TITLE: EMPLOYMENT, EVALUATION AND RESPONSIBILITIES OF THE PRESIDENT

SECTION 1. GENERAL

1.1 Scope: This policy establishes guidelines and procedures for the Board of Governors to use in employing and evaluating the President of New River Community and Technical College.

1.2 Authority: West Virginia Code §18B-1B-4, 18B-1B-7, 18B-1B-6, 18B-1-6; WVCCTCE Series 5, Section 2.2

1.3 Filing Date: March 1, 2007

1.4 Effective Date: March 1, 2007

SECTION 2. POLICY

This policy establishes guidelines and procedures for employing and evaluating the President of New River Community and Technical College.

SECTION 3. PROCEDURES

2.1 Interim President

If the appointment of an interim president is required, the Board of Governors shall appoint an interim president until the position is filled permanently. This appointment must be approved by the West Virginia Community and Technical College Council. The interim president must agree not to apply for the position of president.

2.2 Development of a Search Process and Search Committee

When a vacancy occurs, the Board of Governors will undertake a search for a new president. The search shall be conducted in accordance with Series 5, “Guidelines
for Governing Boards in Employing and Evaluating Presidents” of the West Virginia Council for Community and Technical College Education.

The Board of Governors shall appoint a search committee consisting of a chair and vice chair who shall be selected from among the members of the Board of Governors, who were appointed by the Governor. A maximum of three Governor-appointed Board members shall be on the search committee. The chair and vice chair shall be entitled to vote. The chair of the search committee, or the chair’s designee, shall be the only spokesperson for the work of the committee.

The search committee shall include representation of faculty, staff and students. At its discretion, the Board may appoint additional students, faculty, staff, community leaders, alumni, or other citizens to the search committee.

At the request of the Board of Governors, the West Virginia Council for Community and Technical College Education may provide the board with staff assistance to manage the search process, or the Board may enter into a contract with a consultant or executive search firm to identify potential candidates, in addition to those who have applied or been nominated, or to assist in the search in whatever manner the board may deem necessary.

A statement of characteristics and qualities which the new president should possess shall be adopted by the Board and utilized in soliciting and evaluating the candidates.

A position announcement shall be adopted by the Board detailing the characteristics and qualities sought in a new president and transmitted to appropriate newspapers and other media sources, heads of higher education associations and organizations, and other appropriate individuals.

Candidates may be considered through their own application or by nomination.

Members of the Board, or any search committee appointed, shall not provide information about the names or backgrounds of any candidate to anyone except members of the Board or search committee until the finalists have been selected and agree to visit. When candidates are invited to a preliminary interview with the search committee, they shall be notified that confidentiality will be waived in the event that they are invited for a college-wide interview and their names and backgrounds shall be publicly released at the time they accept an invitation for the second interview.

The Board shall adopt a timeline for the search process.

The search process shall include preliminary interviews off-campus or via telephone with no more than ten candidates following an initial screening of the qualifications of the applicants. At the conclusion of the preliminary interviews,
the search committee shall recommend the names of at least three and no more than five finalists to participate in college-wide interviews, at which time the work of the search committee is concluded. The finalists shall participate in on-campus interviews with the Board of Governors, students, staff, faculty, campus administrators, community leaders, alumni, and other individuals. The Board of Governors shall solicit comments from each of these groups.

Background checks shall be conducted on each candidate prior to college-wide interview. If the Board is unable to reach an agreement with one of the recommended candidates, the Board may reopen the search.

2.3 Search Committee Meetings

Meetings of the search committee shall be called by the chair of the committee. All members must be notified at least five days in advance, except that less than five days notice may be given with the approval of a majority of the members of the committee. All meetings must be noticed in accordance with the requirements of West Virginia’s statute.

At least a majority of committee members must be present to constitute a quorum for the purpose of voting.

Agendas and Minutes of the search committee meetings must be recorded and a copy transmitted to the Chancellor.

Meetings shall comply with the West Virginia Open Governmental Meetings Act.

2.4 Appointment of the President

The president of New River Community and Technical College is appointed by the New River Community and Technical College Board of Governors, consistent with the provisions of West Virginia Code 18B-1B-6 and 18B-2A-4 and this policy.

The president serves at the will and pleasure of the Board.

Upon appointment, a president may be awarded academic rank and tenure at the College by the Board.

2.5 Presidential Duties and Responsibilities

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 and its Executive Committee informed
regarding the institution in a timely and appropriate manner.

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 institution’s service 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.

The President is expected to consult appropriately with faculty, students,
classified staff and administrators in discharging the responsibilities of the
position. 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.

As the chief executive of the institution, the President is charged with the specific
responsibilities outlined in the New River Community and Technical College
Board of Governors Delegation of Powers.

With regard to the responsibilities as outlined above and in the Delegation of
Powers, 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.

2.6 Annual Presidential Review

It is the responsibility of the Executive Committee, under the leadership of the
Board Chair, to continually monitor and evaluate the performance of the
President. Throughout the year, the Chair is responsible for informing the
Executive Committee, or the entire Board when appropriate, of any concerns
regarding the performance of the President.

