

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4425

BY DELEGATES ROHRBACH, STEELE, LINVILLE, FAST,
WORRELL, LOVEJOY, MANDT, HORNBUCKLE, PACK AND
WAMSLEY

[Introduced on January 31, 2022;

Referred to the Committee on Education then
Finance]

1 A BILL to amend and reenact §18B-1-8b of the Code of West Virginia, 1931, as amended, relating
2 to establishing a college of law at Marshall University Graduate College; and requiring a
3 revised strategic plan.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2B. GOVERNANCE.

§18B-1-8b. Marshall University Graduate College.

1 (a) Notwithstanding any other provisions of this code to the contrary, the West Virginia
2 graduate college shall cease to be an individual higher education institution, as defined by
3 subsection (h), section two, article one of this chapter and shall be merged and consolidated with
4 Marshall university, effective July 1, 1994.

5 (b) The graduate programs of Marshall university shall be operated under the same
6 procedures, policies, rules and practices utilized by Marshall university and the board of trustees
7 in operating Marshall university: Provided, That the board of trustees shall assure that the
8 president of Marshall university adopts policies, procedures and standards for its graduate
9 programs that facilitate the multiple missions of the graduate college in serving traditional and
10 nontraditional students and providing graduate instruction throughout the state. Nothing herein
11 shall be interpreted to abrogate the power or responsibility of the board of trustees to approve
12 and review graduate programs offered within the university system, nor to limit the statewide
13 mission of West Virginia University or any other institution.

14 (c) The president of Marshall university shall appoint the head of the graduate college,
15 who shall report directly to the president of Marshall university.

16 (d) Nothing contained herein shall be interpreted to authorize the provision or expansion
17 of any four-year programs offered by Marshall university to any sites formerly offering graduate
18 school courses by the West Virginia graduate college.

19 (e) It is the intent of the Legislature that the program review and approval process for
20 campus offerings for graduate education by the graduate college of Marshall university be

21 separate and distinct from the process for the approval of undergraduate education program
22 offerings.

23 (f) It is the intent of the Legislature that the integrity and quality of legal education in West
24 Virginia requires that an additional three-year college of law be established and that it shall be
25 established at Marshall University Graduate College. The Marshall University college of law shall
26 become a fully integrated division of Marshall University.

27 ~~(f)~~ (g) It is the Legislature's intent that, through the fiscal year 2000-2001, the proportionate
28 share of the funds which would have been generated by the board of trustees resource allocation
29 policy for the West Virginia graduate college shall be allocated to the Marshall university graduate
30 college. It is further the intent of the Legislature that the merger and consolidation of West Virginia
31 graduate college and Marshall university shall not result in any financial gain or loss to the board
32 of trustees or any institution within the university system in the appropriation decisions by the
33 Legislature.

34 ~~(g)~~ (h) It is the intent of the Legislature that Marshall university and the Marshall university
35 graduate college ~~each receive any increase in state appropriated funds for the fiscal year~~
36 ~~beginning July 1, 1997, set out in section one c, article one of this chapter, and further, that they~~
37 ~~shall not be denied any increases because of the need for changes in their strategic plans~~
38 ~~necessitated by the merger and consolidation of the two institutions: Provided, That Marshall~~
39 ~~university shall prepare a revised strategic plan and submit it to the board of trustees for approval~~
40 ~~by November 1, 1997~~ November 1, 2022.

41 ~~(h)~~ (i) Each valid agreement, obligation or claim entered into or incurred by the board of
42 trustees on behalf of the West Virginia graduate college is hereby undertaken by the board of
43 trustees on behalf of Marshall university.

NOTE: The purpose of this bill is to establish a college of law at Marshall University
Graduate College; requiring a revised strategic plan.

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