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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 255

(By Mr. CARRIGAN)

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

6-5-2

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twenty-four, all of chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that article twenty-six, chapter eighteen of said code be amended by adding thereto a new section, designated section thirteen, to read as follows: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
- 2 to continue to operate and maintain any branch colleges
- 3 and off-campus locations of state universities and colleges
- 4 heretofore established including Potomac State College
- 5 of West Virginia University, the Parkersburg branch of
- 6 West Virginia University, the Logan and Williamson
- 7 branches of Marshall University, the Hancock county
- 8 branch and the Wheeling campus of West Liberty State
- 9 College.
- 10 (b) Notwithstanding any other provisions of this code
- 11 to the contrary, the board of regents may designate any

12 one, several or all of the existing branches or off-campus
13 locations of the state universities and colleges (including
14 Potomac State College of West Virginia University, the
15 Parkersburg branch of West Virginia University, the
16 Logan and Williamson branches of Marshall University,
17 and the Hancock county branch and the Wheeling campus
18 of West Liberty State College) to be established as com-
19 munity colleges responsible directly to and subject to the
20 governance of the board of regents. The board of regents
21 shall determine programs to be offered in each community
22 college, provided such programs are of two years or less
23 duration, fix enrollments, designate a name for each com-
24 munity college, employ a president and such staff and
25 faculty as determined appropriate, appoint an advisory
26 board for each institution consistent with section nine
27 of this article and exercise such general determination,
28 control supervision and management of the financial, busi-
29 ness and educational policies and affairs of each com-
30 munity college as is provided in this chapter.

31 (c) The board of regents may fix tuition and establish
32 and set such other fees to be charged students as it deems

33 appropriate, retaining the same in a revolving fund for
34 the partial or full support, including the making of capital
35 improvements, of any branch college or off-campus loca-
36 tion of a state university or college authorized to be con-
37 tinued in subsection (a) of this section or of any commu-
38 nity college designated or established under the authority
39 granted in subsection (b) of this section. Funds collected
40 at any such branch college, off-campus location of a state
41 university or college, or community college may be used
42 only for the benefit of the institution at which collected.
43 The board of regents may also establish special fees for
44 such purposes as, including but not limited to, health
45 services, student activities, student recreation, athletics
46 or any other extracurricular purposes. Such special fees
47 shall be paid into special funds and used only for the
48 purposes for which collected.

49 (d) The board of regents may allocate from the ap-
50 propriations for the state system of higher education fund
51 for the operation and capital improvement of any insti-
52 tution continued under authority of subsection (a) of
53 this section or designated or established as a community

54 college under authority of subsection (b) of this section
55 and may accept federal grants, funds from county boards
56 of education, other local governmental bodies, corpora-
57 tions or persons. The board may enter into memoranda
58 of agreements with such governmental bodies, corpora-
59 tions or persons for the use or acceptance of local plant
60 facilities and/or the acceptance of grants or contribu-
61 tions toward the cost of the acquisition or construction
62 of such facilities. Such local governmental bodies may
63 convey capital improvements, or lease the same without
64 monetary consideration, to the board, for the use by the
65 institution, and the board may accept such facilities
66 or the use or lease thereof, and such grants or contribu-
67 tions, for such purposes from such governmental bodies,
68 the federal government or any corporation or person.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Fussell H. Bence
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

Norman K. Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. H. G. G. G.
President of the Senate

Nov. F. Boiausk
Speaker House of Delegates

The within *approved* this the *1st*
day of *April*, 1971.

Arch. A. Shaver, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/13/71

Time 3:45 p.m.

RECEIVED

APR 2 11 53 PM '71

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA