

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL
COLLEGE BOARD OF GOVERNORS
SCP-4001**

SUBJECT: Student Consumer Protection

REFERENCE: The Higher Education Act of 1965 (HEA), as amended and reauthorized by the Higher Education Opportunity Act of 2008 (HEOA); Federal Education Right to Privacy Act (FERPA); Higher Learning Commission (HLC) CRRT.C.10.010, *Recruiting, Admissions, and Related Institutional Practices*; SAM-2000.1, *Employee Handbook*; SCP-7720, *Security of Information*; SCP-4356, *Financial Aid Recipient - Change in Enrollment Policy*; SCP-5050, *Assessment, Payment, and Refund of Tuition and Fees*; and 135 C.S.R. 52, *Annual Reauthorization of Degree-Granting Institutions*.

ORIGINATION: January 30, 2019

EFFECTIVE: September 20, 2019

REVIEWED: February 9, 2024

SECTION 1. PURPOSE

- 1.1 This policy is developed to ensure compliance with federal and State guidelines in order to maintain eligibility for participation in Federal Title IV funding. The policy's purpose is to ensure student consumer protection in marketing, recruiting, admissions, and financial aid processes.

SECTION 2. SCOPE AND APPLICABILITY

- 2.1 This policy addresses the ethical and fair consumer practices in marketing, recruiting, admissions, and financial aid processes. All college employees and/or related contractors participating in marketing, recruitment, admissions and financial aid are subject to this policy.

SECTION 3. DEFINITIONS

- 3.1 Fair Consumer Practices – Honesty, fairness, and disclosure to students in the areas of recruitment, admission, contractual agreements, student financial assistance, obligations to repay student loans, placement assistance and job placement rates, advertising, refund policies, the meaning and recognition of different types of accreditation, the transferability of the institution's credits to other postsecondary institutions, the offering of quality instructional programs, and other appropriate performance measures.

SECTION 4. POLICY

- 4.1 Southern West Virginia Community and Technical College will comply with the federal and State guidelines by treating students ethically, professionally, and respectfully in marketing, recruiting, admissions and financial aid processes so that students can make an informed enrollment decision without being subjected to high pressure tactics from the College. This policy, and other policies related to consumer protection, will be accessible and transparent.
- 4.2 All College employees who have responsibilities in recruitment and admissions of students shall have appropriate education, job titles, and training, overseen by the College, which includes enforcement of the ethical standards set forth in the College's manual, SAM-2000.1, *Employee Handbook*.

- 4.3 The College shall not pressure a student to enroll by a specific deadline using a promise of cash or free goods or services outside of the regular process of scholarship monies, institutional discounting, fee waivers, financial aid, or other assistance, nor will there be a promise that employment is being directly or indirectly offered or is more likely related to its education or provide any guarantees of employment related to that education.
- 4.4 The College shall give students sufficient time, prior to enrolling, to review the institution's policies and procedures, to understand the amount of federal, State, and institutional financial aid the student is eligible to receive, and to learn how many credits, if any, will transfer and whether they will be applied to the major or general education requirements or the process and timeline for evaluation of those credits. The College shall not induce or pressure students to enroll.
- 4.5 College employees responsible for recruiting and/or admissions may answer general questions about the student application process for admissions and financial aid, but in no case may the employee complete the application or apply the prospective student's signature to any documents.
- 4.6 All information provided to prospective students in the recruiting and admissions process shall be accurate, complete, and up-to-date. The College shall freely share this information with all prospective students so that such students will not have to share any contact information with the College.
- 4.7 Any job placement, salary information or other student outcome data publicized as part of the recruiting process are based on all students in a cohort or class who completed the program. Completing students are not excluded from the published data because they did not utilize the College's career, advising, or other services. The College shall maintain back-up documentation related to any such publicized outcome data and shall make that back-up data available to accreditors, the public, or governmental agency upon request. If the College publicizes for recruiting purposes outcome data based on student survey or other partial information about a cohort or class of students, the College shall indicate clearly the number of students in the cohort or class and the number of students whose outcome data is included. If job placement or other related data are drawn from an external database, economic forecasting, or other source, the College shall indicate its source and will direct students to the original source of the information where applicable (e.g., Department of Labor website).
- 4.8 The College shall prominently post its data privacy policy, SCP-7720, *Security of Information*, on its website. Upon request by a student, the College shall promptly remove such student's name and other contact information from phone, email, or other contact lists developed through the recruiting, lead, and/or admissions process. The College shall maintain such information as outlined in its data privacy policy.
- 4.9 No student will be automatically registered for classes. All students have the right and responsibility to register for each academic term in which they are enrolled. If a student withdraws registration prior to the add/drop date posted each term, the student will not be charged tuition and fees for that term.
- 4.10 Should the College require a student to sign an enrollment agreement, the enrollment agreement shall be limited to basic information about a student's course of study, tuition and fees, and other related information and in no case will that agreement include any language limiting that student's ability to: file a complaint with an accrediting body or State agency; take legal action in the event that any dispute resolution processes agreed to by the College and the student is unsuccessful in resolving the dispute; or seek to discharge a student loan through remedies available to borrowers under State or federal law. The College shall provide students sufficient time, as determined by the situation and any mandates in State law, to review any enrollment agreement and to consult with others as a part of that review process before being required to sign the document or lose an offer of admission and related financial assistance.

