



WEST VIRGINIA
COMMUNITY & TECHNICAL
COLLEGE SYSTEM

**West Virginia Council for Community
& Technical College Education**

AGENDA

April 23, 2020

9:30 am

Members

Robert Brown, Chair
William Baker, Secretary
Kenneth Boggs
Christina Cameron
Kathy D'Antoni
Michael Farrell

Michael Graney
Tracy Miller
Charles Parker
Steve Roberts
John Sorrenti
Harry Keith White

Sarah Armstrong Tucker, Chancellor



CONFERENCE CALL AGENDA

April 23, 2020
9:30 am

1-646-558-8656, ID: 398 947 7805

(NO Participant ID or Password – When Prompted Press #)

I. Call to Order

II. Action Items

- A. *Approval of Minutes for January 23, 2020 and March 20, 2020 Council Meetingspg 4
- B. *Council Meeting Schedule 2021pg 9
- C. *Council Officer Nominating Committee Appointments

III. Information Items

- A. Changes Implemented to TIAA Cref as a Result of the CARES Act pg 11
- B. State Plan Update for *Strengthening Career and Technical Education for the 21st Century Act (Perkins V)*
- C. Census Update

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

- A. Discussion Regarding Chancellor Tucker’s Interim Contract with the Higher Education Policy Commission.

V. Additional Board Action and Comments

* Denotes an item requiring action/approval

VI. Upcoming Meetings

Location: Eastern WV Community and Technical College
Moorefield, WV
Date: June 11, 2020
Time: 9:30 a.m.

VII. Adjournment

MINUTES

WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

January 23, 2020

A conference call meeting of the West Virginia Council for Community and Technical College Education was held on January 23, 2020, beginning at 9:30 am, originating from the Central Office in Charleston, West Virginia. Council members present were: William Baker, Robert Brown, Christina Cameron, Michael Graney, Tracy Miller, Steve Roberts and John Sorrenti. Absent were: Kenneth Boggs, Kathy D'Antoni, Mike Farrell, Charles Parker, and Harry Keith White. Also in attendance were Chancellor Tucker, Council staff, community and technical college presidents, and others.

Call to Order

Chairman Robert Brown called the meeting to order and noted that a quorum was present.

1. Approval of Minutes

Mr. Sorrenti moved the adoption of minutes from the December 5, 2019, meeting. Mr. Baker seconded the motion. Motion carried.

Finance and Facilities

2. Approval for New River CTC to Proceed with Acquisition of the American University Building

Mr. Baker moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves proceeding with acquisition of the American National University Building;

FURTHER RESOLVED, That the New River Community and Technical College Campus Master Plan be amended to include acquisition of the American National University Building; and

FURTHER RESOLVED, That New River Community and Technical College work with Council staff to further develop a proposed financing plan and sources of revenue to fund acquisition of the American National University Building. The final proposed plan shall be submitted to the Council for approval prior to any action taken to secure the financing and purchase the building.

Mr. Sorrenti seconded the motion. Motion carried.

Information Items

3. **2019 Financial Aid Comprehensive Report**

Brian Weingart, Senior Director of Financial Aid, presented the eleventh annual Financial Aid Comprehensive Report. Included in the report for academic year 2018-2019, are descriptions of and changes to West Virginia aid programs, policy recommendations for West Virginia aid programs, and longitudinal data about recipients of state financial aid and outcomes of these recipients.

4. **Information Update on Census**

Matt Turner, Executive Vice Chancellor for Administration, provided an update to Council members on the current Census. Mr. Turner reported that a small grant from the Benedum Foundation will be used to support student government students at all higher education institutions, who will participate in a drive for all college staff and faculty to complete the survey. Mr. Turner stated that the Governor's Office has convened a Complete Count Committee, and beginning April 1, 2020, Census workers will begin a door-to-door campaign.

5. ***Moving the Needle Forward* – Accelerated Study in Associate Programs “ASAP” Grant**

Chancellor Sarah Armstrong Tucker discussed the \$4.2 million grant ASAP grant from the Arnold Foundation. The grant is modeled after the highly successful Accelerated Study in Associate Programs (ASAP) at City University of New York (CUNY), and informed by CUNY ASAP's technical assistance, West Virginia's program will provide academic, personal, and financial supports to help students at those two institutions complete their degrees in high-demand fields, such as advanced manufacturing, information technology, welding, and health care. The program will pilot at West Virginia University at Parkersburg and Blue Ridge Community and Technical College. If effective, we will work to scale the program at all West Virginia community and technical colleges.

Additional Board Action and Comments

6. **Funding Formula**

Chancellor Armstrong Tucker provided an update on progress toward adopting a funding formula model for the Community and Technical College System which would be reflected in legislation. A meeting of the presidents and necessary institutional staff is being planned.

