

ENROLLED

Senate Bill No. 646

(BY SENATORS LAIRD, PLYMALE, FOSTER, MILLER AND STOLLINGS)

[Passed March 9, 2012; in effect from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-6b, relating to the General Educational Development Diploma (GED); making legislative findings; setting forth legislative intent; and requiring the State Board of Education to study GED issues and make a report with recommendations by a certain date.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §18-2-6b, to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-6b. General Educational Development (GED) diploma; legislative findings and intent; examination costs; testing materials and procedures; report required.

1 (a) The Legislature makes the following findings related
2 to the General Educational Development (GED) examina-
3 tion:

4 (1) The GED examination is an instrument for success
5 that can keep a student from dropping out of school and can
6 transform the future for both school age and adult individu-
7 als who attain a GED diploma. One in every seven Ameri-

8 cans with a high school credential has received the GED, as
9 well as one in every twenty college students. For those who
10 have not graduated from high school, attaining a GED
11 diploma greatly increases their employment opportunities
12 and earning potential.

13 (2) While West Virginia's average per-capita income has
14 increased over the past ten years as the state's economy has
15 held steady or grown slightly, most other states have shown
16 declines. Despite these positive changes, West Virginia still
17 ranks as one of the five poorest states in the nation. Addi-
18 tionally, many counties within the state fall far below the
19 state average; therefore, the current cost of the GED exami-
20 nation is difficult for many citizens to afford without help,
21 and significant cost increases will make the GED examina-
22 tion cost prohibitive.

23 (3) In addition to the cost factor, large areas of West
24 Virginia are without broadband Internet access or without
25 adequate broadband Internet access speeds, which results in
26 diminished opportunities for rural residents to participate in
27 the rapidly unfolding digital revolution compared to their
28 nonrural neighbors. Citizens living in these areas have few
29 opportunities to become adept in computer technology.
30 Therefore, most such citizens, especially adults seeking to
31 earn a GED years after leaving the public school system, are
32 not proficient or even comfortable using the Internet.

33 (4) Individuals who may benefit most from earning a
34 GED diploma are those who lack many of the skills needed
35 to secure employment or to function successfully in an age
36 dependent upon technology. Because such individuals also
37 lack the financial resources to obtain those needed skills, if
38 the GED is unattainable they are likely to remain in a state
39 of poverty.

40 (b) It is the intent of the Legislature to make the GED
41 diploma available to the widest possible range of state
42 residents who have not achieved a high school diploma. To
43 that end, an examination of the following issues is required:

44 (1) The impact on prospective GED test takers of the
45 proposed changes in the design and delivery of the qualifying

46 examination made by the American Council on Education
47 (ACE) in 2011;

48 (2) The impact of the increase in costs per individual
49 tested; and

50 (3) The alternatives available to reduce costs and to
51 retain the option of pen and paper testing for those who
52 desire it.

53 (c) The State Board shall perform an exhaustive study of
54 the issues surrounding administration of the GED examina-
55 tion in the state including, but not limited to, the following:

56 (1) Analysis of research, pilot testing, or both, that was
57 done in West Virginia by the American Council on Education
58 prior to its decision to eliminate pen and paper examina-
59 tions, along with the justifications offered for eliminating
60 this type of examination as a possible option;

61 (2) Determination of the current and future costs to the
62 state to provide GED examinations free of charge to eligible
63 individuals; and

64 (3) Recommendations for statutory or rule changes to
65 achieve the following goals:

66 (A) Reducing or controlling escalating costs of adminis-
67 tering the GED examinations; and

68 (B) Retaining paper and pen testing for those individuals
69 who request or require it; or

70 (C) Eliminating or reducing significantly the difficulty
71 for individuals who are not comfortable or proficient in
72 taking online examinations.

73 (d) The State Board shall complete its work and report its
74 findings, conclusions and recommendations, together with
75 drafts of any legislation or rule changes necessary to effectu-
76 ate the recommendations, to the Legislative Oversight
77 Commission on Education Accountability no later than July
78 1, 2012.