# **WLU Board of Governors**

**Regular Meeting** 

Wednesday, October 14, 2020 - 4:00 p.m.

Location: Shaw Hall Board Room

"...to provide our students with the opportunity for a high quality undergraduate, graduate and professional education."

## I. Call to Order/Roll Call/Quorum and Mission Statement

## II. Introductions

A. Swearing in New Board Member

**III. Public Comment** Description: Up to 10 individuals may sign in to speak in open session for three minutes each. The sign-in sheet will be available from Executive Secretary Mary Ann Edwards fifteen minutes prior to the meeting until the noticed start time.

## IV. Agenda Order (Board may move to change order of consideration)

## V. Approval of Minutes

- A. Minutes of the Full Board August 19, 2020, August 26, 2020\* (pg. 3-6)
- B. Minutes of the Executive Committee September 30, 2020\* (pg. 7-8)

## VI. Board Items\*

- A. Policy 60 Information Technology Governance\* (pg. 9-13)
- B. Emergency Revisions and Notice of Intent for Revisions to Policy 32: Sexual Harassment, Sexual Discrimination, and Other Unlawful Conduct\* (pg. 14)
- C. Notice of Intent for new BOG Policy: Human Resources Administration and Employment Practices\* (pg. 15)

\*Action Items

## VII. Reports

- A. Provost (Crawford)
- B. Enrollment (Cook)
- C. Staff (Baker)
- D. Faculty (Cowan)
- E. SGA (Yakicic)
- F. Foundation (Hill)
- VIII. President's Report (pg. 16-17)
- IX. Finance Report (Linger)
- X. Information Gathering (Members may ask questions or gather information to prepare for future agenda items without general discussion or action at this meeting.)
- XI. Next Meeting Date Wednesday, December 9, 2020
- XII. Adjournment

#### Minutes August 19, 2020

Attendance:

Jack Adams, Kelly Baker, Michael Baker, Richard Carter, Jamie Evick, Robert Gall, Rich Lucas, Kris Williams, Isabella Yakicic

## Unable to Attend:

Joe Carey

#### Administration/Faculty/Staff:

Scott Cook, Brian Crawford, Mary Ann Edwards, Steve Greiner, Diana Harto, Angie Hill, Jason Koegler, Roberta Linger, Joe Rodella, Chris Wade

#### I. Call to Order/Roll Call/Quorum and Mission Statement

Chair Lucas called the meeting to order at 4:00 p.m. and a quorum was established.

#### II. Introductions

#### A. CMTA Presentation

Chris Wade joined by conference phone and updated on the campus LED lighting and water projects. Dr. Greiner followed up with the new board members as to how the projects came about and the final outcome of the projects.

## III. Swearing in New Board Members

Chair Lucas issued the oath of office to new board members Jamie Evick and Michael Baker, welcoming them to the Board.

## IV. Public Comment

None.

#### V. Agenda Order

No changes were made to the agenda order.

#### VI. Approval of Minutes

A. Minutes of the Full Board June 3, 2020\*

On motion by Robert Gall and seconded by Richard Carter, it was unanimously adopted by the West Liberty University Board of Governors to approve the minutes of the full Board of June 3, 2020.

#### B. Minutes of the Executive Committee August 5, 2020\*

On motion by Robert Gall and seconded by Kris Williams, it was unanimously adopted by the West Liberty University Board of Governors to approve the minutes of the Executive Committee of August 5, 2020.

## VII. Board Items

A. Approval of Proposed Policy No. 59: Modified Duties for Certain Full-Time Faculty\* Dr. Crawford noted that this policy came about through a request from faculty and faculty senate. Ms. Stephanie Hooper wrote the policy, formalizing the process if a faculty member needs to take time off for a specific reason, other than academic sabbatical.

On motion by Rich Lucas and seconded by Richard Carter, it was unanimously adopted by the West Liberty University Board of Governors to approve Policy 59, Modified Duties for Certain Full-Time Faculty.

#### VIII. Reports

#### A. Provost (Crawford)

Dr. Crawford stated that the BA in Music intent to plan has been submitted to the HEPC for approval and hope to have the full proposal ready by the end of the calendar year. The MS in Speech Language Pathology and the Art Therapy and Counseling are both with the HLC; it could be six months or longer for approval and we are not sure if there will be a site visit, whether in person or virtual. The MS in Exercise Physiology has been approved by the HEPC and will be submitted in the near future to the HLC.

