

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4357

FISCAL
NOTE

BY DELEGATES HAMRICK, DEAN, LINVILLE, FERRELL,
STORCH, ZUKOFF, CLARK, BARNHART, PACK, B. WARD,
AND HOWELL

[Introduced January 24, 2022; Referred to the
Committee on Education then Finance]

1 A BILL to amend and reenact §18B-1B-5 of the Code of West Virginia, 1931, as amended; and
2 to amend said code by adding thereto a new article, designated §18B-21-1, §18B-21-2,
3 §18B-21-3, §18B-21-4, §18B-21-5 and §18B-21-6, all relating to establishing the West
4 Virginia Technology Internship Program; establishing certain purposes of the program;
5 requiring the Chancellor for Higher Education administer the program and, in collaboration
6 with the with the Secretary of Department of Commerce, undertake certain activities to
7 carry out the purposes of the program; establishing certain eligibility requirements for
8 participation in the program; requiring the Chancellor for Higher Education to develop a
9 process for tracking and assessing certain outcomes; requiring the Chancellor for Higher
10 Education to obtain feedback from program participants at certain times; authorizing the
11 use of certain awards to reimburse certain businesses for up to a certain percentage of
12 the amount paid to an intern up to a certain amount; and requiring the Chancellor for
13 Higher Education to prepare and submit an annual report to the Joint Committee on
14 Government and Finance

Be it enacted by the Legislature of West Virginia:

ARTICLE 1B. HIGHER EDUCATION POLICY COMMISSION.

§18B-1B-5. Employment of Chancellor for Higher Education; office; powers and duties generally; employment of Vice Chancellors and other staff.

1 (a) The commission, created by §18B-1B-1 of this code, shall employ a Chancellor for
2 Higher Education who is the chief executive officer of the commission and who serves at its will
3 and pleasure.

4 (b) The commission shall set the qualifications for the position of chancellor and, when a
5 vacancy occurs, shall conduct a thorough nationwide search for qualified candidates. A qualified
6 candidate is one who meets at least the following criteria:

- 7 (1) Possesses an excellent academic and administrative background;
- 8 (2) Demonstrates strong communication skills;

9 (3) Has significant experience and an established national reputation as a professional in
10 the field of higher education;

11 (4) Is free of institutional or regional biases; and

12 (5) Holds or retains no other administrative position within a system of higher education
13 while employed as chancellor: *Provided*, That nothing contained in this subsection may preclude
14 the chancellor of the commission from also serving as the Chancellor of The Council for
15 Community and Technical College Education, as provided in §18B-2B-3 of this code.

16 (c) The commission shall conduct written performance evaluations of the chancellor
17 annually and may offer the chancellor a contract not to exceed three years. At the end of each
18 contract period, the commission shall review the evaluations and make a determination by vote
19 of its members on continuing employment and compensation level.

20 (d) When filling a vacancy in the position of chancellor, the commission shall enter into an
21 initial employment contract for one year with the candidate selected. At the end of the initial
22 contract period, and each contract period thereafter, the commission shall review the evaluations
23 and make a determination by vote of its members on continuing employment and compensation
24 level for the chancellor.

25 (e) The commission sets the chancellor's salary. The salary may not exceed by more than
26 20 percent the average annual salary of the chief executive officers of state systems of higher
27 education in the states that comprise the membership of the Southern Regional Education Board.
28 Pursuant to §6B-2-5(l) of this code, the chancellor may receive only one form of salary if such
29 person serves as the chancellor for both the higher education policy commission and the council
30 for community and technical colleges.

31 (f) The commission may employ a senior director for health sciences who serves at the
32 will and pleasure of the commission. The senior director for health sciences shall coordinate the
33 West Virginia University School of Medicine, the Marshall University School of Medicine and the
34 West Virginia School of Osteopathic Medicine and also shall provide assistance to the governing

35 boards on matters related to medical education and health sciences. The senior director for health
36 sciences shall perform all duties assigned by the chancellor, the commission and state law. If
37 there is a vacancy in the office of senior director for health sciences, the duties assigned to this
38 office by law are the responsibility of the chancellor or a designee.

39 (g) The commission shall employ a vice chancellor for administration pursuant to §18B-4-
40 2 of this code.

