



230 South LaSalle Street, Suite 7-500  
Chicago, IL 60604  
312.263.0456 | 800.621.7440  
Fax: 312.263.7462 | hlcommission.org

October 25, 2023

Dr. Robin Capehart  
President  
Bluefield State University  
219 Rock Street  
Bluefield, WV 24701

Dear President Capehart:

Enclosed is the final report for Bluefield State University (the institution). At the end of the document, you will find the team's recommendation on the accreditation relationship.

**Hearing Required.** Based on the team report's recommendation, institutional and review team representatives must participate in an Institutional Actions Council (IAC) Hearing. The hearing will take place on March 11-12, 2024, in Chicago. More information regarding the hearing is forthcoming.

The IAC Hearing Committee will evaluate the review materials and conduct the hearing before making a recommendation to the Higher Learning Commission (HLC) Board of Trustees. The Board of Trustees will then review the recommendations of the review team and IAC Hearing Committee and make a final decision on the accreditation relationship. More information on HLC's decision-making process is available at <https://www.hlcommission.org/decision-making>.

Note: Due to the additional expense of holding a hearing, HLC charges a fee for institutions participating in IAC Hearings. Information about HLC's dues and fees is available at <https://www.hlcommission.org/dues>.

**Institutional Response Expected.** HLC expects the chief executive officer to acknowledge receipt of this report and submit a formal written response prior to the hearing. This response may include updated information that addresses any deficiencies the team cited in its report. The institution's response becomes part of the official record of the evaluation and is included in the materials sent through the decision-making process to the next committee reviewing the institution. The response should be uploaded to the "Institutional Responses" link at <https://www.hlcommission.org/upload> no later than one month prior to the IAC Hearing.

Please note that the response should be submitted as a single PDF, include any attachments or exhibits, and should not contain any hyperlinks to web pages or external documents. If you have not previously submitted your most recent financial audit, please also include this information with your response. Please be judicious in the amount of information you forward; the full submission should be no more than 100 pages.

The institution will receive a copy of the IAC Hearing Committee's report when it is submitted to the Board of Trustees and will have an opportunity to respond. The Board of Trustees are the official decision-making body in these cases. If you have any questions concerning the evaluation report or the decision-making process, please contact Tom Bordenkircher, your HLC staff liaison.

Sincerely,  
Higher Learning Commission

cc: Sarita Rhonemus, Accreditation Liaison Officer  
Jan Murphy, Team Chair  
Peer Review Team Members  
Tom Bordenkircher, HLC Staff Liaison

## Focused Visit Report

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After the team reaches a consensus, the team chair completes this form to summarize and document the team's view. Notes and evidence should be essential and concise. **Note:** If the visit involved more than five areas of focus, please contact [evaluations@hlcommission.org](mailto:evaluations@hlcommission.org) for an expanded version of this form.

Submit the completed draft report to the institution's HLC staff liaison. When the report is final, submit it as a single PDF file at [hlcommission.org/upload](https://hlcommission.org/upload). Select "Final Reports" from the list of submission options to ensure the report is sent to the correct HLC staff member.

Institution: Bluefield State University

City, State: Bluefield, WV

Visit Date: 09/25/2023 and 9/26/2023

**Names of Peer Reviewers** (List the names, titles and affiliations of each peer reviewer. The team chair should note that designation in parenthesis.)

Dr. Jan Murphy, Vice President and Provost, Retired, Illinois State University (Chair)

Dr. Kimberly Jacobs-Beck, Professor of English, Assessment Coordinator, University of Cincinnati

### Part A: Context and Nature of Visit

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#### 1. Purpose of the Visit (Provide the visit description from the Institution Event Summary.)

Focused Visit - A visit focused on potential concerns that remain regarding the Institution's compliance with the following requirement: Criterion Two, Core Component 2.A, "the institution establishes and follows policies and processes to ensure fair and ethical behavior on the part of its governing board, administration, faculty and staff," as it relates to the Institution's adherence to its established policies, particularly those policies referenced in the complaint.

#### 2. Accreditation Status

Accredited

- Accredited—On Notice
- Accredited—On Probation

### 3. Organizational Context

Bluefield State University (BSU or the “institution”) is a public four-year college with a main campus located in Bluefield, West Virginia. BSU offers instruction through on-site, distance education, and dual credit modalities in 1 Master’s-level program, 18 Bachelor’s-level programs, 5 Associate’s level programs, and 4 credit-bearing certificate programs. In 2022 BSU opened its first graduate program with an MBA program. BSU is led by President Robin Capehart.

