

**BLUEFIELD STATE COLLEGE
BOARD OF GOVERNORS
POLICY NO. BG-103**

TITLE: PRESIDENTIAL APPOINTMENTS, RESPONSIBILITIES AND EVALUATION

SECTION 1. GENERAL

- 1.1 Scope: This policy establishes policy on presidential appointments, responsibilities and evaluation.
- 1.2 Authority: West Virginia Code § 18B-1-6, and 18B-1B-6
- 1.3 Filing Date: April 24, 2020
- 1.4 Effective Date: November 16, 2006, April 15, 2010, April 24, 2020.

SECTION 2. EMPLOYMENT OF PRESIDENT

- 2.1 The president of Bluefield State College is appointed by the Bluefield State College Board of Governors, consistent with the provisions of West Virginia Code 18B-1-6 and 18B-1B-6 and of the Board's presidential search and selection procedures which will be determined when a vacancy exists.
- 2.2 The president serves at the will and pleasure of the Board.
- 2.3 The Board may review and approve the terms and conditions of the president's appointment or, by formal resolution, may delegate to either the Chair or the Executive Committee the authority to establish terms and conditions which will be included in an annual Letter of Appointment.
- 2.4 The Board will issue a Letter of Appointment for the president for each fiscal year of service, regardless of the length of employment offered by the Board.
- 2.5 The Board establishes procedures for calculating the president's salary.
- 2.6 Upon appointment, a president may or may not be awarded academic rank and tenure by the Board after consulting with the Faculty.

SECTION 3. DUTIES AND RESPONSIBILITIES

- 3.1 The president is responsible to and reports to the Board. Within the policies and regulations of the Board and of other state and federal authorities, the president, as

chief executive officer, has general authority and responsibility for the institution and for keeping the Board informed regarding the institution in a timely and appropriate manner.

- 3.2 The President is expected to demonstrate those leadership skills necessary for the vibrant, dynamic pursuit of the goals and objectives embodied in the mission of the institution. The President is also expected to understand the higher education needs of the region, work with the Board to develop proposals for meeting those needs, and provide leadership to foster cooperation between campus and community in fulfilling the institution's teaching, research, and public service responsibilities.
- 3.3 The President is expected to consult appropriately with faculty, students, classified staff, and administrators in discharging the responsibilities of the office. The President is also expected to ensure that the policies, procedures and actions of the Board are communicated to appropriate constituencies of the institution in a timely manner.
- 3.4 As the chief executive of the institution, the President is charged with the following specific responsibilities:
 - 3.4.1 Exercising effective leadership in a joint effort to implement the mission of the institution, as delineated in the Mission Statement, planning documents of the institution, and any other role and scope statements approved by the Board.
 - 3.4.2 Providing effective leadership and support for an academic program that is consistent with the institutional mission, the needs of those being served, sound standards of quality, and available resources.
 - 3.4.3 Providing effective leadership and support for a program of student life that complements the academic program and recognizes as an institutional priority the diverse interests and needs of the student body.
 - 3.4.4 Developing a competent administrative organization and staff to ensure effective and efficient management of the institution.
 - 3.4.5 Maintaining lawful, equitable, and efficient personnel programs, including appointment of qualified persons to the faculty and staff and promotion, retention, or dismissal for cause of the same, with due regard for the best interests of the college.

3.4.6 Direct and cause the annual operating and capital budgets and other plans, financial and otherwise, for realizing the institutional mission to be prepared, and providing sound management of approved budgets and plans.

3.4.7 In coordination with the Board, communicating the needs of the college to the governor, legislators, other state and local officials, and citizens of the state.

3.4.8 Interacting with appropriate external bodies to achieve the mission of the institution in a manner consistent with Board policy, statutory and regulatory provisions, and sound academic principles.

3.4.9 Implementing assignments requested by the Board.

3.4.10 With regard to Policy No. 62, dealing with the determination of a financial exigency for the institution, the President may, upon his or her determination that a state of financial exigency exists for the institution, declare such a financial exigency pursuant to the authority delegated to him by the Board or present to the Board such findings and conclusions as he or she believes is appropriate for the Board to determine whether to declare such a financial exigency.

3.4.11 With regard to Policy No. 19, Section 14, dealing with termination of a faculty member or faculty members due to financial exigency, the President shall develop for Board approval an institutional plan for meeting a financial exigency; which plan (1) shall include a collaborative assessment by representatives of administration and faculty, and (2) shall be reported to the Policy Commission prior to implementation. For the purposes of this policy and Policy No. 19, Section 14, the “collaborative assessment” shall be conducted by a committee consisting of (1) the Provost who shall serve as the Chair; (2) the “representatives of administration” which shall include the Chief Financial Officer and not more than three additional nonclassified employees appointed by the president; and (3) the president of the Faculty Senate and not more than three members of the Faculty Senate appointed by the president of the Faculty Senate.

3.5 With regard to 3.4.5 above, the President has final institutional-level authority and responsibility for every personnel action at the institution, and the Board hereby delegates all authority for such decision-making, with the exception of decisions relating to his or her own employment and compensation or if the Board restricts the authority.

3.6 The President is expected to consult, when appropriate, within the campus community on personnel decisions, but shall retain ultimate authority for such decisions.