One of several initiatives implemented this summer is the smart catalog, with Jeremy Larance taking the lead, along with Sara Sweeney and Maureen Golick. This will provide an online catalog for students, which will be a major improvement over a PDF file. This will eliminate the manual curriculum change processes and ensure greater accuracy of the catalog. This project is near completion.

Digital Measures by Watermark, allow faculty to more easily maintain records of current qualifications and professional activities and will feed directly into the web site. This will assist with recruiting with updated web pages for faculty, and simplify and eventually improve the process of annual faculty evaluations.

The first week of classes are currently online or remote. Approximately 10% of faculty requested to teach remote only, with all doing some type of hybrid during the semester. The primary tool is Zoom and we are waiting for more equipment to be delivered. Topper Station is another major upgrade, with Jason Koegler giving a presentation on its many features.

#### B. Enrollment (Cook)

Mr. Cook distributed information and gave an update on enrollment, which had been trending positive all summer at 1-2% ahead. With the announcement from the MEC cancelling fall sports a number of athletes cancelled their classes. COVID testing, which was mandated by the governor for all students and employees, was coordinated by the Ohio County Health Department. We are currently identifying those who were not tested and a make-up date will be held down the road. With results received to date there are three positive cases. A discussion followed on daily cleaning and disinfecting on campus.

#### C. Staff (Baker)

No report.

#### D. Faculty (Gall)

Dr. Gall brought forward two items from faculty. Many are disappointed, frustrated and angry about planning for the fall. A variety of decisions were made and faculty felt the administration's response was puzzling and not clearly communicated to faculty. The bigger issue was going to remote teaching or hybrid. The impression was given early on that anyone who wanted to go remote or online would be able to do so, and a process would be forthcoming. The process didn't get announced until mid-July and was considered an ADA process.

Chair Lucas noted that Faculty Senate Executive Committee met yesterday and sent a letter to the Board of Governors expressing faculty concerns about the presidential search. What the letter comes down to is a recommendation from the Faculty Senate that WLU should acknowledge, due to unprecedented circumstances, that a new search should be undertaken as soon as possible. Chair Lucas distributed a copy of the letter to the Board.

#### E. SGA (Yakicic)

Ms. Yakicic noted that SGA is waiting to find out what will be happening on campus with events and whether in seat classes will resume. Officers for SGA remain the same, those being Grace Dodson, Vice President, Maxwell Fiedorczyk, Treasurer, Trey Jack, Director of Programming, and Taylor Newkirk, Secretary.

#### F. WLU Foundation (Hill)

Ms. Hill distributed the Foundation Development report for the end of the fiscal year, which closed out June 30, 2020. Staff changes noted were Alexis Montes, Assistant Director of Alumni Giving, Nick Musgrave, Assistant Director of Development, and Ginni Findley, Finance Administrator. The Foundation office is located on Market Street in downtown Wheeling, with offices also in the Alumni suite in Shaw Hall. Ms. Hill then reviewed the report with the Board.

#### IX. President's Report

Dr. Greiner noted from his report that two members of the theater faculty spent the summer making 300 masks for employees, Dr. Zac Loughman discovered another blue crayfish species in Ohio, making national news, and several students from the Gary E. West College of Business came back with top placements awards, including national champion awards, from the Future Business Leaders of America-Phi Beta Lambda national competition.

The clinics on the 4<sup>th</sup> floor of Campbell Hall are still under construction, with a mid-September target for completion. The apartment complex across the street is still under construction and is supposed to be completed in October, hence the students living in Oglebay. A new parking lot is going in on Route 88 across from UP 1 and 2 for students living in houses along the street. The weight room is being completely gutted and renovated, using 100% external funds, which Mike Baker and Rich Lucas were a part of the team to secure those funds. Panhandle Cleaning donated approximately \$150,000 work of renovation work on that project. It should be completed this fall and enable all teams to work out in the weight room.

Dr. Greiner stated that it's been an interesting summer, and it's really hard to fathom when you're not here and see how things change literally daily. Decisions are made one day and the next day it gets changed on us, which happened many times and continues to happen, but we adjust as necessary.

