

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1091**

**SUBJECT:** Classified Staff Council Constitution

**REFERENCE:** WV Code §18B-6-6

**ORIGINATION:** November 18, 2003

**EFFECTIVE:** November 8, 2024

**REVIEWED:** November 8, 2024

**SECTION 1. PURPOSE**

- 1.1 To establish the Classified Staff Council of Southern West Virginia Community and Technical College and identify representation for the Classified Staff Council, and set out the election procedures.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy applies to all classified and non-classified staff employees (excluding members of the President’s Cabinet) of Southern West Virginia Community and Technical College.

**SECTION 3. DEFINITIONS**

- 3.1 Classified Staff Council – An elected body whose purpose is to represent the staff, consider and recommend policy regarding staff welfare, and individual staff suggestions and problems.
- 3.2 Classified Employee – Any regular full-time or regular part-time employee who holds a position that is assigned a particular job title and pay grade in accordance with the personnel classification system and does not meet the duties test for exempt status under the provisions of the Fair Labor Standards Act; and is not otherwise a non-classified employee; provided that, any employee who was a classified employee as of January 1, 2017, retains that status unless otherwise deemed a non-classified employee.
- 3.3 Non-Classified Employee – An employee who serves at the will and pleasure of the organization and meets one or more of the following criteria: (a) holds a direct policy-making position; (b) reports directly to the President; (c) is critical to the organization pursuant to policies or decisions adopted by the governing board; (d) is an information technology-related position adopted by a governing board; (e) hired after July 1, 2017 in a position that meets the duties test for exempt status of the Fair Labor Standards Act when hired or anytime thereafter; or (f) in a non-classified position as of January 1, 2017 who may not meet any of the previous criteria.

**SECTION 4. POLICY**

- 4.1 Functions of the Classified Staff Council shall include, but not be limited to the following:
- 4.1.1 Representation to college and professional organizations; classified staff development; and other issues of concern that may arise involving classified staff individually or collectively.
- 4.1.2 Review and make recommendations as necessary regarding institutional policies and procedures.

- 4.1.3 Bring concerns of classified staff to the attention of the college community, administration, and the Board of Governors.
- 4.1.4 Stimulate and strengthen morale and employee satisfaction of classified staff.
- 4.1.5 Support Southern's effort in accomplishing its mission and vision.

## 4.2 Membership

- 4.2.1 The Classified Staff Council shall consist of 18 voting members representing the following geographic and primary occupational activity distribution:

- 1—Logan Campus
- 1—Williamson Campus
- 1—Boone/Lincoln Campus
- 1—Wyoming/McDowell Campus
- 1—Advisory Council of Classified Employees Representative
- 1—Classified Staff Council Chair
- 2—Administrative / Managerial Sector
- 2—Professional / Non-teaching Sector
- 2—Paraprofessional Sector
- 2—Secretarial / Clerical Sector
- 2—Physical Plant / Maintenance Sector
- 2—Non-Classified Staff at Large

- 4.2.2 Each must be a member of the classified staff and non-classified staff (excluding members of the President's Cabinet) and shall be elected to serve a two-year term, which begins on the first day of July of each odd-numbered year. Members of the Classified Staff Council are eligible to succeed themselves.
- 4.2.3 Classified Staff Council members cannot hold more than one position on the Council per term.
- 4.2.4 The Classified Staff Board of Governors representative will serve as ex-officio, non-voting member of the Council.
- 4.2.5 Resignations must be in writing to the Classified Staff Council Chair with copies sent to each Council member.

## 4.3 Meetings

- 4.3.1 Rules of Order – The rules contained in Robert's Rules of Order shall govern the Classified Staff Council unless otherwise stated by this constitution or agreed upon by the Classified Staff Council.
- 4.3.2 The Classified Staff Council shall meet no less than once monthly. Any classified staff member may petition the Classified Staff Council to meet or hear proposals or complaints. At any regular or special meeting, a majority of the elected members shall constitute a quorum. All meetings are open to all Classified Staff.
- 4.3.3 Members of the Classified Staff Council may vote on issues either in person, by electronic means, or by written proxy. The written proxy must be presented to the Council Chair or Vice Chair prior to the meeting. Proxy votes shall be considered in establishing a quorum.

4.3.4 The President of the institution shall meet at least quarterly with the Classified Staff Council.

4.3.5 The Governing Board shall meet at least annually with the Classified Staff Council.

#### 4.4 Committees

4.4.1 The Classified Staff Council shall have the authority to establish committees and other appointed positions and to establish rules for such committees and positions in accordance with the realms of functioning, membership, and charge.

#### 4.5 Reporting of Council Resolutions and Decisions

4.5.1 The Classified Staff Council, through the regular meetings, shall report directly to the Classified Staff body. In areas regarding the welfare of the entire college, the Classified Staff Council through its representative, shall report directly to the President.

#### 4.6 Absenteeism

4.6.1 Any Classified Staff Council member who misses three consecutive meetings without notifying the Chairperson or Secretary of their absence and without presenting a proxy will be subject to dismissal from their elected position on the Classified Staff Council. The individual from the same category who ranked next highest in the vote tally shall be appointed in their place.

