

WEST VIRGINIA UNIVERSITY AT PARKERSBURG BOARD OF GOVERNORS

**FEBRUARY 18, 2015
AGENDA**

Members

Joe Campbell
Cheryl Donohoe
Gerard El Chaar, Board Chair
Matthew Santer
Sam Winans
John Denbigh

Jamie Six
Violet Mosser
Curtis Miller
Jeff Matheny
William Bell

Dr. Fletcher Lamkin
President



SCHEDULE

West Virginia University at Parkersburg Board of Governors

Wednesday, February 18, 2015

12:30 p.m.	Board Lunch	Community Room
1:15 p.m.	Campus Development Committee	Community Room
2:15 p.m.	Audit Review Committee	Room 1318
2:15 p.m.	Administrative Services Committee	Community Room
2:15 p.m.	Academic and Student Services Committee	President's Conference Room
3:30 p.m.	Board Meeting	Theatre
	Possible Executive Session	Community Room

WEST VIRGINIA UNIVERSITY AT PARKERSBURG BOARD OF GOVERNORS
 Meeting of February 18, 2015
 College Theatre
 3:30 p.m.

1.	Call to Order	Board Chair, Gerard El Chaar
2.	Roll Call	Brady Whipkey Executive Assistant to the President
3.	Board Chair Report	Chairman El Chaar
4.	President’s Report	Dr. Fletcher Lamkin, President
5.	Approval of Minutes	
	<ul style="list-style-type: none"> • Regular Meeting – January 14, 20155 	
6.	Committee Reports	
	<ul style="list-style-type: none"> • Campus Development Committee • Audit Review Committee • Administrative Services Committee • Academic and Student Services Committee 	<ul style="list-style-type: none"> Joe Campbell Joe Campbell Sam Winans Curtis Miller
7.	Possible Executive Session under the authority of WV Code §6-9A-4-2A Personnel Property	
8.	Action Items	
	<ul style="list-style-type: none"> • Property Acquisition • Financial Audit • Approval of Capital Exenditures For Safety Infrastructure Improvements 	<ul style="list-style-type: none"> Chairman El Chaar.....9 Alice Harris, VP Finance & Administration..... 10 Alice Harris, VP Finance & Administration.....11
9.	Consent Agenda	
	<ul style="list-style-type: none"> • Revision of Policy D-46, Code of Student Conduct • Revision of Policy D-51, Admission to West Virginia University at Parkersburg 	<ul style="list-style-type: none"> Anthony Underwood, VP.....13 Student Services Anthony Underwood, VP.....23 Student Services

• Agreement with Ohio Valley Health Care	President Lamkin.....	31
10. Information Items		
• Fiscal Update	Alice Harris, VP Finance & Administration.....	32
11. Board Comments/Announcements		
12. Next Meeting		
March 11, 2015-College Multi-Purpose Room		
13. Adjournment		

MINUTES
WEST VIRGINIA UNIVERSITY AT PARKERSBURG
BOARD OF GOVERNORS
January 14, 2015

A regular meeting of the West Virginia University at Parkersburg Board of Governors was held on Wednesday January 14, 2015, in the College Theatre at the WVU Parkersburg Campus, beginning at 3:15 p.m. Board members present were: Joe Campbell, Jamie Six, Cheryl Donohoe, Violet Mosser, Gerard El Chaar, Curtis Miller, Matthew Santer, Jeff Matheny, Sam Winans, John Denbigh and William Bell. Others present included Dr. Fletcher Lamkin and Brady Whipkey.

Guests present included administrators, faculty, and staff.

1. Call to Order

Mr. El Chaar, Chair of the WVU at Parkersburg Board of Governors, called the meeting to order.

2. Swearing in of new Board members

Debbie Richards, Special Assistant to the President, asked new Board members John Denbigh and William Bell to stand and conducting the swearing in of the new members.

3. Roll Call

Roll Call was taken by Brady Whipkey, Executive Assistant to the President, noting that a quorum was present.

4. Board Chair Report

Chairman El Chaar thanked members for attending the meeting. Chairman El Chaar introduced Dr. Lamkin to the Board and guest. Chairman El Chaar also thanked the new members for their willingness to serve.

5. President's Report

President Lamkin reported to the Board that he is honored to have the opportunity to employ his skills, experience and passion to serve the college and it community. Dr. Lamkin thanked Dr. Rhonda Tracy for her work as Interim President, Board member Cheryl Donohoe for assistance with housing, and Chairman El Chaar for his support, encouragement and guidance.

Next Dr. Lamkin discussed that his immediate concerns are two related issues: improving enrollment and balancing the budget. Dr. Lamkin discussed the concerns and difficulties associated with each of these issues.

6. Approval of Minutes

The minutes of the Regular Board meeting of December 10, 2014, were approved upon a motion by Mr. Miller, seconded by Mr. Six.

7. Committee Reports

- Executive Committee:
Board members present received a report that the Executive Committee met prior to the Board meeting to discuss tuition, presidential housing challenges, and scheduling a meeting of the Campus Development Committee.
- Administrative Services Committee:
Board members present received reports on renovations being done to facilities and campus. A report was received on the position vacancies, and new hires. A report was received on marketing and communication efforts. A report was received on financial budget updates.
- Academic and Student Services Committee:
Board members present received reports from Academic Affairs, Workforce and Community Education and Student Affairs: an overview of grants, new programs, data and faculty; credit and non-credit programs; enrollment, loan default management and possible fees for student culture improvement, were given.

8. Executive Session under the authority of WV Code §6-9A-4-2A

Chairman El Chaar asked for a motion to move into Executive Session. Ms. Mosser moved to adjourn to Executive Session. Ms. Donohoe seconded the motion. The motion passed and the Board moved into Executive Session at approximately 3:45 p.m. At approximately 4:52 p.m. Chairman El Chaar announced that the Board would return to the regular meeting. Mr. Campbell moved to return to regular session. Mr. Miller seconded the motion. Motion passed.

