

December 7, 2017

Board of Governors



AGENDA

FSU BOARD OF GOVERNORS' MEETING
DECEMBER 7, 2017, 9:00 A.M.
LOCATION: GASTON CAPERTON CENTER
501 WEST MAIN STREET, CLARKSBURG, WV



- I. CALL TO ORDER**
 - A. Roll Call
 - B. Public Comment
 - C. Approval of Agenda*Action Item*

- II. APPROVAL OF MINUTES OF OCTOBER 19, 2017.....***Tab 1 Action Item*

- III. CHAIRMAN’S REPORT**

- IV. PRESIDENT’S REPORT**

- V. REPORTS AND PRESENTATIONS**
 - A. Robotics – Todd Ensign
 - B. Constituent Report – Millennial Falcon Robotics
 - C. Foundation (RJ Gimbl)
 - D. Construction Project Updates (Tom Tucker)

- VI. CONSENT AGENDA.....***Tab 2 Action Item*
 - A. Financial Reports (Months Ending: August 31, September 30, and October 31, 2017)

- VII. ACADEMIC AFFAIRS COMMITTEE (Aaron Hawkins, Chair)**

- VIII. ATHLETIC AFFAIRS COMMITTEE (Frank Washenitz, Chair)**

- IX. BY-LAWS COMMITTEE (Dixie Yann, Chair)**
 - A. Designation/Status of Employees Policy Draft for 30-Day Comment Period.....*Tab 3 Action Item*
 - B. Progressive Discipline and Separation from Employment Policy Draft for 30-Day Comment Period.....*Tab 4 Action Item*
 - C. Layoffs and Reductions in Force Policy Draft for 30-Day Comment Period.....*Tab 5 Action Item*

- X. ENROLLMENT/HOUSING-STUDENT LIFE COMMITTEE (Bill Holmes, Chair)**

- XI. FINANCE COMMITTEE (John Schirripa, Chair)**
 - A. Approval of the Independent Auditor’s Report For the Year Ending June 30, 2017.....*Tab 6 Action Item*
 - B. Approval of WesBanco Signing Authority.....*Tab 7 Action Item*
 - C. Approval of Addition of a TOEFL Testing Fee.....*Tab 8 Action Item*

- XII. EXECUTIVE COMMITTEE (Dixie Yann, Chair)**

- XIII. POSSIBLE EXECUTIVE SESSION - Under the Authority of West Virginia Code §6-9A-4 to Discuss Personnel and Property Issues**
 - A. University Terrace Construction Issues
 - B. Personnel
 - C. Financial Projection

XIV. ADJOURNMENT

NEXT MEETING: FEBRUARY 15, 2018, 9:00 A.M.
LOCATION: BOARD ROOM, 3RD FLOOR FALCON CENTER
1201 LOCUST AVENUE, FAIRMONT, WV

Tab 1



FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
MEETING MINUTES
OCTOBER 19, 2017
BOARD ROOM, 3RD FLOOR FALCON CENTER
1201 LOCUST AVENUE, FAIRMONT, WV

I. CALL TO ORDER

A. Roll Call

Chair Dixie Yann convened a meeting of the Fairmont State University (FSU) Board of Governors on October 19, 2017, beginning at approximately 9:00 a.m. in the Board Room, 3rd Floor Falcon Center, at 1201 Locust Avenue, Fairmont, West Virginia.

At the request of Chair Yann, Serena Scully, Special Assistant to the President, conducted a roll call of the Board of Governors. Present for the meeting were board members Holly Fluharty, Aaron Hawkins, Bill Holmes, Deborah Prezioso, Jay Puccio, Budd Sapp, John Schirripa, Bryan Towns, Frank Washenitz, Alyssa Welling, and Dixie Yann. Chris Courtney was present following the roll call.

Others present were Interim President Jones and President's Council members Cindy Curry, Christa Kwiatkowski, Christina Lavorata, John Lympany, Tim McNeely, Tim Oxley, and Misty Poe. Tom Tucker, Assistant Vice President for Facilities; Stephanie Slaubaugh, Construction Manager; RJ Gimbl, President of the Fairmont State Foundation; Dr. Johnny Moore, Pierpont President; and numerous faculty, staff and community members were also present.

B. Public Comment

Bill Holmes reported that Diana Noone and Josh Smallridge had signed up for public comment.

Diana Noone had concerns regarding Synergis. Dr. Noone proceeded to ask the audience questions, but was asked to hold questions until after the Synergis presentation.

Dr. Smallridge advised he echoed Dr. Noone's concerns.

C. Approval of Agenda

Bryan Towns made a motion to approve the agenda. Deborah Prezioso seconded. The motion passed.

II. APPROVAL OF MINUTES OF AUGUST 17, 2017

Bryan Towns made a motion to approve the minutes of August 17, 2017. Frank Washenitz seconded. The motion passed.

III. CHAIRMAN'S REPORT

- A. Chair Yann gave a special welcome to Jay Puccio, new board member.
- B. There have been many groups and events on campus so far this semester. One very exciting event was the Dancing with the Stars event that was hosted by the Marion County Chamber and United Way.
- C. Chair Yann reminded everyone that the next BOG meeting is on December 7th at the Gaston Caperton Center.

IV. PRESIDENT'S REPORT

- A. Interim President Jones discussed how he has viewed his interim presidency here on campus in three stages: learning phase, leading phase, and transitioning phase.
- B. He also discussed identifying opportunities and investing in those opportunities. Some of the mentioned opportunities were: creating a bachelor's degree in surveying, expanding the aviation administration and flight instructors training program, securing an accreditation of the master's in architecture program, growing the OSIX program, examining how to increase the enrollment of the honors program, expanding the NCAA athletic teams, adding tennis as a club sport, growing international enrollment, and exploring the opportunity to work with an entity, such as Synergis, for exploiting online education.

V. PRESIDENTIAL SEARCH (DIXIE YANN, CHAIR)

Chair Dixie Yann thanked the search committee for all of their time and hard work.

Alyssa Welling made a motion to hire Dr. Mirta Martin for a two year term pending approval from HEPC.

Budd Sapp seconded. The motion passed.

VI. REPORTS AND PRESENTATIONS

A. Constituent Report (Coach Joe Mazzulla)

Joe Mazzulla, Head Men's Basketball Coach, gave a brief presentation.

Coach Mazzulla discussed the character development plan he has put into place.

B. Synergis Presentation (John Donohue)

John Donohue, Chief Academic and Development Officer for Synergis, gave a presentation.

Synergis Education is an organization that brings new expertise and resources to colleges and universities assisting in the development, accessibility and delivery of academic programs in high-demand fields through their online program management services.

C. RJ Gimbl, President and CEO of the Fairmont State Foundation, reported that the audit of the Foundation was completed and was approved at the September meeting. The Foundation finished the year with \$29M in assets and \$20.5M in the endowment. After a review from the main investment firm, the Foundation is reporting a return of 11.5% on investments for the 2017 fiscal year.

Mr. Gimbl stated that the annual fund continues to gain momentum with over \$52,000 received in gifts to date this calendar year. That puts them about \$10,000 ahead of last year at this time.

Mr. Gimbl reported that the Foundation is currently tracking \$730,000 in major gifts and pledges for the calendar year 2017.

Mr. Gimbl also mentioned the Victory Bell Society reception for donors before the WV State game on the 28th at the Shaw House. This is for those donors who contribute \$1,000 or more.

D. Construction Project Updates (Tom Tucker and Stephanie Slaubaugh)

Stephanie Slaubaugh, Construction Manager, gave an update on the various projects that are currently underway and have recently been completed on campus.

The Hardway Hall masonry cleaning and sealing has been completed.

Turley Center roof has been completed and the Wallman Hall roof is in nearing completion.

An expression of interest is currently being worked on for the re-roofing of a portion of the library.

The chiller in the library will be replaced over winter break.

VII. CONSENT AGENDA

Aaron Hawkins moved to accept the following Consent Agenda:

- A. Financial Reports for periods ending June 30, 2017 and July 31, 2017

Deborah Prezioso seconded. The motion passed.

VIII. ACADEMIC AFFAIRS COMMITTEE (Aaron Hawkins, Chair)

Mr. Aaron Hawkins, Chair of the Academic Affairs Committee thanked Mr. Donohue for his presentation. Aaron advised that the Synergis presentation was for exposure and informational purposes.

Aaron then asked that Dr. Christina Lavorata, Provost and Vice President for Academic Affairs, present the academic affairs agenda item.

Dr. Lavorata explained that the Textbook Adoption Report is a report due to HEPC every November 1st. The report shows that Fairmont State has taken steps to reduce textbook costs for students.

Aaron Hawkins moved to approve the following:

- A. Textbook Adoption Report

Budd Sapp seconded. The motion passed.

IX. ATHLETIC AFFAIRS COMMITTEE (Frank Washenitz, Chair)

Frank Washenitz, Chair of the Athletic Affairs Committee, asked that Tim McNeely, Athletic Director, give an update for the Athletic Affairs Committee.

Mr. McNeely advised that the time for the WV State game has been moved to 4:00pm in order to not conflict with the WVU game.

Next week the athletic department will be celebrating the national championship runner-up with a ring ceremony. Past players and coaches will be in attendance for the event.

Tim also advised that basketball season tickets are now on sale.

Mr. McNeely also provided an update on the \$1,000 club. The club is approaching the \$700,000 mark.

X. BY-LAWS COMMITTEE (Dixie Yann, Chair)

Dixie Yann reported that the By-Laws committee has not met.

XI. ENROLLMENT/HOUSING-STUDENT LIFE COMMITTEE (Bill Holmes, Chair)

Bill Holmes, Chair of the Enrollment/Housing-Student Life Committee advised that the annual enrollment report had been distributed. He requested that all questions and comments be deferred to the next meeting until the board has time to review the information.

XII. FINANCE COMMITTEE (John Schirripa, Chair)

John Schirripa, Chair of the Finance Committee, provided a brief update.

The finance committee met on September 20th and reviewed the June and July financial reports. The CVB build-out was also discussed.

The next finance committee meeting will be held on November 17, 2017.

XIII. STUDENT HOUSING COMMITTEE (Aaron Hawkins, Chair)

Aaron Hawkins, Chair of the Student Housing Committee, made a motion to dissolve the ad-hoc committee (Student Housing Committee), which was created to assist in the University Terrace project that is now completed.

Budd Sapped seconded. The motion passed.

XIV. EXECUTIVE COMMITTEE (Dixie Yann, Chair)

Dixie Yann reported that the Executive Committee has not met, but will meet in November.

XV. POSSIBLE EXECUTIVE SESSIONS

Aaron Hawkins made a motion to go into Executive Session “Under the Authority of West Virginia Code §6-9A-4 to discuss personnel matters as well as to discuss the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition.”

Bryan Towns seconded. The motion passed.

Aaron Hawkins made a motion to rise from Executive Session. Bryan Towns seconded. The motion passed.

After reconvening from Executive Session, John Schirripa made a motion to approve the following:

- A. Approval of resources to assist Dr. Trisel with the expansion of the Aviation Technology program.

Bryan Towns seconded. The motion passed.

XVI. ADJOURNMENT

Bryan Towns made a motion to adjourn the meeting. Deborah Prezioso seconded. The motion passed.

