

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
SCP-5500**

**SUBJECT:** Payment Card Industry Data Security Standards Compliance and Merchant Services

**REFERENCE:** W. Va. Code §§ 12-3A-6, 18B-1-6, and 18B-2A-4; West Virginia State Treasurer’s Office Credit Card Handling Handbook; Payment Card Industry Data Security Standards (PCI-DSS); 112 C.S.R. 12, *Procedures for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment*

**ORIGINATION:** February 9, 2024

**EFFECTIVE:** August 20, 2024

**REVIEWED:**

**SECTION 1. PURPOSE**

1.1 The purpose of this Policy is to establish the compliance requirements for Southern West Virginia Community and Technical College to process payment cards consistent with Payment Card Industry Data Security Standards (PCI-DSS) and applicable federal and State laws, rules, and regulations.

**SECTION 2. SCOPE AND APPLICABILITY**

2.1 This policy applies to all College departments, employees, vendors, consultants, and other authorized persons associated with the College to utilize the College’s Merchant Services.

**SECTION 3. DEFINITIONS**

3.1 “Payment Cards” can be credit, debit, charge, and prepaid cards; a form of payment electronically linked to an account or accounts belonging to the cardholder. For the College’s Merchant Services program, payment cards are credit and debit cards.

3.2 “Cardholder Data” means personally identifiable information associated with a credit/debit card user, including the full primary account number (PAN), expiration date, security code, name, address, or Social Security number.

3.3 “Merchant Services” means the process of conducting payment transactions over electronic means. Although primarily conducted via the Internet, this can also include automated phone banks, touchscreen kiosks, and ATMs. Transactions have payment cards or electronic funds transfers via Automated Clearing House (ACH).

3.4 “Merchant Bank,” also known as an Acquiring Bank or Acquirer, is the bank or financial institution that processes payment card transactions for a merchant.

3.5 “College Merchant” is a College division, department, or other applicable unit that processes payment cards through card present or card not present transactions.

- 3.6 “Payment Card Industry Security Standards Council (PCI SSC)” is a global forum of payments industry stakeholders that develops and encourages the adoption of data security standards and resources for safe payment card transactions.
- 3.7 “Payment Card Industry Data Security Standards (PCI-DSS)” means a consolidated standard administered by the PCI SSC detailing merchant requirements when accepting payment cards. The requirements are developed to safeguard cardholder data when processed, stored, and transmitted.
- 3.8 “Payment Services” are the approved Merchant Services solutions provided by the West Virginia State Treasurer’s Office to collect payment card payments over the Internet.
- 3.9 “Personal Data” means information or data collected that can identify an individual directly or indirectly.
- 3.10 “Point-to-Point Encryption (P2PE)” means security requirements to protect payment data through encryption upon initial capture at the payment terminal to the decryption payment processor before it is processed.
- 3.11 “Card Present Transaction” means transactions that occur with the cardholder present.
- 3.12 “Card Not Present Transaction” means transactions that are generated without the card in view.

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

- 4.1 The College is responsible for processing and reconciling payment card transactions consistent with PCI-DSS and West Virginia law, regardless of whether it is a card present transaction or a card not present transaction.
- 4.2 Only Payment Card Industry (PCI) Council-approved POS devices that use Point-to-Point Encryption technology (P2PE) may be connected to the College’s IT network for College Merchants to process payment card transactions. The use of unapproved POS devices is strictly prohibited.
- 4.3 All College Merchants utilizing the Internet to accept payment card payments must utilize the West Virginia State Treasurer’s Office (WVSTO) approved Payment Services. Use of unapproved Payment Services is prohibited.
- 4.4 All POS and Payment Services must be associated with an approved wvOASIS account. Use of any other type of bank account is prohibited.
- 4.5 To ensure compliance, a College Merchant must have a legitimate business need to process payments using payment cards to support their administrative, outreach, or academic mission. A legitimate business need must be identified for the designation of College Merchant to be granted.
- 4.6 Use of email to accept payment card payments is strictly prohibited.