9. Action Items

- Presidential Residence
Mr. Winans moved to table this item to a later date. Mr. Miller seconded the motion. The motion passed.
- Program approval for revised admission requirements to the WVU-Parkersburg BA in Elementary Education:
Dr. Rhonda Tracy provided an overview for approval to revise the admission requirements to the WVU Parkersburg BA in Elementary Education.

Mr. Bell moved to approve the following resolution:

Resolved, That the West Virginia University at Parkersburg Board of Governors approves the revised Admission Requirements for the BA in Elementary Education

Mr. Campbell seconded the motion.

After questions and discussion, the motion passed.

- Approval of two new programs: Certificate in General Business and AAS Entrepreneurial Technology:

Dr. Rhonda Tracy provided an overview for approval for two new programs for Certificate in General Business and AAS Entrepreneurial Technology.

Mr. Denbigh moved to approve the following resolution:

Resolved, That the West Virginia University at Parkersburg Board of Governors approves the Certificate in General Business, AAS in Entrepreneurial Studies.

Ms. Donohoe seconded the motion

After questions and discussion, the motion passed.

10. Information Items

- Fiscal Update:
Alice Harris, VP Finance and Administration provided a detailed report on the budget summary as of December 31, 2014.

11. Board Comments/Announcements

Mr. Campbell reported that the audit should be complete by the end of the month. Mr. Campbell also reported that he has spoken with Adam Krason of ZMM and they would like to schedule a joint meeting with the Campus Development Committee and General Hoyer and his staff.

Mr. Santer discussed the possibility of holding the Board meetings in a different location so the theatre department can have better use of the area to work on projects and sets. The Board agreed and a new location will be found.

12. Next Meeting

February 18, 2015, College Theatre.

13. Adjournment

With no further business to be discussed, Ms. Mosser moved that the meeting be adjourned. Mr. Winans seconded the motion. Motion passed. The next meeting will be held February 18, 2015 at 3:15 p.m. in the college theatre.

Respectfully submitted,

Brady Whipkey
Executive Assistant to the President

Gerard El Chaar, Chairman

Sam Winans, Secretary

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: **Property Acquisition**

RECOMMENDED RESOLUTION: *Resolved, That the West Virginia University at Parkersburg Board of Governors approves acquiring available property.*

STAFF MEMBER: Gerard El Chaar, Board Chair

BACKGROUND:

WVU Parkersburg has the opportunity to acquire property that is adjacent to main campus, located at 180 Cedar Grove Road. The college requests permission from the Board to acquire specified property.

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: Financial Audit

RECOMMENDED RESOLUTION: *Resolved,* That the West Virginia University at Parkersburg Board of Governors approves the Audit report and Corrective Action Plan for Fiscal Year ending June 30, 2014 as submitted.

STAFF MEMBER: Alice Harris,
VP Finance & Administration

BACKGROUND:

Ms. Harris will provide a report on the audit Fiscal Year ending June 30, 2014 and submit copies of the report and corrective action plan to the Board of Governors for their review and approval.

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: Approval of Capital Expenditures for Safety Infrastructure Improvements

RECOMMENDED RESOLUTION: *Resolved,* That the West Virginia University at Parkersburg Board of Governors approves the infrastructure safety improvements listed below totaling \$870,000 to be funded 60% by the WV Higher Education Policy Commission and 40% by West Virginia University at Parkersburg, not to exceed \$348,000.

STAFF MEMBER: Alice Harris,
VP, Finance & Administration

BACKGROUND:

<u>Project Description</u>	<u>Estimated Total</u>	<u>WVUP Share</u>
Main Building Door Access Control	\$557,785	\$223,114
Main Building Sprinkler System Expansion	\$240,715	96,286
Asbestos Abatement 3 rd & 4 th Floors	<u>71,500</u>	<u>28,600</u>
Total estimated costs	<u>\$870,000</u>	<u>\$348,000</u>

Background: West Virginia University at Parkersburg’s main building was placed in service nearly 50 years ago. While the building was built according to the construction codes in place at the time, the code as changed since the initial construction of the building. In addition, new laws such as the American’s With Disabilities Act have been subsequently enacted. As a result, WVU at Parkersburg’s main building is in need of some safety infrastructure improvements and the above projects are intended to address these safety issues as well as improving access to our facilities for students, faculty and staff with disabilities.

Timeframe for completion of work: Our request proposes that all of the above projects be undertaken during calendar years 2015 and 2016 to be substantially completed by December 31, 2016.

Funding: The West Virginia Higher Education Policy Commission has made bond funding available to WVU at Parkersburg in the amount of \$522,000 for high priority capital projects for Safety Infrastructure improvements. This amount represents a 60% match of the total project cost of \$870,000 leaving WVUP with a net out of pocket cost of \$348,000. In order to access this funding, we must make a formal request including a prioritized list of the project to be completed and our estimated time frame for completion. If approved, WVHEPC will

issue us a grant/contract which will allow us to move forward with the project. The time frame for the completion of the projects allows us to spread our share of the cost over three fiscal years thus lessening the financial impact of the projects on any single year's budget. Additionally, it allows us to plan to perform the work during the summer resulting in less disruption of classes and other activities. The estimated net impact to WVU at Parkersburg's budgets is as follows:

FY 2015	\$63,800
FY 2016	187,914
FY 2017	96,286

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: Revision of Policy D-46, Code of Student Conduct

RECOMMENDED RESOLUTION: *Resolved*, That the West Virginia University at Parkersburg Board of Governors authorizes the revision of Policy D-46, Code of Student Conduct, as submitted.

