



*Southern*  
Southern West Virginia  
Community and Technical College

***Board of Governors***

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**FEBRUARY 18, 2014  
MEETING AGENDA PACKET**

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**Members**

Thomas A. Heywood, Chair  
Wilma J. Zigmond, Vice Chair  
Glenn T. Yost, Secretary  
Linda Q. Akers  
Shelley T. Huffman  
Jada C. Hunter

George Kostas  
Terry R. Sammons  
Debbie Dingess  
Darrell Farris II  
Mary Nemeth-Pyles

Joanne Jaeger Tomblin  
President

**Southern West Virginia Community and Technical College  
Board of Governors Meeting of February 18, 2014  
2900 Dempsey Branch Road, Room 428, Building C  
Mount Gay, West Virginia and by Teleconference**

**AGENDA**

1. Call to Order..... Mr. Tom Heywood  
Board Chair
2. Faculty Senate Annual Report. .... Mr. David Ermold  
Faculty Senate Chair
3. Advisory Council of Faculty Annual Report. .... Mr. Chuck Puckett  
Faculty Representative
4. President’s Report. .... Ms. Joanne Jaeger Tomblin  
President
5. Financial Report. .... Mr. Samuel Litteral  
Vice President for Finance and Administration
6. West Virginia Community and Technical College Board of Governors Association  
Presentation to the CTC Council Update..... Chair Heywood
7. Board of Governors Committee on Tuition and Fees Proposal. .... Chair Heywood  
Committee Chair
8. Action Items
  - 8.1 Appointment of Board of Governors Presidential Review Committee. .... Chair Heywood
  - 8.2 Request for Approval of Proposed Tuition Increase. .... 18
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    - 8.4.6 SCP-8600.A, Board of Governors Operational Guidelines. .... 63
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  - 8.6 Request to Extend Deadline for Business Department Programs Needs Assessment  
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9. Information
  - 9.1 “Thank You” from Shelley Huffman. .... 105
10. Adjournment..... Chair Heywood

# **Advisory Council of Faculty (ACF)**

# Advisory Council of Faculty (ACF)

- ▶ Established by West Virginia Code Section 18B-6-2
- ▶ Made up of a representative of each public higher education institution in West Virginia
- ▶ Serve as a resource to advise the legislature on higher education
- ▶ Advise the Higher Education Policy Commission (HEPC) <http://wvhepcnew.wvnet.edu/>
- ▶ Advise the Council for Community and Technical College Education (CCTCE) <http://wvctcs.org/ctc-council>

# ACF Members

- ▶ Are elected by the Faculty Assembly of their respective institution
- ▶ Serve as voting members of the Faculty Senate of their institution
- ▶ Report and serve as a resource to the Board of Governors of their institution
- ▶ Serve as a voice and resource for the faculty of their institution

# ACF Members

- ▶ Are expected to attend ACF meetings
- ▶ Attend HEPC and CCTCE meetings when possible
- ▶ Promote the Academy of Great Teachers to their institution

# 2013 – 2014 ACF Legislative Issues

- ▶ Protect higher education from further Budget Cuts, making both public and higher education immune from debilitating cuts
- ▶ Resolve the PEIA Problem, including lack of transparency and continuously rising costs and falling benefits\*

# 2013 – 2014 ACF Legislative Issues

- ▶ Refine and strengthen SB 330 so that it accomplishes its original intent, specifically by changing the unrealistic 5% salary differential goal between constituent groups (non-classified staff, classified staff, and faculty) to a more realistic 20% margin of error.\*
- ▶ Support the HEPC request for funding a Transfer Articulation Portal that will facilitate both student retention and graduation rates.

# PEIA Issues

- ▶ WVU's Faculty Senate has done research into PEIA
- ▶ PEIA has turned down two Freedom of Information Act requests, citing FERPA violations (which are not true)
- ▶ Working with the HR Department at WVU, the Senate was able to calculate that WVU employees paid \$54 million into PEIA in 2012, and received \$30 million dollars in claims
- ▶ The presentation WVU's Faculty Senate presented at the ACF retreat is available upon your request (ask me)

# SB 330 Issues

- ▶ This bill passed in the 2011 session of the West Virginia Legislature
- ▶ The law seeks to reform the personnel system of West Virginia higher education institutions (classified staff)
- ▶ The law calls for an independent assessment of “relative market equity” values of salaries for classified staff, non-classified staff, and faculty of each institution
- ▶ The law calls for each of the three groups to be no more than 5% different

# SB 330 Issues

- ▶ Example: Non-classified staff 105%, Faculty 100%, Classified staff 90%; that institution should get the Classified staff to 95% (but there are no solid due dates)
- ▶ No state has EVER completed a relative market equity survey; there are a plethora of unknowns and complications involved.
- ▶ The projected margin of error for this survey is 10%
- ▶ ACF does not recommend repealing the law; we recommend making the margin 20% OR removing faculty from the survey

# 2013 – 2014 ACF HEPC and CCTCE Issues

- ▶ Advocate maintaining and increasing the percentage of faculty who are full-time in order to assure academic integrity of programs, to recruit high-quality faculty, and to ensure institutional stability
- ▶ Assure higher education faculty involvement in the new placement criteria commissioned by SB 359 and required by Smarter Balance
- ▶ Continue progress in shared governance by engaging the ACF in the work of the HEPC and CCTCE

# 2013 – 2014 ACF Boards of Governors Issues

- ▶ Promote Smarter Balance and transitioning to the Common Core (Next Generation Standards) in order to encourage a greater “Pre-K through College Connection” and to assure the continuum of learning and linkage between higher and public education
- ▶ Advocate for faculty personnel issues, including salary compression relief, staffing stability, and shared governance to promote student success

# 2013 – 2014 ACF Boards of Governors Issues

- ▶ Promote budget and institutional transparency
- ▶ Remove barriers in order to promote reverse transfer for students

# Other ACF Issues

- ▶ Seek pay raises for faculty
- ▶ Seek ways to increase faculty benefits
- ▶ Seek the right for higher education employees to serve in the legislature
- ▶ Seek faculty input on any outcomes based funding plan

# Final Thoughts

- ▶ I can e-mail all of you a copy of this presentation and a copy of the ACF's issues for 2013 -2014
- ▶ [Charles.puckett@southernwv.edu](mailto:Charles.puckett@southernwv.edu)
- ▶ ACF website: [www.wvacf.org](http://www.wvacf.org)

# Questions Comments Concerns

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 2014**

**ITEM:** Request for Approval of Proposed Tuition Increase

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the proposed resident tuition increase of \$72.00 per semester per FTE for the 2014-2015 academic year effective July 01, 2014.

**STAFF MEMBER:** Tom Heywood, Chair  
Board of Governors Committee on Tuition and Fees

**BACKGROUND:**

At its February 4, 2014 meeting, the Southern West Virginia Community and Technical College Board of Governors Committee on Tuition and Fees recommended a minimum tuition increase of \$72.00 per semester per FTE for the 2014-2015 academic year.

The College staff requests that the Board of Governors approve the above resolution for a tuition increase for the 2014-2015 academic year to reflect a \$72.00 per semester increase per FTE for resident students effective July 1, 2014. This increase will bring the full-time tuition to \$1,524.00 per semester.

**Southern West Virginia Community and Technical College Board of Governors**  
**Board of Governors Meeting of December 10, 2013**  
**West Virginia Governor's Mansion**  
**1716 Kanawha Boulevard, East, Charleston, WV**

**Board Members Present:** Tom Heywood, Wilma Zigmond, Glenn Yost, Terry Sammons, George Kostas, Linda Akers, Shelley Huffman, Jada Hunter, Mary Nemth-Pyles, Debbie Dingess

**Board Members Absent:** None

**Administrative Staff:** President/First Lady Joanne Jaeger Tomblin, Samuel Litteral, Ron Lemon, Allyn Sue Barker, Debra Teachman, Merle Dempsey, Steven Lacek, Pam Alderman, Gary Holeman, Darrell Taylor, Emma Baisden

**Guests:** Chris Deweese and Kristin Moody, Suttle and Stalnaker Representatives

**1. Call to Order:**

Mr. Tom Heywood, Board of Governors Chair, declared a quorum present and convened the meeting at 6:50 p.m.

**2. Introduction of Vice President for Academic Affairs and Student Services:**

President/First Lady Tomblin introduced to Board members Southern's new Vice President for Academic Affairs and Student Services, Dr. Debra Teachman. Dr. Teachman joins Southern from New Mexico State University Alamogordo, where she served as Vice President for Academic Affairs. Her responsibilities at New Mexico State University included the oversight of all instructional programs, developing and maintaining community and statewide partnerships in instructional programming, fundraising, and supporting the coordination of academic advising and admissions/registration processes for the college. Dr. Teachman is credited for successfully coordinating college and community efforts with legislative committees and with the New Mexico Higher Education Department, resulting in planning funds for the Advanced Technology Center for Career/Technical programs in Automotive, Welding, Renewable Energies, HVAC, and Building Construction. Her career includes serving 23 years in higher education with six of those years being spent at Marshall University in Huntington, West Virginia as an Assistant Professor in English. She earned a bachelor's degree and a master's degree in English from Northern Illinois University, and a doctorate in English from the University of California-Davis. Dr. Teachman stated that she was pleased to be at Southern and was excited about the opportunities at the college. Chair Heywood welcomed Dr. Teachman to the institution.

**3. Developmental Education Report:**

Mr. Steven Lacek, Department Chair for Transitional Studies, presented a handout of the Developmental Education Program at Southern to members of the Board. He informed members that the current model of remediation classes does not promote credit accumulation or college completion. On January 9-10, 2014, a team of representatives from Complete College American will conduct an Instate College Completion Academy in Morgantown, West Virginia to provide campus leadership teams with strategic planning support as they work toward scaling up co-curricular developmental education strategies to improve completion on their respective campuses. Representatives from each of the state's community and technical colleges are scheduled to meet to revamp developmental education programs which will allow students to complete developmental course work faster and advance into college-level Math and English. Beginning with Fall 2014, Southern's Transitional Studies department will begin using the co-requisite course model where students will enroll in remedial and college-level courses in the same subject at the same time, by team-teaching college level Math and English 101. Students will receive target support to help boost their understanding and learning of the college-level course material. Early results show that these initiatives produce better outcomes for students in less time and

with significant savings for students and institutions. Upon completion of his presentation, Mr. Lacek invited members of the Board to attend the Chi Alpha Epsilon Honor Society ceremony scheduled for April 8, 2014 beginning at 6:00 p.m. in the Savas-Kostas Theater at Southern's Logan Campus.

**4. Trade Adjustment Assistance Community College and Career Training (TAACCCT) Grant:**

Dr. Merle Dempsey, TAACCCT Grant Transformation Leader, informed Board members that the Community College System applied for and received a four-year grant from the Department of Labor which is designed to serve all 55 West Virginia counties through the 10 community and technical colleges by increasing the number of skill set certificates, certificate degrees and associate degrees awarded that are focused on targeted industries in energy, advanced manufacturing (mechatronics), information technology, and construction trades. Bridgemont Community and Technical College serves as the fiscal agent for the grant with all community and technical colleges participating. Of the \$25,000,000 total funding, Southern will receive a total of \$1,564,279 over three years. The grant calls for several positions which have yet to be filled. Dr. Patrick Crane will serve as the State Level Project Coordinator.

**5. President's Report:**

5.1 President/First Lady Tomblin thanked the Board of Governors and support staff for their continued service to the College.

5.2 Another delegation of 12 students from China's Shanxi Province recently trained at the Academy for Mine Training and Energy Technologies. Of the 12, only one had previously been to the United States. The training focused on safety, rescue, and communications. The training scenarios immerse the students in real life situations without hazardous exposure. Since returning to China, the students continue to communicate with Academy instructors, Carl Baisden and Pete Browning, and relayed they enjoyed their visit to Logan, West Virginia. Southern will have additional Chinese students enroll for training at the Academy over the next several months.

5.3 President/First Lady Tomblin and Vice President for Finance and Administration, Samuel Litteral, have held budget meetings with Southern employees at all campuses. The same information was provided to employees that was provided to Board members at its October Retreat. The meetings went extremely well.

5.4 The President's Student Circle Brunch was held at the Wyoming Campus on November 19. Students were provided an opportunity to share their ideas about the college with President/First Lady Tomblin.

5.5 The TAACCCT Grant focuses on the Williamson Applied Technology facility, and administrators are looking at ways to market new programs to that facility. Plans are to offer a Massage Therapy program at Williamson, and to expand the Medical Assisting and Respiratory Therapy programs to the Wyoming/McDowell Campus through grants, if approved. Bulldog Creative is producing a Career Focus magazine for the college which will feature the new Applied Technology facility.

5.6 A total of 14 employees applied for the Severance Benefit Plan Program and only four were approved based on a savings to the institution. Our Director of Financial Assistance is retiring January 29, 2014.

5.7 The Enrollment Management Committee has submitted its report. President Tomblin and Dr. Debra

Teachman will meet with Dean for Enrollment Management and Student Services, Darrell Taylor, on December 18 to review and discuss the Committee's report.

- 5.8 In March 2013, the National Science Foundation awarded Southern a three-year grant with a total budget of \$892,007 with a first year budget of \$299,280. The grant is titled *Developing Comprehensive Career Pathways and Programs in Coal Mining*. Major activities for the grant during the first year include hiring personnel, development of a web page to distribute grant information, provide incentives for nine faculty to develop courses to meet Quality Matters standards, and to hire a consultant to review a pre-identified list of on-line courses and develop recommendations for improvement and a pathway to move these courses into a Quality Matters design level. To date, all personnel positions identified in the grant have been filled.
- 5.9 Despite the downward economic spiral, contributions to Southern's Vision 2020 Major Gifts Campaign have increased over 2012 by approximately \$50,000. The 2015 goal of \$15,000,000 will be reached by December 31, 2013. To date, Southern employees have contributed more than \$270,000 to the Major Gifts Campaign.
- 5.10 President/First Lady Tomblin has served on the Logan County Chamber of Commerce for more than 30 years. The organization donated \$2,000 to the Vision 2020 Major Gifts Campaign in her honor.
- 5.11 Re-accreditation site visits have been conducted on the Medical Laboratory Technology and Surgical Technology programs. President/First Lady Tomblin expects great reviews from the program's accrediting bodies.
- 5.12 Mr. David Lord, Director of Wyoming/McDowell Campus Operations, is heading up the Ten-year Master Facilities Plan and has held meetings at all campuses to receive employee input.
- 5.13 The College will be closed for the Christmas and New Year's holidays, December 20, 2013 through January 3, 2014.

## 6. Financial Report

Vice President for Finance and Administration, Samuel Litteral, provided the financial report dated November 30, 2013 to members of the Board. He reviewed restricted, unrestricted, and auxiliary revenues and expenditures. He commented that unrestricted revenues are at a good level. Mr. Litteral also informed the Board that he has received a great amount of positive feedback on the town-hall style budget meetings held with employees.

## 7. Financial Audit

The accounting firm of Suttle and Stalnaker, PLLC, conducted the financial audit for Southern West Virginia Community and Technical College for the fiscal year ended June 30, 2013. Suttle and Stalnaker representative and Certified Public Accountant, Chris Deweese, discussed details of the accounting firm's findings with respect to financial reporting. The accounting firm provided copies of the audited financial statements to the Board for review prior to this meeting. The report is intended solely for the information and use of the College's Governing Board, managements of the College and the West Virginia Council for Community and Technical College Education, and is not intended to be and should not be used by anyone other than these specified

parties. Mr. Deweese stated that no material weaknesses were found internally and everything was in alignment. He commended Mr. Litteral's Finance Department staff for performing an excellent job on the audit and appreciated all of their efforts.

8. **Action Items:**

8.1 **Approval of Audited Financial Report**

**MOTION:** Shelley Huffman moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the filing of the audited financial report for the fiscal year ended June 30, 2013.

**ACTION:** Mary Nemeth-Pyles seconded the motion. The motion carried unanimously. Chair Heywood declared the report received and the motion approved.

8.2 **Appointment of Committee on Tuition and Fees**

Chair Heywood appointed a committee to prepare a proposal for tuition and fee increases for FY 2014-2015. The committee will bring a recommendation forward for the Board's review and consideration at its February 18, 2014 meeting. Members appointed include Terry Sammons, Mary Nemeth-Pyles, Joanne Tomblin, Samuel Litteral, Debra Teachman, Tom Heywood, and the student representative as soon as the vacant position is filled. Mr. Heywood will serve as committee chair. Upon a motion by Shelley Huffman and seconded by Wilma Zigmond, the Board unanimously approved the Committee appointments.

8.3 **Approval of October 10, 2013, Minutes**

**MOTION:** Shelley Huffman moved to accept the October 10, 2013 minutes as presented.

**ACTION:** Glenn Yost seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

8.4 **Request for Code Change Regarding Per Credit Hour Tuition Fee Option**

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, that the Southern West Virginia Community and Technical College Board of Governors will join other West Virginia Community College Boards to officially request legislative amendment of W. Va. Code §18B-10-1, ***Enrollment, tuition and other fees at education institutions; refund of fees***, as reflected on page 2 of the attached copy of West Virginia Code to allow for the governing board of each community college to enact the tuition model most appropriate for their community of students.

**ACTION:** George Kostas seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted (See Attachment A).

## 8.5 Request to Amend Board of Governors Strategic Goals 2012-2015

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the amendment of the Board's 2012-2015 Strategic Goals as presented.

**ACTION:** Shelley Huffman seconded the motion. The motion carried unanimously. Chair Heywood declared the motion adopted to accept the new goal (See Attachment B).

## 8.6 Request to Amend 2013-2014 President's Goals

**MOTION:** Mary Nemeth-Pyles moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the amendment of the President's Goals for 2013-2014 as presented.

**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously. Chair Heywood declared the motion adopted (See Attachment C).

## 8.7 Request for Final Approval of Institutional Policies

### 8.3.1 SCP-1153, Consumer Complaint Procedures

**MOTION:** Glenn Yost moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval to rescind the existing policy SCP-1153, *Consumer Complaint Procedures*, and convert it to a procedure following the 30-day public comment period.

**ACTION:** George Kostas seconded the motion. The motion carried unanimously. Chair Heywood declared the motion approved.