SECTION 4. PRESIDENTIAL REVIEW

- 4.1 It is the responsibility of the Board, under the leadership of the Chair, to continually monitor and evaluate the performance of the President. Throughout the year, the Chair is responsible for informing the Board when appropriate, of any concerns regarding the performance of the President.
- 4.2 **ANNUAL REVIEW:** The annual review may include one or more of the following components, as the Board may choose campus visits, discussions with the President, assessment of the quality of written information submitted by the President, assessment of the accomplishment of institutional and system goals, and/or discussions with members of the Board, as well as with students, faculty, staff, other administrators, legislators, and business and civic leaders associated with the institution. The annual review will specifically include direct and private conversations between the Board and the elected constituent representatives who are members of the Board. In addition, the President shall provide to the Chair near the end of each fiscal year, as an Annual Report, the President's goals and objectives for the ensuing twelve months and the progress made on accomplishing the goals and objectives of the previous twelve months. The Chair shall complete the annual review of the President, following one or more of the above referenced consultations and processes and by adding any additional processes that the Board finds appropriate. At the conclusion, the President shall receive the annual evaluation in writing from the Chair.
- 4.3 **TRIENNIAL EVALUATION**
- 4.3.1 Consistent with the requirements of West Virginia Code 18B-1B-6, the process described below is designed to evaluate presidential performance in relation to criteria established by the Board. It seeks to identify both areas of strength and those in which improvement would appear to be appropriate in order to assist the President in improving his or her effectiveness. All of the actions to be taken by the Chair or the Board in this process shall be in Executive Session.
- 4.3.2 The basis for assessing presidential performance shall be the "Duties and Responsibilities" listed in Section 3 of this document. This performance evaluation shall be conducted every third year and shall be structured as follows:
- 4.3.2.1 The Chair, after consultation with the President, shall establish a schedule for the performance evaluation activities. In no case shall the process exceed four (4) months. The on-site schedule shall be developed for a period during the regular academic year when the institution is in operation. However, preparatory or concluding activities may be completed during the summer months.

4.3.2.2 The President shall prepare and submit to the Chair at least four (4) weeks prior to the on-site visit a "Statement of Presidential Assessment" consisting of his/her assessment of his/her performance as President in relation to each of the "Duties and Responsibilities of the President". The statement should generally be no longer than fifteen (15) pages. The President may append necessary and appropriate materials, including such documents as the President's annual report and the current North Central Association self-study report.

4.3.2.3 The Chair shall form an Evaluation Team of three (3) individuals. One shall be a college or university president/chancellor, or comparably experienced peer selected by the Chair from a list of four nominees submitted by the President. Such persons shall be from outside West Virginia, shall be free from conflict of interest, and shall chair the Evaluation Team. One shall be the immediate past Chair of the Board of Governors, and the third shall be the Board Chair. If either the Chair or the immediate past Chair of the Board shall be unable to serve on the Evaluation Team, the Board shall elect a replacement from among the lay members. The Evaluation Team members will submit travel reimbursements to the President's Office for processing per the College's travel policy.

4.3.2.4 The Evaluation Team shall be given the "Statement of Presidential Assessment" and such other documents deemed to be appropriate by the Evaluation Team.

4.3.2.5 The Chair of the Evaluation Team shall be responsible for arranging a schedule for the Evaluation Team, including interviews and meetings with campus personnel.

4.3.2.6 To obtain an accurate and objective impression of the performance of the President, the Evaluation Team shall visit the campus for up to two (2) days to talk with and receive the views of the President, members of the Board, and a representative number of administrators, faculty members, classified employees, students, alumni, and community leaders, including the elected leaders of each campus constituent group. Evaluative information thus obtained, either in oral or written form, if included in the report, must be attributable. The Evaluation Team will maintain confidentiality of individual assessments and the chair of the evaluation committee is to inform participants of this.

4.3.2.7 There shall be an oral report given by the Evaluation Team to the

President at the end of the on-site visit. The team chairperson shall have lead responsibility for drafting a written team report promptly after the onsite visit concludes and for coordinating such discussion among the team members as may be necessary to conclude the report. The team chair shall submit the completed team report to the Chair within thirty (30) days of the on-site visit. The general approach and format for the report shall be similar to, but not identical with, a North Central team visit and report, including commentary on the performance of the President in relation to each of the "Duties and Responsibilities of the President" in Section 3 herein.

4.3.2.8 The Chair shall forward a copy of the report to the members of the Board and to the President, inviting the latter to offer comments within two (2) weeks.

4.3.2.9 A copy of comments received from the President shall be promptly forwarded to the members of the Board.

4.3.2.10 The President shall be invited to discuss the process and results of the evaluation with the Board, in which areas of strength and those appearing to need improvement (if any) shall be identified for particular attention by the President prior to the next evaluation.

4.3.2.11 At all stages of the evaluation process, the President shall be involved and informed and be afforded an opportunity to respond as he/she deems appropriate. Confidentiality consistent with state laws shall be maintained throughout the evaluation process.

4.3.2.12 The Board shall thereafter submit the final Quadrennial Evaluation Report to the President and the Chancellor.

SECTION 5. RESIGNATION AND TERMINATION

5.1 A president may resign appointment as President at any time, by written notice to the Chair of the Board.

5.2 The Board may terminate a presidential appointment at any time when, in the Board's judgment, such action is in the best interests of Bluefield State College.

5.2.1 If the Board terminates a presidential appointment of a President, who has academic tenure, for reasons other than "For Cause" relating to faculty or instructional duties, as defined BOG Policy 19, that individual shall be eligible to

assume a tenured faculty position at the College at such salary as is indicated by the original notice of tenure.

5.2.2 If the Board terminates a presidential appointment of a President for reasons other than "For Cause" as defined in Section 5.2.3 hereafter, that individual shall be eligible for such post-appointment compensation and/or benefits as may be provided for in the annual appointment(s). Academic tenure, if any, may only be exercised as a mutually exclusive alternative to continuing administrative employment, if any.

5.2.3 "Cause" for the termination of a presidential appointment is defined as acts of malfeasance or misfeasance, through acts of commission or omission, and any action in violation of federal or state law, acts in contravention of the policies of or a directive (expressed through an adopted resolution) of the Board, or any act which would be "cause" under BOG Policy.