WEST VIRGINIA CODE: §18B-1B-6

§18B-1B-6. Appointment of institutional presidents; evaluation.

(a) *Appointment of institutional presidents.* — Appointment of presidents of the state institutions of higher education, except the statutorily exempted schools, shall be made as follows:

(1) The initial contract term for a president may not exceed two years. At the end of the initial contract period, and subject to the provisions of subsection (c) of this section, the governing board may offer the president a contract of longer duration, but not to exceed five years.

(2) The president of a state institution of higher education serves at the will and pleasure of the appointing governing board.

(3) The governing boards of the following institutions, appoint a president: Bluefield State College, Concord University, Fairmont State University, Glenville State College, Shepherd University, West Liberty University and West Virginia State University, West Virginia University, Marshall University, and the West Virginia School of Osteopathic Medicine.

(4) Subject to the approval of the council, the governing board of the community and technical college appoints a president for Blue Ridge Community and Technical College, Bridge Valley Community and Technical College, Eastern West Virginia Community and Technical College, Mountwest Community and Technical College, New River Community and Technical College, Pierpont Community and Technical College, Southern West Virginia Community and Technical College, West Virginia Northern Community and Technical College, and West Virginia University at Parkersburg.

(b) *Other appointments.* — The President of West Virginia University appoints a campus president to be the administrative head of Potomac State College of West Virginia University and a campus president to be the administrative head of West Virginia University Institute of Technology.

(c) *Evaluation of presidents.* —

(1) The appointing governing board shall conduct written performance evaluations of the institution's president. Evaluations shall be done at the end of the initial contract period and in every third year of employment as president thereafter, recognizing unique characteristics of the institution and using institutional personnel including classified employees if any are employed by the institution, boards of advisors as appropriate, staff of the appropriate governing board, and persons knowledgeable in higher education matters who are not otherwise employed by a governing board. A part of the evaluation shall be a determination of the success of the institution in meeting the requirements of its

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institutional compact and in achieving the goals, objectives, and priorities established in §18B-1-1 *et seq.* and §18B-1D-1 *et seq.* of this code.

(2) After reviewing the evaluations, the governing board shall decide by majority vote of its members on continuing employment and the compensation level for the president in accordance with subsection (a) of this section.

(d) The legislative rules of the commission and council promulgated in accordance with §18B-1-6 and §29A-3A-1 *et seq.* of this code which are in effect on January 1, 2014, continue in effect unless amended or repealed. The rules provide guidance for the governing boards, but are not applicable to the statutorily exempted or the administratively exempted schools, in filling vacancies in the office of president in accordance with this chapter and shall include, but are not limited to, clarifying the powers, duties and roles of the governing boards, commission, council, and chancellors in the presidential appointment process.

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