

SB 483

WEST VIRGINIA LEGISLATURE
EIGHTY-FIRST LEGISLATURE
REGULAR SESSION, 2014



ENROLLED

Senate Bill No. 48

(BY SENATORS LAIRD, PLYMALE, MILLER AND STOLLINGS)

[PASSED MARCH 6, 2014; IN EFFECT FROM PASSAGE.]

OFFICE WEST VIRGINIA
SECRETARY OF SENATE

2014 MAR 14 P 2:07

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Senate Bill No. 483

**OFFICE WEST VIRGINIA
SECRETARY OF STATE**

(BY SENATORS LAIRD, PLYMALE, MILLER AND STOLLINGS)

[Passed March 6, 2014; in effect from passage.]

AN ACT to amend and reenact §18B-1B-6 of the Code of West Virginia, 1931, as amended, relating to renaming the administrative heads of Potomac State College of West Virginia University and West Virginia University Institute of Technology; and updating obsolete provisions.

Be it enacted by the Legislature of West Virginia:

That §18B-1B-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1B. HIGHER EDUCATION POLICY COMMISSION.

§18B-1B-6. Appointment of institutional presidents; evaluation.

1 (a) *Appointment of institutional presidents.* –
2 Appointment of presidents of the state institutions of higher
3 education shall be made as follows:

4 (1) The initial contract term for a president of a state
5 institution of higher education may not exceed two years. At
6 the end of the initial contract period, and subject to the
7 provisions of subsection (c) of this section, the governing

8 board may offer the president a contract of longer duration,
9 but not to exceed five years.

10 (2) The president of a state institution of higher education
11 serves at the will and pleasure of the appointing governing
12 board.

13 (3) Subject to the approval of the commission, the
14 governing board of the institution appoints a president for
15 Bluefield State College, Concord University, Fairmont State
16 University, Glenville State College, Marshall University,
17 Shepherd University, West Liberty University, West Virginia
18 School of Osteopathic Medicine, West Virginia State
19 University and West Virginia University.

20 (4) Subject to the approval of the council, the governing
21 board of the community and technical college appoints a
22 president for Blue Ridge Community and Technical College,
23 BridgeValley Community and Technical College, Eastern
24 West Virginia Community and Technical College,
25 Mountwest Community and Technical College, New River
26 Community and Technical College, Pierpont Community and
27 Technical College, Southern West Virginia Community and
28 Technical College, West Virginia Northern Community and
29 Technical College and West Virginia University at
30 Parkersburg.

31 (b) *Other appointments.* – The President of West Virginia
32 University appoints a campus president to be the
33 administrative head of Potomac State College of West
34 Virginia University and a campus president to be the
35 administrative head of West Virginia University Institute of
36 Technology.

37 (c) *Evaluation of presidents.* –

38 (1) The appointing governing board shall conduct written
39 performance evaluations of the institution's president.
40 Evaluations shall be done at the end of the initial contract
41 period and in every third year of employment as president
42 thereafter, recognizing unique characteristics of the
43 institution and using institutional personnel, boards of
44 advisors as appropriate, staff of the appropriate governing
45 board and persons knowledgeable in higher education matters
46 who are not otherwise employed by a governing board. A
47 part of the evaluation shall be a determination of the success
48 of the institution in meeting the requirements of its
49 institutional compact and in achieving the goals, objectives
50 and priorities established in articles one and one-d of this
51 chapter.

52 (2) After reviewing the evaluations, the governing board
53 shall make a determination by majority vote of its members
54 on continuing employment and the compensation level for the
55 president in accordance with subsection (a) of this section.

56 (d) The legislative rules of the commission and council
57 promulgated in accordance with section six, article one of this
58 chapter and article three-a, chapter twenty-nine-a of this code
59 which are in effect on January 1, 2014, continue in effect
60 unless amended or repealed. The rules provide guidance for
61 the governing boards in filling vacancies in the office of
62 president in accordance with this chapter and shall include,
63 but are not limited to, clarifying the powers, duties and roles
64 of the governing boards, commission, council and chancellors
65 in the presidential appointment process.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
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Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
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Speaker of the House of Delegates

The within *is approved* this
the *14th* Day of *March*, 2014.

[Signature]
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 13 2014

Time 4:30 pm