BSU was founded in 1895 to provide access to higher education to the children of African-American coal miners in the region. Automation in coal mining led to demographic shifts in the region, so that as of the 2020 US Census, Mercer County with a population of almost 60,000 had just 6% of its residents identifying as Black or African American. Bluefield, Virginia with a population of almost 5,100 was just 11.8% Black or African American. Despite the changing demographics of the surrounding area, BSU is still recognized as an Historically Black College or University (HBCU), and in fall 2021 approximately 14% of the student population identified as African American. In fall 2021, the institution became a residential campus after more than 50 years without residential students.

BSU’s most recent reaffirmation of accreditation occurred in April 2022 when it was determined to have met all criteria for accreditation.

### 4. Unique Aspects of Visit

The original purpose of this focused visit was to gather information on the institution’s ongoing compliance with Core Component 2A. However, while the visit team was on the Bluefield State University (BSU) campus, they uncovered numerous areas of concern related to six additional Core Components and an Assumed Practice.

The HLC Liaison to BSU, Dr. Thomas Bordenkircher, Vice President of Accreditation Relations, was an observer during the entire visit to the campus.

In one of the on-campus meetings with the visit team, an individual appeared to be recording conversations with his phone. The team asked that person to turn off the phone.

Participants in most meetings were very emotionally charged, often near tears, as they answered questions and described their situation. In one meeting a conflict between individuals occurred in front of the visit team.

**5. Interactions With Institutional Constituencies and Materials Reviewed.** List the titles or positions, but not names, of individuals with whom the team interacted during the review and the principal documents, materials and web pages reviewed.

**We met with the following:**

Admissions Counselor  
Assistant Director of Student Activities  
Assistant to the Provost  
Board of Governors (9)  
Chancellor  
Chief of Staff  
Chief Development Officer  
Chief Financial Officer  
Chief Marketing Officer  
Counselor  
Dean of Health Sciences  
Dean of Students  
Director of the Academic Success Center  
Director of Academic Technologies  
Director of Accounting  
Director of Admissions  
Director of Career Services  
Director of Counseling  
Director of Financial Aid  
Director of Student Activities  
Director of Student Health Center  
Executive Vice President and General Counsel  
Faculty (26)  
Faculty Assembly – Chair  
Faculty Assembly – Parliamentarian  
Faculty Assembly – Secretary  
Faculty Assembly – Vice Chair  
Human Resources Manager  
Information Systems Consultant  
Information Systems Tech Specialist  
Interim Dean – Arts and Sciences  
Interim Dean – Business

Interim Dean – Engineering and Technology  
Interim Provost  
P-card Coordinator  
President  
President Bluefield State University Beckley  
Program Assistant  
Program Director – School of Criminal Justice  
Students (12)  
Vice President – Athletics  
Vice President – Capital Projects  
Vice President – Corporate Relations  
Vice President – Development and Advancement  
Vice President – Law and Human Resources  
Vice President – Media Relations

**We reviewed the following document and web pages:**

Institutional reports sent to HLC regarding complaints and the Focused Visit

Faculty Handbook

Student Handbook

Faculty Senate Constitution

Faculty Senate Minutes

Faculty Assembly Bylaws

Faculty Assembly Minutes

Board of Governors Minutes

Bluefield State College Faculty Handbook

Document from General Counsel “General Timeline on Transition from Faculty Senate Model of Shared Governance Back to Faculty Assembly”.

Document delivered by Chief of Staff to the Assembly Chair “Notes for meeting with Julie Orr (FA Chair) on 9/28/23”.

6. **Areas of Focus.** Complete the following A and B sections for each area of focus identified in the visit description on the Institution Event Summary. Note that each area of focus should correspond with only one Core Component or other HLC requirement.

### Area of Focus 1

#### A1. Statement of Focus:

Potential concerns regarding the Institution’s compliance with Core Component 2.A, as it relates to the Institution’s adherence to its established policies, particularly those policies referenced in the complaint.

Relevant Core Component or other HLC requirement:

**2.A. The institution establishes and follows policies and processes to ensure fair and ethical behavior on the part of its governing board, administration, faculty and staff.**

#### B1. Statements of Evidence (check one below):

- Evidence demonstrates adequate progress in the area of focus.
- Evidence demonstrates that further organizational attention, rather than monitoring, is required in the area of focus.
- Evidence demonstrates that monitoring is required.
- Evidence demonstrates that HLC sanction is warranted.

The team will also note its determination as to each applicable Core Component or HLC requirement in Part B.

Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 2A is Not Met.

As further detailed below, the evidence indicates that the President and Board of Governors of Bluefield State University do not operate with integrity in several academic and human resource functions.

**Hiring Processes.** Faculty, staff and administrators interviewed indicated that on August 4, 2022, the President changed the policy on hiring (HR-713) to include a provision that allows the President to hire into any position without a formal search process. Board policies updated and approved on August 4, 2022, as part of the “University Improvement Package,” give the President almost unlimited control in the recruitment, appointment, and evaluation of faculty.

