WEST VIRGINIA CODE CHAPTER 18B ARTICLE 3D

WV Legislature

§18B-3D-1. Legislative findings and intent.

The Legislature finds that community and technical colleges play a critical role in West Virginia's economic development by providing the skilled workforce necessary for businesses and industries to thrive in a competitive global economy. Rapid changes in technology, industry practices, and employer needs require that these institutions have the flexibility and resources to respond quickly and effectively to workforce demands.

It is the intent of the Legislature to provide funding that enables community and technical colleges to develop and deliver workforce training programs that meet the evolving needs of West Virginia employers, support economic growth, and provide pathways to high-wage employment for West Virginia residents.

WV Legislature

§18B-3D-2. Workforce Development Grant Program; purpose; administration; funding.

(a) The Workforce Development Grant Program is continued under the supervision of the West Virginia Council for Community and Technical College Education. The purpose of the program is to provide funding to community and technical colleges to develop and deliver workforce training programs that respond to the needs of West Virginia businesses and industries.

(b) The program consists of the following grant programs:

(1) Technical Program Development Grant Program;

(2) West Virginia Advance Grant Program;

(3) Learn and Earn Grant Program; and

(4) Skilled Trades Apprenticeship Nontraditional Degree (STAND) Program.

(c) The chancellor, under the direction of the council, shall administer the Workforce Development Grant Program, including:

(1) Establishing application procedures and criteria;

(2) Reviewing and approving grant applications;

(3) Monitoring grant performance and compliance; and

(4) Evaluating program outcomes.

(d) The council may allocate a reasonable amount, not to exceed five percent of the funds available for grants on an annual basis, for general program administration.

(e) Moneys appropriated or otherwise available for the Workforce Development Grant Program shall be allocated by line item to an appropriate account. Any moneys remaining in the fund at the close of a fiscal year are carried forward for use in the next fiscal year.

(f) Nothing in this article requires a specific level of appropriation by the Legislature.

WV Legislature

§18B-3D-3. Technical Program Development Grant Program and West Virginia Advance Grant Program; purpose; eligible institutions; application procedures.

(a) Purpose.

(1) The Technical Program Development Grant Program provides funding to community and technical colleges to develop and implement new certificate and associate degree programs that address workforce needs and support economic development.

(2) The West Virginia Advance Grant Program provides funding to community and technical colleges to:

(A) Develop and deliver short-term, sub-certificate training programs that respond to immediate workforce needs; and

(B) Purchase specialized equipment necessary for technical and workforce training programs.

(b) Eligible institutions. Community and technical colleges, as defined in §18B-1-2 of this code, are eligible to apply for grants under this section.

(c) Application procedures. The Chancellor shall establish application procedures that:

(1) Require applicants to demonstrate alignment with documented employer and workforce needs;

(2) Require applicants to identify expected program outcomes, including anticipated enrollment, completion rates, and employment outcomes;

(3) Provide appropriate levels of accountability; and

(4) Minimize unnecessary administrative burdens on institutions.

(d) Grant awards. The Chancellor shall review applications and make grant awards based on criteria established pursuant to subsection (c) of this section.

WV Legislature

§18B-3D-4. Learn and Earn Grant Program; purpose; eligible institutions; requirements.

(a) Legislative findings. The Legislature finds that cooperative education programs that combine classroom instruction with paid work experience provide valuable pathways to career success, enable students to earn income while pursuing their education, and provide employers with a cost-effective tool for recruiting and training skilled workers.

(b) Purpose. The Learn and Earn Grant Program provides funding to support student internships with employer partners in which grant funds are used to pay fifty percent of a student intern's base wages during the internship.

(c) Eligible institutions. Community and technical colleges, as defined in §18B-1-2 of this code, and Potomac State College of West Virginia University are eligible to apply for grants under this section in cooperation with one or more employer partners.

(d) Program requirements. Learn and Earn programs shall:

(1) Provide students with paid work experience in their field of study;

(2) Require a dollar-for-dollar cash match from participating employers, which shall be used to pay student intern wages; and

(3) Target high-demand occupations as documented through labor market data.

(e) Application procedures. The Chancellor shall establish application procedures that:

(1) Require applicants to demonstrate alignment with documented employer and workforce needs;

(2) Require applicants to identify expected program outcomes, including anticipated enrollment, completion rates, and employment outcomes;

(3) Provide appropriate levels of accountability; and

(4) Minimize unnecessary administrative burdens on institutions.

(f) Administration.

(1) At the discretion of the Chancellor, Learn and Earn grants may be awarded to institutions as block grants to cover multiple student internships and employer partnerships.