### 8.3.2 SCP-5051, Reduced Tuition and Fee Program for State Residents 65 and Older

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned policy to Southern's constituencies and the Chancellor for Community and Technical College Education for a 30-day public comment period.

**ACTION:** Shelley Huffman seconded the motion. The motion carried unanimously and Chair Heywood declared the motion approved.

## 8.8 Request for Approval of Institutional Policies for 30-day Public Comment

### 8.8.1 SCP-1435.B, Essential Employee Guidelines

**MOTION:** Jada Hunter moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-1435.B, *Essential Employee Guidelines*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Linda Akers seconded the motion. The motion carried unanimously and Chair Heywood declared the motion approved.

### 8.8.2 SCP-2562, Faculty Outside Employment or Non-College Related Activities

**MOTION:** Terry Sammons moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned policy to Southern's constituencies and the Chancellor for Community and Technical College Education for a thirty-day comment period.

**ACTION:** Shelley Huffman seconded the motion. The motion carried unanimously and Chair Heywood declared the motion approved.

### 8.8.3 SCP-2686.A, Promotion in Rank and/or Tenure Criteria Forms

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2686.A, Promotion-in-Rank and/or Tenure Criteria Forms, to Southern's constituencies and the Chancellor for Community and Technical College Education for a thirty-day comment period.

**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

### 8.8.4 SCP-3214, College Board Advanced Placement Credit

**MOTION:** Linda Akers moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned revised policy to Southern's constituents and the Chancellor for Community and Technical College Education

for the required 30-day public comment period.

**ACTION:** Jada Hunter seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

#### 8.8.5 SCP-4398, Student Grades and Grade Point Average Requirements for Graduation

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned revised policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Debbie Dingess seconded the motion. The motion carried unanimously and Chair Heywood declared the motion approved.

#### 8.8.6 SCP-5780, Travel Regulations

**MOTION:** George Kostas moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned policy to Southern's constituencies and the Chancellor for Community and Technical College Education for a thirty-day comment period.

**ACTION:** Terry Sammons seconded the motion and requested Mr. Litteral follow-up on developmental of a standard mileage chart for the institution as recommended by Wilma Zigmond to include as an attachment to SCP-5780. The motion carried unanimously and Chair Heywood declared the motion approved.

#### 8.8.7 SCP-8600.A, Board of Governors Operational Guidelines

**MOTION:** Glenn Yost moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors approve the amendment of SCP-8600.A, *Board of Governors Operational Guidelines*, as presented and grant approval for its distribution to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Jada Hunter seconded the motion which carried unanimously. Chair Heywood declared the motion adopted.

## 9. Informational Items

- 9.1 Council Approval of FY 2013 Post Audit Reports and Follow-up Report Request
- 9.2 Marshall University School of Pharmacy Letter

**10. Executive Session under the Authority of WV Code §6-9A-4(b)2A pertaining to personnel and personnel matters.**

Mr. Glenn Yost moved pursuant to §6-9A-4(b)2A of the West Virginia Code that the Board shall enter into Executive Session to discuss personnel and personnel matters, which if discussed in public might adversely affect the reputation of any person. Mrs. Wilma Zigmond seconded the motion which carried unanimously. The Board entered Executive Session at 8:44 p.m.

Upon conclusion of Executive Session, Glenn Yost moved that the Board adjourn Executive Session and reconvene in Open Session. Mrs. Wilma Zigmond seconded the motion which carried unanimously. Chair Heywood declared Executive Session was adjourned at 8:49 p.m.

Following Executive Session, Chair Heywood announced that there were no action items which needed to be addressed from the Executive Session.

**11. Adjournment:**

There being no further business, Chair Heywood declared the meeting adjourned at 7:52 p.m. The next Board meeting is scheduled for February 18, 2014 and will be held at Southern West Virginia Community and Technical College, Building C, Room 428, at the Logan Campus in Mount Gay, WV.

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Thomas A. Heywood, Chair

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Emma L. Baisden  
Executive Assistant to the President  
and Board of Governors

*DRAFT*

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Final Approval of SCP-2562, *External Professional Activities of Faculty and Other Professional Staff and Form*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-2562, *External Professional Activities of Faculty and Other Professional Staff and Form*, following the required 30-day public comment period.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin charged the Vice President of the Finance and Administration Unit with review of SCP-2562, *Faculty Outside Employment or Non-College Related Activities*. This policy provides guidance regarding faculty and professional employee outside employment activities and a mechanism for reporting the same.

The policy was reviewed by Executive Council on November 06, 2013. After the review, minor grammatical revisions were made, but no substantial changes in procedure or documentation requirements.

At its December 10, 2013 meeting, the Southern West Virginia Community and Technical College Board of Governors approved advancement of this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period which ended January 09, 2014. One comment was received at the end of the comment period from Bruce Walker, General Counsel, West Virginia Higher Education Policy Commission. Mr. Walker commented that the policy should reference Title 135 not Title 133. The policy reference has been corrected. Therefore, the staff recommends the policy as corrected to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2562**

**SUBJECT:** External Professional Activities of Faculty and Other Professional Staff

**REFERENCE:** Title 135 Procedural Rule West Virginia Council for Community and Technical College Education, Series 9, Academic Freedom, Professional Responsibility, Promotion, and Tenure

**ORIGINATION:** November 1, 1984

**EFFECTIVE:** February 18, 2014

**REVIEWED:** November 6, 2013

**SECTION 1. PURPOSE**

- 1.1 To provide guidance regarding faculty and professional employee outside employment activities and a mechanism for reporting the same.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy applies to all full time faculty and professional employees of Southern West Virginia Community and Technical College.

**SECTION 3. DEFINITIONS**

- 3.1 “External professional activities for pay” means any activity that 1) is not included within one’s college employment responsibilities; 2) is performed for any entity, public or private, other than the college; 3) is undertaken for compensation; and 4) is based upon the professional knowledge, experience and abilities of the faculty or other professional staff member. Activities for pay not involving such professional knowledge, experience and abilities are not subject to the advance disclosure and approval requirements of this policy, although they are subject to the basic requirement that outside activities of any type not result in neglect of primary College duties, conflicts of interest, inappropriate uses of the College name, or claims of College responsibility for the activity.
- 3.2 “College employment responsibilities” include both “primary duties” and “secondary duties.” Primary duties consist of assigned teaching, scholarship, and all other institutional service requirements. Secondary duties consist of professional affiliations and activities traditionally undertaken by faculty and other professional staff members outside of the immediate College employment context that redound to the benefit of the profession and to higher education in general. Such endeavors, which may or may not entail the receipt of honoraria or the reimbursement of expenses, include membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies. Such integral manifestations of one’s membership in a profession are encouraged, as extensions of College employment, so long as they do not conflict or interfere with the timely and effective performance of the individual’s primary College duties.

- 3.3 “Faculty or other professional staff members” means any person who is employed full time by Southern West Virginia Community and Technical College who is exempt from overtime requirements of the Fair Labor Standards Act.
- 3.4 “Inappropriate use or exploitation of College resources” means using any services, facilities, equipment, supplies or personnel which members of the general public may not freely use. A person engaged in external professional activities for pay may use, in that connection, publicly accessible facilities such as College libraries; however, an office shall not be used as the site for compensated appointments with clients, e.g., for counseling or instruction. Under no circumstances may a supervisory employee use the services of a supervised employee during College employment time to advance the supervisor’s external professional activities for pay.
- 3.5 “Conflict of interest” relates to situations in which financial or other personal consideration may compromise, may have the potential for compromising, or may have the appearance of compromising an employee’s objectivity in meeting College duties or responsibilities, including grant activities.

#### **SECTION 4. POLICY**

- 4.1 Southern West Virginia Community and Technical College seeks to appoint and to retain, as faculty and other professional staff members, individuals of exceptional competence in their respective fields of professional endeavor. Because of their specialized knowledge and experience, such persons have opportunities to apply their professional expertise to activities outside of their College employment, including secondary employment consisting of paid consultation with or other service to various public and private entities. Through such practical, compensated applications of their professional qualifications, College employees enhance their own capabilities in teaching and professional development. Thus, participation of faculty and other professional staff members in external professional activities for pay, typically in the form of consulting, is an important characteristic of academic employment that often leads to significant societal benefits, including economic development through knowledge and technology transfer. However, such external professional activities for pay are to be undertaken only if they do not:
- 4.1.1 Create a conflict of commitment by interfering with the obligation of the individuals to carry out all primary College duties in a timely and effective manner; or
  - 4.1.2 Create a conflict of interest vis-a-vis the individual’s status as an employee of the College; or
  - 4.1.3 Involve any inappropriate use or exploitation of College resources; or
  - 4.1.4 Make any use of the name of Southern West Virginia Community and Technical College for any purpose other than professional identification; or
  - 4.1.5 Claim, explicitly or implicitly, any College or institutional responsibility for the conduct or outcome of such activities.
- 4.2 The institution expects its employees to give full professional effort to assignments of teaching and/or institutional service. It is, therefore, considered inappropriate to engage in gainful employment outside the institution that is incompatible with the employee’s commitment to the institution. Moreover, it is considered inappropriate to transact personal business from one’s institutional office, or using College equipment for the same.

- 4.3 No employee may conduct personal for-profit business or enterprises on college premises. This restriction includes telephone calls, developing or answering correspondence, or receiving personal business guests on college property or time.
- 4.4 Solicitation by employees for purposes other than direct college related business during regularly scheduled work hours is prohibited. Solicitation during non-work hours (lunch or other break times) by employees is subject to other applicable policies of this institution.

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

- 5.1 This policy is written in compliance with joint policies of the West Virginia Higher Education Policy Commission and the West Virginia Council for Community and Technical College Education.

## **SECTION 6. GENERAL PROVISIONS**

- 6.1 The American Association of University Professors (AAUP) states that the broad term “conflicts of interest” is generally used to subsume two different concepts: Conflicts of interest, which tend to involve private financial arrangements, and conflicts of commitment, which generally refer to time and energy. While conflicts of commitment is a distinct concept from conflicts of interest, the two often overlap and, at times, may be difficult to separate. This policy is intended to bring attention to the outside employment activities of employees of the institution and allow a reporting mechanism to ensure these activities will not interfere with the full time service commitment to the institution.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

- 7.1 The appointment of a person to a full time position at Southern West Virginia Community and Technical College is made subject to the following conditions:
  - 7.1.1. The employee shall render full time service to the institution. Outside activities shall not be restricted unless such activities or employment interfere with the adequate performance of college employment responsibilities.
  - 7.1.2. If outside employment or service interferes with regular college employment responsibilities of the employee, the institution has a right to take appropriate corrective action as warranted by the situation and rules and policies of the institution, up to and including disciplinary action.
- 7.2. Annual Review
  - 7.2.1. All faculty and professional staff shall verify their status annually by completing the appropriate form. If a faculty or professional staff member undertakes external professional activities for pay after the annual reporting date, he/she should complete an External Professional Activities form not less than ten (10) calendar days before the date of the proposed external professional activity for pay is to begin.
  - 7.2.2. The supervisor will review and discuss the completed form and policy with the employee to ensure no conflict of commitment or interest exists, sign the form, and forward to Human Resources.
  - 7.2.3. The signed form shall be placed in the employee’s personnel file.

7.3 Personal Professional Activity

7.3.1 The administration may permit and encourage a reasonable amount of personal professional activity (such as consulting, service on boards and committees, and community service activities) outside the employee’s duties and responsibilities, provided such activity further develops the employee professionally, or provides a community service, or promotes the college in a positive manner, and does not interfere with duties and responsibilities to the institution.

**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**

\_\_\_\_\_  
**Board of Governors Chair** **Date**

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

**Attachments:** SCP-2562.A, External Professional Activities for Pay Report Form

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

**Revision Notes:** September 2008 - Revisions reflect no substantial changes in procedure or documentation requirements. However, coverage was expanded from only full time faculty to all full time exempt professional employees of the institution. Definitions were added and more clarity was provided to provide explanation of the meaning of conflict of interest. The form for reporting was modified to indicate the specific outside employment activity.

November 2013 - Revisions reflect correction to Procedural Rule institutional reference, but no substantial changes in procedure or documentation requirements.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE**

**External Professional Activities for Pay Report Form**

**SCP-2562.A**

Instructions: In accordance with SCP-2562, *External Professional Activities of Faculty and Other Professional Staff*, this form must be completed each year by all full-time faculty and professional staff employees. Complete all parts of the form. If you did not engage in external professional activities for pay for the fiscal year specified, write "NONE" across the grid below. Please report all paid activity/employment, including planned activity/employment for the fiscal year. The report for each fiscal year is due to Human Resources by August 31. If you intend to engage in paid professional activity, this form is to be completed no less than ten days before the proposed external professional activity for which pay is to begin.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Department/Unit: \_\_\_\_\_ Fiscal Year: \_\_\_\_\_

| Dates<br>From/To | Description of Activity | Explanation: Nature of Activity and General Description of Business/<br>Agency/<br>Organization/ Group/Person |
|------------------|-------------------------|---|
|                  |                         |   |
|                  |                         |   |
|                  |                         |   |
|                  |                         |   |
|                  |                         |   |
|                  |                         |   |
|                  |                         |   |

Employee Signature and Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

I have reviewed the above activities for compliance with SCP- 2562, *External Professional Activities of Faculty and Other Professional Staff*

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Final Approval of SCP-2686, Promotion-in-Rank and/or Tenure Policy and Forms

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern WV Community and Technical College Board of Governors grant final approval of SCP-2686, Promotion-in-Rank and/or Tenure Policy and Forms, following the required 30-day public comment period.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin Charged the Vice President of the Finance and Administration Unit with the review of SCP-2686, Promotion-in-Rank and Tenure. This policy establishes procedures for making recommendations and/or decisions regarding promotions-in-rank and tenure for full time faculty members of Southern West Virginia Community and Technical College.

The Policy was reviewed by Executive Council on November 06, 2013. Following the review, revisions were made to the policy and forms which provide clarity and reflect changes in administrative titles.

At its December 10, 2013, the Southern West Virginia Community and Technical College Board of Governors approved advancement of this policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period which ended January 09, 2014. No comments were received at the end of the comment period. Therefore, the staff recommends the policy and forms as presented to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2686**

**SUBJECT:** Promotion-in-Rank and Tenure Policy

**REFERENCE:** Title 135, Procedural Rule, West Virginia Council for Community and Technical Colleges Education, Series 9, *Academic Freedom, Professional Responsibility, Promotion, and Tenure*; Applicable policies and procedures of the Southern West Virginia Community and Technical College Board of Governors

**ORIGINATION:** August 17, 1984

**EFFECTIVE:** February 18, 2014

**REVIEWED:** November 06, 2013

**SECTION 1. PURPOSE**

1.1 To establish policy and procedures for making recommendations and/or decisions regarding promotions-in-rank and tenure for full time faculty members of Southern West Virginia Community and Technical College (Southern).

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This issuance applies to all full-time faculty members of Southern who hold faculty rank of instructor or above. Certain sections of the issuance apply to all full-time faculty while others may be specific to only tenure-track, tenured or term faculty individually.

**SECTION 3. DEFINITIONS**

- 3.1 Terminal Degree - The approved terminal degree is an earned doctorate in a field appropriate to the subject matter taught. It is recognized, however, that certain master's degrees will be accepted as the terminal degree in fields which traditionally do not require or do not offer a doctoral degree. Acceptable degrees include, but are not limited to, the Masters of Fine Arts for studio and performing arts.
- 3.2 Tenured Faculty - A tenured faculty member is one who has attained tenure status as determined by Southern.
- 3.3 Tenure-track Faculty - A tenure-track faculty member is one who has been appointed on a full-time basis and designated by Southern as being in a tenure-track position.
- 3.4 Term Faculty - Those faculty members who have been appointed for a specific term as defined by the institution. The appointment may be full time (1.00 FTE or the equivalent, as determined by the institution) or part-time. While a full-time term faculty member is eligible to receive reappointment to additional terms, no single term may exceed three years. No number of term appointments shall create any presumption of a right to appointment as tenured track or tenured faculty.
- 3.5 Instructional Specialist - Those faculty members who have been appointed minimally on a nine-month basis and an hourly workload. The appointment is for a specified term not to exceed three years. The instructional

specialist is eligible to receive reappointment to additional terms. No number of term appointments shall create any presumption of a right to appointment as a tenure-track or tenured faculty. In addition to teaching, instructional specialists will have responsibilities for various academic support activities.

#### **SECTION 4. POLICY**

- 4.1 Policies, procedures and rules of the Board will be adhered to in making any recommendations for promotion-in-rank and/or tenure.
- 4.2 All recommendations for promotion-in-rank and/or tenure will be the result of the process contained in this issuance and within the funds allocated for promotion by the institution.
- 4.3 Promotions-in-rank and/or tenure approved during one academic year will become effective the beginning of the fall semester of the following academic year.
- 4.4 This tenure policy shall not affect persons having tenure under any previous policy of this administration or its governing board.
- 4.5 Tenured faculty shall retain their status until they retire, resign, are terminated for cause, as a result of financial exigency, or as a result of program reduction or discontinuance.
- 4.6 Failure to be recommended for promotion-in-rank and/or tenure at any step does not preclude an individual's opportunity to be evaluated at the remaining phases. If the final decision by the President is to deny promotion and/or tenure, written appeals may be made to the President within ten working days of such decision.
- 4.7 Persons assigned to full-time or part time administrative or staff duties may be appointed to, or may retain, faculty rank and/or tenure in addition to any administrative or staff title. Administrators shall earn rank and/or tenure as members of an academic discipline at the discretion of the President.
- 4.8 Department Chairs or the Chief Academic Officer, may nominate faculty members for promotion and/or tenure.
- 4.9 Faculty appointed as term faculty are appointed for a specified term, as defined by the institution, and are not eligible for tenure. No number of term appointments shall create any presumption to a right to appointment as tenure-track or tenured faculty.
- 4.10 Tenure and/or promotion will not be granted routinely, automatically or solely for length of service, but shall result from action by the institution; nor shall tenure and/or promotion be denied capriciously.
- 4.11 Full-time, tenure-track faculty who fail to obtain tenure status, within the time frame permitted under the promotion-in-rank and tenure criteria of the institution's policy and receive a terminal contract of employment (letter), shall be ineligible to apply for promotion-in-rank or tenure during the terminal year of employment.
- 4.12 Any appeal of action taken regarding promotion-in-rank and/or tenure will follow approved grievance procedures as outlined in WV Code §6C-2.

