

MEETING SCHEDULE
PIERPONT COMMUNITY & TECHNICAL COLLEGE
BOARD OF GOVERNORS MEETING

Tuesday, March 21, 2023

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

9:00 AM	Academic and Student Services Committee
9:30 AM	Human Resources, Bylaws, Policies Committee
10:30 AM	Finance and Administration Committee
12:00 PM	Lunch
1:00 PM	Advancement and Public Relations Committee
1:30 PM	Technology and Data Reporting Committee
2:00 PM	Full Board Meeting

*All committee meetings will be held in room 216A unless otherwise noted.



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

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

Regular Meeting

**Tuesday, March 21, 2023
2:00 PM**

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

AGENDA

I. Call to Order

A. Chairman Hinkle's Reflections

II. Conflict of Interest

III. Roll Call

IV. Public Comment – Via Email Only

Written comments will be accepted no later than 12:00 PM on March 21. Please send comments to BOG@pierpont.edu

V. *Consent Agenda

Tab 1

A. Minutes of the February 21, 2023 Meeting

VI. Dr. Nelson's Reflections

VII. Academic and Student Services Committee

VIII. Human Resources, Bylaws, Policies Committee

A. *Resolution for Approval of a 30-Day Public Comment Period for Policy PP-2007 Ethics
(George Perich, VP of Human Resources & Organizational Development)

Tab 2

**Denotes possible action item*

- B. *Resolution for Approval of a 30-Day Public Comment Period for Policy PP-5025 Salary **Tab 3**
(George Perich, VP of Human Resources & Organizational Development)
- C. *Resolution for Approval of a 30-Day Public Comment Period for Policy PP-3060 Intellectual Property **Tab 4**
(George Perich, VP of Human Resources & Organizational Development)
- D. *Resolution for Approval of a 30-Day Public Comment Period for Repeal of Policy PP-2012 Post Retirement Employment Program **Tab 5**
(George Perich, VP of Human Resources & Organizational Development)
- E. *Resolution for Approval of a 30-Day Public Comment Period for Repeal of Policy PP-5043 Assignment and Reassignment of Space **Tab 6**
(George Perich, VP of Human Resources & Organizational Development)

IX. Finance and Administration Committee

- A. *Resolution for Approval – Tuition Changes for Academic Year 2022-2023 **Tab 7**
(Dale Bradley, VP of Finance and Administration)
- B. *Resolution for Approval – Special, Program and Course Fee Changes for Academic Year 2022-2023 **Tab 8**
(Dale Bradley, VP of Finance and Administration)
- C. February 28, 2023 Combined Finance Report – *Informational* **Tab 9**
(Dale Bradley, VP of Finance and Administration)
- D. Capital Projects Update – *Informational* **Tab 10**
(Dale Bradley, VP of Finance and Administration)

X. Advancement and Public Relations

XI. Technology and Data Reporting Committee

XII. ATC Advisory Board

- A. Industry Relations & Partnership Report **Tab 11**

XIII. Possible Executive Session Under the Authority of WV Code §6-9A-4 for the following:

- A. *Presidential Finalists

XIV. Committee of the Whole

- A. *Approval of Committee to negotiate Presidential contract

**Denotes possible action item*

XV. Board Members' Reflections (3-minute limit)

XVI. Adjournment



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**Denotes possible action item*

Tab

1

**Pierpont Community & Technical College
Board of Governors Meeting
March 21, 2023**

ITEM: Consent Agenda

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved, that the Pierpont Community & Technical College's Board of Governors approves the Consent Agenda as proposed.

STAFF MEMBER: Dr. Kathleen Nelson, Interim President

BACKGROUND: The Consent Agenda is a board meeting practice that groups routine business and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately. The items on the consent agenda are non-controversial items or routine items that are discussed at every meeting. They can also be items that have been previously discussed at length where there is group consensus.

The following items are included in the Board book and listed on the proposed consent agenda.

1. Minutes of the February 21, 2023 Meeting

Tab

2

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS
MEETING OF March 21,2023**

ITEM: Policy PP-2007: Ethics

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved that the Pierpont Board of Governors approve the announcement and acceptance of public comments for a period of 30 days for proposed changes to Policy PP-2007: Ethics.

STAFF MEMBER: George H. Perich; Vice President, Human Resources & Org. Dev.

BACKGROUND: The language in the existing Salary Policy requires updating.

As mandated, in 2008, by West Virginia House Bill 3215; Code Chapter 18B; Articles 1 & 2, Pierpont Community & Technical College began operating as an independent 2-year institution. The last revision of the Pierpont Community & Technical College's Ethics Policy was approved in December 2001 and does not reflect the institution's revised institutional Ethics and Conflict of Interest Guidelines. The proposed revisions will insert applicable statutory and regulatory references in addition to conflict of interest and conflict of commitment guidelines and process for review and approval of related activities.

PUBLIC COMMENT PERIOD: March 23, 2023 to April 22, 2023

All comments are to be made in writing to:

*Amanda Hawkinberry
Executive Assistant to the President
Pierpont Community & Technical College
500 Galliher Drive
Fairmont, WV 26554
bog@pierpont.edu*

*The proposed policy will be available for public viewing on the
Pierpont Community & Technical College website at
<https://www.pierpont.edu/about/board-of-governors/policies/>*

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 7

TITLE: ETHICS, CONFLICTS of INTEREST, and CONFLICTS of COMMITMENT

Effective Date: December 5, 2001

Amended: TBD

Repealed:

SECTION 1. GENERAL

- 1.1 Scope: This policy implements guidelines in accordance with the West Virginia Governmental Ethics Act. In addition, Pierpont Community & Technical College ("Pierpont" or "the College") seeks to provide that all Faculty, Staff, Board of Governors, and Volunteers, (including students with an employment relationship with the College) are responsible for sustaining the highest ethical standards through values of integrity, honesty, and fairness in their teaching, research, service, and business practices. This policy provides the College's guidelines regarding real and perceived Conflicts of Interest. It also provides guidelines that identify when Pierpont Faculty and Staff can appropriately enter into Consulting Arrangements with third parties outside of the scope of their employment with the College. Faculty on less than twelve-month appointments must continue to comply with the Ethics Act during the months between their appointment terms
- 1.2 Authority West Virginia Code § 18B-1-6, 6B-2-5(L)
- 1.3 Effective Date TBD
- 1.4 Preamble: In 1989, the West Virginia Legislature enacted the West Virginia Governmental Ethics Act, set out in Chapter 6B of the West Virginia State Code, declaring unlawful certain activities by public employees. Section 5(a), Article 2 of the Act prohibits a public employee from using his or her office or the prestige of that office for private gain. Section 5(c), Article 2 prohibits solicitation of gifts that may confer pecuniary benefits upon the employee. Section 5(d), Article 2 prohibits an interest in the profits or benefits of a public contract which an employee has direct authority to enter into or over which he or she may have control.

The original version of the Ethics Act subjected all public employees, including higher education employees, to fines, sanction, and criminal prosecution for violation of the Ethics Act unless they obtained prior approval for the proposed activity from the West Virginia Ethics Commission. Many of the teaching, research, consulting and publication activities of higher education faculty and staff necessarily result in known and appropriate private benefits or gain which are customary and normal in higher education, but which were identified as potential violations of these provisions of the Ethics Act after its enactment. In 1990, the Ethics Act was amended at Section 5(1), Article 2 to allow higher

education employees who derive private benefits from teaching, research, consulting, or publication activities the option of seeking exemption from the above prohibitions from their employing institution instead of through the Ethics Commission.

Therefore, this rule is adopted to set forth an expeditious procedure for granting such approval of exemptions at the institutional level to faculty and staff members who seek to be relieved of certain statutorily imposed prohibitions of the West Virginia Governmental Ethics Act. Nothing in this rule shall be interpreted as restricting or prohibiting the otherwise lawful institutional or outside activities of faculty or staff consistent with their institutional duties and responsibilities or employment contracts, or as requiring the prior approval of such activities by the institution. Nor shall this rule be interpreted as restricting academic freedom, as defined in Series 9 of the Higher Education Policy Commission Rules or the constitutional rights of employees to free speech and association.

However, this rule shall not be interpreted to require or grant institutional approval or sanction of faculty or staff activities that violate or conflict with their institutional duties or responsibilities, employment contract, federal or state law, the rules of the Pierpont Board of Governors, or the ethical standards imposed by the West Virginia Governmental Ethics Act.

SECTION 2. APPROVAL of ACTIVITY

- 2.1 Institutional approval of any activity pursuant to this policy shall be deemed to be a part of the employee's employment contract.
- 2.2 Any institutional approval granted pursuant to this policy may be revoked upon reasonable notice to the employee.
- 2.3 Approval for any activity under this policy may only be given by the College president or the president's designee. Such delegation of authority by the president shall be in accordance with the needs of the college but in no case shall such delegation be at an authority level lower than a departmental chair, director, or other similar department supervisor.
- 2.4 Approval for any activity may be granted on a case-by-case basis or, when such activities are common within the institution, a department or other category or grouping of employees, to all of the institution's employees or any subgrouping thereof.
- 2.5 The institution shall establish appropriate procedures for the review and approval of those employee activities covered by this policy.
- 2.6 Disclosures required by this policy are personal in nature and shall be kept confidential, as permitted by law.

SECTION 3. SOLICITATION of GIFTS

- 3.1 Unless otherwise restricted by one's supervisor, employees shall be permitted to solicit gifts which directly benefit the institution. Solicitations on behalf of a particular department, school or the Pierpont Foundation shall be deemed to be solicitation on behalf of or for the benefit of the institution.
- 3.2 Permissible solicitations shall include but not be limited to the following, even though the soliciting employee may work in a position which will be directly or indirectly supported thereby:
 - 3.2.1 Grants from governmental agencies, foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution;
 - 3.2.2 Contracts with governmental agencies, foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution;
 - 3.2.3 Donations from foundations, corporations, or individuals to the institution to support teaching, research, publication or service activities of the institution.
- 3.3 Support for teaching, research, publication and service activities shall include but not be limited to such normal and regular institutional needs as support for salaries; scholarships; capital improvements or repairs; and classroom, laboratory, athletic, medical, scientific and other similar equipment supplies.

