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OFFICE WEST VIRGINIA
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WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001

ENROLLED

House Bill No. 2898

(By Delegates Paxton, Shelton, Dempsey, Perry,
Carmichael, Romine and Canterbury)

Passed April 14, 2001

In Effect from Passage

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H. B. 2898

(BY DELEGATES PAXTON, SHELTON, DEMPSEY, PERRY,
CARMICHAEL, ROMINE AND CANTERBURY)

[Passed April 14, 2001; in effect from passage.]

AN ACT to amend and reenact sections one, three and four, article three-d, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to including funds to assist with modernization and procurement of equipment for workforce training programs in grants through the workforce development initiative grant program; updating obsolete references; requiring prior approval for sale, disposal or change in use of equipment upgraded or procured with grant funds; authorizing annual renewal for less than five years; establishing additional required element in mission of community and technical colleges accepting grant funds; authorizing required private match to be both cash and in-kind; requiring plan to collaborate with public schools to maximize use of existing personnel and equipment; and authorizing award of funds for qualified programs operated on collaborative basis and utilized by both secondary and post-secondary students at public school facilities.

Be it enacted by the Legislature of West Virginia:

That sections one, three and four, article three-d, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3D. WORKFORCE DEVELOPMENT INITIATIVE.

§18B-3D-1. Legislative findings and intent.

1 (a) The Legislature finds that a recent statewide study of the
2 workforce training needs of employers throughout the state
3 provided a clear message from the business community:

4 (1) The needs of employers are rapidly changing and
5 training providers must be more responsive or the state econ-
6 omy will suffer;

7 (2) Information specific to West Virginia, once again
8 emphasizes the critical link between education and economic
9 development that empowering youth and adults with the
10 knowledge and skills they need to succeed in the competitive
11 work world also results in a workforce which enables busi-
12 nesses and communities to prosper;

13 (3) Although employers are generally satisfied with the
14 quality of the West Virginia workforce and the study provides
15 additional support that the measures adopted in the Jobs
16 Through Education Act will bring continued improvement,
17 workforce needs are not static, critical skill shortages currently
18 exist, and the establishment of a workforce development system
19 that responds more quickly to the evolving skill requirements
20 of employers is needed.

21 (b) The Legislature further finds that a study of community
22 and technical education in West Virginia performed by the
23 national center for higher education management systems called

24 attention to problems in providing needed workforce education
25 and found that there is a need to:

26 (1) Jump-start development of community college and
27 postsecondary workforce development initiatives;

28 (2) Provide incentives for existing public postsecondary
29 providers to respond jointly to both short and long-term needs
30 of employers and other clients;

31 (3) Provide funding for explicit incentives for partnerships
32 between employers and public postsecondary institutions to
33 develop comprehensive community college and workforce
34 development services; and

35 (4) Allocate funds competitively on the basis of proposals
36 submitted by providers.

37 (c) It is further the intent of the Legislature that the granting
38 of funds under this article will promote the development of
39 comprehensive community and technical colleges as set forth
40 in article three-c of this chapter.

41 (d) It is the intent of the Legislature through the grant of
42 funds under this article to provide limited seed money to
43 address some of the specific areas where improvement is
44 needed, including:

45 (1) Improving employer awareness and access to services
46 available through the state's education institutions;

47 (2) Providing designated professionals and resources to
48 support workforce education through the state's education
49 institutions;

50 (3) Assisting with the modernization and procurement of
51 equipment needed for workforce training programs: *Provided,*

52 That any equipment purchased or upgraded with grant funds
53 awarded under the provisions of this article may not be sold,
54 disposed of or used for purposes other than those specified in
55 the grant without prior approval of the council;

56 (4) Increasing the capacity of the state's education institu-
57 tions to respond rapidly to employer needs for workforce
58 education, and training on an on-going basis through the
59 development of a client-focused, visible point of contact for
60 program development and delivery, service referral and needs
61 assessment, such as a workforce development center; and

62 (5) Maximizing the use of available resources for
63 workforce education and training through partnerships with
64 public vocational, technical and adult education centers and
65 private training providers.

66 (e) It is further the intent of the Legislature that consider-
67 ation and partnering opportunities be given to small businesses
68 on an equal basis with larger businesses for the purposes of this
69 article and that the seed money will assist providers in becom-
70 ing self-sustaining through partnerships with business and
71 industry which will include cost-sharing initiatives and fees
72 charged for the use of services.

73 (f) The Legislature intends that grants of funds made under
74 the provisions of this article will be competitive among
75 applicants who meet all of the criteria established in this article
76 and such other criteria as may be specified by the council.
77 Subject to the availability of funds, more than one competition
78 may be held during the same fiscal year and the dollar range of
79 awards granted in successive competitions shall be prorated
80 based on the number of months remaining in the fiscal year.
81 Subject to annual review and justification, it is the intent of the
82 Legislature to renew grant awards made under this article each
83 year for not more than five years following the initial grant
84 award.

§18B-3D-3. Mission of the workforce development initiative program.

