

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 4428

BY DELEGATES FOSTER, COWLES, UPSON,
HOUSEHOLDER, MOORE, WALTERS AND BUTLER

[Originating in the Committee on Education;

February 14, 2018.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §21-1E-1, §21-1E-2, §21-1E-3 and §21-1E-4; and to amend said code by
3 adding thereto a new article designated §30-1E-1, §30-1E-2, §30-1E-3 and §30-1E-4, all
4 relating to requiring standards and procedures for recognizing career technical training
5 acquired in public schools, apprenticeships and training programs toward occupational
6 certification and/or licensure; requiring Division of Labor and occupational and licensing
7 board rules; establishing purpose and intent; providing definitions; and establishing
8 applicable date.

Be it enacted by the Legislature of West Virginia:

CHAPTER 21. LABOR

ARTICLE 1E. CAREER TRAINING EDUCATION AND APPRENTICESHIPS.

§21-1E-1. Declaration of purpose.

1 The provisions of this article are intended to facilitate certification and/or licensure for
2 workers who acquire training via career technical education provided by West Virginia public
3 schools or an employer-sponsored apprenticeship and employer-sponsored training programs.

§21-1E-2. Definitions.

1 As used in this article and the legislative rules promulgated pursuant to this article:

2 “Apprentice” means someone working in an occupation under the supervision and control
3 of at least one person who holds a certificate of competency and qualification in that occupation.

4 “Apprenticeship program” means a program offered by an employer to provide supervised
5 on-the-job training to employees approved by the United States Department of Labor.

6 “Employer sponsored training program” means a program approved in accordance with a
7 rule promulgated by the commissioner of labor.

8 “License” means a valid and current license issued by the Commissioner of Labor in
9 accordance with the provisions of this article.

10 “Career technical education” means programs of study, clusters, and pathways approved
11 by the West Virginia Board of Education pursuant to state board policy.

§21-1E-3. Recognition of training and apprenticeships.

1 Beginning July 1, 2019, applicants for certification or licensure shall be permitted to apply
2 training hours earned via career technical education provided by West Virginia public schools or
3 an employer-sponsored apprenticeship or employer-sponsored training program towards the
4 requirements for certification and/or licensure in the same occupation in accordance with the
5 standards and procedures authorized in accordance with this article.

§21-1E-4. Career and technical education information for high school students.

1 (a) The Division of Labor shall coordinate with the State Board of Education and the
2 Commerce Department to create a list of existing apprenticeships throughout the state, as well
3 as a list of certifications and other credentials that reflect current workforce needs, in order to
4 educate and prepare high school students regarding career and technical education (CTE)
5 opportunities and careers following graduation.

6 (b) Each county school district shall annually provide each student, beginning in the ninth
7 grade, with the following information:

8 (1) Career and technical education programs within the district and adjoining districts; and

9 (2) The EDGE program, established by §18-3-1 et seq. of this code, which provides the
10 opportunity for the student to obtain dual credits that count toward the high school graduation
11 requirements, as well as to count toward the student’s achievement of a certificate or Associate
12 Degree.

13 (3) A list of apprenticeships created pursuant to subsection (a) of this section.

14 (4) A list of certificates and credentials created pursuant to subsection (a) of this section.

15 (5) Details regarding enlistment and opportunities within the armed forces, including local
16 recruiter contact information.

§21-1E-5. Rule-making authority.

1 The Commissioner of Labor shall propose rules for legislative approval, in accordance
2 with the provisions of §29A-3-1 et seq. of this code, for the implementation and enforcement of
3 the provisions of this article. The rules shall provide at least the following:

4 (1) Standards and procedures for recognizing training hours acquired career technical
5 education provided by West Virginia public schools and applying those hours to requirements for
6 testing and/or certification and/or licensure.

7 (2) Standards and procedures for recognizing training hours acquired through employer-
8 sponsored apprenticeship and employer-sponsored training programs applying those hours to
9 requirements for testing and/or certification and/or licensure.

10 (3) After conferring with the State Board of Education, guidelines for collection and
11 dissemination of information collected pursuant to §21-1E-4 in a manner easily accessible to both
12 students and their parents.

CHAPTER 30. PROFESSIONS AND OCCUPATIONS.

ARTICLE 1E. CAREER TRAINING EDUCATION AND APPRENTICESHIPS.

§30-1E-1. Declaration of purpose.

1 The provisions of this article are intended to facilitate certification and/or licensure for
2 workers who acquire training via career technical education provided by West Virginia public
3 schools or an employer-sponsored apprenticeship and employer-sponsored training programs.

§30-1E-2. Definitions.

1 As used in this article and the legislative rules promulgated pursuant to this article:

2 “Apprentice” means someone working in an occupation under the supervision and control
3 of at least one person who holds a certificate of competency and qualification in that occupation.

4 “Apprenticeship program” means a program offered by an employer to provide supervised
5 on-the-job training to employees approved by the United States Department of Labor.

6 “Employer-sponsored training program” means a program approved in accordance with a
7 rule promulgated by the commissioner of labor.

8 “License” means a valid and current license issued by a regulatory board or commission
9 in this chapter.

10 “Career technical education” means programs of study, clusters, and pathways approved
11 by the West Virginia Board of Education pursuant to state board policy.

§30-1E-3. Recognition of training and apprenticeships.

1 Beginning July 1, 2019, applicants for certification or licensure shall be permitted to apply
2 training hours earned via career technical education provided by West Virginia public schools or
3 an employer-sponsored apprenticeship or employer-sponsored training program towards the
4 requirements for certification and/or licensure in the same occupation in accordance with the
5 standards and procedures authorized in accordance with this article.

§30-1E-4. Rule-making authority.

1 The licensing boards and commissions shall propose rules for legislative approval, in
2 accordance with the provisions of §29A-3-1 et seq. of this code for the implementation and
3 enforcement of the provisions of this article. The rules shall provide at least the following:

4 (1) Standards and procedures for recognizing training hours acquired career technical
5 education provided by West Virginia public schools and applying those hours to requirements for
6 testing and/or certification and/or licensure.

7 (2) Standards and procedures for recognizing training hours acquired through employer-
8 sponsored apprenticeship and employer-sponsored training programs applying those hours to
9 requirements for testing and/or certification and/or licensure.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.