



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

8/5/2025 4:45:56 PM

Office of West Virginia
Secretary Of State

NOTICE OF AN EMERGENCY AMENDMENT TO AN EMERGENCY RULE

AGENCY: Community And Technical College Education TITLE-SERIES: 135-28
RULE TYPE: Legislative Amendment to Existing Rule: Yes
RULE NAME: Skilled Trades Apprenticeship Nontraditional Degree (STAND) Program

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

§18B-1-6 and §18B-3D-7

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

House Bill 5435; WV Code §29A-3A-1

DATE EMERGENCY RULE WAS ORIGINALLY FILED: 06/02/2025

DATE(S) OF PREVIOUS EMERGENCY AMENDMENT(S)

NA

PRIMARY CONTACT:

NAME: Sarah Tucker
ADDRESS: 2001 Union Carbide Drive Bldg 2000
South Charleston, WV 25303
EMAIL: tucker@wvctcs.edu
PHONE NUMBER: 304-558-0265

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

In accordance with HB 5435, WV Code 29A-3A-1, the Chancellor is to report to LOCEA on December 1, 2025, the number of students enrolled. Therefore, the program must be implemented at the start of the 2025 academic year. SB507 repealed the former Title 135, Series 128, Standards for the Administration of the West Virginia Earn a Degree, Graduate Early (EDGE) Program in 2024.

DOES THIS EMERGENCY RULE REPEAL A CURRENT RULE? Yes

HAS THE SAME OR SIMILAR EMERGENCY RULE PREVIOUSLY BEEN FILED AND EXPIRED? No

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

NA

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

NA

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

NA

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs and Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

NA

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Angela S Kerns -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 135
LEGISLATIVE RULE
WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

SERIES 28
SKILLED TRADES APPRENTICESHIP NONTRADITIONAL
DEGREE (STAND) PROGRAM

§135-28-1. General.

1.1. Scope. -- This rule establishes guidelines and procedures for administering the Skilled Trades Apprenticeship Nontraditional Degree (STAND) Program, created pursuant to W. Va. Code §18B-3D-7.

1.2. Authority. -- West Virginia Code §18B-1-6 and §18B-3D-7.

1.3. Filing Date. --

1.4. Effective Date. --

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect on August 1, 2031.

1.6. Repeal and Replace. -- This legislative rule repeals and replaces WV 135CSR28 “Standards for the Administration of the West Virginia Earn a Degree, Graduate Early (EDGE) Program” filed April 15, 2014 and effective May 15, 2014.

§135-28-2. Administration.

2.1. The Chancellor for Community and Technical College Education shall administer the STAND Program under the general direction of the Council.

§135-28-3. Institution Eligibility.

3.1. Only public community and technical colleges authorized by the Council and offering associate of applied science degrees are eligible to participate in the STAND Program.

§135-28-4. Student Eligibility.

4.1. To be eligible for participation in the STAND Program, an applicant must:

4.1.1. Be a citizen or legal resident of the United States who meets the residency requirements for federal student aid;

4.1.2. Have been a resident of West Virginia for at least one year immediately preceding the date of application;

4.1.3. Be at least 18 years of age;

4.1.4. Have earned a high school diploma or passed a state-approved high school equivalency exam;

4.1.5. Be currently enrolled in a skilled trades registered apprenticeship program recognized by the United States Department of Labor's Office of Apprenticeship, or hold a Certificate of Completion of Apprenticeship issued by the U.S. Department of Labor for a skilled trades program;

4.1.6. Submit a completed STAND Program application and any additional documentation required by the Council or participating institution;

4.1.7. Be accepted for enrollment into a participating community and technical college.

4.1.8. Prior to the beginning of the academic year or initial term of enrollment, complete any administrative forms or disclosures required by the Council, including a student agreement acknowledging program requirements and time limits.

4.1.9. The Council may refine the list of eligible skilled trades apprenticeship programs based on availability of funding and other programmatic considerations.

4.2. Eligible students must be enrolled in one or more general education courses applicable to an associate of applied science degree program approved by the participating institution.

4.3. STAND Program participants must complete and pass all general education coursework:

4.3.1. Within six (6) years from the initial date of enrollment in the STAND Program; or

4.3.2. Within two (2) years following the completion of the apprenticeship program, whichever period is longer for apprentices;

4.3.3. For apprenticeship certificate holders, within six (6) years from the initial date of enrollment.

4.4. Prior to the conferral of an associate degree under the STAND Program, the participating institution must verify that the student-apprentice has completed a sufficient number of credit hours through coursework delivered directly by the conferring institution to satisfy institutional residency requirements established by the institution's regional accrediting body. Such credits may not be awarded through prior learning assessment or credit transfer.

4.5. Students must maintain compliance with all institutional and Council policies, including program participation requirements, course attendance, and academic performance standards.