(2) When awarding block grants under this subsection, the Chancellor shall establish a system to ensure that:

(A) Funds are used in accordance with the requirements of this article and any applicable legislative and emergency rules;

WV Legislature

(B) Institutions maintain appropriate documentation of employer partnerships, student internships, wage payments, and employer matching contributions; and

(C) Institutions report program performance and outcomes as required by the Chancellor.

WV Legislature

§18B-3D-5. Legislative and emergency rules.

(a) The council shall propose a legislative rule pursuant to §18B-1-6 and §29A-3A-1 *et seq*. of this code to implement the provisions of this article and shall file the rule with the Legislative Oversight Commission on Education Accountability no later than October 1, 2026.

(b) The Legislature finds that an emergency exists and, therefore, the council shall propose an emergency rule to implement the provisions of this article in accordance with §18B-1-6 and §29A-3A-1 *et seq*. of this code by October 1, 2026.

(c) Any rule promulgated by the council pursuant to previous enactments of this section and in effect on the effective date of the amendment and reenactment of this section in the year 2026 remains in effect until amended, modified, repealed or replaced by the council.

WV Legislature

§18B-3D-6. Learn and Earn Cooperative Education Program established.

[Repealed.]

WV Legislature

§18B-3D-7. STAND - Registered apprenticeship to associate in applied science degree program established; definitions; funding; annual reporting.

(a) Purpose and Intent. – The purpose of this section is to create a comprehensive registered apprenticeship to associate of applied science degree program to be known as the Skilled Trades Apprenticeship Nontraditional Degree (STAND) program to provide apprentices or journeyworkers with the opportunity to obtain associate degrees in applied science while gaining practical skills and on-the-job training through federally recognized apprenticeship programs. The registered apprenticeship to associate of applied science degree program aims to bridge the gap between postsecondary education and the apprenticeship learning experience, fostering a skilled workforce that meets the demands of varied and evolving industries.

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

"Apprenticeship" or "apprenticeship program" means an apprenticeship program registered under the federal National Apprenticeship Act, 29 U.S.C. 50, *et seq.*, or another federal apprenticeship program administered by the United States Department of Labor's Office of Apprenticeship.

"Associate of applied science degree" means an associate-level college degree with a focus on a particular applied science or technical skill designed for students planning to enter the workforce upon degree completion.

"Eligible course" means any class or program of instruction offered at a public community and technical college for which the eligible student receives credit toward the general education requirements that lead to an associate of applied science degree. Applied academics for adult education instruction, developmental education, physical education courses, and recreation and leisure studies courses are not eligible courses for purposes of this program.

"Eligible student" means any person who has graduated from high school or has obtained a general equivalency diploma or other approved equivalency-based test, is 18 years of age or older, and is an apprentice or participating in an apprenticeship program as verified by the registered apprenticeship program who registers to participate in the program. "Eligible student" also includes journeyworkers who have received a certificate recognized by the United States Department of Labor.

"Student-apprentice" means a student who has been accepted into and is participating in the program created in this section.

(c) Apprenticeship to associate of applied science degree program established. – Under the supervision of the council, the chancellor shall establish the STAND program whereby the state's public community and technical colleges may offer general education courses to

WVLegislature

eligible students in a manner and on a timeline that will allow the eligible student to earn at least 15 credit hours of general education courses toward an associate of applied science degree.

(1) To be eligible for the STAND program, an individual must be enrolled in an apprenticeship program recognized by the United States Department of Labor's Office of Apprenticeship or must have received a United States Department of Labor Certificate of Completion of Apprenticeship.

(2) An apprentice or journeyworker may apply for enrollment in the STAND program at the next available program offering.

(3) Student-apprentices shall complete and pass all general education coursework within six years from the initial date of enrollment in the STAND program or within two years after completing the apprentice program, whichever is longer. Journeyworkers shall complete and pass all general education coursework within six years from the initial date of enrollment.

(d) Funding. – From appropriations to the council for the purposes of implementing and administering the STAND program established in this section, the council shall pay directly to the participating public community and technical colleges the cost of the tuition and academic fees incurred by eligible students taking courses through the STAND program. This funding may not be used to pay for any of the costs associated with the apprenticeship program or otherwise incurred by the apprenticeship program in conducting such training.

(e) Rulemaking. – The council may propose emergency and legislative rules pursuant to §29A-3A-1 *et seq*. of this code to implement the provisions of this section.

(f) Annual reports. – By December 1, 2025, and annually thereafter, the chancellor shall report to the Legislative Oversight Commission on Education Accountability on any STAND programs created. The report shall contain, at a minimum, the following information: the number of student-apprentices and journeyworkers participating in the STAND program; the number of associate of applied science degrees earned by students who have participated in the STAND program; projected growth in the STAND program and funding needs for the next year; and any issues with the STAND program reported by students, the registered apprenticeship program, and the community and technical colleges, how these issues are being addressed, and whether the issues require legislative action.