STAFF MEMBER: Anthony Underwood
Vice President for Student Services

BACKGROUND:

On a daily basis, news headlines across the country address instances of college student misconduct related to sexual assault and other dangerous crimes. Unfortunately, it has been pointed out over and over that if a college issues disciplinary measures to remove a student who has committed such violations, the student can escape the punishment by transferring to another college or university without anyone knowing when there is no notation related to disciplinary action on the student's transcript.

Presently, West Virginia University at Parkersburg does not record disciplinary actions on our students' transcripts. Although our institution, fortunately, has not had to expel a student for rape or other serious violation, we would like to be a proactive part of the solution to this problem. It is, therefore, proposed and strongly recommended that the status of suspension or expulsion for violations of the Code of Student Conduct be noted on the student's transcript for as long as that suspension or expulsion remains in effect.

This proposal requires an addition to the Code of Student Conduct, which is recommended under Section 9.2 of Policy D-46 attached.

The notice of proposed rulemaking was issued for a 30-day comment period ending on January 12, 2015 and one comment was received. This comment and the proposed policy revision are attached. The Board's approval of this revision is recommended.

COMMENTS RECEIVED
Policy D-46, Code of Student Conduct
Public Comment Period: December 11, 2014 – January 12, 2015

Date Received	Comments	Revisions to policy proposal
12/11/14	So what good is a comment period when you people are going to do what you please anyway like the smoking ban. You were cowards the way the smoking ban was done by waiting till school was out for the semester for the semester. As far as I am concerned you can all go to hell! Douglas Taylor	None

West Virginia University at Parkersburg Board of Governors

**POLICY D-46
CODE OF STUDENT CONDUCT**

Section 1. General:

- 1.1 Scope: The Policy sets forth the West Virginia University at Parkersburg Board of Governor's policy regarding Student Conduct for WVU at Parkersburg.
- 1.2 Authority: W. Va. Code: W.V. Code §18B-1-6; §18B-2A-4.
- 1.3 Effective Date: ~~September 17, 2014~~
(Replaces version dated ~~December 15, 2006~~ and transferred from WVU Board of Governors on July 1, 2008 September 17, 2014.)
- 1.4 Rationale for the WVU at Parkersburg Code of Student Conduct

West Virginia University at Parkersburg expects that every member of its academic community share its historic and traditional commitment to honesty, integrity, and the search for truth. In addition, West Virginia University at Parkersburg is concerned with the living and learning environment of all its students. It is expected that each person will grow to have greater respect for self, others, and property.

Students and student organizations are required to engage in responsible social conduct that reflects credit upon the college community and to model good citizenship in any community.

It is further expected that every member of the academic community will respect the democratic process, a society based on law, and the basic tenets on which our country was founded. All students at West Virginia University at Parkersburg are citizens of the larger community, and as such are free to exercise their fundamental and constitutional rights. Rights and responsibilities under local, state, and national law are neither abridged nor extended because of student status, and each student must be mindful of his/her responsibility in this regard.

The college will not request special consideration for students charged with violations of a city, county, or state law on the basis of their status as students, nor will prosecution by federal, state, or local authorities necessarily preclude disciplinary action by the college.

Students charged with violations of the conduct code will be provided substantive and procedural due process and the right of appeal. Their right to be treated with respect and dignity will be protected.

When a student is charged with a specific violation, the college will employ procedures for determining if the charge is fair and accurate. This document enumerates and explains specific procedures used in determining the fairness and accuracy of such charges and the sanctions which might be imposed if the charges are found to be true.

Opportunities for participation in the process and equality of treatment are afforded all students, irrespective of race, religion, age, sex, handicap, or national origin. To ensure this, state and federal regulations and the guidelines and requirements of Title VI of the Civil Rights Act and Title IX of the Higher Education Act of 1972 are followed.

The mission of West Virginia University at Parkersburg, as further elaborated in its mission statement, is to, among other things, educate its members and prepare them for responsible and full participation in society. In implementing this Code, the college is not seeking to be punitive or adversarial. The collegiate nature of the educational mission requires that all members of the college community unite to administer and support this Code and to suggest change and improvement as necessary.

Section 2. Definition of Student

- 2.1 Any person who has been admitted to West Virginia University at Parkersburg to pursue a course of study, research, or service, who is currently engaged in an institutionally sponsored activity, and who has some right or privilege to be on the campus or in the facilities of the institution, or to use the same, in connection with study, research, or service, or who yet has some right or privilege to receive some benefit or recognition or certification from the institution, under rules, regulations, or policies of the West Virginia University at Parkersburg Board of Governors or the institution.

Section 3. Jurisdiction of the Code of Student Conduct

- 3.1 The Code of Student Conduct shall apply to conduct that occurs on WVU at Parkersburg premises, at WVU at Parkersburg sponsored activities, and to off-campus conduct that adversely affects the WVU Parkersburg community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Code of Student Conduct shall apply to a student's conduct, while a student, as defined in this Code, even if the student withdraws from school while a disciplinary matter is pending. The Vice President for Student Services or his/her designee shall decide whether the Code of Student Conduct shall be applied to conduct occurring off campus, on a case by case basis.
- 3.2 To assure continued compliance with Title IX and/or any other state or federal anti-discrimination/harassment/retaliation laws, if state or federal statutory provisions, regulatory guidance, or court interpretations or guidance provided by any authorized regulating agency change, or conflict with college policy and/or procedure including but not limited to the hearing procedures set forth in this Code of Student Conduct, the college's policy and/or procedure will be deemed amended as of the time of the decision, ruling, legislative enactment or guidance. Further, the procedures set forth in this policy may be modified or changed to protect the due process rights of the parties and/or to comply with Title IX and/or any other state or federal anti-discrimination/harassment/retaliation laws or regulations. Also see Policy A-44, Sexual Misconduct and Other Forms of Discrimination and Harassment.

