

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

Human Resources, Bylaws, Policies Committee Meeting

**Friday, December 2, 2022
9:30 AM**

**Pierpont's Advanced Technology Center (ATC)
500 Galliher Drive
Fairmont, WV 26554
Room 216A**

MINUTES

Notice of Meeting

A meeting of the Pierpont Community & Technical College (Pierpont) Board of Governors Human Resources, Bylaws, Policies Committee was held on December 2, 2022, beginning at 9:30 AM. The meeting was conducted in person at the Advanced Technology Center in Fairmont, WV. Advanced announcement of this meeting was posted on the WV Secretary of State's Meeting Notices Webpage.

Committee Members Present: Thomas Cole – Committee Chair, Juanita Nickerson, and Jeffery Powell

Committee Members Absent: Brian Bozarth and James Myers

Other Board Members Present: Shauna Burns, Susan Woods Coffindaffer, and Anthony Hinton

Others Present: Members of the President's Cabinet, faculty, staff, and others

I. Call to Order

Thomas Cole, Chair, called the meeting to order at 9:35 AM.

II. Bylaws

George Perich distributed the current **BOG Bylaws** (Attachment A) to committee members and asked them to review for possible changes. The committee will discuss changes to the BOG Bylaws during their February committee meeting.

III. Board of Governors Policies (Review and Approval)

A. #7 Ethics, Conflict of Interest, and Conflicts of Commitment (rewrite)

Policy #7 will be rewritten to include a conflict of interest statement.

B. #25 Salary (rewrite)

Policy #25 will be rewritten to match the institutional compensation program.

C. Intellectual Property (new)

George is creating a new policy related to intellectual property.

D. Process to review current Policies

A discussion was held on establishing a process for reviewing BOG policies regularly. A suggestion was brought forward to create a matrix that included a priority ranking for review.

IV. Institutional Policies (Information Only)

George presented the **Summary of Institutional Policy Changes Report** (Attachment B) to the committee. George gave a brief overview of the *Pets and Service Animals on Campus*, *Employee Evaluations*, and *Salary Administration Guidelines*.

V. Human Resources Issues

A. Staff Development

George provided a brief overview of three programs related to staff development:

LinkedIn Learning gives employees and students access to a variety of online courses that include learning paths and certification courses.

Six educational leave days will be granted to non-faculty employees pursuing a degree. For example, non-faculty employees can use an educational leave day away from their job to work on a project that needs to be completed for their degree.

We are in the process of establishing a \$25 per credit hour tuition rate for employees interested in taking a Pierpont course. Employees can access a course after the add/drop period if open seats are available.

B. Orientation

George is creating an online orientation program for new employees.

C. HR Organization

George shared that Human Resources currently shares a part-time Benefits employee with Finance and Administration. Human Resources, also, currently has an HR assistant that will be moved to another department. George is seeking a hire an HR recruitment/employee relations specialist.

D. Issues to Address?

A discussion was held on creating a report related to HR issues. The report could include established deadlines and priorities.

VI. Adjournment

There being no further business, Thomas Cole, adjourned the meeting.

Respectfully submitted by Amanda N. Hawkinberry



Mission Statement: To provide accessible, responsive, comprehensive education that works
Vision: Empowering individuals to transform their lives through education
Tagline: Education that works!

Attachment A

PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS

BYLAWS

I. Composition, Role and Scope

The composition, appointment, powers, duties and obligations of the Pierpont Community & Technical College Board of Governors (Board) shall be in accord with the provisions of the West Virginia Code, Chapter 18B, Article 2A. The Code provides that the Institutional Governing Board shall “determine, control, supervise and manage the financial business and education policies and affairs of the institution.”

II. Officers

The Board shall have the following officers: Chairperson, Vice-Chairperson, and Secretary.

1. All officers shall be elected in June, 2007 for the first year, thereafter at the June meeting of each year and take office on July 1. The Chairperson must be elected from among the laypersons appointed by the Governor.
2. A majority vote of the members of the Board shall be required for election of Board officers.
3. Occupancy of vacant offices, should they occur between the yearly elections, require a majority vote of the board.

