WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

ENROLLED

Committee Substitute for

SENATE BILL NO. 139

(By Senators Tomlin, Mr. President and Sprague, by Recess of the Executive)

PASSED February 24, 1999

In Effect ninety days 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 education, hereinafter referred to as the “institution”, excluding centers and branches thereof, an institutional 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 or above duly elected by the faculty; a member of the student body in good academic standing, enrolled for college credit work and duly elected by the student body; a member of the institutional classified staff duly elected by the classified staff; and appointed by the appropriate governing board, eleven lay persons who have demonstrated a sincere interest in and concern for the welfare of that institution and who are representative of its population and fields of study. At least seven of the eleven lay persons appointed shall be residents of the state. Of the lay members who are residents of the state, at least two shall be alumni of the institution, and no more than a simple majority may be of the same political party.

The administrative officer and student member shall serve for a term of one year; the faculty member and the classified staff member shall serve for a term of two years and the eleven lay members shall serve terms of four years each. All members, except the administrative officer, are eligible to succeed themselves for no more than one additional term. A vacancy in an unexpired term of a member shall be filled within sixty days of the occurrence thereof in the same manner as the original appointment or election. Except in the case of a vacancy, all elections shall be held and all appointments shall be made no later than the thirtieth day of April preceding the commencement 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 of advisors.

(b) One of the eleven lay members shall be elected as chairman by the board of advisors in July of each year: Provided, That no member may serve as chairman for more than two consecutive years at a time.

The president of the institution shall make available resources of the institution for conducting the business of the board of advisors. The members of the board of advisors shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of their official duties under this section upon presentation of an itemized sworn statement thereof. All expenses incurred by the board of advisors and the institution under this section shall be paid from funds allocated to the institution for that purpose.

(c) The board of advisors shall review, prior to the submission by the president to its governing board, all proposals of the institution in the areas of mission, academic programs, budget, capital facilities and such other matters as requested by the president of the institution or its governing board or otherwise assigned to it by law. The board of advisors shall comment on each such proposal in writing, with such recommendations for concurrence therein or revision or rejection thereof as it considers proper. The written comments and recommendations shall accompany the proposal to the governing board and the governing board shall include the comments and recommendations in its consideration of and action on the proposal. The governing board shall promptly acknowledge receipt of the comments and recommendations and shall notify the board of advisors in writing of any action 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.

(e) The board of advisors shall provide advice and assistance to the president in establishing closer connec-
tions between higher education and business, labor, government, community and economic development organizations to give students greater opportunities to experience the world of work, such as business and community service internships, apprenticeships and cooperative programs; to communicate better and serve the current work force and work force development needs of their service area, including the needs of nontraditional students for college-level skills upgrading and retraining and the needs of employers for specific programs of limited duration; and to assess the performance of the institution's graduates and assist in job placement. The administrative officer of the institution serving on the advisory council may be assigned the responsibility for coordinating the institution's activities related to economic 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.
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 ninety 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 Month, 1999

Governor
PRESENTED TO THE
GOVERNOR

Date 3/9/09
Time 5:02 pm