Those interviewed gave numerous examples of individuals hired without a formal search process, including faculty hires made by the President with no input from the faculty. The President recently

deemed as failed a search for a faculty member in Political Science because he felt the top two candidates (both minority candidates) did not have American political science credentials, even though that was not included in the position description.

During discussions with staff, the visit team was told that staff, including administrators, were moved into different positions with no search process, and that staff titles changed without notice. Some of the staff stated that they felt unqualified for the new position and additionally indicated that their jobs do not match the position descriptions.

**Faculty Senate/Faculty Assembly.** On November 3, 2022, the Board of Governors voted to disestablish the Faculty Senate. This was done despite widespread disapproval by the faculty, including a campus-wide faculty vote on October 28, 2022, confirmed by the minutes of that meeting, that affirmed their desire to keep the Faculty Senate model of shared governance. Board members defended their decision to the visit team by stating that the Faculty Senate did not routinely communicate their activities to the Board and did not ask for permission for their activities from the Board. The President indicated to the visit team that the Faculty Senate would not cooperate with him. He also said that he did not attend Faculty Senate meetings (although he is listed as a member) because he did not like some of the questions he was asked. The President also said he received formal complaints from faculty that they felt intimidated by Senate officers. The visit team spoke with a faculty member who asserted concerns in line with what the President told the team about Senate activities.

The President, General Counsel, and the Board said they wanted faculty governance to include all faculty. The Executive Vice President and General Counsel said that the Faculty Senate refused to update their membership policies to be more inclusive; however, in Fall 2022, the Faculty Senate revised Senate bylaws to open membership to all full-time faculty. The Senate approved these changes at the October 28, 2022 meeting, prior to the November 3, 2022 BOG vote to dissolve the Senate.

The new Bylaws for the Faculty Assembly, which began meeting in January 2023, were written by the Executive Vice President and General Counsel. He indicated that the Assembly should then modify these Bylaws and send them to the President for approval. The Bylaws also require presidential approval of all assembly agendas, which is not consistent with established principals of faculty governance.

The elimination of the Faculty Senate caused the elimination of all formal standing committees, including committees that oversee the curriculum, program review, and promotion and tenure review at the University-level. The current Faculty Assembly bylaws include a mandate that standing committees be formed that match the sub-committee structure of the Board of Governors (Athletics, Planning and Policy, Academic Affairs, Student Life, and Advancement). Given a lack of quorum at the majority of Assembly meetings, officers have been unable to form and populate committees. Therefore, for over 10 months the University has been without peer-based program review, curriculum, and promotion and tenure review at the University-level. Additionally, it is unclear how a committee structure that matches the Board committees would allow for the necessary shared governance processes to occur at the University-level.

**Staff Council.** The Staff Council has not met for over two years. Therefore, at this time there is no shared governance voice for staff. When asked why they were not meeting, those in attendance at the staff meeting said that there was concern that this would be seen as a threat by the administration.

**Use of Post-Tenure Review Process and Contract Renewal Process.** During the Focused Visit, visit team members heard concerns from both faculty and staff about situations in which the President, the Board and the Executive Vice President and General Counsel used the new post-tenure review process and contract non-renewal to penalize or eliminate those who did not agree with the President.

Approximately two weeks after the site visit, the visit team was contacted by a staff member who had raised concerns with the review team about being moved to a new position without formal notice. This individual stated that they had not applied for the new position and felt unqualified for the new position. In the follow up email, the staff member indicated that s/he had received a back-dated letter (to a date two weeks before the visit). This individual was then given a letter of termination. The staff member was provided no reason for the termination and was simply told that “we all serve at the will and pleasure of the President”. The visit team is concerned that this individual’s employment was terminated for raising these issues with the visit team and that others may also be terminated for speaking out during the site visit.

**Other Concerns with Post-Tenure review.** On August 4, 2022 as part of the “University Improvement Package” the President and Board of Governors developed and approved a post tenure review policy (AP-FC-001) with little input from faculty. The post tenure review is conducted by the appropriate academic dean, the Provost and the President. No faculty peer-review process is included in the policy. In the first year of the review, 11 faculty members including all faculty in the School of Business were required to go through the review. At least one of the business faculty members had just been tenured the previous year. Two faculty who were approved by the Dean and Provost were found to have insufficient credentials by the President. He cited HLC and ACBSP accreditation as the reason for his decision, although these faculty actually meet ACBSP, and thus HLC, standards. Evidence of this decision was provided by faculty in the form of a letter from the President dated May 12, 2023. These faculty were removed from several classes for the Fall 2022 semester due to the President’s decision.