The annual review may include one or more of the following components, as the
Executive Committee may choose to monitor and evaluate the performance of the
president: through campus visits; discussions with the president; assessment of
the quality of written information submitted to the Board; assessment of the
accomplishment of institutional and statewide goals; and discussions with
members of the Board, as well as students, faculty, staff, other administrators,
legislators, and business and civic leaders associated with the institution. The
annual review will specifically include conversations between the Executive
Committee and the elected constituent representatives who are members of the
Board. In addition, the President shall provide to the Chair, prior to June 1 of each year, as an Annual Report, his or her 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 consultation and processes and by adding any additional processes that the Executive Committee finds appropriate. At the conclusion, the President shall receive the annual evaluation in writing from the Chair.

2.7 Presidential Evaluation

The Board may request from the Chancellor of the Community and Technical College System evaluative tools, guidelines, and procedures recommended for the assessment and evaluation of college presidents and provide any assistance in performing the evaluations.

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.

The basis for assessing presidential performance shall be the "Duties and Responsibilities" listed in that designated section of this policy, and any other criteria established by the Board. This performance evaluation shall be conducted every fourth year and shall be structured as follows:

- The Chair of the Board, after consultation with the president, shall establish an on-site schedule for the performance evaluation activities. The on-site schedule shall be developed for a period during the regular academic year when the institution is in operation. However, preparatory activities may be completed during the summer months.

- The President shall prepare and submit to the chair of the Board 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 shall 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.
The Board will appoint a committee of its own members, a visiting team, or any combination thereof, and utilize institutional personnel, staff of the board, and persons who are knowledgeable in higher education matters to assist in its evaluation of the president in a way deemed most appropriate by the Board.

To obtain an accurate and objective impression of the performance of the president, the committee, a visiting team, or any combination thereof shall visit the campus 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. Confidentiality beyond the committee, visiting team, or any combination thereof of individual assessments of presidential performance shall be assured.

The Chair of the Board shall appoint one (1) member of the visiting team to serve as chairperson. The team shall be given the "Statement of Presidential Assessment" and such other documents deemed to be appropriate.

The Board shall be responsible for arranging a schedule for the visiting team, including interviews and meetings with campus personnel, which will assure a careful assessment of leadership and the condition of the campus.

The team chairperson shall be responsible for drafting and submitting a team report to the Chair of the Board 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" adopted by the Board. There shall be an oral report by the visiting team to the president and the chair of the Board prior to leaving the campus.

The Chair of the Board shall forward a copy of the report to the immediate past chair, members of the executive committee of the Board and to the president who was evaluated, inviting the latter to offer comments within two (2) weeks.

A copy of comments received from the president shall be forwarded to the chair of the Board, the immediate past chair, and to members of the executive committee of the Board.
• The President shall be invited to discuss the process and results of the evaluation with the Chair of the Board, the immediate past chair, and the executive committee of the Board, during which discussion 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.

• The Board will use the report of its committee, visiting team, or other body chosen to assist in its own written evaluation of the president. The Board’s evaluation shall be reported to the President and to the Chair and the Chancellor of the Community and Technical College System.

• In addition to the formal evaluation every four years, the Board will conduct an annual review of the president according to the provisions in Section 6.6 of the WVCCTCE’s Series 5.

2.8 Presidential Compensation

The Board will determine the total compensation package and terms of employment offered to presidential candidates. These must be consistent with any guidelines or rules regarding presidential compensation adopted by the West Virginia Council for Community and Technical Education and any compensation agreed to must be approved by the West Virginia Council for Community and Technical College Education.

The Board will establish the presidential salary based on the annual review and analysis of peer and market data.

2.9 Resignation and Termination

A president may resign his or her appointment at any time upon written notification to the Board, addressed to the Board chair. The Board expects at least sixty (60) days notice prior to the effective date of the resignation.

The Board may terminate an appointment as president at any time when, in the Board's judgment, such action would be in the best interest of the institution.

If the board terminates for any reason other than for "cause" the employment of a president who has academic tenure, the individual shall be eligible to assume a tenured faculty position at the institution at an initial salary set by the Board and at the academic rank established upon, or subsequent to, appointment as president. "Cause" is defined to include acts of malfeasance or misfeasance, and may include acts of commission or omission, or acts in contravention of the policies or direction of the Board and its designees.
If the Board terminates for any reason other than for "cause" the employment of a president who does not have academic tenure, the individual shall be eligible to be appointed by the Board as a full-time adjunct faculty member. The appointment shall be effective from the date of the release until the first day of the first academic semester at the institution following the one-year anniversary of the date of termination. The salary shall be set by the Board.

If during any period of reassignment, it is determined that while serving as President, the individual engaged in material acts of moral turpitude, dishonesty in the performance of professional duties, personal conduct which substantially impaired the fulfillment of College responsibilities or was materially detrimental to the College or intentionally committed a substantive violation of the West Virginia Ethics Act, the Board may terminate the individual’s employment immediately.

2.10 Grievance Procedure

If the president senses a problem with members of the Board, the president should first attempt to resolve it through a discussion with the Board chair. If the problem persists, the next appropriate step would be discussion of the problem with the executive committee of the Board. As the final step in this process, the aggrieved president may request a meeting with the full Board to discuss the matter. If the problem involves the Board chair, the president should attempt to resolve it through a discussion with the Chancellor of the Community and Technical College System and then with the Board.