

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 2005**

By Delegates Worrell, Ellington, Smith, Clark, Dean,  
Barnhart, Statler, Fehrenbacher, Riley, Dittman, and  
Hillenbrand

[Originating in the Committee on Education;

January 23, 2023]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §18B-14-4, all relating to the dual enrollment pilot program; providing  
3 definitions; establishing the program to be administered by the Higher Education Policy  
4 Commission and the Council for Community and Technical College Education in  
5 conjunction with the State Board of Education; providing for funding; providing for  
6 rulemaking; and requiring annual reporting.

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

**ARTICLE 14. MISCELLANEOUS.**

**§18B-14-4. Dual enrollment pilot program established; definitions; funding; annual reporting.**

1 (a) Definitions. – As used in this section, unless used in a context that clearly requires a  
2 different meaning, the term:

3 "Dual credit course" means a credit-bearing college-level course offered by an eligible  
4 institution to secondary school students in which the students receive credit at both the secondary  
5 and post-secondary levels.

6 "Dual enrollment" means the registration of an eligible secondary student in a post-  
7 secondary course creditable toward high school completion and a career technical certificate,  
8 associate degree, or baccalaureate degree. A student who is enrolled in post-secondary  
9 instruction that is not creditable toward a high school diploma may not be classified as a dual  
10 enrollment student.

11 "Eligible course" means any class or program of instruction offered at an eligible institution  
12 for which the student receives credit toward both high school completion and a post-secondary  
13 certificate or degree. Applied academics for adult education instruction, developmental education,  
14 physical education courses, and recreation and leisure studies courses are not eligible courses for  
15 dual enrollment purposes.

16 "Eligible institution" means a state institution of higher education as that term is defined in  
17 §18B-1-2 of this code.

18 "Eligible student" means any secondary school student, including a homeschool, charter  
19 school, microschool, learning pod, or private school student, who meets minimum criteria  
20 established by the state school board and the commission or the council, as appropriate, for the  
21 purpose of enrolling in a dual credit course.

22 (b) *Dual enrollment pilot program established.* – In conjunction with the state board and  
23 under the supervision of the commission and the council, the chancellor and the state  
24 superintendent shall establish a four-year pilot program whereby eligible institutions shall offer  
25 dual enrollment courses that will comprise individualized pathways for career and post-secondary  
26 educational opportunities for the state's secondary school students. These students shall be  
27 enrolled in eligible courses leading to careers in certain designated career pathways, namely  
28 direct care health professions; information technology; science, technology, engineering, and  
29 math (STEM) fields; education; advanced manufacturing; welding and fabrication; construction;  
30 agriculture; and any other program that meets a workforce need in the state as determined by the  
31 Department of Commerce.

32 (c) *Funding.* – From appropriations to the commission and the council for the purposes of  
33 implementing and administering the dual enrollment pilot program established in this section, the  
34 commission or the council, as appropriate, shall pay directly to the eligible institutions from such  
35 appropriations the cost of the tuition and academic fees incurred by eligible students taking dual  
36 credit courses in accordance with the dual enrollment pilot program established in this section.

37 (d) *Rulemaking.* – In consultation with the state board, the commission and council may  
38 propose legislative and emergency rules pursuant to §29A-3A-1 *et seq.* of this code to implement  
39 the provisions of this section.

40           (e) Annual reports. – By December 1, 2024, and annually thereafter for the duration of the  
41 pilot program, the chancellor shall report to the Legislative Oversight Commission on Education  
42 Accountability on:

43           (1) The number of students participating in the program;  
44           (2) The number and type of credits and certifications or credentials earned by students who  
45 have participated in the program;  
46           (3) The dollar amount expended associated with this program;  
47           (4) Projected growth in the program and funding needs for the next year;  
48           (5) The job status of students who have participated in the program;  
49           (6) Any issues with the program reported by students, parents, secondary schools, and  
50 institutions of higher education; how these issues are being addressed; and whether the issues  
51 require legislative action; and  
52           (7) A recommendation from the chancellor and the state superintendent on whether the  
53 program should continue beyond its four-year pilot period.