

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Introduced**

### **Senate Bill 680**

BY SENATORS PALUMBO, HAMILTON, JEFFRIES, LINDSAY,

PITSENBARGER, AND TAKUBO

[Introduced January 31, 2020; referred  
to the Committee on Education; and then to the  
Committee on Finance]



1 A BILL to amend and reenact §18-2E-11 of the Code of West Virginia, 1931, as amended; and to  
2 amend and reenact §18C-9-3 of said code, all relating to qualifying not-for-profit private  
3 baccalaureate institutions for the Advanced Career Education programs and the West  
4 Virginia Invests Grant Program.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.**

**§18-2E-11. Advanced Career education.**

1 (a) The Legislature hereby makes the following findings:

2 (1) Preparing West Virginia students to achieve post-secondary career education and to  
3 excel in the workforce is a responsibility shared among all state education agencies and  
4 institutions. The state's education agencies and institutions can fulfill this responsibility by  
5 establishing partnerships that enable students to attain advanced career education and valuable  
6 workforce skills in a more efficient and advantageous manner;

7 (2) The formation of partnerships between public secondary schools and community and  
8 technical colleges, or public or not-for-profit private baccalaureate institutions which establish  
9 advanced career education programs would ensure that a full range of community and technical  
10 college programs and services are provided in all areas of the state;

11 (3) Programs which create clear and efficient pathways that begin during secondary  
12 education and lead to obtaining advanced certifications and associate degrees will increase the  
13 number of students that ultimately obtain a post-secondary credential or degree; and

14 (4) West Virginia's economic prosperity is directly tied to the level and quality of its  
15 workforce career education. Providing the students of this state with increased access to career  
16 education will not only improve the general well-being of its citizens, but greatly enhance the  
17 economic prosperity of the state.

18 (b) The purpose of this section and the Advanced Career Education (ACE) programs  
19 authorized herein is to connect secondary schools with community and technical colleges, or

20 public or not-for-profit private baccalaureate institutions that provide associate degrees to  
21 accomplish the following:

22 (1) Prepare secondary students for success in post-secondary education and the  
23 workforce; and

24 (2) Provide more opportunities for secondary students to earn post-secondary college  
25 credits, certifications, and associate degrees.

26 (c) To effectuate the purposes set forth in §18-2E-11(b) of this code, community and  
27 technical colleges, public or not-for-profit private baccalaureate institutions, career technical  
28 education centers, and county boards of education, or any combination of such secondary and  
29 post-secondary entities, shall establish partnerships that provide for ACE programs which feature  
30 defined pathways that begin when a student is in secondary education and that ultimately lead to  
31 advanced certifications or associate degrees awarded by community and technical colleges or  
32 baccalaureate institutions. ACE programs shall be equally available to public, nonpublic, and  
33 homeschool students.

34 (d) ACE programs shall include pathways that consist of a curriculum of courses leading  
35 to advanced certifications or an associate degree that have been deemed to satisfy a workforce  
36 need as determined by the Department of Commerce.

37 (1) The Department of Commerce shall, on occasion, but at least annually, provide written  
38 notification to the State Board of Education, the West Virginia Council for Community and  
39 Technical College Education, and the West Virginia Higher Education Policy Commission of a  
40 determination of areas of workforce need within the state.

41 (2) The Department of Commerce, in consultation with the council, the commission, and  
42 business partners, will develop a hierarchy of high demand skilled professions and workforce  
43 needs with shortages, which shall be given priority in administration of the program.

44 (e) The State Superintendent of Schools, the Chancellor of the Council for Community  
45 and Technical College Education, and the Chancellor of the Higher Education Policy Commission,

46 or their designees, shall facilitate the ACE programs. At a minimum, an ACE program shall satisfy  
47 the following objectives:

48 (1) Provide additional opportunities to students in this state to attain advanced  
49 certifications and college credentials leading to associate degrees through ACE pathways;

50 (2) Increase the number of students in this state that attain advanced certifications and  
51 college credentials leading to associate degrees through ACE pathways;

52 (3) Allow students in this state to attain advanced certifications and college credentials  
53 leading to associate degrees through ACE pathways at little or no cost;

54 (4) Ensure that ACE pathways provide a clear roadmap to the courses and requirements  
55 necessary to attain advanced certifications and college credentials leading to associate degrees;  
56 and

57 (5) Ensure that course requirements within ACE pathways are not duplicated.

58 (f) The board and council shall jointly promulgate guidelines for the administration of ACE  
59 programs and pathways, which must be affirmatively adopted by the board and the council. At a  
60 minimum, such guidelines shall provide for the following:

61 (1) That ACE program partnerships established between community and technical  
62 colleges, public or not-for-profit private baccalaureate institutions, career technical education  
63 centers, and county boards of education, or any combination of such secondary and post-  
64 secondary entities, shall be reduced to written partnership agreements;

65 (2) The information required to be contained within partnership agreements;

66 (3) That ACE programs and pathways must meet the requirements of the accrediting entity  
67 for the community and technical college, or public or not-for-profit private baccalaureate institution  
68 awarding the associate degrees or advanced certificates;

69 (4) That partnership agreements shall be approved by the State Superintendent of  
70 Schools, the Chancellor for the Council for Community and Technical College Education, and the  
71 Chancellor of the Higher Education Policy Commission; and

72 (5) Any other provisions necessary to effectuate the purposes of this section.

73 (g) The board and the council shall maintain and annually report to the Governor and the  
74 Legislative Oversight Commission on Education Accountability the following information about  
75 ACE programs:

76 (1) The identity and number of partnership agreements;

77 (2) The ACE programs and pathways that are being utilized by career technical education  
78 centers, county boards of education, community and technical colleges, and public or not-for-  
79 profit private baccalaureate institutions; and

80 (3) The nature and number of degrees and certifications awarded to students participating  
81 in ACE programs by each community and technical college, public or not-for-profit private  
82 baccalaureate institution, and career technical education center.

**ARTICLE 9. WEST VIRGINIA INVESTS GRANT PROGRAM.**

**§18C-9-3. Definitions.**

1 As used in this article:

2 “Council” means the West Virginia Council for Community and Technical College  
3 Education;

4 “Commission” means the West Virginia Higher Education Policy Commission;

5 “Eligible institution” means a public community and technical college under the authority  
6 of the West Virginia Council for Community and Technical College Education, or a public or not-  
7 for-profit private baccalaureate institution that grants associate degrees satisfying the  
8 requirements of participating in Advanced Career Education (ACE) program partnerships in  
9 accordance with §18-2E-11 of this code;

10 “Eligible post-secondary program” means a curriculum of courses leading to a certificate  
11 or associate degree at an eligible institution which satisfies a course of study that has been  
12 deemed by the Department of Commerce to satisfy a workforce need as determined by the  
13 department in accordance with §18-2E-11(d) of this code; and

14           “Tuition” means the semester or term charges imposed by an eligible institution and,  
15 additionally, all mandatory fees required as a condition of enrollment by all students.

NOTE: The purpose of this bill is to qualify not-for-profit private baccalaureate institutions for the Advanced Career Education programs and the West Virginia Invests Grant Program.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.