41 (h) On behalf of the commission, the chancellor may enter into agreements with any state
42 agency or political subdivision of the state, any state institution of higher education or any other
43 person or entity to enlist staff assistance to implement the powers and duties assigned by the
44 commission or by state law.

45 (i) The chancellor is responsible for the daily operations of the commission and has the
46 following responsibilities relating to the commission and the governing boards under its
47 jurisdiction:

48 (1) To carry out policy and program directives of the commission;

49 (2) To develop and submit annual reports on the implementation plan to achieve the goals
50 and objectives set forth in §18B-1-1a and §18B-1-1d of this code, and in the compacts;

51 (3) To prepare and submit to the commission for its approval the proposed budget of the
52 commission including the offices of the chancellor and the vice chancellors;

53 (4) To assist the governing boards in developing rules, subject to §18B-1-6 of this code.

54 Nothing in this chapter requires the rules of the governing boards to be filed pursuant to the rule-
55 making procedures provided in §29A-3A-1 *et seq.* of this code. The commission and the council,
56 either separately or jointly as appropriate, are responsible for ensuring that any policy which is
57 required to be uniform across the institutions is applied in a uniform manner;

58 (5) To consult with institutions on human relations policies and rules;

59 (6) To perform all other duties and responsibilities assigned by the commission or by state
60 law.

61 (j) The chancellor shall be reimbursed for all actual and necessary expenses incurred in
62 the performance of all assigned duties and responsibilities.

63 (k) The chancellor, with the commission, advises the Legislature on matters of higher
64 education in West Virginia. The chancellor shall work closely with the Legislative Oversight
65 Commission on Education Accountability and with the elected leadership of the state to ensure
66 that they are fully informed about higher education issues and that the commission fully
67 understands the goals, objectives, and priorities for higher education that the Legislature has
68 established by law.

69 (l) The chancellor may design and develop for consideration by the commission new
70 statewide or region-wide initiatives in accordance with the goals set forth in §18B-1-1a and §18B-
71 1D-1 *et seq.* of this code, and the public policy agenda articulated by the commission. In those
72 instances where the initiatives to be proposed have a direct and specific impact or connection to
73 community and technical college education as well as to baccalaureate and graduate education,
74 the Chancellor for Higher Education and the Chancellor for Community and Technical College
75 Education shall design and develop the initiatives jointly for consideration by the commission and
76 the council.

77 (m) To further the goals of cooperation and coordination between the commission and the
78 State Board of Education, the chancellor serves as an ex officio, nonvoting member of the state
79 board. The chancellor shall work closely with members of the State Board of Education and with
80 the State Superintendent of Schools to assure that the following goals are met:

81 (1) Development and implementation of a seamless kindergarten-through-college system
82 of education; and

83 (2) Appropriate coordination of missions and programs.

84 (n) The chancellor shall, in collaboration with the Secretary of Department of Commerce,
85 undertake activities to carry out the purposes of the West Virginia Technology Internship Program
86 created in §18B-21-1 *et seq.* of this code.

ARTICLE 21. WEST VIRGINIA TECHNOLOGY INTERNSHIP PROGRAM.

§18B-21-1. Definitions.

1 The following words have the meanings indicated:

2 “Program” means the West Virginia technology internship program.

3 “Chancellor” means the Chancellor for Higher Education.

4 “Technology-based business” means a commercial or an industrial enterprise engaged in
5 the application of scientific knowledge to practical purposes in a particular field.

§18B-21-2. Creation of West Virginia technology internship program; purposes.

1 The West Virginia technology internship program is hereby created. The purposes of the
2 program are to:

3 (1) Connect college and university students, recent graduates, and veterans with small
4 innovative businesses in the high-growth technology sector through internships;

5 (2) Encourage high-achieving students at institutions of higher education in the state to
6 remain in the state after graduation;

7 (3) Increase student understanding of employment opportunities in the state;

8 (4) Create connections between students and community business leaders and
9 entrepreneurs and develop opportunities for student involvement in communities;

10 (5) Assist small technology-based businesses in developing internship programs and
11 recruiting future employees; and

12 (6) Foster business retention and development, job creation, workforce development, and
13 new investment in the state.