## Area of Focus 2

### A2. Statement of Focus:

During the course of the visit, the review team found several areas of concern relative to actions of the Bluefield State University Board of Governors.

Relevant Core Component or other HLC requirement:

2.C. The governing board of the institution is autonomous to make decisions in the best interest of the institution in compliance with board policies and to ensure the institution’s integrity.

### B2. Statements of Evidence (check one below):

- Evidence demonstrates adequate progress in the area of focus.
- Evidence demonstrates that further organizational attention, rather than monitoring, is required in the area of focus.



- Evidence demonstrates that monitoring is required.
- Evidence demonstrates that HLC sanction is warranted.

The team will also note its determination as to each applicable Core Component or HLC requirement in Part B.

Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 2C is Not Met.

The visit team found evidence that the BSU Board of Governors is not making decisions in the best interest of the university, is not trained appropriately with respect to HLC policies and best practices for university shared governance, is unduly influenced by the University President, and does not provide faculty the opportunity to oversee the development and implementation of the curriculum.

**Lack of Faculty Input into Decision-Making Processes.** The Board and President rarely communicate with faculty on matters of interest such as the curriculum, faculty hiring processes, and post-tenure review. Minutes of Board meetings found on the BSU webpage are limited with little information about actual deliberations. The institution is encouraged to develop processes to more accurately reflect Board discussions including, if possible, verbatim minutes.

The Board is also encouraged to limit the use of executive session to issues of appointment, employment, compensation, discipline, performance or dismissal of specific employees or for fiduciary or legal matters. For example, at the January 5, 2023 Board meeting, an Executive Session was used to establish a Special Committee on Faculty Conduct with the Assistant to the President as Chair. There is no indication of why the Board felt this committee should be established. Deliberations about the need for such a committee should be public and be reflected in board minutes. At the Dec 15, 2022 Executive Session, the Board Chair stated that all classes would be “in seat” with all distance education restricted. Again, this was announced in an executive session with no faculty input. At this same executive session, the President presented his concerns about “Business School lack of performance, faculty performance, faculty rantings, faculty refusal to address problems, and subject matter content not aligned with community values.” It is difficult to understand how these topics can be addressed in executive session with no board minutes available to provide documentation of the President’s concerns.

The visit team was provided with numerous examples of the Board not considering reasonable and constructive input from the faculty in decision-making relative to academic and personnel policies. For example, the Academic Objectives were approved with no change even though several academic deans expressed concern during the August 4, 2022 Board meeting. The Post-tenure Review policy was approved with no input from faculty.

**Influence of President.** The Board appears to lack autonomy with respect to the President. Board actions seem personalized and reflect the President’s opinions toward a Faculty Senate “that does not cooperate” and the “five faculty who constantly challenge him.”

**Oversight of Academics.** The BSU Faculty have almost no oversight of the curriculum or other academic matters. The Board and President have implemented new Academic Objectives and new General Education requirements with almost no input from the faculty. Faculty were not given opportunity for oversight of the development, implementation or plans for evaluation for the objectives. Given the

disestablishment of all formal Faculty Senate Committees there is no process in place for university-level oversight of either the objectives or the General Education program itself.

In January 2022, following a presentation by the President, the Board Chair requested the Appointment of a Special Committee on Business Education. The committee was comprised of five board members and no faculty or members of the Provost's staff. The committee was charged with conducting a comprehensive review of the business school at Bluefield State University and submitting a report to the Board that included (1) an evaluation of the current faculty, curriculum and student population; (2) a comparison with the business education offered at peer institutions; (3) recommendations for strategies and actions that will produce the highest quality of business education; (4) an objective, external manner by which this process can be measured and excellence maintained.

There is one faculty member elected as a representative to the Board. However, in meeting with the Board, the visit team heard the Board Chair express concern that the past faculty representative did not agree with the rest of the board on significant matters (e.g., dissolution of the Faculty Senate, the establishment of Academic Objectives, and development of Post-Tenure Review processes). The Board Chair indicated he thought the new faculty representative would be more "agreeable."

### Area of Focus 3

#### A3. Statement of Focus:

During the course of the visit, the review team found several areas of concern relative to the institution's program quality and learning goals.

Relevant Core Component or other HLC requirement:

#### 3.A. The rigor of an institution's academic offerings is appropriate to higher education.

#### B3. Statements of Evidence (check one below):

- Evidence demonstrates adequate progress in the area of focus.
- Evidence demonstrates that further organizational attention, rather than monitoring, is required in the area of focus.
- Evidence demonstrates that monitoring is required.
- Evidence demonstrates that HLC sanction is warranted.

