



Meeting Minutes

Location: Virtual

Date: July 17, 2020

Time: 9:00 AM

#	STATUS			NAME	INSTITUTION
	Present	Phone	Regrets		
1			x	Mike Lilly	Bluefield State College
2	x			Todd Cimino-Johnson	Blue Ridge CTC
3	x			Mike Ditchen, <i>Webmaster</i>	Bridge Valley CTC
4	x			Joseph Allen, <i>Vice-Chair</i>	Concord University
5			x	Shirley Murphy	Eastern WV CTC
6	x			James Matthews	Fairmont State University
7	x			Marjie Stewart	Glenville State College
8	x			Amine Oudghiri-Otmani	Marshall University
9	x			Katie Hopkins	Mountwest CTC
10	x			Karen Carter	New River CTC
11	x			Amy Cunningham, <i>Chair</i>	Pierpont CTC
12	x			Tom Sydow	Potomac State College of WVU
13	x			Max Guirguis, <i>Secretary/Treasurer</i>	Shepherd University
14	x			Charles Puckett	Southern WV CTC
15	x			Sylvia Senften	West Liberty University
16	x			Kathy Herrington	WV Northern Community College
17	x			Celia McLay	WV School of Osteopathic Med.
18	x			Barbara Ladner	WV State University
19	x			Roy Nutter	West Virginia University
20	x			Joel Farkas	WVU at Parkersburg
21	x			Asad Davari	WVU Institute of Tech.

Meeting Minutes – July 17, 2020

I. Call to Order

- A. The Chair called the meeting to order at 9:05 AM
- B. Minutes of the June 26, 2020 meeting were approved as submitted.
- C. Introduction of new members

II. Election of ACF Officers:

- Office of the Chair: Joe Allen was nominated and approved by acclamation
- Office of the Vice Chair: Chuck Puckett was nominated and approved by acclamation
- Office of the Secretary & Treasurer: Katie Hopkins was nominated and approved by acclamation
- Office of the Legislative Coordinator: Todd Cimino-Johnson self-nominated and was approved by acclamation
- Office of the Webmaster & Listserv Manager: Barbara Ladner self-nominated and was approved by acclamation

III. Updates from guest Dr. Corley Dennison, HEPC's Vice Chancellor for Academic Affairs:

- A. Higher Ed Responses to COVID-19
 - a. While West Virginia Governor Jim Justice has not made any changes to the current plan for colleges and universities to resume instruction at the typical time, he is meeting with institutional administrators next week in order to discuss the needs of each institution. The governor is staying apprised of the situation, and any changes made will be based upon whether the number of COVID-19 infections continue to increase in the state and are doing so when many institutions are planning to begin instruction (August 10-17, in particular). The HEPC encourages institutions to develop multiple contingency plans, as much is still unknown in regards to what COVID-19's impact will be upon instructional methods at institutions of higher education within the state.

- b. The Health Departments (locally and nationwide) are encouraging measures such as assigned seating (when classes are held in-person) in order to enable more efficient contact-tracing.
- c. The University System of Georgia has reported that in-person classes at their institutions have been held at around 40% of the former classroom utilization levels in order to help restrict the spread of COVID-19. In addition, all lab classes (which are the majority of the kinds of classes being held in-person) provide the appropriate PPE to students and instructors. Dr. Celia McLay, our ACF member representing the West Virginia School of Osteopathic Medicine, stated that similar methods have already been adopted at her institution.
- d. One major concern nationally at residential colleges and universities is the measures that would have to be implemented in the event that a dorm-residing student becomes infected, as the resulting process required in order to ensure the safety of students afterward would likely involve the extensive quarantining and isolation of students, and would therefore rely upon complex logistical planning.
- e. The HEPC emphasizes that the entire academic year will likely be affected by COVID-19, and that institutions should plan accordingly.
- f. The HEPC will not be issuing a central policy or guide for faculty accommodations due to COVID-19. Each institution is encouraged to consider the needs of its faculty in regards to teaching virtually versus in-person, to engage in institutional discussion, and to develop its own policies in regards to allowing faculty to opt to teach virtually in light of COVID-19 health and wellness concerns. The HEPC does not wish faculty teaching/work loads to increase due to any instructional changes that may occur institutionally.
- g. Lab course instruction is of particular concern, as it often involves closer learning/working conditions than does a lecture course. Concord University has worked to alleviate some of the risks involved by holding labs on a one week

on/one week off schedule. The HEPC also stresses that it is likely that we will see a broader acceptance of virtual lab curriculum by national and regional accreditors.

