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January 21, 2014

The Honorable Robert H. Plymale
Co-Chair, Legislative Oversight Commission on Education Accountability
Senate Education Committee
Room 417-M, Building 1
State Capitol Complex
Charleston, West Virginia 25305

The Honorable Mary M. Poling
Co-Chair, Legislative Oversight Commission on Education Accountability
House Education Committee
Room 434-M, Building 1
State Capitol Complex
Charleston, West Virginia 25305

Dear Senator Plymale and Delegate Poling:

Senate Bill 330 requires periodic reporting to the Legislative Oversight Commission on Education Accountability (LOCEA) on the status of progress made towards the full implementation of that law. Listed below are some of 2013's major accomplishments in pursuit of that goal. This report addresses progress made on behalf of the West Virginia Higher Education Policy Commission (Commission) and West Virginia Council for Community and Technical College Education (Council).

Staffing

- From a one-person department on January 1, 2013, the Human Resources Division is now fully staffed with a: (1) Vice Chancellor for Human Resources; (2) a Director of Classification and Compensation; (3) an HRIS Specialist who will work with wvOASIS integration and then migrate to SB 330 training and development duties, and; (4) an HR Generalist. This is essentially the staffing recommendation of the last two consultants who have assessed the human resources function at the Commission and Council.

- The two new committees created by Senate Bill 330 have been formed and have met. The Job Classification Committee regularly conducts reviews of PIQs appeals and has also established new classified positions. The Compensation Planning and Review Committee will review a working draft of a legislative rule relating to classified staff compensation.
- A Common Grounds Committee has been formed, consisting of representatives of the Advisory Council of Classified Employees (ACCE), Advisory Council of Faculty (ACF) and the Chief Human Resource Officers (CHROs). A working group of this nature had been requested by ACCE in December 2012 to identify and to address impediments to full implementation of Senate Bill 330.

Reporting

- Human Resources Report Cards were conducted by consultant ModernThink and were distributed to all institutions and made available for public inspection in March 2013. *West Virginia Code §18B-7-8(b)(2)*.
- A report of institutional progress towards full-funding of the classified salary schedule has been submitted to LOCEA. *West Virginia Code §18B-7-8(b)(1)(A)*
- A report on the ability of the state Enterprise Resource Program (wvOASIS) to serve as a system-wide Human Resources Information System (HRIS) platform has been submitted to LOCEA. *West Virginia Code §18B-9A-8(b)(5)*.
- A report on the ratio of non-classified employees has been submitted to LOCEA. *West Virginia Code §18B-7-11*.
- Regular reports (both verbal and written) have been provided to LOCEA on the status of Senate Bill 330 implementation. *West Virginia Code §18B-7-8(a)*.

Legislative and Procedural Rules

- A legislative rule, Series 53, addressing approximately half of Senate Bill 330's implementation requirements was approved by the Legislature in early 2013. Proposed revisions to the rule are being developed.
- A legislative rule to implement the remainder of Senate Bill 330 (Series 55) is in draft format awaiting information from Fox Lawson and Mercer necessary to update the classified salary schedule and to address problems with relative market equity.
- Series 40 dealing with affirmative action and equal employment opportunity was revised, updated and adopted both by the Commission and the Council.
- Series 38 addressing employee leave has been extensively revised and updated from its 1992 language to bring it into compliance with legal and regulatory requirements and to make it more responsive to current leave issues. The draft revisions have been presented to the Common Grounds Committee.

Studies

- A proposed procedural rule, Series 56, has been circulated to the Common Grounds Committee to address the required study of reductions-in-force (RIF). The proposed procedural rule incorporates the three, prior studies of RIFs from 2008, 2010, and 2011, into one document and outlines a system-wide process in the event a layoff or furlough of classified employees becomes necessary. This document also addresses the additional study required regarding the status of grant-funded employees. *West Virginia Code §18B-7-16(a)(1) and (4)*.
- A document has been circulated to the Common Grounds Committee as a foundation for the study required of the internal hiring preference afforded to non-exempt classified employees. *West Virginia Code §18B-7-16(a)(2)*.
- Institutions are in the process of gathering, compiling and submitting data to the Commission necessary to begin the study of outsourcing practices. *West Virginia Code §18B-7-16(a)(3)*.
- The Commission has begun a comprehensive review and assessment of the existing system used to classify jobs in preparation for rendering a report on the topic by the due date of July 1, 2014. *West Virginia Code §18B-7-8(c)*.

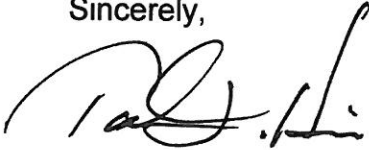
Other HR Progress

- In 2013, all institutions have engaged in the creation of affirmative action plans (AAP) as required by federal law. The requirement that federal contractors create an AAP each year using up-to-date hiring and turnover data had not been strictly followed at all institutions in prior years. Human Resources Division staff coordination and negotiation of a consortium contract with an outside provider ensured satisfaction of this legal requirement while reducing many institutions' contractor expenses for this service to about one-half of its past level.
- Human Resources Division staff has coordinated and provided system-wide guidance and templates for the adoption of policies necessary to meet the requirements of the Patient Protection and Affordable Care Act (ACA). Staff also supplied for all institutions the required October 1, 2013, notice regarding the opening of the health care exchanges.
- Human Resources Division staff has provided all institutions with direction on the administration of Catastrophic Leave so as to maintain compliance with IRS regulations.
- Human Resources Division staff has been more actively administering higher education retirement plans by presenting necessary plan amendments to the Commission and Council for approval. In addition, staff will be proposing additional plan amendments in the near future designed to reduce misuse of plan loan provisions and to reduce the costs of loan administration to all plan participants.
- Human Resources Division staff has begun a first-time effort to develop a uniform coding system for all higher education positions. This is a task necessary for higher education data to work within wvOASIS while fulfilling the Senate Bill 330 mandate for consistency in job titling.

- Human Resources Division staff has conducted informational sessions and posted Senate Bill 330-related information on-line in an effort to communicate with system employees.
- Human Resources Division staff has updated and distributed a new Employee Handbook to all Commission and Council employees.

Please let us know if there is more information you would like about our progress on Senate Bill 330's human resources initiatives.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul L. Hill". The signature is fluid and cursive, with the first name "Paul" being more prominent.

Paul L. Hill
Chancellor

A handwritten signature in black ink, appearing to read "James L. Skidmore". The signature is fluid and cursive, with the last name "Skidmore" being more prominent.

James L. Skidmore
Chancellor