#### X. Finance Report (Linger)

Ms. Linger reviewed the FY20 operating budget status. \$1.1 million in refunds were issued for room and board since students did not come back from spring break. \$2.2 million was received in federal CARES money; \$1.1 million was used for grants for students and \$1.1 to reimburse WLU for room and board refunds. The bottom line would not have been what it is if not for the CARES Act. The financial statement audit is getting under way, being done completely remote this year. The preliminary draft is due by September 15 and the final document October 15, 2020. A brief discussion followed regarding COVID funds and a possible raise for employees, depending on spring enrollment figures.

Dr. Gall noted that he's heard from faculty around campus that Joe Rodella did an excellent job bringing all up to speed with zoom and various other technical upgrades, all very much appreciated from the faculty.

Ms. Baker asked if in addition to the talk of possible raises, will those employees who were cut from 12 to 11 months be returned to 12 months? Dr. Greiner stated it may be taken into consideration, but we are not adding any positions at this point.

#### XI. Next Meeting Date – Wednesday, August 26, 2020.

#### XII. Adjournment

On motion by Robert Gall and seconded by Jamie Evick, the meeting adjourned at 5:16 p.m.

Richard Lucas	
	Chair

Jack Adams

Secretary

#### Minutes August 26, 2020

Attendance:

Jack Adams, Kelly Baker, Michael Baker, Richard Carter, Jamie Evick, Robert Gall, Rich Lucas, Kris Williams, Isabella Yakicic

Unable to Attend:

Joe Carey

Administration/Faculty/Staff:

Mary Ann Edwards, Steve Greiner

#### I. Call to Order/Roll Call/Quorum and Mission Statement

Chair Lucas called the meeting to order at 4:00 p.m. and a quorum was established.

#### II. Executive Session

Pursuant to WV Code § 6-9A-4, at 4:01 p.m., a motion to retire to executive session was made by Mike Baker and seconded by Richard Carter; motion passed unanimously.

The intent of executive session was to have an additional discussion with Dr. Brian Crawford and Dr. Robert Colvin. However, it was announced that Dr. Robert Colvin has withdrawn from the search process. The Board of Governors did conduct a discussion with Dr. Brian Crawford.

Following discussion in executive session, a motion to rise from executive session at 5:07 p.m. was made by Kelly Baker and seconded by Richard Carter; by unanimous approval, the Board rose from executive session.

## III. Actions Emanating from Executive Session

After discussion a motion was made by Jack Adams and seconded by Richard Carter to continue the search process with the possibility of adding an additional student to the search committee. Dr. Greiner agreed to stay until the end of the semester in November.

#### IV. Adjournment

On motion by Robert Gall and seconded by Richard Carter, the meeting adjourned at 5:12 p.m.

**Richard Lucas** 

Chair

Jack Adams

Secretary

#### Executive Committee Minutes September 30, 2020

#### Executive Committee Members Present: Jack Adams, Rich Lucas, Kris Williams

WLU Administrators: Scott Cook, Katie Cooper, Brian Crawford, Stephen Greiner, Diana Harto, Stephanie Hooper, Roberta Linger