### **SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 None.

### **SECTION 6. GENERAL PROVISIONS**

#### 6.1 Ratification

6.1.1 The Classified Staff Council Constitution shall be ratified upon two-thirds approval of Staff members as defined in 2.1 Scope and Applicability.

#### 6.2 Amendments

6.2.1 The Classified Staff Council Constitution shall be amended upon two-thirds majority approval of the Classified Staff members.

### **SECTION 7. RESPONSIBILITIES**

#### 7.1 Nominations

7.1.1 During March of each odd-numbered year, the Classified Staff Council Vice Chair shall contact all staff for the purpose of nominating staff for the following positions: Advisory Council of Classified Employees Representative, Chair to the Classified Staff Council, Classified Staff Representative to the Institutional Board of Governors, and other positions to which the classified staff is represented on college councils and committees. The nominations must be returned to the Vice Chair in person or electronically by the predetermined deadline (reference the Governance Handbook).

7.1.2 Those nominated will be contacted by the Vice Chair. Upon notification, nominated individuals will be given twenty-four (24) hours in which to confirm/decline their desire to be placed on the ballot.

Those who do not respond in writing or by e-mail will be omitted from the election nominations.

7.1.3 Those who are confirmed nominees will be placed on the official election ballot.

## 7.2 Election Ballots

7.2.1 The election ballot will be developed by the Vice Chair from the names of those nominated and confirmed. The ballots will be distributed for a final vote by electronic means during the month of April of each odd-numbered year.

## 7.3 Absentee Balloting

7.3.1 Absentee ballots will be preprinted. The ballot must be returned to the Vice Chair or designee by the predetermined date.

7.3.2 Absentee ballots will be opened during the election by the Chair of the Classified Staff Council or by the Vice Chair.

## 7.4 Election

7.4.1 Ballots will be distributed during the meeting in April inviting each staff member to vote for representation of all elected positions.

7.4.2 The individual receiving the highest number of votes in each category shall be declared elected, based on the number of representatives allowed as established in section 4.2.

7.4.3 In the event of a change in category, resignation, or other unforeseen circumstance that prevents the elected staff member from performing the duties of the position, the staff member from the same category who ranked next highest in the vote tally shall be appointed.

## 7.5 Council Officers

### 7.5.1 Titles

7.5.1.1 There shall be two officers of the Classified Staff Council.

7.5.1.1.1 Chair who will be elected at large by the Classified Staff.

7.5.1.1.2 Vice Chair who will be elected by Council members at the first Classified Staff Council meeting of the next fiscal year following the Classified Staff Council elections.

7.5.2 A Recorder to the Classified Staff Council shall be elected from among the members of the Classified Staff Council.

### 7.5.3 Duties

7.5.3.1 The Chair shall perform the following duties:

7.5.3.1.1 Establish the agenda for all Classified Staff Council meetings and all other special purpose meetings of the Classified Staff Council.

7.5.3.1.2 Preside over all Classified Staff Council meetings.

7.5.3.1.3 Represent the Classified Staff Council at College meetings.

7.5.3.2 The Vice Chair shall perform the following duties:

7.5.3.2.1 Preside over Classified Staff Council meetings in the absence of the Chair.

7.5.3.2.2 Schedule and conduct Classified Staff Council elections.

7.5.3.2.3 Preserve all election records.

7.5.3.3 The Recorder shall perform the following duties:

7.5.3.3.1 Preserve a record of the Classified Staff Council meetings.

7.5.3.3.2 Post meeting minutes and other relevant materials to the Classified Staff Council’s college-designated electronic portal for the members of the classified staff.

7.5.3.3.3 Post the agenda, meeting minutes, and other relevant documents to the college-designated electronic portal in the appropriate Governance Committee folder for documentation purposes.

7.5.3.3.4 Send the official original signed minutes to the President’s Office within seven business days of approval.

**SECTION 8. CANCELLATION**

8.1 None.

**SECTION 9. REVIEW STATEMENT**

9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

**SECTION 10. SIGNATURES**

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**Board of Governors Chair**                      **Date**

\_\_\_\_\_  
**President**    **Date**

**Attachments:**                      None

**Distribution:**                      Board of Governors (12 members)  
www.southernwv.edu

**Revision Notes:**                      November 18, 2003 – Policy originated to supersede SCI 1672 and SCI 1672.01.

December 13, 2006 – Revisions reflect no substantial changes in procedure or documentation requirements. Revisions were made to coincide with changes in West Virginia Code concerning meetings and membership.

March 4, 2009 – Revisions reflect a clarification of membership representation with no substantial changes in procedures.

December 7, 2011 – Revisions allow for proxy voting at meetings, address issues with excessive absenteeism, and permit electronic voting pertaining to nominations and elections.

March 13, 2018 – Revisions reflect minor technical changes, as well as changes in the nomination, election, and voting procedures. The titles of officers and duties of each position were clarified.

November 8, 2024 – Revisions reflect changes to responsibilities, including electronic election ballots, change in title of the council, to include non-classified employees in the membership roster, and to correct grammar.