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HOUSE BILL NO. 1303**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education
on February 10, 2016)

(Patron Prior to Substitute—Delegate Landes)

A BILL to amend and reenact § 23-2.06 of the Code of Virginia, relating to governing boards of public institutions of higher education; State Board for Community Colleges; educational programs for members; member reappointment.

Be it enacted by the General Assembly of Virginia:

1. That § 23-2.06 of the Code of Virginia is amended and reenacted as follows:

§ 23-2.06. Members of governing boards; removal; terms.

A. If any member of the board of visitors of a four-year public institution of higher education or the State Board for Community Colleges fails to attend (i) the meetings of the board for one year without sufficient cause, as determined by a majority vote of the board, or (ii) the educational programs required by § 23-9.14:1 in his first two years of membership without sufficient cause, as determined by a majority vote of the board, the remaining members of the board shall record such failure in the minutes at its next meeting and notify the Governor, and the office of such member shall be vacated. ~~However, no member serving as of January 1, 2015 shall be removed for failing to attend the educational programs required by § 23-9.14:1 if he attends such training by January 1, 2016. No member of the board of visitors of a four-year public institution of higher education or the State Board for Community Colleges who fails to attend the educational programs required by § 23-9.14:1 during his first four-year term is eligible for reappointment to such board.~~

B. The board of visitors of each four-year public institution of higher education and the State Board for Community Colleges shall adopt in its bylaws policies (i) for removing members pursuant to subsection A and (ii) referencing the Governor's power to remove members described in § 2.2-108.

C. No person who has served two consecutive four-year terms on the board of visitors of a four-year public institution of higher education or the State Board for Community Colleges shall be eligible to serve on the same board until at least four years have passed since the end of his second consecutive four-year term.

2. That notwithstanding the provisions of the first enactment of this act, any member of the board of visitors of a four-year public institution of higher education or the State Board for Community Colleges who was appointed to such board prior to July 1, 2013, and fails to attend the educational programs required by § 23-9.14:1 of the Code of Virginia during his first four-year term shall attend such educational programs during the first two years of his subsequent term on such board.