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

- 5.1 All previous policies, procedures, rules or regulations of any previous governing or advisory board of Southern West Virginia Community and Technical College regarding promotion and/or tenure are superseded by this policy.
- 5.2 This policy sets forth major elements of the institution's policy and criteria regarding promotion-in-rank and tenure. Nothing in this policy may be contrary to the guidelines and principles established by the Council for Community and Technical College Education or the West Virginia State Code.
- 5.3 Faculty having received tenure prior to the implementation of this policy are not affected by its terms or conditions regarding tenure but are subject to its terms regarding future promotion.

## **SECTION 6. GENERAL PROVISIONS**

- 6.1 Each spring semester, at a date and time determined by the President or his/her designee, the Faculty Assembly shall elect a Promotion and a Tenure Committee. The committees shall consist of four members each, with two members representing each academic division. Committee members must be members of the Faculty Assembly, have no supervisory roles over full-time faculty, and must not be applying for tenure or promotion during the year in which they serve. Each committee member serving on the tenure committee shall have tenure. Those serving on the promotion committee must hold the rank of assistant professor or higher. The Chief Academic Officer or his/her designee will call the first meeting of each committee at which time a chairperson will be elected from and by the respective committee membership.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

### **7.1 THE APPLICANT WILL:**

- 7.1.1 Complete the necessary application forms and provide the required documentation.
- 7.1.2 Submit one copy of the application and documentation to the Department Chair and one copy of the application and documentation to the Chair of the Promotion or the Tenure Committee.
- 7.1.3 Submit any additional documentation as requested by the Department Chair, the Chair of the Promotion or Tenure Committee, Chief Academic Officer or President during the review process.
- 7.1.4 Request a conference at any step to discuss recommendations, if desired.

### **7.2 THE DEPARTMENT CHAIR WILL:**

- 7.2.1 At their discretion, nominate qualified faculty members for promotion and/or tenure.
- 7.2.2 Provide access to the appropriate forms and provide other appropriate assistance to faculty member applying for promotion-in-rank and/or tenure.
- 7.2.3 Accept and review faculty packets to determine that the required materials are included.
- 7.2.4 Verify that the minimum criteria for promotion-in-rank and/or tenure are met.
- 7.2.5 Inform the applicant within 10 working days of receiving the packet of any missing material, request additional material, and include the material in the packet prior to forwarding a written recommendation to the Chief Academic Officer.
- 7.2.6 In the event of a recommendation for denial, the Department Chair shall offer the faculty member an opportunity for a conference to discuss the promotion and/or tenure packet information and the recommendation prior to forwarding recommendations.
- 7.2.7 Submit to the Chief Academic Officer all applications and supporting documentation.
- 7.2.8 Notify the applicant and the Chief Academic Officer, in writing with justification, of the Department Chair's recommendations.

7.3 THE INSTITUTIONAL PROMOTION OR TENURE COMMITTEE WILL:

- 7.3.1 Evaluate all applications and documentation submitted by the applicants.
- 7.3.2 Request clarification of any material presented when deemed appropriate by a vote of the respective Committee.
- 7.3.3 In the event of a recommendation for denial, the Committee shall offer the applicant an opportunity for conference to discuss the promotion and/or tenure packet information and the recommendation prior to forwarding recommendations.
- 7.3.4 Submit to the Chief Academic Officer, the promotion packets with a written recommendation to grant or deny promotion and/or tenure with justification.
- 7.3.5 Notify the applicant in writing, with accompanying justification, of the Committee's recommendation.

7.4 THE CHIEF ACADEMIC OFFICER WILL:

- 7.4.1 At his/her discretion, nominate qualified faculty members for promotion and/or tenure.
- 7.4.2 Review all applications, documentation and written recommendations forwarded by the Department Chairs and the Chair of the Promotion or Tenure Committee.
- 7.4.3 In the event of a recommendation for denial, the Chief Academic Officer shall offer the faculty member an opportunity for a conference to discuss the promotion and/or tenure packet information and the recommendation prior to forwarding recommendations to the President.
- 7.4.4 Submit to the President, all promotion and/or tenure applications, supporting documentation and written recommendations to grant or deny promotion-in-rank and/or tenure with justification.
- 7.4.5 Notify the applicant in writing, with accompanying justification, of the Chief Academic Officer's recommendation.

7.5 THE PRESIDENT WILL:

- 7.5.1 At his/her discretion, nominate qualified faculty members for promotion and/or tenure.
- 7.5.2 Make the final decision.
- 7.5.3 In the event of a recommendation for denial, the President shall offer the faculty member an opportunity for a conference to discuss the promotion and/or tenure packet information and the recommendation prior to making the final decision.
- 7.5.4 Inform those listed in writing of the decision: Applicant, Department Chair, Chief Academic Officer, Chief Financial Officer, Human Resources Administrator, and the Southern West Virginia Community and Technical College Board of Governors.
- 7.5.5 Receive and act on any appeal made by applicants regarding promotion and/or tenure decisions.

7.6 THE CHIEF FINANCIAL OFFICER WILL:

- 7.6.1 Include approved promotion-in-rank increases in the operation budget for the next academic year.

**SECTION 8. CANCELLATION**

8.1 SCI 2321.

**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**

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**President**    **Date**

**Attachments:**            SCP-2686.A, *Promotion-in-Rank and/or Tenure Criteria and Forms*

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

**Revision Notes:**        November 06, 2013 — Revisions reflect no substantial changes in procedure or documentation requirements.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2686.A**

**SUBJECT:** Promotion-in-Rank and/or Tenure Criteria and Forms

**REFERENCE:** Title 135, Procedural Rule, West Virginia Council for Community and Technical Colleges Education, Series 9, *Academic Freedom, Professional Responsibility, Promotion, and Tenure*; Applicable policies and procedures of the Southern West Virginia Community and Technical College Board of Governors

**ORIGINATION:** August 17, 1984

**EFFECTIVE:** February 18, 2014

**REVIEWED:** November 5, 2013

**1. Tenure Criteria**

Within the institution, tenure shall be earned by full-time academic tenure-track personnel with respect to academic rank only. When a full-time faculty member is appointed on other than a term, non-tenure track or tenured basis, the appointment shall be tenure-track.

Tenure criteria shall include excellence in teaching; professional and scholarly activity recognition; accessibility to students; adherence to professional standards of conduct; effective service to the institution, division, department and discipline; significant service to the community; experiences in higher education particularly at Southern; evidence of continuous professional growth; possession of appropriate degrees, special competence and/or certification/licenses appropriate to the teaching field.

When applying for tenure, the limitation of submitting materials since last promotion does not apply. The application for tenure should include documentation for all work completed since initial appointment at Southern.

At the instructor level, tenure-track faculty members shall be appointed on a year-to-year basis and shall not be eligible for tenure.

During the tenure-track period, contracts shall be issued on a year-to-year basis, and appointments may be terminated at the end of the contract year. During said tenure-track period, notices of non-reappointment may be issued for any reason that is not arbitrary, capricious or without factual basis.

An Instructor shall be eligible to apply for both tenure and promotion in the same year. However, in addition to meeting other criteria such as that stated above, tenure shall be contingent upon the promotion to the rank of Assistant Professor.

Tenure shall not be granted automatically, or solely on the basis of promotion or length of service, but it shall result from action by the institution as represented by its President.

The maximum period of tenure-track status shall not exceed seven years. Prior to completing the sixth year of a tenure-track appointment, any non-tenured faculty member shall be given written notice of tenure or shall be offered a one-year written terminal contract of employment. All faculty hired on a tenure-track must either be awarded tenure or given a terminal contract no later than the end of the sixth year of full-time service.

Faculty receiving a one-year written terminal contract of employment shall not be eligible to apply for promotion or tenure during the terminal year of employment.

Faculty members initially appointed at the rank of Assistant Professor or higher, may be granted tenure upon appointment or, at the discretion of the institution, may be required to serve a probationary period not to exceed the maximum seven years. A faculty member may be granted tenure before his/her sixth year of service, however, the faculty member must meet all other eligibility criteria as set forth in this policy.

## **2. Promotion-in-Rank Criteria**

Promotion-in-rank should recognize exemplary performance for a faculty member and provide the opportunity to assess a faculty member's growth and performance since the initial hire or since the last promotion. Faculty members are expected to contribute to the mission of Southern West Virginia Community and Technical College. Inasmuch, faculty members are hired with varying backgrounds and standards based on specific intended roles and should not be judged for promotion-in-rank accordingly.

The criteria listed below are minimum standards for submission of applications for promotion-in-rank. Meeting minimum standards does not guarantee promotion. There shall be evidence presented by the applicant that addresses each of the criterion and demonstrates a continuous and consistent commitment to the teaching profession, to students, to the mission and goals of the of the institution, to the community at large and to his/her own professional growth. All degrees required for promotion-in-rank must be from accredited colleges or universities. All college credit must be in-field or in a related/approved field. All criteria must be completed prior to the submission of an application, with the exception of length of time in rank. Since promotions are effective beginning the fall semester of the following academic year, application for promotion may be made during the year in which the candidate will complete time requirements.

### **2.1 Years of Service:**

A minimum of four years of continuous service at the current rank at Southern West Virginia Community and Technical College must be completed prior to the effective date of promotion. Since promotions are effective at the beginning of the fall semester following their approval, application for promotion to the next rank may be made in the fourth year of service. Faculty hired mid-year will be eligible for promotion in the fifth year of service, such that four full years of service will be completed prior to the promotion taking effect.

### **2.2 Professional Preparation:**

Faculty members are expected to undertake a continuing program of professional preparation and growth germane to their assignments. Professional growth and development activities include graduate studies, formal training programs, and participation in workshops, seminars, and/or conferences that are education and/or training in nature and specifically related to their field. Workshops, seminars and conferences must be pre-approved by the Chief Academic Officer prior to usage toward promotion. Promotion to the next rank requires one of the following professional preparation options.

**2.2.1** A minimum of six graduate hours in field or an alternate pre-approved field should be completed for promotion to the rank of assistant professor. Twelve graduate hours in field or in an alternate pre-approved field should be completed for promotion to the rank of associate professor. In order to receive the full rank of professor, one should complete a total of 18 additional graduate hours in field or in a pre-approved documented alternate field above their Masters Degree.

- 2.2.2 A minimum of two professional certification and/or licensure training courses or self study leading to certification linked to field of study as pre-approved and documented by the Chief Academic Officer since the last promotion or initial hire.
- 2.2.3 Sixty hours (60) of Continuing Education specific to the field of study (or teaching methodologies/technologies) must be approved by the Chief Academic Officer and documented. Documentation of contact hours must be included in the applicant's promotion packet or evaluation by the Chief Academic Officer.
- 2.2.4 Promotion to the rank of professor requires the minimum of a Master's Degree + 18 additional graduate hours, or a Master's Degree + in addition to documented field-appropriate certifications or licensures, as pre-approved by the Chief Academic Officer.

### **2.3 Classroom Performance:**

The applicant will demonstrate excellence in teaching as reflected in the supervisor's annual evaluations, classroom evaluations by department chairs or deans, peer reviews, student evaluations and/or letters from former students.

### **2.4 Service:**

The applicant must demonstrate outstanding achievement in at least three of the categories of service described in Section 3.

## **3. Service Categories**

### **3.1 Instructional and Curriculum Development**

This category includes, but is not limited to, development of new courses and/or programs, implementation of innovative teaching techniques including effective use of technology for delivery and/or enhancement of courses or programs and significant changes to existing courses.

### **3.2 Professional Growth**

This category includes, but is not limited to, attendance at pre-approved courses and/or workshops relevant to the discipline taught, acquiring an advanced degree in a discipline that meets institutional needs, membership and active participation in professional organizations, attendance and presentation at professional meetings, professional certifications, pre-approved independent study for advancement of academic understanding, professional awards, honors and other notable recognition, and other scholarly activity. Documentation of such activities should be included in the applicant's packet for verification.

### **3.3 Service to the College**

This category includes, but is not limited to, active membership on college committees; development of policies and procedures, contributions to institutional self-studies; Compact and Master Plan development and implementation; participation in special projects that meet institutional priorities such as student recruitment and or retention; service on screening committees, grievance hearing committees; student-teacher interaction outside the classroom including sponsoring student organizations, active participation in student activities and other ad-hoc committees. Active participation, memberships, and contributions must be documented e.g. letters from committee chairs,

the President, Chief Academic Officer, Dean, peers and is to be included in the application packet for verification.

### **3.4 Service to the Profession**

This category includes, but it not limited to, service on accreditation teams, editing and/or reviewing manuscripts, and service on academic committees outside Southern West Virginia Community and Technical College. Active participation must be documented, e.g. letters from chairs of accreditation teams, publishers, and/or the Chancellor and should be included in the application packet for verification.

### **3.5 Service to the Community**

This category includes, but is not limited to, activity in civic organizations, membership on boards of community organizations, sponsorship of activity within the faculty member's expertise for community benefit, serving as resource person for community groups, and participation in special performances, exhibits or presentations open to or for the benefit of the community. Active participation and contributions must be documented by appropriate community representatives and included in the application packet for verification.

### **3.6 Research and Publication**

This category includes, but is not limited to, publication of original research, reviews of literature, artistic presentations, and any other articles in books and/or periodicals. Scholarly research, publications, presentations, and/or other such evidence must be included in the application packet for verification.

## **4. Contents of Promotion and/or Tenure Packet**

### **4.1 Promotion and/or Tenure Application**

A completed application for Promotion and/or Tenure will provide identifying data regarding the applicant applying for promotion and/or tenure.

### **4.2 Statement of Rationale**

The statement of rationale shall be a narrative summary of the applicant's accomplishments which are being used to justify tenure or promotion.

### **4.3 Additional Documentation**

Documentation for years of service, professional preparation, classroom performance, and service is required, and should be included in this section. Examples would include supervisor evaluations completed by those other than the applicant's current department chair, transcripts of course work completed since the applicant's initial appointment, and other items sufficient to document that each criterion has been met and to adequately demonstrate a continuous and consistent commitment to the profession as stated in the introductory paragraph of the promotion-in-rank criteria section.

## **5. Timetable for Processing Promotions-in-Rank/Tenure**

January 15 Chief Academic Officer calls the first meeting of the Promotion or Tenure Committee.

- January 30 Applicant submits one copy of the application and supporting documentation packet to the Department Chair and one copy to the Chair of the Promotion or Tenure Committee
- February 28 Department Chair and Chair of Promotion or Tenure Committee submit applications along with a written recommendation with justification to the Chief Academic Officer.
- March 30 Chief Academic Officer submits packets and recommendations to the President.
- April 30 President makes final decision regarding faculty application for promotion-in-rank and/or tenure and informs the following in writing:
1. Applicant
  2. Chief Academic Officer
  3. Department Chair
  4. Chair, Promotion or Tenure Committee
  5. Chief Financial Officer
  6. Human Resources Director
  7. Board of Governors Chair

**Southern West Virginia Community and Technical College  
Application for Promotion and/or Tenure**

**Section 1.**

Name of Candidate: \_\_\_\_\_

Applying For:     Promotion     Tenure  
(check all that apply)

Date of Initial Appointment: \_\_\_\_\_

Rank at time of Initial Appointment: \_\_\_\_\_

Present Rank: \_\_\_\_\_

Date of last Promotion: \_\_\_\_\_  
(if applicable)

Rank Applying for: \_\_\_\_\_

Total years completed as a full-time faculty member at Southern West Virginia Community and Technical College: \_\_\_\_\_

Current highest degree held: \_\_\_\_\_ Date conferred: \_\_\_\_\_

Graduate semester hours completed since receipt of current highest degree: \_\_\_\_\_

Department: \_\_\_\_\_ Campus: \_\_\_\_\_

This is to certify I am a candidate for promotion-in-rank and/or tenure at Southern West Virginia Community and Technical College. The enclosed data and data in my personal file may be used for purposes of professional evaluation by reviewing bodies.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Section 2. (For Department Chair Use)**

**2.1 Instructions:**

- 2.1.1 The individual completing each procedural phase places an “X” on the appropriate lines.
- 2.1.2 The same individual signs and dates the form.
- 2.1.3 The same individual delivers this form and appropriate materials to the next phase.

| <b>2.2 Department Chair</b>              | <b>Yes</b> | <b>No</b> |
|--|------------|-----------|
| 2.2.1 Minimum qualifications are met     | _____      | _____     |
| 2.2.2 Additional documentation requested | _____      | _____     |
| 2.2.3 Conference held                    | _____      | _____     |
| 2.2.4 Recommended for tenure             | _____      | _____     |
| 2.2.5 Recommended for promotion          | _____      | _____     |

|                    |               |
|--------------------|---------------|
| _____<br>Signature | _____<br>Date |
|--------------------|---------------|

| <b>2.3 Chief Academic Officer</b>        | <b>Yes</b> | <b>No</b> |
|--|------------|-----------|
| 2.3.1 Minimum qualifications are met     | _____      | _____     |
| 2.3.2 Additional documentation requested | _____      | _____     |
| 2.3.3 Conference held                    | _____      | _____     |
| 2.3.4 Recommended for tenure             | _____      | _____     |
| 2.3.5 Recommended for promotion          | _____      | _____     |

|                    |               |
|--------------------|---------------|
| _____<br>Signature | _____<br>Date |
|--------------------|---------------|

| <b>2.4 College President</b>         | <b>Yes</b> | <b>No</b> |
|--------------------------------------|------------|-----------|
| 2.4.1 Minimum qualifications are met | _____      | _____     |
| 2.4.2 Recommended for tenure         | _____      | _____     |
| 2.4.3 Recommended for promotion      | _____      | _____     |

|                    |               |
|--------------------|---------------|
| _____<br>Signature | _____<br>Date |
|--------------------|---------------|

- cc: Applicant  
Chief Academic Officer  
Department Chair  
Chair, Promotion or Tenure Committee  
Chief Financial Officer  
Human Resources Director  
Board of Governors Chair

**Section 2. (For Promotion or Tenure Committee Use)**

**2.1 Instructions:**

- 2.1.1 The individual completing each procedural phase places an "X" on the appropriate lines.
- 2.1.2 The same individual signs and dates the form.
- 2.1.3 The same individual delivers this form and appropriate materials to the next phase.

| <b>2.2 Chair, Promotion or Tenure Committee</b> | <b>Yes</b> | <b>No</b> |
|---|------------|-----------|
| 2.2.1 Minimum qualifications are met            | _____      | _____     |
| 2.2.2 Additional documentation requested        | _____      | _____     |
| 2.2.3 Conference held                           | _____      | _____     |
| 2.2.4 Recommended for tenure                    | _____      | _____     |
| 2.2.5 Recommended for promotion                 | _____      | _____     |

|           |       |
|-----------|-------|
| _____     | _____ |
| Signature | Date  |

| <b>2.3 Chief Academic Officer</b>        | <b>Yes</b> | <b>No</b> |
|--|------------|-----------|
| 2.3.1 Minimum qualifications are met     | _____      | _____     |
| 2.3.2 Additional documentation requested | _____      | _____     |
| 2.3.3 Conference held                    | _____      | _____     |
| 2.3.4 Recommended for tenure             | _____      | _____     |
| 2.3.5 Recommended for promotion          | _____      | _____     |

|           |       |
|-----------|-------|
| _____     | _____ |
| Signature | Date  |

| <b>2.4 College President</b>         | <b>Yes</b> | <b>No</b> |
|--------------------------------------|------------|-----------|
| 2.4.1 Minimum qualifications are met | _____      | _____     |
| 2.4.2 Recommended for tenure         | _____      | _____     |
| 2.4.3 Recommended for promotion      | _____      | _____     |

|           |       |
|-----------|-------|
| _____     | _____ |
| Signature | Date  |

- cc: Applicant  
 Chief Academic Officer  
 Department Chair  
 Chair, Promotion or Tenure Committee  
 Chief Financial Officer  
 Human Resources Director  
 Board of Governors Chair

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for final approval of SCP-3214, *College Board Advanced Placement Credit*.

