

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.03, consisting of*
 3 *sections numbered 23-38.10:14 through 23-38.10:20, relating to the establishment of the New*
 4 *Economy Workforce Credential Grant Program.*

[H 66]

Approved

7 **Be it enacted by the General Assembly of Virginia:**
 8 **1. That the Code of Virginia is amended by adding in Title 23 a chapter numbered 4.03, consisting**
 9 **of sections numbered 23-38.10:14 through 23-38.10:20, as follows:**

10 CHAPTER 4.03.

11 NEW ECONOMY WORKFORCE CREDENTIAL GRANT PROGRAM.

12 § 23-38.10:14. **Definitions.**

13 *As used in this chapter, unless the context requires a different meaning:*

14 *"Board" means the Virginia Board of Workforce Development.*

15 *"Competency-based" means awarded on the basis of demonstrated knowledge and skills rather than*
 16 *completion of instructional hours or participation in an instructional course or program.*

17 *"Council" means the State Council of Higher Education for Virginia.*

18 *"Eligible institution" means a comprehensive community college, the Institute for Advanced Learning*
 19 *and Research, New College Institute, Richard Bland College, Roanoke Higher Education Center,*
 20 *Southern Virginia Higher Education Center, or Southwest Virginia Higher Education Center.*

21 *"Eligible student" means any Virginia student enrolled at an eligible institution who is domiciled in*
 22 *the Commonwealth as provided in § 23-7.4, as determined by the eligible institution.*

23 *"Fund" means the New Economy Workforce Credential Grant Fund.*

24 *"Grant" means a New Economy Workforce Credential Grant.*

25 *"High-demand field" means a discipline or field in which there is a shortage of skilled workers to fill*
 26 *current job vacancies or anticipated additional job openings.*

27 *"Industry-recognized" means demonstrating competency or proficiency in the technical and*
 28 *occupational skills identified as necessary for performing functions of an occupation based on standards*
 29 *developed or endorsed by employers and industry organizations.*

30 *"Noncredit workforce credential" means a competency-based, industry-recognized, portable, and*
 31 *third-party-validated certification or occupational license in a high-demand field.*

32 *"Noncredit workforce training program" means a program at an eligible institution that leads to an*
 33 *occupation or a cluster of occupations in a high-demand field, which program may include the*
 34 *attainment of a noncredit workforce credential. "Noncredit workforce training program" may include a*
 35 *program that receives funding pursuant to the Carl D. Perkins Career and Technical Education*
 36 *Improvement Act of 2006, P.L. 109-270.*

37 *"Noncredit workforce training program" shall not include certificates of completion.*

38 *"Portable" means recognized by multiple employers or educational institutions and, where*
 39 *appropriate, across geographic areas.*

40 *"Program" means the New Economy Workforce Credential Grant Program.*

41 *"Third-party-validated" means having an external process in place for determining validity and*
 42 *relevance in the workplace and for continuous alignment of demonstrated knowledge and skills with*
 43 *industry workforce needs.*

44 § 23-38.10:15. **New Economy Workforce Credential Grant Program; purpose.**

45 *The New Economy Workforce Credential Grant Program is established for the purpose of (i)*
 46 *creating and sustaining a demand-driven supply of credentialed workers for high-demand occupations in*
 47 *the Commonwealth by addressing and closing the gap between the skills needed by workers in the*
 48 *Commonwealth and the skills of the available workforce in the Commonwealth; (ii) expanding the*
 49 *affordability of workforce training and credentialing; and (iii) increasing the interest of current and*
 50 *future Virginia workers in technician, technologist, and trade-level positions to fill the available and*
 51 *emerging jobs in the Commonwealth that require less than a bachelor's degree but more than a high*
 52 *school diploma.*

53 § 23-38.10:16. **New Economy Workforce Credential Grant Fund and Program established;**
54 **administration.**

55 *A. There is hereby created in the state treasury a special nonreverting fund to be known as the New*
 56 *Economy Workforce Credential Grant Fund. The Fund shall be established on the books of the*

57 Comptroller. All moneys appropriated by the General Assembly, and from any other sources, public or
 58 private shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the
 59 Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including
 60 interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in
 61 the Fund. Moneys in the Fund shall be used solely for the purposes of disbursing moneys to eligible
 62 institutions for the award of grants pursuant to the Program. Expenditures and disbursements from the
 63 Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request
 64 signed by the director of the Council.

65 B. There is hereby established a New Economy Workforce Credential Grant Program for the purpose
 66 of disbursing moneys from the Fund to eligible institutions for the award of grants to benefit students
 67 pursuant to this chapter.