SECTION 4. USE OF PUBLIC OFFICE FOR PRIVATE GAIN

- 4.1 No solicitation or other activity permitted by this policy shall be deemed to be the inappropriate use of an employee's public office (position) or the prestige of that office for one's own private gain or that of another person.
- 4.2 When an employee of Pierpont Community & Technical College uses his or her knowledge and personal prestige for private gain without the use of the employee's public office, then there is no requirement to obtain an exemption under this ethics policy.
- 4.3 West Virginia Code Chapter 6B, Article 2, Section 5(1) gives institutions of public higher education limited authority to grant exemptions to their employees from the prohibitions in the State Ethics Act relating to the use of public office or the prestige of public office for private gain when the employee is using his or her field of expertise as an author, speaker, consultant or through other approved activities such as service as a board member for outside agencies or businesses. Therefore, when an employee of Pierpont seeks to use his or her public office or the prestige of their public office for the employee's private gain or for the private gain of another person, the employee may seek from the President or

his/her designee an exemption (as limited by the Ethics Act) from the prohibition against the use of public office or the prestige of public office for private gain.

- 4.4 The College President or his/her designee, subject to review from the Conflicts of Interest Committee, may grant the employee an exemption to permit the employee to use the employee's public office to derive private benefit from the employee's field of expertise as an author, speaker, consultant, or through other approved activities such as service on the board of an outside agency or business.
- 4.5 In granting permission for an employee to engage in such outside activities which may be directly or indirectly associated with the employee's position with the institution, consideration should be given to the following:
 - 4.5.1 Whether the employee brings to his/her position his/her own unique personal prestige which is based upon his/her own intelligence, education, experience, skills and abilities, or other personal gifts or traits.
 - 4.5.2 Whether such activity is customary and usual within the field;
 - 4.5.3 Whether the institution derives any benefit through prestige or otherwise from the activity;
 - 4.5.4. Whether the institution expects or anticipates that the employee will gain financially from the activities which are not a part of the employee's required employment activities;
 - 4.5.5 Whether the employee's activity will increase his/her personal or professional development or will lend service or benefit to the nation, state or community;
 - 4.5.6 Whether the outside activity will interfere with or create an overriding conflict with the employee's responsibility to the institution or will interfere with the satisfactory performance of the employee's institutional duties.
- 4.6 The disclosure by an employee of an employee's position, title, and work history with Pierpont or any other public college in West Virginia in the promotion of an employee's private activities shall be exempt from the prohibition against the use of prestige of public office for a private gain. However, in these cases the employee has the responsibility to make clear the fact that he or she is not representing the institution but is speaking as a private citizen. Employees may not use College-owned supplies, equipment, or other resources for personal projects or outside Consulting Arrangements. However, College Employees may use such resources for personal projects or outside Consulting Arrangements pursuant to an arrangement with the College to pay a fair market rate for those resources. College Employees may not use their subordinates to work on personal projects or outside Consulting Arrangements during work hours or compel them to do so on their own time. Any misuse of Pierpont resources is

prohibited unless that use is de minimis, that is, involving only an insignificant amount of time, funds, supplies, personnel, or equipment.

- 4.7 An employee who obtains an exemption from the Ethics Act prohibitions, or under any other conflicts in this rule, under the procedure authorized in this policy shall not be deemed an agent of Pierpont when the employee is acting outside the scope of his or her other employment for his or her private benefit.
- 4.8 No exemption granted under this ethics policy shall be deemed to constitute a waiver by the institution of any lawful contractual provision in the employment contract of a full or part-time employee of Pierpont.

SECTION 5. INTERESTS IN PUBLIC CONTRACTS

- 5.1 The Ethics Act prohibits College Officials from having a financial interest in any contract, purchase, or sale over which their position at the College gives them control, unless the total value of such contracts, purchases, or sales does not exceed One Thousand Dollars (\$1,000.00) in a calendar year. This prohibition extends to contracts in which the College Employee's Family Members have a financial interest, as well as to any business with which the College Employee or their Family Members are associated. Each Official shall be required to disclose any interest the employee or any member of the employee's immediate family may have in the profits or benefits of a contract which the employee may have direct authority to enter into or over which the employee may have control unless such interest is limited within the meaning of West Virginia Code 6B-2-5(d)(2).
- 5.2 Pierpont, through its Conflicts of Interest Committee, may review any interest an employee or any member of the employee's family may have and determine what, if any, restrictions or limitation should be placed on the employee's activities.
- 5.3 Without limitation, the following represent examples of interests in public contracts which may be permitted:
 - 5.3.1 The faculty/employee is the author and copyright owner of a leading textbook in his/her teaching field and may wish to require the use of the textbook by his/her students;
 - 5.3.2 The faculty/employee is the inventor and patent owner of a scientific tool necessary for research in his/her field;
 - 5.3.3 The faculty/employee is an expert in the region in a particular field and such consulting expertise is being sought by the institution or another governmental agency and the providing of such consulting services is not a part of the employee's duties to the institution.
- 5.4 A Pierpont Employee may not endorse a particular product or business. This includes any product or business and includes case studies completed by a vendor. A

commercial endorsement of a product or business is only permissible when it results in an overriding public benefit. Sponsorship agreements entered into on behalf of the College are deemed to have an overriding public benefit within the meaning of the Ethics Act.

5.5 Dual Compensation. No Pierpont Employee may receive compensation from two sources of state, county, or municipal government for working the same hours, except under certain limited circumstances. However, Faculty and Non-Classified Staff can engage in an outside Consulting Arrangement with a state, county, or municipal government as long as the individuals comply with all of the requirements within Section 7 of this Rule in doing so.

SECTION 6. ADDITIONAL PERMISSIBLE ACTIVITY

- 6.1 Unless otherwise prohibited by the Pierpont Board of Governors, no activity permitted under the West Virginia Ethics Act shall be deemed to be a violation of this policy.
- 6.2 Unless otherwise prohibited or restricted by the Pierpont Board of Governors, no activity approved, permitted or exempted by the West Virginia Ethics Commission shall be deemed to be a violation of this policy.

SECTION 7. PRESIDENT AND CHAIR

- 7.1 Upon review by the Conflicts of Interest Committee, the Chair of the Pierpont Board of Governors shall have the authority to review and grant approval of those activities of the president which may involve a conflict of interest pursuant to this policy.

SECTION 8. CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT

- 8.1 All full-time Pierpont Employees owe their primary professional allegiance to the College. All Pierpont Officials and Employees should be aware of the two types of conflicts: Conflicts of Interest and Conflicts of Commitment.

8.2 Conflicts of Interest

8.2.1 A Conflict of Interest occurs when there is a divergence between a College Employee or Official's private, personal relationships or interests and their professional obligations to the College such that a reasonable observer might question whether the individual's professional actions or decisions are determined by or substantially altered by considerations of personal benefit, gain, or advantage.

8.2.2 Whether a Conflict of Interest, or the appearance of a Conflict of Interest, exists depends on the situation, not on the character or actions of the individual. The determination of the existence of a Conflict of Interest or the appearance of a Conflict of Interest is done objectively on a case-by-case basis. Because the

appearance of a Conflict of Interest can be as damaging or detrimental as an actual Conflict of Interest, for the purposes of this Rule, apparent Conflicts of Interest are treated the same as actual Conflicts of Interest. As a result, any appearance of a Conflict of Interest must also be disclosed and reviewed in accordance with this Rule by the Conflict of Interest Committee.

8.3 **Conflicts of Commitment**

8.3.1 A full-time Pierpont Employee's primary commitment of time and intellectual effort must be to the teaching, scholarship, and service missions of the College.

8.3.2 A Conflict of Commitment refers to a situation where an individual engages in external activities, either paid or unpaid, that interferes with his/her primary obligation and commitment to the College. Individuals in the Pierpont community should evaluate and arrange their external interests in order to avoid compromising their ability to carry out their primary obligations to the College, and most conflicts of commitment should generally be avoided or resolved through the exercise of personal judgment or discretion.

8.4 **Corrective Actions for Violations**

8.4.1 Any Pierpont Employee who fails to abide by the requirements within this Rule shall be subject to appropriate disciplinary action, up to and including termination, or other disciplinary action as may be appropriate.

SECTION 9 **INSTITUTIONAL CONFLICT OF INTEREST**

9.1 An Institutional Conflict of Interest may exist when the personal financial holdings of a Pierpont Official which, by virtue of their institutional authority, may affect or reasonably appear to affect institutional processes, business transactions, or other activities at the College.

9.2 **Disclosure Requirements.** Officials must annually disclose Significant Financial Interests for Institutional Conflicts of Interest to the Conflict of Interest Committee by June 30 of each year.

9.2.1 Each Official must submit an Institutional Conflict of Interest Disclosure regardless of whether or not the individual has a Significant Financial Interest for Institutional Conflicts of Interest to report.

9.2.2 Each Official must sign and certify the annual disclosure as accurate and complete.

9.2.3 Each Official must update their annual disclosure within thirty (30) days of the development of a new Significant Financial Interest.

9.2.4 Each Official must complete an initial disclosure form within sixty (60) days upon commencing employment or appointment.

9.2.5 For each and every meeting of the Board of Governors, at the Call to Order agenda item, there will be a request from all members present to declare any conflict of interest, or perceived conflict of interest, related to any item on that agenda. If necessary, the minutes will reflect a decision to recuse at any step in the process.

- 9.3 **Review of Disclosure Forms.** Institutional Conflict of Interest Disclosures submitted by Officials shall be reviewed annually, and on an ad hoc basis as necessary, by the Conflict of Interest Committee to determine if an individual has an Institutional Conflict of Interest or the appearance of an Institutional Conflict of Interest. If a Conflict is identified, the Committee may determine that the Conflict can be managed through an appropriate Management Plan. If the Committee determines that the Conflict cannot be managed, then it shall recommend steps to resolve the Conflict.

SECTION 10 CONFLICT OF COMMITMENT; OUTSIDE CONSULTING ARRANGEMENTS.