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-3214, *College Board Advanced Placement Credit*, following the required 30-day public comment period.

**STAFF MEMBER:** Debra Teachman

**BACKGROUND:**

In October 2013 the above-mentioned policy was reviewed by the Academic Affairs Management Council (AAMC).

Their recommendation was to remove the list of Advanced Placement courses from the policy. Southern's Advanced Placement course list is reviewed on an annual basis at the request of the Community and Technical College System of West Virginia (CTCS). The most up-to-date course list for all the community and technical colleges in the system is maintained by the CTCS and published on their website.

Removing the course list from Southern's policy eliminates the possibility of there being two potentially contradictory Advanced Placement course lists in circulation. The policy now references the Advanced Placement course list on the CTCS website.

At its December 10, 2013 meeting, the Southern West Virginia Community and Technical College Board of Governors approved advancement of SCP-3214, *College Board Advanced Placement Credit*, for a 30-day public comment period which ended January 9, 2014.

One comment was received at the end of the comment period from Bruce Walker, General Counsel, West Virginia Higher Education Policy Commission. Mr. Walker commented that the policy should reference Title 135 not Title 133. The policy reference has been corrected. Therefore, the staff recommends the policy as corrected to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-3214**

**SUBJECT:** College Board Advanced Placement Credit

**REFERENCE:** Title 135, Legislative Rule, West Virginia Council for Community and Technical College Education, Series 15, *Acceptance of Advanced Placement Credit*.

**ORIGINATION:** September 13, 1993

**EFFECTIVE:** February 18, 2014

**REVIEWED:** October 2013

**SECTION 1. PURPOSE**

1.1 To establish college policy for granting of credit through the College Board Advanced Placement Program.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This issuance applies to the granting of all credit through the College Board Advanced Placement Program for all college locations.

**SECTION 3. DEFINITIONS**

3.1 Advanced Placement is a program of college level courses and exams through which students can acquire college credit while still in high school.

**SECTION 4. POLICY**

4.1 Southern West Virginia Community and Technical College recognizes the examinations of the College Board Advanced Placement Program. A high school student who participates in the Advanced Placement Program and wishes to have his/her examination scores evaluated for credit should have his/her official examination results sent to the Office of Admissions and Records.

4.2 Advanced Placement exams are prepared by the College Board and are graded by readers of the Educational Testing Service.

**SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 None.

**SECTION 6. GENERAL PROVISIONS**

6.1 The college requires a minimum score of three (3) for granting of credit through the Advanced Placement Program. No credit is granted for scores below 3.

**SECTION 7. RESPONSIBILITIES AND PROCEDURES**

7.1 The College’s list of Advanced Placement tests, required scores, course equivalents, and credit hours granted are reviewed on an annual basis and are maintained by the Central Office of the Council for Community and Technical College Education. The College’s list of Advanced Placement courses can be found at <http://www.wvctcs.org/>

7.2 Courses for which credit is granted shall be listed on the official transcript with (AP) following the official course title. Grades for these courses shall be listed as “CR” and shall not be calculated when determining grade point average. There is no fee for recording Advanced Placement Credit.

**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**

|                                 |             |
|---------------------------------|-------------|
|                                 |             |
| <b>Board of Governors Chair</b> | <b>Date</b> |
|                                 |             |
|                                 |             |
| <b>President</b>                | <b>Date</b> |

**Attachments:** None

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

**Revision Notes:** October 2013 — The list of Advanced Placement (AP) courses is reviewed annually. Maintaining the up-to-date list of courses in this policy is not practical as courses are subject to change on an annual basis. Therefore, the list of courses is removed from this policy and the policy now references the website where the course list can be found. This action eliminates the possibility of two potentially contradictory AP course lists.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for final approval of SCP-4398, *Student Grades and Grade Point Average Requirements for Graduation*.

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-4398, *Student Grades and Grade Point Average Requirements for Graduation*, following the required 30-day public comment period.

**STAFF MEMBER:** Debra Teachman

**BACKGROUND:**

In October 2013 the above-mentioned policy was reviewed by the Curriculum and Instruction Committee (C&I).

The recommended revisions reflected no substantial change in procedure or documentation requirements; however, the revisions provided clarity especially to Section 6.1.2 which details the process for granting an Incomplete grade.

At its December 10, 2013 meeting, the Southern West Virginia Community and Technical College Board of Governors approved advancement of SCP-4398, *Student Grades and Grade Point Average Requirements for Graduation*, for a 30-day public comment period which ended January 9, 2014. No comments were received at the end of the comment period. Therefore, the staff recommends the Board of Governors grant final approval of the policy as presented.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-4398**

**SUBJECT:** Student Grades and Grade Point Average Requirements for Graduation

**REFERENCE:** Title 135, Procedural Rule, Series 22, West Virginia Council for Community and Technical College Education , Grade Point Average for Associate and Certificate Degrees

**ORIGINATION:** November 20, 2002

**EFFECTIVE:** February 18, 2014

**REVIEWED:** October 7, 2013

**SECTION 1. PURPOSE**

1.1 The purpose of this policy is to establish and communicate the grading system used by Southern West Virginia Community and Technical College, as well as the grade point average required for graduation with an associate degree or certificate.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy is applicable to all students and employees of the college.

**SECTION 3. DEFINITIONS**

3.1 None.

**SECTION 4. POLICY**

4.1 All faculty will assign and submit grades in accordance with this policy. All students must meet the minimum grade point average requirements as stated in section 6.3.5 in order to earn a certificate and /or an associate degree.

**SECTION 5. BACKGROUND OR EXCLUSIONS**

5.1 Further information pertaining to grades, degrees and graduation is provided in the college catalog. To the extent that information in the catalog may conflict with this policy, this policy supersedes that information.

**SECTION 6. GENERAL PROVISIONS**

6.1 The following grades are used by the College:

| <u>Letter Grade</u> | <u>Description</u> | <u>Quality Points Per Credit Hour</u> |
|---------------------|--------------------|---------------------------------------|
| A                   | Superior           | 4.0                                   |
| B                   | Good               | 3.0                                   |
| C                   | Average            | 2.0                                   |
| D                   | Below Average      | 1.0                                   |

|    |            |      |
|----|------------|------|
| F  | Failing    | 0.0  |
| W  | Withdrawal | None |
| I  | Incomplete | None |
| CR | Credit     | None |
| NC | No Credit  | None |
| AU | Audit      | None |

6.1.1 Withdrawal: A student withdrawing from a course by the established deadline for withdrawal will receive a grade of “W.” After the last day to withdraw, a student will not be permitted to drop the course and will receive the final grade the student earned.

6.1.2 Incomplete Grade: A student may receive an Incomplete “I” grade for a course if that student has successfully completed the majority of the academic requirements and is unable to complete the course due to unforeseen or uncontrollable circumstances. The instructor for the course must submit Incomplete Grade Forms to the Department Chair for approval before an “I” grade may be recorded. The student does not re-register for the course in which the “I” grade was received but must complete the requirements for the course within the next full trimester or the “I” grade will automatically be changed to a grade of “F”. The final grade for the course will be assigned by the instructor and the grade change must be approved by the Department Chair and forwarded to the Registrar. The instructor must file the specific forms for a final grade change with the Records Office to complete the process.

6.2 The grades earned by a student are determined by the instructor of the course and can be changed only upon the latter’s recommendation with final approval by the Chief Academic Officer, except as follows:

6.2.1 As set forth above, the Department Chair must approve a grade of “I” and must approve the final grade once the work missed is satisfactorily completed.

6.2.2 The Chief Academic Officer may, only upon recommendation of the Grievance Committee, change a grade determined to have been awarded in an unfair manner.

6.3 At the close of each semester, the instructor shall evaluate each student enrolled in his or her assigned class.

6.3.1 The Registrar shall provide notice to each faculty member regarding deadlines when final grades must be submitted. Deadlines must be met to facilitate decisions with regard to registration, probation, sequence of classes, prerequisites and graduation requirements.

6.3.2 Grades shall be submitted as follows:

6.3.2.1 Full-time faculty shall submit grades through entry in the BANNER System; and

6.3.2.2 Adjunct faculty will submit a signed grade report on, or prior to, the deadline to the appropriate Campus Records Office with a copy sent concurrently to the Department Chair; and

- 6.3.2.3 Both full-time and adjunct faculty must make available, if requested by the Department Chair, Dean, or Chief Academic Officer, documented evidence of class attendance and performance records. This is necessary and valuable in the event of student grade appeals. All examinations or other graded assignments not returned to students must be maintained by the faculty member for one succeeding semester.
- 6.3.3 If a grade of “I” has been given, the instructor must file the specific forms for a final grade signed by the Department Chair with the Campus Records Office once the missed work is satisfactorily completed.
- 6.3.4 In calculating a student’s grade point average, all assigned letter grades “A” through “F” will be used. The grade point average is calculated on all work for which the student has registered with the exception of courses with grades of “W,” “I,” “CR,” “NC,” and “AU” and courses repeated (see “D” and “F” Repeat Provisions and Academic Forgiveness Provision). The grade point average is the ratio of the number of quality points gained to the number of credit hours attempted.
- 6.3.5 Those students who successfully complete the requirements for a degree or certificate with a grade point average of 2.00 or better are eligible to graduate. Some programs require that students earn a minimum grade of a “C” in certain courses taken in order to graduate with a degree or certificate in that program area.
- 6.3.6 The grade point average to be computed for graduation purposes (not necessarily each semester) shall be based upon all work for which the student has registered with the following exceptions:
  - 6.3.6.1 Courses from which the student has withdrawn.
  - 6.3.6.2 Courses in remedial/developmental (transitional studies) education.
  - 6.3.6.3 Courses taken on a credit/no credit basis where credit is earned.
  - 6.3.6.4 Courses taken on an audit basis.
  - 6.3.6.5 Courses which have been repeated under the “D/Ɔ F Repeat Provision” of this policy.
  - 6.3.6.6 Courses which are covered under the “Academic Forgiveness Provision” of this policy.
- 6.3.7 “D” and “F” Repeat Provision: If a student earns a grade of “D” or “F” on any course taken no later than the semester or summer term during which the student attempts the sixtieth (60th) semester hour, and if that student repeats this course prior to the receipt of a degree or certificate, the original grade shall be disregarded and the grade or grades earned when the course is repeated shall be used in determining the student’s grade point average. The original grade shall not be deleted from the student’s permanent record.
- 6.3.8 Discretionary Academic Forgiveness Provision: This provision is designed to assist students who previously left college with low grades and may be implemented, provided certain conditions are satisfied, where the “D” and “F” repeat provision is not applicable. The conditions for academic forgiveness are as follows:

- 6.3.8.1 The student seeking academic forgiveness must not have been enrolled on a full or part-time basis for more than twelve (12) hours during any semester or term at any higher education institution for a period of four consecutive calendar years prior to the request for academic forgiveness. Only “D” and “F” grades received prior to the four-year, non-enrollment period may be disregarded for grade point average calculation.
  - 6.3.8.2 In order to receive a degree or certificate the student must complete at least fifteen (15) additional credit hours through actual course work at Southern after the non-enrollment period, earn at least a 2.00 grade point average after the non-enrollment period and satisfy all degree or certificate requirements. Grades disregarded for grade point average computation will remain on the student’s transcript.
  - 6.3.8.3 This policy pertains only to the grade point average required for graduation and does not pertain to the grade point average calculated for special academic recognition, graduation with honors, admission requirements for particular programs or any other academic related standards.
  - 6.3.8.4 To implement this policy, the student must submit a written request to the Chief Academic Officer. The request must identify the non-enrollment period and the specific courses and grades the student wishes to be exempted from grade point average calculation. The Chief Academic Officer may accept, modify or reject the student’s request.
  - 6.3.8.5 In instances where a student requests and gains academic forgiveness from another higher education institution and then transfers to Southern, Southern is not bound by the prior institution’s decision to disregard grades for grade point average calculation.
- 6.3.9 The academic forgiveness policy for the Board of Governors Associate in Applied Science Adult Completion Program differs from that specified above. Per the West Virginia Council for Community and Technical College Education Administrative Guidelines for this program, all F’s earned in College courses earned four or more years before admissions to program are disregarded from the computation of the graduation grade point average. The “F” grades will not be deleted from the transcript. The “D” and “F” Repeat Provision shall also apply if applicable.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

- 7.1 The Chief Academic Officer shall cause the terms of this policy to be observed.

## **SECTION 8. CANCELLATION**

- 8.1 SCP-4397, Student Grades and Related Concerns, September 1, 2000; SCP-4520, Submitting Student Grades by the Faculty to the College’s Student Records Office and Authority for Changing Student Grades, September 1, 2000; and SCP-4520.A, Final Grade Report Form, September 1, 2000

**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**

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**President**    **Date**

**Attachments:**            None.

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

**Revision Notes:**        October 2013 — Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Final Approval of SCP-5780, Travel Regulations

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern WV Community and Technical College Board of Governors grant final approval of SCP-5780, *Travel Regulations*, following the required 30-day public comment period.

**STAFF MEMBER:** Samuel Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin charged the Vice President of the Finance and Administration Unit with the review of SCP-5780, Travel Regulations. This policy provides guidelines and procedures concerning the governing of in-state, out-of-state and international travel, here in after referred to as “travel,” and for reimbursement of expenses to employees, Board of Governor, and non-employees traveling on behalf of Southern West Virginia Community and Technical College.

The policy was reviewed by Executive Council on November 6, 2013. Following the review revisions were made to SCP-5780, *Travel Regulations*. Revisions were made that reflect minor changes.

At the December 10, 2013 meeting, the Southern West Virginia Community and Technical College Board of Governors approved advancement of this policy to Southern’s constituents and the Chancellor for Community and Technical College of Education for the required 30-day public comment period which ended February 09, 2014. No comments were received at the end of the comment period. Therefore, the staff recommends the policy as presented to the Board of Governors for consideration for final approval.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-5780**

**SUBJECT:** Travel Regulations

**REFERENCE:** West Virginia Code §12-3-11; 6B-2-5(2); Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 29, *Travel*; Federal Regulation §301-11.17

**ORIGINATION:** September 2002

**EFFECTIVE:** February 18, 2014

**REVIEWED:** November 06, 2013

**SECTION 1. PURPOSE**

1.1 This regulation implements the guidelines and procedures concerning the governing of in-state, out-of-state and international travel, hereinafter referred to as “travel,” and for reimbursement of expenses to employees, Board of Governors, and non-employees traveling on behalf of Southern West Virginia Community and Technical College.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 Travel regulations applicable to all employees, Board of Governors, and non-employees.
- 2.1.1 Approval to travel shall be secured in advance by the employee according to this regulation. Under no circumstances should an employee travel on an overnight stay without proper approval of the Vice President of Finance and Administration.
  - 2.1.2 Employees are responsible for submitting a travel expense account settlement form, with all required attachments, within sixty days after the last day of approved travel in order to receive reimbursement of expenses.
  - 2.1.3 This regulation shall govern reimbursement of travel expenses to members of the Governing Board when a Board member requests reimbursement for travel expenses.
  - 2.1.4 When non-employees are eligible to receive reimbursement of travel expenses, reimbursement shall be made in accordance with this regulation and the policies and procedures of the institution.
  - 2.1.5 Reimbursements of travel expenses paid from federal, state, and private grants shall be governed by the terms and conditions of the grant if they differ from those contained in this regulation; otherwise, this regulation shall govern such reimbursement.

**SECTION 3. DEFINITIONS**

3.1 Commute Mileage - Mileage from home to assigned headquarters. Assigned headquarters for Southern West Virginia Community and Technical College are Mount Gay, Saulsville, Williamson, Rock Creek, and Hamlin.

## SECTION 4. POLICY

### 4.1 Transportation

#### 4.1.1 Commercial Airlines

- 4.1.1.1 Allowable reimbursement for commercial airline travel shall include the actual expense or cost for the least expensive logical fare via the most direct route, or a reasonable alternative route if it results in lower fare.
- 4.1.1.2 Travelers are expected to make advance bookings through a contracted travel service vendor or as otherwise approved by the institution to secure the least expensive airfare possible. Reimbursement may be made to the traveler in advance for airfare purchased from 45 to 180 days before the trip begins. If airfare is reimbursed prior to travel, it must be referenced on the traveler's expense account.
- 4.1.1.3 In order to receive reimbursement, the traveler must submit the Passenger Itinerary or certified copy of the commercial airline ticket attached to the travel form. Refundable or unused airline tickets shall be returned immediately.
- 4.1.1.4 Commercial airline tickets for guests of Southern may be direct billed to the institution.

