

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

**Enrolled**

**Senate Bill 839**

OFFICE OF THE CLERK  
WEST VIRGINIA LEGISLATURE  
CHARLESTON, WEST VIRGINIA

2020 MAR 25 12:06:10

FILED

BY SENATORS ROBERTS, WELD, BALDWIN, BOLEY,  
JEFFRIES, RUCKER, SMITH, STOLLINGS, AND TARR

[Passed March 7, 2020; in effect 90 days from  
passage]

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2020 MAR 25 P 4:10

FILED

1 AN ACT 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 ensure that students are provided opportunities to learn and  
3 earn the most relevant industry-demanded knowledge, skills, and credentials to prepare students  
4 for the challenges of college, careers, and life, while helping the state and its employers attain  
5 economic growth through collaboration with K-12 education leaders, employers and industry  
6 leaders, state agency leaders, the Higher Education Policy Commission, and the Council for  
7 Community and Technical College Education to identify high-value and in-demand postsecondary  
8 credentials, and to develop a plan to assist the state in achieving its postsecondary attainment  
9 goal of having 60 percent of West Virginians between the ages of 25 and 64 hold a degree,  
10 certificate, or other postsecondary workforce credential of value in the workplace by 2030.

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

- 13 (1) The Chancellor of the Higher Education Policy Commission, or his or her designee;
- 14 (2) The State Superintendent of Schools, or his or her designee;
- 15 (3) The Secretary of the Department of Commerce, or his or her designee;
- 16 (4) The Director of WorkForce West Virginia, or his or her designee;

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

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

22 (7) Representatives from at least two employers, industry associations, or chambers of  
23 commerce, appointed jointly by the President of the Senate and the Speaker of the House of  
24 Delegates;

25 (8) Representatives from at least two regional economic development and workforce  
26 investment boards, appointed jointly by the President of the Senate and the Speaker of the House  
27 of Delegates;

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

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

30 and

31 (11) Any other individuals deemed appropriate and appointed jointly by the President of  
32 the Senate and the Speaker of the House Delegates.

33 (c) The council shall be chaired by the Chancellor of the Higher Education Policy  
34 Commission. The council shall meet at least quarterly and at the call of the chair. Quorum shall  
35 be a simple majority of the council. The administrative functions of the council are the  
36 responsibility of the joint staff of the Higher Education Policy Commission and the Council for  
37 Community and Technical Education.

38 (d) The council shall consult with and advise the Legislature on matters related to the  
39 progress toward achieving the state's postsecondary attainment goal as established in subsection  
40 (a) of this section, including identifying high-value and in-demand postsecondary credentials. The  
41 council may:

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

43 (2) Provide guidance to the Legislature on potential statutory solutions relative to  
44 achievement of the state's postsecondary attainment goal;

45 (3) Establish workgroups or subcommittees as the council considers necessary to address  
46 pertinent issues related to achievement of the state's postsecondary attainment goal, and to  
47 provide consistency in the development of further regulation, if further regulation is determined to  
48 be necessary by the council;

49 (4) Consult with entities and persons with expertise in the areas being studied by the  
50 council as the council considers necessary in the fulfillment of its duties, including public and  
51 private sector partnerships; and

52 (5) Provide a forum for a full and fair discussion of issues relating to achievement of the  
53 state's postsecondary attainment goal.

54 (e) The council shall provide leadership, strategic direction, and evaluation of the state's  
55 investments in, and progress toward, implementing high-quality career and technical education  
56 programs that are accessible to all students and improves the career readiness of the state's  
57 workforce by conducting an annual review of career and technical education offerings in K-12 and  
58 the state's community college and technical education system to determine the alignment of  
59 existing offerings with employer demand, postsecondary degree or certificate programs, and  
60 professional industry certifications. The review shall identify career and technical education  
61 offerings that are linked to occupations that are in high-demand by employers, require high-level  
62 skills, and provide middle- and high-level wages. The review shall include analyses of:

63 (1) Participating students and their outcomes, including the following:

64 (A) Academic achievement;

65 (B) Attainment of industry certifications;

66 (C) Program completion;

67 (D) Applied learning experiences;

68 (E) College credit attainment through the career and technical education program,  
69 including dual enrollment or articulation;

70 (F) Postsecondary enrollment and credential attainment, including enrollment in four-year  
71 degree programs for state college system students; and

72 (G) Employment outcomes, including wages;

73 (2) Demographics of participating students by pathway and credential attainment;

74 (3) Educational settings of the courses;

75 (4) Alignment with high-growth, high-demand, and high-wage employment opportunities;

76 (5) Current and projected economic, labor, and wage data on the needs of the state,  
77 regional, and global economy and workforce;

78 (6) Alignment with certificate or degree programs offered at the postsecondary level or  
79 professional industry certifications;

80 (7) Employment outcomes, including wages, by career and technical education program  
81 offerings;

82 (8) Apprenticeship and pre-apprenticeship offerings;

83 (9) Qualifications and specialized knowledge and expertise of instructors and the  
84 opportunities for these educators to upskill in the latest in-demand skills of employers; and

85 (10) Extent to which federal, state, and local funding is used to foster career and technical  
86 education program success and program efficiency.

87 (f) The council shall report its findings to the Legislative Oversight Commission on  
88 Education Accountability and the Joint Committee on Government and Finance by December 31,  
89 2020, and annually thereafter until the council terminates, pursuant to the provisions of this  
90 section. The report shall include, at a minimum, the following:

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

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

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

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

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

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

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

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

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

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

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

117 (h) The council and all provisions of this section shall terminate and no longer be in effect  
118 on December 31, 2023.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Walter Byrd*  
.....  
Chairman, Senate Committee

*Robert Latta*  
.....  
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

*Joe Carr*  
.....  
Clerk of the Senate

*Steve Harris*  
.....  
Clerk of the House of Delegates

*Mitch E. Carmichael*  
.....  
President of the Senate

*Lee Haskew*  
.....  
Speaker of the House of Delegates

RECEIVED  
2020 MAR 25 PM 4:10  
OFFICE OF THE SECRETARY OF STATE  
COMMONWEALTH OF VIRGINIA

The within *is approved* this the *25th*  
Day of *March*, 2020.

*James I. Good*  
.....  
Governor



PRESENTED TO THE GOVERNOR

MAR 19 2020

Time 9:32am