Dixie Yann _____ Date _____ FSU Board of Governors’ Chair

Aaron Hawkins _____ Date _____ FSU Board of Governors’ Secretary

Tab 2

**Fairmont State University
Board of Governors
December 7, 2017**

Item: August, September and October Financial Reports

Committee: Committee of the Whole

Recommended Resolution: Be it resolved, that the Board of Governors recognize and accept the August, September and October Unrestricted and Restricted reports.

Staff Member: Christa Kwiatkowski

Background: Summary of the reports submitted is attached.

Fairmont State University
Board of Governors
Financial Reports
August, September and October 2017

Unrestricted Central E&G and Unrestricted Fund Manager

The unrestricted funds are resources of the institution which are expendable for any purpose in performing the primary objectives of the institution such as instruction, research, and public service.

Central E&G funds are the main operating budget of the institution. The sources of these revenues include tuition and fees, state appropriations, chargeback revenues from Pierpont, and other miscellaneous income. The funding supports academic units, student services, support services, information technology, library services, administration, and physical plant.

Fund Manager funds represent the funds assessed or earned by the academic schools or other departments that support costs specific to that department such as equipment and laboratory supplies.

October 2017

With 33% of the fiscal year completed, the Unrestricted Central E&G year to date operating revenues of \$13,238,291 represents 43.51% of the projected current budget. The year to date operating expenses of \$12,891,923 represents 29.55% of the projected current budget. The year to date non-operating revenues of \$5,256,810 represents 42.03% of the projected current budget. After adjusting for debt service, financial aid match and other transfers, the actual budget balance YTD at the end of October is a positive \$5,510,116. The primary contributors to this positive budget balance is the recognition of full Fall tuition and the efforts to reduce salary expenses.

Fund Manager funds year to date operating revenues of \$1,193,102 represents 62.5% of the projected current budget. The year to date operating expenses of \$794,380 represents 22.47% of the projected current budget. After non-operating revenues and other transfers, the actual budget balance YTD at the end of October is a positive \$414,985.

Auxiliary Funds

Auxiliary enterprises are self-supporting activities conducted to primarily to provide facilities or services to students, faculty, and staff. Auxiliary activities include: operation of residence halls, public safety, Falcon Center, bookstore, dining, and intercollegiate athletics.

October 2017

With 33% of the fiscal year completed, the Auxiliary year to date operating revenues of \$6,107,951 represents 43.61% of the projected current budget. The year to date operating expenses of \$3,010,015 represents 35.16% of the projected current budget. After non-operating revenues, the first half of debt service due and other transfers, the actual budget balance YTD at the end of October is a positive \$634,919. The primary contributor to this positive budget balance is the recognition of full Fall tuition.

Restricted Funds

The Restricted Fund group consists of those funds that are expendable for operating purposes by the University but are limited by grantors or an outside agency as to the specific purpose for which they may be expended. Restricted funds at FSU consist primarily of contracts and grants received from federal or state governments for financial aid, research, public service, or other restricted purpose.

October 2017

With 33% of the fiscal year completed, the Restricted year to date operating revenues of \$12,828,948 represents 38.96% of the projected current budget. The year to date operating expenses of \$15,685,024 represents 36.62% of the projected current budget. After adjusting for Pell Grant revenues and other transfers, the year to date budget balance is a positive \$498,819. The positive balance is mainly attributed to receipt of financial aid grant revenue that has not been disbursed.

August, September and October provided the following grant activity:

Diversity for Equity - \$5,500
First LEGO League Competition - \$14,855
PDS-18 - \$54,885
TMC-NASA TESS Monte Carlo Simulation - \$23,750
WV Robotics Alliance Support - \$15,000
MSP ESS Partnership - \$400,000
NASA – ERC - \$309,666
WVDE – STARS - \$119,575
NASA Space Grant FY 2018 - \$17,000
Appalachian Teaching Project FY2018 - \$4,500

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Central E&G and Fund Manager Summary

As of August 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE					
	Tuition and Fees	27,577,718	27,504,718	13,154,986	47.83
	Student Activity Support Revenue	471,765	471,765	150,177	31.83
	Faculty Services Revenue	684,799	684,799	0	0.00
	Operating Costs Revenue	1,608,764	1,608,161	179,984	11.19
	Support Services Revenue	1,824,852	1,804,295	93,004	5.15
	Other Operating Revenues	327,268	327,268	44,263	13.52
	Total:	32,495,166	32,401,006	13,622,413	42.04
OPERATING EXPENSE					
	Salaries	24,507,345	24,744,781	1,571,682	6.35
	Benefits	6,096,024	6,124,888	328,012	5.36
	Student financial aid-scholarships	3,651,427	3,651,427	3,289,207	90.08
	Utilities	1,427,806	1,427,806	174,378	12.21
	Supplies and Other Services	8,737,631	9,624,148	1,588,139	16.50
	Equipment Expense	1,099,453	969,226	62,410	6.44
	Fees retained by the Commission	185,560	185,560	44,929	24.21
	Assessment for Faculty Services	408,460	408,460	0	0.00
	Assessment for Support Services	235,806	187,769	4,659	2.48
	Assessment for Student Activity Costs	349,764	349,764	116,741	33.38
	Assessment for Operating Costs	96,283	96,283	57	0.06
	Total:	46,795,559	47,770,113	7,180,213	15.03
OPERATING INCOME / (LOSS)		(14,300,394)	(15,369,107)	6,442,201	(41.92)
NONOPERATING REVENUE (EXPENSE)					
	State Appropriations	13,472,214	14,579,417	2,915,883	20.00
	Gifts	500	3,800	3,300	86.84
	Investment Income	69,245	69,245	28,641	41.36
	Assessment for E&G Capital & Debt Service Costs	(2,143,319)	(2,143,319)	(637,374)	29.74
	Total:	11,398,640	12,509,143	2,310,450	18.47
TRANSFERS & OTHER					
	Capital Expenditures	(81,773)	(83,431)	0	0.00
	Construction Expenditures	(7,500)	(71,500)	(16,875)	23.60
	Transfers for Debt Service	(64,863)	(64,863)	0	0.00
	Transfers for Financial Aid Match	(81,239)	(81,239)	(15,680)	19.30
	Indirect Cost Recoveries	66,245	66,245	5,270	7.96
	Transfers - Other	(36,409)	16,173	415	2.57
	Total:	(205,539)	(218,615)	(26,870)	12.29
BUDGET BALANCE		(3,107,293)	(3,078,579)	8,725,780	(283.44)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(3,107,293)	(3,078,579)		
* Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year		8,889,427	9,581,020		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>5,782,134</u>	<u>6,502,441</u>		

* Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$9,170,798
The projected value will be finalized after October 2017 with the conclusion of the FY 17 financial audit.

Unrestricted Net Asset Balance is 20.06% of the current budget total operating expense.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Fund Manager

As of August 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE	Tuition and Fees	1,966,775	1,893,775	1,111,506	58.69
	Other Operating Revenues	84,975	84,975	9,403	11.07
	Total:	2,051,750	1,978,750	1,120,909	56.65
OPERATING EXPENSE	Salaries	772,837	1,023,157	52,021	5.08
	Benefits	111,704	166,383	1,924	1.16
	Student financial aid-scholarships	32,310	32,310	12,042	37.27
	Utilities	4,500	4,500	582	12.93
	Supplies and Other Services	1,853,882	1,790,768	121,595	6.79
	Equipment Expense	575,586	449,048	17,457	3.89
	Total:	3,350,818	3,466,166	205,621	5.93
OPERATING INCOME / (LOSS)		(1,299,068)	(1,487,416)	915,288	(61.54)
NONOPERATING REVENUE (EXPENSE)	Gifts	500	500	0	0.00
	Total:	500	500	0	0.00
TRANSFERS & OTHER	Capital Expenditures	(28,339)	(29,997)	0	0.00
	Construction Expenditures	0	0	(16,875)	
	Indirect Cost Recoveries	65,643	65,643	5,270	8.03
	Transfers - Other	7,550	90,023	12,483	13.87
	Total:	44,854	125,669	878	0.70
BUDGET BALANCE		(1,253,714)	(1,361,247)	916,166	(67.30)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(1,253,714)	(1,361,247)		
Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year		1,928,034	1,978,492		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>674,320</u>	<u>617,245</u>		

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Central E&G

As of August 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE					
	Tuition and Fees	25,610,943	25,610,943	12,043,480	47.02
	Student Activity Support Revenue	471,765	471,765	150,177	31.83
	Faculty Services Revenue	684,799	684,799	0	0.00
	Operating Costs Revenue	1,608,764	1,608,161	179,984	11.19
	Support Services Revenue	1,824,852	1,804,295	93,004	5.15
	Other Operating Revenues	242,293	242,293	34,859	14.39
	Total:	30,443,416	30,422,256	12,501,504	41.09
OPERATING EXPENSE					
	Salaries	23,734,508	23,721,624	1,519,661	6.41
	Benefits	5,984,320	5,958,505	326,088	5.47
	Student financial aid-scholarships	3,619,117	3,619,117	3,277,165	90.55
	Utilities	1,423,306	1,423,306	173,796	12.21
	Supplies and Other Services	6,883,750	7,833,381	1,466,544	18.72
	Equipment Expense	523,867	520,178	44,953	8.64
	Fees retained by the Commission	185,560	185,560	44,929	24.21
	Assessment for Faculty Services	408,460	408,460	0	0.00
	Assessment for Support Services	235,806	187,769	4,659	2.48
	Assessment for Student Activity Costs	349,764	349,764	116,741	33.38
	Assessment for Operating Costs	96,283	96,283	57	0.06
	Total:	43,444,741	44,303,947	6,974,592	15.74
OPERATING INCOME / (LOSS)		(13,001,326)	(13,881,691)	5,526,913	(39.81)
NONOPERATING REVENUE (EXPENSE)					
	State Appropriations	13,472,214	14,579,417	2,915,883	20.00
	Gifts	0	3,300	3,300	100.00
	Investment Income	69,245	69,245	28,641	41.36
	Assessment for E&G Capital & Debt Service Costs	(2,143,319)	(2,143,319)	(637,374)	29.74
	Total:	11,398,140	12,508,643	2,310,450	18.47
TRANSFERS & OTHER					
	Capital Expenditures	(53,434)	(53,434)	0	0.00
	Construction Expenditures	(7,500)	(71,500)	0	0.00
	Transfers for Debt Service	(64,863)	(64,863)	0	0.00
	Transfers for Financial Aid Match	(81,239)	(81,239)	(15,680)	19.30
	Indirect Cost Recoveries	602	602	0	0.00
	Transfers - Other	(43,959)	(73,850)	(12,068)	16.34
	Total:	(250,393)	(344,284)	(27,748)	8.06
BUDGET BALANCE		(1,853,579)	(1,717,333)	7,809,614	(454.75)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(1,853,579)	(1,717,333)		
* Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year		6,961,393	7,602,528		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>5,107,814</u>	<u>5,885,195</u>		

* Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$9,170,798
The projected value will be finalized after October 2017 with the conclusion of the FY 17 financial audit.

Unrestricted Net Asset Balance is 17.16% of the current budget total operating expense.