The team will also note its determination as to each applicable Core Component or HLC requirement in Part B.

Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 3A is Met with Concerns.

Actions by the President and Board have caused last minute changes to course scheduling, mode of delivery and instruction and have impacted the quality of the academic offerings.

**Changes to program length, time of offering and instructor.** Faculty and program directors gave several examples of last-minute changes to program length and time of offering. They also provided examples of last minutes changes to faculty teaching assignments leaving little time for course preparation. In almost all instances, the cause of these changes were perceived to be punitive actions by the President.

The visit team is concerned that students are not always given the same quality of education when instructors are provided little notice of schedule changes. Student leaders interviewed had noticed significant turn over of the faculty which has impacted their perception of their programs and the institution.

In one example, SOSC 200 Race in the Social Sciences, a requirement for all Social Sciences majors, was scheduled for Spring 2023 as a full 16-week course to be taught on Tuesdays from 4-6:50, a standard time slot. When the Board voted to suspend the instructor pending an investigation, the course was changed to a 10-week course to begin on 2/21/23, to coincide with the BOG subcommittee designated to investigate the suspension's decision by 2/17/23, and the class time was extended to 4-7:30. When it was discovered that an employment decision would not be made until the 2/23/23 BOG meeting, the appropriate Dean asked a senior administrator to instruct the class on 2/21; however, it is unclear what credentials this individual holds. Ultimately, that individual forgot to meet the class, so the Dean apologized to the students, and dismissed them. Because of that, the course became a 9-week course.

**Distance Education.** Another example of inconsistencies and changes without sufficient justification comes from the visit team's discussion with the President, who indicated "rampant cheating" in distance education. The visit team followed up with faculty and senior administrators in several discussions and were told that in fact he was referring to an isolated incident by one student. He has stated to several constituencies that he will be getting rid of all distance education except for the MBA and BSN programs because of this supposed rampant cheating, which was contradicted by every other person the team asked about it. At the Dec 15, 2022 Executive Session, the Board Chair stated that all classes would be "in seat" with all distance education restricted. His decision was announced in an executive session with no faculty input. The Provost indicated that the institution is hoping he changes his mind, but to-date no faculty have been asked to weigh in on the quality and viability of distance education at BSU. Faculty are concerned that the President is making a decision to change a mode of instruction for numerous courses and programs that is not based on program quality or rigor.

**Online certificate programs.** The President wanted an online certificate program that would be a profit center and not housed at the institution. The BSU Facebook page was used to advertise the certificate programs, which were described as being "student loan" eligible. The Vice President of Marketing was responsible for fielding requests for information from the BstateNow website. While it appears that no students were ever actually enrolled in BstateNow, these programs did not go through internal curricular

processes. No faculty oversight on the rigor and quality of the proposed BStateNow offerings, including program development and evaluation, occurred.

The Institution needs to ensure that course scheduling issues and last-minute changes to instructors and modes of delivery do not continue to impact program quality. Additionally, faculty need to be involved in program development and evaluation to ensure the quality of all programs.

#### Area of Focus 4

##### A4. Statement of Focus:

During the course of the visit, the review team found several areas of concern relative to the elimination of the Faculty Senate, which was done without provision made for the immediate reinstatement of a formal committee structure.

Relevant Core Component or other HLC requirement:

#### 4.A. The institution ensures the quality of its educational offerings.

##### B4. Statements of Evidence (check one below):

- Evidence demonstrates adequate progress in the area of focus.
- Evidence demonstrates that further organizational attention, rather than monitoring, is required in the area of focus.
- Evidence demonstrates that monitoring is required.
- Evidence demonstrates that HLC sanction is warranted.

The team will also note its determination as to each applicable Core Component or HLC requirement in Part B.

Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 4A is Not Met.

**Program Review.** The elimination of the Faculty Senate caused the elimination of all formal standing committees, including committees that oversee the curriculum, program review, and assessment. Given the difficulty the new Faculty Assembly is having in getting a quorum of members to attend regular meetings, it is unclear how soon the Assembly will be able to establish new standing committees, develop bylaws for the committees, populate the committees, and initiate university-level program review, assessment and curricular processes.

During the last calendar year, the institution has been continuing the program review process with the deans, provost and president conducting the review process. However, BOG policy AC-202 Program

Review indicates that a university-level committee will review program review documents and make recommendations to the Board. It does not appear that this committee is currently operating. Although requested, no calendar/schedule for program reviews and no recent outcomes of program reviews were provided to the visit team. No clear policies and practices are in place for program review.

## Area of Focus 5

### A5. Statement of Focus:

During the course of the visit, the review team found several areas of concern relative to the elimination of the Faculty Senate, which was done without provision made for the immediate reinstatement of a formal committee structure.

