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6-5-2009

## Board of Trustees Agenda, Minutes and Resolutions June 5, 2009

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# Meeting of the Winthrop University Board of Trustees

June 5, 2009

1:00pm

Dunlap-Roddey Room, Johnson Hall

Winthrop University

Rock Hill, South Carolina

1. Call to Order\*
2. Public Comment\*
3. Approval of Board Minutes of April 17, 2009
4. Report of the Executive Committee and Chair of the Board
  - A. Resolution Honoring Ms. Tatiana Sosa for Meritorious Service to Winthrop University
  - B. Resolution Honoring Dr. Cheryl Fortner-Wood for Meritorious Service to Winthrop University
  - C. Resolution Regarding Performance Evaluation of President Anthony J. DiGiorgio
  - D. Resolution Regarding Contract of President Anthony J. DiGiorgio
  - E. Resolution Regarding Amendments to the Board Bylaws
5. Report of the Academic Affairs Committee
  - A. Resolution to Confer Emeritus Faculty Status
6. Report of the Finance Committee
  - A. Resolution to Empower the Executive Committee with the Authority to Adopt the Tuition Schedule and Operating Budget for 2009-2010
  - B. Resolution to Establish a "Red Flags Rule" Identity Theft Prevention Program for Winthrop University
7. Report of the University Relations Committee
8. Report of the Nominating Committee\*
  - A. Election of Officers for 2009-2010 Term

9. Reports from the Representatives to the Board\*
    - A. Report from the Chair of Faculty Conference
    - B. Report from the Chair of the Council of Student Leaders
  10. Report from the President\*
  11. Old Business\*
  12. New Business\*
  13. Adjournment\*
- \* indicates no supporting materials

Academic Affairs Committee

June 5, 2009

University College, Bancroft 8A

8:30 a.m.

## AGENDA

1. Approval of Minutes of Academic Affairs Committee Meeting of April 17, 2009
2. Resolution to Confer Emeritus Faculty Status
3. Report on Tenure and Promotion
4. Report of the Vice President
5. Southern Association of Colleges and Schools Report
6. Accreditation, Accountability and Academic Services Report
7. Academic Unit Updates
  - A. Business Administration
  - B. The Graduate School
  - C. Visual and Performing Arts
  - D. Library
  - E. Education
  - F. Arts and Sciences
8. Presentation by Dean Gloria Jones on University College

Finance Committee  
June 5, 2009  
Thompson Conference Room  
8:30 a.m.

## AGENDA

1. Approval of Minutes of the Finance Committee Meeting of April 17, 2009
  2. Briefing by External Auditor Cline Brandt Kochenower and Company, P.A.\*
  3. Resolution to Approve Establishing a Red Flag Rule - Identity Theft Prevention Program
  4. Review of 2009-2010 Allocation Status Report Projection
  5. Resolution Regarding the Operating Budget and Student Fees for 2009-2010
  6. Review of 2008-2009 Allocation Status Report
  7. Update on Summer Projects\*
- (\* Indicates no supporting materials are included in this mailing)

University Relations Committee  
June 5, 2009  
Owens Hall, G05  
8:30 a.m.

## AGENDA

1. Call to Order
2. Approval of Minutes of University Relations Committee Meeting of April 17, 2009  
*Intercollegiate Athletics*
3. Report on Spring 2009 GPAs, NCAA Academic Progress and Graduation Rates
4. Review of Athletics Academic Support Programs
5. Year-End Review of Sports Programs  
*Division of University Advancement and Enrollment Management*



6. Summary Report on 2008-09 Recruitment and Enrollment Activities
7. Demonstration of the website developed for the Critical Incident Management Team (CIMT) (with Frank Ardaiolo)

*Division of University Development and Alumni Relations*

8. Report on Recent and Upcoming Alumni Events and Programs
9. Report on Fundraising and Development Activities

*Division of Student Life*

10. Briefing on the Work of the Critical Incident Management Team Including the New 360 Stay Safe Web Videos
11. Old Business
12. New Business