- 1. Chair Lucas called the meeting to order at 8:00 a.m.
- President Greiner presented a non-substantive edit to BOG Policy 1 that revises wording related to an Alumni member of the search committee and that would allow the BOG Chair to add additional members to the search committee, if desired. Motion to approve was made by Kris Williams and seconded by Jack Adams. Motion passed.
- Stephanie Hooper presented BOG Policy 60 Information Technology Governance. The proposed policy has been through the required 30-day comment period. One comment was received, which is addressed in the policy. This policy repeals the current BOG Policy 49 – Computer Abuse. Motion to approve was made by Kris Williams and seconded by Jack Adams. Motion passed.
- 4. Stephanie Hooper presented emergency revisions to BOG Policy 32 Sexual Harassment, Sexual Discrimination, and Other Unlawful Conduct. The revisions proposed are necessary to be in compliance with new federal requirements. They address 1) prohibited conduct falling within Title IX, and 2) prohibited conducted not within Title IX. These changes are interim. A new draft policy will be finalized and proposed changes will be put out for 30-day comment through the normal approval process as soon as possible. Motion to approve was made by Kris Williams and seconded by Jack Adams. Motion passed.
- 5. Stephanie Hooper presented a Notice of Intent to create a new BOG policy on Human Resources Administration and Employment Practices. Motion to approve was made by Kris Williams and seconded by Jack Adams. Motion passed.
- 6. Scott Cook presented a recommendation to add Crawford County, PA to the list of metro rate counties. He suggested that the county not be added at this time as there are counties closer and there is one student from there currently enrolled. The request was denied.
- 7. Roberta Linger presented a budget status update as of 31 August. Because of a change to OASIS in August, not all spending was reflected in the report. She reported that revenue is about where it was expected to be, reflecting lower numbers from room and board fees. She will have a more complete end-of-quarter report available at the Finance Committee meeting in two weeks. She also reported that the annual audit is going well. It is being done entirely remotely and should be completed on time.
- 8. Scott Cook presented the following items:
  - a. An enrollment update showing about a 1.5% decrease in headcount compared to last year. The national average this fall is about a 2.5% decline. We are down in freshmen

and transfers, but up in continuing and graduate students. The number of students in campus housing is down, in large part due to the fact that most students have chosen to live in single rooms.

- b. A proposed change to the Spring Schedule. The suggestion is that the spring semester start a week later than originally planned and that spring break be cancelled. There was consensus that this is appropriate and should be done.
- c. A proposal that the November commencement ceremony be virtual. There was consensus that this is also a necessary step.
- 9. President Greiner provided his report, which included the following:
  - a. WLU has been notified of a significant grant. The details of the grant will be announced by the state at some point in the near future.
  - b. Work on the 4<sup>th</sup> floor of Campbell Hall has progressed well. The Speech Pathology -Audiology and Clinical Psychology Clinics are almost complete.
  - c. There is an NCAA meeting today to discuss winter sports. We expect that the start of basketball season will be delayed until January and be shortened. The MEC Commissioner will request that the NCAA adjust their rules so that student athletes don't lose a year of eligibility by playing in this shortened season. If this change doesn't happen, some athletes may not play.
  - d. The WV-DHHR is to conduct surveillance testing for COVID-19 on campus, with 10% of students, staff, and faculty on campus being tested weekly. The state is to pay for the testing, and it is hoped that it will begin next week. There are currently no COVID-19 cases on campus, however there are still a few students in isolation because of being contacts. Two students are being charged under the student code of conduct for holding a party over the past weekend.
- 10. The meeting was adjourned at 8:36 a.m.

**Richard Lucas** 

Chair

Jack Adams

Secretary

## POLICY 60 – INFORMATION TECHNOLOGY GOVERNANCE WEST LIBERTY UNIVERSITY

## Action Item

At the April 1, 2020 meeting, the Board of Governors approved the notice of intent for Board of Governors policies, specifically a policy that would deal with the governance of information technology. The policy, Information Technology Governance, was disseminated to campus for 30-day comment with one comment received. The comment received was reviewed and the Board is asked to approve this policy. This policy will repeal Board of Governors Policy 49 – Computer Abuse, adopted December 11, 2006.

Proposed Resolution: *Resolved,* that the West Liberty University Board of Governors approves the Policy 60, Information Technology Governance.

## **INFORMATION TECHNOLOGY GOVERNANCE – COMMENTS RECEIVED:**

• I would suggest that the IT Governance policy include some language indicating that the (or at least a) primary purpose of IT is to facilitate the work of the university, viz. education, research, and community outreach.



# NEW REQUEST WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS POLICY # Information Technology Governance

Approval Date: Effective Date: Revision History: President's Signature:

## SECTION 1: Purpose and Scope

- 1.1 The Board of Governors ("Board") seeks to outline the guiding principles for using, securing, and maintaining Information Technology Resources.
- 1.2 This Rule applies to all West Liberty University staff, faculty, students, volunteers and guests, as well as any third-party individuals and entities, who access the Information Technology Resources of West Liberty University.