III. Duties of Officers

1. The Chairperson shall preside at all meetings of the Board and Executive Committee and shall be deemed an ex-officio member of any committees of the Board. The Chairperson has full voting power at all Board meetings and also as a committee member.
2. The Chairperson shall appoint all members to special committees, and name the Chairperson of each committee.

3. The Vice-Chairperson shall undertake the duties of the Chairperson whenever the Chairperson is absent.
4. The Secretary shall be appointed by the members of the Board and duties are requested by the Chairperson.

IV. Special Committees

A. Appointment of Special Committees of the Board

The Chairperson of the Board may appoint members to serve on special committees from time to time and to appoint a Chairperson of each committee. Committee Chairs, or a designee, are responsible for reporting recommendations of the committee to the full Board during regularly scheduled meetings. Special committees may not act unilaterally for the Board. Committee members may conduct meetings via electronic conferencing.

V. Meetings

A. Place of Meetings

The Board shall hold meetings, have an office and keep the books of the college (except as may otherwise be provided by law) at such place or places as the Board shall determine from time to time by resolution of the Board, or as may be designated in any notice of the meeting.

B. Frequency of Meetings

The Board shall hold at least 6 meetings in every fiscal year, including an annual meeting.

1. Due notice of time, place and date of each meeting shall be given to all Board member and the public at large.
2. Special meetings may be scheduled, with notice, by the Chairperson.
3. Of the twelve voting members of the Board at regular or special meetings, seven members shall constitute a quorum. In the event of vacancies, a majority of the Board will constitute the quorum.
4. For each regular meeting, the President of the college shall provide an agenda which will be distributed to the Board in a timely fashion. In addition, the Board may, at its own option, raise additional informational or action items.

5. Board meetings shall be operated according to Roberts Rules of Order. The presiding officer shall be charged with deciding all questions of order.

C. Attendance

It is the duty of each Board member to attend all regular scheduled meetings of the Board. Board members shall be permitted to attend via electronic means.

VI. Order of Business

The order of business at any regular meeting of the Board shall be as follows:

1. Call to Order
2. Last Call for Public Comment Sign Up
3. Special Recognitions/Updates
4. President's Report
5. Operation Reports
6. Committee of the Whole
7. Committee Reports
8. New Business
9. Old Business
10. Adjournment

VII. Fiduciary Relationship to the Institution

The members of the Board shall be in fiduciary relationship to the institution and shall not directly or indirectly act adversely to the interest of the college. In the event of any such adverse interest or condition shall arise prior to or after appointment, the Board member(s) shall immediately inform the Board and shall refrain from any consideration of the matters involving the conflict of interest.

VIII. Standard of Care; Justifiable Reliance; Indemnification

- A. A Board member shall perform his or her duties, including duties as a member of any committee of the Board, in good faith, in a manner the member reasonably believes to be in the best interests of the community college and with such care,

including reasonable inquiry, skill and diligence, as a person of ordinary prudence would use under similar circumstances. In performing his or her duties, a Board member shall be entitled to rely on good faith of information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by any of the following:

1. One or more officers or employees of the community college whom the Board member reasonably believes to be reliable and competent in the matters presented.
 2. Counsel, public accountants or other persons as to matters which the Board member reasonably believes to be within the professional or expert competence of such person.
 3. A committee of the Board upon which the member does not serve.
- B. In discharging the duties of their respective positions, the Board, committees of the Board and individual members may, in considering the best interest of the community college, consider the effects of any action upon employees, upon suppliers and customers of the community college, and upon communities in which offices or other establishments of the community college are located, and all other pertinent factors. The consideration of those factors shall not constitute a violation of Section VIII-A.
- C. Board members are insured through the State Board of Risk and Insurance Management for any official actions they take.

IX. Duties and Powers

Pierpont Community & Technical College Governing Board accepts the following duties and powers for the purpose of establishing, operating and maintaining the community college:

1. Appoint and fix the salary of, and adopt a Charter of Responsibility for the President, who shall serve at the pleasure of the Board; and evaluate the President consistent with State rules with the advice and consent of the Higher Education Policy.
2. Employ through the Office of the President such personnel as may be needed, establish policies governing their employment and dismissal and fix the amount of their compensation and benefits. In the employment, establishment of policies and fixing of compensation and benefits, the President and the Board may make no discrimination on account of sex, race, creed, color, or national origin.

