

COMMITTEE ON EDUCATION AND WORKFORCE
DEVELOPMENT

05/23/2013-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 30-0020

Thirtieth Legislature of the Virgin Islands

March 6, 2013

An Act amending title 17 Virgin Islands Code, chapter 33, section 456 and adding chapter 17B relating to the granting of academic credit for and the assessment of prior learning at public institutions of higher education

PROPOSED BY: Senators Nereida Rivera-O'Reilly, Terrence "Positive" Nelson
Tregenza A. Roach and Judi Buckley
Co-sponsor: Janette Millin Young

1 **WHEREAS**, the Legislature acknowledges that a recent study by the Lumina Foundation
2 has revealed that the United States needs to educate nearly 800,000 more college graduates each
3 year from now until 2025 to meet the ever-increasing demands of the workforce; and

4 **WHEREAS**, the Legislature finds that students often bring a wealth of formal and
5 informal learning experiences from which they have benefited before enrolling at institutions of
6 higher education; and

7 **WHEREAS**, the Legislature further finds that many of these experiences may represent
8 learning outcomes equivalent or superior to those achieved by students in more traditional
9 academic settings; and

1 **WHEREAS**, adult learners can save time and money in completing post secondary
2 education, if the institution at which they enroll assesses students' college-level knowledge and
3 awards academic credit, as appropriate, based on the assessment: and

4 **WHEREAS**, the Legislature declares that awarding academic credit for students' prior
5 learning will increase the likelihood students will complete their post-secondary educational
6 programs and academic and economic goals; and

7 **WHEREAS**, it is the intent of the Legislature that all public institutions of higher
8 education in the Virgin Islands develop valued, reliable, and transparent policies and programs
9 for the academic recognition of prior learning; and

10 **WHEREAS**, the Legislature is keenly aware that the Virgin Islands' economic
11 development depends on a well-educated workforce; Now, Therefore,

12 ***Be it enacted by the Legislature of the Virgin Islands:***

13 **SECTION 1.** Title 17 Virgin Islands Code is amended by adding chapter 17B to read as
14 follows:

15 ***"CHAPTER 17B***

16 **§211** As used in this chapter the term, 'public institution of higher education', means a
17 Government-owned or operated, graduate or undergraduate university, college, junior college,
18 technical and vocational institute or similar institution, and a nonprofit institution that is
19 supported by government funding in whole or in part authorized to provide in the Virgin Islands
20 a program of education beyond the high school level which is accredited by the Middle States
21 Association of Colleges and Schools or other appropriate accrediting organization recognized by
22 the Secretary of the United States Department of Education.

23 **§212** All public institutions of higher education shall adopt for implementation
24 beginning in the 2014-2015 academic year a program consistent with the policies, standards, and
25 requirements prescribed for the University of the Virgin Islands in section 456 (d) of this title for

granting academic credit to students for prior learning which recognizes knowledge, skills and competencies acquired through formal and informal education outside the traditional academic environment when the acquired knowledge, skills and competencies demonstrate college-level learning and align with the institution's course competencies."

SECTION 2. Title 17 Virgin Islands Code, chapter 33, section 456 is amended by adding subsection (d) to read as follows:

"(d) The Board shall adopt for implementation beginning in the 2014-2015 academic year a program for granting academic credit to students for prior learning which recognizes knowledge, skills and competencies acquired through formal and informal education outside the traditional academic environment when the acquired knowledge, skills and competencies demonstrate college-level learning and align with the University's course competencies. The prior learning that the program may recognize may include the knowledge, skills and competencies acquired through employer training programs, military training and experience, independent study; and through formal and informal education and training from on-island and off-island institutions, including foreign institutions. The program at a minimum must include:

(1). Criteria for student eligibility and provision of published application procedures readily available to students.

(2). A determination of the appropriate maximum number of credits which may be granted and the degrees and courses to which the credits may be applied.

(3). Standards and policies for awarding academic credits which include:

(A) The awarding of credits consistent with the requirements of the Middle States Association of Colleges and Schools and other applicable accrediting organizations recognized by the Secretary of the United States Department of Education;

(B) The awarding of credit for learning, from experience;

1 (C) Assessment of prior learning based on standards and criteria for the
2 level of acceptable learning which are both agreed upon and made public;

3 (D) Assessment of prior learning treated as an integral part of learning,
4 not separate from it, and based on an understanding of learning processes;

5 (E) The determination of credit awards and competence levels made
6 by appropriate subject matter and academic, or credentialing experts;

7 (F) Credit or other credentialing appropriate to the context in which it
8 is awarded and accepted;

9 (G) Transcript entries clearly describing the prior learning being
10 recognized and regular monitoring to avoid giving credit more than once for the
11 same learning;

12 (H) Clear, transparent policies, procedures, and criteria applied to
13 assessment, including provision for appeal, and their full disclosure to all persons
14 involved in the assessment process, and made readily available to students
15 through school catalogues, other publications, and on the University's website;

16 (I) Adequate training of all faculty members involved in the
17 assessment of prior learning and their receipt of continuing, professional
18 development for the duties they perform in connection with the assessment;

19 (J) Regular monitoring, review, evaluation, and revision of the
20 assessment program as needed to reflect changes in the purposes and needs being
21 served and the advancements in assessment methodologies;

22 (K) Assessment fees that are based on the services performed in the
23 process, and not determined by the amount of credit awarded; and

24 (L) Such other standards as the Board considers appropriate to carry
25 out the purposes of this subsection.

