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WHL GET AND SELECTION

# **WEST VIRGINIA LEGISLATURE**

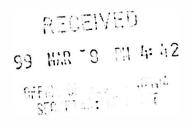
**REGULAR SESSION, 1999** 

# **ENROLLED**

SENATE BILL NO. 139

(By Senators Femblin Mr. President and Sprause, By Request of the Executive)

PASSED <u>February</u> 24, 1999 In Effect minity day from Passage



## ENROLLED

#### **COMMITTEE SUBSTITUTE**

FOR

## Senate Bill No. 139

(By Senators Tomblin, Mr. President, and Sprouse, By Request of the Executive, original sponsors)

[Passed February 24, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article six, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to institutional boards of advisors; expanding the number of members; and allowing persons who are not citizens of the state to serve as members.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. ADVISORY COUNCILS OF FACULTY.

### §18B-6-1. Institutional boards of advisors.

(a) There is established at each state institution of higher 2 education, hereinafter referred to as the "institution", excluding centers and branches thereof, an institutional 3 board of advisors. The board of advisors consists of fifteen members, including an administrative officer of the institution appointed by the president of the institution; a full-time member of the faculty with the rank of instructor 7 or above duly elected by the faculty; a member of the 8 student body in good academic standing, enrolled for college credit work and duly elected by the student body; 10 11 a member of the institutional classified staff duly elected 12 by the classified staff; and appointed by the appropriate 13 governing board, eleven lay persons who have demonstrated a sincere interest in and concern for the welfare of 14 15 that institution and who are representative of its popula-16 tion and fields of study. At least seven of the eleven lay 17 persons appointed shall be residents of the state. Of the lay members who are residents of the state, at least two 18 19 shall be alumni of the institution, and no more than a 20 simple majority may be of the same political party.

21 The administrative officer and student member shall 22 serve for a term of one year; the faculty member and the 23 classified staff member shall serve for a term of two years and the eleven lay members shall serve terms of four years 24 each. All members, except the administrative officer, are 25 26 eligible to succeed themselves for no more than one 27 additional term. A vacancy in an unexpired term of a member shall be filled within sixty days of the occurrence 28 29 thereof in the same manner as the original appointment or 30 election. Except in the case of a vacancy, all elections 31 shall be held and all appointments shall be made no later than the thirtieth day of April preceding the commence-32 33 ment of the term.

Each board of advisors shall hold a regular meeting at least quarterly, commencing in July of each year. Additional meetings may be held upon the call of the chairman, president of the institution or upon the written request of at least four members. A majority of the members consti-

- tutes a quorum for conducting the business of the board ofadvisors.
- 41 (b) One of the eleven lay members shall be elected as 42 chairman by the board of advisors in July of each year: 43 *Provided*, That no member may serve as chairman for 44 more than two consecutive years at a time.
- 45 The president of the institution shall make available 46 resources of the institution for conducting the business of the board of advisors. The members of the board of 47 48 advisors shall be reimbursed for all reasonable and 49 necessary expenses actually incurred in the performance 50 of their official duties under this section upon presentation 51 of an itemized sworn statement thereof. All expenses 52 incurred by the board of advisors and the institution under 53 this section shall be paid from funds allocated to the 54 institution for that purpose.
- 55 (c) The board of advisors shall review, prior to the 56 submission by the president to its governing board, all 57 proposals of the institution in the areas of mission, aca-58 demic programs, budget, capital facilities and such other matters as requested by the president of the institution or 59 60 its governing board or otherwise assigned to it by law. The board of advisors shall comment on each such proposal in 61 writing, with such recommendations for concurrence 62 63 therein or revision or rejection thereof as it considers 64 proper. The written comments and recommendations shall 65 accompany the proposal to the governing board and the governing board shall include the comments and recom-66 67 mendations in its consideration of and action on the 68 proposal. The governing board shall promptly acknowl-69 edge receipt of the comments and recommendations and 70 shall notify the board of advisors in writing of any action 71 taken thereon.
  - (d) The board of advisors shall review, prior to their implementation by the president, all proposals regarding institution-wide personnel policies. The board of advisors may comment on the proposals in writing.

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76 (e) The board of advisors shall provide advice and 77 assistance to the president in establishing closer connec94

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78 tions between higher education and business, labor, 79 government, community and economic development 80 organizations to give students greater opportunities to 81 experience the world of work, such as business and 82 community service internships, apprenticeships and 83 cooperative programs; to communicate better and serve 84 the current work force and work force development needs 85 of their service area, including the needs of nontraditional 86 students for college-level skills upgrading and retraining 87 and the needs of employers for specific programs of 88 limited duration; and to assess the performance of the 89 institution's graduates and assist in job placement. The 90 administrative officer of the institution serving on the 91 advisory council may be assigned the responsibility for 92 coordinating the institution's activities related to eco-93 nomic development.

(f) Upon the occurrence of a vacancy in the office of president of the institution, the board of advisors shall serve as a search and screening committee for candidates to fill the vacancy under guidelines established by its governing board. When serving as a search and screening committee, the board of advisors and its governing board are each authorized to appoint up to three additional persons to serve on the committee as long as the search and screening process is in effect. The three additional appointees of the board of advisors shall be faculty members of the institution. Only for the purposes of the search and screening process, the additional members shall possess the same powers and rights as the regular members of the board of advisors, including reimbursement for all reasonable and necessary expenses actually incurred. Following the search and screening process, the committee shall submit the names of at least three candidates to the governing board for consideration and appointment. If the governing board rejects all candidates submitted, the committee shall submit the names of at least three additional candidates, and this process shall be repeated until the governing board appoints one of the candidates submitted. The governing board shall provide all necessary staff assistance to the board of advisors in its role as a search and screening committee.

Governor

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

Chairman Senate Committee Chairman House Committee Originating in the Senate. In effect linety days from passage Clerk of the Senate Clerk of the House of Delegates Speaker House of Delegates this the ... Th The within...... Day of ..... ر1999 ,....

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GOVERNOR

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