

1 **ENROLLED**

2 **Senate Bill No. 646**

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

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5 [Passed March 9, 2012; in effect from passage.]
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10 AN ACT to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §18-2-6b, relating to
12 the General Educational Development Diploma (GED); making
13 legislative findings; setting forth legislative intent; and
14 requiring the State Board of Education to study GED issues and
15 make a report with recommendations by a certain date.

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

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

20 **ARTICLE 2. STATE BOARD OF EDUCATION.**

21 **§18-2-6b. General Educational Development (GED) diploma;**
22 **legislative findings and intent; examination costs;**

1 **testing materials and procedures; report required.**

2 (a) The Legislature makes the following findings related to
3 the General Educational Development (GED) examination:

4 (1) The GED examination is an instrument for success that can
5 keep a student from dropping out of school and can transform the
6 future for both school age and adult individuals who attain a GED
7 diploma. One in every seven Americans with a high school
8 credential has received the GED, as well as one in every twenty
9 college students. For those who have not graduated from high
10 school, attaining a GED diploma greatly increases their employment
11 opportunities and earning potential.

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

21 (3) In addition to the cost factor, large areas of West
22 Virginia are without broadband Internet access or without adequate
23 broadband Internet access speeds, which results in diminished

1 opportunities for rural residents to participate in the rapidly
2 unfolding digital revolution compared to their nonrural neighbors.
3 Citizens living in these areas have few opportunities to become
4 adept in computer technology. Therefore, most such citizens,
5 especially adults seeking to earn a GED years after leaving the
6 public school system, are not proficient or even comfortable using
7 the Internet.

8 (4) Individuals who may benefit most from earning a GED
9 diploma are those who lack many of the skills needed to secure
10 employment or to function successfully in an age dependent upon
11 technology. Because such individuals also lack the financial
12 resources to obtain those needed skills, if the GED is unattainable
13 they are likely to remain in a state of poverty.

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

18 (1) The impact on prospective GED test takers of the proposed
19 changes in the design and delivery of the qualifying examination
20 made by the American Council on Education (ACE) in 2011;

21 (2) The impact of the increase in costs per individual tested;
22 and

23 (3) The alternatives available to reduce costs and to retain

1 the option of pen and paper testing for those who desire it.

2 (c) The State Board shall perform an exhaustive study of the
3 issues surrounding administration of the GED examination in the
4 state including, but not limited to, the following:

5 (1) Analysis of research, pilot testing, or both, that was
6 done in West Virginia by the American Council on Education prior to
7 its decision to eliminate pen and paper examinations, along with
8 the justifications offered for eliminating this type of examination
9 as a possible option;

10 (2) Determination of the current and future costs to the state
11 to provide GED examinations free of charge to eligible individuals;
12 and

13 (3) Recommendations for statutory or rule changes to achieve
14 the following goals:

15 (A) Reducing or controlling escalating costs of administering
16 the GED examinations; and

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

19 (C) Eliminating or reducing significantly the difficulty for
20 individuals who are not comfortable or proficient in taking online
21 examinations.

22 (d) The State Board shall complete its work and report its
23 findings, conclusions and recommendations, together with drafts of

1 any legislation or rule changes necessary to effectuate the
2 recommendations, to the Legislative Oversight Commission on
3 Education Accountability no later than July 1, 2012.