#### 4.1.2 Ground Transportation

- 4.1.2.1 State Owned Vehicles: The availability and use of Southern's vehicles will be determined by the designated person located at each campus. When available, Southern's vehicles should be considered first.
- 4.1.2.2 Privately Owned Vehicles: Personally owned vehicles may be used when traveling on College business. Reimbursement will be made and shall not exceed the prevailing rate per mile established by the State of West Virginia. The current applicable rate can be obtained from the Finance Department's web page. This rate is intended to cover all operating costs of the vehicle including fuel, maintenance, depreciation, insurance, etc., and no additional reimbursement will be made. Any traveler traveling during normal work days must subtract their commute mileage from total miles traveled, unless the traveler leaves from headquarters and back.
- 4.1.2.3 Commercial Rental Vehicles: Commercial rental vehicles may be used when traveling on College business. Travelers will utilize State approved rental car vendors when traveling by air or when departing from College locations. Reimbursement will be made at actual cost for the daily rental fee for a mid-size or smaller vehicle. It is recommended that travelers use their State Corporate Card to secure their rental. The State Corporate Card provides collision damage coverage at no cost for rentals up to 60 days.
- 4.1.2.4 Rail Service: Rail Service may be used for ground transportation in accordance with the Institution's guidelines and procedures. Travelers are expected to make advanced bookings and use the least expensive logical fare via the most direct route, or other reasonable route that results in a lower fare. Receipts/documentation are required for reimbursement.
- 4.1.2.5 Miscellaneous Ground Transportation: Miscellaneous ground transportation may be reimbursed in accordance with the Institution's guidelines and procedures.

- 4.1.2.6 The operator (traveler) of a Southern vehicle must be an employee of Southern and possess a valid operator's license. The operator is personally responsible for any fines and/or penalties resulting from citations, charges, or warrants attributable to operator negligence. Such fines and/or penalties shall not be a reimbursable expense.
- 4.1.2.7 In cases where a traveler chooses to drive rather than fly while on business, reimbursement will be based on actual in-transit expenses (mileage, hotel, meals, etc.) not to exceed the lowest available commercial airfare plus local transportation to and from the airport. A traveler must secure an itinerary from National Travel's website with fare prior to departure to be attached to travel for reimbursement.
- 4.1.2.8 Roadside assistance services for fleet or rental vehicles, if needed, may be reimbursed at actual reasonable cost. A receipt must be provided and attached to a vendor's invoice within 15 days.
- 4.1.3 Lodging
  - 4.1.3.1 Reimbursement for lodging shall include actual expenses or overnight accommodations, use of a room during daytime, and all applicable taxes and surcharges. Original lodging receipts or certified copies are required for reimbursement.
  - 4.1.3.2 Lodging or a meeting may be direct billed for group travel only. The traveler must reference that lodging was direct billed and provide proof of lodging with final Travel Expense Account Settlement.
  - 4.1.3.3 All group travel must be submitted together to the State Auditor's Office for payment. Therefore, each traveler in the group should submit a Travel Expense Account Settlement form as soon as possible in order not to hold up other group member's travel reimbursement. Also, if you plan not to claim any expenses, you must also inform Southern's accounts payable section.
  - 4.1.3.4 Reimbursement for multiple occupancy, when only one of the travelers is on College business, shall be at the least expensive single room rate. In the event that a single room rate cannot be determined state, "single room rate same as double," on Settlement form.
- 4.1.4 Meals
  - 4.1.4.1 Instate: Maximum daily rate is \$50.00 without receipts. Maximum daily rate based on Regulations§301-11.17. On the first and last travel day, Southern employees are only eligible for 75 percent of the total Meal and Incidental Expense Rate for their temporary duty travel location (not the official duty station location). Alcohol and entertainment expenses are specifically excluded. Meals and incidental rates differ by travel location. Examples of incidental expenses are fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses, and others on ships, and hotel servants; transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the temporary duty site; and mailing cost associated with filing travel vouchers and payment of government charge card billings.
  - 4.1.4.2 Out-of-State: Maximum daily rate is based on Federal Regulations§301-11.17. On the first and last travel day, Southern employees are only eligible for 75 percent of the total Meal and Incidental Expense Rate for their temporary duty travel location (not the official duty station location). Alcohol and entertainment expenses are specifically excluded. Meals and

incidental rates differ by travel location. Examples of incidental expenses are fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses, and others on ships, and hotel servants; transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the temporary duty site; and mailing costs associated with filing travel vouchers and payment of government charge card billings.

4.1.4.3 Reimbursement for meals during same day travel, travel without an overnight stay, is not reimbursable.

#### 4.1.5 Other Expenses

##### 4.1.5.1 Reimbursable Expenses

4.1.5.1.1 Travelers may incur other business related expenses for which reimbursement may be made if appropriate. Such expenses and reimbursement may include, but are not limited to:

4.1.5.1.1.1 Baggage handling and gratuities when using public transportation.

4.1.5.1.1.2 Baggage storage between appointments.

4.1.5.1.1.3 Tolls, garage and parking fees.

4.1.5.1.1.4 Communication expenses such as: Long distance calls to the office, facsimiles, access to e-mail.

4.1.5.1.1.5 Trips involving multiple days of travel or for single day travel where the traveler is unexpectedly delayed for business reasons, the traveler may make one personal telephone call home per day. Reimbursement shall be made at actual cost not to exceed a reasonable amount, if the call was not made on Southern's cell phone or calling card. The full amount will be reimbursed for all work related calls, if the call was not made on Southern's cell phone or calling card.

##### 4.1.5.2 Non-reimbursable Expenses

4.1.5.2.1 Travelers may incur other expenses for which reimbursement is non-reimbursable. Such expenses may include, but are not limited to:

4.1.5.2.1.1 Interest or late charges on credit cards.

4.1.5.2.1.2 Laundry fees.

4.1.5.2.1.3 Personal flight or baggage insurance.

#### 4.1.6 Form of Payment for Business Travel

4.1.6.1 Corporate Travel Card: Traveler should use the corporate charge card issued by the State of West Virginia and Southern West Virginia Community and Technical College for business related travel expenses when applicable.

- 4.1.6.2 Cash Advance: Employees may secure a cash advance for business travel only by using the corporate credit card at an ATM. Receipt from the ATM machine is required for reimbursement of the ATM transaction fee and the credit card fee.
- 4.1.6.3 Direct Billing: A requisition may be used when accepted by the event sponsor. The traveler is responsible for attaching to the Expense Account Settlement receipts, invoices, documentation, etc., for any direct billed fees.
- 4.1.6.4 Cash Advance from the West Virginia State Auditor's Office: The traveler must follow the State of West Virginia's regulations addressing the Cash Advance.
- 4.1.6.5 Purchase Card Payments: The Purchase Card will cover the cost of the hotel room, Internet service, and taxes. **This does not include food, room service, movies, or laundry.**
- 4.1.7 Other Provisions
  - 4.1.7.1 Reimbursement Forms: The form(s) used for reimbursement of travel expenses shall be those promulgated by the Chancellor.
  - 4.1.7.2 Travel Incentives: In accordance with West Virginia Code §6B-2-5(2), employees may use bonus points acquired through frequent traveler programs while traveling on official government business, as long as the employee's participation in the program does not result in an additional cost to the State of West Virginia.

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

- 5.1 Any exceptions to this regulation must be explained in writing and approved by the President of Southern West Virginia Community and Technical College.

## **SECTION 6. GENERAL PROVISIONS**

- 6.1 None.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

- 7.1 Authority and Responsibilities
  - 7.1.1 Authority to manage, approve or disapprove travel and travel related expense is delegated exclusively to the Southern West Virginia Community and Technical College Board of Governors.
  - 7.1.2 The Governing Board may also delegate authority to the President to act as designee for authorizing and approving travel and travel related expenses as may be required. All such authorizations and approvals shall be made according to the provisions of this regulation.
  - 7.1.3 The President may also delegate authority to others within her or his respective institution to act as her/his designee for authorizing and approving travel and travel related expenses. All such authorization and approvals shall be made in accordance with the provisions of this rule.
  - 7.1.4 Travel may be authorized only for official business and only if the College has the financial resources to reimburse the traveler for travel expenses.

- 7.1.5 The responsibility to audit a traveler’s Expense Account Settlement lies with this Institution. Approval of a traveler’s Expense Account Settlement by the Institution means that the expense settlement meets all criteria established for reimbursement. The Institution shall audit and submit an accurate Travel Expense Account Settlement for reimbursement to the State Auditor’s Office within a reasonable amount of time after receiving such Settlement from the traveler.
- 7.1.6 The responsibility of the traveler is to file a Travel Expense Account Settlement form with the Finance Department. The traveler must have the Folio from the hotel, a badge from the conference, receipts for transportation, if applicable, parking receipts, and toll receipts for reimbursement.

**SECTION 8. CANCELLATION**

8.1 Any previous policy being superseded.

**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**

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**President**    **Date**

**Attachments:**            None.

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

**Revision Notes:**        December 2011 — Minor revisions were made to provide clarify and reflect changes in management responsibilities. Revisions reflect no substantial changes in procedure or documentation requirements.

November 2013 — Minor revisions were made to provide clarity. Revisions reflect no substantial changes in procedure or documentation requirements.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2013**

**ITEM:** Request for Final Approval of SCP-8600.A, *Board of Governors Operational Guidelines*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of SCP-8600.A, *Board of Governors Operational Guidelines*, as presented following the required 30-day public comment period.

**STAFF MEMBER:** Thomas A. Heywood

**BACKGROUND:**

During the Board of Governors October 2013 Planning Retreat, Mr. Richard Novak, Senior Fellow, of the Association of Governing Boards of Colleges and Universities, assisted the Board with the development of a statement on Conflict of Interest in response to a recommendation made by the Higher Learning Commission Evaluation Team during Southern's recent comprehensive re-accreditation visit.

The Board's Operational Guidelines have been revised to include language to ensure that no detriment or appearance of detriment to the College's interests results from a conflict between the best interests of the College and any personal, financial, or other interest of a Board member or College officer. Also, it was updated to comply with legislation passed through House Bill 2747 during the 2013 First Special Session regarding public notice of meetings.

At its December 10, 2013 meeting, the Southern West Virginia Community and Technical College Board of Governors approved advancement of SCP-8600.A, *Board of Governors Operational Guidelines*, for a 30-day public comment period which ended January 9, 2014. No comments were received at the end of the comment period. Therefore, it is recommended the Board grant final approval of SCP-8600.A as presented.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-8600.A**

**SUBJECT:** Board of Governors Operational Guidelines

**REFERENCE:** SCP-8600, Board of Governors Operational Guidelines Policy;  
West Virginia Code §18B-2A-4

**ORIGINATION:** August 2001

**EFFECTIVE:** February 18, 2014

**REVIEWED:** October 10, 2013

**SECTION 1. GENERAL POLICIES**

- 1.1 Purpose – The Board of Governors of Southern West Virginia Community and Technical College is appointed by the Governor of the State of West Virginia and serves as a representative body of its constituents to set forth policies to govern the college in the best interests of the community as a whole and in accordance with the statutes of West Virginia and Federal legislation.
- 1.2 Role of the Board of Governors – The role of the Board of Governors is to:
- 1.2.1 Establish the Mission, Vision, and Master Plan of the College and set clear written policy direction that is focused on community needs.
  - 1.2.2 Represent the community by knowing and understanding its needs and seeking a variety of perspectives when setting college policy.
  - 1.2.3 Define standards for College operations which set forth high quality programs, ensure wise and prudent expenditure of funds, and fair and equitable treatment of students and employees.
  - 1.2.4 Monitor the performance of the College to insure progress towards defined goals and adherence to policies.
  - 1.2.5 Select, hire and retain the President and to define and monitor the President’s performance through periodic evaluations.
  - 1.2.6 Promote the College in the community and advocate for its interests with government officials and in its fund-raising efforts.
  - 1.2.7 Create a positive leadership environment which fosters learning and focuses on outcomes.
  - 1.2.8 Act with integrity, promoting ethical behavior in all college dealings.
  - 1.2.9 Function as a unit, speaking with one voice which recognizes that the power of Board rests with the whole Board, not individual members.

- 1.2.10 Seek to preserve the independence and autonomy of the College, while ensuring responsiveness and accountability to the state, its citizens, and the local community.
  - 1.2.11 Govern fully and effectively as established in West Virginia Code, exercising the authority, capacity, and transparency to make decisions independent of internal and external claimants within the confines of all applicable laws.
- 1.3 Role of Individual Board Members – The role of the individual board member is to:
- 1.3.1 Know the community and represent its best interests.
  - 1.3.2 Support the College in its mission.
  - 1.3.3 Understand the College and represent it in a positive manner to all constituent groups.
  - 1.3.4 Adhere to Board of Governors policies and Code of Ethics.
  - 1.3.5 Work as a member of the Board.
  - 1.3.6 Adhere to the Board’s policy making role and recognize the President’s role as Chief Executive Officer.
  - 1.3.7 Avoid conflicts of interest.
  - 1.3.8 Maintain confidentiality.
  - 1.3.9 Speak for the Board only when delegated to do so by the Board.
  - 1.3.10 Refer complaints and problems regarding the College to the President.
  - 1.3.11 Attend and actively participate in Board meetings and work sessions.
  - 1.3.12 Refuse to participate in any action which is not in accordance with Board policy.
  - 1.3.13 Defend the autonomy and the independence of the College.
  - 1.3.14 Represent all the people of West Virginia and no particular interest, community, political group, or constituency, while keeping the welfare of the College at all times paramount.
  - 1.3.15 Follow established board protocols when interacting with state legislators, the governor’s office, and other state and local elected officials as well as government agencies or individuals.
- 1.4 Duties and Responsibilities of the Board of Governors (Extracted and summarized from WV Code §18B-2A-4) – The duties and responsibilities of the Board of Governors are as follows:
- 1.4.1 Determine, control, supervise and manage the financial, business and education polices and affairs of Southern West Virginia Community and Technical College.
  - 1.4.2 Establish and amend campus Master Plan for the College including an Institutional Compact.
  - 1.4.3 Develop a ten-year campus development plan in accordance with article West Virginia Code §18B-

19-4.

- 1.4.4 Prescribe specific functions for the College to meet the higher education needs of the service area without unnecessary duplication.
- 1.4.5 Develop and submit a budget for the College to the West Virginia Council for Community and Technical College Education (Council).
- 1.4.6 Review all academic programs at least every five years offered at Southern West Virginia Community and Technical College.
- 1.4.7 Ensure the sequencing of academic programs to ensure program completion in a reasonable time frame and to assure that the needs of non-traditional students are met.
- 1.4.8 Utilize faculty, students and classified staff in institutional-level planning.
- 1.4.9 Administer a system for the management of personnel matters.
- 1.4.10 Administer a system for the hearing of employee grievances.
- 1.4.11 Solicit, utilize or expend voluntary support including financial contributions.
- 1.4.12 Appoint a President or other administrative head of the College.
- 1.4.13 Conduct a written performance appraisal of the President.
- 1.4.14 Submit an annual report to the Council on the performance of the College.
- 1.4.15 Enter into contracts or agreements with other educational institutions and/or share resources.
- 1.4.16 Delegate power and control to the college President.
- 1.4.17 Abide by the existing rules for acceptance of advance placement credit.
- 1.4.18 Establish an efficient system for the financial management and expenditure of special revenue and appropriated state funds.
- 1.4.19 Establish a plan to administer a consistent method of conducting personnel transactions. Not later than July 1, 2012, the Department of Administration shall make available to each governing board the option of using a standardized electronic system for these personnel transactions.
- 1.4.20 Transfer funds for any account appropriated for the College's use.
- 1.4.21 Acquire legal services that are necessary.

## **SECTION 2. BOARD ORGANIZATION**

- 2.1 Organization and Authority – Effective the first day of July 2001, the Board of Governors of Southern West Virginia Community and Technical College are officially appointed by the Governor of the State of West Virginia to serve as a representative body of its constituents to set forth policies to govern the best interests of the college in accordance with the statues of West Virginia.

- 2.2 Membership of the Board of Governors – The membership of the Board of Governors will consist of twelve persons including the following:
- 2.2.1 A full time member of the faculty, with the rank of instructor or above, duly elected by the faculty;
  - 2.2.2 A member of the student body in good academic standing, enrolled for college credit and duly elected by the student body;
  - 2.2.3 A member from the institutional classified employees duly elected by the classified employees; and
  - 2.2.4 Nine lay members appointed by the Governor of the State of West Virginia with the advice and consent of the Senate, with no more than five (5) members from the same political party.
- 2.3 Terms of Office
- 2.3.1 Faculty Member – The faculty member will serve for a term of two (2) years beginning in July and may succeed themselves for three terms, not to exceed a total of eight (8) consecutive years.
  - 2.3.2 Student Member – The student member will serve a term of one (1) year beginning in July and ending on the thirtieth day of June of each year.
  - 2.3.3 Classified Employee – The classified employee member will serve for a term of two (2) years beginning in July and may succeed themselves for three terms, not to exceed a total of eight (8) consecutive years.
  - 2.3.4 Lay Members – The lay members of the Board will serve a term of four years each and are eligible to succeed themselves for no more than one additional four-year term. The initial terms of office for lay members of the Board, appointed by the Governor, will be staggered.
- 2.4 Oath of Office – Prior to becoming a member of the Board of Governors, the member is required to take the Oath of Office prescribed by Article IV, Section 5 of the constitution of West Virginia and have the certificate filed with the Secretary of State.
- 2.5 Board Vacancies – The vacancy of an unexpired term of a member of the Board will be filled for the unexpired term within thirty (30) days of the occurrence of the vacancy in the same manner as the original appointment or election.
- 2.6 Disqualification from Board Membership (Extracted and summarized from WV Code §18B-2A-1)
- 2.6.1 A person is ineligible for appointment who is an officer, employee or member of any other board of governors; a member of a board of visitors of any public institution of higher education; an employee of any institution of higher education; an officer or member of any political party executive committee; the holder of any other public office, other than an elected county office, or public employment, other than employment by the county board of education, under the government of this state or any of its political subdivisions; an employee of any affiliated research corporation created pursuant to article twelve of this chapter; an employee of any affiliated foundation organized and operated in support of one or more state institutions of higher education; or a member of the council or commission. This subsection does not prevent the representative from the faculty, classified employees or students from being members of the governing boards.

