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**ENROLLED**

**H. B. 2884**

(By Delegates Pasdon and Perry)

[Passed March 12, 2015; in effect ninety days from passage.]

AN ACT 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 governing boards as provided in this section.

1           The training and development shall address the following topics:

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

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

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

5           (4) Ethical considerations arising from board membership.

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

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

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

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

19           (d) If the certification indicates that a board member has not completed the training and  
20 development required by this section, the commission or council, as appropriate, shall send a notice  
21 to the affected board member, and to the Governor and the Secretary of State or to the institutional  
22 appointing entity that the board member is disqualified from continued service notwithstanding the

1 provisions of sections five and six, article six, chapter six of this code. The commission or council,  
2 as appropriate, shall request the Governor or appointing entity to appoint a replacement for that  
3 board member.

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

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