- 10.1 **Applicability.** Full-time Faculty and Non-Classified Staff may engage in Consulting Arrangements outside of their employment responsibilities to the College on subjects that are within their area of professional expertise. The provisions of this Section do not apply to part-time Employees, such as Adjunct Faculty, who are not required to seek approval for Consulting Arrangements or other employment that they conduct outside of their part-time employment with the College.

10.1.1 Faculty Specific Guidelines. External activities conducted by a faculty member should be of such nature as to improve effectiveness as a teacher or contribute to scholarly attainments or should in some manner serve the interests of the College or of the community. External activities must not distract significantly from primary responsibilities and must not require such extensive absence as to cause the faculty member to neglect course obligations or become unavailable to students and colleagues. External activities must be of such nature and conducted in such manner as will not bring discredit to Pierpont and must not compromise any Intellectual Property owned by the College.

Accordingly, the maximum expenditure of time spent on external activities by a full-time faculty member appointed on a nine-month basis should not normally exceed forty days during the academic year, including holidays.

For those full-time faculty members appointed on a twelve-month basis, time spent on external activities should not normally exceed fifty days per year, including holidays. For those academic year faculty receiving external funding during the summer, the policy for full-time faculty appointed on a twelve-month basis will apply – i.e., no more than fifty days per year, including holidays. Faculty members should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment. The Provost or Dean may grant exceptions in extraordinary cases upon recommendation of the appropriate Dean.

10.2 Staff Specific Guidelines. Employment outside Pierpont or other activities that could create a Conflict of Commitment, or the appearance of a Conflict of Commitment, should be disclosed as outlined in this policy and discussed with the staff member's supervisor to ensure it will not create a Conflict of Commitment. Hourly paid staff, or part-time exempt staff, should also disclose and discuss with their supervisor concerning external obligations so that a Conflict of Commitment does not arise.

Accordingly, external activities must be arranged so as not to interfere with a staff member's primary commitments. External activities must be of such a nature and conducted in such a manner as will not bring discredit to the College and must not compromise any Intellectual Property owned by the College.

Staff members should periodically re-examine the nature and extent of their external activities and conscientiously avoid engaging in activities that constitute conflicts of commitment. The President or Provost may grant exceptions to this policy in extraordinary cases upon recommendation of the Conflicts of Interest Committee.

10.3 For the purposes of this Rule, "Consulting Arrangement" means any outside employment, arrangement, or contract where a full-time Faculty or Non-Classified Staff provides their expertise to a non-Pierpont third party as an independent contractor and in which the expertise is, directly or indirectly, related to the Employee's employment or job duties with the College.

10.3.1 However, for full-time employees during their yearly appointment term, such outside Consulting Arrangements must, at minimum, meet the following requirements:

10.3.1.1 it must further develop the individual professionally or serve the community, state, or nation in an area related to the individual's assignment or professional expertise;

10.3.1.2 it must not constitute a Conflict of Commitment with the individual's College responsibilities, nor interfere with the individual's teaching, research and service to the College; and

10.3.1.3 it must not be in conflict with the mission and objectives of Pierpont.

10.4 Guidelines for Outside Consulting Arrangements.

10.4.1 Pierpont Faculty and Non-Classified Staff engaging in outside Consulting Arrangements are not permitted to use the College name, logo, or marks. However, the Pierpont Faculty and Non-Classified Staff may use the College name to convey biographical information.

10.4.2 Pierpont Faculty and Non-Classified Staff are prohibited from using College resources, including but not limited to College email and electronic devices, the individual's office, and other College Employees' time, in carrying out their responsibilities under their outside Consulting Arrangements, unless the use is de minimis in accordance with the provisions of the Ethics Acts.

10.4.3 An individual cannot use College resources to advertise or endorse their personal Consulting Arrangements.

10.5 Approval of Outside Consulting Arrangements.

10.5.1 Prior to agreeing to any outside Consulting Arrangement, an individual must submit a Consulting Arrangement Approval Form to the Dean of their School or the Provost. If an individual reports directly to the President, the President must approve the Form.

10.5.2 The individual must fully complete the required Form and provide other reasonable information to the Dean or Provost upon request. At minimum, the Form must include a description of the Consulting Arrangement, entity with whom the arrangement is with, and the anticipated time commitment for the arrangement.

10.5.3 Upon review, the Dean, Provost, or President shall determine if the request is appropriate, does not constitute a Conflict of Commitment or create a Conflict of Interest, and abides by the guidelines provided within this Rule.

10.5.4 Should the request for an outside Consulting Arrangement be denied, the individual may request that decision be reviewed by the Pierpont's Conflict of Interest Committee for a final determination. The final determination of the Conflict of Interest Committee cannot be appealed.

10.6 CONFLICT OF COMMITMENT GUIDELINE REGARDING NON-PIERPONT ONLINE TEACHING

10.6.1 General Standard Teaching outside of Pierpont presents issues that require special attention because it has the potential to compete with the College's own offerings. In judging the appropriateness of any online course outside the educational mission of the College, faculty should

consider the time commitment and the potential impact of these activities on the fulfillment of their commitments to Pierpont

In addition, the following special considerations and procedures apply to online courses offered, or reasonably expected to be offered, for academic credit and to online courses providing certifications:

In determining whether to grant such permission or as guidance for reviewing potential conflicts, the Dean (or the Dean's designee) and faculty should consider whether such an online course will impair the instructional offerings of the faculty member's School or other Schools at Pierpont. In making this impairment determination, the following factors (among others) may be useful to consider, with affirmative answers counting against approval, but no set number of affirmative answers being conclusive: Is the faculty member one of the primary instructors or a course director in the online course? Is the online course comparable to any current course at Pierpont? Is the online course among the courses that Pierpont plans to include in its own offerings in the next two academic years? Is the online course likely, in fact, to require the instructor to commit to teaching the content exclusively with the online vendor or other institution and not to provide any similar content in another online format?

10.6.2 Special Provision for Online Courses for Academic Credit. Faculty are not permitted to offer online courses for undergraduate, graduate, or professional degree credit for another education institution or venture except with permission of the faculty member's Dean.

10.6.3 Special Provision for Online Courses Providing Certifications. Faculty must disclose their plan to teach in online courses that offer certifications to their Dean (or Dean's designee) prior to undertaking such teaching.

SECTION 11 CONFLICTS OF INTEREST COMMITTEE

11.1 Composition

11.1.1 The Conflicts of Interest Committee will be a College resource on Conflict of Interest matters and Conflict of Commitment matters. The Committee shall have representatives from relevant areas across Pierpont, appointed by the President, including faculty, finance, human resources, academics, administration, and student services. At least one representative on the Committee shall be a person from outside the Pierpont community with relevant knowledge.

11.2 Duties

11.2.1 The Committee's primary responsibility is to serve as a resource to the College on Conflict of Interest and Conflict of Commitment matters in which Pierpont's mission, philosophy, and overall purpose could be compromised by the College's relationships with the individual members of its community.

11.2.2 The Committee is responsible for reviewing all Conflict of Interest cases involving the College as a party or an institutional Conflict of Interest. The Committee will also review all cases where a management plan is being proposed and the individual has a Significant Financial Interest, as well as cases where the initial review committee cannot reach a decision. The Committee may also review appeals from adverse decisions and cases that may be referred to it. The Committee will conduct a thorough review of each case and will either approve or deny the proposed activity, management plan, and/or monitoring plan.

11.2.3 In the event of an appeal, the Committee shall be provided with a copy of any disclosure statement which reveals a real or apparent Conflict of Interest, together with a recommendation from the appropriate Pierpont official. The Committee must provide individuals the opportunity to appear before the Committee and/or submit written comments regarding the recommendation.

11.2.4 The Committee shall maintain an ongoing awareness of procedures, practices, and standards concerning conflicts of interest with a view to providing consistency with the terms of this policy. It shall also provide for a proper balance between confidentiality and its operations and standards.

11.2.5 The Committee shall perform such additional functions as may be assigned from time to time by the Chair of the Committee.

SECTION 12 DEFINITIONS

- 12.1 "Board Member" means individuals actively serving as a board of governors member for Pierpont Community & Technical College as appointed under West Virginia Code §18B-2A-1.
- 12.1 "Consulting Arrangement Approval Form" means a form developed for Faculty and Staff to obtain approval for their outside Consulting Arrangements. This Form can be located at:
- 12.2 "Dean" means any Dean or their designee.
- 12.3 "Employee" means any Faculty and Staff.
- 12.4 "Family Member" means spouse, a person with whom the individual is living with as a partner, any dependent child, dependent grandchild, or dependent parent.

- 12.5 "Institutional Conflict of Interest Disclosure" means a form developed to disclose the potential institutional conflicts of interest or commitment of Pierpont Officials.
- 12.6 "Management Plan" means an agreed plan to take action to address a Conflict of Interest or Conflict of Commitment, which may include eliminating the conflict, to ensure, to the extent possible, that the Employee's actions do not violate the West Virginia Ethics Act, this Rule, or any other relevant laws, regulations, policies, or procedures.
- 12.7 "Significant Financial Interest for Institutional Conflicts of Interest" means a financial interest consisting of one or more of the following interests of a Pierpont Official, or Family Member of the Pierpont Official, that reasonably appears related to the College Official's institutional responsibilities:
- 12.7.1 Equity or ownership interests held by the Pierpont Official or a Family Member worth more than Ten Thousand Dollars (\$10,000.00) in the aggregate in any publicly traded, for-profit organization. Excluded are equity interests held in mutual funds or retirement programs.
- 12.7.2 Any equity or ownership interest held in any for-profit organization that is not publicly traded.
- 12.7.3 Service as a member of a board of directors or other governing board of a for-profit organization, including service as a trustee or scientific advisory board member, service as an officer of the organization (whether paid or unpaid) or service as an employee by the Pierpont Official.
- 12.7.4 Payments or a legal right to a payment, including royalty payments, resulting from technology transfer, licensing or any outside business activities that, for any single arrangement, exceeds Ten Thousand Dollars (\$10,000.00) in the aggregate per year.
- 12.8 "Staff" means all Classified Employees and Non-Classified Employees.
- 12.9 "College or Pierpont Official" means Pierpont Board Members, President, Vice Presidents, Assistant Provosts, Deans, Associate and Assistant Vice Presidents and Provosts, Assistant and Associate Deans, and Directors.

Tab

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**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS
MEETING OF March 21, 2023**

ITEM: Policy PP-5025: Salary

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved that the Pierpont Board of Governors approve the announcement and acceptance of public comments for a period of 30 days for proposed changes to Policy PP-5025: Salary.

STAFF MEMBER: George H. Perich; Vice President, Human Resources & Org. Dev.

BACKGROUND: The language in the existing Salary Policy requires updating.

As mandated, in 2008, by West Virginia House Bill 3215; Code Chapter 18B; Articles 1 & 2, Pierpont Community & Technical College began operating as an independent 2-year institution. The last revision of the Pierpont Community & Technical College's Salary Policy was approved in October 2010 and does not reflect the institution's revised institutional Salary Guidelines and contains cumbersome, detailed, and outdated compensation structures. The proposed revisions will insert applicable statutory and regulatory references, and clarifies the salary increase requirements.

PUBLIC COMMENT PERIOD: March 23, 2022 to April 22, 2023

All comments are to be made in writing to:

*Amanda Hawkinberry
Executive Assistant to the President
Pierpont Community & Technical College
500 Galliher Drive
Fairmont, WV 26554
bog@pierpont.edu*

*The proposed policy will be available for public viewing on the
Pierpont Community & Technical College website at
<https://www.pierpont.edu/about/board-of-governors/policies/>*

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 25
TITLE: SALARY POLICY

Effective Date: November 29, 2004; revised June 15, 2006, August 27, 2007, October 19, 2010

Amended: TBD

Repealed:

SECTION 1. GENERAL

- 1.1 SCOPE: This salary policy shall be in effect and shall govern the adjustment of salaries for employees of Pierpont Community & Technical College. The College will develop a fair and equitable compensation system for employees.
- 1.1 AUTHORITY: West Virginia Code § 18B-1-6; §18B-2A-4.
- 1.3 Effective Date: TBD

SECTION 2. PROCEDURES FOR ESTABLISHING SALARY ADJUSTMENTS

- 2.1 Each year, or from time to time as deemed appropriate, the President shall present to the Board a plan for the distribution of general salary increases to employees. This plan shall address increases for all employees other than the President.
- 2.2 The plan shall reflect the aggregate percentage increase in salary to be paid to faculty, non-classified, and classified employees.
- 2.3 Upon approval the Board shall act, in response to the plan submitted, to establish the aggregate dollars to be allocated each year for general salary increases for each of the three groups of employees in accordance with the Salary Administration Guidelines established by Human Resources. The aggregate increase in dollars shall be distributed in accordance with the recommendation of the President that is approved by the Board.

SECTION 3. CLASSIFIED STAFF SALARY POLICY

- 3.1 Salaries of classified employees shall be set consistent with Article 9, Chapter 18B of the Code of West Virginia and Series 8, as amended by the Higher Education Policy Commission and Community and Technical College Council.

SECTION 4. POLICY INTERPRETATION

- 4.1 No provision herein shall be deemed to apply in any manner to the salary of the Pierpont Community & Technical College President, whose remuneration shall be set, from time to time, at the will and pleasure of the Board and with the approval of the West Virginia Community & Technical College System; nor can it be interpreted as a guarantee of any salary adjustment at any time for any other Pierpont employee.

Tab

4

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS
MEETING OF March 21, 2023**

ITEM: Policy PP-3060: Intellectual Property

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved that the Pierpont Board of Governors approve the announcement and acceptance of public comments for a period of 30 days for a new Policy PP-3060: Intellectual Property.

STAFF MEMBER: George H. Perich; Vice President, Human Resources & Org. Dev.

BACKGROUND: The language in the existing Copyright Policy does not address broader Intellectual Property issues at Pierpont.

As mandated, in 2008, by West Virginia House Bill 3215; Code Chapter 18B; Articles 1 & 2, Pierpont Community & Technical College began operating as an independent 2-year institution. This is a new policy to address Intellectual Property issues not addressed in the Copyright Policy PP-3055. The proposed policy will insert applicable statutory and regulatory references and clarifies the intellectual property requirements.

PUBLIC COMMENT PERIOD: March 23, 2022 to April 22, 2023

All comments are to be made in writing to:

*Amanda Hawkinberry
Executive Assistant to the President
Pierpont Community & Technical College
500 Galliher Drive
Fairmont, WV 26554
bog@pierpont.edu*

*The proposed policy will be available for public viewing on the
Pierpont Community & Technical College website at
<https://www.pierpont.edu/about/board-of-governors/policies/>*

1 **PIERPONT COMMUNITY & TECHNICAL COLLEGE**
2 **Board of Governors Policies and Procedures**
3 **Policy # 60**
4 **PP-3060**

5 **SHORT TITLE: Intellectual Property**

6 **REFERENCE:** W. Va. Code § 18-2A-4; §18B-1-6

7 **EFFECTIVE: TBD**

8 **AMENDED:**

9 **REPEALED:**

10 **REVIEWED:**
11 _____

12 **SECTION 1. PURPOSE**

13 Pierpont Community & Technical College ("Pierpont" or the "College") encourages
14 and recognizes research, publishing, and other activities by faculty and staff that further
15 the institution's mission. The College seeks to achieve a fair balance between the rights
16 of Creators who are employees and independent contractors, and the rights of the
17 College related to intellectual property developed using its resources.
18

19 **SECTION 2. SCOPE AND APPLICABILITY**

20 This Policy and Procedures applies to the creation of intellectual property by members
21 of the College community. To provide that Pierpont complies with laws governing
22 patents, copyrights, trademarks and other intellectual property rights, this Policy
23 establishes procedures for all members of the College community. Procedures are
24 outlined in general terms and may not cover every possible situation. For issues
25 specifically related to Copyrights and the detailed use copyrighted material at
26 Pierpont, refer to Board of Governors Policy #55, PP-3055.
27

28 **SECTION 3. DEFINITIONS**

29 **3.1 Intellectual property:** the product of creative or scholarly efforts, whether
30 or not protected by patent, copyright, trademark, trade secret laws, contract, or
31 agreement. Expressions of original ideas, objects, data, applications, and processes
32 are considered to be intellectual property. Expressions could include written material,
33 spoken descriptions, models, sketches, musical scores (including any accompanying
34 words), sculptures, software code and programs (and related manuals and/or
35 documentation), websites or web pages, audiovisual works, architectural works,
36 dramatic works (including any accompanying music), pantomimes and choreographic

37 works, and paintings. Such property includes, but is not limited to, inventions, goods,
38 materials, course material, lab manuals, instruments, equipment, biological
39 organisms, chemical compositions, mask works, computer software, graphics, literary
40 and musical works, and trademarks. The intellectual property may be in tangible or
41 intangible form. Intellectual property in tangible form may be physically distributed.
42 Intellectual property may be protected by one or more of the following: patent,
43 copyright, trade secret, trademark, contract, or agreement.
44

45 **3.2. College Resources:** College premises, property, IT resources, personnel,
46 branding, or funding.
47

48 **3.3 College Premises:** all buildings or grounds owned, leased, operated,
49 controlled, supervised, or temporarily used by the College.
50

51 **3.4. College Community:** trustees, students, and all employees of the College
52 as well as any independent contractors or other third parties to the extent it is included
53 under contractual agreements.
54

55 **3.5. Creative Commons Licensing:** licensing that enables creators of
56 copyrighted work to grant permission to others to retain (make and own a copy),
57 reuse (use in a wide range of ways), revise (adapt, modify, and improve), remix
58 (combine two or more) and redistribute (share with others).
59

60 **3.6. Creator:** refers to any member of the College community who is the originator of
61 intellectual property.
62

63 **3.7. Fair Use:** refers to the right to use copyrighted materials without consent of the
64 copyright owner, usually for scholarship, teaching, research, or criticism, as
65 stipulated by Section 504(c)(2) of the Copyright Act.
66

67 **3.8. Incidental Use of College Resources:** means the infrequent and de minimis use of
68 Pierpont office supplies, library resources, standard commercially-available software
69 (e.g. Microsoft Office) on desktop or laptop computers, or other resources on the
70 Pierpont campuses which are commonly available in non-Pierpont locations and does
71 not (1) involve the procurement of special supplies, services, equipment, or other
72 support by the College; (2) constitute more than a nominal amount of normal duty time
73 of any faculty, administrator, classified, or nonclassified employee; (3) involve released
74 or reassigned time; (4) demand more than a nominal amount of normal work hours of
75 assisting College employees. Incidental resources that are generally available to
76 employees should not be counted in the assessment of the use of College resources or
77 general funds. It is the sole right of the MSHS to determine whether more than Incidental
78 Use of College Resources and/or facilities has occurred.
79

80 **3.9 Invention:** refers to an invention, which may or may not be patentable, and is: (1) a
81 new design for a product or device; (2) a new process, sequence, or methodology; or
82 (3) a new use or application of a product, device, process, sequence, or methodology.
83 An invention may also be an improvement of any of these three.
84

85 **3.10 Information Technology Resources:** refers to resources that include, but are not
86 limited to, telephones, mobile devices, computers, printers, scanners, servers,
87 networking devices, public access computers, and licensed software and services.
88 These resources are often involved in the processing, storage, accessing, and
89 transmission of data owned by, controlled by, or contracted to the College.
90

91 **3.11. Patent:** refers to any work recognized by a national patent office to have been
92 created or invented by the bearer of the patent, alongside the rights and protections
93 granted by ownership of the patent.
94

95 **3.12. Student Work:** is work that is produced or created by a registered full-time or part-
96 time student of the College without exceptional use of College facilities or equipment
97 or the direct use of Pierpont funds (where student financial aid and/or scholarships
98 would not be considered "Pierpont funds"), that is produced or created outside of any
99 employment by Pierpont, and that is not sponsored, contracted, or commissioned by
100 Pierpont.
101

102 **3.13. Trademark:** refers to any symbol or combination of symbols which serve to
103 identify the commercial source of items marked by the symbol.
104