- h. One tactic being proposed in Maryland is to hold all classes virtually during the first week or two of the semester, and to use those weeks for review, low-stake assessments, and course content introductions.
- i. The HEPC confirmed that it is within the ACF's purview to contact West Virginia legislators with any concerns, questions, or suggestions that we might have, although the legislature is unlikely to be called into Special Session.

B. U.S. Department of Education rule changes

- a. A number of extensive changes have occurred in regards to U.S. Department of Education guidelines (See Attachment #1).
- b. There is no longer a recognized difference between national and regional accreditation, and this will have a strong impact upon transfer.
- c. The U.S. Department of Education had attempted to limited the Higher Learning Commission's oversight to only 10 states, but was unsuccessful at doing so.
- d. Because of a West Virginia legal statute (in combination with the new USDE guidelines), all institutions now must technically accept transfer credits from all West Virginia post-secondary schools, including junior colleges.
- e. Satellite campuses across the nation can now receive accreditation based on the physical location of their main campus rather than their actual location.
- f. A "D" is now considered a "passing grade" and must be accepted as transfer credit.

- g. Institutions may still issue program or course pre-requisites
- h. Courses that share 70% of content must be accepted as transfer credits
- i. All academic programs with licensure are now required to list and post publicly the acceptance/nonacceptance of that licensure in all fifty states and the District of Columbia, respectively. These lists will show each state's rules in regards to whether or not these licensures are accepted with a denotation of "yes," "no," or "TBD."
- j. Dual-credit college courses can now be taught by high school teachers with no graduate content-area requirement; previously, graduate education in the discipline was required.
- k. At two-year institutions, gainful employment requirements are now gone.
- l. A 3,000 page document revising Title IX has been issued, and each institution should review these revisions and make campus changes accordingly.
- m. There will be a special HEPC meeting called to address the temporary suspension of ACT and SAT testing requirements for college admissions in the state, due to the halting of these assessments nationwide.

C. OER Workshop

- a. The HEPC is sponsoring an Open Education Resources Workshop on September 9, 2020. The event will be held virtually and each attendee could potentially be awarded a \$1,000 grant to implement course changes. This event is being held through the support of a \$1 million grant given by Ascendium Philanthropy. Due the passing of a bill by the legislature that advocates for OER, this should be a valuable and worthwhile opportunity for many faculty.

IV. Studying Faculty Rights and Protections

A. Tracking litigation

- a. It was suggested that the ACF encourage studies meant to ascertain the amount of faculty litigation that occurs on each respective campus for the purposes of better transparency and in order to identify any trends which can be documented and addressed accordingly. Due to the apparent erosion of faculty rights and protections, it was further proposed that an inquiry into faculty morale (either institutionally or state-wide) would be beneficial and prudent.

B. Faculty grievance process

- a. Faculty are given little to no protection in terms of the grievance process, receiving no legal counsel or representation. In addition, many who file grievances have had their grievances heard by the very office they have filed a grievance against. Representation via a union is largely impossible, as West Virginia State Code makes unionization within a higher education institution ineffective due to restrictions on striking and rules against 'closed shops.' While the American Federation of Teachers was discussed as a possible support option, their organization is not well-suited for higher ed concerns.

C. BOG training

- a. A concern was raised about strengthening language to assure that BOGs receive proper training, since their oversight has been so reduced.. It was suggested that the ACF take a closer look at state code as it pertains to this issue, and to also research best practices for Boards of Governors at out-of-state institutions. Some faculty members have found that some BOG members at their respective institutions are not apprised of all pertinent institutional information, and it is thought that BOG training might have to address this concern.
- b. The ACF will reach out to the HEPC for insights on BOG operations and for guidance.

