

**TITLE 128
INTERPRETIVE RULES
WEST VIRGINIA BOARD OF REGENTS**

**SERIES 18
POLICY REGARDING RETIREMENT OF
BOARD OF REGENTS' EMPLOYEES**

§128-18-1. General.

1.1. Scope. -- This interpretative policy removes, with certain exceptions, the mandatory retirement age of Board of Regents employees.

1.2. Authority. -- Age Discrimination in Employment Amendments of 1986, revising parts of 29 U.S.C. 623-631.

1.3. Filing Date. -- April 21, 1987

1.4. Effective Date. -- June 20, 1987

1.5. Amendment Former Rule -- Revises and Replaces §128-18 dated December 11, 1984.

§128-18-2. Retirement Policy of Board of Regents Employees.

2.1. All employees, with the exception of those specified below, of the West Virginia Board of Regents as of January 1, 1987 and those employed subsequently shall no longer be subject to mandatory retirement at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday.

2.2. Faculty members with tenure, as defined by

the Age Discrimination in Employment Amendments of 1986, shall be retired at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday. In the event such persons shall reach age 70 in the middle of a semester or fiscal year, such person shall not be compelled to retire prior to the end of the semester or fiscal year: Provided that in no event shall such retirement be postponed beyond six (6) months after the date on which such person attains age 70. This section shall be applicable to all faculty members with tenure through December 31, 1993.

2.3. Executives and those serving in high policy-making positions shall be retired at age 65, if the following two requirements are met:

2.3.1. He/she served in that position for at least two (2) years immediately preceding his/her retirement.

2.3.2. He/she is entitled to an annual retirement benefit of at least forty-four thousand dollars (\$44,000), per the requirements of the Age Discrimination in Employment Amendments of 1986. Exceptions to mandatory retirement at age 65 may be granted under special circumstances and with formal approval by the Board of Regents on a year to year basis.

**TITLE 128
INTERPRETIVE RULES
WEST VIRGINIA BOARD OF TRUSTEES**

**SERIES 18
POLICY REGARDING RETIREMENT OF
BOARD OF REGENTS' EMPLOYEES**

§128-18-1. General.

1.1. Scope. -- This interpretative policy removes, with certain exceptions, the mandatory retirement age of Board of Trustees employees.

1.2. Authority. -- Age Discrimination in Employment Amendments of 1986, revising parts of 29 U.S.C. 623-631

1.3. Filing Date. -- April 21, 1987

1.4. Effective Date. -- June 20, 1987

1.5. Amendment Former Rule. -- Revises and Replaces §128-18 dated December 11, 1984

§128-18-2. Retirement Policy of Board of Trustees Employees.

2.1. All employees, with the exception of those specified below, of the West Virginia Board of Trustees as of January 1, 1987, and those employed subsequently shall no longer be subject to mandatory retirement at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday.

2.2. Faculty members with tenure, as defined by the Age Discrimination in Employment Amendments of 1986, shall be retired at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday. In the event such persons shall reach age 70 in the middle of a semester or fiscal year, such person shall not be compelled to retire prior to the end of the semester or fiscal year: Provided that in no event shall such retirement be postponed beyond six (6) months after the date on which such

person attains age 70. This section shall be applicable to all faculty members with tenure through December 31, 1993.

2.3. Executives and those serving in high policy-making positions shall be retired at age 65, if the following two requirements are met:

2.3.1. He/she served in that position for at least two (2) years immediately preceding his/her retirement.

2.3.2. He/she is entitled to an annual retirement benefit of at least forty-four thousand dollars (\$44,000), per the requirements of the Age Discrimination in Employment Amendments of 1986. Exceptions to mandatory retirement at age 65 may be granted under special circumstances and with formal approval by the Board of Trustees on a year to year basis.