Section 4. Standards of Conduct

- 4.1 The following are instances of misconduct, subject to disciplinary and other appropriate action hereunder:
 - 4.1.1 Unauthorized possession or duplication of keys to college-owned or college-controlled property.
 - 4.1.2 Use of any tobacco product, as defined by college policy, on campus property.
 - 4.1.3 Disruption or obstruction of, or leading or inciting others to disrupt or obstruct, teaching, research, administration, disciplinary proceedings, other college activities, including its public-service functions on or off campus, or other authorized non-college activities when the act occurs on college premises.

- 4.1.4 Unauthorized occupancy of college buildings.
- 4.1.5 Attempted or actual theft, malicious destruction or alteration of college, faculty, staff or student property or equipment.
- 4.1.6 Possession, use or distribution of alcohol or any illicit drugs or controlled substances, except as permitted by law; public intoxication.
- 4.1.7 Intentional false reporting of a fire or bomb or other explosive device that allegedly has been placed on school property. Intentionally activating a false fire alarm or tampering with any type of safety equipment, including fire alarms, fire extinguishers, and smoke detectors.
- 4.1.8 Dishonesty including fraud, forgery or knowingly furnishing false statements. (Charges of academic dishonesty, such as cheating and plagiarism, are addressed in, and governed by, WVU at Parkersburg Board of Governors Policy No.D-47, "Student Academic Rights and Responsibilities at WVU at Parkersburg.")
- 4.1.9 Disorderly, lewd, indecent or obscene conduct on college-owned or controlled property or at college-sponsored or supervised functions; breach of the peace.
- 4.1.10 Illegal or unauthorized possession or use of firearms, guns, knives, other weapons, explosives, dangerous chemicals, fireworks or other items with potential to cause harm, or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
- 4.1.11 Physical or verbal abuse, intimidation, threats, or harassment of any kind to another person or group of persons, or action which threatens or endangers the health, wellbeing or safety of any person.
- 4.1.12 Abuse of the Code of Student Conduct and hearing procedures; violation of prior disciplinary rulings or sanctions.
- 4.1.13 Hazing, which means to recklessly or intentionally cause any action or situation which endangers the mental or physical health or safety of another person or causes another person to destroy or remove public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a team, a group or student organization. The express or implied consent of the victim will not be a defense. Knowingly witnessing or acquiescing in the presence of hazing are not neutral acts; they are violations of this rule. See "Prohibition of Hazing," found in WVU at Parkersburg Answer Book [#VI-3C](#).
- 4.1.14 Sexual Offenses, including, but not limited to:
- a. Sexual intercourse with, and/or sexual intrusion against, a person capable of giving consent, without such person's consent, or a person incapable of giving consent;
 - b. Sexual assault or abuse, statutory or acquaintance rape, sexual harassment. (See WVU Board of Governors Policy A-44, Sexual Harassment.)
- 4.1.15 Misuse of the college computer system as defined in "Appropriate Use of Computer Resources" (found in WVU at Parkersburg Answer Book [#VII-1](#)), including, but not limited to, the following:
- a. disruption or interference with the normal use of the computers, computer-related equipment, data, or programs of individuals, the Network or the college;
 - b. use of this equipment, data, or programs in performance of any act listed as prohibited in this document;
 - c. attempts to breach security in any manner;
 - d. use of a computer account for other than the purpose for which assigned.

4.1.16. Failure to comply with the lawful directions of any college official, staff member or student employee who is acting in the performance of their duties or who has responsibility in the absence of a particular official.

4.1.17 Violation of federal, state or local law.

4.1.18 Violation of any published college policies, rules or regulations published in hard copy or available electronically on the college website.

4.1.19 Inciting others to commit any of the acts listed above; involvement as an accessory to any of these acts; assisting or encouraging others to engage in violation.

Section 5. Disciplinary Action

5.1 Violation of these standards may result in the initiation of a disciplinary complaint against the student by another student, by a faculty or staff member, or by any academic or administrative officer of the college and subsequent disciplinary action by the college.

5.1.1 Submit complaints to the Vice President for Student Services in writing. Any charge should be submitted as soon as possible after the event takes place or the discovery of the same, but in no event later than ninety (90) days after the event takes place or the discovery of the same.

5.1.2 The Vice President for Student Services shall conduct a preliminary investigation for the purpose of ascertaining whether the charges may be disposed of informally. If charges cannot be resolved informally, or if the sanction of suspension or expulsion is likely to be sought, a time shall be set for a hearing not fewer than five or more than thirty working days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Vice President for Student Services, where adherence to such limits would be impracticable.

5.2 The possible disciplinary actions of the college are listed and defined as follows:

5.2.1 An **official warning** indicates that the behavior of the student does not meet the expectations of the college and notifies the student that his/her conduct should be more appropriate in the future.

5.2.2 **Activity restriction/loss of privileges** means that college privileges may be restricted, and participation in extra-curricular activities may be limited or denied.

5.2.3 **Probation** indicates that additional misconduct may result in suspension or expulsion as determined in a second disciplinary action. While on probation, college privileges may be restricted, and participation in extra-curricular activities may be limited or denied.

5.2.4 **Fines.** Previously established and published fines may be imposed.

5.2.5 **Restitution.** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

5.2.6 **Discretionary Sanctions.** Work assignments, service to the College or other related assignments, determined at the discretion of the Vice President for Student Services.

5.2.7 **Interim Suspension.** In certain circumstances, the Vice President for Student Services or his/her designee may impose a college suspension prior to the hearing before the Disciplinary Hearing Board. Interim suspension may be imposed only: a) to ensure the safety and wellbeing of members of the college

community or preservation of college property; b) to ensure the student's own physical or emotional safety and wellbeing; or c) if the student poses a definite threat of disruption of or interference with the normal operations of the college. During the interim suspension, student shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Vice President for Student Services or his/her designee may determine to be appropriate. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a hearing with the Disciplinary Hearing Board, if required.