#### **SECTION 5. BACKGROUND AND EXCLUSIONS**

- 5.1 None

## **SECTION 6. GENERAL PROVISIONS**

- 6.1 Any employee who violates this Policy is subject to appropriate disciplinary action, up to and including termination.
- 6.2 Any student who violates this Policy is subject to the appropriate disciplinary action in accordance with the Student Code of Conduct.
- 6.3 Any individual affiliated with the College who violates this Policy will be subject to appropriate corrective action, including, but not limited to, termination of the individual's relationship with the College.
- 6.4 College Merchants who do not comply with this Policy may be subject to appropriate penalties, including revocation of status as College Merchant. In the event of a data breach due to non-compliance, College Merchants may be subject to actions including, but not limited to, the following:
  - 6.4.1 Fines imposed by a bank and/or payment brand;
  - 6.4.2 Cost to notify cardholders of a data breach;
  - 6.4.3 Payment Card replacement and remediation services for impacted cardholders;
  - 6.4.4 Repayment of fraudulent charges resulting from a data breach;
  - 6.4.5 Onsite forensics audit by a PCI-Qualified Data Security Company;
  - 6.4.6 Merchant certification by a PCI-Qualified Data Security Company; and
  - 6.4.7 Associated legal fees.
- 6.5 The College's Chief Finance Officer, supported by the Bursar, Controller, and Chief Information Officer, will coordinate with appropriate College entities on implementing and enforcing this policy.
- 6.6 Responsibility for interpreting this Policy rests with the Chief Finance Officer.

## **SECTION 7. RESPONSIBILITIES**

- 7.1 The Business Services Unit is responsible for leading and overseeing the College's Merchant Services Program, which includes the following activities:
  - 7.1.1 Working with the WVSTO to ensure that the College's Merchant Services program is in compliance with PCI-DSS, State, and other federal and State laws, rules, and regulations;
  - 7.1.2 Designating the College Merchants who have a legitimate business need to accept payment card payments on behalf of the College;
  - 7.1.3 Maintaining an inventory of all POS devices, eCommerce websites, and Payment Services and a list of College Merchants with their associated Merchant ID and completed Self-

Assessment Questionnaires (SAQs) or Reports on Compliance (ROC), and maintaining a list of vendors' PCI Attestation of Compliance in use at the College;

- 7.1.4 Ensuring that the College Merchant provides and completes annual PCI security and awareness training;
  - 7.1.5 Collaborating with IT on developing policies and procedures to establish a governance framework for the College Merchant Services Program; and
  - 7.1.6 Collaborating with IT on validating PCI compliance annually, which includes completing and submitting the SAQ or ROC to the WVSTO Merchant Bank.
- 7.2 Information Technology will support the College Merchant Services Program, which includes the following activities:
- 7.2.1 Conducting security risk assessments of College Merchants to ensure that devices are properly connected to the College's network, and payment card processing does not introduce an information security risk to the College's IT environment and to ensure that payment card payment processing complies with PCI Standards;
  - 7.2.2 Collaborating with the Business Services Unit on developing policies and procedures to establish a governance framework for the College Merchant Services Program;
  - 7.2.3 Collaborating with the Business Services Unit on the completion and submission of PCI SAQs or ROCs to the WVSTO's Merchant Bank; and
  - 7.2.4 Provide IT technical support to the College's Merchant Services program.
- 7.3 College Merchants are responsible for the following:
- 7.3.1 Designating an individual within the department who has primary authority and responsibility for the payment card processing by that College Merchant;
  - 7.3.2 Ensuring that daily settlements for payment of all card transactions are entered into the College financial system;
  - 7.3.3 Ensuring all staff with duties to accept or process payments complete annual security awareness training (e.g., PCI-DSS, identity theft detection) provided by the College;
  - 7.3.4 Assigning proper segregation of duties for payment card processing, reconciliation of daily transactions and other records, and reporting;
  - 7.3.6 Using College-provided, validated POS devices to collect Cardholder Data over the phone or in person
  - 7.3.7 Using WV STO-approved Payment Services to facilitate payment for products, goods, and services where available on the College websites;
  - 7.3.8 Ensuring that goods and services offered for sale on College websites are reflected accurately;

- 7.3.9 Complying with College policies, procedures, and standards in implementing the College’s Payment Card Program, including but not limited to the Security of Information Technology Policy and the Information Technology Acceptable Usage Policy; and
- 7.3.10 Immediately reporting known or suspected Security Incidents to Information Technology.
- 7.3.11 Safeguarding POS devices and monitoring for device tampering or suspicious activity.

**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 a review, the President or the President’s designee may recommend to the Board that the policy be amended or repealed.

**Section 10. SIGNATURES**

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

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**President** **Date**

Attachments: None

Distribution: Board of Governors (12 members)  
[www.southernwv.edu](http://www.southernwv.edu)

Revision Notes: February 9, 2024 – Policy originated.