Relevant Core Component or other HLC requirement:

4.B. The institution engages in ongoing assessment of student learning as part of its commitment to the educational outcomes of its students.

### B5. Statements of Evidence (check one below):

- Evidence demonstrates adequate progress in the area of focus.
- Evidence demonstrates that further organizational attention, rather than monitoring, is required in the area of focus.
- Evidence demonstrates that monitoring is required.
- Evidence demonstrates that HLC sanction is warranted.

The team will also note its determination as to each applicable Core Component or HLC requirement in Part B.

Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 4B is Not Met.

**Assessment.** Given the elimination of the Faculty Senate and all formal standing committees, including committees that oversee the curriculum, program review, and assessment, no assessment of student learning appears to be occurring at the university-level.

7. **Other Accreditation Issues.** If applicable, list evidence of other accreditation issues, identify the related Core Components or other HLC requirements and note the team's determination as to each applicable Core Component or other HLC requirement in Part B.

## Area of Focus 6:

### A6 Statement of Focus:

During the course of the visit, the review team found several areas of concern relative to ineffective shared governance processes.

### Relevant Core Component or other HLC Requirement:

5.A. Through its administrative structures and collaborative processes, the institution's leadership demonstrates that it is effective and enables the institution to fulfill its mission.

### B6. Statements of Evidence:

X Evidence demonstrates that HLC Sanction is warranted.

### Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 5A is Not Met.

The institution does not currently have effective processes for shared governance for either faculty or staff and faculty are not provided opportunity for oversight of the curriculum.

**Shared Governance.** The Faculty Senate was disestablished by the Board of Governors despite a formal vote by faculty to keep the Faculty Senate model of faculty governance. Since January 2023 when the Faculty Assembly model was established by the BOG, only two meetings have been attended by a quorum of members. Thus, no standing committees have been established for essential processes such as university-level curricular, assessment, and program review, or for promotion, tenure and post-tenure peer-review processes.

The Staff Council has not met for at least two years. One senior administrator indicated that she is currently working to re-establish the Staff Council.

The Board of Governors and Administration appear to have placed strict parameters around how the Faculty Assembly may function. In a document delivered by Chief of Staff to the Assembly Chair titled "Notes for meeting with Julie Orr (FA Chair) on 9/28/23" he described how the Faculty Assembly may function and what they should accomplish in upcoming meetings.

**Academic Requirements.** The visit team found ample evidence through interviews with the Board, faculty, staff and administrators and through a review of Board minutes that the Board does not always involve faculty in setting academic requirements and that they are seen by faculty and academic administrators as top-down communicators rather than collaborators.

At its August 4, 2022 meeting, the Board of Governors adopted new Academic Objectives that were then used to propose modifications to the general education program. Although these objectives were sent out to campus for a 30-day notice period in June 2022, there is no indication in subsequent board meetings of a review of comments or discussion by the board. In fact, the Academic Deans interviewed

indicated they made a formal presentation to the Board regarding their concerns, but the objectives were not changed. It appears that the policy was approved as is with no modification based on faculty input. This unusual process of a board developing new academic objectives with little input from faculty raises concern about the lack of BSU faculty's role in oversight of the curriculum.

## Area of Focus 7

### A7. Statement of Focus:

During the course of the visit, the review team found several areas of concern related to the fact that the institution does not have qualified operational staff for all operations.

### Relevant Core Component or other HLC Requirement:

5.B. The institution's resource base supports its educational offerings and its plans for maintaining and strengthening their quality in the future.

### B7. Statement of Evidence

X Evidence demonstrates that HLC Sanction is warranted.

### Evidence:

Information gathered during the Focused Visit provides evidence that Core Component 5B is Not Met.

**Hiring Practices.** Faculty, staff, and administrators interviewed indicated that the Board recently changed the policy on hiring (403A) to include a provision that allows the President to hire into any position without a formal search process. Those interviewed gave numerous examples of individuals hired without a formal search process including faculty hires made by the President with no input from the faculty. During discussions with staff, the visit team was told that staff, including administrators, were moved into different positions with no search process, and that staff titles changed without notice. Some of the staff stated that they felt unqualified for the new position and additionally indicated that their jobs do not match the position descriptions. These hiring practices do not provide evidence that the institution's human resource base supports the mission of the institution and the educational programs offered, and undermines the institution's ability for long-term planning.

## Area of Focus 8:

### A8 Statement of Focus:

During the course of the visit, the review team found several areas of concern related to the fact that the President and Board of Governors were making significant decisions about the curriculum with little or no input from faculty and academic leadership.