## **SECTION 2: Delegation to President**

- 2.1 Delegation. To enable the University to function in a proper, expeditious, and secure manner and to advance the University's mission and objectives, the Board delegates to the President the following authority to establish and maintain a framework for the routine review and implementation of policies and procedures aimed at creating a rich, integrated, compliant, and secure electronic environment in which to educate students, engage in research, perform outreach services, and conduct the University's business.
- 2.2 Reporting. At least annually, the Board shall be provided with an update on matters relating to the deployment of Information Technology Resources and information security; provided, however, that the Chair of the Board shall promptly be notified of any significant Information Security Event.

## **SECTION 3: Information Technology Governance**

- 3.1 There shall be framework for governance and compliance within the University that, at a minimum:
  - 3.1.1 Provides reliable Information Technology Resources that are readily available for use by Authorized Users in accordance with an established acceptable use policy.
  - 3.1.2 Establishes guidelines for the responsible management of Universityowned Information Technology Resources including the purchase, inventory, and replacement of such resources.

#### BOARD OF GOVERNORS POLICY #

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NEW REQUEST WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS POLICY # Information Technology Governance

- 3.1.3 Safeguards the confidentiality and integrity of Information Technology Resources from unauthorized access, loss, alteration, or damage while also supporting the open, information-sharing needs of our academic culture.
- 3.1.4 Establishes information security and risk management strategies that outline an efficient and effective process for responding to an Information Security Event.
- 3.1.5 Provides awareness and training materials to the University community regarding information privacy and security policies, standards, guidelines, and best practices, including notifying Authorized Users that there is no expectation of privacy when using Information Technology Resources which are owned or controlled by the University.
- 3.1.6 Provides for the security and privacy of University data in accordance with applicable laws and definable information technology security standards.
- 3.1.7 Implements a prevention program that is documented in writing and designed to identify and detect the warning signs ("red flags") of Identity Theft in day-to-day operations.
- 3.1.8 Fosters effective collaboration within the University to efficiently provide Information Technology Resources and technical support that aligns with up-to-date technologies, trends, and issues.
- 3.2 All information technology policies and procedures shall be consistent with Federal and State law and any Rule adopted by the Board of Governors.

## **SECTION 4: Definitions**

- 4.1 "Authorized Users" means faculty, staff, students, volunteers, guests, and other third parties who have been granted access via WLU Login credentials or via WLU Guest Wireless Network to the University's Information Technology Resources.
- 4.2 "Information Security Event" means any real or suspected event that may adversely affect the availability and security of the University's Information Technology Resources that support academic, administrative, or research operations.
- 4.3 "Identity Theft" means fraud committed or attempted using identifying information of another person without authorization.

## BOARD OF GOVERNORS POLICY #

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# NEW REQUEST WEST LIBERTY UNIVERSITY BOARD OF GOVERNORS POLICY # Information Technology Governance

- 4.4 "Information Technology Resources" means hardware, software, and communications equipment, including, but not limited to, computers, email, internet, mainframes, wide and local area networks, servers, mobile or portable computers, peripheral equipment, telephones, wireless communications, facsimile machines, technology facilities (including but not limited to: data centers, dedicated training facilities, and switching facilities), and other relevant hardware and software items as well as personnel tasked with the planning, implementation, and support of technology.
- 4.5 "President" means the President of the University or the President's designee.

## SECTION 5: Authority

5.1 W.Va. Code §18B-1-6

## SECTION 6: Superseding Provisions

6.1 This Rule repeals and supersedes WLU BOG Policy 49 – Computer Abuse adopted December 11, 2006 and any other internal University policy or procedure which relates to the subject matter contained within this Rule.

## **EMERGENCY REVISIONS UNDER POLICY 23 – POLICY ON POLICIES**

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## POLICY 32 – SEXUAL HARASSMENT, SEXUAL DISCRIMINATION, AND OTHER UNLAWFUL CONDUCT

#### NOTICE OF INTENT

## ACTION ITEM

A request to approve emergency revisions to Board of Governor Policy 32: Sexual Harassment, Sexual Discrimination, and Other Unlawful Conduct is being made in order to comply with new Federal Regulations effective August 14, 2020. Interim Policy effective August 14, 2020.