Auxiliary
Actual vs Budget Statement of Revenues and Expenses
Board of Governors
As of August 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE	Auxiliary Enterprise Revenue	8,518,824	8,605,563	3,330,618	38.70
	Auxiliary Fees & Debt Service Support Revenue	5,143,400	5,143,400	1,672,936	32.53
	Other Operating Revenues	235,339	235,339	14,975	6.36
	Total:	13,897,563	13,984,302	5,018,529	35.89
OPERATING EXPENSE	Salaries	2,757,073	2,825,703	333,236	11.79
	Benefits	677,798	652,672	54,701	8.38
	Student financial aid-scholarships	884,706	884,706	356,479	40.29
	Utilities	884,706	884,706	89,750	10.14
	Supplies and Other Services	3,201,298	3,160,655	433,569	13.72
	Equipment Expense	103,316	103,316	23,617	22.86
	Total:	8,508,897	8,511,758	1,291,353	15.17
OPERATING INCOME / (LOSS)		5,388,666	5,472,544	3,727,177	68.11
NONOPERATING REVENUE (EXPENSE)	Gifts	0	535	535	100.00
	Interest on capital asset related debt	(13,602)	(13,602)	(10,202)	75.00
	Total:	(13,602)	(13,067)	(9,667)	73.98
TRANSFERS & OTHER	Capital Expenditures	(62,300)	(62,300)	(11,233)	18.03
	Transfers for Debt Service	(4,887,809)	(4,887,809)	0	0.00
	Transfers for Financial Aid Match	(3,425)	(3,425)	0	0.00
	Transfers for Capital Projects	0	(20,000)	0	0.00
	Transfers - Other	0	(5,166)	(415)	8.03
	Total:	(4,953,534)	(4,978,700)	(11,648)	0.23
BUDGET BALANCE - Projected Transfer to Reserves		421,531	480,778	3,705,861	
* Add: PROJECTED NET ASSETS - Beginning of Year		<u>7,542,464</u>	<u>7,542,464</u>		
Equals: PROJECTED NET ASSETS - End of Year		<u>7,963,995</u>	<u>8,023,242</u>		

* Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$1,081,994. The projected value will be finalized after October 2017 with the conclusion of the FY 17 financial audit.

* Auxiliary Net Assets are required to support future repair and replacement costs. Planning activities continue to document a 20 year plan to support each auxiliary enterprise capital repair/replacement need.

Actual vs Budget Statement of Revenues and Expenses
Current Restricted
For Period Ending August 31, 2017

	Approved Budget*	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE				
Federal Grants and Contracts	23,269,230	23,269,230	7,324,359	31.48
State/Local Grants and Contracts	6,819,242	6,824,742	934,119	13.69
Private Grants and Contracts	1,835,200	1,835,417	1,053,447	57.40
Other Operating Revenue	70,520	74,905	23,314	31.12
Total:	31,994,193	32,004,296	9,335,239	29.17
OPERATING EXPENSE				
Salaries	442,776	460,464	74,474	16.17
Benefits	40,253	42,009	18,117	43.13
Student financial aid - scholarships	40,229,776	40,229,776	11,696,611	29.07
Supplies and Other Services	1,264,663	1,271,195	136,321	10.72
Equipment Expense	(61,183)	(61,183)	33,045	-54.01
Total:	41,916,284	41,942,261	11,958,569	28.51
NONOPERATING REVENUE				
Federal Pell Grant Revenues	10,000,000	10,000,000	3,225,000	32.25
Gifts	0	0	0	0.00
Investment Income	0	0	0	0.00
Total:	10,000,000	10,000,000	3,225,000	32.25
TRANSFERS & OTHER				
Capital Expenditures	(23,396)	(23,396)	0	0.00
Construction Expenditures	(7,500)	(7,500)	0	0.00
Transfers for Fin Aid Match	84,664	84,664	0	0.00
Indirect Cost Recoveries	(54,838)	(54,838)	(5,270)	9.61
Transfers - Other	0	0	0	0.00
Total:	(1,070)	(1,070)	(5,270)	492.60
BUDGET BALANCE	76,839	60,965	596,401	
Add: RESTRICTED NET ASSETS - Beginning of Year	0	0		
PROJECTED RESTRICTED NET ASSETS - End of Year	<u>76,839</u>	<u>60,965</u>		

*Approved budget is as of the July report due to no approvals being required for restricted funds.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Central E&G and Fund Manager Summary

As of September 30, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE					
	Tuition and Fees	27,577,718	27,434,910	13,253,972	48.31
	Student Activity Support Revenue	471,765	471,765	183,796	38.96
	Faculty Services Revenue	684,799	684,799	26,570	3.88
	Operating Costs Revenue	1,608,764	1,608,161	179,984	11.19
	Support Services Revenue	1,824,852	1,812,620	93,004	5.13
	Other Operating Revenues	327,268	327,268	74,517	22.77
	Total:	32,495,166	32,339,523	13,811,843	42.71
OPERATING EXPENSE					
	Salaries	24,507,345	24,848,454	4,197,985	16.89
	Benefits	6,096,024	6,206,656	937,079	15.10
	Student financial aid-scholarships	3,651,427	3,639,427	3,323,015	91.31
	Utilities	1,427,806	1,439,806	235,842	16.38
	Supplies and Other Services	8,737,631	8,734,700	2,472,776	28.31
	Equipment Expense	1,099,453	966,191	77,690	8.04
	Fees retained by the Commission	185,560	185,560	44,929	24.21
	Assessment for Faculty Services	408,460	408,460	8,208	2.01
	Assessment for Support Services	235,806	187,607	4,659	2.48
	Assessment for Student Activity Costs	349,764	349,764	142,094	40.63
	Assessment for Operating Costs	96,283	96,283	57	0.06
	Total:	46,795,559	47,062,909	11,444,332	24.32
OPERATING INCOME / (LOSS)		(14,300,394)	(14,723,387)	2,367,511	(16.08)
NONOPERATING REVENUE (EXPENSE)					
	State Appropriations	13,472,214	14,579,417	2,915,883	20.00
	Gifts	500	3,800	3,350	88.16
	Investment Income	69,245	69,245	24,313	35.11
	Assessment for E&G Capital & Debt Service Costs	(2,143,319)	(2,143,319)	(711,518)	33.20
	Total:	11,398,640	12,509,143	2,232,028	17.84
TRANSFERS & OTHER					
	Capital Expenditures	(81,773)	(83,431)	(7,590)	9.10
	Construction Expenditures	(7,500)	(71,500)	(34,100)	47.69
	Transfers for Debt Service	(64,863)	(64,863)	0	0.00
	Transfers for Financial Aid Match	(81,239)	(81,239)	(15,680)	19.30
	Indirect Cost Recoveries	66,245	66,245	21,864	33.00
	Transfers - Other	(36,409)	16,173	415	2.57
	Total:	(205,539)	(218,615)	(35,091)	16.05
BUDGET BALANCE		(3,107,293)	(2,432,859)	4,564,447	(187.62)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(3,107,293)	(2,432,859)		
* Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year		8,889,427	9,581,020		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>5,782,134</u>	<u>7,148,161</u>		

* Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$9,170,798
The projected value will be finalized after October 2017 with the conclusion of the FY 17 financial audit.

Unrestricted Net Asset Balance is 20.36% of the current budget total operating expense.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Fund Manager

As of September 30, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE	Tuition and Fees	1,966,775	1,823,967	1,139,507	62.47
	Other Operating Revenues	84,975	84,975	34,047	40.07
	Total:	2,051,750	1,908,942	1,173,554	61.48
OPERATING EXPENSE	Salaries	772,837	1,016,835	132,924	13.07
	Benefits	111,704	156,136	14,732	9.44
	Student financial aid-scholarships	32,310	20,310	21,280	104.78
	Utilities	4,500	16,500	873	5.29
	Supplies and Other Services	1,853,882	1,871,652	404,006	21.59
	Equipment Expense	575,586	446,013	20,452	4.59
	Total:	3,350,818	3,527,446	594,267	16.85
OPERATING INCOME / (LOSS)		(1,299,068)	(1,618,504)	579,287	(35.79)
NONOPERATING REVENUE (EXPENSE)	Gifts	500	500	50	10.00
	Total:	500	500	50	10.00
TRANSFERS & OTHER	Capital Expenditures	(28,339)	(29,997)	(7,590)	25.30
	Construction Expenditures	0	0	(34,100)	
	Indirect Cost Recoveries	65,643	65,643	21,864	33.31
	Transfers - Other	7,550	90,023	47,051	52.27
	Total:	44,854	125,669	27,225	21.66
BUDGET BALANCE		(1,253,714)	(1,492,335)	606,561	(40.65)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(1,253,714)	(1,492,335)		
Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year		1,928,034	1,978,492		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>674,320</u>	<u>486,157</u>		

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Central E&G

As of September 30, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE					
	Tuition and Fees	25,610,943	25,610,943	12,114,465	47.30
	Student Activity Support Revenue	471,765	471,765	183,796	38.96
	Faculty Services Revenue	684,799	684,799	26,570	3.88
	Operating Costs Revenue	1,608,764	1,608,161	179,984	11.19
	Support Services Revenue	1,824,852	1,812,620	93,004	5.13
	Other Operating Revenues	242,293	242,293	40,470	16.70
	Total:	30,443,416	30,430,581	12,638,289	41.53
OPERATING EXPENSE					
	Salaries	23,734,508	23,831,619	4,065,061	17.06
	Benefits	5,984,320	6,050,520	922,346	15.24
	Student financial aid-scholarships	3,619,117	3,619,117	3,301,735	91.23
	Utilities	1,423,306	1,423,306	234,969	16.51
	Supplies and Other Services	6,883,750	6,863,048	2,068,770	30.14
	Equipment Expense	523,867	520,178	57,238	11.00
	Fees retained by the Commission	185,560	185,560	44,929	24.21
	Assessment for Faculty Services	408,460	408,460	8,208	2.01
	Assessment for Support Services	235,806	187,607	4,659	2.48
	Assessment for Student Activity Costs	349,764	349,764	142,094	40.63
	Assessment for Operating Costs	96,283	96,283	57	0.06
	Total:	43,444,741	43,535,464	10,850,065	24.92
OPERATING INCOME / (LOSS)		(13,001,326)	(13,104,883)	1,788,224	(13.65)
NONOPERATING REVENUE (EXPENSE)					
	State Appropriations	13,472,214	14,579,417	2,915,883	20.00
	Gifts	0	3,300	3,300	100.00
	Investment Income	69,245	69,245	24,313	35.11
	Assessment for E&G Capital & Debt Service Costs	(2,143,319)	(2,143,319)	(711,518)	33.20
	Total:	11,398,140	12,508,643	2,231,978	17.84
TRANSFERS & OTHER					
	Capital Expenditures	(53,434)	(53,434)	0	0.00
	Construction Expenditures	(7,500)	(71,500)	0	0.00
	Transfers for Debt Service	(64,863)	(64,863)	0	0.00
	Transfers for Financial Aid Match	(81,239)	(81,239)	(15,680)	19.30
	Indirect Cost Recoveries	602	602	0	0.00
	Transfers - Other	(43,959)	(73,850)	(46,636)	63.15
	Total:	(250,393)	(344,284)	(62,316)	18.10
BUDGET BALANCE		(1,853,579)	(940,524)	3,957,886	(420.82)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(1,853,579)	(940,524)		
* Add: PROJECTED UNRESTRICTED NET ASSETS - Beginning of Year		6,961,393	7,602,528		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>5,107,814</u>	<u>6,662,004</u>		

* Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$9,170,798
The projected value will be finalized after October 2017 with the conclusion of the FY 17 financial audit.

