WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 255

(By Mr. CARBICAN)

PASSED MARCH 9, 1971

In Effect NINETY DAYS FROM Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 4-2-71
ENROLLED

Senate Bill No. 255
(By Mr. Carrigan)

[Passed March 9, 1971; in effect ninety days from passage.]

AN ACT to repeal section fifteen-a, article two; section nine-b, article eleven; section one, article sixteen; and section eleven, article twenty-four, all of chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend article twenty-six, chapter eighteen of said code by adding thereto a new section, designated section thirteen, relating to branch colleges, off-campus locations of state universities and colleges, community colleges, and all other state institutions of higher education offering only programs of two years or less duration.

Be it enacted by the Legislature of West Virginia:

That section fifteen-a, article two; section nine-b, article
eleven; section one, article sixteen; and section eleven, article
twenty-four, all of chapter eighteen of the code of West Vir­
ginia, one thousand nine hundred thirty-one, as amended, be re­pealed; and that article twenty-six, chapter eighteen of said
code be amended by adding thereto a new section, designated
section thirteen, to read as follows:

ARTICLE 26. WEST VIRGINIA BOARD OF REGENTS.

§18-26-13. Continuance, establishment and operation of branch
colleges, off-campus locations of state universities
and colleges, and community colleges.

1 (a) The board of regents is authorized and empowered
to continue to operate and maintain any branch colleges
and off-campus locations of state universities and colleges
heretofore established including Potomac State College
of West Virginia University, the Parkersburg branch of
West Virginia University, the Logan and Williamson
branches of Marshall University, the Hancock county
branch and the Wheeling campus of West Liberty State
College.

10 (b) Notwithstanding any other provisions of this code
to the contrary, the board of regents may designate any
one, several or all of the existing branches or off-campus locations of the state universities and colleges (including Potomac State College of West Virginia University, the Parkersburg branch of West Virginia University, the Logan and Williamson branches of Marshall University, and the Hancock county branch and the Wheeling campus of West Liberty State College) to be established as community colleges responsible directly to and subject to the governance of the board of regents. The board of regents shall determine programs to be offered in each community college, provided such programs are of two years or less duration, fix enrollments, designate a name for each community college, employ a president and such staff and faculty as determined appropriate, appoint an advisory board for each institution consistent with section nine of this article and exercise such general determination, control supervision and management of the financial, business and educational policies and affairs of each community college as is provided in this chapter.

(c) The board of regents may fix tuition and establish and set such other fees to be charged students as it deems
appropriate, retaining the same in a revolving fund for
the partial or full support, including the making of capital
improvements, of any branch college or off-campus loca-
tion of a state university or college authorized to be con-
tinued in subsection (a) of this section or of any commu-
nity college designated or established under the authority
granted in subsection (b) of this section. Funds collected
at any such branch college, off-campus location of a state
university or college, or community college may be used
only for the benefit of the institution at which collected.
The board of regents may also establish special fees for
such purposes as, including but not limited to, health
services, student activities, student recreation, athletics
or any other extracurricular purposes. Such special fees
shall be paid into special funds and used only for the
purposes for which collected.

(d) The board of regents may allocate from the ap-
propriations for the state system of higher education fund
for the operation and capital improvement of any insti-
tution continued under authority of subsection (a) of
this section or designated or established as a community
college under authority of subsection (b) of this section and may accept federal grants, funds from county boards of education, other local governmental bodies, corporations or persons. The board may enter into memoranda of agreements with such governmental bodies, corporations or persons for the use or acceptance of local plant facilities and/or the acceptance of grants or contributions toward the cost of the acquisition or construction of such facilities. Such local governmental bodies may convey capital improvements, or lease the same without monetary consideration, to the board, for the use by the institution, and the board may accept such facilities or the use or lease thereof, and such grants or contributions, for such purposes from such governmental bodies, the federal government or any corporation or person.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within _______ this the _______ day of _______, 1971.

Governor