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The follow is the ACF Report on Thursday's meeting. There is a great deal going on in the state connected to this year's legislative session. We will try to send regular legislative updates but please be alert for SB369.

### ACF Report, January 28, 2016

The ACF presented their interim report to the CTCC (Vice-Chair Goldstein, Northern), after which faculty met at the HEPC Office for our January 28 meeting. Chair Nutter (WVU) called the meeting to order shortly after 1:00 p.m. Chair Nutter suspended the published agenda to allow Mark Goldstein and Sylvia Shurbutt to report, as both had meeting conflicts at their respective institutions. The following is a summary of some of that portion of the meeting.

- I. ACF Retreat, July 8-9, 2016: Chair Nutter had charged Sylvia Shurbutt (Shepherd) with investigating the membership's preference to hold the July retreat at Snowshoe. Shurbutt reported that 25 rooms will be held on the dates available (\$135), with an activity pass included in the price that could be used for sky-lifts or zip-lining. Conference rooms will available and arrangements are in progress. The retreat will begin Friday, July 8 at 1:00 and run through Saturday, July 9, until approximately 5:00 p.m. The suggestion has been made that Higher Education Issues be discussed at the ACF April 28 meeting so there is time to get input from the institutions.
- II. National Common Standards for Public Education: Shurbutt referenced her report on the December 2015 LOCEA meeting, where State Superintendent of Schools Dr. Michael Martirano reported that WV had formally renounced National Common Standards for the WV Next Generation Standards, with a number of additions legislators and parents had demanded, including cursive writing. Shurbutt repeated that while WV would still be a leader in standards revision and workforce and college readiness of public school students, this subject bore watchfulness on the legislative front, as it has garnered much uninformed criticism.
- III. Complete College America (CCA) Initiative: We reported last semester on the November 18-19 CCA Conference in Indianapolis on alternatives to Developmental education. The conference was supported by the Lumina and Gates foundations. See the November 20 report for conference details. The HEPC, under Vice-Chancellor Dennison's leadership is moving forward in planning a spring "summit" (bringing administrators on-board) and a fall "institute" to explore with key players implementing co-requisite education across the state that would address "developmental" issues in higher education and encourage college retention and higher graduation rates.
- IV. Legislative Report and PEIA Update: Legislative Coordinator Shurbutt reported on the substance of discussions with legislators on January 19, Higher Education Day at the Legislature. She noted that **Senator Hall (Finance Chair)** lamented with faculty the PEIA shortfall and indicated that a rise in taxes (tobacco specifically) would be necessary to address the \$120,000,000 hole that the state insurance provider found itself in due to a dearth of contributions from the State for many years. Shurbutt likewise noted that **Senator Sypolt (Education Chair)** had brought up a number of issues that he appeared to be "testing the waters" regarding faculty reception. Those issues involved Tech's move from Montgomery to Beckley, the 12-hr rule that would require students to pay for any courses above 12-hours, tax increases to address budget shortfalls, higher education budget cuts, PEIA solvency, and **what Sypolt called "reducing higher education bureaucracy."** This latter issue opened a very candid discussion among ACF colleagues concerning the issue being floated across the state regarding **eliminating or diminishing the HEPC/CTCC councils and allowing local BOGs to manage their own affairs and having a simplified higher education system that functions directly under the two flagship institutions, particularly WVU.** There was a good deal of discussion that centered on a series of talking points that the Presidents' Council had generated against the reorganization. **Faculty expressed to Sypolt its resounding admonition against the reorganization.**

There was also some candid talk concerning from where these ideas are emanating: consensus from several sources has settled on WVU's President Gee. When the question arose as to whether this issue was more rumor than substance, it was brought up that the recent spurious auditor's reports of the HEPC, with the demand for data right before Christmas holidays and the erroneous information the auditors put into the reports, were all calculated to harass and cast aspersions on the credibility of the HEPC by political forces in the State that are driving this higher education reorganization. These inaccuracies were likely the reason for Senator Sypolt's pulling the report from the January LOCEA agenda, though Sypolt is at the heart of the intrigue. It was also noted that the Eastern Panhandle's Senator Snyder actively lobbied against the issue. One characterization of the auditor's report was "hack job"; thus it is clear that a major effort is underway to lay a groundwork for shaking up the state's higher education system. There are serious doubts as to whether the regional institutions will profit or thrive under such a reorganization.

V. Legislative Bills to Watch this Session:

**SB 369.** This bill eliminates certain HEPC reports to the legislature. This bill bears watching as legislators can slip in an amendment that could eliminate the HEPC and reorganize higher education.

**HB 2446.** This bill permits firearms on campus.

**HB 2954.** This bill expands Promise to Trade Schools.

**HB 4012.** Religious Freedom Restoration Act allows employers or employees may discriminate due to religious beliefs.

**HB 4182.** This bill provides additional tuition charges for students taking above 16 hours.

**SB 90.** The purpose of this bill is to promote orderly and constructive employment relations between the state and its employees; to increase the efficiency of the state; and to ensure the health and safety of the citizens of this state. The bill provides for the Legislature to determine that these policies and purposes may best be accomplished by 1) granting to state employees the right to associate with others in organizing and choosing representatives for the purpose of collective bargaining; 2) requiring the state to recognize, negotiate and bargain with employee organizations representing state employees and to enter into written agreements evidencing the result of bargaining; and 3) encouraging labor peace through the establishment of standards and procedures which protect the rights of the state, the state employee, and the citizens of this state.

**SB 115.** The purpose of this bill is to provide graduated increases to state employee salaries over the next three years so that after three years state employees receive a salary that is \$5,000 greater than their current salary.

**SB 120.** The purpose of this bill is to create the Earned Sick Time Act. The bill requires employers to provide paid sick leave. The bill sets standards for the use and accrual of the earned sick time. The bill distinguishes between unpaid and paid sick time for certain employees based on size of employer. The bill exempts more generous employer policies. The bill requires certain certification. The bill exempts collective bargaining agreements. The bill requires notice and posting requirements. The bill sets forth the duties of the Commissioner of Labor. The bill provides rule-making authority. The bill requires employers retain certain documents. The bill creates penalties and enforcement measures. The bill creates misdemeanor offense. The bill notes lack of an intent to preempt, limit or affect other requirements. The bill establishes an effective date.

**SB 134.** The purpose of this bill is to establish an Economic Adjustment Evaluation Task Force to study the impact of the closure or substantial change in the scope of operation of any campus of a state two-or four-year institution of higher learning. It provides for the composition of a task force to be appointed by the Governor and requires a report from the task force to the Joint Committee on Government and

Finance on the overall economic impact of such a campus closure or substantial change in the scope of operation.

**SB 139.** The purpose of this bill is to increase the tobacco tax to support PEIA.

**SB 353.** The purpose of this bill is to adjust the allocation of contributions for health insurance premiums from eighty percent by employers and twenty percent by employees to seventy-five percent by employers and twenty-five percent by employees, beginning July 1, 2017.

**HB4303.** This bill will change the PEIA 80/20 to 75/25.

VI. Great Teachers Seminar, June 20-23. Mark Goldstein asked ACF colleagues to encourage attendance at the Great Teachers Seminar, supported by the HEPC. The cost to institutions is minimal (\$299 for four days); the benefits are great.

VII. The next ACF meeting is scheduled for Friday, March 25, 2016 at the HEPC office.