Unrestricted Net Asset Balance is 17.46% of the current budget total operating expense.

Auxiliary
Actual vs Budget Statement of Revenues and Expenses
Board of Governors
As of September 30, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE	Auxiliary Enterprise Revenue	8,518,824	8,626,308	3,631,890	42.10
	Auxiliary Fees & Debt Service Support Revenue	5,143,400	5,143,400	2,044,175	39.74
	Other Operating Revenues	235,339	235,339	61,866	26.29
	Total:	13,897,563	14,005,047	5,737,930	40.97
OPERATING EXPENSE	Salaries	2,757,073	2,834,444	656,618	23.17
	Benefits	677,798	677,654	108,231	15.97
	Student financial aid-scholarships	884,706	884,706	369,452	41.76
	Utilities	884,706	884,706	151,311	17.10
	Supplies and Other Services	3,201,298	3,176,443	697,545	21.96
	Equipment Expense	103,316	103,316	31,365	30.36
	Total:	8,508,897	8,561,269	2,014,522	23.53
OPERATING INCOME / (LOSS)		5,388,666	5,443,778	3,723,408	68.40
NONOPERATING REVENUE (EXPENSE)	Gifts	0	535	535	100.00
	Interest on capital asset related debt	(13,602)	(13,602)	(13,602)	100.00
	Total:	(13,602)	(13,067)	(13,067)	100.00
TRANSFERS & OTHER	Capital Expenditures	(62,300)	(62,300)	(6,278)	10.08
	Transfers for Debt Service	(4,887,809)	(4,887,809)	0	0.00
	Transfers for Financial Aid Match	(3,425)	(3,425)	0	0.00
	Transfers for Capital Projects	0	(20,000)	0	0.00
	Transfers - Other	0	(5,166)	(415)	8.03
	Total:	(4,953,534)	(4,978,700)	(6,693)	0.13
BUDGET BALANCE - Projected Transfer to Reserves		421,531	452,012	3,703,648	
* Add: PROJECTED NET ASSETS - Beginning of Year		<u>7,542,464</u>	<u>7,542,464</u>		
Equals: PROJECTED NET ASSETS - End of Year		<u>7,963,995</u>	<u>7,994,476</u>		

* Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$1,081,994. The projected value will be finalized after October 2017 with the conclusion of the FY 17 financial audit.

* Auxiliary Net Assets are required to support future repair and replacement costs. Planning activities continue to document a 20 year plan to support each auxiliary enterprise capital repair/replacement need.

FAIRMONT STATE UNIVERSITY
Actual vs Budget Statement of Revenues and Expenses
Current Restricted
For Period Ending September 30, 2017

	Approved Budget*	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE				
Federal Grants and Contracts	23,269,230	23,269,230	8,741,151	37.57
State/Local Grants and Contracts	6,819,242	6,848,492	945,667	13.81
Private Grants and Contracts	1,835,200	1,895,302	1,175,577	62.03
Other Operating Revenue	70,520	85,375	74,290	87.02
Total:	31,994,193	32,098,400	10,936,685	34.07
			0	
OPERATING EXPENSE				
Salaries	442,776	490,211	169,279	34.53
Benefits	40,253	39,096	33,224	84.98
Student financial aid - scholarships	40,229,776	40,229,776	13,241,536	32.91
Supplies and Other Services	1,264,663	1,337,802	316,436	23.65
Equipment Expense	(61,183)	(58,067)	49,792	-85.75
Total:	41,916,284	42,038,817	13,810,266	32.85
NONOPERATING REVENUE				
Federal Pell Grant Revenues	10,000,000	10,000,000	3,317,166	33.17
Gifts	0	0	0	0.00
Investment Income	0	0	0	0.00
Total:	10,000,000	10,000,000	3,317,166	33.17
TRANSFERS & OTHER				
Capital Expenditures	(23,396)	(23,396)	0	0.00
Construction Expenditures	(7,500)	(7,500)	0	0.00
Transfers for Fin Aid Match	84,664	84,664	15,680	18.52
Indirect Cost Recoveries	(54,838)	(52,386)	(21,864)	41.74
Transfers - Other	0	0	0	0.00
Total:	(1,070)	1,382	(6,184)	-447.52
BUDGET BALANCE	76,839	60,965	437,400	
Add: RESTRICTED NET ASSETS - Beginning of Year	0	0		
PROJECTED RESTRICTED NET ASSETS - End of Year	<u>76,839</u>	<u>60,965</u>		

*Approved budget is listed at the July budget due to no approvals being required for restricted funds.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Central E&G and Fund Manager Summary

As of October 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE					
	Tuition and Fees	27,577,718	27,434,910	13,267,025	48.36
	Student Activity Support Revenue	471,765	471,765	200,728	42.55
	Faculty Services Revenue	684,799	684,799	26,570	3.88
	Operating Costs Revenue	1,608,764	1,607,856	427,579	26.59
	Support Services Revenue	1,824,852	1,806,862	472,939	26.17
	Other Operating Revenues	327,268	327,268	36,553	11.17
	Total:	32,495,166	32,333,459	14,431,394	44.63
OPERATING EXPENSE					
	Salaries	24,507,345	24,841,037	6,072,348	24.44
	Benefits	6,096,024	6,255,804	1,395,421	22.31
	Student financial aid-scholarships	3,651,427	3,639,427	2,363,622	64.94
	Utilities	1,427,806	1,439,806	383,117	26.61
	Supplies and Other Services	8,737,631	8,796,112	3,017,029	34.30
	Equipment Expense	1,099,453	960,791	101,530	10.57
	Loan cancellations and write-offs	0	0	20,556	
	Fees retained by the Commission	185,560	185,560	134,786	72.64
	Assessment for Faculty Services	408,460	408,460	8,208	2.01
	Assessment for Support Services	235,806	187,607	32,554	17.35
	Assessment for Student Activity Costs	349,764	349,764	156,267	44.68
	Assessment for Operating Costs	96,283	96,283	864	0.90
	Total:	46,795,559	47,160,653	13,686,303	29.02
OPERATING INCOME / (LOSS)		(14,300,394)	(14,827,194)	745,091	(5.03)
NONOPERATING REVENUE (EXPENSE)					
	State Appropriations	13,472,214	14,579,417	6,123,355	42.00
	Gifts	500	3,800	3,584	94.32
	Investment Income	69,245	69,245	24,313	35.11
	Assessment for E&G Capital & Debt Service Costs	(2,143,319)	(2,143,319)	(894,158)	41.72
	Total:	11,398,640	12,509,143	5,257,094	42.03
TRANSFERS & OTHER					
	Capital Expenditures	(81,773)	(83,431)	(19,434)	23.29
	Construction Expenditures	(7,500)	(71,500)	(34,100)	47.69
	Transfers for Debt Service	(64,863)	(64,863)	(32,409)	49.96
	Transfers for Financial Aid Match	(81,239)	(81,239)	(15,680)	19.30
	Indirect Cost Recoveries	66,245	66,245	23,088	34.85
	Transfers - Other	(36,409)	16,173	1,453	8.98
	Total:	(205,539)	(218,615)	(77,083)	35.26
BUDGET BALANCE		(3,107,293)	(2,536,666)	5,925,102	(233.58)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(3,107,293)	(2,536,666)		
* Add: UNRESTRICTED NET ASSETS - Beginning of Year		8,889,427	9,587,256		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>5,782,134</u>	<u>7,050,590</u>		

* Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$9,170,798

Unrestricted Net Asset Balance is 20.33% of the current budget total operating expense.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Fund Manager

As of October 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE	Tuition and Fees	1,966,775	1,823,967	1,152,418	63.18
	Other Operating Revenues	84,975	84,975	40,684	47.88
	Total:	2,051,750	1,908,942	1,193,102	62.50
OPERATING EXPENSE	Salaries	772,837	1,011,924	202,897	20.05
	Benefits	111,704	155,793	27,884	17.90
	Student financial aid-scholarships	32,310	20,310	21,280	104.78
	Utilities	4,500	16,500	873	5.29
	Supplies and Other Services	1,853,882	1,884,898	503,269	26.70
	Equipment Expense	575,586	446,013	38,177	8.56
	Total:	3,350,818	3,535,438	794,380	22.47
OPERATING INCOME / (LOSS)		(1,299,068)	(1,626,496)	398,722	(24.51)
NONOPERATING REVENUE (EXPENSE)	Gifts	500	500	284	56.80
	Total:	500	500	284	56.80
TRANSFERS & OTHER	Capital Expenditures	(28,339)	(29,997)	(13,805)	46.02
	Construction Expenditures	0	0	(34,100)	
	Indirect Cost Recoveries	65,643	65,643	23,088	35.17
	Transfers - Other	7,550	90,023	40,796	45.32
	Total:	44,854	125,669	15,979	12.72
BUDGET BALANCE		(1,253,714)	(1,500,327)	414,985	(27.66)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(1,253,714)	(1,500,327)		
Add: UNRESTRICTED NET ASSETS - Beginning of Year		1,928,034	1,976,577		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>674,320</u>	<u>476,250</u>		

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
Current Unrestricted - Central E&G

As of October 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE					
	Tuition and Fees	25,610,943	25,610,943	12,114,607	47.30
	Student Activity Support Revenue	471,765	471,765	200,728	42.55
	Faculty Services Revenue	684,799	684,799	26,570	3.88
	Operating Costs Revenue	1,608,764	1,607,856	427,579	26.59
	Support Services Revenue	1,824,852	1,806,862	472,939	26.17
	Other Operating Revenues	242,293	242,293	(4,131)	(1.70)
	Total:	30,443,416	30,424,517	13,238,291	43.51
OPERATING EXPENSE					
	Salaries	23,734,508	23,829,113	5,869,451	24.63
	Benefits	5,984,320	6,100,011	1,367,536	22.42
	Student financial aid-scholarships	3,619,117	3,619,117	2,342,342	64.72
	Utilities	1,423,306	1,423,306	382,244	26.86
	Supplies and Other Services	6,883,750	6,911,214	2,513,760	36.37
	Equipment Expense	523,867	514,778	63,353	12.31
	Loan cancellations and write-offs	0	0	20,556	
	Fees retained by the Commission	185,560	185,560	134,786	72.64
	Assessment for Faculty Services	408,460	408,460	8,208	2.01
	Assessment for Support Services	235,806	187,607	32,554	17.35
	Assessment for Student Activity Costs	349,764	349,764	156,267	44.68
	Assessment for Operating Costs	96,283	96,283	864	0.90
	Total:	43,444,741	43,625,215	12,891,923	29.55
OPERATING INCOME / (LOSS)		(13,001,326)	(13,200,697)	346,368	(2.62)
NONOPERATING REVENUE (EXPENSE)					
	State Appropriations	13,472,214	14,579,417	6,123,355	42.00
	Gifts	0	3,300	3,300	100.00
	Investment Income	69,245	69,245	24,313	35.11
	Assessment for E&G Capital & Debt Service Costs	(2,143,319)	(2,143,319)	(894,158)	41.72
	Total:	11,398,140	12,508,643	5,256,810	42.03
TRANSFERS & OTHER					
	Capital Expenditures	(53,434)	(53,434)	(5,629)	10.53
	Construction Expenditures	(7,500)	(71,500)	0	0.00
	Transfers for Debt Service	(64,863)	(64,863)	(32,409)	49.96
	Transfers for Financial Aid Match	(81,239)	(81,239)	(15,680)	19.30
	Indirect Cost Recoveries	602	602	0	0.00
	Transfers - Other	(43,959)	(73,850)	(39,344)	53.27
	Total:	(250,393)	(344,284)	(93,061)	27.03
BUDGET BALANCE		(1,853,579)	(1,036,339)	5,510,116	(531.69)
Add: Estimated Unfilled Position Savings:		0	0		
ADJUSTED BUDGET BALANCE		(1,853,579)	(1,036,339)		
* Add: UNRESTRICTED NET ASSETS - Beginning of Year		6,961,393	7,610,679		
Less: USE OF RESERVE		0	0		
Equals: PROJECTED UNRESTRICTED NET ASSETS - End of Year		<u>5,107,814</u>	<u>6,574,340</u>		

* Unrestricted Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$9,170,798

Unrestricted Net Asset Balance is 17.45% of the current budget total operating expense.

