WEST VIRGINIA CODE: §18B-3-1

§18B-3-1. Legislative findings, purpose; intent; definition.

(a) The Legislature finds that an effective and efficient system of doctoral-level education is vital to providing for the economic well-being of the citizens of West Virginia and for accomplishing established state goals and objectives. As the institutions that focus on one or more of the following activities: research, masters-degree granting, doctoral-granting, medical doctoral-granting, or doctor of osteopathy doctor-granting; doctoral-granting medical doctoral-granting, or doctor of osteopathy doctor-granting public universities in the state, Marshall University, West Virginia University and the School of Osteopathic Medicine are major assets to the citizens of West Virginia and must be an integral part of any plan to strengthen and expand the economy and improve health outcomes for the citizenry.

(b) The Legislature further finds that these three institutions must compete in both a national and global environment that is rapidly changing, while they continue to provide high quality education that is both affordable and accessible and remain accountable to the people of West Virginia for the most efficient and effective use of scarce resources.

(c) The Legislature further finds that the exempted schools, under the direction of their respective governing boards, may manage operational governance of their institutions in an efficient and accountable manner and may best fulfill their public missions when their governing boards are given flexibility and autonomy sufficient to meet state goals, objectives and priorities established in this article, and in section one-a, article one and article one-d of this chapter.

(d) Therefore, the purposes of this article include, but are not limited to, the following:

(1) Enhancing the competitive position of the exempted schools in the current environment for research and medical professional development;

(2) Providing the governing boards of these institutions with operational flexibility and autonomy in certain areas, including tools to promote economic development and healthcare in West Virginia;

(3) Encouraging the development of research and medical expertise in areas directly beneficial to the state;

(4) Focusing the attention and resources of the governing boards on state goals, objectives and priorities to enhance the competitive position of the state and the economic, social, health, and cultural well-being of its citizens; and

(5) Providing additional autonomy and operational flexibility and assigning certain additional responsibilities to governing boards of other state institutions of higher education.

WV Legislature

(e) The governing boards of the exempted schools each have the power and the obligation to perform functions, tasks and duties as prescribed by law.

(f) While the governing boards may choose to delegate powers and duties to their respective presidents pursuant to subsection(s), section four, article two-a of this chapter, ultimately, it is they who are accountable to the Legislature, the Governor and the citizens of West Virginia for meeting the established state goals, objectives and priorities set forth in this article, and in section one-a, article one and article one-d of this chapter. Therefore, grants of operational flexibility and autonomy are made directly to the governing boards and are not grants of operational flexibility and autonomy to the president of an institution.

WV Legislature