

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2004

FISCAL
NOTE

BY DELEGATES ESPINOSA, GRAVES, HARSHBARGER,
FOSTER, WORRELL, HANNA, DEAN, SYPOLT, HAMRICK
AND HOWELL

[Introduced January 14, 2019; Referred
to the Committee on Education.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new
 2 sections, designated §18-2-7d and §18-2-40; to amend and reenact section §18B-3C-4 of
 3 said code; to amend said code by adding thereto a new article, designated §21-1E-1, §21-
 4 1E-2, §21-1E-3 and §21-1E-4; and to amend said code by adding thereto a new article,
 5 designated §30-1E-1, §30-1E-2, §30-1E-3 and §30-1E-4, all relating to providing for a
 6 program of instruction in workforce preparedness; providing career and technical
 7 education program of study information for students and parents; requiring the
 8 transcription earned of dual credits; elevating the priority of community and technical
 9 college/career and technical education consortia on program integration to meet region
 10 and state labor market needs; providing for joint State Board and Council for Community
 11 and Technical College Education guidelines on program administration; providing joint
 12 responsibility of State Superintendent and Chancellor for certain activities and reporting;
 13 requiring standards and procedures for recognizing career technical training acquired in
 14 public schools, apprenticeships and training programs toward occupational testing,
 15 certification and/or licensure; establishing purpose and intent; providing definitions;
 16 requiring rules providing standards and procedures be proposed by Commissioner of
 17 Labor and by licensing boards and commissions.

Be it enacted by the Legislature of West Virginia:

CHAPTER 18. EDUCATION.

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-7d. Program in workforce preparedness.

1 (a) The Legislature finds that, in addition to specialized skills relating to specific
 2 professions and trades, students will be better prepared to enter the workforce and succeed in
 3 their chosen fields of employment or education by having the opportunity to participate in training
 4 related to general workforce preparedness, productive workplace skills and processes, time

5 management and efficiency, and teamwork and leadership competencies in the workplace. The
6 Legislature further finds that employers in the state are the best source for articulating the general
7 skills and attributes they, in common, seek in future employees and that employers may
8 collaborate in the development of a graduate profile incorporating these skills and attributes. The
9 purpose of this section is to provide students basic instruction in general workforce preparedness
10 including, but not limited to, information that may be developed by employers on the basic skills
11 and attributes that they, in common, seek in prospective employees.

12 (b) The state board shall develop a program of instruction in general workforce and career
13 preparedness which may be integrated into the curriculum of an appropriate existing course or
14 courses for students in secondary schools. This program shall include, among other topics as
15 may be developed by the state board, instruction in:

16 (1) Resume and curriculum vitae preparedness;

17 (2) Interviewing skills and techniques;

18 (3) Customer service expectations and proficiencies;

19 (4) Conflict management and team building in the workplace;

20 (5) Inter-personal relationship training, including effective verbal communication
21 techniques, telephone communications and correspondence and written communication skills;

22 (6) Workplace expectations, including prompt attendance, timeliness and efficiencies; and

23 (7) Leadership and career development training.

24 (c) The program of study also shall include guidelines for schools working through their
25 local school improvement councils and business partners to communicate to students common
26 skills and attributes sought by employers in prospective employees.

§18-2-40. Career and technical education program of study information for students and parents.

1 (a) Within the career and technical cluster and major programs of study established for
2 the public schools, the State Board of Education, the Council for Community and Technical

3 College Education and the Department of Commerce shall coordinate efforts for collection and
4 dissemination of information which is easily accessible to both students and their parents on the
5 following:

6 (1) Programs of study and the curriculum of courses at the secondary and post-secondary
7 level established pursuant to §18B-3C-4 of this code that lead to an industry-recognized
8 credential, a certificate of applied science degree or an associate degree that satisfy a workforce
9 need;

10 (2) Programs of study and the curriculum of courses at the secondary level recognized
11 pursuant to §21-1E-1 et seq. and §30-1E-1 et seq. of this code as satisfying a portion of the
12 requirements for an apprenticeship or other employer sponsored training program, as well as any
13 associated programs of study and the curriculum of courses at the post-secondary level that
14 enable the student to also satisfy the requirements for an associate degree; and

15 (3) The EDGE program, established by §18-13-1 et seq. of this code, which provides the
16 opportunity for the student to obtain dual credits that count toward the high school graduation
17 requirements, as well as to count toward the student's achievement of a certificate or Associate
18 Degree.

19 (b) All post-secondary credits earned by a public school student through the EDGE
20 program and any other dual credit program shall be transcribed to the student by the post-
21 secondary institution at which the credit was earned.

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 3C. COMMUNITY AND TECHNICAL COLLEGE SYSTEM.

§18B-3C-4. Community and technical college/career and technical education consortia planning districts.