Adjournment



## Meeting of the Winthrop University Board of Trustees

June 4 and 5, 2009

1:00 pm

Dunlap-Roddey Room, Johnson Hall

Winthrop University

Rock Hill, South Carolina

Members present: Kathy Bigham (Chair), Frances Davenport, Karl Folkens, Janet Smalley, Jane LaRoche, Susan Smith-Rex, Donna Tinsley, Lee Cox, Dalton Floyd, David Vipperman, Sam Foster, Bob Thompson, Anthony J. DiGiorgio (*ex officio*)

Members absent: One vacancy—First Congressional District Seat

Representatives present: Sydney Evans, Student Representative; Cheryl Fortner Wood, Faculty Representative

Representatives absent: None

Others present: Faculty and staff of Winthrop University, Matt Garfield, The Herald

The Board of Trustees met on Thursday, June 5 and Friday, June 6, 2008 on the campus of Winthrop University, Rock Hill, SC.

### **Call to Order**

Chair Bigham called the meeting to order at 4:10 p.m. on June 4. Lee Cox made a motion for the Board to move into Executive Session, Frances Davenport seconded. The Board met in executive session for the purpose of the contractual and personnel matter of reviewing the recommendations of the Executive Committee on the performance evaluation of President DiGiorgio. David Vipperman moved the Board return to public session with no actions taken. The motion was seconded by Janet Smalley. The motion passed unanimously by voice vote. At that time, the meeting was recessed with continuation planned for the afternoon of June 5.

As there were no requests made for public comments, the meeting continued on June 5, 2009 at 1:06p.m.

### **Approval of Board Minutes of April 17, 2009**

Bob Thompson made a motion to approve the minutes from the meeting of April 17, 2009. The motion seconded by Lee Cox. The minutes were approved unanimously as presented.

### **Report of the Executive Committee and Chair of the Board**

Chair Bigham reported that the Executive Committee had met on campus on May 20, 2009. Several matters were reviewed and discussed. The materials from the meeting have been forwarded to each of members of the Board. Chair Bigham asked that the Board consider a number of resolutions for meritorious service:

Resolution Honoring Ms. Tatiana Sosa for Meritorious Service to Winthrop University. Janet Smalley, Chair of the University Relations Committee read aloud the citation honoring Ms. Sosa for her one year of service to the Board. The resolution passed unanimously.

Resolution Honoring Dr. Cheryl Fortner-Wood for Meritorious Service to Winthrop University. Lee Cox, Chair of the Academic Affairs Committee read aloud the citation honoring Dr. Fortner-Wood for her two years of service to the Board. The resolution passed unanimously.

Chair Bigham then asked that the Board consider a number of resolutions pertaining to the performance evaluation and contract of President DiGiorgio:

Resolution Regarding Performance Evaluation of President Anthony J. DiGiorgio. Based upon the recommendation of the Executive Committee of the Board and input from the Faculty Representative to the Board as well as individual Trustees, the Board recommended the President receive an "Exceeds Expectations" evaluation. The resolution passed unanimously.

Resolution Regarding Contract of President Anthony J. DiGiorgio. Again, based on the recommendation of the Executive Committee of the Board and input from the Faculty Representative to the Board as well as individual Trustees, the contract of President Anthony DiGiorgio was extended for an additional year. The resolution passed unanimously.

As the last resolution to be put forth from the Executive Committee, the Chair asked the Board to consider a Resolution Regarding Amendments to the Board Bylaws supporting the implementation of the restructuring of the committees of the Board as a significant element of the Board's ongoing commitment to institutional progress and development. With this action, the former University Relations Committee was recast as two separate committees, Committee on Institutional Advancement and Development and the Committee on Student Life. The resolution passed unanimously.

### **Report of the Academic Affairs Committee**

The next order of business was the report of the Academic Affairs Committee. After reminding the Board that each has received a complete set of briefing notes from all of the committees, Committee Chair Lee Cox read aloud the Resolution to Confer Emeritus Faculty Status on selected retired faculty. The resolution passed unanimously to confer emeritus status to: William W. Grigsby, Jr; Richard C. Ingram; Gloria A. Kelley; Richard L. Morris; John E. Robbins; Johnny Sanders, Jr.; John M. Schmidt; and Han Vo.