- 4.11 In addition to the College's policy related to return of Title IV funds, SCP-4356, *Financial Aid Recipient-Change in Enrollment Policy*, the College has a refund policy, SCP-5050, *Assessment, Payment, and Refund of Tuition and Fees*, to assure that students receive a refund where appropriate if they withdraw from an academic term or from the College.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None

SECTION 6. GENERAL PROVISIONS

- 6.1 Southern West Virginia Community and Technical College is an Equal Opportunity/Affirmative Action Institution and does not discriminate based on race, sex, gender identity, pregnancy, sexual orientation, age, disability, veteran status, religion, color, or age in admission, employment, or educational programs and activities; nor does it discriminate based on genetic information in employment or employee health benefits. Faculty, staff, students, and applicants are protected from retaliation for making complaints or assisting in discrimination investigations. This nondiscrimination policy also applies to all education programs, to admission, to employment, and to other related activities covered under Title IX, which prohibits sex discrimination in higher education. Southern will take steps to ensure that a lack of English language skills will not be a barrier to admission and participation in the college's offerings. Auxiliary aids and services are available upon request to individuals with disabilities. Southern West Virginia Community and Technical College also neither affiliates with nor grants recognition to any individual, group, or organization having policies that discriminate based on race, ethnicity, sex, color, creed, gender, religion, age, sexual orientation or gender orientation or expression, physical or mental disability, marital or family status, pregnancy, genetic information, veteran status, service in the uniformed services, ancestry, or national origin. Inquiries regarding compliance with any state or federal nondiscrimination law may be addressed to Affirmative Action Officer, Ms. Debbie C. Dingess, Chief Human Resources Officer, Southern West Virginia Community and Technical College, 100 College Drive, Logan, WV 25601, 304-896-7408; Title IX Coordinator, Mr. Darrell Taylor, Chief Student Services Officer, Southern West Virginia Community and Technical College, 100 College Drive, Logan, WV 25601, 304-896-7432; or Section 504 Coordinator, Ms. Dianna Toler, Director of Student Success, Southern West Virginia Community and Technical College, 100 College Drive, Logan, WV 25601, 304-896-7315. TTY 304-792-7054 may be used to communicate with any office or employee of the College..

SECTION 7. RESPONSIBILITIES

- 7.1 The Student Service Unit/Chief Student Services Officer are responsible for ensuring that all College employees who have responsibilities in recruitment, registration, and admissions of students have appropriate education, job titles, and training, which includes enforcement of ethical standards, and which prepares them to answer general questions about the student application process for admissions and financial aid. The Director of Financial Assistance and/or Chief Student Services Officer are responsible for disclosing basic financial aid information and describing the rights and responsibilities of students receiving federal student aid. This includes, but is not limited to, the award and disbursement of Title IV funds; the cost of attendance; the refund and return of Title IV funds; student loan information; satisfactory academic progress; and the college work study program. They are also responsible for ensuring that the consumer information is accurately posted on the College's web page and is accessible to students, prospective students, employees, and the general public. The Chief Student Services Officer shall disclose safety information to the public.
- 7.2 The Academic Affairs Unit/Chief Academic Affairs Officer shall ensure that all faculty advisors understand students have the right and responsibility to register for each academic term.
- 7.3 The Registrar is responsible for FERPA regulations training for all employees, annually.

- 7.4 The Finance and Administration Unit/Chief Finance Officer is responsible for disclosing required general information which includes, but is not limited to, tuition and fees; textbooks; and refund policy.
- 7.5 The Chief Information Officer is responsible for providing employees and students with access to information and technology for educational purposes. The College shall secure information through multi-level authentication and proper disaster recovery methods used to safeguard any potential threats. The Chief Information Officer, or his or her qualified designee, shall maintain and review technology policies and procedures on a regular basis to ensure currency of practices and to maintain standards.

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: None.

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

Revision Notes: January 30, 2019 – Originated.

February 9, 2024 – Nondiscrimination information added in Section 6.1 as required by the Office of Civil Rights; job titles updated; requirements for recruitment disclosure moved from Institutional Advancement to Student Services; requirements for safety information disclosure moved from Finance and Administration to Student Services.