3. Submit a Community College Master Plan and Compact to the Higher Education Policy Commission for its approval, submit proposed amendments to the Master Plan, and update and meet goals of the Compact.
4. Submit to the Higher Education Policy Commission each year an annual report on the institution's performance in relation to the Master Plan/Compact.
5. Approve the mission and program of the community college, and make policies providing for the admission and expulsion of students and the periodic review of the curriculum and courses of instruction, including developmental education and workforce training, in relation to the Master Plan/Compact.
6. Submit an annual budget for consideration and approval of the Higher Education Policy Commission, the approval of such submission to constitute a "formal act" under Open Meetings Law.
7. Analyze student costs and adopt tuition and fees schedule in accordance with policy and guidelines of the Higher Education Policy Commission.
8. Approve an administrative table of organization for the community college, as recommended by the President.
9. Accept and receive gifts of real and personal property and Federal, State and local moneys and grant, and expend the same.
10. Enter into contracts for services to high schools of member districts to provide area vocational-technical education and adult basic education services.
11. Determine the academic calendar for the community college.
12. Maintain records to substantiate all claims for State apportionment in accordance with regulations prescribed by the Higher Education Policy Commission and retain such records for a period of five years.
13. Review and approve monthly financial statements.
14. Cause an audit to be made as of the end of each fiscal year by an accountant licensed to practice public accounting in West Virginia, and publish annually a financial statement.
15. Recommend capital projects to the Higher Education Policy Commission for purchase or improvement of land, buildings and equipment.

16. Enter into agreements regarding the deposit, investment or withdrawal of the community college funds, in accordance with the rules and regulations of the Higher Education Policy Commission.
17. Award contracts for purchase of supplies, materials or services, subject to competitive bid requirements and other rules and regulations of the Higher Education Policy Commission and West Virginia statutes.
18. Approve and award associate degrees and certificates to graduates of the community college, upon certification of their completion of requirements by the President and faculty.
19. Form, join and provide for the expenses of associations of West Virginia Community College Boards, for the purpose of conducting community college board institutes and workshops and otherwise disseminating and exchanging information regarding community college Board duties, problems and common agendas of development.

X. Amendments to Bylaws

After the adoption of the by-laws by a two-thirds majority vote of the Board, the by-laws may be amended or repealed at a regular or special meeting of the Board. Copies of any proposed amendments must be mailed to each member of the Board at least seven (7) calendar days before it is voted upon, together with a statement of the name of the introducer and the meeting at which it is to be acted upon. Any proposed amendments must be adopted by a two-thirds majority vote of the Board.

Summary of Institutional Policy Changes

Pets and Service Animals on Campus

The policy was created to address issue of students and employees bringing pets to campus. The policy prohibits any animal on campus except for certified service animals that are necessary to support a person with a disability. Students requiring service animal support are required to contact Student Support Services and employees must contact human resources.

Employee Evaluations

This policy is a complete rewrite for the employee evaluation process. The policy provides for a minimum of one evaluation per year but encourages regular meetings with the employee to review progress and address any issues. The process includes up to three goals for each employee based upon the strategic direction of the department and in support of the strategic direction of the College and requires a quarterly review of the progress against the goals. The evaluation also includes a review of critical behaviors related to the job, such as customer service and communications. In addition, the faculty evaluation includes an instructional review and a classroom observation component. The process will be implemented early next year following supervisory training.

Salary Administration Guidelines

There has been a lack of documented process to follow when establishing wage rates for new employees or changing salaries for current employees when appropriate. The guidelines provide a detailed process to follow for any salary change but still allows the flexibility to deal with special circumstances such as market pressures or internal equity issues. The guidelines are deigned to support a market-based salary structure that will be developed over the next few months. A suggested revision to the Board of Governors Policy #25, Salary to align the policy, guidelines, and salary structure will be presented at the next committee meeting in February.