Auxiliary
Actual vs Budget Statement of Revenues and Expenses
Board of Governors
As of October 31, 2017

		Approved Budget	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE	Auxiliary Enterprise Revenue	8,518,824	8,626,308	3,732,594	43.27
	Auxiliary Fees & Debt Service Support Revenue	5,143,400	5,143,400	2,287,445	44.47
	Other Operating Revenues	235,339	235,339	87,912	37.36
	Total:	13,897,563	14,005,047	6,107,951	43.61
OPERATING EXPENSE	Salaries	2,757,073	2,834,444	859,849	30.34
	Benefits	677,798	662,102	150,693	22.76
	Student financial aid-scholarships	884,706	878,456	389,652	44.36
	Utilities	884,706	884,706	231,015	26.11
	Supplies and Other Services	3,201,298	3,182,693	1,340,525	42.12
	Equipment Expense	103,316	118,604	38,280	32.28
	Total:	8,508,897	8,561,004	3,010,015	35.16
OPERATING INCOME / (LOSS)		5,388,666	5,444,043	3,097,936	56.91
NONOPERATING REVENUE (EXPENSE)	Gifts	0	535	535	100.00
	Interest on capital asset related debt	(13,602)	(13,602)	(13,602)	100.00
	Total:	(13,602)	(13,067)	(13,067)	100.00
TRANSFERS & OTHER	Capital Expenditures	(62,300)	(62,300)	(6,278)	10.08
	Transfers for Debt Service	(4,887,809)	(4,887,809)	(2,442,219)	49.97
	Transfers for Financial Aid Match	(3,425)	(3,425)	0	0.00
	Transfers for Capital Projects	0	(20,000)	0	0.00
	Transfers - Other	0	(5,166)	(1,453)	28.12
	Total:	(4,953,534)	(4,978,700)	(2,449,950)	49.21
BUDGET BALANCE - Projected Transfer to Reserves		421,531	452,276	634,919	
* Add: NET ASSETS - Beginning of Year		<u>7,542,464</u>	<u>7,530,263</u>		
Equals: PROJECTED NET ASSETS - End of Year		<u>7,963,995</u>	<u>7,982,539</u>		

* Net Assets - Beginning of Year is after adding back the projected OPEB liability at June 30, 2017 in the amount of \$1,081,994

* Auxiliary Net Assets are required to support future repair and replacement costs. Planning activities continue to document a 20 year plan to support each auxiliary enterprise capital repair/replacement need.

Actual vs Budget Statement of Revenues and Expenses

Current Restricted

For Period Ending October 31, 2017

	Approved Budget*	Current Budget	YTD Actual	YTD Actual to Current Budget
OPERATING REVENUE				
Federal Grants and Contracts	23,269,230	23,583,396	9,024,313	38.27
State/Local Grants and Contracts	6,819,242	7,351,067	2,508,576	34.13
Private Grants and Contracts	1,835,200	1,905,302	1,221,769	64.12
Other Operating Revenue	70,520	85,375	74,290	87.02
Total:	31,994,193	32,925,141	12,828,948	38.96
OPERATING EXPENSE				
Salaries	442,776	806,503	212,418	26.34
Benefits	40,253	125,950	38,231	30.35
Student financial aid - scholarships	40,229,776	40,229,776	15,054,279	37.42
Supplies and Other Services	1,264,663	1,720,727	329,795	19.17
Equipment Expense	(61,183)	(46,767)	50,302	-107.56
Total:	41,916,284	42,836,188	15,685,024	36.62
NONOPERATING REVENUE				
Federal Pell Grant Revenues	10,000,000	10,000,000	3,376,898	33.77
Gifts	0	0	0	0.00
Investment Income	0	0	0	0.00
Total:	10,000,000	10,000,000	3,376,898	33.77
TRANSFERS & OTHER				
Capital Expenditures	(23,396)	(23,396)	(14,595)	62.38
Construction Expenditures	(7,500)	(7,500)	0	0.00
Transfers for Fin Aid Match	84,664	84,664	15,680	18.52
Indirect Cost Recoveries	(54,838)	(115,756)	(23,088)	19.95
Transfers - Other	0	0	0	0.00
Total:	(1,070)	(61,988)	(22,003)	35.49
BUDGET BALANCE	76,839	26,965	498,819	
Add: RESTRICTED NET ASSETS - Beginning of Year	0	0		
PROJECTED RESTRICTED NET ASSETS - End of Year	<u>76,839</u>	<u>26,965</u>		

*Approved budget is listed at the July budget due to no approvals being required for restricted funds.

Tab 3

**Fairmont State University
Board of Governors
December 7, 2017**

Item: Adopting the provisions of HB2542/18B-9A-2, adding further criteria to determine nonclassified status among non-faculty positions. The policy is subject to the thirty (30) day comment period. Proposed Policy No. 63.

Committee: Committee of the Whole

Recommended Resolution: That the Board of Governors adopt the nonclassified definitions of HB2542 enacted as amendments to State Code 18B-9A-2 defining five nonclassified criteria for non-faculty employment. Policy to be posted for a thirty (30) day comment period.

Staff Member: Cindy Curry, AVP, Human Resources

Background: Legislative changes to State Code 18B-9A-2 enacted via HB2542 in the 2017 session added to the Code definition of nonclassified employees, from three criteria (direct report to the President; policy maker at the institutional or departmental level; and any position deemed critical to the institution, pursuant to policy established by the institution's Board of Governors) to five (adding all IT-related positions and any non-faculty positions meeting the established criteria for federal Department of Labor FLSA status.)

This policy complies with federal, state and local laws and regulations. Specifically, this policy upholds West Virginia Code § 18B-9A-2. This is a new policy.

**Fairmont State University Board of Governors
POLICY NO. 63**

TITLE: DESIGNATION/STATUS OF EMPLOYEES

EFFECTIVE DATE: On passage by the Board

GENERAL:

The purpose of this policy is to define the status of Fairmont State University employees as either Faculty or Staff.

Prior to legislation enacted by the Legislature in spring 2017 via HB2542, amendments to §18B, regular employees in public higher education institutions in West Virginia held one of three designations or statuses: Faculty, Classified Staff or Non-Classified Staff. While the recent legislation had no impact on faculty status, it did serve to broaden the definition of non-classified status, resulting in changes to both classified and non-classified status. In response to those changes, this policy establishes that henceforth all non-faculty positions will be in non-classified status and referred to as Staff.

AUTHORITY: WV Code 18B Section 9A-2; Title 133 WVHEPC, Series 9

DESIGNATIONS/STATUSES:

FACULTY POSITIONS (FACULTY STATUS)

This category includes all full-time and part-time positions with formal academic appointments and such other positions as may be determined by the President. In general, employees in this category are primarily engaged in teaching, research, professional activity and service work having a direct relationship to academic programs in the teaching or allied departments. (WV HEPC Title 133, Series 9.)

STAFF

“Non-classified employee” means a non-faculty regular employee of the University who meets one or more of the following criteria:

- Holds a direct policy-making position at the department or organization level including but not limited to executive, administrative, college, school and academic support departments;
- Reports directly to the president or designated/acting chief executive officer of the University;
- Is in an information technology-related position as outlined by title, working title or job description;

- Is hired after July 1, 2017, and meets the duties test for exempt status under the provisions of the Fair Labor Standards Act at the time of hire or anytime thereafter; or was in a non-classified position as of January 1, 2017;
- Is designated by the President or designee to be critical to the accomplishment of the mission of the university

Fairmont State University considers all positions critical to the accomplishment of the mission of the institution. Therefore, all staff positions are non-classified as critical and may fall under another non-classified criterion as well.

While critical to daily operations, a non-classified employee may or may not be deemed essential for operational or service purposes. An essential employee is required to report for duty in emergencies or other special situations as identified by the President or his/her designee. Supervisors are required to notify employees annually or as circumstances change if they or their positions are identified as essential.

AT-WILL EMPLOYEES

This status includes full-time and part-time administrative officers, deans (faculty members may serve in administrative roles, with the administrative portion of their duties being at-will), heads of major divisions or departments, information technology-related staff and non-academic staff officers and/or administrators.

The inclusion OR exclusion of a specific position or employee within this category is determined by the President or her/his designee, based on the level of duties and responsibilities assigned to the position and consistent with the provisions of applicable policies and WV Code §18-B-9A-2. Such appointments, so determined, are considered “at-will employment” and, as such, serve at the discretion of the President.

ALL OTHER EMPLOYEES (STAFF)

All regular full-time and part-time positions not covered in the definitions of “at-will” above shall be included in this category. Employees in this category are primarily engaged in non-teaching support and service activities of the University. Such employees are subject to progressive discipline as outlined in BOG policy 64.

Tab 4

**Fairmont State University
Board of Governors
December 7, 2017**

Item: Defining the steps and criteria for employee progressive discipline and separation from employment. The policy is subject to the thirty (30) day comment period. Proposed Policy No. 64.

Committee: Committee of the Whole

Recommended Resolution: That the Board of Governors establish general disciplinary and employment-separation policies and procedures for Fairmont State University employees, both Faculty and Staff. Policy to be posted for a thirty (30) day comment period.

Staff Member: Cindy Curry, AVP, Human Resources

Background: Fairmont State University needs to more solidly delineate employee performance and behavior expectations and the progressive discipline process, to ensure that University work is done efficiently and well so that operational needs are met and the safety and wellbeing of the University community is ensured so far as is possible.. This policy will provide the framework for managers and supervisors to set employee expectations and goals, and a transparent plan for consequences to be used when expectations, goals and acceptable behavior are not met. Progressive discipline seeks to educate and correct; so this policy is established based on that model, with provisions for at-will employment and egregious behavior.

This policy complies with federal, state and local laws, rules and regulations. This is a new policy.

Fairmont State University Board of Governors
POLICY NO. 64

TITLE: PROGRESSIVE DISCIPLINE AND SEPARATION FROM EMPLOYMENT

EFFECTIVE DATE: On passage by the Board

GENERAL:

The purpose of this policy is to establish and define the general disciplinary and employment-separation procedures for Fairmont State University employees, whether Faculty or Staff.

