WEST VIRGINIA CODE CHAPTER 18B ARTICLE 11

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§18B-11-1. Center for regional progress created; director powers; mission and purpose.

[Repealed].

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§18B-11-2. Institute for public affairs; creation and purposes.

(a) There is hereby created as an independent entity the institute for public affairs, to be located and operated at West Virginia University. The institute shall be under the control and supervision of a director, which position is to be filled by an individual whose credentials include accomplishments in the interdisciplinary academic fields and government. The director shall be appointed by the president of West Virginia University. The institute shall engage faculty from institutions of higher education throughout the state and shall cooperatively develop a program with other such institutions. The terms of such participation may be by contract, loan, part-time basis or other such arrangement.

(b) The institute is directed to conduct independent research and propose strategies and options on public issues and policies upon its own initiative or as may be requested by the executive or the Legislature.

(c) The institute is directed to seek all other funds, grants, and other sources of assistance from other agencies of government as well as the private sector.

(d) The director shall have administrative control and supervision of the institute.

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§18B-11-3. Institute for international trade development; creation and purpose.

[Repealed].

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§18B-11-4

Repealed

Acts, 2018 Reg. Sess., Ch. 105.

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§18B-11-5.

Repealed.

Acts, 2008 Reg. Sess., Ch. 72.

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§18B-11-6

Repealed

Acts, 2018 Reg. Sess., Ch. 105.

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§18B-11-7. Regional Brownfield Assistance Centers.

(a) For the purposes of this section, "eligible entities" means government entities as defined by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, at 42 U.S.C. §9604 or nonprofit organizations as defined by the federal Financial Assistance Management Improvement Act at 31 U.S.C. §6101.

(b) Marshall University and West Virginia University each shall establish a nonprofit Regional Brownfield Assistance Center through the corporations set out in article twelve of this chapter for the purposes of expediting the redevelopment of Brownfield sites. The Centers shall provide assistance to eligible entities on state and federal Brownfield programs, secure state and federal funding for Brownfield redevelopment and acquire property eligible for state and federal Brownfield assistance.

(c) The Center established by Marshall University serves the following counties:

(1) McDowell, Mercer, Monroe, Raleigh, Summers and Wyoming;

(2) Cabell, Lincoln, Logan, Mason, Mingo and Wayne;

(3) Boone, Clay, Kanawha and Putnam; and

(4) Braxton, Fayette, Greenbrier, Nicholas, Pocahontas and Webster.

(d) The Center established by West Virginia University serves the following counties:

(1) Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt and Wood;

(2) Brooke, Hancock, Marshall, Ohio and Wetzel;

(3) Barbour, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker and Upshur; and

(4) Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan and Pendleton.

(e) To accomplish the purposes of this section, the Regional Brownfield Assistance Centers each have powers and duties including, but not limited to, the following:

(1) Acquiring property that is eligible for state and federal Brownfield assistance pursuant to the Small Business Liability Relief and Brownfields Revitalization Act (Public Law No. 107-118, 185 stat. 2356) and the West Virginia Voluntary Remediation and Redevelopment Act established in article twenty-two, chapter twenty-two of this code;

(2) Serving as the developer of property or entering into partnerships, agreements or other contractual arrangements with other public or private entities for the purposes of managing and coordinating remediation and redevelopment activities;

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(3) Preparing an inventory of Brownfield sites within their respective geographic regions by July 1, 2006, and updating the inventory of sites annually;

(4) Promoting and coordinating the development of Brownfield property by providing training and technical assistance on Brownfield development, grant writing, site assessments, remediation, community involvement and site preparation to eligible entities;

(5) Administering federal Brownfield Job Training Grants, the Brownfields Revolving Fund, and other federal Brownfield financial assistance programs to assist eligible entities in their Brownfield development efforts;

(6) Coordinating efforts to secure federal Brownfield funding by establishing priority rankings and by other necessary measures to maximize federal financial assistance and eliminate overlapping competition for federal dollars;

(7) Coordinating the development and publication by July 1, 2006, of a website to provide education and appropriate information on Brownfields development in West Virginia; and

(8) Coordinating with the West Virginia Development Office and the Department of Environmental Protection to establish and track key Brownfield economic statistics and conduct Brownfield conferences, as appropriate.

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§18B-11-8. Washington Center for Civics, Culture, and Statesmanship.

(a) There is hereby created the Washington Center for Civics, Culture, and Statesmanship, to be located and operated at West Virginia University who shall work with the center to provide reasonable infrastructure, classroom space, and office space. The center is established for the purpose of creating and disseminating knowledge about classical western history and culture and American constitutional thought and forming future leaders of this state through research, scholarship, teaching, collaboration, and mentorship.