On May 19, 2020, new regulations were published in the Federal Register regarding how "schools" must respond to allegations of sexual harassment consistent with Title IX of the Education Amendments of 1972's (Title IX) prohibition against sex discrimination by requiring recipients to address sexual harassment as a form of sex discrimination in education programs or activities. The new regulations are required to become effective on August 14, 2020, and West Liberty University's policies and procedures must be consistent with these new regulations.

Policy 32 will be revised to reflect the new federal regulations. After a 30-day comment period, the Board will be presented with a final draft, summary of comments received, and an explanation of the changes made. Final draft is expected to be ready for approval by the December 2, 2020 Executive Committee meeting and the December 9, 2020 Board meeting.

*Proposed Resolution:* Resolved, that the West Liberty University Board of Governors approve the emergency revisions and Notice of Intent of the stated policy.

## HUMAN RESOURCES ADMINISTRATION AND EMPLOYMENT PRACTICES POLICY

## NOTICE OF INTENT

## **ACTION ITEM**

A Notice of Intent to draft and make available to the campus community is being made for the Human Resources Administration and Employment Practices Policy. This policy will enable the University to function in a proper and expeditious manner and will generally delegate to the President the authority to administer a system for all personnel matters through University Policies and Procedures. We are currently in the process of reviewing all University policies and procedures to ensure that each is given authority under an existing Board policy. Several Board policies in this area are better suited as a University policy or procedure and this new proposed policy will assist the Board in eliminating redundant or outdated policies.

*Proposed Resolution:* Resolved, that the West Liberty University Board of Governors approve the Notice of Intent of the stated policy.

# PRESIDENT'S REPORT TO WLU Board of Governors October 14, 2020

- West Liberty University Fall 2020 enrolment report shows a slight decline from Fall 2019 (1.5%). This is better than projected because of anticipated declines due to COVID19. Since West Liberty decided to offer single rooms to all students who requested one, campus housing numbers are also down.
- Due to the continuation of the pandemic, additional adjustments are being made to the Fall 2020 calendar. Fall Commencement will now be held on the Saturday after final exams (December 5). It too will be a virtual commencement ceremony.
- West Liberty University moved up in three categories in the <u>U.S.</u> <u>News and World Report Best Colleges</u> publication. WLU moved up seven places in the Regional Universities South, two spots in the Social Mobility category and two spots in the Top Public Schools slot. WLU is the highest ranked West Virginia public school in all three categories.
- West Liberty University was selected as a 2021 Hidden Gem in a recent announcement by <u>College Raptor</u>, a leading college planning platform that helps families discover college matches driven by Al algorithms to find the best colleges at the best price.
- In an effort to keep students, staff and its campus community safe during the pandemic, WLU plans to start the spring semester a week later (January 19) and eliminate spring break.
- Construction of the Behavioral Health Lab and the Speech Pathology and Audiology Lab are being finalized. The weight room renovation is on schedule for completion this fall.
- A live-streamed musical concert, "Sounds of the World," featuring West Liberty University instrumental ensembles was held at Oglebay on October 3. The concert included music from the Marching Hilltoppers, under the direction of Dr. Gretchen Pohlman, along with the sounds and dancing of the African Drum and Dance Ensemble

and the distinctive sound of the WLU Steel Band, both under the direction of Dr. Mitchell Greco.

- West Liberty University is joining the state of West Virginia's initiative to support virtual learning for all students by adding a Wi-Fi hotspot to its campus. The Kids Connect Initiative is designed to support the learning needs of children during time outside of school hours. The equipment was provided by the state and installed on the side of Beta Hall so that access is available in the parking lot.
- West Liberty University distributed new awards at the start of the current academic year to honor its employees. Sponsored by the <u>Employee Engagement Committee</u>, this inaugural presentation of the Staff Recognition Awards included monetary awards and a team award represented by a large Traveling Trophy. Award winners were: True Topper Award-Brad Forshey, Customer Service Award-Becky McCullough, and Top Team Award-Office of eLearning.
- West Liberty University (WLU) and <u>West Virginia Northern</u> <u>Community College (WVNCC)</u> signed an articulation agreement for their social work program. Upon obtaining an Associate in Arts degree from WVNCC, students can now seamlessly transfer to WLU to pursue their Bachelor of Social Work degree, and upon successfully completing the required classes will be eligible to sit for the Social Work licensure exam.