

# H. B. 2884

---

(BY DELEGATE(S) 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.**

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           ~~(b) Within six months of beginning service on the~~  
6 ~~commission, council or a governing board each new member~~  
7 ~~shall complete at least three hours of training and development.~~

8 The training and development shall address the following topics:

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

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

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

14           (4) Ethical considerations arising from board membership.

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

16           (1) A member newly appointed to the commission, council  
17 or a governing board shall complete three hours of training and

18 development by the end of the first fiscal year of service if the  
19 appointment is made in the first half of a fiscal year. If the  
20 appointment is made in the second half of a fiscal year the  
21 member shall complete three hours of training and development  
22 by the end of the first half of the second fiscal year.

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

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

34       (Ⓣ) (d) If the certification indicates that a board member has  
35 not completed the training and development required by this  
36 section, the commission or council, as appropriate, shall send a  
37 notice to the affected board member, and to the Governor and the

38 Secretary of State or to the institutional appointing entity that the  
39 board member is disqualified from continued service  
40 notwithstanding the provisions of sections five and six, article  
41 six, chapter six of this code. The commission or council, as  
42 appropriate, shall request the Governor or appointing entity to  
43 appoint a replacement for that board member.

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

52 ~~(g)~~ (f) As used in this section, “member” means all members  
53 of the commission, council and the governing boards unless a  
54 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.