105 **3.14. Trade Secret:** refers to any information, including, but not limited to, a formula,
106 pattern, compilation, computer software, data, device, method, technique, process, or
107 application that: (1) derives independent economic value, actual or potential, from not
108 being generally known to and not being readily ascertainable by proper means by
109 other persons who can obtain economic value from its disclosure or use, and (2) is the
110 subject of efforts that are reasonable, under existing circumstances, to maintain its
111 secrecy.
112

113 **3.15. Work for Hire:** refers to language in the Copyright Act of 1976, as amended, and
114 refers to copyrightable intellectual property, which is, for the purposes of this Policy
115 and Procedures, deliverable to Pierpont, (1) prepared by an employee within the
116 scope of their employment, or (2) produced as a result of a special order or commission
117 by Pierpont. Work created pursuant to a research agreement between Pierpont and
118 an outside party, either a private sector company or a governmental agency, is
119 considered to be within the scope of employment.
120

121 **SECTION 4. POLICY**

122 **4.1 Ownership and Rights to Intellectual Property**

123

124 4.1.1 For intellectual property created with incidental use of College resources
125 or no use of College resources, the Creator retains ownership.
126

127 4.1.2 The College owns intellectual property created using College resources,
128 unless the College, in its sole discretion, recognizes a specific exception. By
129 way of example only, for intellectual property created using College resources
130 but not at the direction of the College, employees can seek prior approval for
131 Creator ownership. Should such approval be granted by the College President or

132 their designee, an agreement may be established between the College and the
133 Creator, which maintains the right of the College to use the intellectual property
134 for its educational mission and the development of its employees, and a royalty
135 share may be established between the College and the employee. Other
136 exceptions may be made by the College on a case-by-case basis.

137
138 4.1.3 For intellectual property created at the direction of the College and with
139 College resources, the College retains ownership and rights to the work,
140 subject to specific written agreements between the College and the Creator to
141 the contrary.

142
143 4.1.4 Course and program descriptions, course justifications, student learning
144 outcomes, course syllabi, and any other curriculum materials submitted by any
145 Pierpont faculty member or staff member for the Institutional Review of
146 Curriculum Proposals for approval of a course, degree or certificate program, or
147 other course of study shall be considered work for hire and within the scope of
148 employment of any such faculty member or staff member. The copyright in
149 such curriculum material shall belong to Pierpont.

150
151 4.1.5 The College does not claim ownership for works developed by a member
152 prior to becoming a member of the Pierpont organization and prior to having
153 any access to College resources. An example would be works brought to the
154 College from another place of employment.

155 156 **4.2 Intellectual Property Procedures**

157
158 4.2.1 The College shall own and have all rights to any inventions, trademarks,
159 patents, and/or trade secrets discovered, created, or developed by College
160 employees using Pierpont time, resources, facilities, or equipment, except as
161 otherwise provided in this Policy and Procedures. This right shall include, but
162 not be limited to, inventions that are (a) developed in the course of, or pursuant
163 to, a sponsored project or other agreement; or (b) developed under a written
164 agreement with Pierpont and with funds provided by Pierpont; or (c) developed
165 using Pierpont time, resources, facilities, or equipment; or (d) offered to Pierpont
166 by the Creators and accepted by Pierpont.

167
168 4.2.2 The College has the right to use Student Work for assessment, such as
169 determining grades, and other noncommercial purposes without entering into
170 any agreement with the student. Purposes means use of Student Work for
171 academic research or other not-for-profit scholarly purposes. An agreement
172 must be established with the student if Student Work is to be used by the College
173 or a College employee for other purposes.

174 175 **4.3 Exceptions to Creator Ownership of Intellectual Property**

176
177 4.3.1 Unless prior approval is established and, unless otherwise stated below, an
178 agreement is entered into between the College and the Creator, the following
179 types of intellectual property are not owned by the Creator:

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4.3.1.1 Work for Hire: For purposes of ownership of works for hire, ownership vests in the College, unless there is a specific written agreement regarding the creation of the work and that agreement specifically vests title or ownership in someone other than the College. In the case of non-employee third parties with which the College is contracting for services related to creation or development of the work, it is the general policy of the College (subject to exception approved by the President or the designee of the President) to enter into written “works for hire” agreements in which the College will obtain or retain ownership rights in the work as part of the agreement for work or services. Where the College owns the copyright in a work, it may acknowledge Creators (including Creators of works for hire) who have made a substantial creative contribution to the work.

4.3.1.2 Institutional Works: Work that is produced as a collaborative effort under the supervision and/or direction of the College. The College owns institutional works. Accordingly, software and software related documentation, as well as other works created by employees at the direction of the College for administrative support purposes, such as documents for administrative use and computer software created by nonfaculty employees of the College for use by the College, are considered works for hire.

4.3.1.3 Educational Works: Work that is related to curriculum and materials used for the primary purpose of instruction for Pierpont students. Unless otherwise negotiated prior to their creation, educational works created or developed for the primary purpose of instruction for Pierpont students by College employees during their employment with the College are owned by the College and the College has the right to modify, amend, and develop derivative uses for College purposes.

Lecture notes, articles, books, games, movies, simulations, software, videos, art and music works and other publications created by faculty members and technology created outside of the classroom and brought into the classroom are not considered within the scope of employment for purposes of this Policy and Procedures unless there is a specific written agreement between Pierpont and a faculty member, which provides that a deliverable will be considered a work for hire.

4.3.1.4 Grant Funded and Sponsored Works: When work is created with the support of an external entity through an agreement such as a grant or contract, and when any term or condition of the agreement conflicts or is inconsistent with this Policy and Procedures, then the conflicting or inconsistent term(s) contained in the agreement shall determine ownership of the intellectual property in that work.

4.3.1.5 Non-Credit Adjunct Faculty Works: With respect to non-credit

228 instruction, the College will retain rights to unlimited use of all course titles
229 and descriptions, regardless of the non-credit adjunct faculty's
230 employment status with the College, unless material is under copyright to
231 another party. Course materials (e.g., syllabi, lesson plans, tests, quizzes)
232 created outside the scope of the non-credit adjunct faculty's normal
233 responsibilities and produced without the use of College resources remain
234 the sole intellectual property of the non-credit adjunct faculty member. A
235 copy of all course materials will be kept by the Program Coordinator.
236

237 **4.4 Copyright and Fair-Use**

238
239 4.4.1 The "Fair Use" doctrine allows educators and students to use copyrighted
240 materials without seeking prior approval to certain types of resources under
241 certain conditions without prior approval, which may include College-owned
242 copyrighted material.
243

244 **4.5 Agreements Related to Ownership of Intellectual Property**

245
246 4.5.1 The College may enter into legal agreements related to the creation
247 and/or ownership of intellectual property. Agreements will be dealt with on a
248 case-by-case basis, with the goal to achieve a fair balance between the rights
249 of Creators who are employees of the College, and the rights of the College
250 related to the intellectual property developed using its resources.
251

252 **4.6 Creative Commons Licensing**

253
254 4.6.1 Copyright owners and Creators are encouraged to add a Creative
255 Commons (CC) license to appropriate works for the purposes of sharing and
256 dissemination. Copyright designation for works that are subject to an intellectual
257 property agreement between the Creator and Pierpont are determined by the
258 agreement. However, some works and materials created through publicly
259 funded contracts and grants (grantors) may require open licensing, published as
260 an Open Educational Resource (OER), and carry a specific Creative Commons
261 license. Grantees may be required to develop learning materials such as books,
262 courses, modules, seminars, tutoring systems, and simulations as OER and use
263 industry-leading e-learning open standards and specifications. In accordance
264 with grant agreements, Pierpont will maintain its copyright over grant and
265 contract-funded materials, in accordance with stipulations concerning
266 dissemination, reuse, and adaptation of those materials under the designated
267 CC license.
268

269 **4.7 Dispute Resolution**

270
271 4.7.1 Should a dispute about the application of this Policy and Procedures arise
272 between the Creator(s) and the College, resolution is first pursued using the
273 Complaint Policy and Procedures for Employees.
274

275 **SECTION 5. GENERAL PROVISIONS**

276 5.1 **Review Period.** Pierpont Community & Technical College will review this policy as
277 needed. Initial review will include discussions through the College's Meet and
278 Confer process.

279 5.2 **Procedure.** The Board of Governor's Human Resources, Bylaws, and Policy
280 Committee ("Policy Committee") will initiate and establish the guidelines for
281 each review and will recommend any changes to the Board of Governors.

282 5.3 **Approval.** Pierpont's Policy Committee will forward recommendations to the
283 Board of Governors for their final approval and adoption.

284 5.4 **Publication.** Pierpont will publish the policy on its website.

285 **SECTION 6. RESPONSIBILITIES**

286 6.1 **President's Cabinet.** The President's Cabinet is responsible for the execution of
287 this policy.

288 **SECTION 7. REVIEW STATEMENT**

289 All policies shall be reviewed on a regular basis with a time frame for review to be
290 determined by the Board of Governor's Human Resources, Bylaws and Policy
291 Committee. Upon such review, the Committee may recommend the policy be
292 amended or repealed.

293 **Attachments:** None.

294 **Distribution:** Members of the Board of Governors and the President's Cabinet of
295 Pierpont Community & Technical College

296 **Revision Notes:** The proposed revisions reorganize policy provisions pursuant to PP-
297 1000.B, insert applicable statutory and regulatory references, remove
298 references to Fairmont State University, and clarify the review process.

Tab

5

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS
MEETING OF March 21, 2023**

ITEM: Policy PP-2012: Post Retirement Employment Program

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved that the Pierpont Board of Governors approve the announcement and acceptance of public comments for a period of 30 days concerning the proposed repeal of Policy PP-2012: Post Retirement Employment Program.

STAFF MEMBER: George H. Perich; Vice President, Human Resources & Org. Dev.

BACKGROUND: The language in the existing policy was not and is not applicable to Pierpont.

As mandated, in 2008, by West Virginia House Bill 3215; Code Chapter 18B; Articles 1 & 2, Pierpont Community & Technical College began operating as an independent 2-year institution. This policy was a program geared toward the faculty and staff of Fairmont State University and was not applied to Pierpont employees.