Staff:

Non-classified employees may be terminated for any reason; however, the University may choose (but is not required) to implement progressive discipline to remediate the conduct of a will and pleasure employee. The University does not waive the employee's will and pleasure status by doing so.

In general, the University believes that progressive discipline for most employees is a best-practice educational approach to correcting and improving employee behavior and will use progressive discipline in most cases. However, the President or her/his designee has the authority to determine if an employee's action or behavior is so egregious or damaging that it warrants disciplinary action outside the confines and parameters of the progressive discipline process.

At-Will Administrators:

Those administrators designated as will and pleasure/at-will appointees by the President (per Board of Governors Policy No. 63) may, at the President's discretion, be subject to either progressive discipline as defined in this Policy or immediate dismissal per at-will provisions.

Faculty:

Termination proceedings and causes for dismissal for faculty members are set forth in West Virginia Higher Education Policy Commission Series 9, Section 12. However, faculty members are expected to adhere to the general provisions of this procedure, are expected to comply with the standards of conduct herein and are expected not to engage in acts of gross misconduct and/or any other conduct proscribed by Series 9. Unacceptable conduct set forth in this procedure may serve as grounds for dismissal of a faculty member for cause in accordance with Series 9. The University may, but is not required to, implement progressive discipline to remediate the conduct and/or unacceptable job performance of a faculty member.

This procedure in no way supersedes Series 9 and does not impose upon the University an obligation to use progressive discipline when addressing misconduct of a faculty member unless otherwise required to do so by law.

GENERAL DISCIPLINE POLICY STATEMENT:

The University has a progressive disciplinary system which allows opportunities for correction of unacceptable workplace conduct and/or job performance while maintaining fair and equitable treatment of all employees. Employees may be disciplined for unacceptable conduct and/or poor job performance and the discipline may include termination of employment. In order to maintain and operate the University in the best interests of both the employee and the University, it is necessary that all employees adhere to certain standards of conduct designed to create a friendly, cooperative, safe and effective work atmosphere. This requires each employee to respect the rights and feelings of others as well as to ensure that each employee's personal conduct is not harmful to others or to the University. Employees are expected to act professionally during working hours, (including but not limited to lunch hours), when conducting University business, when performing their job duties, and/or when representing the University in their official capacity as a University employee. Employees are expected to perform their job duties effectively and to maintain satisfactory levels of job performance. Employees may be disciplined for failure to perform the duties of their position and for unacceptable job performance. Off duty conduct may also be the source of disciplinary action if the conduct adversely affects the employee's ability to perform his/her job duties and/or bears a rational nexus to the employee's job and the reputation of the University. Employees found responsible for gross misconduct may be terminated immediately. Determining what constitutes gross misconduct is the purview of the President. All disciplinary actions will be determined on a case-by-case basis. The type of discipline imposed by the University may depend upon, but not be limited to, the seriousness of the performance/conduct issue(s) and the impact on the University's operations, credibility and reputation.

Misconduct

Misconduct is defined as any failure of an employee (faculty or staff) to comply with accepted standards of work or behavior. Breaches of discipline by an employee which are not of a similar nature may be added together and result in progression through the disciplinary procedure. Employees found responsible for gross misconduct may be terminated immediately without progressive discipline. Gross misconduct can be a single act or omission, or short course of conduct, or an accumulation of those things which, taken individually, would not amount to gross misconduct. Gross misconduct that could result in immediate employment termination includes, but is not limited to, the following (this list is not exhaustive):

- Stealing property of the University or of another person;
- Threat of violence or physical harm to any individual;
- Harassment or discrimination in any form;
- Damaging the property of the University or of another person;
- Reporting to work while under the influence of alcohol or drugs or consuming alcohol and/or drugs while at work in violation of University policy;
- Falsification of time records, including not reporting time off or using leave for purposes not covered under the leave definition used;
- Falsification of timecard and/or leave time, including not clocking out timely or reporting hours worked that were not;
- Lying in official matters;
- Failure to report to work for three (3) consecutive scheduled work days without notice;
- Gambling on University property or with University equipment or technology, either during or after work hours;
- Unauthorized possession or use of a firearm and/or deadly weapon and/or destructive device on University property;
- Falsification of employment application or official record;
- Insubordination in any form;
- Sexual harassment including but not limited to acts of sexual violence, discrimination or domestic violence, whether on or outside of work time;
- Unauthorized and excessive absence from work or tardiness;
- Engaging in sexual conduct or harassment in any form in University offices, classrooms, buildings, garages, grounds and/or property;
- Conviction of a crime (state of West Virginia, any other state and/or the federal government law);
- Loss of driver's license where driving on public roads is an essential part of the duties of the position;
- Failure to comply with the University's consensual relationship policy;
- Failure to comply with relevant law, established Board policy and institutional rules and guidelines;
- Substantial and manifest neglect of duty;
- Failure to maintain in good repair institutional real or tangible property;
- Failure to effectively secure hazardous, medical, drug or other materials/supplies;
- Requesting that a University authority provide false information or testimony on one's behalf;
- Failure to sign a Notice of Appointment, contract or any other required institutional document;

Other serious infractions that may involve immediate termination will be handled on a case-by-case basis at the discretion of the University.

Types of Discipline

The following steps are typical of the procedure followed to counsel an employee; however, each situation is unique and the University reserves the right to choose the level of disciplinary action it deems appropriate at any time and given the infraction or event.

Verbal Counseling: If an employee's work performance or conduct is unsatisfactory, the supervisor or anyone in the employee's chain of command should communicate this information to the employee through counseling.

Written Warning: The supervisor or anyone in the employee's chain of command should consult with the Chief Human Resources Officer for approval to issue a written warning. Once the written warning has been approved, the supervisor may but is not required to meet with the employee regarding the deficiencies in performance and/or conduct. The written warning is a written summary of the unsatisfactory performance or conduct as well as any violations of University policy if applicable. The written warning and any attachments should be forwarded to the Chief Human Resources Officer for retention in the employee's official University personnel file.

Suspension without Pay: If, after a reasonable time, performance or conduct deficiencies persist, the employee may be given a disciplinary suspension without pay. The supervisor or anyone in the employee's chain of command is required to consult with the Chief Human Resources Officer for approval prior to suspending an employee without pay. Nonexempt employees may be suspended without pay for a period varying from 1 to 15 working days, depending on the gravity of the offense and the employee's previous record. Exempt employees may be suspended without pay for a period of 1 to 15 working days and must be in week long increments to a maximum of three weeks.

Employment Termination: Employment termination may result after receipt of two (2) written warnings in one twelve (12) month period. The written warnings do not have to be for the same offense. A suspension without pay is not required prior to employment termination. Prior to terminating an employee, the University will issue the employee an intent to terminate employment letter and will provide the employee with an opportunity (within five [5] working days) to rebut the charges set forth in the intent to terminate employment letter to the University's satisfaction. The supervisor or anyone in the employee's chain of command is required to consult with Human Resources prior to issuing an intent to terminate employment letter. The President makes the final decision on all employment terminations.

Immediate Termination: Immediate termination of an employee without progressive discipline may result, without prior counseling or warning, where/when there are serious violations and/or gross misconduct. The University will issue the employee an intent to terminate employment letter and will provide the employee with an opportunity (within five [5] working days) to rebut the charges set forth in the intent to terminate employment letter, to the University's satisfaction. The supervisor or anyone in the employee's chain of command is required to consult with Human Resources prior to issuing an intent to terminate employment letter. The President makes the final decision on all employment terminations.

Grievance Procedure

Any eligible employee may seek resolution of an employment related dispute through the Public Employees Grievance Procedure, established by the legislature in W. Va. Code § 6C-2-1, *et seq.* Information about the Grievance Procedure and grievance forms are available in the Human Resources Office and online at: <http://www.pegb.wv.gov/Pages/default.aspx>

Resignation

In accordance with the notification requirements of this section, an employee shall submit a signed and dated resignation letter or statement to his/her immediate supervisor, indicating the date when the resignation is to be effective. A written notice is required; an email from the employee's official assigned University email account is acceptable as written notice. Immediately following receipt of written notice, the employee's supervisor shall confirm acceptance of the resignation in writing to the employee (email is an acceptable format.) The supervisor or departmental business office shall immediately forward a copy of the signed written resignation letter or confirmation to the Human Resources Office for placement in the employee's personnel file so that the termination can be processed.

Notification Requirements/Restrictions on Leave Usage during Notice Period

Staff: A staff employee shall provide at least two (2) weeks' written notice of his/her resignation, whenever possible. A staff employee at the manager or administrator level is expected to give at least a four (4) week notice. A shorter period of notice may be accepted if authorized by the immediate supervisor and his/her VP or Dean. A staff employee is expected to be present and functioning at his/her position, as scheduled, throughout the two week notice period, unless this requirement is waived by the immediate supervisor. Benefits-eligible employees are not to use sick leave during the notice period unless the need to use the leave is documented by the employee's medical provider and provided to the HR Benefits unit.

Faculty: A faculty member shall give notice of resignation in writing at the earliest opportunity, giving due consideration of the institution's need to have a full complement of faculty throughout the academic year. Notice of resignation shall be forwarded by the Dean or business office to the Provost's Office immediately.

Part-time and Temporary Employees: Part-time and temporary employees are also required to submit resignations in writing to their immediate supervisors. Supervisors should consult with Human Resources immediately in the case of the resignation of a part-time or temporary employee so that the termination can be processed timely.

General Termination Procedures

Resignations shall be regarded as permanent and irrevocable and the employee shall forfeit all eligibility for continued services and benefits, in accordance with the currently existing policies of the Higher Education Policy Commission, the Fairmont State University Board of Governors or University, employment contracts, notices of appointment and/or federal and state laws.

- The employee shall contact Human Resources regarding health insurance benefits, COBRA, annual leave accruals, retirement accounts or other benefits in place for the employee at the time.
- The employee shall settle any outstanding bills or monetary commitments to the University, such as parking tickets, fines, tuition, etc., prior to the termination date.
- The employee shall surrender to his/her supervisor or the appropriate authority all University property, including but not limited to ID card, keys or key cards, computers or tablets, parking permits, other equipment, thumb drives, documents, e.g., on or before the employee's last day physically at work.
- A terminating employee may not "wipe" or erase any files from equipment provided to him/her by the University and must provide any passwords used to lock equipment or files to his/her supervisor and/or IT.
- Benefits-eligible employees will stop earning leave accruals once they have submitted their resignations.
- Employees are not permitted to remain on payroll to exhaust any annual or sick leave balances. Terminating employees will be paid out their accumulated annual leave balances as of the termination date, which will typically be paid in the employee's last pay check, paid under the timelines and rules of the payroll system in place at the time of resignation.

Failure to Follow Resignation Procedures

Failure by an employee to meet the above responsibilities and/or the resignation-notice requirements may result in the employee's leaving the University in poor standing, the consequences of which may include ineligibility for re-hire at the University, or a negative reference.

Tab 5

**Fairmont State University
Board of Governors
December 7, 2017**

Item: The need to establish a policy by which to effect Fairmont State University employee/position layoffs or reductions in force due to financial, legal, operational or service/work-need conditions that may arise. Proposed Policy No. 65.