### Relevant Core Component or other HLC Requirement:

Assumed Practice B. Teaching and Learning: Quality, Resources, and Support



## 2. Faculty Roles and Qualifications

- d. Faculty participate substantially in:
  - i. oversight of the curriculum—its development and implementation, academic substance, currency, and relevance for internal and external constituencies;
  - ii. assurance of consistency in the level and quality of instruction and in the expectations of student performance;
  - iii. establishment of the academic qualifications for instructional personnel;
  - iv. analysis of data and appropriate action on assessment of student learning and program completion.

### **B8. Statement of Evidence**

X Evidence demonstrates that Assumed Practice B is not met.

#### **Evidence:**

Information gathered during the Focused Visit provides evidence that Assumed Practice B.2.d. is Not Met.

**Faculty Oversight of Academic Matters.** The visit team has significant concerns that the Board and President are not collaborating with faculty on the development, implementation and evaluation of academic matters including university-wide academic objectives, general education, mode of course delivery, faculty hiring, faculty credentials and faculty evaluation.

The most significant concern involves the President and Board's implementation of new Academic Objectives and new General Education requirements with almost no input from the faculty. They were not given opportunity for oversight of the development, implementation or plans for evaluation for the objectives. Given the disestablishment of all formal Senate Committees there is no process in place for university-level oversight of either the objectives or the General Education program itself.

The Academic Deans described an "extreme lack of communication from the top down." New academic policies have been created by the President and BOG and put out with 30-day notice for comments in the summer when faculty are not under contract. Specifically, comments on the new Academic Objectives leading to changes in general education were distributed for comment in the summer.

The President has stated to several constituencies that he will be getting rid of all distance education except for the MBA and BSN programs. At no time has he met with appropriate staff or faculty about his plans to eliminate distance education, but he has spoken of it often to multiple groups. The Provost indicated that the institution is hoping he changes his mind, but to date no faculty have been asked to weigh in on the quality and viability of distance education at BSU.



## Part B: Recommendation and Rationale

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### Recommendation:

- Evidence demonstrates that no monitoring is required.
- Evidence demonstrates that monitoring is required.
- Evidence demonstrates that HLC sanction is warranted.

### Rationale for the Team's Recommendation

While this focused visit was initially to determine the institution's compliance with Core Component 2A, the team found multiple areas of concern during their visit to Bluefield State University. Information gathered during the Focused Visit provided evidence that the President and Board of Governors of Bluefield State University do not operate with integrity in several academic and human resource functions including, but not limited to, concerns about hiring processes, elimination of faculty governance processes, perceived retaliation by the Board of Governors, the President and select senior administrators, and lack of faculty input on several matters, including post-tenure review processes.

The team also found a significant lack of transparency in Board decision-making processes relative to faculty and academic concerns. Actions by the President and Board have at times led to diminishment of academic quality including lack of university-level processes for program review and assessment.

Under the direction of the President and Executive Vice President and General Counsel, the Board eliminated the Faculty Senate, doing so against the wishes of the faculty. Finally, the visit team has significant concerns about the Board and President's lack of collaboration with faculty on the development, implementation and evaluation of academic matters including university-wide academic objectives, general education, mode of course delivery, faculty hiring, faculty credentials and faculty evaluation.

The visit team found these concerns to be serious enough that it recommends that HLC issue a Show-Cause Order based on the findings of Not Met as to Core Components 2A, 2C, 4A, 4B, 5A and 5B, the finding of Met with Concerns as to Core Component 3A, and the finding of Not Met as to Assumed Practice B.2.d.

### Stipulations or Limitations on Future Accreditation Relationships

If recommending a change in the institution's stipulations, state both the old and new stipulation and provide a brief rationale for the recommended change. Check the Institutional Status and Requirement (ISR) Report for the current wording. (Note: After the focused visit, the institution's stipulations should be reviewed in consultation with the institution's HLC staff liaison.)

### Monitoring

The team may call for a follow-up interim report. If the team concurs that a report is necessary, indicate

the topic (including the relevant Core Components or other HLC requirements), timeline and expectations for that report. (Note: the team should consider embedding such a report as an emphasis in an upcoming comprehensive evaluation in consultation with the institution's HLC staff liaison.)

The team may call for a follow-up focused visit. If the team concurs that a visit is necessary, indicate the topic (including the relevant Core Components or other HLC requirements), timeline and expectations for that visit. (Note: The team should consider embedding such a visit as an emphasis in an upcoming comprehensive evaluation in consultation with the institution's staff liaison.)

### Core Component Determinations

Indicate the team's determination(s) (met, met with concerns, not met) for the applicable Core Components related to the areas of focus or other accreditation issues identified by the team in Part A. If a Core Component was not included in an area of focus, it should be marked as not evaluated.