WV Legislature

§18B-3D-8. West Virginia Micro-Credential Program.

(a) The Legislature finds that:

(1) Within and outside of the classroom, students and employees often engage in project-based and experiential learning by which they attain knowledge and skills, such as critical thinking, communication, and collaboration, that are essential for productive employment and effective citizenship, but are not recognized or identified through an assessment score or a course grade;

(2) Students and employees often attain the mastery of valuable skills but lack the ability to demonstrate this mastery in a manner that is meaningful or credible for school districts, charter schools, institutions of higher education, or employers;

(3) School districts, nonprofit organizations, institutions of higher education, and employers have created micro-credentialing systems in the past. In these systems, an entity that provides educational opportunities for students and adults establishes the criteria, including curriculum and competencies, and assessments for determining whether a person has acquired the necessary skills for the micro-credential. Individuals who earn the micro-credential can then share the credential with formal or informal education providers or employers or other groups that have a need for persons with the skills represented by the micro-credential;

(4) A micro-credentialing system enables individuals to earn micro-credentials from a variety of issuers and use the micro-credentials to provide a much more complete picture of the range of knowledge and skills that the individual has developed. The individual can then incorporate the micro-credentials with the individual's resume when applying for entrance into select postsecondary education programs or the workforce;

(5) For certain persons, nonprofits, and employers, especially those involved in manual labor and skilled-trades, a system of micro-credentialing may be a cost and time-effective alternative to traditional higher education formats for employee development and workforce-readiness; and

(6) State institutions of higher education can also incorporate micro-credentials into degree programs to provide students with enhanced practical skills that improve their employment prospects compared to peers.

(b) The Legislature concludes that promoting and expanding a system of micro-credentialing to document student learning and mastery of distinct skills is useful to enable students and employees to demonstrate specific skills attained either within or outside of the classroom in a manner that is credible and useful for school districts, charter schools, and state institutions of higher education. The Legislature further finds that a standardized, credible system of micro-credentialing is a valuable component of workforce development in West Virginia.

WV Legislature

(c) Therefore, the West Virginia Micro-Credential Program is established within the West Virginia Higher Education Policy Commission. The Chancellor or their designee shall be responsible for developing and administering the Micro-Credential Program that shall provide at least the following:

(1) Standards and procedures for identifying the appropriate subjects and skills for micro-credentialing and the manner in which a traditional or nontraditional student may demonstrate the level of mastery necessary to obtain a micro-credential;

(2) Standards and procedures for the design of micro-credentials, including how the micro-credentials are validated, stored, accessed, and maintained; and

(3) Standards and procedures for the platform for creating, maintaining, accessing, and sharing micro-credentials; and

(4) Standards and procedures for determining the entity or entities that may store and maintain records of the micro-credential completion, along with other educational attainments and learning achievements such as post-secondary certificates and degrees, professional licenses, industry certifications, and completed apprenticeships, and protocols to protect the security of micro-credentials and other educational attainments and learning achievements and to help ensure that a student who obtains a micro-credential and other educational attainment and learning achievements controls access to their record.

(5) Standards and procedures for verifying the completion of micro-credentials and that they lead to demonstrable, measurable improvements in workforce participation and earnings; and

(6) Assistance to state institutions of higher education with implementing micro-credential offerings that are high-quality, transparent, aligned with workforce needs, and implemented through sound institutional processes, through increased capacity building for needs assessment, program development, marketing, student supports, documentation, and program and process improvement.

(d) The commission is authorized and empowered, as necessary in developing and implementing the Micro-Credential Program, to:

(1) Coordinate with the Department of Commerce, Department of Education, the Professional Charter School Board, the Council for Community and Technical College Education, any institution of higher education, as that term is defined in §18B-1-2 of this code, and employers to develop joint criteria, curriculum, competencies, assessments, and class credit for specific micro-credentials within the program;

(2) Contract with education experts and service providers to consult on and develop the program or specific micro-credentials within the program;

(3) Prioritize the development and deployment of micro-credentials for manual labor or

WV Legislature

skilled trade related workforce positions such as those found within the industries of construction, manufacturing, and energy;

(4) Utilize digital, web-based, artificial intelligence-based, hands-on, or on-the-job micro-credentials as needed to meet workforce and market demands; and

(5) Communicate with the Department of Commerce, employers, and industry representatives to ensure that the micro-credentials being offered respond to local and regional needs for specific workforce knowledge and skills.

(e) The commission may propose rules in accordance with §29A-3A-1 *et seq*. of this code, as needed, to establish and implement the Micro-Credential Program.

WV Legislature