Committee: Committee of the Whole

Recommended Resolution: That the Board of Governors establish a policy and procedure by which employee/ position layoffs and reductions in force can be accomplished when times of financial, legal, operational or service/work-need exigencies arise, as determined/declared by the President and Board of Governors. Policy to be posted for a thirty (30) day comment period.

Staff Member: Cindy Curry, AVP, Human Resources

Background: This policy complies with federal, state and local laws, rules and regulations. This is a new policy.

Fairmont State University Board of Governors
POLICY NO. 65

TITLE: Layoffs and Reductions in Force

EFFECTIVE DATE: Upon passage by the Board

GENERAL

Financial, legal or operational conditions may arise that require a reduction in the institution's labor budget and/or personnel complement.

Purpose

The purpose of this policy is to establish and define the layoff and reduction in force (RIF) procedures for regular (.53FTE and above) Fairmont State University employees, whether Faculty or Staff. Such actions may be taken in response to 1) loss of funding due to the end of a program or grant or other funding; 2) when the University has determined a position, program or function is no longer needed or viable; 3) when a financial condition or exigency (as determined by the Board of Governors upon the President's recommendation) necessitates a reduction in the labor budget.

Scope and Applicability

This policy shall apply to all regular full-time (.53 FTE and above) employees and positions, to include faculty, Faculty Equivalent/Academic Professional (FEAP) and staff employees.

For the purposes and intent of this policy, a mandated and equitably applied FTE and commensurate salary reduction for an employee and/or a position is not considered a reduction in force. The University may, at its sole discretion, opt to utilize an FTE/salary reduction in lieu of or in addition to a layoff or reduction in force.

This policy is intended to apply only to full-time regular employees, i.e., those at .53 FTE and above. Employees at less than .53 FTE, i.e., part-time regular ("1039") or temporary, casual or project employees are not included in this policy, as they are considered "at-will" employees whose positions may be abolished at any time if deemed necessary by the appropriate institutional authority.

Layoffs

Layoffs may occur in either faculty or staff positions/units. For layoffs due to lack of funds or work, abolishment of a position, material changes in duties or organization or the termination/abolishment of a program:

1. The University may lay off the incumbent in the position being eliminated.
2. The University may offer a laid-off employee another, vacant position but is legally under no obligation to do so. If another position is offered, it will be compensated at the classification and pay range appropriate to the duties of the offered position, taking into account the experience and skill set of the employee. Appropriate compensation will be determined by Human Resources. If the employee declines the offer, the layoff will continue; no further obligation to the employee accrues to the University in regard to layoff.
3. In the case of abolishment of some but not all of the positions of the same job title or in the same job unit, consideration shall be given to the following factors to determine whom to lay off: (a) an employee's documented quality of work performance as demonstrated in performance evaluations or records (including, but not limited to, disciplinary records, attendance, and behavior), (b) seniority at FSU, (c) years of service in the current position, and (d) job suitability and the employee's skill set.
4. If after considering these factors the University elects to lay off an employee, the University may offer the employee, at the University's discretion, a monetary severance package of not less than two pay periods and not more than the employee's current base salary for one fiscal year. In no case is the University obligated to offer such a severance package, especially in cases where the employee does not have requisite knowledge, skills, abilities or experience to perform the duties of the position being eliminated or of another position.
5. An employee's acceptance of a severance package in any amount ends his/her employment; however, those employees so terminated may be considered for future employment with Fairmont State University if they have had good performance evaluations while employed with FSU and if they have the requisite skill sets, experience and competencies to do the job. Employees wishing to be reemployed must apply and participate in the standard competitive selection process, as there are no automatic recall rights following layoff.
6. For the purposes of this policy, seniority is the length of continuous service at Fairmont State University only and represents only one factor in decision-making regarding layoff. A more senior employee is one with longer service at the University than another employee in the same job title who is also subject to layoff.

Benefits

Employees laid off under this policy will be treated as terminated for purposes not involving misconduct on the part of the employee and will be treated as such under all applicable state and federal rules, laws and regulations.

Notice

A notice of intent to reduce the workforce will be sent to affected employees as soon as practical after a determination has been made that a reduction is necessary. The employee(s) so identified will be provided a written notice of layoff, which will include the effective date of the layoff and separation paperwork to be completed.

The University will use its best efforts to provide at least a four-week notice of any layoff. The University may, at its sole discretion, choose to provide pay of up to four weeks in lieu of notice, but is under no obligation to do so.

REDUCTION IN FORCE—FACULTY

It shall be the policy of the Board of Governors to undertake reductions in the faculty workforce or personnel complement in a consistent and equitable manner. Following the decision that a financial or other condition necessitating a reduction exists, the President shall undertake program/curriculum reviews to consider pertinent program/curriculum or administrative information. The President may recommend to the Board of Governors the elimination or reduction of programs/curricula deemed appropriate, given financial and enrollment considerations, and in the best interest of the University in general. The primary consideration in any resulting decision to eliminate positions and to reassign or reduce the number of affected faculty positions and personnel will be the preservation of the quality and effectiveness of the University's programs and overall mission. A reasonable reduction in the number of hours an employee works (FTE) is NOT considered a reduction in force and may be utilized by the University as a cost-saving measure in lieu of layoffs or reduction in force.

Basis for Elimination of Faculty Positions: Recommendations by the President to the Board of Governors concerning the elimination of any faculty position will be made on the basis of need within each discipline, as defined by the President after consultation with the Chief Academic Officer/Provost, the Deans and department chairs. For purposes of a reduction in force, FEAPs (Faculty-Equivalent Academic Professionals) will be considered faculty.

Elimination of Positions with Equal Rank in Same Discipline/Department: In the event all other factors are considered to be equal and a choice must be made concerning the elimination of the position of one of two or more faculty members holding the same rank and teaching the same discipline, the faculty member with the greater seniority will be retained. Also, in the event of a conflict between rank and seniority, such as when an assistant professor has substantially more seniority than his or her equally qualified counterpart who is an associate professor, the department chair, dean and the chief academic officer will jointly review the annual evaluations of both faculty members for the previous three years, as well as any other relevant data, and make a recommendation to the President concerning which of the positions better serves the vital interests of the University.

Order for Elimination of Faculty Positions: Non-tenured faculty members within the discipline to be reduced will be terminated prior to the termination of the employment of tenured

faculty members. Employment terminations of faculty members will generally follow the order specified below unless there is an identified need to retain faculty members who are deemed to be of key importance to a particular program:

Non-Tenured:

1. Adjunct Faculty
2. Lecturer and Temporary Faculty
3. Instructor
4. Assistant Professor
5. Associate Professor
6. Associate Professor/Senior
7. Professor
8. Professor/Senior

Tenured:

9. Assistant Professor
10. Associate Professor
11. Associate Professor/Senior
12. Professor
13. Professor/Senior

President's Recommendation: In addition to recommendations made in response to a financial condition necessitating a reduction in force, the President may recommend the termination of the employment of faculty members to the Board of Governors at any time for reason of lack of funds, lack of work, reduction in enrollment or abolition of position. Recommendations of the President to the Board of Governors relative to the termination of the employment of faculty members shall not be made until affected faculty members have been afforded a hearing as provided herein.

Notice and Hearing for Tenured Faculty Members: The President shall provide written notice to any full-time tenured faculty member of the intent to recommend termination of employment based upon a reduction in force. The notice shall contain a description of the reasons for the intended recommendation. The President must make every effort to give as much notice as is practical in light of a financial condition necessitating the reduction in force to each affected faculty member in advance of the effective date of the layoff. However, the legislative appropriation process or the recognition of a reduction in revenues and the subsequent analysis needed before a decision that a financial condition necessitating a reduction in the institution's labor budget exists may allow little time for formal notice to the employees who are to be laid off. Upon receipt of such notice, the affected faculty member may request a hearing to be conducted by the President or his/her designee. A request for a hearing must be made

within five (5) working days (excluding holidays) of a notice of recommended termination. Among the issues to be considered by the President or designee are:

- a. Ensuring that reductions-in-force do not arbitrarily violate the principles of academic freedom or established law on the basis of individual qualifications such as race, color, gender, sex, sexual orientation, gender identity, gender expression/association, national origin, age, height, weight, religion, creed, genetic information, disability or veteran's status, as identified and defined by relevant and appropriate employment law.
- b. The burden of proof in position or employee termination proceedings rests with the faculty member. The decision that a financial condition necessitating a reduction in the institution's labor budget rests solely within the President's authority and discretion, with the approval of the Board, and is not subject to contest by any faculty member.
- c. The hearing shall be recorded by mechanical means and a written transcript provided to all participating and appropriate parties to be included with the final response as described in (e) below. The strict rules of evidence shall not, however, be applied during the hearing.
- d. Following the hearing, the President or designee shall prepare a written decision upon any matters raised by the faculty member who requested the hearing. The decision shall contain a description of the concerns raised by the faculty member and a response to each thereto. A copy of the decision and transcript shall accompany any subsequent recommendation made by the President to the Board of Governors. These actions will all be completed within ten (10) working days (excluding observed holidays) of the appeal meeting, unless an extension is mutually agreed upon by the faculty member and an approved designee of the University.
- e. Use of the appeal procedure does not commensurately delay the effective date of employment termination of the faculty member.

Non-Tenured Faculty Members: In most instances, a reduction in force of faculty members under fixed-term appointments will be accomplished by non-reappointment rather than by layoff during the term of employment. Non-renewal under these circumstances does not entitle a faculty member to notice and hearing under the terms of this policy. In the event a faculty member serving under a fixed-term appointment is recommended for employment termination during the term of employment because of a reduction in force resulting from a decision that a financial condition necessitating a reduction in the institution's labor budget, that faculty member shall be entitled to use the appeal procedure described following.

Action by the Board of Governors: Upon receipt of a recommendation by the President, the Board of Governors may approve the termination of employment of a faculty member. No separate hearing shall be afforded to affected faculty members by the

Board of Governors. The affected faculty member shall be provided with written notice of the action taken by the Board of Governors and shall also be provided with a copy of the instructions and form for filing an appeal with the West Virginia Public Employees Grievance Board.

Transfers/Refusals to Transfer: In some cases, the President may decide (as a result of the above-described review process), to abolish or combine certain programs or curricula, or to close certain physical campuses or locations, whether for purposes of a financial condition necessitating a reduction in the institution's labor budget or for reorganization or reallocation of resources. In such a case, an employee may be reassigned to a new program, school or physical location. If a faculty member refuses the reassignment to a program, school or physical location, the President may then terminate that faculty member's employment because an equitable offer has been made and refused. The University is then under no further obligation to maintain the employee's job or employment.

New Faculty Positions: New positions will not be created while a financial condition necessitating a reduction in the institution's labor budget is in effect unless a serious disruption in the functioning of the University or a loss of grant funds would otherwise result, as determined within the sole discretion of the President. New academic programs or faculty positions may be created only when it can be demonstrated that these programs or positions will help the University extricate itself from the financial conditions necessitating the reduction in force. Priority for filling these positions will be given to existing, qualified faculty whose positions are slated for abolishment.

Re-employment Following Financially Based or Other Termination: Notwithstanding any other recall rights contained in the policy, in the case of the termination of the employment of a tenured faculty member occupying a permanent faculty position, the position concerned may not be filled by replacement within a period of two (2) years from the effective date of the termination of employment, unless the faculty member has been offered a return to employment in that position and has not accepted the offer within 30 calendar days after the offer is extended.

