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OFFICE OF THE
SECRETARY OF STATE

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

TITLE: HOLIDAYS

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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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H. B. 2149

(By Delegate Ashcraft
_____)
(Introduced February 17, 1993; referred to the
Committee on Education.)

10 A BILL to amend and reenact sections two and three, article
11 seventeen, chapter eighteen-b of the code of West Virginia,
12 one thousand nine hundred thirty-one, as amended, relating to
13 legislative rules; and authorizing specific regulations
14 relating to higher education including holidays; alcoholic
15 beverages on campuses; and presidents appointments,
16 responsibility and evaluations.

17 Be it enacted by the Legislature of West Virginia:

18 That sections two and three, article seventeen, chapter
19 eighteen-b of the code of West Virginia, one thousand nine
20 hundred thirty-one, as amended, be amended and reenacted to read
21 as follows:

22 ARTICLE 17. LEGISLATIVE RULES.

23 §18B-17-2. Board of trustees.

24 (a) The legislative rules filed in the state register on the
25 third day of December, one thousand nine hundred ninety-one,
26 modified by the board of trustees to meet the objections of the

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1 legislative oversight commission on education accountability and
2 refiled in the state register on the twenty-first day of January,
3 one thousand nine hundred ninety-two, relating to the board of
4 trustees (report card), are authorized.

5 (b) The legislative rules filed in the state register on the
6 thirteenth day of July, one thousand nine hundred ninety-one,
7 relating to the board of trustees (equal opportunity and
8 affirmative action), are authorized.

9 (c) The legislative rules filed in the state register on the
10 tenth day of July, one thousand nine hundred ninety-two, relating
11 to the board of trustees (holidays), are authorized.

12 (d) The legislative rules filed in the state register on the
13 twenty-eighth day of February, one thousand nine hundred
14 ninety-two, relating to the board of trustees (alcoholic
15 beverages on campuses), are authorized.

16 §18B-17-3. Board of directors.

17 (a) The legislative rules filed in the state register on the
18 sixteenth day of December, one thousand nine hundred ninety-one,
19 modified by the board of directors to meet the objections of the
20 legislative oversight commission on education accountability and
21 refiled in the state register on the twenty-first day of January,
22 one thousand nine hundred ninety-two, relating to the board of
23 directors (report card), are authorized.

24 (b) The legislative rules filed in the state register on the
25 twenty-seventh day of September, one thousand nine hundred

1 ninety-one, relating to the board of directors (equal opportunity
2 and affirmative action), are authorized.

3 (c) The legislative rules filed in the state register on the
4 fourth day of December, one thousand nine hundred ninety-one,
5 relating to the board of directors (holiday policy), are
6 authorized.

7 (d) The legislative rules filed originally in the state
8 register on the seventh day of February, one thousand nine
9 hundred ninety-two, as modified by the rule filed in the state
10 register on the second day of August, one thousand nine hundred
11 ninety-two, relating to the board of directors (president
12 appointments, responsibility and evaluations), are authorized.

13 NOTE: The purpose of this bill is to authorize legislative
14 rules promulgated by higher education governing boards relating
15 to holidays; alcoholic beverages on campuses; and president
16 appointments, responsibility and evaluations.

17 Strike-throughs indicate language that would be stricken from
18 the present law, and underscoring indicates new language that
19 would be added.

SENATE BILL NO. 81

(By Senator Lecht)

[Introduced February 18, 1993; referred to the
Committee on Education; and then to the
Committee on the Judiciary.]

10 A BILL to amend and reenact sections two and three, article
11 seventeen, chapter eighteen-b of the code of West Virginia,
12 one thousand nine hundred thirty-one, as amended, relating to
13 legislative rules; and authorizing specific regulations
14 relating to higher education including holidays; alcoholic
15 beverages on campuses; and presidents appointments,
16 responsibility and evaluations.

17 Be it enacted by the Legislature of West Virginia:

18 That sections two and three, article seventeen, chapter
19 eighteen-b of the code of West Virginia, one thousand nine
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21 as follows:

22 ARTICLE 17. LEGISLATIVE RULES.

23 §18B-17-2. Board of trustees.

24 (a) The legislative rules filed in the state register on the
25 third day of December, one thousand nine hundred ninety-one,
26 modified by the board of trustees to meet the objections of the

1 legislative oversight commission on education accountability and
2 refiled in the state register on the twenty-first day of January,
3 one thousand nine hundred ninety-two, relating to the board of
4 trustees (report card), are authorized.

5 (b) The legislative rules filed in the state register on the
6 thirteenth day of July, one thousand nine hundred ninety-one,
7 relating to the board of trustees (equal opportunity and
8 affirmative action), are authorized.

9 (c) The legislative rules filed in the state register on the
10 tenth day of July, one thousand nine hundred ninety-two, relating
11 to the board of trustees (holidays), are authorized.

12 (d) The legislative rules filed in the state register on the
13 twenty-eighth day of February, one thousand nine hundred
14 ninety-two, relating to the board of trustees (alcoholic
15 beverages on campuses), are authorized.

16 §18B-17-3. Board of directors.

17 (a) The legislative rules filed in the state register on the
18 sixteenth day of December, one thousand nine hundred ninety-one,
19 modified by the board of directors to meet the objections of the
20 legislative oversight commission on education accountability and
21 refiled in the state register on the twenty-first day of January,
22 one thousand nine hundred ninety-two, relating to the board of
23 directors (report card), are authorized.

24 (b) The legislative rules filed in the state register on the
25 twenty-seventh day of September, one thousand nine hundred

1 ninety-one, relating to the board of directors (equal opportunity
2 and affirmative action), are authorized.

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4 fourth day of December, one thousand nine hundred ninety-one,
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13 NOTE: The purpose of this bill is to authorize legislative
14 rules promulgated by higher education governing boards relating
15 to holidays; alcoholic beverages on campuses; and president
16 appointments, responsibility and evaluations.

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18 the present law, and underscoring indicates new language that
19 would be added.

**TITLE 128
LEGISLATIVE RULE
UNIVERSITY SYSTEM OF WEST VIRGINIA
BOARD OF TRUSTEES**

**SERIES 26
HOLIDAYS**

§128-26-1. General.

1.1. Scope. -- Rule regarding holidays in the University System of West Virginia.

1.2. Authority. -- W. Va. Code §§18B-1-6, 2-2-1

1.3. Filing Date. -- July 13, 1993

1.4. Effective Date. -- July 13, 1993

1.5. Repeal of Former Rule. -- Repeals and replaces Title 128, Series 26, effective September 14, 1987.

§128-26-2. Granting Power.

2.1. The University System Board of Trustees hereby directs that the president of each university shall determine six (6) floating holidays which will be observed by the employees of that institution in addition to the six (6) holidays specified in Section 3.1 of this rule.

§128-26-3. 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. 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.

§128-26-4. Half 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.

§128-26-5. 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.