§18B-21-3. Administration of program.

1 The Chancellor for Higher Education shall administer the program in collaboration with the
2 Secretary of Department of Commerce. The chancellor and secretary shall:

3 (1) Establish an internet portal through which: (A) students may apply online to be matched
4 with technology-based businesses; and (B) technology-based businesses may register, post

5 information about internship opportunities, and apply for reimbursement of internship stipends as
6 provided under this article;

7 (2) Develop application and registration requirements;

8 (3) Develop orientation and training programs for participants in the program;

9 (4) Review applications and award reimbursements of internship stipends under this
10 article;

11 (5) Provide opportunities for students to meet entrepreneurs and visit technology-related
12 industry incubators;

13 (6) Provide recruitment and training opportunities and support for participating businesses;

14 and

15 (7) Track and assess program outcomes.

§18B-21-4. Individuals' participation qualifications.

1 To qualify for participation in the program, an individual shall:

2 (1) Be a student enrolled at an institution of higher education in the state that possesses
3 a certificate of approval from the Higher Education Policy Commission; and

4 (2). Maintain a cumulative 3.0 grade point average on a 4.0 scale each academic year;

5 (B) Within 12 months before the date of application for the program, have graduated from an
6 institution of higher education in the state that possesses a certificate of approval from the
7 commission; and

8 (3). Have maintained a cumulative 3.0 grade point average on a 4.0 scale during the latest
9 academic year the individual was enrolled as a student; or

10 (4) Be a student enrolled at an institution of higher education outside the state, if the
11 student graduated from a high school in the state; and

12 (5). Maintain a cumulative 3.0 grade point average on a 4.0 scale each academic year; or
13 be a veteran;

14 (6) Commit to working at least 10 hours each week or a total of 120 hours during a spring,

15 fall, or summer semester;

16 (7) Attend an orientation session provided or approved by the chancellor; and

17 (8) Meet any other criteria established by the chancellor or the Higher Education Policy

18 Commission.

§18B-21-5. Business's participation qualifications.

1 To qualify for participation in the program, a business shall:

2 (1) Be located in the state;

3 (2) Be a technology-based business;

4 (3) Have not more than 150 employees;

5 (4) Commit to hosting an intern for at least 10 hours each week or a total of 120 hours

6 during a spring, fall, or summer semester;

7 (5) Provide a detailed description of an intern position with the business; and

8 (6) Provide proof that a representative has attended an orientation or training program

9 provided or approved by the chancellor.

§18B-21-6. Process for tracking and assessing program outcomes; etc.

1 (a) The chancellor and secretary shall develop a process for tracking and assessing the

2 outcomes of the program, including:

3 (1) The total number of individuals and businesses participating in the program;

4 (2) The locations of participating businesses;

5 (3) The number of participating students remaining in the state after graduation;

6 (4) The number of employee hires resulting from internships;

7 (5) The effect of the program on student understanding of opportunities for entrepreneurs

8 and small businesses in the state;

9 (6) Student skill growth resulting from internship experiences;

10 (7) Business growth or improvement resulting from internships; and

11 (8) The effect of the program on relationships between businesses and institutions of

12 higher education in the state.

13 (b) The chancellor and secretary shall obtain feedback from program participants:

14 (1) At the conclusion of any orientation or training program;

15 (2) At the conclusion of each internship; and

16 (3) At the following intervals after the conclusion of each internship:

17 (i) Three months;

18 (ii) Six months;

19 (iii) One year;

20 (iv) Two years; and

21 (v) Three years.

22 (b) Money awarded under this article:

23 (1) May be used to reimburse a technology-based business up to 50 percent of a stipend

24 paid to an intern, but not more than:

25 (i) \$1,800 for the first semester; and

26 (ii) \$1,200 for the second semester; and

27 (2) May total not more than \$3,000 each year for each business.

28 (c) At the end of each fiscal year, the chancellor and secretary shall prepare an annual

29 report of the fund that includes an accounting of all financial receipts and expenditures that relate

30 to the program.

31 (d) The chancellor and secretary shall submit a copy of the report to the Joint Committee

32 and Government and Finance.

NOTE: The purpose of this bill is to establish the West Virginia Technology Internship 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.