5.2.8 **Suspension** means separation of the student from the college for a definite period of time not to exceed one year, after which the student is eligible to return. Conditions for readmission may be specified.

5.2.9 **Expulsion** means permanent separation from institution, including termination of any remaining right or privilege to receive some benefit or recognition or certification.

5.3 The following sanctions may be imposed upon team, group, or student organization:

a. Those sanctions listed above under 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6.

b. Loss of selected rights and privileges for a specified period of time.

c. Deactivation. Loss of all privileges, including college recognition, for a specified period of time.

5.4 In cases which would not result in suspension or expulsion for the Accused, the Vice President for Student Services may determine whether to impose disciplinary action which may be in the form of activity restrictions, loss of privileges, probation or other corrective measures.

5.5 In the event that the Vice President for Student Services makes such a determination, each of the Complainant and the Accused shall have the right, but not the obligation, to appeal the decision, or the sanction imposed as a result thereof, to the Disciplinary Hearing Board.

5.6 If the Complainant or the Accused desires to appeal such decision or sanction, the Vice President for Student Services must be notified in writing within five working days following notice of the decision or sanction.

5.7 If no appeal is made as contemplated herein, then the proceeding is closed. Any decision and sanction imposed becomes part of the record of the Accused and may be distributed to others, as, and to the extent, allowed by law.

5.8 All cases that could result in suspension or expulsion must be submitted to the Disciplinary Hearing Board for a formal hearing.

Section 6. Student Rights

6.1 Any student involved in a hearing or the appeal process will be afforded proper due process. This includes, but may not be limited to, a written statement of the charges, a fair hearing, and the opportunity to present relevant evidence.

6.2 Each of the Complainant and the Accused shall have the right to bring an advisor (who, except as otherwise provided herein, shall be a member of the college community) to the hearing, only in an advisory role. In cases where expulsion is likely to be sought, the advisor may be an attorney who may directly participate in the hearing. Students retain attorneys in such cases at their own expense and must notify the Hearing Panel at least forty-eight hours prior to the hearing if an attorney will be present at the proceedings.

Section 7. Disciplinary Hearing Board Composition

- 7.1 If applicable, a Hearing Panel shall be selected by the Accused and the Complainant from the membership of the Disciplinary Hearing Board.
- 7.2 The Disciplinary Hearing Board is constituted of eleven members including faculty, administrative staff, support staff and student representatives. Each member is appointed by the President at the beginning of the academic year for a one-year term from nominations from various segments of the college community. The membership includes the following:
 - 7.2.1 Two Administrative Representatives.
 - 7.2.2 Three Student Representatives nominated by Student Government.
 - 7.2.3 Three Faculty Representatives nominated by Faculty Senate.
 - 7.2.4 Three Staff Representatives nominated by Staff Council.
- 7.3 If no nominations are made within two weeks of the request, the President shall appoint members as needed. Vacancies on the Board are filled by the President in the same manner as the original appointment.
- 7.4 Each proceeding before the Board shall be heard by a Hearing Panel consisting of five members. There shall be one administrative, one faculty, one staff, and two student members on the Panel. The Hearing Panel shall be chosen by the parties to the proceeding, each striking names in turn with the Accused striking first. If either party to the proceeding is a member of the Hearing Board, he or she shall strike his or her name on the first round.

Section 8. Disciplinary Hearing and Appeal Procedure

- 8.1 Hearings and appeals regarding disciplinary complaints brought hereunder are dealt with in accordance with the following procedures:
 - 8.1.1 The Vice President for Student Services shall meet with the Accused and the Complainant for selection of the Hearing Panel within five (5)* working days following receipt of the notice of intent to appeal, or the formal determination that suspension or expulsion is likely to be sought or that a hearing is otherwise warranted. If the Vice President for Student Services is a party to the proceeding, the Senior Vice President for Academic Affairs shall effect this step and step 2 below.
 - 8.1.2 The Vice President for Student Services shall notify the selected members of the Disciplinary Hearing Board of their selection for the Hearing Panel. The Vice President for Student Services shall schedule the first meeting within fifteen (15)* working days following selection of the Panel. All members of the Disciplinary Hearing Panel and the parties to the proceeding shall be sent a written notice of the meeting time at least ten working days prior to the meeting.
 - 8.1.3 At least five (5)* working days prior to the hearing, each member of the Panel is furnished a written summary statement from all parties involved.
 - 8.1.4 At the hearing, witnesses may be called by the Panel or by the parties to the proceeding.
 - 8.1.5 All hearings are private.
 - 8.1.6 There shall be a complete and accurate record of the hearing. The record shall be the property of the college. Access thereto shall be provided only in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. 1232g), and in accordance with any other applicable terms set forth by the college.

- 8.1.7 The proceedings hereunder shall not be subject to federal, state or local rules of process, procedure and evidence, such as are applied in criminal or civil court. The college shall have the authority to develop guidelines related to such proceedings, to the extent not inconsistent with this Code. Similarly, the chairperson of the Hearing Panel shall have the authority to determine questions of process, procedure and evidence at a hearing, in a manner not inconsistent with the rules and guidelines referenced above.
- 8.1.8 Within three (3)* working days after the hearing, the Hearing Panel shall issue its determination on the charges and sanctions, if any. In cases where the sanction of expulsion is likely to be sought, the Hearing Panel's determination shall be made on the basis of whether there is clear and convincing evidence that the Accused violated the Code of Student Conduct. For all other cases, such determination shall be made on the basis of whether it is more likely than not that the Accused violated the Code of Student Conduct. Pertinent records, exhibits, written statements, and any other relevant information may be accepted as evidence for consideration by the Disciplinary Hearing Panel at the discretion of the chairperson. The decision of the Hearing Panel shall be provided in writing to the parties and to the Vice President for Student Services. All hearing records shall be submitted to the Vice President for Student Services.
- 8.1.9 The decision of the Hearing Panel is final in all cases where it serves as an appellate venue to a determination made by the Vice President for Student Services hereunder. In all other cases, the Hearing Panel's decision and/or sanctions may be appealed by the Accused or the Complainant to the President within five (5)* working days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President for Student Services, who will deliver the notice of appeal and the hearing records to the President for review.
- 8.1.10 Except as required to explain the basis of new evidence, an appeal to the President, as contemplated herein, shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following purposes:
- a. To determine whether jurisdiction as established in the Code of Student Conduct was properly asserted.
 - b. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
 - c. To determine whether the decision reached regarding the accused student was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code occurred.
 - d. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code which the student was found to have committed.
 - e. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
- 8.1.11 The President shall respond to the appeal and deliver his/her decision thereon within thirty (30) days of his/her receipt of such appeal, except where adherence to such time period would be impracticable, in which case such time period shall be extended as warranted by the particular circumstances. Review of the sanction by the President may not result in more severe sanction(s) for the accused student.