Adjournment

There being no further business the meeting was adjourned.

Upcoming Meeting

Location: Advanced Technology Center, South Central West Virginia
 South Charleston, WV

Date: April 23, 2020

Time: 9:30 a.m.

Robert Brown, Chairman

Steve Roberts, Secretary

MINUTES

WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

March 20, 2020

An emergency conference call meeting of the West Virginia Council for Community and Technical College Education was held on March 20, 2020, beginning at 1:30 pm. Council members present were: William Baker, Christina Cameron, Mike Farrell, Michael Graney, Tracy Miller, Steve Roberts, John Sorrenti and Harry Keith White. Absent were: Kenneth Boggs, Robert Brown, Kathy D'Antoni, and Charles Parker. Also in attendance were Chancellor Tucker, Council staff, community and technical college presidents, and others.

Call to Order

Vice Chairman Christina Cameron called the meeting to order and noted that a quorum was present.

1. Chancellor's Report

Chancellor Tucker addressed the Council regarding steps that our community and technical colleges are taking to deal with the outbreak of the COVID-19 virus pandemic. She stated that our presidents and all college staff and faculty are working hard to resolve on-line learning issues. Institutions are also changing their syllabus and restructuring finals. Conversations are being held regarding the grading scale. Following her report, the Chancellor took questions from Council members.

2. Modifications to WV Invests Grant

Mr. Sorrenti moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves the suspension of the community service requirement for Spring 2020 and the 2.0 renewal requirement to renew West Virginia Invests for 2020-21.

Mr. Roberts seconded the motion. Motion carried.

2. Temporary Modification to Requirement of Presidential Search Procedure During Declared State of Emergency, Council's Rule Title 135, Series 5, *Employing and Evaluating Presidents*

Mr. Baker moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves the temporary modification of the requirement that the finalist candidates for president be interviewed in-person on campus prior to final selection.

Mr. Sorrenti seconded the motion. Motion carried.

NOTE: It was noted that the Council encourages institutions holding presidential final interviews, to do so by video whenever possible. Chancellor Tucker stated that the CTCS staff would be happy to assist the institutions with video interviews.

Adjournment

There being no further business the meeting was adjourned.

Upcoming Meeting

Location: Advanced Technology Center, South Central West Virginia
 South Charleston, WV
Date: April 23, 2020
Time: 9:30 a.m.

Robert Brown, Chairman

Steve Roberts, Secretary

**WV Council for Community and Technical College Education
Meeting of April 23, 2020**

ITEM: 2021 Council Meeting Schedule

INSTITUTIONS: All

RECOMMENDED RESOLUTION: *Resolved,* That the West Virginia Council for Community and Technical College Education adopts the recommended meeting schedule for calendar year 2021 as presented.

STAFF MEMBER: Sarah Tucker

BACKGROUND:

Although consideration was given to currently scheduled, statewide and national conferences, we understand that it is difficult to avoid all scheduling conflicts. The recommended meeting schedule was also developed in consideration of joint staff whose responsibilities include preparing agenda items for both the West Virginia Council for Community and Technical College Education and Higher Education Policy Commission meetings and their attendance at these meetings.

Therefore, the following meeting schedule for calendar year 2021, is recommended for adoption by the West Virginia Council for Community and Technical College Education, with the understanding that additional meetings may be necessary for emergency or time-sensitive issues.



**WEST VIRGINIA COUNCIL FOR
COMMUNITY AND TECHNICAL COLLEGE EDUCATION**

Meeting Schedule

January – December 2021

DATE	LOCATION
January 21, 2021	ATC, South Central WV – South Charleston, WV
April 22, 2021	ATC, South Central WV – South Charleston, WV
June 10, 2021	To Be Determined
August 19, 2021	ATC, South Central WV – South Charleston, WV
October 7, 2021	ATC, South Central WV – South Charleston, WV
December 9, 2021	ATC, South Central WV – South Charleston, WV

**WV Council for Community and Technical College Education
Meeting of April 23, 2020**

ITEM: Amendment of the West Virginia Higher Education Retirement Plan to implement certain provisions of the CARES Act for the Qualified 401(a), 403(b) and 457(b) Plans of the West Virginia Higher Education Retirement

INSTITUTIONS: All

RECOMMENDED RESOLUTION: Information

STAFF MEMBER: Patricia Humphries

BACKGROUND:

On March 27, 2020, the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law, providing \$2 trillion in relief to individuals, businesses, healthcare and education. The Act contains key provisions that will affect the West Virginia Higher Education Retirement Plan.