4.6. Students may be simultaneously enrolled in both a participating community and technical college and a registered apprenticeship program. Institutions may award academic credit through a Prior Learning Assessment (PLA) process for eligible apprenticeship-related learning outcomes, even if the apprenticeship experience occurs concurrently with college enrollment. Such credit:

4.6.1. May be applied only to the technical or program-specific components of the associate degree plan;

4.6.2. May not be used to satisfy general education requirements for the degree;

4.6.3. Must be documented in accordance with institutional policy; and

4.6.4. Must meet accreditor requirements for transparency, academic rigor, and student learning assessment.

4.7. Each eligible student may receive STAND Program funding for general education coursework until whichever of the following occurs first or with fewer credit hours:

4.7.1. The student has completed twenty-one (21) credit hours of general education coursework funded through the STAND Program over the student's lifetime, regardless of the number of institutions attended or degree programs pursued;

4.7.2. The student has met all general education requirements for an associate degree at the host institution;

4.7.3 The student fails to maintain a minimum cumulative grade point average of 2.0 in coursework funded through the STAND Program.

§135-28-5. Tuition and Fees.

5.1. Tuition and eligible academic fees for courses completed as part of the STAND Program shall be paid directly by the Council to the participating institution, subject to available appropriations.

5.2. Participating institutions shall not charge student-apprentices or apprenticeship certificate holders enrolled in the STAND Program any additional tuition, mandatory institutional fees, or academic course fees for eligible coursework covered under the program.

5.3. The rate of tuition and fees charged to the Council for courses funded through the STAND Program must be the same as the rates charged to all other students enrolled in the same or similar courses at the institution.

5.4. Institutions may not establish special tuition or fee structures for STAND Program participants that differ from those published in the institution's approved schedule of tuition and fees, unless expressly approved in writing by the Chancellor.

5.5. Fees eligible for reimbursement under the STAND Program shall be limited to:

5.5.1. Tuition;

5.5.2. Course- or program-specific academic fees approved by the Council (e.g., lab or testing fees);
and

5.5.3. Other academic charges required of all students enrolled in the same course or program that are considered eligible for funding through the West Virginia Invests Grant program.

5.6. Fees that are not eligible for reimbursement include:

5.6.1. Tools, uniforms, textbooks, or other consumable supplies;

5.6.2. Parking, late registration, or student activity fees;

5.6.3. Any other fee deemed ineligible for funding through the West Virginia Invests Grant program;
and

5.6.4. Any costs associated with the apprenticeship component of the program, including on-the-job training expenses.

5.7. Participating institutions shall submit documentation of tuition and fee rates, course enrollments, and verification of student participation in the STAND Program in a format and timeline prescribed by the Chancellor.

§135-28-6. Awards and Payment.

6.1. Subject to available appropriations, the Council shall pay directly to eligible institutions the tuition and academic fees incurred by student-apprentices for eligible courses, the process for which shall be determined by the Chancellor.

6.2. The maximum award per term shall not exceed the actual cost of tuition and Council-approved academic fees for eligible courses.

6.3. Should a STAND recipient terminate enrollment for any reason during the academic year, the institution shall return to the Chancellor the unused portion of the grant in accordance with the refund policy associated with Federal Title IV funds. The institution is responsible for returning to the Council the unused portion of the grant.

6.4. Excess STAND funds shall not be refunded to the student.

§135-28-7. Program Delivery.

7.1. Institutions shall deliver courses in a manner and on a timeline designed to allow eligible students to complete at least 15 credit hours of general education coursework toward an associate of applied science degree.

7.2. Delivery formats may include in-person, hybrid, or online instruction, subject to institutional capacity and accreditation standards.

§135-28-8. Reporting.

8.1. Institutions must submit program data to the Chancellor in a format and frequency prescribed by the Chancellor.

8.2. Such data shall include:

8.2.1. The number of student-apprentices and apprenticeship certificate holders enrolled;

8.2.2. The number of associate degrees earned through the program;

8.2.3. Completion and progression metrics;

8.2.4. Feedback and concerns raised by students, apprenticeship sponsors, and institutions.

8.3. The Chancellor shall submit an annual report to the Legislative Oversight Commission on Education Accountability by December 1 of each year.

§135-28-9. Appeals.

9.1. An applicant may appeal in writing, the decline of an initial award or renewal award or any other decision within fifteen (15) days of receiving notification, to the Chancellor or his/her designee. The Chancellor, or his/her designee, shall issue a written decision upholding or reversing the initial decision.

9.2. Any applicant appeal of a decision concerning satisfactory academic progress shall be referred to the institution for resolution consistent with the institution procedures established for this purpose.

§135-28-10. Reconciliation and Audits.

10.1. Prior to the close of each fiscal year, the financial aid office at each participating institution shall reconcile all STAND Program records with the following:

10.1.1. The Council's records of STAND awards and disbursements; and

10.1.2. The institution's business office records documenting all STAND-related payments received from the Council.

10.2. All participating institutions shall be subject to periodic audits to ensure compliance with STAND Program requirements, applicable state and federal financial aid regulations, and Council policies.

10.3. The Council may require institutions to submit documentation or respond to audit findings within a specified timeframe. Failure to comply may result in the suspension of STAND Program participation or recovery of disbursed funds.