He continued by reporting on the results of the recent tenure and promotion process that resulted in 17 faculty receiving tenure and 13 promotions. He noted being impressed with the tenure procedures leading to the final decision. The stated the process is so thorough and consistent and that faculty are well advised throughout the process and very few do not have a positive outcome.

Chair Cox recommended the Trustees give serious consideration to the Arts and Sciences undergraduate research booklet as it is a wonderful representation of remarkable work being done on the Winthrop campus by students and their faculty mentors.

The report concluded with Chair Cox's account of the presentation on University College by Dean Gloria Jones.

### **Report of the Finance Committee**

As the next order of business, Karl Folkens, Chair of the Finance Committee brought forth a Resolution to Empower the Executive Committee with the Authority to Adopt the Tuition Schedule and Operating Budget for 2009-2010. The committee brought forth this resolution because the future use of stimulus funds remains unclear. Without the stimulus monies, Winthrop will have to immediately adapt operating budgets to reflect the lowered state appropriations projected for fiscal year 2009-10. If the stimulus monies are accepted by the state and distributed to higher education, Winthrop will have approximately two years to adapt to the lowered appropriation amounts. As the only source of real revenue is tuition and fees, parameters are set to remain as close to the Higher Education Price Index (HEPI) for Masters Level Universities (4%) as possible. This resolution will give the Executive Committee the authority to meet later in the summer to review the actions of the state as related to the stimulus monies in order to set the operating budget as well as approve the tuition and fees. The resolution passed unanimously.

The second order of business of the Finance Committee was to propose a Resolution to Establish a "Red Flags Rule" Identity Theft Prevention Program for Winthrop University. This program will ensure Winthrop complies with federal law as it pertains to protections against identity theft of our students, faculty, and staff. The resolution passed unanimously.

Folkens concluded his report by stating the Finance Committee met in executive

session to discuss contractual and legal matters. No actions were taken in executive session and details of that meeting will be found in the minutes of the Finance Committee meeting to be distributed to the Board in its entirety.

### **Report of the University Relations Committee**

Chair Janet Smalley began her report by urging all Trustees to review the University Relations briefing notes as provided. She continued with a discussion on the report of Tom Hickman, Athletics Director. While the overall semester GPA of athletes increased slightly from 2.93 to 2.94 the overall cumulative GPA decreased from 3.00 to 2.99.

The committee was introduced to Ms. Melissa Pluchos, Director of Academic and Student Athlete Services. Ms. Pluchos serves as the liaison between the athletics department and faculty as well as overseeing the academic support services for athletes such as study hall, academic progress reports, tutoring, freshmen weekly meetings, identifying “at-risk” students, mentoring freshmen and those identified as “at-risk”, support of upperclassmen transitioning out of mentoring and any other assistance identified as needed throughout the semester.

Continuing on to the admissions/enrollment area, Chair Smalley summarized the report of Kathryn Holten, VP of Advancement and University Relations. While projected enrollments remain static, the admissions staff continues to work to improve recruiting efforts. Particularly successful is a partnership with telecounseling firm RuffaloCODY to recruit and enroll students for 2009 and 2010.

Moving to student life, Chair Smalley reported great progress in the area of the Critical Incident Management Team. The team is doing so well that Dr. Ardiolo recently was requested to share all the university documents that the CIMT has developed with the Harvard University Crisis Leadership in Higher Education Institute. In doing so he gave permission to Harvard’s request to use these documents in future institutes “as examples of the kinds of forward-leaning anticipatory pre-thinking that organizations can and should do”.

Chair Smalley concluded her report with the recent changes to Foundation’s spending policies and priority uses of “rainy day funds” to help with scholarships and other funding. She said many donors are stepping forward to offer additional support.

### **Board Officer Elections**

As the next order of business, Chair Bigham temporarily turned the meeting over to Karl Folkens for the purpose of the election of the Board officers for academic year 2009-10. Nominating Committee Chair Janet Smalley brought forth the recommendation of her committee. Kathy Bigham was recommended for Chair, Dalton Floyd for Vice Chair, and Frances Davenport for Secretary. Each agreed to serve if elected. The election was unanimous. The new officers will assume their duties on July 1, 2009.