West Virginia's Higher Education Retirement Plan contains three plan types:

1. The mandatory Qualified 401(a) Plan in which employees are required to contribute six percent of gross wages and the State matches at the same six percent rate. This is higher education's state-supported pension plan, which receives employer match funding similar to the previous Teacher's Retirement System retirement plan.
2. The voluntary 403(b) Supplemental Tax Deferred Retirement Savings Plan; and
3. The voluntary 457(b) Deferred Compensation Plan

While state higher education employees are required to participate in the 401(a), the 403(b) and the 457(b) plans are supplemental, meaning that employees may choose to place additional withholdings for investment into these available plans.

The following sections detail amends approved by the West Virginia Higher Education Policy Commission on April 17, 2020. The plans affected by each change are indicated in the headings.

Suspension of Required Minimum Distributions (RMDs) from 401(a), 403(b) and 457(b)

The Act allows suspension of Required Minimum Distributions (RMDs) in 2020 for retirees over the age of 70-½. This provision will be implemented for all Higher Education Policy

Commission (HEPC) sponsored plans. Our plan provider, Teachers Insurance Annuity Association (TIAA) will communicate to retirees the need to proactively request suspension of recurring or lump sum RMD payments. Suspension of RMDs is not a discretionary option for the plan sponsor and affects all plan participants receiving RMD payments. Suspension of RMDs will be allowed for all plan types: 401(a), 403(b) and 457(b).

Qualifying for Coronavirus-Related Provisions

The legislation includes relief for participants who need to access their retirement plan funds due to COVID-19. The relief applies to coronavirus-related distributions (cash withdrawals) and coronavirus-related loans between January 1, 2020 and December 30, 2020. A coronavirus-related distribution from the (403(b) and/or the 457(b) plans, or a loan from the 401(a) plan will be available to a participant:

- who is diagnosed with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention,
- whose spouse or dependent (as defined in section 152 of the Internal Revenue Code) is diagnosed with such virus or disease by such a test, OR
- who experiences adverse financial consequences as a result of
 - being quarantined,
 - being furloughed or laid off or having work hours reduced due to such virus or disease,
 - or cannot work due to lack of childcare due to such virus or disease,
 - closing or reducing hours of a business owned or operated by the individual as a result of such virus or disease,
 - or other factors as determined by the Secretary of the Treasury.

Certification of coronavirus related qualifying reasons will be required.

Coronavirus-Related Loans from 401(a), 403(b) and 457(b)

The Act allows participants affected by the coronavirus as described above to borrow more than previously available. Up until September 23, 2020, the Act allows affected participants to borrow 100 percent of a participant's accumulation not to exceed \$100,000. This is an increase in the current plan loan limit of 50 percent of a participant's accumulation not to exceed \$50,000. Requests for loans in excess of \$50,000 will require specific documentation of coronavirus-related need.

Plan participants are limited to a maximum of three concurrent loans across all plan types – 401(a), 403(b) and 457(b); however, the maximum dollar amount of the combined three loans will double for coronavirus-related loans.

Deferral of 2020 Payments on Loans from 401(a), 403(b) and/or 457(b)

Any existing or new loan payments due between March 27, 2020 and December 31, 2020, may be deferred for a period of one year by borrowers affected by the coronavirus as

described above. Interest will continue to accrue during the payment suspension period. This provision sunsets on September 23, 2020.

Coronavirus-Related Distributions from 403(b) and 457(b)

The Act creates a new in-service cash withdrawal qualifying event for participants impacted by COVID 19. Eligible participants affected by coronavirus as described above may withdraw up to \$100,000 from their supplemental 403(b) and/or 457(b) plans between now and December 31, 2020.

This new in-service coronavirus-related distribution is exempted from the 10 percent IRS early withdrawal penalty (pre-age 59-½). The plan administrator is not required to withhold the usual 20 percent federal tax. However, the coronavirus affected participant will be offered the option to have tax withheld.

Unless a participant opts to include all coronavirus-related distributions in gross income for the year of the distribution(s), (i.e. calendar year 2020), coronavirus-related distributions may be spread out over three years beginning with the year of the distribution for federal income tax purposes.

The participant may repay coronavirus-related distributions (in any amount up to the aggregate amount of the coronavirus-related distribution(s)) to the plan (or any other eligible retirement plan or IRA) at any time during the three-year period beginning on the day after the distribution as long as the participant remains an active employee under the eligible retirement plan.

Staff have worked with the Finance Committee and TIAA to implement provisions of the CARES act based on our interpretation of the law as it is written in the CARES Act. In the event future IRS guidance conflicts with our interpretation, staff shall expeditiously analyze the extent to which the guidance affects the changes made and, with approval of the Commission, amend the plan as required.

In an effort to protect the long term financial interests of participants and in recognition of other actions being taken to support employees who are adversely impacted by the coronavirus, the Higher Education Policy Commission granted approval for the Finance Committee of the Commission to modify the plans as necessary to serve participants and promote plan stability through the expiration of the CARES Act on December 31, 2020.