*Specified time intervals may be extended, at the discretion of the Vice President for Student Services, where adherence to such limits would be impracticable or if any members selected for the Hearing Panel are not available on campus during the

specified period. The Vice President for Student Services shall notify all parties concerned in writing if such extensions are necessary.

Section 9. Confidentiality

9.1 Members of review boards play a sensitive role within the institutional governance structure. Thus, it is important that the members maintain high performance and ethical standards. The following is designed to safeguard the rights of students and to uphold the integrity of the disciplinary procedure as a whole:

9.1.1 The name or status of students involved in disciplinary situations shall not be discussed with anyone outside the review board membership except as otherwise required by this Code, by law or court order.

9.1.2 Even in the case of open hearings, hearing body members shall refrain from public comment on the proceedings, and in no instance shall the closed deliberations of the hearing body be discussed, nor shall confidential information be revealed except as otherwise required by this Code, law or court order.

9.1.3 The votes cast by members of the hearing body shall be treated as confidential and shall not be shared outside the hearing room except as otherwise required by this Code, law or court order.

9.2 Students found responsible for a violation of this policy that results in a suspension or expulsion from the college will have such status noted on their transcripts so long as that suspension or expulsion remains in effect.

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: Revision of Policy D-51, Admission to West Virginia University at Parkersburg

RECOMMENDED RESOLUTION: *Resolved,* That the West Virginia University at Parkersburg Board of Governors approves the revision of Policy D-51, Admission to West Virginia University at Parkersburg, as submitted.

STAFF MEMBER: Anthony Underwood
Vice President for Student Services

BACKGROUND:

Presently, West Virginia University at Parkersburg does not require students transferring to our institution to provide evidence of good disciplinary standing at the institution from which they are transferring. This leaves our institution vulnerable to receiving students who have committed serious violations at their previous institution. To address this concern and to reduce the risks to our campus community, it is proposed and strongly recommended that all transfer students must demonstrate that they have left their prior institution in good disciplinary standing.

This proposal would require an addition to Policy D-51, Admission to West Virginia University at Parkersburg, which is recommended under Section 5.1.5 on the attached copy.

The notice of proposed rulemaking was issued for a 30-day comment period ending January 12, 2015. Two comments were received and are also attached.

The Board's approval of this revision is recommended.

COMMENTS RECEIVED

Policy D-51, Admission to West Virginia University at Parkersburg

Public Comment Period: December 11, 2014 – January 12, 2015

Date Received	Comments	Revisions to policy proposal
12/12/14	<p>I'm curious as to why the policy regarding transfers demonstrating that they left their previous school in good disciplinary standing needs changing. Has WVUP had any problems with transfer students and their behavior? I understand the rationale behind it but I don't believe that it's necessary since WVUP is a commuter school. These students are probably living at home where their behavior is monitored. If they become a problem while on campus, we have a police force that can deal with them. WVUP and schools like it are probably a last resort for some of the students. I don't think that the school should be denying these students the chance to redeem their academic career and try to better themselves. David Wickham</p>	None
1/11/15	<p>I am writing this letter in response to the proposed revision of Policy D-51: Admission to WVUP. I am both a student of WVUP and an employee in the Welcome Center. In both my capacity as a student and employee, I am concerned about this rule change. We all know that WVU-P is a community college. WVU-P serves the community well. It is a place of new beginnings and fresh starts for many of the valley's residents. The wording of this rule change will make it impossible for some students to attend this college every year. "In order to transfer to WVUP the student must have left his or her prior institution in good disciplinary standing and must not be barred from enrolling in the previous institution for disciplinary reasons." As a community college we get students who have been expelled for repeated underage drinking, academic dishonesty, and sometimes even fighting. According to this rule, we would no longer welcome these students. I find this to be against our policy of rolling admission. I also believe it will hurt the community. People who had made previous mistakes would no longer be afforded the opportunity to become educated, productive members of society. The wording of this rule would also hurt some of our nontraditional students including those with TAA and WIA. If we get a TAA student who was kicked out of college 10 or 20 years prior, the wording of this rule would require the college to refuse the student. We do not have drinking problems on campus. We do not have a big problem with vandalism or fighting. We do however have a great graduation rate while allowing these students to come here. We also have an enrollment problem. Barring some students from attending will not help this. This rule will also negatively affect all last minute transfer students. We frequently allow transfer students to register for classes based on unofficial transcripts. This allows us to let students register for classes without having to wait on all their paperwork to come in. Requiring another form would make admission and registration more difficult, and would further reduce our enrollment. I strongly urge the Board of Governors to vote against this issue. At the very least, I think that it is important to have more discussion on the benefits and dangers of a rule such as this. Sincerely, Timothy W. Kuehne</p>	None

POLICY D-51
ADMISSION TO WEST VIRGINIA UNIVERSITY AT PARKERSBURG

Section 1. General

- 1.1 Scope - This Rule governs the general requirements for admission to West Virginia University at Parkersburg.
- 1.2 Authority - Council for Community and Technical College Education Series 23, 135 CSR 23.
- 1.3 Effective Date – ~~May 7, 2013~~
Replaces version dated May 7, 2013.