### **Report of the Chair of Faculty Conference**

Dr. Cheryl Fortner-Wood began her report by thanking the faculty for permitting her to represent them for two years as their representative to the Board of Trustees. She emphasized her appreciation that the Board asks for and seriously considers the perspective of the Faculty Representative when it is relevant for the decisions they make.

### **Report of the Chair of the Council of Student Leaders**

Newly elected Chair, Sydney Evans reported on upcoming plans for the Council of Student Leaders. As of a few weeks ago, all board positions linked to student committees have been filled. A few seats on the Board will remain open to be filled with incoming freshmen in the Fall semester. This summer she will be attending a leadership conference at the University of Colorado at Boulder and plans to report on it at the next Trustee meeting in November.

### **Report of the President**

The President began his report by thanking the Trustees for their vote of confidence in awarding him an “Exceeds Expectations” for his evaluation and by extending his contract.

He summarized the 2008-09 academic year by characterizing it as intense, frustrating, and disruptive at times as furloughs and other budget cuts had to be made. He reflected that our willingness to be proactive in December with furloughs and cuts resulted in a solid plan for next year. As further developments with stimulus funding and budget issues arise, the Board as well as the campus community will be kept informed.

### **Old Business**

None.

### **New Business**

None.

### **Adjournment**

Hearing no objections, Chair Bigham adjourned the meeting at 2 pm.

Minutes submitted by Kimberly Faust, Secretary to the Board for 2009-10.

APPROVED BY THE BOARD ON NOVEMBER 5, 2009.



## Meeting of the Winthrop University Board of Trustees

RESOLUTION TO HONOR TATIANA SOSA FOR MERITORIOUS SERVICE

TO THE WINTHROP UNIVERSITY COUNCIL OF STUDENT LEADERS

AND THE WINTHROP UNIVERSITY BOARD OF TRUSTEES

WHEREAS, Tatiana Sosa, by virtue of her position as Chair of the Council of Student Leaders, has served as the student representative to the Winthrop University Board of Trustees during the 2008-2009 academic year, and

WHEREAS, she has employed her concern for people, her community spirit, and her experience as a student leader to ensure that Winthrop University continues its tradition of outstanding service to students, and

WHEREAS, her commitment to student perspectives, interests, and priorities make her an excellent student advocate,

THEREFORE LET IT BE RESOLVED that the Board of Trustees of Winthrop University recognizes Tatiana Sosa for her commitment to, support of, and distinguished leadership in student endeavors at Winthrop University.

APPROVED, this the 5th day of June, 2009.



RESOLUTION TO HONOR CHERYL FORTNER-WOOD FOR MERITORIOUS SERVICE TO THE WINTHROP UNIVERSITY FACULTY CONFERENCE AND THE WINTHROP UNIVERSITY BOARD OF TRUSTEES

WHEREAS, Winthrop University with grateful appreciation, does hereby acknowledge, commend and honor the distinguished service of Dr. Cheryl Fortner-Wood as Chair of the Winthrop University Faculty Conference and as Faculty Representative to the Winthrop University Board of Trustees; and

WHEREAS, during her tenure she demonstrated leadership on behalf of her colleagues and devoted considerable time and energy to overseeing the review of faculty governance; and

WHEREAS, she consistently shared thoughtful advice and counsel with the President and the Board and devoted herself to the fulfillment of Winthrop University's mission; and

WHEREAS, she will continue to share her talent and experience in serving the University as Associate Professor of Psychology;

THEREFORE LET IT BE RESOLVED that the Board of Trustees of Winthrop University does hereby gratefully acknowledge the dedication to excellence that has been demonstrated by Dr. Cheryl Fortner-Wood on behalf of her faculty colleagues and the University;

AND, presents today from the Board on behalf of the entire Winthrop University community this citation as a testament to her achievements and devotion to education.