68 C. The Council shall administer the Program and shall carry out the goals and purposes of the
 69 Program set forth in this chapter. In administering the Program, the Council (i) shall require eligible
 70 institutions to provide student-specific data and make final decisions on any dispute between eligible
 71 institutions and grant recipients; (ii) shall undertake periodic assessments of the overall success of the
 72 Program and recommend modifications, interventions, and other actions based on such assessment; and
 73 (iii) may adopt such regulations for the administration of the Program as it deems necessary and
 74 appropriate.

75 D. The Council shall instruct the Comptroller to annually disburse moneys to eligible institutions on
 76 a first-come, first-served basis as eligible students enroll in noncredit workforce training programs
 77 identified by the governing board of the eligible institution pursuant to subsection E, provided that no
 78 more than one-quarter of the moneys in the Fund are disbursed annually to any eligible institution. The
 79 Council shall set forth the procedure by which eligible institutions shall notify the Council when eligible
 80 students enroll in noncredit workforce training programs identified by the governing board of the
 81 eligible institution pursuant to subsection E.

82 E. The Board shall make recommendations to eligible institutions to help determine high-demand
 83 fields for which noncredit workforce training programs may be offered pursuant to the Program. The
 84 governing board of each eligible institution shall determine the noncredit workforce training programs
 85 offered pursuant to the Program.

86 **§ 23-38.10:17. Student grants.**

87 A. Subject to the availability of funds, any eligible student who enrolls in a noncredit workforce
 88 training program offered by an eligible institution pursuant to the Program may apply for and be
 89 awarded a grant to cover two-thirds of the cost of the noncredit workforce training program, provided
 90 that at the time of enrollment the eligible student pays one-third of the cost of the noncredit workforce
 91 training program and signs an agreement to complete the noncredit workforce training program or pay
 92 an additional one-third of the program cost in the event of noncompletion. Upon the presentation of
 93 satisfactory proof of completion of the noncredit workforce training program by the eligible student, the
 94 Council shall reimburse the institution in an amount equal to one-third of the cost of the program. Upon
 95 the presentation of satisfactory proof of the attainment of a noncredit workforce credential by the
 96 eligible student, the Council shall reimburse the institution in an amount equal to one-third of the cost
 97 of the program. However, the Council shall not reimburse any eligible institution more than \$3,000 per
 98 completed noncredit workforce training program per eligible student pursuant to the Program.

99 B. Grants shall not be reduced by an eligible student's concurrent receipt of financial aid from any
 100 other source except in cases in which the grant and such other financial aid would result in total
 101 assistance in excess of tuition, fees, books, and other allowable costs of completing the noncredit
 102 workforce credential program.

103 **§ 23-38.10:18. Board of Workforce Development to keep a list of high-demand fields and related**
 104 **noncredit workforce training programs and credentials.**

105 The Board shall maintain and update a list of high-demand fields and the related noncredit
 106 workforce training programs and noncredit workforce credentials on its website.

107 **§ 23-38.10:19. Eligible institutions; academic credit; noncredit workforce credentials.**

108 Each eligible institution that participates in the Program shall adopt a policy for the award of
 109 academic credit to any eligible student who has earned a noncredit workforce credential that is
 110 applicable to the student's certificate or degree program requirements.

111 **§ 23-38.10:20. Eligible institutions and the Council; reporting.**

112 A. No later than January 1 of each year, each eligible institution shall submit to the Council a
 113 report with data from the previous fiscal year on noncredit workforce training program completion and
 114 noncredit workforce credential attainment by eligible students participating in the Program that
 115 includes:

- 116 1. A list of the noncredit workforce credentials offered, by name and certification entity;
- 117 2. The number of eligible students who enrolled in noncredit workforce credentials programs;

- 118 3. The number of eligible students who completed noncredit workforce credentials programs;
119 4. The number of eligible students who attained noncredit workforce credentials after completing
120 noncredit workforce training programs, by credential name and relevant industry sector; and
121 5. The average cost per noncredit workforce credential attained, by credential name and relevant
122 industry sector.
- 123 B. The Council shall compile the data provided pursuant to subsection A and report such data, in
124 the aggregate and by eligible institution, to the Board and the General Assembly.
- 125 2. That comprehensive community colleges, the Institute for Advanced Learning and Research,
126 New College Institute, Richard Bland College, Roanoke Higher Education Center, Southern
127 Virginia Higher Education Center, and Southwest Virginia Higher Education Center are
128 authorized to offer noncredit workforce training programs consistent with the provisions of the
129 New Economy Workforce Credential Grant Program as set forth in this act.