PUBLIC COMMENT PERIOD: **March 23, 2022 to April 22, 2023**

All comments are to be made in writing to:

*Amanda Hawkinberry
Executive Assistant to the President
Pierpont Community & Technical College
500 Galliher Drive
Fairmont, WV 26554
bog@pierpont.edu*

*The proposed policy will be available for public viewing on the
Pierpont Community & Technical College website at
<https://www.pierpont.edu/about/board-of-governors/policies/>*

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 12
TITLE: POST RETIREMENT EMPLOYMENT PROGRAM

Effective Date: July 1, 2002

Amended: April 17, 2012

Repealed:

SECTION 1.

GENERAL

A Post Retirement Employment Program (PREP) shall be available only to retired employees. The PREP shall include all of the following elements:

- 1) Beginning effective in the contract year immediately following an employee's 55th birthday and providing employee has five (5) years of full time service or equivalent, an employee may, upon retirement, request a PREP contract with Pierpont Community & Technical College. An individual may request a PREP contract for one year, with the possibility of two (2) one-year renewals, if all parties agree. At the end of the designated period of post retirement employment, the employee will have no vested employment rights with the college.
- 2) To enter the PREP, faculty must notify in writing his or her Dean and secure the written agreement of the respective President's Cabinet member. Non-classified and classified employees must notify in writing and secure the written approval of the immediate supervisor, the respective President's Cabinet member, and the Human Resources Office. All requests require Vice President or Cabinet level approval, in conjunction with the President. Generally, notice must be given at least 6 months in advance of the proposed effective date.
- 3) An individual who is in the PREP may, without penalty, at any time, opt to terminate his or her employment with the College as a post retirement employee. If this option is taken, at the termination of employment in the PREP, the individual will have no vested employment rights with the College.
- 4) The College will continue to provide an individual on post retirement with all rights and privileges, which are normally extended to faculty, or staff who hold full-time status, except for benefits coverage. No employer paid benefits, other than Social Security and Worker's Compensation, will be provided under the PREP. Base Salary during the period of participation in the PREP shall be reduced to 33%, as of the effective date of the PREP contract. The employee will receive no subsequent pay increase during participation in the PREP.
- 5) A faculty member who opts for entry into the PREP, after notifying his/her Dean and receiving appropriate approval, may either (a) teach 1/3 time in the fall semester and 1/3 time in the spring semester of a given academic year, or (b) teach 2/3 time in either the fall semester or the spring semester of a given academic year; provided that if an individual chooses to teach 2/3 time in one semester, all pay will be received during that semester.
- 6) A classified or non-classified staff member, after receiving appropriate approval of the immediate supervisor, the respective President's Cabinet member, and the Human Resources Office, may

either work (a) four (4) consecutive months in a fiscal year, or (b) 12.5 hours per week for the entire option year.

- 7) It is the responsibility of the individual who enters the PREP to contact the Benefits Office, TIAA/CREF and other appropriate agencies to assure that the appropriate health insurance and other retirement options are properly maintained.

Tab

6

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS
MEETING OF March 21, 2023**

ITEM: Policy PP-5043: Assignment and Reassignment of Space

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved that the Pierpont Board of Governors approve the announcement and acceptance of public comments for a period of 30 days concerning the proposed repeal of Policy PP-5043: Assignment and Reassignment of Space.

STAFF MEMBER: George H. Perich; Vice President, Human Resources & Org. Dev.

BACKGROUND: The language in the existing policy is not applicable to Pierpont.

As mandated, in 2008, by West Virginia House Bill 3215; Code Chapter 18B; Articles 1 & 2, Pierpont Community & Technical College began operating as an independent 2-year institution. This policy was a program geared toward the campus of Fairmont State University with a significant amount of building space and is no longer applicable to Pierpont.

PUBLIC COMMENT PERIOD: **March 23, 2022 to April 22, 2023**

All comments are to be made in writing to:

*Amanda Hawkinberry
Executive Assistant to the President
Pierpont Community & Technical College
500 Galliher Drive
Fairmont, WV 26554
bog@pierpont.edu*

The proposed policy will be available for public viewing on the Pierpont Community & Technical College website at <https://www.pierpont.edu/about/board-of-governors/policies/>

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 43
TITLE: ASSIGNMENT AND REASSIGNMENT OF PHYSICAL SPACE

Effective Date: December 15, 2005, Revised April 5, 2007

Amended:

Repealed:

It is the policy of the Pierpont Community & Technical College Board of Governors that all requests for the assignment or reassignment of space on the campuses of Fairmont State University be first reviewed by the Facilities Administration Council as appointed by the presidents. This includes not only requests for reassigning space from one department to another, but also requests for changing facility use from general to specific purpose.

The council shall consist of the Assistant to the President (chair), President FSU (ex officio), President of Pierpont, Provost/VP for Academic Affairs, VP for Administration and Fiscal Affairs, VP for Research and Contracts, VP for Student Affairs, VP for Academic Services, VP for Institutional Advancement, Assistant VP for Facilities, Registrar, President of Faculty Senate, President of Faculty Assembly, President of FSU Classified Staff Council, President of Pierpont Classified Staff Council, President of Student Government.

The council will make recommendations to the presidents. The presidents will consult about whether to grant requests. If the presidents do not reach consensus, the final decision will be made by the FSU President. The Pierpont President may appeal to the Finance, Personnel, Facilities, and External Relations committee of the Board of Governors.

All space is open to reassignment to ensure optimal use of available space and facilities.

Tab

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**Pierpont Community & Technical College
Board of Governors
Meeting of March 21, 2023**

ITEM: Approval of Tuition Changes for Academic Year 2023-2024

COMMITTEE: Finance/Audit and Administration Committee

STAFF MEMBER: Dale Bradley

RECOMMENDED ACTION: Resolved that the Pierpont Community and Technical College Board of Governors approve the Tuition changes identified below for Academic Year 2023-2024.

ATTACHMENTS: The Education and General Fee Planning Schedule – Per Semester (Attachment F) identifying the proposed fee changes for Academic Year 2023-24.

BACKGROUND:

- **Education and General Tuition Fees** are charges levied on all students to support educational and general program services or optional fees levied for education and general services collected only from students using the service or from students for whom the services are made available. Educational and general expenditures include instruction, research, academic support, student services, institutional support, operation and maintenance of the physical plant, scholarships, and fellowships. Educational and general expenditures do not include expenditures for auxiliary enterprises or independent operations.
 - Pierpont will increase to the Resident (In-State) Education and General Tuition Fees, the Reduced Non-Resident (Out-of-State) (Metro) Education and General Tuition Fees and the Non-Resident (Out-of-State) Education and General Tuition Fees for AY 2023-24.
 - Increase the Resident Education and General Tuition by \$254 per semester.
 - Increase the Reduced Non-Resident Metro Education and General Tuition by \$488 per semester.
 - Increase the Non-Resident Education and General Tuition by \$603 per semester.
 - Refer to Attachment F “Education and General Fee Planning Schedule – Per Semester” Academic Year 2023-24 for fee changes details.

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**Pierpont Community & Technical College
Board of Governors
Meeting of March 21, 2023**

ITEM: Approval of Special, Program and Course Fees Changes for Academic Year 2023-2024

COMMITTEE: Finance/Audit and Administration Committee

STAFF MEMBER: Dale Bradley

RECOMMENDED ACTION: Resolved that the Pierpont Community and Technical College Board of Governors approve the Special, Program and Course Fees changes identified below for Academic Year 2023-2024.

ATTACHMENTS: The Proposed Special Fees (Attachment G), the Listing of Program Fees (Attachment H) identifying the proposed fee changes for Academic Year 2023-24.

BACKGROUND:

- **Pierpont Special Fees** are operational, or user fees charged to offset the specific costs for providing a service. These fees include, but are not limited to, parking, late payments, drug testing, instrument fees, and other services provided to students. Please see fee change details identified in Attachment G.

Special Fees Eliminations, Reductions or Creations

- Establish the Non-Degree Employee Tuition Fee per credit hour of \$25. This enables existing Pierpont employees who want to increase skills and knowledge from current course offerings to do so as long as they are not actively pursuing an academic degree. Employees wishing to take advantage of this benefit each semester must wait until after the add/drop period so that their enrollment in a course would not impact a degree seeking students' ability to participate in the course in question.
- Refer to Attachment G "Proposed Special Fees" Academic Year 2023-24 for detailed fee changes.
- **Pierpont Program Fees** are charges levied to all students who take classes in a specific degree program to offset some of the higher, direct, instructional costs of these programs and minimize required tuition charged to all students. Please see fee change details identified in Attachment H.

Program Fee Eliminations, Reductions or Creations

- Eliminate the Emergency Medical Services EMT Basic Exam Fee of \$98. With

structural changes to the academic program all students entering the program are already Basic EMTs.

- Decrease the Program Fee – AMSL/Interpreter Education (Per Semester) by \$64 from \$399 to \$335. Correcting an error in fee increases that happened in AY 2020-21. This Fee was increased in AY 2020-21 from \$300 to \$399 and should not have been.
- Establish a Physical Therapists Assistant course fee of \$99 annually for PhysioU. PhysioU is an App built by physical therapists for physical therapy students and physical therapist assistant students to assist students in learning via video material (particularly on patients with actual diagnoses) as well as ne utilized for patient simulation questions and to prepare them to be successful on their board exam.
- Establish a Physical Therapists Assistant course fee of \$95 annually for student membership fees for the American Physical Therapy Association. This membership allows students access to specific resources including journals and articles as well as up to date information about the profession.
- Establish a Medical Billing and Coding course fee of \$75 annually. This fee is needed for the student’s subscription to Electronic Health Record (EHR) Go. Students need to learn how to navigate a patient chart. They must be able to find pertinent information and document appropriately. Students do not have access to electronic patient charts at our clinical affiliates. EHR Go will allow the program to develop care plans and patient scenarios as a teaching tool for our courses. It contains interactive and clinically relevant content that will add a real life feel to classroom learning. A large portion of healthcare is proper charting and information gathering and EHR Go will fulfill these educational needs for the medical billing and coding student.
- Establish a Veterinary Technology Rabies Vaccination course fee of \$935 per student. The Veterinary Technology Program’s accreditor, the American Veterinary Medical Association (AVMA), recently mandated that all students be vaccinated for rabies prior to working with animals. The fee is to cover the cost of the vaccine and its administration.
- Refer to Attachment H “Proposed Program Fees” Academic Year 2023-24 for detailed fee changes.