1 (a) Unless otherwise designated, the presidents of the community and technical colleges
2 facilitate formation of community and technical college/career and technical education consortia

3 in the state. Each consortium includes representatives of community and technical colleges,
4 public career and technical education centers and state baccalaureate institutions offering
5 associate degrees. The consortium is responsible for carrying out the following actions:

6 (1) Completing a comprehensive assessment of the district to determine what education
7 and training programs are necessary to meet the short- and long-term workforce development
8 needs of the district and to identify the high-demand, high-wage occupations within the service
9 district and develop programs of study, based on the findings, that consist of a curriculum of
10 courses leading to an industry-recognized credential, a certificate of applied science degree or an
11 associate degree;

12 (2) Coordinating efforts with regional labor market information systems to identify the
13 ongoing needs of business and industry, both current and projected, and to provide information
14 to assist in an informed program of planning and decision-making. The priority of each consortium
15 is to identify the high-demand, high-wage occupations within the service district and, in
16 conjunction with the public schools, develop integrated secondary and post-secondary programs
17 of study that lead to an industry-recognized credential, a certificate of applied science degree or
18 an associate degree;

19 (3) Developing integrated secondary and post-secondary programs of study that lead to
20 an industry-recognized credential, a certificate of applied science degree or an associate degree
21 to satisfy a workforce need as determined by the Department of Commerce. The Department of
22 Commerce shall on occasion, but at least annually, provide written notification to the State Board
23 of Education and the West Virginia Council for Community and Technical College Education a
24 determination of areas of workforce need;

25 (4) Increasing the integration of secondary and post-secondary curriculum and programs
26 that are targeted to meet regional and state labor market needs, including implementing seamless
27 programs of study, including West Virginia EDGE, Advanced Career Education, Registered
28 Apprenticeships and the Collaborative Degree Completion Program;

29 (5) Ensuring that the programs of study include coherent and rigorous content aligned with
30 challenging academic standards and relevant career and technical education content. The
31 programs shall provide for student movement through a coordinated, nonduplicative progression
32 of courses that align secondary education with community and technical college education to
33 prepare students to succeed at the community and technical college level and in high-wage, high-
34 demand occupations;

35 ~~(6) Increasing the integration of secondary and post-secondary curriculum and programs~~
36 ~~that are targeted to meet regional labor market needs, including implementing seamless programs~~
37 ~~of study, including West Virginia EDGE, and the Collaborative Degree Completion Program:~~

38 ~~(A) Research shows that well-planned, well-coordinated programs of study have a positive~~
39 ~~impact on school attendance, student grades, achievement scores, retention rates and career~~
40 ~~planning. To be successful, programs of study must include coherent and rigorous content aligned~~
41 ~~with challenging academic standards and relevant career and technical education content. They~~
42 ~~must provide for student movement through a coordinated, nonduplicative progression of courses~~
43 ~~that align secondary education with community and technical college education to prepare~~
44 ~~students to succeed at the community and technical college level and in high-wage, high-demand~~
45 ~~occupations;~~

46 ~~(B) Therefore, the focus of each consortium is to identify the high-demand, high-wage~~
47 ~~occupations within the service district and develop programs of study, based on the findings, that~~
48 ~~lead to an industry-recognized credential, a certificate of applied science degree or an associate~~
49 ~~degree;~~

50 ~~(C) The initial consortium compact and each annual update required in subsection (d) of~~
51 ~~this section shall identify the programs of study that are to be implemented in the district service~~
52 ~~area~~

53

54 ~~(3)~~(6) Planning and developing a unified effort between the community and technical
55 colleges and public career and technical education to meet the documented workforce
56 development needs of the district and state through individual and cooperative programs; shared
57 facilities, faculty, staff, equipment and other resources; and the development and use of distance
58 learning and other education technologies;

59 ~~(4)~~(7) Collaborating and developing jointly the collaborative programming for adults
60 between the community and technical colleges and the public career and technical centers. The
61 focus of these collaborative efforts is the development of advanced skill programming that builds
62 on the secondary curriculum and allows career and technical education graduates to acquire more
63 in-depth preparation in their occupational area of interest;

64 ~~(5)~~(8) As a consortium, regularly reviewing and revising curricula to ensure that the work
65 force needs are met; developing new programs and phasing out or modifying existing programs,
66 as appropriate, to meet such needs; and streamlining procedures for designing and implementing
67 customized training programs;

68 ~~(7)~~(9) Planning and implementing integrated professional development activities for
69 secondary and post-secondary faculty, staff and administrators;

70 ~~(8)~~(10) Ensuring that program graduates have attained the competencies required for
71 successful employment through the involvement of business, industry and labor in establishing
72 student credentialing;