1 (a) The state-wide mission of the workforce development
2 initiative program is to develop a strategy to strengthen the
3 quality of the state's workforce by linking the existing
4 postsecondary education capacity to the needs of business,
5 industry and other employers. Available funding will be used to
6 provide explicit incentives for partnerships between employers
7 and community and technical colleges to develop comprehen-
8 sive workforce development services. Funds will be granted on
9 the basis of proposals developed according to criteria estab-
10 lished by the council.

11 (b) The mission of any community and technical college
12 accepting a workforce development initiative grant is to:

13 (1) Become client-focused and develop programs that meet
14 documented employer needs;

15 (2) Involve and collaborate with employers in the develop-
16 ment of programs;

17 (3) Develop customized training programs that provide for
18 the changing needs of employers and that are offered at flexible
19 times and locations to accommodate employer scheduling;

20 (4) Develop partnerships with other public and private
21 providers, including small business development centers and,
22 vocational, technical and adult education centers, and with
23 business and labor, to fulfill the workforce development needs
24 of the service area;

25 (5) Establish cooperative arrangements with the public
26 school system for the seamless progression of students through
27 programs of study that begin at the secondary level and
28 conclude at the community and technical college level, particu-

29 larly with respect to career and technical education certificates,
30 associate of applied science and selected associate of science
31 degree programs for students seeking immediate employment,
32 individual entrepreneurship skills, occupational development,
33 skill enhancement and career mobility.

34 (6) Assist in the on-going assessment of the workforce
35 development needs of the service area; and

36 (7) Serve as a visible point of contact and referral for
37 services to meet the workforce development needs of the
38 service area.

§18B-3D-4. Grant application procedures.

1 (a) In order to participate in the workforce development
2 initiative grant program, a community and technical college
3 must meet the following conditions:

4 (1) Establish a consortia committee as required by section
5 seven, article three-c of this chapter. The consortia committee
6 or a subcommittee thereof shall participate in the development
7 of and approve applications for funding grants under the
8 provisions of this article, and shall approve the workforce
9 development initiative budget;

10 (2) Develop a plan to achieve measurable improvements in
11 the quality of the workforce within its service area over a five-
12 year period. The plan must be developed in partnership with
13 employers, local vocational schools, and other workforce
14 education providers;

15 (3) Establish a special revolving fund under the jurisdiction
16 of the consortia committee dedicated solely to workforce
17 development initiatives for the purposes provided in this article.
18 Any fees or revenues generated from workforce development
19 initiatives funded by a competitive grant shall be deposited into
20 this fund.

21 (b) To be eligible to receive a workforce development
22 initiative grant, a community and technical college must
23 provide at least the following information in its application:

24 (1) Identification of the specific business or business sector
25 training needs that will be met if a workforce development
26 initiative grant is received;

27 (2) A commitment from the private sector to provide a
28 match of one dollar, cash and in-kind, for each dollar of state
29 grant money received except in cases where the community and
30 technical college can demonstrate in the grant application that
31 it would be a hardship for the business being served to provide
32 such a match. In those cases only, the match required may be
33 reduced to one private dollar, cash and in-kind, for every three
34 dollars of state grant money provided. In the case of awards for
35 the modernization of procurement of equipment, the council
36 may establish a separate match requirement of up to one dollar,
37 cash and in-kind, for each dollar of state grant money received;

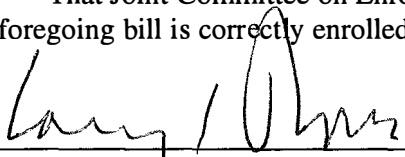
38 (3) An agreement to share with other community and
39 technical colleges any curricula developed using funds from a
40 workforce development initiative grant;

41 (4) A specific plan showing how the community and
42 technical college will collaborate with local postsecondary
43 vocational institutions to maximize the use of existing facilities,
44 personnel and equipment;

45 (5) An acknowledgment that acceptance of a grant under
46 the provisions of this article commits the community and
47 technical college and its consortia committee to such terms,
48 conditions and deliverables as is specified by the council in the
49 request for applications, including, but not limited to, the
50 measures by which the performance of the workforce develop-
51 ment initiative will be evaluated.

52 (c) Applications submitted by community and technical
53 colleges may be awarded funds for programs which meet the
54 requirements of this article that are operated on a collaborative
55 basis at facilities under the jurisdiction of the public schools
56 and utilized by both secondary and post-secondary students.

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



Chairman Senate Committee



Chairman House Committee

Originating in the House.

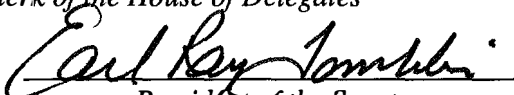
In effect from passage.



Clerk of the Senate



Clerk of the House of Delegates




President of the Senate



Speaker of the House of Delegates

The within as appended this the 22nd
day of May, 2001.



Governor

PRESENTED TO THE

GOVERNOR

Date: 4/27/01

Time: 11:50am