

1 served best when the membership of each governing board includes
2 the following:

3 (1) The academic expertise and institutional experience of
4 faculty members and a student of the institution governed by the
5 board;

6 (2) The technical or professional expertise and institutional
7 experience of a classified employee of the institution governed by
8 the board;

9 (3) An awareness and understanding of the issues facing the
10 institution governed by the board; and

11 (4) The diverse perspectives that arise from a membership that
12 is balanced in terms of gender and varied in terms of race and
13 ethnic heritage.

14 (b) *Boards of governors established.* --

15 A board of governors is continued at each of the following
16 institutions: Bluefield State College, Blue Ridge Community and
17 Technical College, Bridgemont Community and Technical College,
18 Concord University, Eastern West Virginia Community and Technical
19 College, Fairmont State University, Glenville State College,
20 Kanawha Valley Community and Technical College, Mountwest Community
21 and Technical College, Marshall University, New River Community and
22 Technical College, Pierpont Community and Technical College,
23 Shepherd University, Southern West Virginia Community and Technical
24 College, West Liberty University, West Virginia Northern Community

1 and Technical College, the West Virginia School of Osteopathic
2 Medicine, West Virginia State University, West Virginia University
3 and West Virginia University at Parkersburg.

4 (c) *Board Membership.* --

5 (1) An appointment to fill a vacancy on the board or
6 reappointment of a member who is eligible to serve an additional
7 term is made in accordance with the provisions of this section.

8 (2) The Board of Governors for Marshall University consists of
9 sixteen persons. The Board of Governors for West Virginia
10 University consists of seventeen persons. The boards of governors
11 of the other state institutions of higher education consist of
12 twelve persons.

13 (3) Each board of governors includes the following members:

14 (A) A full-time member of the faculty with the rank of
15 instructor or above duly elected by the faculty of the respective
16 institution;

17 (B) A member of the student body in good academic standing,
18 enrolled for college credit work and duly elected by the student
19 body of the respective institution; and

20 (C) A member from the institutional classified employees duly
21 elected by the classified employees of the respective institution;

22 (4) For the Board of Governors at Marshall University,
23 thirteen lay members appointed by the Governor, by and with the
24 advice and consent of the Senate, pursuant to this section;

1 (5) For the Board of Governors at West Virginia University,
2 twelve lay members appointed by the Governor, by and with the
3 advice and consent of the Senate, pursuant to this section, and
4 additionally:

5 (A) The chairperson of the board of visitors of West Virginia
6 University Institute of Technology;

7 (B) A full-time faculty member representing the extension
8 service at the institution or a full-time faculty member
9 representing the health sciences, selected by the faculty senate.

10 (6) For each board of governors of the other state
11 institutions of higher education, nine lay members appointed by the
12 Governor, by and with the advice and consent of the Senate,
13 pursuant to this section.

14 (A) Of the nine members appointed by the Governor, no more
15 than five may be of the same political party. Of the thirteen
16 members appointed by the Governor to the governing board of
17 Marshall University, no more than eight may be of the same
18 political party. Of the twelve members appointed by the Governor
19 to the governing board of West Virginia University, no more than
20 seven may be of the same political party.

21 (B) Of the nine members appointed by the Governor, at least
22 five shall be residents of the state. Of the thirteen members
23 appointed by the Governor to the governing board of Marshall
24 University, at least eight shall be residents of the state. Of the

1 twelve members appointed by the Governor to the governing board of
2 West Virginia University, at least seven shall be residents of the
3 state.

4 (7) In making lay appointments, the Governor shall consider
5 the institutional mission and membership characteristics including
6 the following:

7 (A) The need for individual skills, knowledge and experience
8 relevant to governing the institution;

9 (B) The need for awareness and understanding of institutional
10 problems and priorities, including those related to research,
11 teaching and outreach;

12 (C) The value of gender, racial and ethnic diversity; and

13 (D) The value of achieving balance in gender and diversity in
14 the racial and ethnic characteristics of the lay membership of each
15 board.

16 (d) *Board member terms.* --

17 (1) The student member serves for a term of one year. Each
18 term begins on July 1.

