

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Engrossed**

### **Senate Bill 839**

BY SENATORS ROBERTS, WELD, BALDWIN, BOLEY,

JEFFRIES, RUCKER, SMITH, STOLLINGS, AND TARR

[Originating in the Committee on Workforce; reported  
on February 20, 2020]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §18B-1D-11, relating to creating the State Advisory Council on Postsecondary  
3 Attainment Goals; designating members of the council; providing for the powers and duties  
4 of the council; requiring certain state agencies to cooperate with the council; and  
5 establishing a sunset date for the council.

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

**ARTICLE 1D. HIGHER EDUCATION ACCOUNTABILITY.**

**§18B-1D-11. State Advisory Council on Postsecondary Attainment Goals.**

1 (a) There is hereby created the State Advisory Council on Postsecondary Attainment  
2 Goals. The council's purpose is to collaborate with the Higher Education Policy Commission and  
3 the Council for Community and Technical College Education to identify high-value and in-demand  
4 postsecondary credentials, and to develop a plan to assist the state in achieving its postsecondary  
5 attainment goal of having 60 percent of West Virginians between the ages of 25 and 64 hold a  
6 degree, certificate, or other postsecondary workforce credential of value in the workplace by 2030.

7 (b) The State Advisory Council on Postsecondary Attainment Goals shall consist of the  
8 following members:

9 (1) The Chancellor of the Higher Education Policy Commission, or his or her designee;

10 (2) The State Superintendent of Schools, or his or her designee;

11 (3) The Secretary of the Department of Commerce, or his or her designee;

12 (4) The Director of WorkForce West Virginia, or his or her designee;

13 (5) Two presidents representing the state's four-year institutions of higher education, at  
14 least one of which shall be the president of a regional institution, appointed jointly by the President  
15 of the Senate and the Speaker of the House;

16 (6) Two presidents representing the state's community and technical colleges appointed  
17 jointly by the President of the Senate and the Speaker of the House;

18 (7) The chair of the Senate Committee on Education as an ex officio nonvoting member;

19 (8) The chair of the House Committee on Education as an ex officio nonvoting member;

20 and

21 (9) Any other individuals deemed appropriate and appointed jointly by the President of the

22 Senate and the Speaker of the House.

23 (c) The council shall be chaired by the Chancellor of the Higher Education Policy

24 Commission. The council shall meet at least quarterly and at the call of the chair. Quorum shall

25 be a simple majority of the council. The administrative functions of the council are the

26 responsibility of the joint staff of the Higher Education Policy Commission and the Council for

27 Community and Technical Education.

28 (d) The council shall consult with and advise the Legislature on matters related to the

29 progress toward achieving the state's postsecondary attainment goal as established in subsection

30 (a) of this section, including identifying high-value and in-demand postsecondary credentials. The

31 council may:

32 (1) Make recommendations to the Legislature as required by this section;

33 (2) Provide guidance to the Legislature on potential statutory solutions relative to

34 achievement of the state's postsecondary attainment goal;

35 (3) Establish workgroups or subcommittees as the council considers necessary to address

36 pertinent issues related to achievement of the state's postsecondary attainment goal, and to

37 provide consistency in the development of further regulation, if further regulation is determined to

38 be necessary by the council;

39 (4) Consult with entities and persons with expertise in the areas being studied by the

40 council as the council considers necessary in the fulfillment of its duties, including public and

41 private sector partnerships; and

42 (5) Provide a forum for a full and fair discussion of issues relating to achievement of the

43 state's postsecondary attainment goal.

44 (e) The council shall report its findings to the Legislative Oversight Commission on  
45 Education Accountability and the Joint Committee on Government and Finance by December 31,  
46 2020, and annually thereafter until the council terminates, pursuant to the provisions of this  
47 section. The report shall include, at a minimum, the following:

48 (1) Conclusions and recommendations about the means to achieve the state's  
49 postsecondary attainment goal;

50 (2) Recommendations for statutory and regulatory modifications, if the council determines  
51 that such modifications are necessary;

52 (3) Identification of any action that the Legislature may take to better foster awareness of  
53 the actions being taken to achieve the state's postsecondary attainment goal; and

54 (4) Any other ancillary issues relative to achievement of the state's postsecondary  
55 attainment goal.

56 (f) The State Board of Education, the Superintendent of Schools, the Department of  
57 Commerce, WorkForce West Virginia, the presidents of the state's public institutions of higher  
58 education, and all other entities of state government shall cooperate with the council in the  
59 exchange of data, information, and expertise, if so requested by the council, including, but not  
60 limited to:

61 (1) Providing the entity's plans to assist in achievement of the state's postsecondary  
62 attainment goal;

63 (2) Identifying equity gaps among certain high-risk populations, including, but not limited  
64 to, returning adults, academically underprepared students, the economically disadvantaged, and  
65 underrepresented racial or ethnic minorities;

66 (3) Sharing information on the economic impact of achievement of the state's  
67 postsecondary goal on the State of West Virginia;

68 (4) Providing an assessment of the benefits of implemented programs and activities aimed  
69 at achieving the state's postsecondary attainment goal;

70           (5) Assisting in the development or revision of detailed action plans to achieve the state's  
71 postsecondary attainment goal; and

72           (6) Providing resources required to implement the plan to achieve the state's  
73 postsecondary attainment goal.

74           (g) The council and all provisions of this section shall terminate and no longer be in effect  
75 on December 31, 2023.