Section 2. Purpose

- 2.1 It is the purpose of the Board to establish standards and procedures for admission to West Virginia University at Parkersburg.

Section 3. Categories of Admission

- 3.1 Students may be admitted to West Virginia University at Parkersburg under any of the following categories: Note: Admission to the institution does not necessarily imply admission to a particular program of study. Individual programs may publish their own requirements for admission.
 - 3.1.1 General Admission, Transfer Admission, Transient Admission, Early Admission of High School, Students, Readmission, Non-degree Admission, International Admission including English as a Second Language
 - 3.1.2 Provisional Admission

Section 4. Admissions Requirements - General Admission

- 4.1 To be fully admitted under general admissions requirements, a student must:
 - 4.1.1 Complete an Application for Admission, which can be found at each administrative center of the college or online.
 - 4.1.2 Per federal financial aid regulation and institutional obligations to such, submit official high school transcripts or General Education Development (GED) scores from an accredited institution or source.

- 4.1.3 If seeking institution credit for prior work, applicant must submit official transcripts from each college or university previously attended (These transcripts must be sent directly from issuing institution to the WVU Parkersburg Enrollment office. Transcript marked "issue to student," faxed or submitted directly by students cannot be accepted.)
- 4.1.4 Submit scores achieved on any one of the following placement tests: American College Test (ACT), Scholastic Aptitude Test (SAT), Accuplacer, Asset, or Compass. Placement tests can be completed at any administrative center of the college prior to registration. While no specific score is necessary for entry to the college, completing a placement test is necessary for admission and enrollment. Some specific academic programs do require specific tests and scores for program entry.
- 4.1.5 Students seeking general admission to the college who have completed a secondary school credential through a home school process must adhere to the following steps for admission.
- a. The home schooling of secondary students in West Virginia is governed by West Virginia Code 18-8-1 subsection (c) and admission to the college from a home school environment will be analogous to the necessary requirements of said code to complete a final year of secondary school. Therefore;
 - b. In addition to all other admission requirements, home schooled students must provide one of the following:
 1. An official statement on letter head from the superintendent of the school district of residence confirming that the student has met the academic assessment requirements for the final year of secondary instruction as detailed in West Virginia Code 18-8-1 subsection (c), or
 2. Submit official test scores from a GED test, or
 3. Submit a transcript of class work from a secondary institution or organization recognized as accredited by an agency acceptable to the office of the Vice President for Student Services or the United States or West Virginia Department of Education.

Section 5. Admissions Requirements-Transfer Students

- 5.1 A transfer student is defined as an applicant for admission to WVU Parkersburg who has attended another regionally accredited college or university and who wishes to enroll at WVU Parkersburg and declare a major field of study. To be fully admitted under transfer requirements, a student must:
- 5.1.1 Complete an Application for Admission, which can be found at each administrative center of the college or online.
 - 5.1.2 Pursuant to federal financial aid regulations and institutional obligations to such submit a request to the registrars of all institutions previously attended to forward official transcripts of credit to the Office of Enrollment of WVU Parkersburg. Only credits earned at regionally accredited institutions will be accepted for transfer. (These transcripts must be sent directly from issuing institution to the WVU Parkersburg Enrollment office. Transcripts marked "issue to student," faxed or submitted directly by students cannot be accepted.)

- 5.1.3 Depending on the nature of transferred course work the applicant may be required to submit scores achieved on one or more of the following placement tests: American College Test (ACT), Scholastic Aptitude Test (SAT), Accuplacer, Asset, or Compass. Placement tests can be completed at any administrative center of the college prior to registration. While no specific score is necessary for entry to the college, completing a placement test is necessary for admission and enrollment. Some specific academic programs do require specific tests and scores for program entry.
- 5.1.4. Per federal financial aid regulations and institutional obligations to such, submit official high school transcripts or General Education Development (GED) scores from an accredited institution or source.
- 5.1.5. In order to transfer to WVUP the student must have left his or her prior institution in good disciplinary standing and must not be barred from enrolling in the previous institution for disciplinary reasons. Transferring students will be required to submit a Transfer Clearance Form completed by the senior student affairs officer/designee at the most recent institution that attests to the student's good disciplinary standing at that institution.

Section 6. Admission Requirement - Transient Students

- 6.1 A Transient student is defined as any student who is officially enrolled in another college (referred to as home college) and wants to take a course(s) at WVU Parkersburg and have the courses transferred back to his/her home college. To be fully admitted under transient requirements, a student must:
- 6.1.1 Complete an Application for Admission, which can be found at each administrative center of the college or online.
- 6.1.2 Submit a transient approval form or letter of good standing from the home institution.

Section 7. Admissions Requirements - Early Admissions Students

- 7.1 An Early Admission student is defined as a high school junior or senior who has completed all high school requirements through the sophomore year and has maintained a minimum cumulative 2.5 grade point average. To be fully admitted under early admission requirements, a student must:
- 7.1.1 Complete an Application for Early Admission, which is available from the Office of Enrollment in Parkersburg or from the Jackson County Center.
- 7.1.2 Submit a written approval from either the high school principal or equivalent to take college courses while a high school or secondary student.
- 7.1.3 Submit a partial, official high school transcript.
- 7.1.4 Applicants for the Early Admission programs who are pursuing a home school course of study must document the following: the equivalent of a 2.5 grade point average and the equivalent junior or senior standing at the secondary level by an official transcript of completed coursework, either notarized in the state of residence or mailed directly from a recognized accrediting agency as defined by the Division of Student Services.