19 (2) The faculty member serves for a term of two years. Each
20 term begins on July 1. Faculty members are eligible to succeed
21 themselves for three additional terms, not to exceed a total of
22 eight consecutive years.

23 (3) The member representing classified employees serves for a
24 term of two years. Each term begins on July 1. Members

1 representing classified employees are eligible to succeed
2 themselves for three additional terms, not to exceed a total of
3 eight consecutive years.

4 (4) The appointed lay citizen members serve terms of up to
5 four years each and are eligible to succeed themselves for no more
6 than one additional term.

7 (5) A vacancy in an unexpired term of a member shall be filled
8 for the unexpired term within thirty days of the occurrence of the
9 vacancy in the same manner as the original appointment or election.
10 Except in the case of a vacancy, all elections are held and all
11 appointments are made no later than June 30 preceding the
12 commencement of the term. Each board of governors shall elect one
13 of its appointed lay members to be chairperson in June of each
14 year. A member may not serve as chairperson for more than four
15 consecutive years, unless at the end of a term of four consecutive
16 years there are no nominations for election of a new chairperson
17 and the current chairperson is willing to continue to serve in that
18 capacity until a new chairperson is elected.

19 (6) The appointed members of the boards of governors serve
20 staggered terms of up to four years except that four of the initial
21 appointments to the governing boards of community and technical
22 colleges that became independent July 1, 2008, are for terms of two
23 years and five of the initial appointments are for terms of four
24 years.

1 (e) *Board member eligibility, expenses.* --

2 (1) A person is ineligible for appointment to membership on a
3 board of governors of a state institution of higher education under
4 the following conditions:

5 (A) For a baccalaureate institution or university, a person is
6 ineligible for appointment who is an officer, employee or member of
7 any other board of governors; an employee of any institution of
8 higher education; an officer or member of any political party
9 executive committee; the holder of any other public office or
10 public employment under the government of this state or any of its
11 political subdivisions; an employee of any affiliated research
12 corporation created pursuant to article twelve of this chapter; an
13 employee of any affiliated foundation organized and operated in
14 support of one or more state institutions of higher education; or
15 a member of the council or commission. This subsection does not
16 prevent the representative from the faculty, classified employees,
17 students or the superintendent of a county board of education from
18 being members of the governing boards.

19 (B) For a community and technical college, a person is
20 ineligible for appointment who is an officer, employee or member of
21 any other board of governors; a member of a board of visitors of
22 any public institution of higher education; an employee of any
23 institution of higher education; an officer or member of any
24 political party executive committee; the holder of any other public

1 office, other than an elected county office, or public employment,
2 other than employment by the county board of education, under the
3 government of this state or any of its political subdivisions; an
4 employee of any affiliated research corporation created pursuant to
5 article twelve of this chapter; an employee of any affiliated
6 foundation organized and operated in support of one or more state
7 institutions of higher education; or a member of the council or
8 commission. This subsection does not prevent the representative
9 from the faculty, classified employees or students from being
10 members of the governing boards.

11 (2) Before exercising any authority or performing any duties
12 as a member of a governing board, each member shall qualify as such
13 by taking and subscribing to the oath of office prescribed by
14 Section five, Article IV of the Constitution of West Virginia and
15 the certificate thereof shall be filed with the Secretary of State.

16 (3) A member of a governing board appointed by the Governor
17 may not be removed from office by the Governor except for official
18 misconduct, incompetence, neglect of duty or gross immorality and
19 then only in the manner prescribed by law for the removal of the
20 state elective officers by the Governor.

21 (4) The members of the Board of Governors serve without
22 compensation, but are reimbursed for all reasonable and necessary
23 expenses actually incurred in the performance of official duties
24 under this article upon presentation of an itemized sworn statement

1 of expenses.

2 (5) The president of the institution shall make available
3 resources of the institution for conducting the business of its
4 board of governors. All expenses incurred by the Board of
5 Governors and the institution under this section are paid from
6 funds allocated to the institution for that purpose.

NOTE: The purpose of this bill is to is to modify the
restriction on the number of terms that a chairperson of an
institutional governing board of higher education may serve.

Strike-throughs indicate language that would be stricken from
the present law.