

**WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION**

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Form #3A

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE OVERSIGHT COMMISSION ON  
EDUCATIONAL ACCOUNTABILITY**

UNIVERSITY SYSTEM OF WEST VIRGINIA  
AGENCY: BOARD OF TRUSTEES TITLE NUMBER: 128

CITE AUTHORITY: 18B-1-6, 2-2-1

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 26

TITLE OF RULE BEING AMENDED: Holidays

IF NO, SERIES NUMBER OF RULE BEING FILED PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE OVERSIGHT COMMISSION ON EDUCATIONAL ACCOUNTABILITY FOR THEIR REVIEW.

\_\_\_\_\_  
Signature

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: POLICY REGARDING HOLIDAYS

Type of Rule:  Legislative  Executive  Procedural

UNIVERSITY SYSTEM OF WEST VIRGINIA

Agency: BOARD OF TRUSTEES

Address: 1018 Kanawha Blvd., E

Charleston, WV 25301

1. Effect of Proposed Rule	2001		FISCAL YEAR		
	Increase	Decrease	Current	Next	Third
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services	N/A	N/A	N/A	N/A	N/A
Contract Expense	N/A	N/A	N/A	N/A	N/A
Repairs and Alterations	N/A	N/A	N/A	N/A	N/A
Equipment	N/A	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A	N/A

2. Explanation of above estimates:

N/A

3. Objectives of these rules:

N/A

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Governments.

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

N/A

C. Economic Impact on Citizens/Public at Large.

N/A

Date:

June 19, 1992

Signature of Agency Head or Authorized Representative

John Daines

TITLE 128  
LEGISLATIVE RULE  
UNIVERSITY SYSTEM OF WEST VIRGINIA  
BOARD OF TRUSTEES  
SERIES 26

TITLE: HOLIDAYS

SECTION	DESCRIPTION	PAGE
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3.	Number of Holidays	3
4.	Half Holidays	4
5.	Schedules	4

TITLE 128  
LEGISLATIVE RULE  
UNIVERSITY SYSTEM OF WEST VIRGINIA  
BOARD OF TRUSTEES  
SERIES 26

TITLE: HOLIDAYS

SECTION 1. GENERAL

- 1.1 Scope - Rule regarding holidays in the University System of West Virginia.
- 1.2 Authority - West Virginia Code 18B-1-6, 2-2-1.
- 1.3 Filing Date -
- 1.4 Effective Date -
- 1.5 Repeal of Former Rule - Repeals and replaces Series 26, effective September 14, 1987.

SECTION 2. GRANTING POWER

- 2.1 ~~The West Virginia Board of Regents University System Board of Trustees~~ hereby directs that the president of each university shall determine six floating holidays which will be observed by the employees of that institution in addition to the six holidays specified in Section 3.1 of this rule.

SECTION 3. NUMBER OF HOLIDAYS

- 3.1 The number of full holidays shall be twelve ~~(12)~~, plus additional days for any election day (primary or general) held throughout the State, ~~and such other days as the president of the United States, governor or other duly constituted authority shall proclaim to be legal holidays (Chapter 2, Article 2, Section 1).~~ Days taken shall include Martin Luther King Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day. Six additional days determined by the president of each institution as provided in Section 2.1 shall also be taken. If a specified holiday

falls on a Saturday or Sunday, the preceding Friday or the following Monday will be observed as the legal holiday.

- 3.2 Proclamation of additional legal holidays by the president of the United States, governor, or other duly constituted authority may be observed by employees of the University System only when communicated through the chancellor's office.

#### SECTION 4. HALF HOLIDAYS

- ~~4.1 Half holidays shall be counted as half days in computing the total number of holidays.~~
- 4.1 To provide equity with the Executive Branch of government, one-half day preceding Christmas or New Year's Day shall be a holiday when Christmas or New Year's Day falls on Tuesday, Wednesday, Thursday, or Friday. These days will be scheduled at the discretion of each president giving due consideration to operational needs of the institution.

#### SECTION 5. SCHEDULES

- 5.1 Holiday schedules are to be established and used on a fiscal year basis.
- 5.2 The president of each institution shall submit to the chancellor by June 30 of each year and shall post on campus a list of the holidays to be observed at that institution for the upcoming fiscal year.

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APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: POLICY REGARDING HOLIDAYS

Type of Rule: X Legislative        Interpretive        Procedural

UNIVERSITY SYSTEM OF WEST VIRGINIA

Agency: BOARD OF TRUSTEES Address: 1018 Kanawha Blvd., E  
Charleston, WV 25301

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Personal Services	N/A	N/A	N/A	N/A	N/A
Current Expense	N/A	N/A	N/A	N/A	N/A
Repairs and Maintenance	N/A	N/A	N/A	N/A	N/A
Equipment	N/A	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A	N/A

2. Explanation of above estimates:

N/A

3. Objectives of these rules:

N/A

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