- 7.2 Only secondary students who meet these requirements are eligible to enroll in college course work while in high school. Early admission students are not eligible for financial aid. Exceptions to these standards for entry may be granted by the Senior Vice President for Academic Affairs upon appeal.

Section 8. Admission Requirements - Readmission Students

- 8.1 A readmission student is defined as any student who has previously enrolled at WVU Parkersburg as a student. To be fully admitted under readmission requirements, a student must:
- 8.1.1 Complete an Application for Admission, which can be found at each administrative center of the college or online, if the student has not been enrolled for at least one academic year.
 - 8.1.2 If the student has attended any other college since last enrolled with WVU Parkersburg, complete additional requirements for admission transfer.

Section 9. Admissions Requirements - Non-degree Students

- 9.1 A non-degree student is a person who has no plans to earn a degree or certificate at WVU Parkersburg and who does not intend to register for more than two courses in any semester. To be fully admitted under non-degree requirements, a student must:
- 9.1.1 Complete an Application for Admission, which can be found at each administrative center of the college or online.
- 9.2 The non-degree student is not eligible for financial aid.

Section 10. Admissions Requirements - International Students

- 10.1 An International student is defined as a citizen of a foreign country who seeks admission to WVU Parkersburg. All documents must be on file by May 1 for admission to the subsequent fall semester and by October 1 for admission to the subsequent spring semester.
- 10.2 To be admitted as an international student, an applicant must, in addition to meeting the admission requirements of the student type for which they have applied:
- 10.2.1 Complete an International Application for Admission, which can be found at each administrative center of the college or can be mailed to any requesting individual.
 - 10.2.2 Submission of certified copies of secondary school transcripts is not necessary unless the student is seeking transfer credit from the institution.
 - 10.2.3 If transferring to West Virginia University at Parkersburg submit a copy of all prior institution transcripts. If the prior institution's location is outside the United States they must be sent for evaluation to an accredited international transcript evaluation service as identified by the Registrar. Fees for such services are to be paid by applicant.

- 10.2.4 Submit regional examination scores, if applicable, that have been evaluated and verified by the testing agency; no failures are accepted, and test scores should represent competency levels equivalent to a grade of "C."
- 10.2.5 Submit a score on the Test of English as a Foreign Language (TOEFL) of 173 for the computerized test, 60 or higher on the Internet based TOEFL and 500 for the paper test. A score of 7 or higher on the IELTS academic test will also be acceptable. If TOEFL is not available, WVU at Parkersburg also accepts the STEP EIKEN Proficiency 2A which is equivalent to the 500 score TOEFL. These scores must be sent by the STEP EIKEN institute. An alternate means of English proficiency may be used if the student is attending WVU Parkersburg as part of a Cooperative Education Project Agreement between a recognized higher education institution and West Virginia University at Parkersburg as defined by said agreement.
- 10.2.6 Submit a notarized Affidavit of Financial Support showing financial commitment by the student and/or sponsor(s) equaling no less than the amount calculated by the Office of Financial Aid for an out-of-state student not living at home. Different levels and sources of necessary support may be defined by a Cooperative Education Project Agreement. Such agreements may supersede the requirement of an Affidavit of Financial Support if alternate forms of funding are defined in the Cooperative Education Project Agreement.
- 10.2.7 All individuals and institutions providing funds listed in the Affidavit of Financial Support (if required) must provide certified bank statements (private individuals) or statements of sponsorship (institutions). Bank and / or sponsorship statements can be no older than 6 months at the time of submission.
- 10.2.8 Submit a copy of a current passport.
- 10.3 Upon receipt of all documentation, the Office of Enrollment will complete an evaluation and notify the student of an admissions decision. All outstanding documents must be submitted to the Office of Enrollment before admission to the college can be granted.
- 10.4 Upon confirmation of a positive admission decision, the Office of Enrollment will issue an I-20.
- 10.5 Students who have not attained the necessary TOFEL, IELTS, or STEP EIKEN scores and wish to participate in the WVU Parkersburg English as a Second Language (ESL) course of study, may do so provided that they complete all other provisions as defined in section 10 of this policy. The I-20 will be issued to qualifying students for ESL study according to federal regulations.
- 10.5.1 Students will be limited to two consecutive semesters of participation in the WVU Parkersburg English as a Second Language course of study.
- 10.5.2 Students completing two consecutive semesters or less must then pass a test of English proficiency as identified by the Office of Academic Affairs or in this policy in order to be eligible for continued study at WVU Parkersburg.

10.5.3 Students who complete two consecutive semesters and fail to meet the pre-requisites for additional classes at WVU Parkersburg will not be allowed to continue study at this institution and will not be issued an additional student visa documentation.

Section 11. Admission requirements - Provisional Admission

11.1 Applicants for Admission who do not meet all of the requirements stated above may be granted Provisional Admission for one semester. Requirements for General Admission must be met by the completion of the first semester enrolled to continue enrollment at WVU Parkersburg. Provisional Admission students are not eligible for financial aid.

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: Agreement with Ohio Valley Health Care

RECOMMENDED RESOLUTION: *Resolved*, That the West Virginia University at Parkersburg Board of Governors approves the Agreement between West Virginia University at Parkersburg and Ohio Valley Health Care as presented.

STAFF MEMBER: Fletcher Lamkin, President

BACKGROUND:

President Lamkin request that the Board of Governor's approve the renewal of Agreement between West Virginia University at Parkersburg and Ohio Valley Health Care for the purpose of providing temporary housing in the event of an emergency.

**West Virginia University at Parkersburg Board of Governors
Meeting of February 18, 2015**

ITEM: Fiscal Update

RECOMMENDED RESOLUTION: Information Only

STAFF MEMBER: Alice Harris,
VP Finance & Administration

BACKGROUND:

Ms. Harris will report on the state of the college's finances and the budget.