

# E N R O L L E D

## H. B. 2884

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(BY DELEGATE(S) PASDON AND PERRY)

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

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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.**

- 1 (a) The commission and council, either jointly or separately,
- 2 shall coordinate periodic training and development opportunities

3 for members of the commission, council and institutional  
4 governing boards as provided in this section.

5 The training and development shall address the following  
6 topics:

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

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

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

12 (4) Ethical considerations arising from board membership.

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

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

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

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

32 (d) If the certification indicates that a board member has not  
33 completed the training and development required by this section,  
34 the commission or council, as appropriate, shall send a notice to  
35 the affected board member, and to the Governor and the  
36 Secretary of State or to the institutional appointing entity that the  
37 board member is disqualified from continued service  
38 notwithstanding the provisions of sections five and six, article  
39 six, chapter six of this code. The commission or council, as  
40 appropriate, shall request the Governor or appointing entity to  
41 appoint a replacement for that board member.

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

50 (f) As used in this section, “member” means all members of  
51 the commission, council and the governing boards unless a  
52 specific exception is provided in this section.



That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within \_\_\_\_\_ this the \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
*Governor*