June 5, 2009



## RESOLUTION REGARDING 2008-2009 PERFORMANCE EVALUATION OF PRESIDENT ANTHONY J. DIGIORGIO

WHEREAS, in accordance with Board Bylaws the Executive Committee met in Executive Session on May 20, 2009 to conduct the annual performance review of the President of Winthrop University as mandated by the State Agency Head Salary Commission; and

WHEREAS, the Executive Committee reviewed the responses to the State Agency Head Performance Survey submitted by the individual Trustees and reviewed the President's performance in terms of the Performance Planning Objectives; and

WHEREAS, the Executive Committee noted President DiGiorgio's leadership has been characterized by the belief that "a good university is a pervasively good university" – a maxim that demands attention to detail and a shared commitment to excellence across the institution, applying equally to those who guide student learning and those who maintain campus grounds, and every position in between.; and

WHEREAS, the Executive Committee concluded that President DiGiorgio should receive a rating of "Exceeds Expectations" in the Board's formal evaluation to be submitted to the State Agency Head Salary Commission based on his stewardship of which distinguishes Winthrop University from other universities, leading to third-parties recognizing Winthrop as one of the best of its kind in the nation; and

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY that in its formal evaluation of the performance of Anthony J. DiGiorgio as President of Winthrop University to be submitted to the State Agency Head Salary Commission, based on the transformation of Winthrop into a national caliber university, the continued excellence in terms of accountability and performance over the course of his leadership, and his service to higher education in South Carolina, President DiGiorgio will receive a rating of "Exceeds Expectations" and will be recommended to receive the maximum available salary increase offered by the Commission for 2009-2010.

APPROVED, this the 5th day of June, 2009.

## RESOLUTION REGARDING CONTRACT FOR PRESIDENT ANTHONY J.

### DiGIORGIO

WHEREAS, the Board of Trustees met in Executive Session on June 4, 2009 to conduct the annual performance review of Anthony J. DiGiorgio, President of Winthrop University, as mandated by the State Agency Head Salary Commission; and

WHEREAS, the Board of Trustees believes that the President DiGiorgio's performance merits a one-year extension to his current contract, which expires June 30, 2014;

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY directs and empowers the Chair of the Board to revise and execute an amended contract to expire June 30, 2015 with Anthony J. DiGiorgio as President of Winthrop University.

APPROVED, this the 5th day of June, 2009.

## Resolution Amending By-Laws of the Board of Trustees of Winthrop University

WHEREAS, the Board of Trustees endorses and supports Winthrop University's commitment to a dynamic planning process and principles of continuous quality improvement; and

WHEREAS, during the course of a thorough self-evaluation it has become apparent that additional language in the bylaws of the Board of Trustees is necessary to reflect the changing nature and character of the University; and

WHEREAS, the bylaws of the Board of Trustees should at all times appropriately reflect the policies and practices of the Board while adequately meeting the needs of the University;

THEREFORE, LET IT BE RESOLVED that the Winthrop University Board of Trustees endorses and supports the implementation of the restructuring of the committees of the Board as a significant element of the Board's ongoing commitment to institutional progress and development.

FURTHERMORE, LET IT BE RESOLVD that that the Winthrop University Board of Trustees endorses and supports the language modifications in the attached bylaws in order to be both appropriate and consistent with the goals and policies of the Board.

Approved this 5<sup>th</sup> day of June 2009

## RESOLUTION TO CONFER EMERITUS STATUS

Whereas, Winthrop University has been the benefactor of a combined total of two hundred and ten years of dedicated service contributed by the eight faculty members honored by the proposal of emeritus status; and

Whereas, Winthrop University recognizes the loyal devotion of these faculty members who have dedicated themselves to teaching Winthrop University students; and

Whereas, Winthrop University expresses gratitude for the tireless efforts of these outstanding educators who have demonstrated a professional commitment to Winthrop University and higher learning;

Therefore let it be resolved that the Winthrop University Board of Trustees does hereby recognize the following as having attained emeritus status at Winthrop University with all the rights and privileges bestowed thereunto: William W. Grigsby, Jr., Associate Professor of Accounting; Richard C. Ingram, Associate Professor of Education (Reading); Gloria A. Kelley, Professor and Head of Dacus Library Technical Services; Richard L. Morris, Professor of Quantitative Methods; John E. Robbins, Associate Professor of Marketing; Johnny Sanders, Jr., Professor of Education (Counseling and Development); John M. Schmidt, Assistant Professor of Biology, and Han Vo, Associate Professor of Economics.