Attachment G

West Virginia Council for Community and Technical College Education Proposed Special Fees Academic Year 2023-24

Special Fees and Charges	Rate Per Semester 2022-23	Requested Rate Per Semester 2023-24	Increase/ (Decrease)	Estimated Number of Students Impacted by Fee Change *	Projected Revenue Due to Fee Change 2023-24 *
Pierpont Community and Technical College					
Application Fee - Competitive Programs	\$20	\$20	\$0	0	\$0
Board of Governor's Degree Evaluation	\$300	\$300	\$0	0	\$0
Credential Fee - Placement	\$3	\$3	\$0	0	\$0
Credit Conversion Fee	\$22	\$22	\$0	0	\$0
Credit for Life Experience Evaluation	\$300	\$300	\$0	0	\$0
Diploma Replacement	\$50	\$50	\$0	0	\$0
Duel Credit fee (per credit hour)	\$25	\$25	\$0	0	\$0
Exam for Course Credit (per credit hour)	\$22	\$22	\$0	0	\$0
Excess Course Withdrawal fee (per course assessed after 4 courses have been dropped)	\$50	\$50	\$0	0	\$0
ID Card Replacement Fee	\$20	\$20	\$0	0	\$0
Late Payment Fee	\$50	\$50	\$0	0	\$0
Late Registration	\$50	\$50	\$0	0	\$0
New Student Fee	\$130	\$130	\$0	0	\$0
Occupational Develop/Tech Studies Degree Evaluation	\$150	\$150	\$0	0	\$0
Transcript Fee	\$7	\$8	\$1	300	\$300
Reinstatement Fee	\$25	\$25	\$0	0	\$0
Returned Check Fee	\$15	\$15	\$0	0	\$0
Senior Citizens Audit Fee (per credit hour)	\$22	\$22	\$0	0	\$0
Violation of Tobacco Free Campus Policy - 2nd Offense	\$50	\$50	\$0	0	\$0
Violation of Tobacco Free Campus Policy - 3rd Offense	\$100	\$100	\$0	0	\$0
Check Stop Payment Fee	\$25	\$25	\$0	0	\$0
Cashed Check Copy Fee	\$15	\$15	\$0	0	\$0
Non-Degee Employee Tuition Fee (per credit hour)	\$0	\$25	\$25	10	\$250

Attachment H

West Virginia Council for Community and Technical College Education Proposed Program Fees Academic Year 2023-24

Program Fees and Charges	Rate Per Semester 2022-23	Requested Rate Per Semester 2023-24	Increase/ (Decrease)	Projected Revenue Due to Fee Change 2023-24 *	WV Invests Eligible
Pierpont Community and Technical College					
- Technology Fee (per semester)	\$180	\$200	\$20	\$18,000	Y
- CTC Materials Fee (per course fee)	\$25	\$25	\$0	\$0	Y
- Math Lab Fee (per course fee)	\$55	\$55	\$0	\$0	Y
Program Fee - Early Childhood (per semester)	\$275	\$310	\$35	\$869	Y
Program Fee - Food Service Management (per semester)	\$300	\$335	\$35	\$2,804	Y
Program Fee - Food Service Management, Culinary Arts Specialization (CAS) (per semester)	\$300	\$335	\$35	\$0	Y
Program Fee - Food Service Management, Hospitality & Tourism (CAS) (per semester)	\$300	\$335	\$35	\$0	Y
Program Fee - Food Service Management, Pastry & Baking Arts (CAS) (per semester)	\$300	\$335	\$35	\$0	Y
- Culinary Foods Lab Fee (per course fee)	\$120	\$120	\$0	\$0	Y
- Culinary Arts membership (per year)	\$85	\$85	\$0	\$0	N
- Culinary Arts Professional Tool Kit	\$260	\$260	\$0	\$0	N
Program Fee - Paralegal Studies (per semester)	\$275	\$310	\$35	\$980	Y
Program Fee - Criminal Justice (per semester)	\$225	\$260	\$35	\$1,412	Y
Program Fee - Liberal Studies (per semester)	\$175	\$210	\$35	\$1,823	N
Program Fee - AMSL/Interpreter Education (per semester)	\$399	\$335	(\$64)	(\$1,692)	Y
Program Fee - Applied Design (per semester)	\$225	\$250	\$25	\$800	Y
Program Fee - Petroleum Technology (per semester)	\$350	\$375	\$25	\$311	Y
Program Fee - Petroleum Technology (CAS) (per semester)	\$350	\$375	\$25	\$0	Y
Program Fee - Electrical Utility Technology (per semester)	\$350	\$375	\$25	\$1,082	Y
Program Fee - Powerplant Technology (CAS) (per semester)	\$350	\$375	\$25	\$643	Y
Program Fee - Advanced Welding (per semester)	\$350	\$375	\$25	\$706	Y
- Welding Technology Fee (per course fee)	\$160	\$170	\$10	\$1,940	Y
Program Fee - Applied Process Technology (per semester)	\$350	\$375	\$25	\$2,247	Y
- Applied Process Technology Tooling U Fee (per course)	\$128	\$155	\$27	\$200	Y
- Applied Process Technology NETL Lab Fee (per course)	\$84	\$84	\$0	\$0	Y
Program Fee - Aviation Maintenance (per semester)	\$400	\$425	\$25	\$5,018	Y
Program Fee - Airframe Technology (CAS) (per semester)	\$400	\$425	\$25	\$0	Y
Program Fee - Avionics Technology (CAS) (per semester)	\$400	\$425	\$25	\$0	Y
- Aviation Technology Fee (per credit hour)	\$40	\$50	\$10	\$27,375	Y
Program Fee - Business (per semester)	\$225	\$250	\$25	\$3,488	Y
Program Fee - Drafting/Design Engineering (per semester)	\$225	\$250	\$25	\$0	Y
Program Fee - Technical Drafting (CAS) (per semester)	\$225	\$250	\$25	\$0	Y
Program Fee - Graphics Technology (per semester)	\$225	\$250	\$25	\$0	Y
Program Fee - Information Systems (per semester)	\$225	\$250	\$25	\$3,071	Y
Program Fee - Information Systems, Cyber Security (CAS) (per semester)	\$225	\$250	\$25	\$0	Y
- Cisco Academy Fee (Per Course)	\$56	\$56	\$0	\$0	N

Attachment H

West Virginia Council for Community and Technical College Education Proposed Program Fees Academic Year 2023-24

Program Fees and Charges	Rate Per Semester 2022-23	Requested Rate Per Semester 2023-24	Increase/ (Decrease)	Projected Revenue Due to Fee Change 2023-24 *	WV Invests Eligible
- CompTIA A+ Exam Fee (Per Course)	\$220	\$220	\$0	\$0	N
- CompTIA Security+ Exam Fee (Per Course)	\$190	\$247	\$57	\$750	N
Program Fee - Emergency Medical Services (per semester)	\$325	\$360	\$35	\$2,251	Y
Program Fee - Emergency Medical Services Technician (CAS) (per semester)	\$325	\$360	\$35	\$0	Y
- EMT Basic Exam Fee (per course fee)	\$98	\$0	(\$98)	\$0	N
- EMT - P (Paramedic) National Registry Exam Fee	\$152	\$152	\$0	\$0	N
- EMS - FIDP (Field Internship Database Program) Fee	\$100	\$100	\$0	\$0	N
Program Fee - Health Science (per semester)	\$185	\$220	\$35	\$7,378	Y
Program Fee - Physical Therapist Assistant (per semester)	\$185	\$220	\$35	\$1,466	Y
- PhysioU Virtual Lab Fee (per semester)		\$99	\$99	\$3,960	Y
- Physical Therapy APTA Membership Fee (annual)		\$95	\$95	\$3,800	Y
Program Fee - Health Information Technology (per semester)	\$185	\$220	\$35	\$1,178	Y
- HIT Virtual Lab Fee (per semester)	\$75	\$75	\$0	\$0	Y
Program Fee - Medical Billing and Coding (CAS) (per semester)	\$185	\$220	\$35	\$1,127	Y
- MBC Virtual Lab Fee (per semester)		\$75	\$75	\$3,000	Y
Program Fee - Veterinary Technology (per semester)	\$185	\$220	\$35	\$1,952	Y
Program Fee - Veterinary Assistant (CAS) (per semester)	\$185	\$220	\$35	\$0	Y
- Vet Tech Lab Fee (per lab course)	\$30	\$50	\$20	\$2,903	Y
- Vet Tech Rabies Vaccination Fee (one time fee)		\$935	\$935	\$32,000	Y
Program Fee - Medical Laboratory Technology (per semester)	\$185	\$220	\$35	\$1,514	Y
Program Fee - Medical Laboratory Assistant (per semester)	\$185	\$220	\$35	\$96	Y
- Med Lab Tech Lab Fee (per lab course)	\$30	\$30	\$0	\$0	Y
Program Fee - License Practical Nurse (per semester)	\$185	\$220	\$35	\$805	Y
- LPN NCLEX Review Fee (one time fee)	\$1,630	\$1,630	\$0	\$0	Y
Program Fee - Radiology Technology (per semester)	\$185	\$220	\$35	\$2,502	Y
Program Fee - Respiratory Therapy (per semester)	\$185	\$220	\$35	\$1,633	Y
- Resp Care National Board Exam Review Fee (per course fee)	\$425	\$425	\$0	\$0	N
- Resp Care Self-Assessment Exam Fee (per course fee)	\$65	\$65	\$0	\$0	N
- Resp Care Trajecsyst Online Portal Fee (one time fee)	\$100	\$100	\$0	\$0	Y
- Resp Care Board Testing Fee (one time fee)	\$200	\$200	\$0	\$0	N
- Resp Care Practice Clinic Simulations Fee (one time fee)	\$75	\$75	\$0	\$0	Y
- Resp EHR Go Fee (per lab course)	\$65	\$65	\$0	\$0	Y

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Board of Governors
Budget/Finance Report FY 2023
Pierpont Community & Technical College
as of February 28, 2023

Pierpont's overall financial structure consists of four primary fund types; unrestricted, auxiliary, restricted, and plant/capital funds.