73 ~~(9)~~(11) Assessing student knowledge and skills which may be gained from multiple
74 sources so that students gain credit toward program completion and advance more rapidly without
75 repeating course work in which they already possess competency. Assessment may include, but
76 is not limited to, the use of assessment instruments of the National Occupational Competency
77 Testing Institute;

78 ~~(40)~~(12) Cooperating with workforce investment boards to establish one-stop-shop career
79 centers with integrated employment and training and labor market information systems that

80 enable job seekers to assess their skills, identify and secure needed education training, and
81 secure employment, and that allow employers to locate available workers;

82 ~~(14)~~(13) Increasing the integration of adult literacy, adult basic education, federal Work
83 Force Investment Act and community and technical college programs and services to expedite
84 the transition of adults from welfare to gainful employment, including cooperating with the State
85 Department of Education to provide adult basic education programs on each community and
86 technical college campus in the state where developmental education services are provided; and

87 ~~(12)~~(14) Establishing a single point of contact for employers and potential employers to
88 access education and training programs throughout the district.

89 (b) The community and technical college education consortium shall cooperate with the
90 regional workforce investment board in the district and shall participate in any development or
91 amendment to the regional workforce investment plan.

92 (c) To carry out the provisions of this section, community and technical college/career and
93 technical education consortia planning districts are established and defined as follows:

94 (1) Northern Panhandle District includes Hancock, Brooke, Ohio, Marshall and Wetzel
95 counties.

96 (A) The facilitating institution is West Virginia Northern Community and Technical College.

97 (B) Participating institutions include West Virginia Northern Community and Technical
98 College; John Marshall High School; Cameron High School; John D. Rockefeller IV Career
99 Center; and other public career and technical centers offering post-secondary programs.

100 (2) North Central West Virginia District includes Monongalia, Marion, Preston, Taylor,
101 Barbour, Randolph, Doddridge, Harrison, Braxton, Lewis, Calhoun, Gilmer and Upshur counties.

102 (A) The facilitating institution is Pierpont Community and Technical College.

103 (B) Participating institutions include Pierpont Community and Technical College; Glenville
104 State College; Randolph County Technical Center; Monongalia County Technical Education
105 Center; United Technical Center; Marion County Technical Center; Fred W. Eberle Technical

106 Center; Calhoun Gilmer Career Center; Taylor County Technical Center; and other public career
107 and technical centers offering post-secondary programs.

108 (3) Mid-Ohio Valley District includes Tyler, Pleasants, Ritchie, Wood, Wirt, Jackson and
109 Roane counties.

110 (A) The facilitating institution is West Virginia University at Parkersburg.

111 (B) Participating institutions include West Virginia University at Parkersburg; Roane-
112 Jackson Technical Center; Wood County Technical Center; Mid Ohio Valley Technical Institute
113 and other public career and technical centers offering post-secondary programs.

114 (4) Potomac Highlands District includes Tucker, Pendleton, Grant, Hardy, Mineral and
115 Hampshire counties.

116 (A) The facilitating institution is Eastern West Virginia Community and Technical College.

117 (B) Participating institutions include Eastern West Virginia Community and Technical
118 College; South Branch Career and Technical Center; Mineral County Technical Center; and other
119 public career and technical centers offering post-secondary programs.

120 (5) Shenandoah Valley District includes Berkeley, Jefferson and Morgan counties.

121 (A) The facilitating institution is Blue Ridge Community and Technical College.

122 (B) Participating institutions include Blue Ridge Community and Technical College; James
123 Rumsey Technical Institute; and other public career and technical centers offering post-secondary
124 programs.

125 (6) Advantage Valley District includes Fayette, Kanawha, Clay, Putnam, Cabell, Mason
126 and Wayne counties.

127 (A) The facilitating institution for Cabell, Mason and Wayne counties is Mountwest
128 Community and Technical College. The facilitating institutions for Clay, Fayette, Kanawha and
129 Putnam counties are Bridgemont Community and Technical College and Kanawha Valley
130 Community and Technical College.

131 (B) Participating institutions include Mountwest Community and Technical College;
132 Bridgemont Community and Technical College; Kanawha Valley Community and Technical
133 College; Carver Career and Technical Education Center; Garnet Career Center; Ben Franklin
134 Career and Technical Center; Putnam Career and Technical Center; Cabell County Career-
135 Technology Center; Mason County Career Center; and other public career and technical centers
136 offering post-secondary programs.

137 (7) Southern Mountains District includes Lincoln, Boone, Logan, Mingo, Wyoming and
138 McDowell counties.

139 (A) The facilitating institution is Southern West Virginia Community and Technical College.

140 (B) Participating institutions include Southern West Virginia Community and Technical
141 College; Boone County Career and Technical Center; Wyoming County Career and Technical
142 Center; Ralph R. Willis Career and Technical Center; McDowell County Career and Technology
143 Center; Mingo Extended Learning Center; and other public career and technical centers offering
144 post-secondary programs.