D. Faculty contracts

- a. There are a wide range of faculty contract terms depending on the institution. While many institutions issue one-year contracts, others base contract-lengths upon annual faculty evaluations, while others employ tenure and tenure-track-related policies.

V. International Student Recruitment and Retention

A. Post-Secondary Globalization Bill

- a. While West Virginia's surrounding states each have a post-secondary globalization bill that was developed in order to encourage international student recruitment and retention, West Virginia has no such policy, and the lack of such a policy is likely denying our state many economic and social opportunities.
- b. In 2018, West Virginia's total immigrant population was counted at just 27, 605, meaning that they represent 2% of the state's overall population. As other states' immigrant populations are more aligned with a 12-13% statistic, this provides us with an opportunity for growth.
- c. Because West Virginia is experiencing low workforce participation and a declining population, a larger immigrant population would be a boon to our economy and society.
- d. In order to illustrate important facts about current immigrant population in West Virginia, the following points were emphasized: 1) Foreign-born residents account for a small share of WV's total population, 2) Immigrants in West Virginia tend to be college educated, 3) Immigrants are an important part of the West Virginia workforce in a range of industries, 4) Immigrants in WV have contributed more than a quarter-billion dollars in taxes, and 5) Immigrant

entrepreneurs in West Virginia generate tens of millions of dollars in business revenue. (See “Attachment #2” for supporting documentation)

e. Documentation regarding Ohio’s approaches to globalization can be found at the following links:

i. 1) “The Ohio Board of Regents Global Reach Report”

<https://www.ohiohighered.org/sites/ohiohighered.org/files/uploads/global/GREATreport.pdf>

ii. “Ohio House Bill 484”

http://archives.legislature.state.oh.us/bills.cfm?ID=130_HB_484

B. Ideas in Moving Forward

a. ACF members will bring this initiative to their respective institutions in an effort to garner support. If WV institutions support this initiative, the initiative will be discussed with HEPC before it hopefully moves forward as a House Bill, in order to outline recommendations to the Chancellor. (See Attachment #2).

VI. Promise Scholarship Concerns

A. 30-hour annual course credit requirement is impractical for many students once they reach their senior year. Because there are financial aid implications, it is important that we bring this issue to the attention of the legislature.

VII. 2020-2021 Legislative Agenda

A. Possible themes of focus

a. Some possible themes to take into consideration with developing our legislative agenda for the 2020-2021 year might center on faculty resilience, instructional versatility, and static enrollment concerns.

B. Delay in developing this year's ACF initiatives due to COVID-19

- a. Due to the unpredictable nature of this academic year, postponing the development of ACF initiatives was discussed, as it is difficult to currently ascertain higher ed needs
- b. It was ultimately proposed that the ACF officially postpone the formulation of legislative initiatives until we have more information in regards to how higher ed will be affected by COVID-19 and its related difficulties. Accordingly, ACF members will gauge support for issues experienced at their respective campuses in preparation for discussion at upcoming fall ACF meetings.
- c. The ACF moved, seconded, and approved by acclamation the plan to postpone these initiatives to a later date.

C. Reevaluation of ACF brochure distribution

- a. While it was determined that the ACF brochure is a valuable document for legislators, many ACF members agreed that disseminating the brochure to faculty members at West Virginia institutions is largely unneeded. In lieu of providing faculty with the brochure, it was suggested that faculty be given access to the brochure virtually, and that the ACF create an informative electronic document meant for faculty specifically.

VIII. Meeting Adjournment

- A. Meeting adjourned by the chair at 3:28 PM.

Attachment #1

(Provided by HEPC via Corley Dennison)

USDE Rule Changes

Effective July 1, 2020

USDE will no longer recognize any difference between regional accreditation and national accreditation. USDE will likely begin using the term “national” accreditation to denote any recognized accreditor. *

Satellite campuses located in a different state from the main campus are to be accredited by the accrediting agency of the main campus. Once the satellite campus has been authorized to operate in the new state, other institutions in that state may apply for accreditation from the accrediting agency of the main campus.

New regulations allow for a main accreditor and allow an institution to seek a secondary accreditor. After two years of dual accreditation, the institution may seek primary accreditation from the secondary accreditor.