Unrestricted Funds – Includes those economic resources of the institution which are expendable for any purpose in performing the primary objectives of the institution, i.e, instruction, research, extension, and public service, and which have not been designated by the governing board for other purposes. These funds consist of State Appropriations, not designated for a specific purpose, and general tuition and fees revenues. For fiscal management purposes Pierpont segregates Unrestricted funds into two subgroups; President Controlled Funds and Fund Manager Controlled Funds.

- President Controlled Funds consist of State Appropriations, and general tuition and fees revenues.
- Fund Manager Controlled Funds consist primarily of program fees and lab/course fee funds that are used to cover program specific operational costs.

Auxiliary Funds – Auxiliary funds are a subsection of unrestricted funds. Auxiliary enterprises are activities conducted primarily to provide facilities or services to students, faculty, and staff. Such activities could include residence halls, food services, bookstore, parking, etc. At Pierpont these activities are reported as a separate fund type for fiscal management. Currently parking is the only Auxiliary fund activity and is used to support maintaining parking resources and campus security.

Restricted Funds - The restricted fund group consists of those funds expendable for operating purposes but restricted by donors or other outside agencies as to the specific purpose for which they may be expended. Restricted funds primarily consist of contracts and grants received from federal or state governments for financial aid, research, public service or other restricted purposes.

Plant/Capital Funds – Plant/Capital Funds are a subsection of unrestricted funds used for debt service, capital projects, facilities maintenance and renewal.

SUMMARY UNRESTRICTED FUNDS:

As of the January 31, 2023 Budget/Finance Report, the Unrestricted Budget Balance is \$238,872. This is a decline of \$117 from the previous Unrestricted Budget Balance reported in the January 31, 2023 Budget/Finance Report. This decline was the result of an adjustment to the Salaries expense budget in the President Controlled Funds.

As of this report date, the YTD Actuals for Unrestricted Funds reflect the following:

- The institution has realized approximately 74% of projected operating revenue.
- The institution has incurred approximately 58% of operating expenses.
- The institution has realized approximately 66% of nonoperating revenues.
- The Year-To-Date Actual Budget Balance is \$3,215,981 (Includes \$837,379 captured in lost revenues from HEERF (CARES ACT) Funds).

SUMMARY RESTRICTED FUNDS:

As of this report date, the YTD Actuals for Restricted Funds reflect the following:

- The institution has realized approximately 63% of projected operating revenue.
- The institution has incurred approximately 35% of operating expenses.
- The institution has realized approximately 51% of nonoperating revenues.
- The Year-To-Date Actual Budget Balance is \$676,504.

Pierpont Community & Technical College
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted (Including Depreciation)

February 28, 2023

		Current	Actual	YTD Actual to
		Budget	YTD	Current Budget
OPERATING REVENUE				
Total:		7,648,704	5,656,078	73.95%
OPERATING EXPENSE				
Total:		15,150,656	8,759,893	57.82%
OPERATING INCOME / (LOSS)		(7,501,951)	(3,103,815)	
NONOPERATING REVENUE (EXPENSE)				
Total:		8,291,698	5,497,060	66.30%
TRANSFERS & OTHER				
Total:		(150,875)	822,737	-545.31%
BUDGET BALANCE UNRESTRICTED		638,872	3,215,981	
Less Depreciation (Net of Capitalized Assets)		(400,000)		
BUDGET BALANCE LESS DEPRECIATION		238,872	3,215,981	

Pierpont Community & Technical College
Actual vs Budget Statement of Revenues and Expenses
Current Restricted
February 28, 2023

		Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE				
	Total:	8,005,228	5,069,128	63.32%
OPERATING EXPENSE				
	Total:	12,446,732	6,395,236	51.38%
OPERATING INOCME / (LOSS)		(4,441,504)	(1,326,108)	
NONOPERATING REVENUE (EXPENSE)				
	Total:	4,716,431	3,244,126	68.78%
TRANSFERS & OTHERS				
	Total:	(274,927)	(1,241,514)	451.58%
BUDGET BALANCE		0	676,504	

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**Pierpont Community and Technical College
Board of Governors
Meeting of March 21, 2023**

ITEM: FY 2023 Capital Projects Update.

COMMITTEE: Finance/Audit and Administration Committee

INFORMATION ITEM: FY 2023 Capital Project Budgets, Expenditures, and Cash Balances as of February 28, 2023.

STAFF MEMBER: Dale Bradley

Pierpont Community & Technical College
 Project Summary
Capital Plant Funds
 As of February 28, 2023

Projects			
Projects - Funds Transferred	Approved Budget	Actual Expenditures to Date	Unexpended Budget Balance
Caperton Center Expansion - Vet Tech	2,094,326	1,683,134	411,192
Master Facilities Plan	151,700	151,700	0
Early Childhood Architect Design	25,000	24,688	313
Early Childhood Remodel	229,687	191,894	37,793
Vet Tech Relocatoin	10,000	11,377	(1,377)
Small Capital Projects	150,000	133,105	16,895
Culinary Relocation	400,000	249,080	150,920
TOTALS	<u>3,060,713</u>	<u>2,444,978</u>	<u>615,736</u>

Plant Funds Cash Balances at February 28, 2023		
Fund Title	Fund	Cash Balance
Caperton Center Expansion-Vet Tech	3510	411,191.92
Master Facility Plan	3511	-
Early Childhood Architect Design	3513	312.50
Culinary Relocation	3514	150,919.34
Vet Tech Relocation	3515	(1,377.47)
Early Childhood Remodel	3516	37,793.01
Pierpont Small Capital Projects	3570	52,910.94
HEPC Debt Service	3573	132,561.00
Pierpont - E&G Cap & Infrastructure*	3575	866,773.79
Total Cash in Plant Funds on February 28, 2023		<u>1,651,085.03</u>

Cash Balances Available For Capital Projects as of February 28, 2023		
Fund Name	Fund	Cash Balance
Pierpont - E&G Cap & Infrastructure*	3575	866,773.79
Pierpont Facilities Fee	3170	-
Total Cash Balances Available For Capital Projects		\$ 866,773.79

Unrestricted Facilities Fee Fund Projected Cash Balance at June 30, 2023		
Fund 3170		Cash Balance
Beginning Balance		-
Estimated Revenues		570,000.00
NAEC Lease -FY2023 Budget	(full year)	(450,000.00)
Projected Cash in Unrestricted Facilities Fee Fund at June 30		\$ 120,000.00

**For fiscal year 2023, the NAEC lease payments are budgeted from Facilities Fee in the amount of \$450,000.*

Tuition and fees in excess of the lease payments will be transferred to Capital Reserves at year end.

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Pierpont Community & Technical College
Center for Workforce Education
500 Galliher Drive
Fairmont, WV 26554

www.pierpont.edu

Nancy Ligus, Director
nligus@pierpont.edu
P | 304-366-8912

To: ATC Advisory Board Committee
From: Nancy Ligus, Director of Workforce, Continuing Education, and Economic Development
Subject: Industry Relations & Partnerships Report
Date: March 21, 2023

Focus Areas:

Contracted Corporate Training (Customized)

Contracted for FY23:

- WV National Guard- CompTIA Certifications in Information Security and Linux
- Mountaineer Challenge Academy- PEC Safeland Basic (Oil & Gas Safety)
- Immunohematology- Davis Medical (Jan 2023)

In Progress:

- WVU Medicine -Uniontown Hospital -Medical Lab Transition
- Preston Memorial Hospital- Medical Lab Transition
- Casto Technical Services- Commercial HVAC
- Aurora Flight Sciences- Composite Technician Training
- Marion County Rescue Squad- AEMT, Paramedic Transition

Continuing Education and Workforce Training (Open Enrollment)

Completed /Committed for FY23:

- Underground Miner Red Hat Training
- Home Inspector Training
- FAA Test Prep- Powerplant
- EMT Basic -Upshur County
- Mental Health First Aid

Other Courses Offered/Cancelled due to low enrollment: FAA Test Prep-Airframe and Systems/Structures Review, Aviation Structures Technician Training, Start Your Own Business Essentials



In Progress: (last Quarter FY23)

- Landscape Technician Bootcamp (w/WVNLA)
- Patient Care Technician (w/ Mon Health)
- SERV Safe Food Management Certification
- IT Certification Bootcamps
- CAD Bootcamp
- Testing Center
 - Fully trained and certified backup testing Administrator has allowed full operation of Testing Center and increased capacity
 - Social media campaign ongoing to raise public awareness of capabilities

Revenue Year to Date for CWE: FY 23 (from July 1, 2022- February 28, 2023)

Testing Center

Total Revenue \$ 12,816.50 Total Candidates 592

Corporate Training (Contracted)

Total Gross Revenue \$ 41,100 Total Students 24

Continuing Education/Workforce Training (Open Enrollment)

Total Gross Revenue \$ 27,419 Total Students 43

World Education (Online partner) Revenue \$ 45.00 Total Students 2

Initiatives/Activities for the Center for Workforce Education

a) Grants and Funding Opportunities:

- Learn & Earn projects approved (Aviation, Petroleum Technology)
- Apprenticeship in Motion (AIM) Grant funding for IT Degree Program students
- WV CTCS Advance Grant- Landscape Technician Bootcamp with WV Nursery & Landscaping Association

b) Expanding outreach to Veterans for workforce training, including World Education

c) Participating in external Initiatives:

- i) WV National Guard Cyber Workforce Council
- ii) BEADS (Broadband Equity, Access, and Deployment) WV Broadband Workforce Council (WV Office of Economic Development)
- iii) WVU ARC Power Initiative: *Energy Transitions Jobs Roadmap*
- iv) TEAMs Consortium ARC Power Initiative: *TEAM Pathways 2.0: Connections that Work*
- v) Region 6 Business Services Team, Region 6 Outreach Committee/AJC Partner