

1 **ENROLLED**

2 **Senate Bill No. 483**

3 (BY SENATORS LAIRD, PLYMALE, MILLER AND STOLLINGS)

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5 [Passed March 6, 2014; in effect from passage.]
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10 AN ACT to amend and reenact §18B-1B-6 of the Code of West Virginia,
11 1931, as amended, relating to renaming the administrative
12 heads of Potomac State College of West Virginia University and
13 West Virginia University Institute of Technology; and updating
14 obsolete provisions.

15 *Be it enacted by the Legislature of West Virginia:*

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

18 **ARTICLE 1B. HIGHER EDUCATION POLICY COMMISSION.**

19 **§18B-1B-6. Appointment of institutional presidents; evaluation.**

20 (a) *Appointment of institutional presidents.* -- Appointment of
21 presidents of the state institutions of higher education shall be
22 made as follows:

23 (1) The initial contract term for a president of a state

1 institution of higher education may not exceed two years. At the
2 end of the initial contract period, and subject to the provisions
3 of subsection (c) of this section, the governing board may offer
4 the president a contract of longer duration, but not to exceed five
5 years.

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

8 (3) Subject to the approval of the commission, the governing
9 board of the institution appoints a president for Bluefield State
10 College, Concord University, Fairmont State University, Glenville
11 State College, Marshall University, Shepherd University, West
12 Liberty University, West Virginia School of Osteopathic Medicine,
13 West Virginia State University and West Virginia University.

14 (4) Subject to the approval of the council, the governing
15 board of the community and technical college appoints a president
16 for Blue Ridge Community and Technical College, BridgeValley
17 Community and Technical College, Eastern West Virginia Community
18 and Technical College, Mountwest Community and Technical College,
19 New River Community and Technical College, Pierpont Community and
20 Technical College, Southern West Virginia Community and Technical
21 College, West Virginia Northern Community and Technical College and
22 West Virginia University at Parkersburg.

23 (b) *Other appointments.* -- The President of West Virginia
24 University appoints a campus president to be the administrative

1 head of Potomac State College of West Virginia University and a
2 campus president to be the administrative head of West Virginia
3 University Institute of Technology.

4 (c) *Evaluation of presidents.* --

5 (1) The appointing governing board shall conduct written
6 performance evaluations of the institution's president.
7 Evaluations shall be done at the end of the initial contract period
8 and in every third year of employment as president thereafter,
9 recognizing unique characteristics of the institution and using
10 institutional personnel, boards of advisors as appropriate, staff
11 of the appropriate governing board and persons knowledgeable in
12 higher education matters who are not otherwise employed by a
13 governing board. A part of the evaluation shall be a determination
14 of the success of the institution in meeting the requirements of
15 its institutional compact and in achieving the goals, objectives
16 and priorities established in articles one and one-d of this
17 chapter.

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

22 (d) The legislative rules of the commission and council
23 promulgated in accordance with section six, article one of this
24 chapter and article three-a, chapter twenty-nine-a of this code

1 which are in effect on January 1, 2014, continue in effect unless
2 amended or repealed. The rules provide guidance for the governing
3 boards in filling vacancies in the office of president in
4 accordance with this chapter and shall include, but are not limited
5 to, clarifying the powers, duties and roles of the governing
6 boards, commission, council and chancellors in the presidential
7 appointment process.