WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 1991

ENROLLED
Com. Sub. for
HOUSE BILL No. 2512

(By Mr. Debra Ashcraft and Mezzatesta)

Passed _______________ March 9 _______________ 1991

In Effect _______________ From ____________ Passage
AN ACT to amend chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-f, relating to creating the West Virginia share in your future act; setting forth legislative findings; creating a share in your future commission and providing for the membership thereof; meetings and report of the commission; establishment of a non-profit fund; commission to contract to provide scholarship grants; powers of the commission; registration requirements; promulgation of rules; eligibility for shares; conversion of shares; creation of share certificate; duties of county boards; and termination of commission.

Be it enacted by the Legislature of West Virginia:

That chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article two-f, to read as follows:

CHAPTER 18. EDUCATION.

ARTICLE 2F. INCENTIVES AND RESULTS BASED SCHOLARSHIP PROGRAM.
§18-2F-1. Title.

1 This article shall be known and may be cited as the
2 "West Virginia Share in Your Future Act".

§18-2F-2. Legislative findings.

1 The Legislature hereby finds and declares that an
2 educated and informed citizenry is essential to a
3 democratic society. Opportunities for higher education
4 and post-secondary vocational education should be
5 expanded, made affordable and made available to all
6 residents.

7 In order to ensure that continued access to higher
8 education and post-secondary vocational education is
9 available to the state's citizens, an incentive to secondary
10 education students must be developed and funded
11 through private and public entities as well as any other
12 available sources.

§18-2F-3. Share in your future commission established;
composition of commission; duties and
responsibilities.

1 There is hereby created in state government, under
2 the supervision of the state board, a commission on
3 educational incentives to secondary education students
4 to be known as the share in your future commission.

5 The share in your future commission shall be com-
6 posed of nine members, who shall serve without salary
7 or expenses, as follows:

8 (a) The state superintendent, the chancellor of the
9 state college system and the chancellor of the university
10 of West Virginia system, ex officio, or their designees;

11 (b) A member of the joint commission on vocational
12 education, ex officio, or his or her designee; and

13 (c) Five members to be appointed by the governor as
14 follows:

15 (1) A representative of the business community with
16 a demonstrated interest in education;

17 (2) A representative of labor with a demonstrated
interest in education; and
(3) Three representatives of the general public.

Of the five members appointed by the governor, no
more than three may be members of the same political
party and all shall serve at the will and pleasure of the
governor.

The share in your future commission shall meet no
later than the first day of July, one thousand nine
hundred ninety-one. The commission shall conduct a
study and report to the Legislature on the first day of
the regular session in the year one thousand nine
hundred ninety-two. The commission's report shall
include any further legislative recommendations neces-
sary to carry out the provisions of this article, whereby
students in grade seven through grade eleven may earn
shares, through appropriate conduct and accomplish-
ment, in a scholarship fund to be used to pay student
costs at accredited state institutions of higher education,
post-secondary vocational education programs and
higher educational institutions, all as defined in section
two, article one, chapter eighteen-b of this code, and
other approved and accredited participating post-
secondary educational programs located in West
Virginia.

The share in your future commission shall encourage
contributions to the program and encourage private,
proprietary educational institutions, accredited by a
national or regional accrediting agency or association
recognized by the United States department of educa-
tion and which provide training at a campus located in
this state to participate.


The share in your future commission shall identify a
nonprofit corporation or other charitable organization
which is suitable to collect, invest, hold, manage, and
disburse scholarship funds under the provisions of this
article. At an appropriate time, the commission may
contract with said corporation or organization to provide
scholarship grants under this article. The commission is
empowered to publicize the program and to solicit donations, grants, bequests and gifts from any source. The state board may seek appropriations from the Legislature for the cost of operating this program and to match private scholarship funds.

The nonprofit corporation shall, under the terms of any contract entered into hereunder, make available to the commission on a yearly basis, the amount of money available to meet the requirements of the incentives-based share program and upon request, shall transfer funds necessary for implementing the provisions of this article.

§18-2F-5. Registration requirements.

Any student choosing to enter the program must complete and sign a registration form. The student's parent or guardian shall also sign the registration form in order for the student to be eligible for the program. The registration form shall be made available through the commission to the local boards of education. A copy of the completed form shall be kept on file at the board office in the county in which the student is enrolled. The original registration form shall be kept on file with the share in your future commission.

The registration form shall clearly state the eligibility requirements for the program as well as all applicable rules and regulations regarding continued eligibility in the program.

§18-2F-6. Incentives-based shares program.

On or before the first day of July, one thousand nine hundred ninety-two, the share in your future commission shall promulgate legislative rules pursuant to section nine, article three-b, chapter twenty-nine-a of this code regarding the criteria to be used in awarding shares. When the commission determines that adequate funding is available, these rules shall be forwarded to each county board to be used in awarding shares to participants. Shares in the fund may be awarded for performance by students in grades seven through eleven in the following areas:
(a) Attendance or improved attendance over the previous school year;
(b) Successful completion of an advance placement course and passage of the national advanced placement exam;
(c) An improvement in quality point average over the previous school year;
(d) Completion of all courses with a specified quality point average;
(e) Signing a drug free, alcohol free pledge;
(f) Completion of an advanced course in specified subject areas;
(g) Demonstrated participation in extracurricular activities; and
(h) Such other areas and criteria as the share in your future commission may establish.

Shares are cumulative from one school year to the next school year and may be converted to a pro rata share of the total fund available upon graduation from an accredited West Virginia high school. The share in your future commission shall promulgate rules in accordance with article three-b, chapter twenty-nine-a of this code, to determine the pro rata share of the total fund that each share represents.

Upon graduation from an accredited West Virginia high school, each student has the right to cash in his or her respective shares for a voucher that may be spent at any accredited state institutions of higher education, post-secondary vocational education programs or higher educational institutions, all as defined in section two, article one, chapter eighteen-b of this code, and other approved and accredited post-secondary educational programs located in West Virginia participating in the program: Provided, That the share in your future commission may implement the conversion of shares to vouchers at the close of the school year ending in the
year one thousand nine hundred ninety-five.

The share in your future commission may have a share certificate designed, which is similar in design to stock certificates, which shall include the student's name, the number of shares and certification by the governor of West Virginia and the superintendent of schools that the shares were earned. Upon receipt by the share in your future commission of the report provided for in section eight of this article, the commission may complete share certificates based upon the report and forward the certificates to the appropriate county board. The county board shall notify the student and at an appropriate time shall deliver the certificate to the student.


Each county board which has a student participating in the incentive program shall, at the end of each school year, report in writing to the share in your future commission the number of shares earned by each participant. A copy of such report shall be retained by the county board. Accumulated shares earned shall be reported to each student at the end of each school year: Provided, That the appropriate information shall be collected by the school counselor who will then forward the same to the local county board.


The share in your future commission shall be terminated on the first day of July, one thousand nine hundred ninety-four, unless review of its functions shall be undertaken pursuant to the provisions of sections nine, ten and eleven, article ten, chapter four of this code. If such commission is terminated pursuant to this section, all contractual obligations of the commission including any shares earned, shall be assumed by the state board.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the ___


Governor