(b) The center's goals shall include, but not be limited to, the following:

(1) To enrich the curriculum in American constitutional studies, including the core texts, influential thinkers, and great debates of western civilization;

(2) To educate university students in political philosophy, constitutional governance, economic thought, western history and culture, and the principles that inform republican self-government;

(3) To educate university students in the foundations of responsible leadership and informed citizenship and to cultivate future generations of leaders in this state;

(4) To offer university-wide programming related to the values of open inquiry and civil discourse;

(5) To expand the intellectual diversity of the university's academic community and to create a rich forum for the development of ideas across the political and ideological spectrum;

(6) To support faculty and graduate student scholarship that advances understanding of American constitutional thought and institutions;

(7) To promote scholarly collaboration within the university and beyond; and

(8) To host lectures, debates, and symposia, and sponsor visiting scholars, speakers, teachers, and thinkers.

(c) The center shall adhere to the following policies:

(1) The center shall educate students by means of free, open, and rigorous intellectual

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inquiry to seek the truth;

(2) The center shall equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;

(3) The center shall value intellectual diversity in higher education, including in faculty recruitment, hiring, and appointment, and aspire to enhance the intellectual diversity of academic life at the university; and

(4) The center shall create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that naturally occur in a public university community.

(d) The center shall be a unit of the university with the authority to house tenure-track faculty who hold their appointments within the center. Not fewer than five tenure-track faculty positions shall be allotted to the center. Faculty appointed within the center shall not be required, but may be permitted, to hold joint or courtesy appointments within any other division of the university.

(e) To maintain accreditation, the center shall work with the university to develop and offer courses and may develop certificate, minor, major, and graduate programs, and offer degrees. The center shall work with the university to also develop a statesmanship minor that allows students taking different majors to study the principles of our republican government.

(f) The center shall be led by a director who shall report directly to the president of the university, the provost and the vice president for academic affairs. In consultation with the president of the university, the Governor shall, by and with the advice and consent of the Senate, appoint an initial director. The director shall be an expert on the western tradition, the American founding, and American constitutional thought, and shall have publicly demonstrated, through speeches, publications, or presentations, a commitment to the purposes, goals, and policies of the center. The director's term shall be for five years and shall be renewable. The director shall have the protection of tenure or tenure eligibility. Any existing tenure with the university held by a director shall be maintained with the university.

(g)(1) Not later than 120 days after the effective date of this section, the director shall appoint a seven-member center academic council. Four members of the council shall form a quorum.

(2) The academic council shall be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university.

(3) Three members of the academic council shall serve initial terms of two years and four members shall serve initial terms of four years, which the members shall determine at their

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first meeting, and select replacements for vacant seats. All subsequent terms after the initial terms shall last for four years.

(4) To fill a vacancy for the center director after the initial director, following a national search, the academic council shall transmit to the Governor and the president of the university a list of finalists from which, in consultation with the president of the university, the Governor shall, by and with the advice and consent of the Senate, shall select a director.

(h) The director has authority over the following enumerated areas, but shall exercise that authority in consultation with the president and the provost:

(1) Managing the recruitment and hiring process and extending offers for employment for all faculty and staff;

(2) Terminating the employment of any staff;

(3) Tenure decisions affecting the center's professors and teachers;

(4) Overseeing and developing the center's curriculum: *Provided*, That the director shall consult with the university pursuant to subsection (e) of this section to ensure that accreditation is maintained;

(5) The center's budget and expenditures;

(6) Scheduling and holding any conferences relevant to the center's mission; and

(7) Scheduling, inviting, and hosting speakers and presenters.

(i) Any employment contracts made pursuant to subsection (h) of this section to tenure-track faculty appointed to the center shall, subject to available funding guarantee:

(1) Reappointment elsewhere in the university, at the same rank and compensation, in the event the center is discontinued; and

(2) An office in the department to which the professor or teacher is reappointed in the event the center is discontinued. The office in the new department shall be comparable, to the extent practicable, to the office space utilized by the professor or teacher during his or her time working for the center.

(j) The center, its personnel, and its financial operations, including how personnel are hired and reviewed, and what academic units must spend on office space must adhere to all institutional policies and procedures.

(k) Members of the legislature, during or up to two years after the termination of their service in the legislature, shall not:

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(1) Be employed by the center in any capacity; or

(2) Serve as the director of the center.

(l) All instructional faculty at the center must meet the institution’s faculty qualifications policy which meets Higher Learning Commission requirements and expectations.

(m) All curriculum developed at the institution is required to be reviewed and approved through regular Board of Governor’s-level processes which includes expectations for faculty to perform meaningful assessment of learning.

(n) The director of the center shall submit an annual report to the West Virginia University Board of Governors and to the Joint Committee on Government and Finance. The report shall provide a full account of the center's achievements, opportunities, challenges, and obstacles in the development of this academic unit.

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