APPROVED BY THE BOARD June 5, 2009

## RESOLUTION REGARDING THE OPERATING BUDGET AND STUDENT FEES FOR FISCAL YEAR 2009-2010

WHEREAS, the respective Boards of Trustees at state institutions of higher learning are empowered to determine schedules of student fees; and

WHEREAS, the members of the Board of Trustees at Winthrop University have examined the fee structure at Winthrop University; and

WHEREAS, the members of the Board of Trustees have examined the projected resources and projected commitments for 2009-2010; and

WHEREAS, the members of the Board recognize their fiduciary responsibility to ensure that the University's budget strikes a balance between actual resources and commitments; and

WHEREAS, the General Assembly of the State of South Carolina customarily provides its public institutions of higher learning with state operating allocations sufficiently in advance of Winthrop University Board of Trustees' regular June board meeting to allow for timely preparation of budget documentation to be reviewed by the full board in its June board deliberations related to the establishment of tuition and fees; and

WHEREAS, the General Assembly of the State of South Carolina in 2009 has been unable to reach agreement on key aspects of its allocation of state operating funds as they relate to Winthrop University for the fiscal year beginning July 1 in time to allow for that careful and timely preparation of budget documentation for review by Winthrop's full board in considering establishment of tuition and fees; and

WHEREAS, leadership of the General Assembly has signaled such decisions may not be forthcoming until much later in the month of June; and

WHEREAS, Winthrop University has promised its students and their families to act expeditiously to provide information needed by them for family financial planning purposes as soon as reasonably possible following General Assembly action;

THEREFORE, BE IT RESOLVED that the Executive Committee of the Board of Trustees be authorized to adopt the 2009-2010 fee schedule after final legislative action is taken; and

BE IT FURTHER RESOLVED that the Executive Committee of the Board of Trustees be authorized to adopt the Winthrop University operating budget on behalf of the Board once the General Assembly has passed the Appropriations Act.

APPROVED, this the 5th day of June, 2009.

# ESTABLISHING A RED FLAGS RULE IDENTITY THEFT PREVENTION

## PROGRAM FOR WINTHROP UNIVERSITY

WHEREAS, The Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, requires rules regarding identity theft protection to be promulgated and adopted jointly by the Office of the Comptroller of the Currency, Treasury; the Board of Governors of the Federal Reserve System; the Federal Deposit Insurance Corporation; the Office of Thrift Supervision, Treasury; the National Credit Union Administration; and the Federal Trade Commission; and

WHEREAS, Those rules become effective November 1, 2008, and require certain financial institutions and creditors to implement an identity theft prevention program; and

WHEREAS, The Federal Trade Commission suspended enforcement of the new “Red Flags Rule” until May 1, 2009; and

WHEREAS, The Federal Trade Commission delayed enforcement of the new “Red Flags Rule” until August 1, 2009; and

WHEREAS, The risk to the University, and its students, faculty, staff, and other constituents from data loss and identity theft is of significant concern to the University and the Board of Trustees has determined that the University should make reasonable efforts to detect, prevent, and mitigate identify theft; and

WHEREAS, The Board of Trustees has determined that the proposed Red Flags Rule Identity Theft Prevention Program is in the best interest of the University and its students, faculty, staff, and other constituents.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees for Winthrop University meeting in Rock Hill, South Carolina on June 5, 2009 that:

1. the “Red Flags Rule Identity Theft Prevention Program” attached hereto as Exhibit A is hereby approved; and
2. the Vice President for Finance and Business of the University is hereby delegated operational responsibility of the Program, including but not limited to oversight, development, implementation, and administration of the Program; approval of needed changes to the Program; and implementation of needed changes to the Program.

## EXHIBIT A

### RED FLAGS RULE

#### IDENTITY THEFT PREVENTION PROGRAM

##### **Purpose**

The purpose of this policy is to establish a Red Flags Rule Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program. The Program shall include reasonable policies and procedures to:

- Identify relevant Red Flags for covered accounts the University offers or maintains and incorporate those Red Flags into its Program;
- Detect Red Flags that have been incorporated into the Program of the University;
- Respond appropriately to any Red Flags that are detected to prevent and mitigate identity theft;
- Ensure the Program is updated periodically to reflect changes in risks to students and borrowers and to the safety and soundness of the University from identity theft; and
- The Program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

##### **Existing Policies and Practices**

The University has policies to ensure compliance with Gramm-Leach-Bliley Act (GLB), Family Educational Rights and Privacy Act (FERPA), system and application security, and internal control procedures which provide an environment where identity theft opportunities are mitigated. Records are safeguarded to ensure the privacy and confidentiality of student and borrower records.

