." However, following the decision that a financial condition necessitating a reduction in the institution's labor budget exists, the President shall undertake program, administrative and service reviews to consider pertinent program, administrative or service information. The President may recommend to the Board of Governors the elimination or reduction of programs or services deemed appropriate, given financial, enrollment and other pertinent considerations, and in the best interest of the College in general. The primary consideration in any resulting decision to eliminate positions and to reassign or reduce the number affected non-classified or FEAP positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission. Consequently, those employees who are deemed to be of key importance to a specific program or service will be retained in preference to other staff members, whatever their status or seniority.

## **SECTION 8. RESPONSIBILITIES AND PROCEDURES**

8.1 Faculty: The President and Chief Academic Officer shall have primary responsibility for making recommendations to the Board of Governors regarding elimination of faculty positions. Human Resources will be guided in process and implementation by the decisions provided by the President and Chief Academic Officer.

8.2 Classified, Non-Classified and FEAP Employees: The Office of Human Resources shall have primary responsibility for the implementation of the provisions of this policy.

**Tab**

**9**

**Pierpont Community & Technical College Board of Governors  
Meeting of April 28, 2015**

**ITEM:** New Policy No. 60 – Tobacco Free Campus

**COMMITTEE:** Committee of the Whole

**RECOMMENDED RESOLUTION:** Resolved that the Pierpont Board of Governors approve Policy No. 60 – Tobacco Free Campus. The final draft of this policy submitted for approval warranted no modifications based on comments received during the announced 30-day public comment period.

**STAFF MEMBER:** Dale Bradley

**BACKGROUND:**

In January 2013 the West Virginia Council for Community & Technical College Education (WVCCTCE) adopted a resolution recommending that all institutional Board of Governors implement a policy to establish a tobacco free environment on each community and technical college campus.

At the Pierpont Board of Governors meeting of February 26, 2015, a 30-Day Public Comment Period was established from February 27, 2015 to March 28, 2015 to provide the public the opportunity to address the proposed new BOG Policy 60 – Tobacco Free Campus. The public comment period was announced via campus email to Pierpont and Fairmont State faculty, staff, and student. Notice of the comment period was also provided via email to legal counsel and staff members at the Council for Community and Technical College Education. A copy of the policy was available for public viewing during this time period.

Comments were received during the 30-day public comment period and are provided with this resolution. Based on these comments, no modifications were made to the initial draft of the proposed new Policy No. 60 – Tobacco Free Campus, for consideration by, and approval of, the Pierpont Community & Technical College Board of Governors.



# RESOLUTION

## PROMOTING TOBACCO PRODUCT FREE WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE CAMPUSES

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- WHEREAS,* According to the WV Cancer Registry and WV Vital Statistics, there are estimated to be 2,016 new cases of Lung Cancer in West Virginia, with 1,573 cases resulting in death; and,
- WHEREAS,* According to the American Cancer Society, in 2012 there are estimated to be 40,250 new cases of lip, oral cavity, and pharynx cancers nationwide, with 7,850 cases resulting in death; and,
- WHEREAS,* The total annual public and private health care expenditures caused by smoking is \$96 billion, the annual health care expenditures solely from secondhand smoke exposure is \$4.98 billion, and the health care costs are as much as 40% higher for smokers than non-smokers, and,
- WHEREAS,* Smoking in West Virginia costs \$229 million in coverage by the State Medicaid program, a burden from government expenditures amounting to \$309.00 per household, and \$1.07 billion in productivity losses; and,
- WHEREAS,* According to RAZE, high school students trying tobacco for the first time is steadily decreasing; however, 34.5% of the state's 18-24 year olds are currently using a tobacco product, and,
- WHEREAS,* Second hand smoke is classified as a known human carcinogen and results in a combined heart disease and lung cancer death toll of approximately 49,000 people in the United States each year; and,
- WHEREAS,* A recent study has shown that tobacco free campuses have significantly curbed the smoking habits of the students, faculty, and staff to make campuses healthier environments; and,

WHEREAS, The WV Council for Community and Technical College Education, with support of the Chancellor and Institutional Presidents', advocate for the establishment of tobacco product free campuses at all West Virginia public community and technical colleges of higher education effective June 30, 2014; and,

*THEREFORE, BE IT RESOLVED,*

That the West Virginia Council for Community and Technical College Education, with the support of the Chancellor, recommends all Institutional Board of Governors implement a policy to establish a tobacco product free environment on each campus; and,

*FURTHER, BE IT RESOLVED,*

That this resolution be inscribed upon the Council minutes of January 31, 2013.

**PIERPONT COMMUNITY & TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
POLICIES**

**SUMMARY OF COMMENTS RECIEVED  
FOR POLICIES OUT FOR 30-DAY COMMENT PERIOD**

**New Policy No. 60 – Tobacco Free Campus**

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**Number of Comments Received:** Thirteen comments were submitted, altogether, with two comments submitted on behalf of the faculty of both institutions, three comments submitted on behalf of the staff of both institutions, and eight comments submitted on behalf of the students of both institutions.

Comments provided to the Board were not directly related to content revision of the policy, but general questions and opinions about the policy. These comments were forwarded electronically to the Board as they were received.

**Source of Comments Received:**

**Legal Counsel**

No Comment.

**President's Cabinet**

No comment.

**Board of Governors Members**

No Comment.

**Faculty (Pierpont)**

- #1 A Pierpont faculty member provided an email to the Board not directly related to the content of the policy for revision, but stated opposition, requested justification, and offered general opinions about the policy itself. The faculty member favors designated smoking areas. The email was forwarded electronically to the Board.



### **Faculty (Fairmont State)**

- #1 A Fairmont State faculty member provided an email to the Board not directly related to the content of the policy for revision, but offered support and general opinions about the policy itself. The email was forwarded electronically to the Board.

### **Staff (Shared by Pierpont and Fairmont State)**

- #1 A staff member provided an email to the Board not directly related to the content of the policy for revision, but offered support and general opinions about the policy itself. The email was forwarded electronically to the Board.
- #2 A staff member provided an email to the Board not directly related to the content of the policy for revision, but offered enforcement and training recommendations and general opinions about the policy itself. The email was forwarded electronically to the Board.
- #3 A staff member provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy itself, with opposition to the enforcement of the policy. The staff member favors designated smoking areas. The email was forwarded electronically to the Board.

### **Students (Pierpont)**

- #1 A Pierpont student provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy itself, with strong opposition to the enforcement of the policy. The student favors designated smoking areas. The email was forwarded electronically to the Board.
- #2 A Pierpont student provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy itself, with opposition to the enforcement of the policy. The student favors designated smoking areas. The email was forwarded electronically to the Board.
- #3 A Pierpont student provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy itself, with strong opposition to the enforcement of the policy. The email was forwarded electronically to the Board.
- #4 A Pierpont student provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy

itself. The student suggested designated smoking areas. The email was forwarded electronically to the Board.

- #5 A Pierpont student provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy itself, with opposition to the enforcement of the policy. The email was forwarded electronically to the Board.

### **Students (Fairmont State)**

- #1 A Fairmont State student provided an email to the Board not directly related to the content of the policy for revision, but offered support while questioning enforcement strategies and gave general opinions about the policy itself. The email was forwarded electronically to the Board.
- #2 A Fairmont State student provided an email to the Board not directly related to the content of the policy for revision, but provided general opinions about the policy itself, with opposition to the enforcement of the policy. The email was forwarded electronically to the Board.
- #3 A Fairmont State student provided an email to the Board not directly related to the content of the policy for revision, but offered support and general opinions about the policy itself. The student noted that there was no personal opposition to permitting the use of e-cigarettes. The email was forwarded electronically to the Board.

### **General**

No comment.

*Notice: A complete written copy of the policy comments received during the 30-day comment period were, and are, available for public viewing at 320 Adams Street, Suite 406, Pierpont Community & Technical College, Fairmont, WV.*

**PIERPONT COMMUNITY & TECHNICAL COLLEGE**

**Board of Governors Policies and Procedures**

**POLICY # 60**

**TITLE: Tobacco Free Campus**

**Authority/Reference:** West Virginia Code §18B -1-6, & §18B -2A-4(a), West Virginia Council for Community and Technical College Education *Resolution Promoting Tobacco Product Free West Virginia Community And Technical College Campuses*

**Effective Date:** August 1, 2015

**Amended:**

**Repealed:**

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**SECTION 1. PURPOSE**

- 1.1 The purpose of this policy is to establish a policy that prohibits tobacco use in all forms at Pierpont Community & Technical College (Pierpont).

**SECTION 2. DEFINITIONS**

- 2.1 “Pierpont Campuses” is defined as (1) property controlled by Pierpont and under the jurisdiction of Pierpont Community & Technical College Board of Governors, which includes any premises owned, operated, leased, or occupied by Pierpont; or (2) any street, road, or thoroughfare immediately adjacent to or passing through Pierpont owned property. This definition includes regional campuses.

**SECTION 3. POLICY**

- 3.1 The use of tobacco and tobacco related products is prohibited on Pierpont Campuses. Prohibited tobacco and tobacco related products include, but are not limited to, cigarettes, e-cigarettes, chewing tobacco, dip, pipes, cigars, cigarillos, hookah or water pipe smoking, snus and snuff. This policy applies to faculty, staff, students, contractors, vendors, and visitors. It applies to any and all indoor and outdoor events.
- 3.2 There shall be no advertising, sale, or free sampling of tobacco or tobacco related products on Pierpont Campuses. Littering the campus with the remains of tobacco, tobacco related products or other related waste products are prohibited.

**SECTION 4. COMPLIANCE**

- 4.1 All members of the College community and visitors must comply with this policy. Violation of the policy by employees, students, and visitors may be subject ~~them~~ to fines and/or disciplinary action. ~~sanctions, up to and including expulsion. Violation of this policy by employees may subject them to fines and/or disciplinary action, up to and including termination of employment. Violation of this policy by other members of the College community may subject them to fines and/or removal from the Pierpont Campus.~~ The President’s designees shall be responsible for enforcement of this policy.