- 2.6.2 A member of the Board of Governors, appointed by the Governor, may only be removed from membership on the Board in the manner prescribed by law for reasons of official misconduct, incompetence, neglect of duty, or gross immorality.

### **SECTION 3. BOARD OPERATIONS**

#### 3.1 Board Principles

- 3.1.1 The Board's governance style is intended to encourage diversity of viewpoints and collective rather than individual decision making. Prior to setting policy, the Board will insure that input has been received from a variety of sources to insure representation of constituents and staff and sound decision making principles. Foremost among these principles, are the duties of the Board to reserve final policy decisions unto itself as it deems in the best interests of the College, and to do so in a transparent manner. This includes the decision making authority expressly delegated to the President or others in the administration.
- 3.1.2 The Board's focus will be on providing strategic leadership and representing the community it serves rather than administrative detail.

#### 3.2 Code of Ethics – The Southern West Virginia Community and Technical College Board of Governors Code of Ethics are as follows:

- 3.2.1 To demonstrate that the primary function of the Board is to establish policy by which the college is administered.
- 3.2.2 To devote time, thought and study to the duties of the members of the Board of Governors to insure effective service.
- 3.2.3 To work cooperatively with fellow Board members in spite of differences of opinion.
- 3.2.4 To base decision-making on all available facts and to vote honestly, unswayed by personal bias of any kind, and to uphold the majority decision of the Board.
- 3.2.5 To act in all college-related contacts including staff, media and citizens, reflecting the fact that there is no individual authority outside of the meetings of the Board.
- 3.2.6 To refrain from using the Board position to benefit personally or for any other individual.
- 3.2.7 To comply with the West Virginia Ethics Act in the areas of Confidentiality, Private Gain, Prohibitive Representation, Gifts, Subordinates, Contracts, Purchases and Sales.

#### 3.3 Committee Principles

- 3.3.1 The Board will normally function as a committee of the whole without standing committees.
- 3.3.2 If an Ad Hoc Committee is formed, it will be for the purpose of assisting the Board to do its job, not to advise staff nor help staff do its job.
- 3.3.3 Board Ad Hoc Committees will normally be established for a specified purpose and a defined time period.

- 3.3.4 Board committees have no authority over staff nor may they speak on behalf of the Board of Governors unless specifically authorized to do so.
- 3.3.5 If necessary, Board members may call upon the services of the Chancellor for the West Virginia Council for Community and Technical College Education.
- 3.4 Officers of the Board – The Chairperson, Vice Chairperson, and Secretary will be elected from the lay Board membership in June of each year at the Board’s annual organizational meeting. A member may not serve as Chairperson for more than four consecutive years.
  - 3.4.1 Duties of the Chairperson – The duties of the Chairperson are as follows:
    - 3.4.1.1 To preside at all Board meetings in an efficient and effective manner and set the general tone for the meeting through effective leadership.
    - 3.4.1.2 To insure the Board and individual Board members follow the Board’s own rules and policies and those established by legislation.
    - 3.4.1.3 To promote deliberation at Board sessions that is open and thorough, but also efficient, timely, orderly and to the point.
    - 3.4.1.4 To insure that all Board members are properly informed of current and pending Board and College issues.
    - 3.4.1.5 To perform the same duty of voting on matters as other Board members.
    - 3.4.1.6 To speak on behalf of the Board of Governors as their designated representative.
    - 3.4.1.7 To appoint or arrange for the election of committees established by the Board.
    - 3.4.1.8 To call emergency meetings as necessary.
    - 3.4.1.9 To call for the evaluation of the President on an annual basis.
    - 3.4.1.10 To call for the self-evaluation of the Board of Governors on an annual basis.
    - 3.4.1.11 To sign all official Board minutes.
    - 3.4.1.12 To perform other duties as may be required by action of the Board.
    - 3.4.1.13 The Chairperson has no authority to direct or supervise the President.
  - 3.4.2 Duties of the Vice Chairperson – The duties of the Vice Chairperson are to preside at Board meetings in the absence of the Chairperson or to fulfill the duties of the Chairperson as needed.
- 3.5 New Board Member Orientation – The Board will assist each new Board member to understand the Board of Governors role and responsibilities. The Board will develop and periodically review selected materials to be provided to new Board members to facilitate this process. The new Board member will be invited to meet with the Board Chairperson and the College President to acclimate him/herself to their new responsibilities.

- 3.6 Board of Governors Compensation and Expense Reimbursement – Members of the Board of Governors serve without compensation, but are reimbursed for reasonable and necessary expenses actually incurred in the performance of their official duties. Expenses are reimbursed through College funds allocated for this purpose upon presentation of an itemized statement.
- 3.7 Board of Governors Self Evaluation – The Board of Governors will develop a self evaluation tool to regularly monitor and discuss Board process and performance. The self evaluation tool will include a comparison of Board activities to Board policy as defined in this document.

#### **SECTION 4. MEETING PROTOCOL**

- 4.1 General – The purpose of this protocol is to establish rules by which the date, time, place and agenda of all regularly scheduled meetings and the date, time, place and purpose of all special meetings of the Board of Governors are to be made available in advance to the public and news media. It is also the purpose of this protocol to establish rules for attendance and presentation at any meeting where there is not room enough for all members of the public who wish to attend. This protocol also establishes procedures related to the conduct of all meetings.
- 4.2 Scope – This protocol shall apply to all regular and special meetings of the Board of Governors. This protocol shall also establish procedures to be observed in relation to emergency meetings requiring immediate official action.
- 4.3 Definitions
  - 4.3.1 Regular Meeting – The Board of Governors shall establish a regular meeting schedule for the next ensuing fiscal year at its final regular meeting of each fiscal year. The agenda for all regular meetings shall be established by an Agenda Committee consisting of the Chairperson, Vice Chairperson, Secretary of the Board of Governors, Past Chairperson, one lay Board member elected in June of each year at the Board’s annual organizational meeting, and the College President. The Agenda Committee shall meet in person or by telephone conference at an established time prior to the commencement of each regular Board meeting for the purpose of establishing an agenda. However, any member of the Board of Governors may direct that an item be placed upon the agenda of an upcoming regular meeting by communicating such direction to the Chairperson in advance of the publication of the particular agenda, preferably prior to the meeting of the Agenda Committee.
  - 4.3.2 Special Meeting – A special meeting of the Board of Governors may be called by the Chairperson or seven (7) members of the Board of Governors. All special meetings must be attended with a state of purpose. Emergency meetings, requiring immediate official action, shall be considered special meetings. However, the notice requirements for special meetings need not be fully observed in convening emergency meetings.
- 4.4 Pre-Meeting Procedures
  - 4.4.1 Notice of Regular Meetings – Notices of all Regular Meetings shall be posted and maintained on a bulletin board that is accessible to the public located in the administrative office of the College on each campus. All such notices shall be posted at least three (3) working days in advance of a scheduled regular meeting. Each such notice shall state the date, time, place and include an agenda of the meeting. If a regular meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted in the same location as soon as feasible after the cancellation or postponement has been determined. Notice of Regular Meetings may, at the discretion of the President, be published on the Internet.

- 4.4.2 Notice of Special Meetings – Notices of all special meetings shall be posted and maintained on a bulletin board that is accessible to the public located in the administrative office of the College on each campus. All such notices shall be posted at least three (3) working days in advance of a scheduled special meeting. Each such notice shall state the date, time, place and purpose of the meeting. If a special meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted in the same location as soon as feasible after the cancellation or postponement has been determined. Notice of Special Meetings may, at the discretion of the President, be published on the Internet.
- 4.4.3 Public Notice of Meetings – In compliance with West Virginia Code §6-9A, the President shall cause notice of all meetings of the Board of Governors to be electronically filed with the Secretary of State for publication on the Secretary of State’s website. Each notice shall state the date, time, place, and purpose of the meeting. Each notice shall be filed in a manner to allow each notice to appear on the Secretary of State’s website at least five business days prior to the date of the regular or special meeting. In the event of an emergency requiring immediate official action, the President shall cause an emergency meeting notice to be electronically filed with the Secretary of State as soon as practicable prior to the meeting. The emergency meeting notice shall state the date, time, place, and purpose of the meeting and the facts and circumstances of the emergency.
- 4.4.4 Notice to Media – The President shall cause advance notice of all regular and special meetings to be provided to the press that regularly cover matters relating to the College. The President shall cause advance notice to be provided to other members of the press upon request. Such notice shall not be required in advance of emergency meetings requiring immediate official action.

#### 4.5 Meeting Procedures

- 4.5.1 Compliance With Open Governmental Proceedings Act – The Chairperson of the Board and each member of the Board shall be familiar with the provision of the Open Governmental Proceeding Act and shall undertake to observe the requirements of the Act in relation to all motions to convene in an executive session. Executive sessions shall not be recorded by mechanical means, however, Board minutes shall identify the statutory authorization for each executive session and shall record the persons in attendance.
- 4.5.2 Presentations – All persons desiring to address the Board regarding an agenda item at a regular meeting or a matter identified within the stated purpose of a special meeting must register prior to the meeting. Persons will not be required to register more than fifteen (15) minutes prior to the time a meeting is scheduled to commence.
- 4.5.3 Reconvening Meeting When Space is Limited – In the event the place where a meeting is initially convened has inadequate space to accommodate members of the public who desire to attend or make presentations to the Board, the Chairperson of the Board may adjourn the meeting and reconvene the meeting at an alternate location on a date and at a time announced at the time of adjournment.
- 4.5.4 Telephone/Electronic Attendance – Members of the Board of Governors may attend and participate at any meeting by means of telephone or video-conference. Telephone or electronic equipment that is used to allow such attendance and participation shall be configured to allow those present, including members of the public, to observe and/or hear the members who are attending and participating by telephone or electronic means.
- 4.5.5 Consideration of Materials by Reference – All documents or materials that are referenced in an

agenda or statement of purpose of a special meeting shall be available for public inspection at the meeting where such documents or materials are considered.

- 4.5.6 Parliamentary Procedure – The Board of Governors shall observe *Robert's Rules of Order, New Revised*, as a guide for conducting its business.
- 4.5.7 Voting – Voting may be verbal or by a show of hands. The outcome of all votes shall be announced by the presiding officer, and the recording secretary will record the vote accordingly. Any member may request a roll-call vote immediately following the presiding officer's announcement of the outcome of a vote.
- 4.5.8 Quorum – Seven (7) of the twelve (12) members of the Governing Board shall constitute a quorum. A majority of those members present and eligible to vote shall be required for the passage of all motions.
- 4.5.9 Minutes – Official Board of Governors meeting minutes will be maintained by the College and kept in a permanent and safe condition. The Board Chairperson will sign all official minutes. Copies of Board minutes will be provided to all Board members, and upon written request to interested parties in compliance with West Virginia statute.

## **SECTION 5. PRESIDENTIAL RELATIONS**

- 5.1 General – The President is the Chief Executive Officer of the College and the Board's single link with operating the institution. The role of the Board is to provide clear policy direction to the President with respect to the College's Master Plan and Institutional Compact. The role of the President is to carry out the Board's direction and administer the day-to-day operations of the College.
- 5.2 Board Delegation of Administrative Authority – The Board delegates to the President the function of formulating, implementing, directing and evaluating administrative policies and regulations under which the College will operate. These policies and regulations will govern the College and be consistent with Board policy.
- 5.3 Presidential Evaluation – The Board of Governors will conduct an annual written evaluation of the President using the following criteria:
  - 5.3.1 The President's job description.
  - 5.3.2 The President's goals and objectives, established each year in consultation with the Board.
  - 5.3.3 Progress toward the College's Master Plan.
  - 5.3.4 Adherence to Board policies.
  - 5.3.5 West Virginia Code §18B-1B-6
- 5.4 Presidential Search Process – The Board of Governors is responsible to hire and appoint a President or other administrative head of Southern West Virginia Community and Technical College in compliance with West Virginia Code §18B-1B-6.

## **SECTION 6. REFERENCES**

- 6.1 West Virginia Code §6-9-A; West Virginia Code §18B-2A-1; West Virginia Code §18B-2A-4; West Virginia Code §18B-1B-6.
- 6.2 Carver, John and Miriam Mayhew. *A New Vision of Board Leadership: Governing the Community College*.

Washington, DC. Association of Community College Trustees, 1994.

- 6.3 Smith, Cindra, J. *Trusteeship in Community Colleges. A Guide for Effective Governance*. Washington, DC. Association of Community College Trustees, 2000.
- 6.4 The Ethics Act. *A Code of Conduct for Public Servants*. West Virginia Ethics Commission.
- 6.5 Treasure Valley Community College. *Board of Education Policies*. Ontario, Oregon:1998.

*Revised 02/19/2008; Approved Revisions 04/15/2008*

*Revised 10/10/2013 with legislation passed through the 2013 1<sup>st</sup> Special Session.*

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Approval of Revisions to SCP-1435.B,  
*Essential Employee Guidelines*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-1435.B, *Essential Employee Guidelines*, to Southern's constituents and the Chancellor for Community and Technical College Education for an additional 30-day public comment period.

**STAFF MEMBER:** Joanne Jaeger Tomblin

**BACKGROUND:**

The Committee on Essential Employee Designation developed guidelines to identify essential employees and provide employee guidance for reporting to work in the event of a declared state of emergency by authorized non-college officials (i.e., the Governor or county emergency services officials, etc.). These guidelines were reviewed and approved by Executive Council and the President's Cabinet.

At its December 10, 2013 meeting, the Southern West Virginia Community and Technical College Board of Governors approved advancement of SCP-1435.B, *Essential Employee Guidelines*, for a 30-day public comment period which ended January 9, 2014.

One comment was received at the end of the comment period from Virginia Stepp, Classified Staff Council Chair. "Upon looking at the Essential Employee Definition the Council questioned the fact that the Director of Campus Operations does not have a back-up person identified if conditions prevent them from reporting. We believe these persons should be identified."

Based upon the Classified Staff Council's request, the Essential Employee Definition has been revised. The staff requests that SCP-1435.B, *Essential Employee Guidelines*, be advanced to Southern's constituents and the Chancellor for Community and Technical College Education for an additional 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1435.B**

**SUBJECT:** Essential Employee Guidelines

**REFERENCE:** SCP-1435, Inclement Weather and Emergency Situations; 1435.A, Media Notification List

**ORIGINATION:** December 2013

**EFFECTIVE:** Upon Passage by Board of Governors

**REVIEWED:**

1. This guideline is not intended to replace the written emergency response plan outlined in Southern West Virginia Community and Technical College’s “Emergency Plan and Procedures Guide.” This guideline is intended to identify essential employees and provide employee guidance for reporting to work in the event of a declared state of emergency by authorized non-college officials (i.e., the Governor or county emergency services officials, etc.).
2. **Essential Employee Definition**
  - 2.1 Essential employees are defined as the Director of Campus Operations at each location and the Chief Information Officer.
  - 2.2 Directors of Campus Operations are required to report to work during an inclement weather/emergency closure of a campus facility or facilities. The Chief Information Officer may be able to verify information systems operation from a remote location. However, if necessary, he or she is required to report or have support staff report to ensure information systems and/or communication systems are appropriately operational.
  - 2.3 If a Director of Campus Operations is unable to report to work during an inclement weather/emergency closure of a campus facility or facilities, he or she will contact an appropriate staff member to report to work to address the situation at hand.
3. **Inclement Weather/Emergency Compensation**
  - 3.1 Exempt essential employees *required* to work during an inclement weather/emergency closure will be compensated with substitute time off on an hour for hour basis, in addition to regular pay. Non-exempt employees *required* to work during an inclement weather/emergency closure will be compensated for work performed through substitute time off or pay at the rate of one and one-half (1½) times the actual hours worked, in addition to regular pay. In order for substitute time off to be used in lieu of pay, there must be a mutual written agreement between the non-exempt employee and the supervisor. Otherwise, the non-exempt employee must be compensated with pay. If substitute time off is granted for work performed during an inclement weather/emergency closure, the accrued time must be used within six (6) months from the date it is earned.
4. **Treatment of Overtime and Inclement Weather Compensation**
  - 4.1 Inclement weather/emergency compensation is separate from overtime compensation. Both must be applied separately and appropriately. To be eligible for overtime compensation a non-exempt employee must actually work in excess of forty (40) hours during the work week. Non-exempt employees must be compensated for this time at one and one-half times their regular hourly rate.

This compensation may be in the form of pay or compensatory time.

- 4.2 Exempt employees with actual hours worked in excess of forty (40) hours within the work week are not entitled to overtime compensation for these hours.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Approval of Revisions to SCP-1375,  
*Report of Incidents*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-1375, *Report of Incidents*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin charged the Vice President for Finance and Administration with the review of SCP-1375, Report of Incidents. This policy establishes a system for reporting all accidents/incidents occurring on any college campus or off campus location of Southern West Virginia Community and Technical College.

The policy was reviewed by Executive Council on December 4, 2013. Based upon deliberations of the Council, revisions were made to provide clarity, correct grammatical errors, and change job titles. Revisions also include the addition of the Clery Crime Act definitions and crime definitions from the Uniform Crime Reporting Handbook. Therefore, the staff recommends that the Board of Governors advance this revised policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1375**

**SUBJECT:** Reports of Accidents/Incidents  
**REFERENCE:** Clery Act (20 USC §1092(f))  
**ORIGINATION:** January 28, 1991  
**EFFECTIVE:** January 28, 1991  
**REVIEWED:** ~~November 4, 2008~~ December 4, 2013

**SECTION 1. PURPOSE**

1.1 To establish a system for reporting all accidents /incidents occurring on any college campus or off-campus location of Southern West Virginia Community and Technical College.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy applies to all operational units of Southern West Virginia Community and Technical College.

**SECTION 3. DEFINITIONS**

3.1 Accident - Any unforeseen, unplanned event or circumstance resulting in personal injury and /or property damage.

3.2 Incident - Any direct or indirect action taken by an individual or group that results in a violation of a law or college policy.

3.3 Clery Act Crime Definitions

3.3.1 Sex Offenses-Forcible - Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

3.3.1.1 Forcible Rape - The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

3.3.1.2 Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

3.3.1.3 Sexual Assault with an Object - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is

incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

3.3.1.4 Forcible Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

3.3.2 Sex Offenses-Non-forcible - Unlawful, non-forcible sexual intercourse.

3.3.2.1 Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

3.3.2.2 Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

#### 3.4 Crime definitions from the Uniform Crime Reporting Handbook

3.4.1 Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that an injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

3.4.2 Arson - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

3.4.3 Burglary - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safe cracking; and all attempts to commit any of the aforementioned.