In addition, the University adheres to the following practices:

- All paper files are kept in locked filing cabinets while not being used.
- Access to confidential information is limited to only those employees who need access in order to properly perform the duties for which they were hired.
- Employees with access to confidential information understand that this is confidential business information and is not to be discussed with anyone who does not “need to know.”

## Definitions

- **Identify theft** means fraud committed or attempted using the identifying information of another person without authority.
- **Account** means a continuing relationship established by a person with the creditor to obtain a product or service for personal purposes. Account includes an extension of credit involving a deferred payment.
- **Covered account** means an account that a creditor offers or maintains primarily for personal purposes that involves or is designed to permit multiple payments or transactions.
- **Red Flag** means a pattern, practice or specific activity that indicates the possible existence of identity theft.

## Covered Accounts

- The University participates in the Federal Perkins Loan Program
- The University participates in the South Carolina Teaching Fellows Program
- The University offers and establishes student payment plans

## Identifying Relevant Red Flags

- The photograph or physical description on the identification is not consistent with the appearance of the student or borrower presenting the identification.
- The SSN provided is the same as that submitted by other students or borrowers.
- The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of other students or borrowers.
- The person opening the covered account or the student or borrower fails to provide all required personal identifying information on an application or in response to notification that the application is complete.
- A covered account is used in a manner that is not consistent with established patterns of activity on the account – nonpayment when there is no history of late or missed payments.
- The University is notified of unauthorized charges or transactions in connection with a student or borrower's covered account.
- The University is notified by a student or borrower, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.



## **Detecting Red Flag Activity**

Covered accounts are opened as follows:

### **Federal Perkins Loan Program**

- Perkins borrowers sign their promissory notes using an electronic signature, which requires a PIN number that is unique to each borrower.
- Perkins borrowers can allow a third party to have access to his/her account information by completing the FERPA form in the electronic exit interview process. If no one is listed, a third party will not have access to any account information without the borrower's written permission. The borrower can log onto the exit site at any time to update this information if he/she decides that it would be beneficial for another party to have access to account information.

### **South Carolina Teaching Fellows Program**

- Teaching Fellows borrowers sign their promissory notes manually, which must be notarized.
- The promissory note must be signed by a Surety in addition to the borrower. The Surety is required to be a parent or guardian if the borrower is under the age of 18. If the borrower is over the age of 18, the Surety may be any SC resident over the age of 21.

### **Student Payment Plans**

Students must call, e-mail or come into the Controller's Office to request their account be placed on a tuition payment plan.

### **Responding to Red Flags**

The Program shall provide for appropriate responses to detected red flags to prevent and mitigate identity theft. The appropriate responses to the relevant red flags are as follows:

- Contacting the student or borrower;
- Changing any passwords, security codes, or other security devices that permit access to a covered account;
- Reopening a covered account with a new account number;
- Closing an existing covered account;
- Not attempting to collect on a covered account;
- Notifying law enforcement; and/or
- Determining that no response is warranted under the particular circumstances.

## Updating the Program

The University will update the Program annually in December, to reflect changes in risks to students or borrowers or to the safety and soundness of the University from identity theft, based on factors such as:

- The experiences of the University with identity theft;
- Changes in methods of identity theft;
- Changes in methods to detect, prevent, and mitigate identity theft; and
- Changes in the types of accounts that the University offers or maintains.

### **Oversight of Service Provider Arrangements**

The University shall take steps to ensure that the activity of a service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft whenever the University engages a service provider to perform an activity in connection with one or more covered accounts.

Currently the University uses UAS to administer the Perkins Loan Program. Students contact UAS directly through its website or by telephone and provide personal identifying information to be matched to the records that the University has provided to UAS.