145 (8) Southeastern District includes Raleigh, Summers, Fayette, Nicholas, Webster,
146 Pocahontas, Greenbrier, Monroe and Mercer counties.

147 (A) The facilitating institution is New River Community and Technical College.

148 (B) Participating institutions include New River Community and Technical College;
149 Bridgemont Community and Technical College; Bluefield State College; Academy of Careers and
150 Technology; Fayette Institute of Technology; Summers County High School; Monroe County
151 Technical Center; Mercer County Technical Education Center; Nicholas County Career and
152 Technical Center; and other public career and technical centers offering post-secondary
153 programs.

154 (9) Cochairs preside over each consortium as follows:

155 (A) The president of the facilitating community and technical college, or his or her
156 designee; and

157 (B) A career and technical education center administrator, or his or her designee,
158 representing one of the participating institutions and selected by the consortium administrative
159 leaders.

160 (d) In the role of the facilitating institution of the consortium, the college:

161 (1) Communicates to the council and state board;

162 (2) Facilitates the delivery of comprehensive community and technical college education
163 in the region, which includes the seven areas of comprehensive community and technical college
164 education delivery as required by §18B-3C-6 of this code;

165 (3) Facilitates development of a statement of commitment signed by all participating
166 institutions in the region setting forth how community and technical college education will be
167 delivered; and

168 (4) Facilitates the development of a consortium compact to be submitted to the council
169 and state board before July 1, 2012, and annually thereafter. The consortium compact and each
170 annual update shall identify the programs of study that are to be implemented in the district service
171 area. Before July 1, 2020, and thereafter, the consortium compact shall be in accordance with
172 the provisions of this section as amended and reenacted at the 2019 Regular Session of the
173 Legislature.

174 (e) The state board and council shall jointly promulgate guidelines for the administration
175 of this section. The guidelines shall be affirmatively adopted by both the board and the council. At
176 a minimum, such guidelines shall provide for the following:

177 (1) Participating institutions are not subordinate to the facilitating institution but shall sign
178 the statement of commitment to participate.

179 (2) Integrated secondary and post-secondary programs of study that lead to an industry-
180 recognized credential, a certificate of applied science degree or an associate degree shall be
181 reduced to written partnership agreements;

182 (3) The programs of study must meet the requirements of the accrediting entity for the

183 community and technical college awarding the associate degrees;

184 (4) That partnership agreements must be approved by the State Superintendent of
185 Schools and the Chancellor for the Council for Community and Technical College Education; and

186 (5) Any other provisions necessary to effectuate the purposes of this section.

187 (f) The Council is State Superintendent of Schools and the Chancellor for the Council for
188 Community and Technical College Education are responsible for carrying out the following
189 activities:

190 (1) Annually evaluating the progress made in meeting the compact goals for each
191 consortium through the development and collection of performance indicator data; and

192 (2) Providing each consortium with a model format for developing and revising a
193 consortium compact outlining strategies and procedures for achieving stated goals. The compact
194 shall be submitted to the council and state board for their respective approvals before ~~July 1, 2012~~
195 July 1, 2019, and annually thereafter. The council is responsible for approving the compact
196 components related to community and technical college education. The state board is responsible
197 for approving the compact components related to career and technical education. Each compact
198 shall include implementation of seamless programs of study, the Collaborative Degree
199 Completion Program and the West Virginia EDGE Program.

200 (g) The State Superintendent of Schools and the Chancellor for the Council for Community
201 and Technical College Education shall annually report to the Governor and the Legislative
202 Oversight Commission on Education Accountability the implementation of this article.

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 pursuant to authority established in §21-1E-4 of this code.

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. 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; and

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.

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.

NOTE: The purpose of this bill is to provide better communication to students and parents on career and technical programs of study that begin in high school and lead to industry-recognized credentials, certificates of applied science and associate degrees in high-demand, high wage occupations in the state.

The bill begins with a general list of some of the topics to be included in a program of study or integrated into existing courses that reflect skills and attributes commonly sought by employers in their prospective employees. Guidelines are also to be developed for schools to work through their LSIC's and business partners to communicate these skills and attributes to students.

This section is followed by provisions that require information to be easily accessible to students within the career and technical cluster and major programs of study, and to their parents, on the community and technical college programs that aligned with their high school program and lead to industry recognized credentials, certificates of applied science and associate degrees. Information is also to be provided on apprenticeship and occupational licensing requirements toward which the student may have already gained credit through their secondary programs. Finally, the bill provides for students to receive a transcript from the post-secondary institution from which they earned dual credit.

The balance of the bill strengthens the focus on program integration between public school career and technical programs and post-secondary community and technical college programs leading to high demand, high wage jobs, and on identifying when the competencies that students have already gained count toward occupational 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.