Termination of Exigency: The conclusion of a financial condition necessitating a reduction in the institution's labor budget will not imply that employment terminations that were made during that period are automatically withdrawn, revoked or otherwise invalid.

Process for Re-employment of Affected Personnel: The following process shall be observed for determination of recall and reassignment of affected faculty members following their termination during a financial condition necessitating a reduction in the institution's labor budget: When filling academic positions, the highest ranking qualified tenured faculty member whose employment has been terminated as part of a financial

condition necessitating a reduction in force (and who has not been employed in an academic position elsewhere) shall be offered the position. If the position is refused, it shall be offered to other similarly affected faculty members in rank order. Any refusal of employment by a faculty member shall terminate any further rights to recall. However, a refusal to accept a position shall not preclude a faculty member from making application for other posted position openings. The Office of Human Resources shall notify faculty members whose employment has been terminated of position openings in accordance with the terms of this policy. The notice shall be sent by certified mail to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status.

Assumption of Responsibilities: The duties of a faculty member terminated under the provisions of this policy will be assumed by his/her remaining colleagues in so far as is feasible.

Rights of Returning Tenured Faculty Members: A tenured faculty member who has been terminated and who accepts re-employment with the University under the terms of this policy will resume tenure and the rank held at the time of employment termination, be paid a salary commensurate with the rank and length of previous service and, if applicable, be credited with any sick leave accrued as of the date of employment termination and be credited with any annual leave accrued as of the date of employment termination for which payment has not been made. Annual increment service time earned to the date of termination will be restored and new service time will begin accruing again upon reinstatement; no annual increment or other service time accrues during the period of reduction in force.

REDUCTION IN FORCE—STAFF

It shall be the policy of the Board of Governors to undertake reductions in the staff workforce or personnel complement in a consistent and equitable manner and in compliance with applicable law in force at the time of the reduction in force. Following the decision that a financial or other condition necessitating a reduction exists, the President shall undertake program/curriculum reviews to consider pertinent program/curriculum or administrative information. The President may recommend to the Board of Governors the elimination or reduction of programs/curricula deemed appropriate, given financial and enrollment considerations, and in the best interest of the University in general. The primary consideration in any resulting decision to eliminate positions and to reassign or reduce the number of affected staff positions and personnel will be the preservation of the quality and effectiveness of the University's programs, operational needs and overall mission.

Basis for Elimination of Staff Positions: It shall be the policy of the Board of Governors to undertake reductions in the workforce of staff personnel in a consistent and fair manner,

and in accordance with applicable law at the time of the reduction, insofar as the needs of the institution, its mission and its students are met first. Following a reduction in workforce in the ranks of staff personnel, the continuation of services and programs with appropriately trained and qualified personnel shall be afforded primary consideration in all decisions related to elimination of positions and any reassignment of affected staff personnel.

- 1.) Part-time regular (“1039’s”), casual, project and/or temporary staff positions/employees are not covered under the provisions of this policy, and such positions may be abolished at any time deemed necessary.
- 2.) A reasonable reduction in the number of hours an employee works (FTE) is NOT considered a reduction in force and may be utilized by the University as a cost-saving measure in lieu of layoffs or reduction in force.
- 3.) In the case of abolishment of some but not all of the positions of the same job title or in the same job unit, consideration shall be given to the following factors to determine whom to lay off: (a) an employee’s documented quality of work performance as demonstrated in performance evaluations of records (including, but not limited to, disciplinary records, attendance, and behavior), (b) seniority at FSU, (c) years of service in the current position, and (d) job suitability and the employee’s skill set.
- 4.) Seniority is only one of many factors the University may employ to determine reductions in force; in no case will it be the determining or primary factor in reduction in force decisions.
- 5.) An employee who is subject to a reduction in force shall, if re-employed by the University, receive credit for previously accumulated service for increment purposes, but shall not accumulate seniority during the period of absence prior to re-employment. The University may but is not required to re-employ an employee terminated under a reduction in force, once circumstances or finances change.

President’s Authority and/or Recommendation: The President may eliminate staff positions without prior recommendation to the Board of Governors for reasons other than financial conditions necessitating a reduction in the institution’s labor budget. These reasons may include, but are not limited to, lack of funds, expirations of special grants or revenue streams, lack of work, material changes in duties, the employee’s own work patterns and leave history that have affected the viability or need for the position, or changes in organization. In the event of a decision that a financial condition necessitating a reduction in the institution’s labor budget exists, the President shall, where possible, eliminate filled or vacant part-time (“1039”), casual, project or temporary and non-critical vacant positions prior to recommending the elimination of positions held by regular full-time staff personnel.

Affected Personnel: Staff personnel who are serving in positions that have been designated for elimination shall be considered for reassignment based upon their classification and any relevant specific qualifications, skills, competencies or training they may possess. Seniority may be considered in such decisions, but the University is under no obligation to make reassignments based on seniority, either in whole or in part. Once positions have been designated for elimination, the affected employees must update their record of credentials and specific qualifications and training within a reasonable timeframe

as determined by the Office of Human Resources, if they wish to be considered for reassignment.

Consideration of FTE Status: – FTE status shall be considered in evaluating the suitability of positions for reassignment. Notwithstanding the fact that employees with FTE's between .53 and 1.0 are considered full-time, vacancies and other potential positions for an employee's reassignment must not vary more than .20 of the affected employees' FTE status to be considered suitable. However, if there are no suitable vacancies or other available suitable positions held by employees with less seniority, an employee may be reassigned to a position that would otherwise be considered non-suitable for reason of FTE disparity. If the employee refuses such a reassignment, the termination per reduction in force will proceed.

Process for Reassignment of Affected Personnel: The process for determining eligibility for reassignment will be the responsibility of Human Resources.

RESPONSIBILITIES AND PROCEDURES

Faculty: The President and Chief Academic Officer/Provost shall have primary responsibility for making recommendations to the Board of Governors regarding elimination of faculty positions. Human Resources will be guided in process and implementation by the decisions provided by the President and Chief Academic Officer.

Staff Employees: The Office of Human Resources shall have primary responsibility for the implementation of the provisions of this policy.

It is the responsibility of the Chief Human Resources Officer to oversee implementation of a workforce reduction consistent with this policy statement and corresponding State code. The final authority for interpretation of this policy rests with the Chief Human Resources Officer.

REFERENCE / AUTHORITY

HEPC Title 133, Series 9 (Sections 13 and 14) and WV Code 18B-7-3

Tab 6

**Fairmont State University
Board of Governors
December 7, 2017**

Item: Approval of Fiscal Year Ended June 30, 2017 Financial Statements

Committee: Committee of the Whole

Recommended Resolution: Be it resolved, that the Board of Governors recognize and accept the fiscal year ended June 30, 2017 financial statements as presented.

Staff Member: Christa Kwiatkowski

Background: Suttle and Stalnaker presented the Report to the Governing Board and Audit of Fairmont State University for fiscal year ended June 30, 2017.

Tab 7

**Fairmont State University
Board of Governors
December 7, 2017**

Item: Approval of WesBanco Signing Authority

Committee: Committee of the Whole

Recommended Resolution: Be it resolved, that the Board of Governors recognize and approve Fairmont State's corporate resolution to WesBanco for signing authority by: Christa Kwiatkowski, Interim CFO, Carolyn Fletcher, Director of Accounting, and Deborah Stiles, Budget Director.

Staff Member: Christa Kwiatkowski

Background: Currently, signing authority at WesBanco resides with Dr. Rose, Ex-President or Deborah Stiles, Budget Director. This resolution applies to the bond trust accounts, which have only bond payment and minimal investment activity. This corporate resolution updates the signing authority with the current employees and further requires two of the three signatures before any transaction can be authorized.

CORPORATE RESOLUTION

I hereby certify that at a regular meeting of the Board of Governors of Fairmont State University held on the 7th day of December 2017, at which a quorum was present, the following individuals were confirmed as having signing authority for the corporation:

<u>Name</u>	<u>Office</u>	<u>Signature</u>
Christa Kwiatkowski	Interim CFO	_____
Carolyn Fletcher	Director of Accounting	_____
Deborah Stiles	Budget Director	_____

Under the rules of the corporation, any funds deposited to its credit with a bank or trust company may be withdrawn by any Two (*enter number of required signatures for any one transaction*) of the individuals listed above, each of whom is authorized to endorse and sign checks, drafts and orders for the payment of money, transfer, endorse, sell, assign, set over, and deliver any and all shares of stocks, bonds, debentures, notes, evidences of indebtedness, or other securities now or hereafter standing in the name of or owned by the Corporation, to establish or terminate accounts in the name of the Corporation, to direct or transact business in such accounts as referenced herein, and to make, execute and deliver any and all written instruments necessary or proper to effectuate the authority hereby conferred, and otherwise handle business of the corporation.

The authority conferred to each of these individuals is consistent with the By-Laws of this Corporation and is to remain irrevocable for the above-stated purposes until written notification shall be given of revocation.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of December, 2017.

The Board of Governors of Fairmont State University

By: _____
Dixie Yann, Chairperson

Tab 8

**Fairmont State University
Board of Governors
December 7, 2017**

Item: Approval of addition of a TOEFL Testing Fee

Committee: Committee of the Whole

Recommended Resolution: Be it resolved, that the Board of Governors recognize and approve the special fee for administering the TOEFL test for international students of \$30.00.

Staff Member: Christa Kwiatkowski

Background: A description of the purpose of the fee is attached. This test is required for all students who wish to enroll in our English as a Second Language (ESL) program. The fee of \$30.00 will cover the cost of purchasing and administering the test. The test is very important to supporting future recruitment and retention of international students. Per HEPC, we do not have to seek approval of special fees, but we will alert the Legislative Auditor's division as they suggest if approved.

The TOEFL (Test of English as a Foreign Language) is used by universities in the US to determine the English skill level of international applicants from non-English speaking countries. Fairmont State currently requires that undergraduate applicants provide documentation of a minimum score of 500 on the paper-based test (ITP), 173 on the computer-based test (CBT), or 61 on the internet-based test (iBT). Graduate applicants must earn a minimum of 550 ITP or 79 iBT. This information can be found here:

<https://www.fairmontstate.edu/internationalstudents/admissions/admissions-international-students>

Fairmont State is currently authorized to administer the paper-based test (ITP) for students wishing to enroll. The ITP is a 2-hour test, with 3 distinct sections assessing different language skills. Prospective students who do not have the minimum scores required to be admitted into undergraduate or graduate programs are required to enroll in the ESL (English as a Second Language) program until they are able to earn the required TOEFL score. The TOEFL test is also a means of determining whether students currently enrolled in the ESL program are ready to matriculate into the university.

The minimum number of tests that can be ordered is 10, for a cost of \$225, or \$22.50 per test. We would like to assess a fee of \$30, not only to cover the cost of the test, but also to account for the staffing and logistics involved in its administration. WVU, by comparison, currently charges \$35.

This test will be administered twice a semester: once at the beginning, for placement purposes, and once at the end, to assess whether students who wish to apply to the university can do so. This test would also be open to undergraduate students who are seeking admission into a graduate program.