For all programs that require licensure, whether offered in person or on-line, the institution must list all 50 states and DC and designate one of three categories for each state: the program does, or does not lead to licensure in that state or a determination has not been made.

Allow more dual credit opportunities through flexibility allowing HS teachers to teach DC courses.

Open the door to student aid for non-institutional educational offerings from alternative providers.

Simplify substantive change provisions so that requests require a report rather than a full review.

Provide a simpler path for new accrediting organizations to gain recognition.
Gainful employment reporting requirements are eliminated.

States may not add any additional authorization requirements to any recognized reciprocity agreement (NC-SARA).

USDE also changed rules regarding student borrowing from federal loans and issued a 3,000-page document revising TITLE IX.

ACTION CONSIDERED BUT NOT TAKEN BY USDE:

USDE did not eliminate regional accreditation (although it certainly weakened it).

USDE did not cut the Higher Learning Commission's area of authority in half. It had proposed limiting HLC to 10 states instead of its current 19. It did not drop the credit hour standard.

WV STATE CODE ON TRANSFER

WV state code (**Citation**) requires that all institutions in the state must accept transfer credit from any other post-secondary institution in WV receiving TITLE IV funds provided "the curriculum of the course is 70% similar or the same."

If transfer credit is denied, the institution must provide a detailed written explanation as to why the credit has been denied and the student has the right of appeal.

The burden of proof is on the institution to explain why transfer credit has been denied.

Attachment #2

(Provided by ACF member Amine Oudghiri-Otmani; initially presented via PowerPoint)

A Few Important Facts about WV Immigrants(American Immigration Council, 2018):

1. Foreign-born residents account for a small share of WV's total population.
 - In 2018, 27,605 immigrants (foreign-born individuals) comprised 2 percent of the population.
 - Another 2 percent of residents, or 31,448 people, are native-born US citizens with at least one immigrant parent. The national average is 12-13%.
 - The top countries of origin for immigrants were Mexico (11%), China (9%), India (7%), the Philippines (6%), and Germany (5%).
 - More than half of all immigrants in West Virginia are naturalized US citizens. 14,303 immigrants (52 percent) have been naturalized as of 2018.
 - More than nine in ten (93 percent) immigrants reported speaking English "well" or "very well."
2. Immigrants in West Virginia tend to be college educated.
 - More than two-fifths (42 percent) of adult immigrants had a college degree or more education in 2018, while 12 percent had less than a high school diploma.
3. Immigrants are an important part of the West Virginia workforce in a range of industries.
 - 13,864 immigrant workers comprised 2 percent of the labor force in 2018.
4. Immigrants in West Virginia have contributed more than a quarter-billion dollars in taxes.
 - Immigrant-led households in the state paid \$185.7 million in federal taxes and \$72.8 million in state and local taxes in 2018.
5. Immigrant entrepreneurs in West Virginia generate tens of millions of dollars in business revenue.
 - 1,204 immigrant business owners accounted for 2 percent of all self-employed West Virginia residents in 2018 and generated \$36.2 million in business income.

Where Neighboring States Stand(WV Center on Budget & Policy, 2017-2018):

Kentucky: ~ 4%
Ohio: ~ 4.6%
Pennsylvania: ~ 7%
Virginia: ~ 12.5%
Maryland: ~ 15.4%
California: ~ 27%

WV Globalization Bill First Steps:

1. At your next institution's Faculty Senate, mention ACF is working on a project aimed at globalizing WV's postsecondary institutions.
2. Discussion at the level of ACF
3. Discussion at the level of HEPC
4. A bill will start in the WV House of Delegates.
5. Solicit delegates who may be interested in sponsoring the bill.
6. Bill written and introduced to the House floor
7. Advocacy, advocacy, advocacy...

WV Globalization Bill Final Steps:

8. Bill passes the House and Senate
9. The chancellor will "study current international postsecondary student recruitment practices and enrollment in the state and the retention of international postsecondary students in the state upon graduation."
10. The chancellor will "submit recommendations on future efforts to promote postsecondary globalization in the state to the Governor, the Speaker of the House of [Delegates], and the President of the Senate.