

**H. B. 2884**

(By Delegates Pasdon and Perry)

[Introduced February 23, 2015; referred to the  
Committee on Education.]

A BILL to amend and reenact §18B-1D-9 of the Code of West Virginia, 1931, as amended, relating to modifying training and development requirement for certain members of Higher Education Policy Commission, council for community and technical college education and institutional governing boards.

*Be it enacted by the Legislature of West Virginia:*

That §18B-1D-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted, to read as follows:

**ARTICLE 1D. HIGHER EDUCATION ACCOUNTABILITY.**

**§18B-1D-9. Commission, council and institutional governing board training and development; training and development requirements, applicability and exceptions.**

(a) The commission and council, either jointly or separately, shall coordinate periodic training and development opportunities for members of the commission, council and institutional

1 governing boards as provided in this section.

2 ~~(b) Within six months of beginning service on the commission, council or a governing board~~  
3 ~~each new member shall complete at least three hours of training and development.~~ The training and  
4 development shall address the following topics:

5 (1) State goals, objectives and priorities for higher education;

6 (2) The accountability system for higher education set forth in this article;

7 (3) The general powers and duties of members; and

8 (4) Ethical considerations arising from board membership.

9 (b) Training and development is required as follows:

10 (1) A member newly appointed to the commission, council or a governing board shall  
11 complete three hours of training and development by the end of the first fiscal year of service if the  
12 appointment is made in the first half of a fiscal year. If the appointment is made in the second half  
13 of a fiscal year the member shall complete three hours of training and development by the end of the  
14 first half of the second fiscal year.

15 ~~(c)~~ (2) With the exception of the ex officio members of the commission and the council and  
16 the student member of a governing board, each member shall complete at least six hours of training  
17 and development related to his or her duties within two fiscal years of beginning service  
18 and within every two fiscal years of service thereafter.

19 ~~(d)~~ (c) Annually, by July 31, ~~each year~~ the chair of the commission, council and each  
20 governing board shall certify to the commission or council, as appropriate, the number of hours of  
21 training and development that each member received during the preceding fiscal year.

22 ~~(e)~~ (d) If the certification indicates that a board member has not completed the training and

1 development required by this section, the commission or council, as appropriate, shall send a notice  
 2 to the affected board member, and to the Governor and the Secretary of State or to the institutional  
 3 appointing entity that the board member is disqualified from continued service notwithstanding the  
 4 provisions of sections five and six, article six, chapter six of this code. The commission or council,  
 5 as appropriate, shall request the Governor or appointing entity to appoint a replacement for that  
 6 board member.

7 ~~(f)~~ (e) Annually, by September 30, ~~each year~~ the commission and council shall report to the  
 8 Legislative Oversight Commission on Education Accountability on the training and development  
 9 that members of the commission and ~~the~~ council and the governing boards under their respective  
 10 jurisdictions have received during the preceding fiscal year. ~~and shall include~~ This information shall  
 11 be included in the institutional and statewide report cards provided in section eight of this article.

12 ~~(g)~~ (f) As used in this section, "member" means all members of the commission, council and  
 13 the governing boards unless a specific exception is provided in this section.

NOTE: The purpose of this bill is to modify training and development requirements for certain members of the Higher Education Policy Commission, council for community and technical college education and institutional governing boards.

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