

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-29-81

Time _____

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

NO: 635

ENROLLED

Committee Substitute for
SENATE BILL NO. 635

(By Mr. *McGraw* *Mr. President*)

PASSED April 11, 1981

In Effect from Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 635

(MR. MCGRAW, MR. PRESIDENT, *original sponsor*)

[Passed April 11, 1981; in effect from passage.]

AN ACT to amend and reenact section twenty-five, article twenty-six, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to changing provisions for leave of absence for a tenured professional for nonelected governmental employment while retaining tenure, rank and position.

Be it enacted by the Legislature of West Virginia:

That section twenty-five, article twenty-six, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 26. WEST VIRGINIA BOARD OF REGENTS.

§18-26-25. Effect of leave of absence on academic tenure, rank, etc.

1 Any other provision of law to the contrary notwithstanding
2 any tenured professional at any higher educational institution subject to the control and supervision
3 of West Virginia board of regents, who shall, with the
4 consent of the governing authority of the higher educational institutions by which he is employed, absent himself
5 from his duties at such institution to accept employment in any nonelected governmental capacity shall be
6 afforded such benefits of academic tenure, rank and
7 position as if such person had remained continuously in
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11 the position retained and held at such higher educational
12 institutions immediately preceding any such absence:
13 *Provided*, That such leave of absence shall not exceed two
14 years: *Provided, however*, That tenure and rank may be
15 retained during an absence of more than two years if the
16 president of the institution from which such person is on
17 leave of absence submits in writing during each of such
18 years a request for such retention to the board of regents,
19 and the board of regents approves such request for each
20 such year: *Provided further*, That any individual who re-
21 mains in governmental employment with leave granted in
22 accordance with this section shall forfeit all rights to
23 academic tenure, rank and position formerly held by him
24 at such institution after the eighth year of such employ-
25 ment.

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

R. P. Bayler

Chairman Senate Committee

Tony E. Whitlow

Chairman House Committee

Originated in the Senate.

To take effect from passage.

Todd C. Willis

Clerk of the Senate

V. Blankenship

Clerk of the House of Delegates

Warren R. Shaw

President of the Senate

Orville H. Lee, Jr.

Speaker House of Delegates

The within *is approved* this the *29*

day of *April*, 1981.

John R. Rhymer

Governor



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SECY. OF STATE