3.4.4 Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding).

3.4.5 Murder and Non-negligent Manslaughter - The willful (non-negligent) killing of one human being by another.

3.4.6 Manslaughter by Negligence - The killing of another person through gross negligence.

3.4.7 Robbery - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.

3.4.8 Weapon Law Violations - The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

3.4.9 Drug Abuse Violations - Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol,

methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

3.4.10 Liquor Law Violations - The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or an intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

3.4.11 On-campus

3.4.11.1 Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and

3.4.11.2 Any building or property that is within or reasonably contiguous to the area identified in paragraph 3.4.11.1 that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

3.4.12 Non-campus Building or Property

3.4.12.1 Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

3.4.12.2 Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

3.4.13 Public Property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

## **SECTION 4. POLICY**

4.1 Security and safety at Southern West Virginia Community and Technical College are everyone's responsibility. Security and safety measures will be monitored to ensure that all employees and visitors are in a safe environment. College management will update/upgrade processes as required to ensure maximum protection within available resources.

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

5.1 The Administration of the College is aware of the need for and continually strives to provide a safe and secure environment for its employees, students, and property. This requires the cooperation of all employees in accurately reporting all accidents/incidents. The timeliness of reporting this information is essential to meaningful investigations and maximum recovery of lost or stolen property.

5.2 To better assess the status of security and assignment of personnel to achieve maximum security on each location, a report of all accidents /incidents will be made monthly by the Director of Campus Operations with the original going to the ~~Chief Financial Officer~~ Vice President for Finance and Administration.

## SECTION 6. GENERAL PROVISIONS

6.1 None.

## SECTION 7. RESPONSIBILITIES AND PROCEDURES

- 7.1 Any employee or operating unit of the College involved in or witnessing an accident/incident at any Southern location will immediately contact and provide all pertinent information to the Director of Campus Operations and/or ~~Chief Financial Officer~~ the Vice President for Finance and Administration.
- 7.2 The Director of Campus Operations or the appropriate employee will investigate and make required reports on the reported accident/incident.
- 7.3 The Director of Campus Operations will daily prepare the Accident/Incident Report Form, SCP-1375.A and submit ~~daily it~~ to the ~~Chief Financial Officer~~ Vice President for Finance and Administration and/or the Director of Human Resources. ~~Administrator report of any accident/incidents, Form 1375.A.~~ For any major accidents/incidents, the Director of Campus Operations will notify the President.
- 7.4 The Director of Campus Operations will prepare ~~and submit to the Chief Financial Officer by the 15<sup>th</sup> of each month~~ a Monthly Report of Accidents/Incidents, SCP-1375.B, covering all accidents/incidents occurring during the prior month on campus and submit the report to the ~~Chief Financial Officer~~ Vice President for Finance and Administration by the 15<sup>th</sup> of each month.
- 7.5 The ~~Chief Financial Officer~~ Vice President for Finance and Administration will utilize the Monthly Report of Accidents/Incidents to:
- 7.5.1 Advise the President.
  - 7.5.2 Make recommendations for assignment to high risk areas.
  - 7.5.3 Develop and implement security techniques to avoid potential problems.
  - 7.5.4 Prepare security statistics for Southern West Virginia Community and Technical College.

## 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**

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**President**

**Date**

**Attachments:** SCP-1375.A, Accident/Incident Report Form  
SCP-1375.B, Monthly Report of Accidents/Incidents

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

**Revision Notes:** November 2008 — Revisions reflect changes in procedure requirements. Revisions provide clarity and reflect changes in management responsibilities. This policy was reformatted using the latest policy template.

December 04, 2013 — Revisions reflect grammatical corrections, changes of job titles, and provide clarity. Revisions also include the addition of the Clery Crime Act definitions and crime definitions from the Uniform Crime Reporting Handbook.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1375.A**

**Accident/Incident Report Form**

**Date of Accident/Incident:**

Date: \_\_\_\_\_ Day of Week: \_\_\_\_\_ Time: \_\_\_\_\_ AM or PM

**Location of Accident/Incident:**

Campus: \_\_\_\_\_ Building: \_\_\_\_\_ Room: \_\_\_\_\_ Other: \_\_\_\_\_

**Event Type:**

- |                                   |   |                                  |   |  |
|-----------------------------------|---|----------------------------------|---|--|
| <input type="checkbox"/> Murder   | <input type="checkbox"/> Aggravated Assault         | <input type="checkbox"/> Robbery | <input type="checkbox"/> Sexual Offense ( <input type="checkbox"/> Forcible | <input type="checkbox"/> Non-forcible)                               |
| <input type="checkbox"/> Accident | <input type="checkbox"/> Hate Crime                 | <input type="checkbox"/> Injury  | <input type="checkbox"/> Drug Law   | ( <input type="checkbox"/> Arrest <input type="checkbox"/> Referral) |
| <input type="checkbox"/> Incident | <input type="checkbox"/> Negligent Manslaughter     |                                  | <input type="checkbox"/> Liquor Law   | ( <input type="checkbox"/> Arrest <input type="checkbox"/> Referral) |
| <input type="checkbox"/> Burglary | <input type="checkbox"/> Motor Vehicle Theft        |                                  | <input type="checkbox"/> Weapons  | ( <input type="checkbox"/> Arrest <input type="checkbox"/> Referral) |
| <input type="checkbox"/> Arson    | <input type="checkbox"/> Non-Negligent Manslaughter |                                  |   |  |

**Narrative (attach additional sheets if necessary):**

**Victim Information (attach additional if necessary):**

Name: \_\_\_\_\_ College ID Number: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Age: \_\_\_\_\_ Person Injured:  Student  Visitor  Faculty  Staff  Other \_\_\_\_\_  
Extent of Injuries: \_\_\_\_\_  
Treated by Physician:  Yes  No  
If yes, Name and Address of Physician: \_\_\_\_\_  
Hospitalized:  Yes  No  
If yes, Name and Address of Hospital: \_\_\_\_\_

**Person in Potential Violation (attach additional sheets if necessary):**

Name: \_\_\_\_\_ College ID Number: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Additional Information:**

Emergency Personnel Called:  Yes  No  
If yes, Name of Emergency Personnel \_\_\_\_\_  
Police Report #: \_\_\_\_\_ (Attach a copy to this report) Arrest Made:  Yes  No

Date of Report: \_\_\_\_\_ Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-1375.B**

**Monthly Report of Accidents/Incidents**

**Campus:** \_\_\_\_\_ **Report for Month Ending:** \_\_\_\_\_ **Submitted:** \_\_\_\_\_ **Date:** \_\_\_\_\_

| Event Type  | Number between<br>7AM - 3 PM | Number between<br>3 PM - 11 PM | Number between<br>11 PM - 7 AM | Total<br>Incidents |
|---|------------------------------|--------------------------------|--------------------------------|--------------------|
| Accidents (Requires Form RMI-2)   |                              |                                |                                |                    |
| Murder  |                              |                                |                                |                    |
| Aggravated Assault  |                              |                                |                                |                    |
| Sexual Offense ( <input type="checkbox"/> Forcible <input type="checkbox"/> Non-Forcible) |                              |                                |                                |                    |
| Robbery   |                              |                                |                                |                    |
| Negligent Manslaughter  |                              |                                |                                |                    |
| Burglary  |                              |                                |                                |                    |
| Motor Vehicle Theft   |                              |                                |                                |                    |
| Hate Crime  |                              |                                |                                |                    |
| Drug Law ( <input type="checkbox"/> Arrest <input type="checkbox"/> Referral)             |                              |                                |                                |                    |
| Liquor Law ( <input type="checkbox"/> Arrest <input type="checkbox"/> Referral)           |                              |                                |                                |                    |
| Weapons Possession ( <input type="checkbox"/> Arrest <input type="checkbox"/> Referral)   |                              |                                |                                |                    |
| Injury  |                              |                                |                                |                    |
| Incident  |                              |                                |                                |                    |
| Other   |                              |                                |                                |                    |
| <b>Grand Total</b>  |                              |                                |                                |                    |

Estimated value of Destroyed Property  
 Personal Property \$ \_\_\_\_\_  
 State Property \$ \_\_\_\_\_  
 Total \$ \_\_\_\_\_

Area with HIGHEST Incident Rate  
 \_\_\_\_\_  
 \_\_\_\_\_

Original: ~~Chief Finance Officer~~ Vice President for Finance and Administration

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Approval of Revisions to SCP-2624,  
*Employee Development*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2624, *Employee Development* to Southern's constituencies and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin charged the Finance and Administration Unit with the review of SCP-2624, *Employee Development*. The purpose of employee development is to increase professionalism, productivity, individual and organizational effectiveness. The purpose of this policy is to create and promote a culture that is dedicated to maintaining a learning organization.

The policy was reviewed by Executive Council on December 4, 2013. Following Council's review, revisions were made to provide clarity and reflect no substantial changes in procedure or documentation requirements. The staff recommends that the Board of Governors advance the revised policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2624**

**SUBJECT:** Employee Development

**REFERENCE:** WV Code §18B-7-5

**ORIGINATION:** July 1, 1986

**EFFECTIVE:** January 28, 1991

**REVIEWED:** ~~November 11, 2008~~ December 4, 2013

**SECTION 1. PURPOSE**

- 1.1 The purpose of employee development is to increase professionalism, productivity, and individual and organizational effectiveness. The purpose of this policy is to create and promote a culture that is dedicated to maintaining a learning organization.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 Subject to appropriate supervisory approval, any employee of Southern West Virginia Community and Technical College is eligible to participate in employee development programs appropriate to his/her position or as requested or required by his or her supervisor.

**SECTION 3. DEFINITIONS**

- 3.1 Competencies - Set of behaviors encompassing skills, knowledge, abilities, and personal attributes that are critical to successful work accomplishment. Core Competencies are skills, knowledge, and abilities that employees must possess in order to successfully perform job functions that are essential to business operations.
- 3.2 Developmental Activities - Activities that focus on preparing employees for future responsibilities while increasing their capacity to perform their current jobs.
- 3.3 Grantor - The entity or funding body for professional development activities or classes. Examples of grantors of professional development funding include the Teaching and Learning Center, the Office of Academic Affairs, the Classified Staff Council, or any individual unit of the institution who may approve funding for development activities or classes.
- 3.4 Human Resource Development (HRD) - Set of systematic and planned activities designed by an organization to provide its members with the necessary skills to meet current and future job demands.
- 3.5 Knowledge - Level of learning characterized by ability to recall specific facts.
- 3.6 Learning Organization - A concept practiced through systems thinking and shared vision in which the organization is characterized by its capability to adapt to changes in its environment by altering

organizational behavior. In a learning organization, workers network and collaborate inside and outside the organization; change is embraced and failures are viewed as opportunities to learn; and the organization adapts and changes as the environment changes.

- 3.7 Organizational Development (OD) - Process of enhancing the effectiveness of an organization and the well-being of its members through planned interventions.
- 3.8 Systems Thinking - A conceptual framework that helps one see how things interrelate and how to change them.
- 3.9 Training - Process of providing knowledge, skills, and abilities (KSAs) specific to a task or job.
- 3.10 Advanced Professional Development - Any academy, class, conference, course program seminar or training attended by an employee that is not required by his or her current position, is not required for the performance of his or her current job responsibilities, and is intended to develop a higher level of skill, to develop an increase in professional or technical knowledge, or to obtain an advanced level of professional accreditation.
  - 3.10.1 Advanced professional development does not include routine job training, training required for the employee's performance of his or her current job responsibilities, attendance at professional conventions, seminars, continuing professional education or any form of training required to renew an employee's professional accreditation or any training costing less than one thousand dollars.

#### **SECTION 4. POLICY**

- 4.1 Southern West Virginia Community and Technical College shall maintain programs appropriate to the needs and resources of the institution for human resource development, organizational development, and to improve the competencies, knowledge, skill, and abilities of its employees.

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

- 5.1 While there are many by-products of development and training (e.g., increased knowledge and personal satisfaction), the real measure of developmental success is improved job performance.
- 5.2 Teaching, expanding knowledge and creativity, and devoting knowledge to public service are considered primary goals of higher education. These goals are achieved by and through college faculty. Therefore, the efforts of the Board of Governors and this institution in supporting, developing, and renewing the faculty members directly involved in helping West Virginians learn are vitally important to accomplishing the mission and goals of Southern West Virginia Community and Technical College.
- 5.3 Southern West Virginia Community and Technical College recognizes the general and specific benefits derived from efforts to improve employees' personal and professional effectiveness. Students rely on current, knowledgeable, and relevant instruction and benefit from research that improves teaching skill and knowledge. The people and economy of West Virginia benefit from new applications of knowledge and technology that enable more and better jobs, a higher standard of living, and enhanced knowledge and quality of life. Employees, especially individual faculty members, benefit from being able to teach, acquire a new knowledge, serve public needs, and perform institutional and professional roles more effectively. The College benefits from enhanced capacity and flexibility to carry out its mission in an era where it is more practical to enhance or renew skills and knowledge of existing employees.

- 5.4 Therefore, Southern West Virginia Community and Technical College affirms the unique, integral contribution of its employees and faculty members to the mission of higher education: Teaching, producing scholarly work that contributes to knowledge and creativity and serving public and institutional needs. The college further recognizes through its policy and actions that the knowledge and skills of employees and faculty need to be developed, maintained, supported, and renewed, and that the primary responsibility for accomplishing these ends resides with the institution.

## **SECTION 6. GENERAL PROVISIONS**

### **6.1 Eligibility and Other Requirements**

6.1.1 To be eligible for professional development funding, applicants must have been employed by the college for a minimum of one (1) year. Employees with less than one year service may apply for funding to take a class or attend a seminar or other job related training activity when required to do so by their supervisor.

6.1.2 Development activities funded by the college must be job related. Applicants who request tuition assistance for college credit should be working toward a degree in his/her field of employment or in a field designated by the supervisor.

6.2 Selection for professional development opportunities shall be made on a nonpartisan, nondiscriminatory basis without regard to race, religion, sex, age, national origin, or handicap conditions, using fair and meaningful criteria which will afford all employees with opportunities to enhance their knowledge and skills.

6.3 Awards for development activities are made on a semester by semester basis and may be limited due to the availability of funds.

### **6.4 Reimbursement Agreement**

6.4.1 The College has the option of entering into a reimbursement agreement with the employee for repayment of training compensation and costs for advanced professional development. The agreement may contain reasonable provisions for continuing service after completion of the advanced professional development. The agreement must be signed prior to approval and acceptance of funding for advanced professional development.

6.4.2 An employee under such agreement who voluntarily leaves employment with the college after receiving advanced professional development, but prior to the expiration of the negotiated continuing service period, and becomes employed with an entity other than the State of West Virginia, in a capacity which utilized the advanced professional development training, shall repay a pro rata portion of the training compensation as provided in the reimbursement agreement.

### **6.5 Tuition Waivers**

6.5.1 Graduate Classes - Before applying for funding for graduate classes, applicants are required to seek waivers from the graduate institution. Applications for tuition waivers at other institutions may be obtained from the Human Resources Unit or the individual institution. Waiver forms must be completed and returned to the granting institution by their deadline.

6.5.2 Undergraduate Classes - Any current employee may request a Southern West Virginia Community and Technical College tuition waiver to pay for classes taken at the college. Applications for



**Attachments:** None

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

**Revision Notes:** Policy originated July 1, 1986 under title “Personnel Development Committee.” That policy was replaced on January 28, 1991 with SCI-1623 titled “Personnel Development.” The policy was revised with the new SCP format in September 2000 and called “Professional Development” with the number SCP-2624 (eliminating SCI-1623.)

August 2008 – Substantial changes were made to this policy. Procedural items were deleted. The policy was revised to communicate the philosophical support for, and necessity of employee development in order to maintain an organization ready to meet the demands of the future. The policy title was changed to “Employee Development.”

December 4, 2013 – Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity and are grammatical in nature.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Approval of Revisions to SCP-2843,  
*Sexual Harassment*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-2843, *Sexual Harassment*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day required comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin charged the Vice President of the Finance and Administration Unit with the review of SCP-2843, *Sexual Harassment*. This policy defines sexual harassment, provides guidelines for filing sexual harassment complaints, and explains what action will be taken against those found to have engaged in sexual harassment.

The policy was reviewed by Executive Council on December 4, 2013. Following Council's review, revisions were made to provide clarity and reflect no substantial changes in procedure or documentation requirements. The staff recommends that the Board of Governors advance the revised policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-2843**

**SUBJECT:** Sexual Harassment Policy

**REFERENCE:** WV Code §18B-1-6; West Virginia Human Rights Act; Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972.

**ORIGINATION:** June 1, 1984

**EFFECTIVE:** September 1, 2000

**REVIEWED:** ~~January 11, 2011~~ December 4, 2013

**SECTION 1. PURPOSE**

1.1 This policy emphasizes Southern West Virginia Community and Technical College's strong opposition to sexual harassment. The policy defines sexual harassment, provides guidelines for filing sexual harassment complaints, and explains what action will be taken against those found to have engaged in sexual harassment.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy is without limitation in scope or application. Southern will not tolerate, condone or allow sexual harassment whether engaged in by employees, students or visitors. All employees, students and visitors are expected to act in a positive professional manner and contribute to a productive work and academic environment that is free from sexual harassment.

**SECTION 3. DEFINITIONS**

3.1 State and federal laws define and prohibit sexual harassment.

3.2 For purposes of this policy, sexual harassment is defined as unwelcome and unwanted conduct (verbal or physical) either of a sexual nature, or based upon a person's sex when:

3.2.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's continuing employment or a student's ability to participate in or to receive benefits, services or opportunities in a course, program, or activity, or

3.2.2 Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the employee or the basis for academic or other decisions affecting the student; or

3.2.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or a student's educational experience or of creating an intimidating, hostile or offensive work or academic environment.

3.3 Some examples of sexual harassment include, but are not limited to, the following:

- 3.3.1 Demanding sexual favors in exchange for favorable treatment, grades, reviews, assignments, promotions, continued employment or promises of the same;
- 3.3.2 Unwelcome leering, whistling, touching, patting, or pinching, purposely rubbing up against or brushing another's body, and insulting, abusive or obscene comments or gestures;
- 3.3.3 Verbal comments of a sexual or sex-based nature, including continued or repeated jokes, epithets, flirtations, advances or propositions;
- 3.3.4 Graphic or suggestive verbal commentary about an individual's dress, body, sexual prowess or sexual deficiencies;
- 3.3.5 Sexually degrading vulgar words to describe an individual;
- 3.3.6 Displays in the workplace, classroom or other Southern property of sexually suggestive objects, photographs, posters, cartoons or graffiti;
- 3.3.7 Name calling and relating stories, gossip, comments or jokes that have a sexual connotation;
- 3.3.8 Sexual or sex-based assault or coerced sexual acts; and
- 3.3.9 Retaliation against an employee or student for complaining about such behavior.

#### **SECTION 4. POLICY**

- 4.1 It is Southern's policy to provide a productive work and educational environment where faculty, staff and students can work and study free from sexual harassment. Southern will take action to prevent and eliminate verbal or physical conduct by any employee or student that harasses, disrupts, or interferes with another's work or academic performance or that creates an intimidating, or offensive or hostile environment.
- 4.2 Conduct that constitutes sexual harassment is unacceptable and illegal. Southern will not tolerate any sexual harassment of its students or employees on Southern property, in other Southern-related settings or at Southern-related events.
- 4.3 If sexual harassment allegations are not substantiated, all reasonable steps shall be taken to protect the reputation of the accused. Moreover, if the complainant is found to have intentionally or maliciously been dishonest or frivolous in making the allegations, the complainant shall be subject to appropriate disciplinary action.

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

- 5.1 None.

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

- 6.1 While Southern encourages individuals who believe they are being harassed to notify the offender firmly and promptly that his or her behavior is unwelcome, Southern also recognizes that power and status disparities between an alleged harasser and a target of harassment may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, then any such conduct should be reported **immediately** (preferably in writing) to one of the following persons:

the respective campus Counselor, Director or Manager; ~~Office of the Chief Financial Officer~~Vice President for Finance and Administration, ~~the Chief Officer of Academics~~Vice President for Academic Affairs and Student Services; ~~the Office of the Vice President for Economic, Workforce and Community Development; Student Services Office~~; or ~~Technology/Information Services~~ the Vice President for Development. Nothing in this policy shall be constructed to prohibit the filing of a complaint with the West Virginia Human Rights Commission or other agency charged with the responsibility to enforce laws that prohibit sexual harassment.

- 6.2 Any administrator, counselor or other employee who receives a report of sexual harassment or who is otherwise made aware of a situation, action or behavior that could be deemed as sexual harassment is responsible for reporting the suspected harassment to his or her unit vice president or to the Office of the ~~Chief Financial Officer~~Vice President for Finance and Administration unless prohibited from doing so by law. Failure to report promptly the suspected harassment will result in appropriate disciplinary action.
- 6.3 Upon receipt of a report or complaint alleging sexual harassment, the Office of the ~~Chief Financial Officer~~Vice President for Finance and Administration shall immediately undertake or authorize an investigation. That investigation may be conducted by College personnel or by a third party designated by the College. The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident or circumstances giving rise to complaint. The investigation may also consist of the evaluation of any other information or documents which may be relevant to the particular allegations. In determining whether the alleged conduct constitutes a violation of this policy, the College shall consider:
- 6.3.1 the nature of the behavior;
  - 6.3.2 how often the conduct occurred;
  - 6.3.3 whether there were past incidents or past continuing patterns of behavior;
  - 6.3.4 the relationship between the parties involved;
  - 6.3.5 the sex and age of the victim;
  - 6.3.6 the identity of the perpetrator, including whether the perpetrator was in a position of power over the employee, student, or visitor allegedly subjected to harassment;
  - 6.3.7 the number of alleged harassers;
  - 6.3.8 the age of the alleged harasser;
  - 6.3.9 where the harassment occurred;
  - 6.3.10 whether there have been other incidents in the College involving the same of other employees, students, or visitors;
  - 6.3.11 whether the conduct adversely affected an employee's work environment or a student's education or educational environment;
  - 6.3.12 the context in which the alleged incidents occurred; and
  - 6.3.13 whether or not speech or expression that is alleged to constitute harassment is protected by the First

Amendment to the United States Constitution.

6.3.14 Whether a particular action or incident constitutes a violation of this policy, requires a determination based on all the facts and surrounding circumstances. The investigation shall be completed no later than 14 days from receipt of the report. The Office of the ~~Chief Financial Officer~~Vice President for Finance and Administration shall make a written report to the President or his or her designee upon completion of the investigation. If the complaint involves the President, the report may be filed directly with the Chair of the Board of Governors. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. The Office of the ~~Chief Financial Officer~~Vice President for Finance and Administration's obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also ending or has been concluded.

6.4 The results of the investigations of each complaint filed under ~~these policies~~this policy will be reported in writing to the complainant and other parties by the College in accordance with the state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.

6.4.1 If the results of the investigation of a complaint of sexual harassment results in a conclusion that an individual has engaged in a sexual harassment violation of this policy, or that College personnel have failed to report suspected sexual harassment as required herein, appropriate remedial action will be pursued, including student and College personnel disciplinary action, when appropriate.

6.5 Following investigation, the following actions may be taken against an individual found to have engaged in sexual harassment:

6.5.1 If the individual is an employee, appropriate disciplinary action up to and including termination of employment;

6.5.2 if the individual is a student, appropriate disciplinary action up to and including expulsion imposed consistent with the Policy on Student Rights and Responsibilities;

6.5.3 If the individual is a visitor, appropriate action including, but not limited to, being forbidden from entering Southern property imposed consistent with the Policy on Use of Institutional Facilities; and

6.5.4 If the individual is a third party who engages in harassing conduct against a Southern employee or student away from Southern property, appropriate remedial action including, but not limited to, reporting such conduct to the third party's employer or school.

6.6 It shall also be a violation of this policy to engage in retaliation or reprisal against any person who reports sexual harassment or intimidation or who testifies, assists or participates in an investigation or proceeding involving sexual harassment.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

7.1 All Southern employees, students, and visitors are expected to:

7.1.1 engage in conduct that meets professional standards,

7.1.2 remain sensitive to the effect of their actions and words on others,

- 7.1.3 take appropriate action to prevent sexual harassment,
- 7.1.4 avoid behavior that might be construed as sexual harassment,
- 7.1.5 ~~acquaint~~familiarize themselves with the policy,
- 7.1.6 ~~bring~~ask questions about procedure, ~~and~~ seek informal advice or concerning sexual harassment; and
- 7.1.7 present complaints if alleged sexual harassment has occurred or is suspected to his/her immediate supervisor and/or the AA/EEO Office.

7.2 The Office of the ~~Chief Financial Officer~~Vice President for Finance and Administration and Office of the ~~Vice President for Enrollment Management~~Dean for Student Services and Enrollment Management shall have the responsibility to oversee the implementation of this policy, to ensure that employees and students are aware of the policy, to ensure Southern’s compliance with relevant state and federal laws, and to ensure that employees and students receive any necessary training with regard to sexual harassment issues. The Office of the ~~Vice President for Enrollment Management~~Dean for Student Services and Enrollment Management is primarily responsible for student-related matters, and the Office of the ~~Chief Financial Officer~~Vice President for Finance and Administration is primarily responsible for all other matters, including employee-related matters.

7.3 Inquiries on anti-discrimination laws (Human Rights Act, Civil Rights Act, and/or Title IX Amendments) as they relate to this policy should be addressed to:

Affirmative Action Officer  
 Southern West Virginia Community and Technical College  
 P. O. Box 2900, Mount Gay, West Virginia 25637  
 (304) 896-7408

Title IX Coordinator  
 Southern West Virginia Community and Technical College  
 P. O. Box 2900 Mount Gay, West Virginia 25637  
 (304) 896-7432

**SECTION 8. CANCELLATION**

8.1 Any previous policy being superseded.

**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**

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**President**

**Date**

**Attachments:** None.

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

**Revision Notes:** January 2011— Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity and reflect changes in management responsibilities.

December 4, 2013– Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity, are grammatical in nature, and reflect changes in job titles.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request for Approval of Revisions to SCP-5065, *Awarding of Undergraduate Tuition and Fee Waivers*

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-5065, *Awarding of Undergraduate Tuition and Fee Waivers*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**STAFF MEMBER:** Sam Litteral

**BACKGROUND:**

President Joanne Jaeger Tomblin charged the Finance and Administration Unit with the review of SCP-5065, *Awarding of Undergraduate Tuition and Fee Waivers*. The purpose of this policy was to establish a policy relating to the awarding of undergraduate tuition and fee waivers as provided for in West Virginia State Code.

The policy was reviewed by Executive Council on December 4, 2013. Based on deliberations of the Council, revisions were made to provide clarity and reflect no substantial changes in procedure or documentation requirements. The staff recommends that the Board of Governors advance the revised policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-5065**

**SUBJECT:** Awarding of Undergraduate Tuition and Fee Waivers

**REFERENCE:** West Virginia Code §18B-10-6, §18B-10-7, §18B-10-7b

**ORIGINATION:** January 15, 2002

**EFFECTIVE:** February 19, 2002

**REVIEWED:** ~~August 5, 2008~~ December 4, 2013

**SECTION 1. PURPOSE**

- 1.1 To establish policy relating to the awarding of undergraduate tuition and fee waivers as provided for in West Virginia State Code.

**SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy applies to the awarding of all categories of undergraduate tuition and fee waivers as provided for in West Virginia State Code at Southern West Virginia Community and Technical College (College).

**SECTION 3. DEFINITIONS**

- 3.1 Undergraduate Tuition and Fee Waiver (Initial 5% Cap) - Tuition and fee waivers authorized by West Virginia Code §18B-10-5(b)(1). These awards shall be identified by using the name Southern Scholarships.
- 3.2 Undergraduate Tuition and Fee Waiver (Additional 5%) - Additional tuition and fee waivers authorized by West Virginia Code §18B-10-1(k)(5)(F) with such waivers restricted to need-based financial aid for undergraduate students and do not count against the cap established in §18B-10-5(b)(1) [see 3.1].
- 3.3 Undergraduate Tuition and Fee Waivers for Employees, Spouses and Dependent Children - Waivers an institution may grant, but is not required, to eligible employees and covered dependents.
- 3.4 Eligible Employee - Includes any regular, benefits eligible member of the classified staff, non-classified staff, and full-time faculty employee of Southern West Virginia Community and Technical College.
- 3.5 Covered Dependent - Includes the employee's current spouse and children.
- 3.6 Children - The natural or legally adopted child or children of the employee or his/her spouse who has a high school diploma or GED, are not married, and is less than 24 years of age on the first day of classes of the term for which he or she wishes to register for which the tuition waiver is provided.
- 3.7 Family of Active Military Personnel Killed in the Line of Duty Waiver - Tuition and fee waivers authorized by West Virginia Code §18B-10-7 and made available on a space available basis for spouses and children of West Virginia residents on active military duty killed in the line of duty spouses and children of National

Guard and Reserve members killed in the line of duty in a duty status other than on federal active duty.

- 3.8 Family of Officers and Firefighters Fee Waiver - Tuition and fee waivers authorized by West Virginia Code §18B-10-7 and made available to the children and spouse of a law enforcement officer as defined in West Virginia Code §30-29-1, a correctional officer at a state penal institution, ~~a conservation officer~~, a parole officer, probation officer, natural resources police officer, registered firefighter where such officer or firefighter was killed in the line of duty while employed by the state or any political subdivision thereof, or such firefighter was killed in the line of duty while acting as a member of a volunteer fire department serving a political subdivision of this state.
- 3.9 Students in Foster Care Waiver - Tuition and fee waivers authorized by West Virginia Code §18B-10-7b and made available to any high school graduate or student who passes the GED examination while in the custody of the state department of health and human resources. The student must be in foster care or other residential care for at least one year prior to the waiver award. If the foster care or other residential care is provided in another state, the student must first be returned to West Virginia for waiver award eligibility. To be eligible for a waiver award, a student must first:
- 3.9.1 Apply to and be accepted to the College;
  - 3.9.2 Apply for other financial assistance, other than student loans, in compliance with federal financial aid rules, including the Federal Pell Grant; and
  - 3.9.3 The initial tuition and fee waiver must be awarded within two years of graduation from high school or passing the GED examination.

#### **SECTION 4. POLICY**

- 4.1 It is the policy of this institution to award any and all undergraduate tuition and fee waivers as authorized by, and in compliance with, the applicable sections of the West Virginia Code institutional procedures.

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

- 5.1 Pursuant to statute, the maximum of authorized undergraduate tuition and fee waivers shall be equal to five percent (5%) of the tuition and fees assessed for all the full-time equivalent undergraduate enrolment of the institution for the immediately preceding academic year.
- 5.2 Pursuant to statute, no student may hold an undergraduate tuition and fee waiver for more than eight (8) semesters. Twelve (12) or more semester hours attempted during a regular semester or a summer term shall be considered as one (1) semester for purposes of awarding the undergraduate tuition and fee waivers.
- 5.3 The maximum number of semester hours for each waiver that is divided for less than full-time awards is thirty (30) for the full year, or fifteen (15) per semester. Some full-time waiver recipients may elect to take only (12) semester hours during a semester, rather than fifteen (15) or more they might pursue with a waiver. "Unused hours" from full-time recipients may be used for the purpose of making additional awards until all available hours for each full waiver is utilized. However, this institution may not award portions of hours (e.g., if a student withdraws from school after using 1.6 hours of her waiver award, this institution must consider it as having used two (2) hours of the waiver award unless the student pays the tuition and fees originally covered by the waiver.
- 5.4 Recipients of any and all waivers provided under the terms and conditions stated in this policy must possess

the minimum qualifications for attendance as required of all other students.

- 5.5 Awards of statutorily-mandated tuition and fee waivers (West Virginia Code §18B-10-5(b)(6), §18B-10-6(b)(5), §18B-10-6(b)(6), and §18B-10-7) are excluded from the statutory caps described in West Virginia Code §18B-10-5(b)(7) and §18B-10-6(b)(6).

## **SECTION 6. GENERAL PROVISIONS**

- 6.1 Awards made under the undergraduate tuition and fee waiver program shall provide for the waiver of tuition only. This institution shall have discretionary authority to waive one or more of the other component parts of the college fees such as the activity and/or special fees assessed to students in designated academic fields.
- 6.2 This institution shall give priority consideration in the awarding of the undergraduate tuition and fee waivers to students who are West Virginia residents.
- 6.3 This institution may choose to award a substantial portion of its undergraduate tuition and fee waivers to students who possess various kinds of special abilities and aptitudes, including general academic ability and academic ability in a special field. However, in instances where there are more financially needy applicants than can be assisted through the available need-based student aid programs, the institution shall give strong consideration in the awarding of the undergraduate tuition and fee waivers (Initial 5%) to students with demonstrated financial need.
- 6.4 Recipients of any waivers provided under the Family of Active Military Personnel Killed in the Line of Duty Waiver, Family of Officers and Firefighters Fee Waiver, and the Students in Foster Care Waiver, may attend undergraduate courses, pending the availability of classroom space, without charge for tuition. The institution shall require the recipient of any waiver to pay any and all special course related fees, including any laboratory fees, if such fees are required of all other students taking the particular course.

## **SECTION 7. RESPONSIBILITIES AND PROCEDURES**

- 7.1 The award of all undergraduate tuition and fee waivers authorized by West Virginia State Code or institutional policy shall be determined by this institution's Office of Student Financial Assistance. Eligibility standards for each waiver program shall be documented by the applicant as required by the Office of Student Financial Assistance.
- 7.2 The Office of Student Financial Assistance shall submit a summary report to the ~~Chief Financial Officer~~ Vice President for Finance and Administration on or before May 15 of each academic/fiscal year. The ~~Chief Financial Officer~~ Vice President for Finance and Administration shall present the report to the Board of Governors at its June meeting each year. This report will include the required information for all waivers awarded from July 1 through June 30 of the reporting year and will cover a fall semester, spring semester, and summer session(s) as appropriate. Pursuant to statute, the report on the awarding of undergraduate tuition and fee waivers shall be entered into the minutes of the meeting of the Board.
- 7.3 Each award recipient shall be listed and a permanent hometown address provided. The number of semesters or semester hours the award is covering in the current year will be listed. Both new and renewal recipients must be included.
- 7.4 A number shall be assigned to each full waiver granted. In instances where two or more students receive help through a single waiver, only one number should be assigned to the waiver with the individual students being designated as A, B, C, etc.



**Revision Notes:** August 2006 — Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity and reflect changes in management responsibilities. Form was streamlined.

December 4, 2013– Revisions reflect no substantial changes in procedure or documentation requirements. Revisions provide clarity, are grammatical in nature, and reflect changes in job titles.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
MEETING OF FEBRUARY 18, 2014**

**ITEM:** Request to Extend Deadline for Business Department Programs Needs Assessment Follow-up Report

**RECOMMENDED RESOLUTION:** *RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant an extension of the deadline established for the Board of Governors' decision regarding Business Department Programs until the August 2014 Board of Governors meeting.

**STAFF MEMBER:** Debra Teachman

**BACKGROUND:**

At its August 20, 2013 meeting, the Board of Governors determined that the number of responses received from the businesses surveyed in the July 2013 needs assessment conducted was too low to make a decision on the effectiveness of the Department of Business programs in meeting both employer and student needs. The Board determined a closer review of the Business Department programs was necessary and it would move toward making a decision on those programs by January 2014.

Due to the fact that the position of Vice President for Academic Affairs and Student Services was not filled until November 11, 2013, and that the new Vice President was unable to work sufficiently with the Business Department to complete a more thorough needs assessment between the hire date and the end of December 2013, an extension of the deadline for this activity is requested.

Plans to use a consultant to work on the needs assessment and to work with the faculty in the department on interpretation of results and appropriate changes to the curriculum are underway. Therefore, staff requests that the deadline for the Board of Governors' decision about Business Department programs be extended to the August 2014 Board of Governors meeting.

To  
Thank  
you



Joanne, Southern Board of  
Governors, Foundation & Employees

Your special ways  
and generous heart  
make a beautiful difference.

Thank you so much.

I appreciate the planter that  
will continue to grow throughout  
the years just as my memories  
will continue to comfort me. My  
father was a very special man  
and the love of my mother's life.  
He will always be remembered  
with smiles and a warm heart.  
Thank you.

Shulley & family