

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

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

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

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

12 (b) *Boards of Governors established.* --

13 A board of Governors is continued at each of the following
14 institutions: Bluefield State College, Blue Ridge Community and
15 Technical College, The Community and Technical College at West
16 Virginia University Institute of Technology, Concord University,
17 Eastern West Virginia Community and Technical College, Fairmont
18 State University, Glenville State College, Marshall Community and
19 Technical College, Marshall University, New River Community and
20 Technical College, Pierpont Community and Technical College,
21 Shepherd University, Southern West Virginia Community and Technical
22 College, West Liberty ~~State~~ University, West Virginia Northern
23 Community and Technical College, the West Virginia School of
24 Osteopathic Medicine, West Virginia State Community and Technical
25 College, West Virginia State University, West Virginia University

1 and West Virginia University at Parkersburg.

2 (c) *Board Membership.* --

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

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

11 (3) Each board of Governors includes the following members:

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

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

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

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

23 (5) For the board of Governors at West Virginia University,
24 twelve lay members appointed by the Governor, by and with the
25 advice and consent of the Senate, pursuant to this section, and

1 additionally:

2 (A) The chairperson of the board of visitors of West Virginia
3 University Institute of Technology;

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

7 (6) For each board of Governors of the other state
8 institutions of higher education, nine lay members appointed by the
9 Governor, by and with the advice and consent of the Senate,
10 pursuant to this section.

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

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

25 (7) In making lay appointments, the Governor shall consider

1 the institutional mission and membership characteristics including
2 the following:

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

5 (B) The need for awareness and understanding of institutional
6 problems and priorities, including those related to research,
7 teaching and outreach;

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

9 (D) The value of achieving balance in gender and diversity in
10 the racial and ethnic characteristics of the lay membership of each
11 board.

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

13 (1) The student member serves for a term of one year. Each
14 term begins on July 1, .

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

19 (3) The member representing classified employees serves for a
20 term of two years. Each term begins on July 1, . Members
21 representing classified employees are eligible to succeed
22 themselves for three additional terms, not to exceed a total of
23 eight consecutive years.

24 (4) The appointed lay citizen members serve terms of up to
25 four years each and are eligible to succeed themselves for no more

1 than one additional term.

2 (5) A vacancy in an unexpired term of a member shall be filled
3 for the unexpired term within thirty days of the occurrence of the
4 vacancy in the same manner as the original appointment or election.
5 Except in the case of a vacancy, all elections are held and all
6 appointments are made no later than June 30 preceding the
7 commencement of the term. Each board of Governors shall elect one
8 of its appointed lay members to be chairperson in June of each
9 year. A member may not serve as chairperson for more than four
10 consecutive years.

11 (6) The appointed members of the boards of Governors serve
12 staggered terms of up to four years except that four of the initial
13 appointments to the governing boards of community and technical
14 colleges that became independent July 1, 2008, are for terms of two
15 years and five of the initial appointments are for terms of four
16 years.

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

18 (1) A person is ineligible for appointment to membership on a
19 board of Governors of a state institution of higher education under
20 the following conditions:

21 (A) For a baccalaureate institution or university, a person is
22 ineligible for appointment who is an officer, employee or member of
23 any other board of Governors; an employee of any institution of
24 higher education; an officer or member of any political party
25 executive committee; the holder of any other public office or

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

10 (B) For a community and technical college, a person is
11 ineligible for appointment who is an officer, employee or member of
12 any other board of Governors; a member of a board of visitors of
13 any public institution of higher education; an employee of any
14 institution of higher education; an officer or member of any
15 political party executive committee; the holder of any other public
16 office, other than an elected county office, or public employment,
17 other than employment by the county board of education, under the
18 government of this state or any of its political subdivisions; an
19 employee of any affiliated research corporation created pursuant to
20 article twelve of this chapter; an employee of any affiliated
21 foundation organized and operated in support of one or more state
22 institutions of higher education; or a member of the council or
23 commission. This subsection does not prevent the representative
24 from the faculty, classified employees or students from being
25 members of the governing boards.

1 (2) Before exercising any authority or performing any duties
2 as a member of a governing board, each member shall qualify as such
3 by taking and subscribing to the oath of office prescribed by
4 section five, article IV of the Constitution of West Virginia and
5 the certificate thereof shall be filed with the Secretary of State.

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

11 (4) The members of the board of Governors serve without
12 compensation, but are reimbursed for all reasonable and necessary
13 expenses actually incurred in the performance of official duties
14 under this article upon presentation of an itemized sworn statement
15 of expenses.

16 (5) The president of the institution shall make available
17 resources of the institution for conducting the business of its
18 board of Governors. All expenses incurred by the board of
19 Governors and the institution under this section are paid from
20 funds allocated to the institution for that purpose.

NOTE: The purpose of this bill is to correctly name West Liberty University.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

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