(4). A validated assessment process to evaluate the knowledge, skills, and competencies students gain from prior learning experiences which may include any of the following methods of evaluation:

(A) Portfolio development and evaluation;

(B) Course challenge and oral examinations; and

(C) Standardized tests, including tests under the:

(i) College-Level Examination Program;

(ii) American College Testing Proficiency Program;

(iii) Defense Activity for Nontraditional Educational Support;

(iv) Advanced Placement;

(v) International Baccalaureate; and

(vi) any other appropriate college-level standardized tests

selected by the Board;

(D) Credits earned through the American Council of Education's Guide to the Evaluation of Educational Experiences in the Armed Services; and

(E) The systematic observation of skill demonstrations, including role plays and simulations, and the evaluation of case studies or other assignments.

(5). Consultation or affiliation by the Board and participating faculty members with the Council for Adult and Experiential Learning (CAEL), or with any other nationally recognized prior-learning assessment organization selected by the Board."

BILL SUMMARY

According to the Lumina Foundation, a private, independent foundation established in Indianapolis and committed to enrolling and graduating more students from college, our nation needs to educate nearly 800,000 more college graduates each year from now until 2025 to meet the growing needs of the workforce. To achieve this national objective in the Virgin Islands, this proposal recognizes that increased enrollment in, and successful completion of post-secondary education programs are functional imperatives.

1 Prior learning assessment programs in which colleges and universities grant academic
2 credits for students' learning outside the classroom have been known to help more adult learners
3 graduate with college degrees by giving them college credit for knowledge and competencies
4 they have acquired outside of the classroom. The intent of this bill is to mandate the
5 establishment of policies and programs for assessment of, and awarding academic credits for
6 prior learning.

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8 The programs proposed by this bill are designed to save adult learners time and money.
9 It is also the intent of this proposal to motivate adult learners to complete degree programs.
10 Accordingly, the Council for Adult and Experiential Learning's (CAEL) multi-institutional
11 study, "*Fueling the Race to Postsecondary Success*", found that students with prior learning
12 assessment credits were 2.5 times more likely to persist to graduation than students without prior
13 learning assessment credits.

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15 Section 1 of the bill amends title 17 of the Virgin Islands Code by adding chapter 17B
16 relating to prior learning assessment credits. Internal §211 defines "public institution of higher
17 education" broadly to include universities, colleges, junior colleges, technical and vocational
18 institutes or similar institutions and government-supported nonprofit institutions.

19
20 Internal §212 requires all public institutions of higher education to develop programs for
21 granting academic credit for prior learning, commencing with the 2014-2015 academic year.
22 The programs must be modeled after the program requirements established for the University of
23 the Virgin Islands, which will be codified at 17 V.I.C. §456(d).

24
25 Section 2 of the bill amends title 17, section 456 of the Virgin Islands Code to require the
26 Board of Trustees of the University of the Virgin Islands to develop a prior learning assessment
27 and credit award program commencing with the 2014-2015 academic year. The first sentence of
28 the bill describes what is meant by "prior learning"- "knowledge, skills and competencies
29 acquired through formal and informal education outside the traditional academic environment
30 when the knowledge, skills, and competencies demonstrate college-level learning and align with
31 the University's course competencies". Under the program proposed by this bill, academic
32 credit awards are not based on the experience, but on the learning that occurred through the
33 process.

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35 Paragraphs (1) through (5) prescribe the minimum requirements for program content.
36 The program must include: criteria for student eligibility and provide for published procedures;
37 determination of the number of credits available under the program and the courses to which
38 they may be applied; standards and policies for awarding credits; a validated assessment process
39 for evaluating prior learning; and the Board's and faculty's consultation or affiliation with the
40 CAEL.

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42 The Standards set forth in paragraph (3) generally have been accepted by all four regional
43 post-secondary accrediting associations. Those standards are the very characteristics that
44 distinguish prior learning assessment credit programs from programs that grant academic credits
45 and degrees merely for life experiences, without validated assessment of college-level learning
46 from those life experiences. Many such "life-experience" academic credit programs are
47 prevalent among the so-called "diploma mills".
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Paragraph (4) requires a validated assessment process for evaluating the prior learning. That paragraph lists several methods of assessment, including student portfolio evaluation, standardized college tests, and the systematic observation of skill demonstrations.

The requirement under paragraph (5) that the Board and participating faculty consult or affiliate with the CAEL is intended to ensure that the program is developed under sound guidance to serve adult learners effectively and meet the standards of accrediting authorities. CAEL is a nationally recognized nonprofit organization that offers a wide variety of services to institutions of higher education, along with membership and publications, to more effectively attract, serve, and retain adult learners.

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