Number	Title	Met	Met With Concerns	Not Met	Not Evaluated
1.A	Core Component 1.A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.B	Core Component 1.B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.C	Core Component 1.C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.A	Core Component 2.A	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.B	Core Component 2.B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.C	Core Component 2.C	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.D	Core Component 2.D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.E	Core Component 2.E	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.A	Core Component 3.A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.B	Core Component 3.B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.C	Core Component 3.C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.D	Core Component 3.D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Number	Title	Met	Met With Concerns	Not Met	Not Evaluated
4.A	Core Component 4.A	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.B	Core Component 4.B	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.C	Core Component 4.C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.A	Core Component 5.A	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.B	Core Component 5.B	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.C	Core Component 5.C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Other HLC Requirement Determinations

Indicate the team's determination(s) (met or not met) for the HLC requirements related to the areas of focus or other accreditation issues identified by the team in Part A.

Assumed Practice B.2.d.

X Not Met

# INTERNAL



## Institutional Status and Requirements (ISR) Worksheet

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### Review Details

**Institution:** Bluefield State University, West Virginia

**Type of Review:** Monitoring - Focused Visit

**Description:** A visit on potential concerns that remain regarding the Institution's compliance with the following requirement: Criterion Two, Core Component 2.A, "the institution establishes and follows policies and processes to ensure fair and ethical behavior on the part of its governing board, administration, faculty and staff," as it relates to the Institution's adherence to its established policies, particularly those policies referenced in the complaint.

**Review Dates:** 09/25/2023 - 09/26/2023

No Change in Institutional Status and Requirements

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### Accreditation Status

**Status:** Accredited

No Change

Recommended Change:

A Show-Cause Order

**Degrees Awarded:** Associates, Bachelors, Masters

No Change

Recommended Change:

### Reaffirmation of Accreditation:

Year of Last Reaffirmation of Accreditation: 2021 - 2022

Year of Next Reaffirmation of Accreditation: 2031 - 2032

No Change

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### Accreditation Stipulations

**General:**

The institution is approved at the following program level(s): Associate's, Bachelor's, Master's

The institution is not approved at the following program level(s): Specialist, Doctoral

The institution is limited to offer the following program(s) within the approved program levels listed above: Master of Business Administration

No Change

Recommended Change:

**Additional Locations:**

Prior HLC approval required.

Per HLC policy, an institution currently on provisional certification status is suspended from HLC's Notification Program for Additional Locations. If the institution meets the eligibility criteria for the program when the provisional certification is removed, then it will be reinstated.

No Change

Recommended Change:

**Distance and Correspondence Courses and Programs:**

Approved for distance education courses and programs. The institution has not been approved for correspondence education.

No Change

Recommended Change:

**Competency-Based Education:**

No Change

Recommended Change:

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**Accreditation Events**

**Pathway for Reaffirmation of Accreditation:** Open Pathway

- No Change
- Recommended Change:

**Upcoming Reviews:**

Comprehensive Evaluation Visit - 2031 - 2032

Mid-Cycle Review - 2025 - 2026

Federal Compliance Review - 2031 - 2032

- No Change
- Recommended Change: Hearing IAC in March 2024: Show Cause Order

**Upcoming Branch Campus or Additional Location Reviews:**

No Upcoming Reviews

- No Change
- Recommended Change:

**Monitoring**

**Upcoming Monitoring Reviews:**

No Upcoming Reviews

- No Change
- Recommended Change: Possible sanction visit follow-up depending on board action

**Institutional Data**

**Academic Programs Offered:**

<b>Undergraduate Programs</b>		
Associate Degrees:	5	<input checked="" type="checkbox"/> No Change <input type="checkbox"/> Recommended Change:
Baccalaureate Degrees:	20	<input checked="" type="checkbox"/> No Change <input type="checkbox"/> Recommended Change:
<b>Graduate Programs</b>		

Master's Degrees:	1	<input checked="" type="checkbox"/> No Change <input type="checkbox"/> Recommended Change:
Specialist Degrees:	0	<input checked="" type="checkbox"/> No Change <input type="checkbox"/> Recommended Change:
Doctoral Degrees:	0	<input checked="" type="checkbox"/> No Change <input type="checkbox"/> Recommended Change:
<b>Certificate Programs</b>		
Certificates:	4	<input checked="" type="checkbox"/> No Change <input type="checkbox"/> Recommended Change:

**Contractual Arrangements:**

No Contractual Arrangements

- No Change
- Recommended Change:

**Off-Campus Activities**

**Branch Campuses:**

No Branch Campuses

- No Change
- Recommended Change:

**Additional Locations:**

Erma C. Byrd Higher Education Center, 300 University Drive, Beaver, West Virginia 25813  
 UNITED STATES

- No Change
- Recommended Change: