

17 V.I.C. § 262

Statutes current through Act 8501 of the 2021 session of the 34th Legislature, including all code changes through November 15, 2021

Virgin Islands Code Annotated > *TITLE SEVENTEEN Education (Chs. 1 — 45)* > *Chapter 23. Vocational Education and Vocational Rehabilitation (Subchs. I — II)* > *Subchapter I. Career and Technical Education (§§ 261 — 264)*

§ 262. Powers and duties of Board

(a) The Virgin Islands Board for Career and Technical Education shall be the sole agency for the administration of the career and technical programs in the Virgin Islands under this subchapter and the Acts of Congress referred to in section 261 of this title, and shall—

- (1) cooperate with the Office of Education, within the United States Department of Health, Education, and Welfare, in the administration of all Acts of Congress relating to career and technical education, provide for the certification of private schools and programs in the field of career and technical education and administer all provisions of this Code relating thereto, as well as any other legislation pursuant thereto enacted by the Legislature;
- (2) approve plans for cooperating with the Federal Government in carrying out any and all phases of the career and technical education program in which it may find cooperation to be desirable;
- (3) administer the funds provided by the Federal Government and the Legislature for the promotion of career and technical education in qualifications for teachers and supervisors of such subjects, and, distributive education;
- (4) approve plans for the promotion of career and technical education as an essential and integral part of the public school system in the Virgin Islands, and provide for the preparation of teachers in such subjects;
- (5) make certification for payment of the compensation of officials and other personnel appointed under section 99 of Title 3 for the proper administration in the Virgin Islands of the provisions of this subchapter and of any Federal Acts relating to career and technical education, and of other expenses of administration of such career and technical education programs, from funds appropriated for these purposes;

- (6) provide for the making of studies and investigations relating to career and technical education in such subjects;
- (7) promote, maintain, and aid in the establishment of schools, departments, or classes for training in such subjects, prescribe the qualifications for teachers and supervisors of such subjects, and, subject to the approval of the Governor, provide for the certification, selection, determination of salaries, and appointment of such teachers and supervisors;
- (8) establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of career and technical education programs and for the articulation of this work with other phases of the territorial programs;
- (9) do all things necessary to entitle the Virgin Islands to receive the benefits of all funds appropriated to the Virgin Islands under the Acts of Congress referred to in this section;
- (10) prepare and issue rules and regulations necessary for the proper administration of this subchapter; and
- (11) prepare an annual budget pursuant to [2 V.I.C. § 23](#) for the Board's operation; and
- (12) make an annual report to the Legislature.

(b) The Board for Career and Technical Education shall promote, maintain and aid in the establishment of schools, departments, or classes which provide pathways to career readiness for public school students in the ninth through twelfth grades. The Board and the Department of Education shall collaborate with the University of the Virgin Islands through its Center for Excellence in Leadership and Learning when necessary to further develop a sustainable career and technical program for public high school students who have selected a vocational career path.

(c) The career and technical program must consist of a classroom component where students will accrue instructional hours, an interactive component where each student will be paired with a professional mentor in their chosen career path, and a certification component.

- (1) At a minimum, student participants must receive an entry level certification or the equivalent thereof in the students' respective fields, after successfully completing the dual component program.
- (2) If the physical classroom component of the program is unavailable at any time, a comparable classroom component must be substituted and may be, but is not limited to, online education hours.

(d) The Department of Education shall use available federal and local resources to support the University of the Virgin Islands' classroom certification component. The Department of Education shall work with the Department of Labor to provide job placement for student participants who complete the program.

(e) Any business that partners with the Department of Education to train students shall receive a non-refundable Gross Receipts tax credit in the amount of \$500 for each student who completes the training program. The credit must be taken for the calendar year in which a student is trained and may not exceed \$2,500. To be eligible for the non-refundable tax credit, the business partner must receive from the Department of Education documentation confirming partnership and the number of students the business partner has trained.

(f) EDC beneficiaries who partner with the Department of Education to train students may not benefit from the tax credit stated in subsection (e). Instead, every student that is trained must be counted towards a beneficiary's education assistance, pursuant to Title [29 V.I.C. section 708\(a\)](#).

(g) The Board for Career and Technical Education, in consultation with the Department of Education and the University of the Virgin Islands, is responsible for promulgating the rules of the program prior to the initial implementation date in order to achieve a timely and efficient implementation process. The Board and the Department of Education shall notify all public high schools in the territory about any updates to the rules which occur after implementation.

(h) Notwithstanding any other law to the contrary, the Board shall receive from the Department of Labor and the Workforce Development Board relevant data at least every five years, to determine needed career pathways based on the job market in the territory and shall provide the Department of Education's State Office of Career and Technical Education with updates on colleges and career pathways that target the Virgin Islands economy.

(i) The Board for Career and Technical Education and the Board of Education shall work together to ensure that academic requirements and academic credits do not prevent any student from receiving a certificate in any career and technical education pathway.

History

—Amended May 16, 1957, No. 160, § 40, Sess. L. 1957, p. 32; Oct. 17, 2005, [No. 6793, § 5, Sess. L. 2005](#), p. 354; amended July 19, 2013, [No. 7495, § 2, Sess. L. 2013](#), p. 30; amended Dec. 31, 2014, No. 7710, § 10(a)–(c), Sess. L. 2014, p. 392, 393; amended Oct. 26, 2020, [No. 8374, § 1\(a\), \(b\), Sess. L. 2020](#), p. —.

Annotations

Notes

HISTORY

Source.

Based on Act Leg. Assem. app. Sept. 19, 1950 (Bill no. 7), §§ 2, 3, and the Governor's Exec. Ord. No. 9, § 2(e), eff. July 21, 1955, such Order having been issued under authority of section 16(a) of the Revised Organic Act of the Virgin Islands, approved July 22, 1954, set out preceding Title 1.

Editor's note.

Act 8374, § 2, provided that: “The Board for Career and Technical Education and the Department of Education have until the following school year from the date of enactment of this act to develop and implement the program established in Section 1.”

Revision notes.

The last sentence of the first paragraph of the above-cited section 2(e) of Exec. Ord. No. 9, eff. July 21, 1955, as well as the corresponding sentence in section 2(e) of Exec. Ord. No. 1, eff. Jan. 10, 1955 (which order, for the most part, was superseded by said Exec. Order No. 9), provided that “the [Virgin Islands] Board [of Education] herein established shall perform such functions as have heretofore been performed by ... the Virgin Islands Board for Vocational Education...”. This provision has been omitted from this Code as no longer necessary. The laws relating to vocational education have been revised to reflect the changes effected by such Orders and carried into this Code.

Other provisions of the above-cited section 2(e) of Exec. Ord. No. 9, eff. July 21, 1955, have been carried into other sections of this title, and Titles 3 and 32.

Changes were made in phraseology.

Provisions similar to those of section 2(e) of Exec. Ord. No. 9, eff. July 21, 1955, from which this section was partly derived, were contained in section 2(e) of Exec. Ord. No. 1, eff. Jan. 10, 1955. See note under section 61 of Title 3.

References in text.

The reference to Office of Education, within the United States Department of Health, Education and Welfare should probably be to the United States Department of Education.

Amendments

—2020.

Act 8374, § 1(a), designated the existing text as subsection (a).

Act 8374, § 1(b), added subsections (b) through (i).

—2014.

Act 7710, § 10(a), deleted “and” at the end of paragraph (9).

Act 7710, § 10(b), deleted the period and inserted “and” at the end of paragraph (10).

Act 7710, § 10(c), added paragraphs (11) and (12).

—2013.

Act 7495, § 2, inserted “provide for the certification of private schools and programs in the field of career and technical education” following “technical education,” in paragraph (1).

—2005.

Act 6793, § 5, substituted “career and technical” for “vocational” throughout the section.

—1957.

Amended opening clause and paragraph (5) to substitute in the former a reference to the Virgin Islands Board for Vocational Education (see section 99 of Title 3) for a reference to the “Virgin Islands Board of Education, in its capacity as the state board for vocational education”, and to restate in the latter the functions of the Virgin Islands Board for Vocational Education with respect to payment of compensation and expenses.

Paragraph (10): Added.

Rules and regulations.

For text of regulations issued under authority of this section, see the following:

Insular plan for vocational education, Title 17, V.I. Rules and Reg., §§ 262– 41 to 262–43, issued under authority of pars. (1), (2), (4) and (10) of this section.

Teachers in vocational education programs, Title 17, V.I. Rules and Reg., §§ 262– 1 and 262–2.

Establishment of Vocational Training Center at Estate Mandahl; Funding.

Act November 29, 1973, No. 3608, Sess. L. 1974, p. 205, provided:

“Section 1.**“(a)**

Pursuant to the powers and duties of the Virgin Islands Board of Vocational Education under Title 17, section 262, paragraph (7), Virgin Islands Code, such Board of Vocational Education shall immediately undertake the planning and establishment of a Vocational Training Center at Estate Mandahl on the Island of St. Thomas. Such Vocational Training Center shall be located at the former Peace Corps Training Center at Estate Mandahl.

“(b)

Such Vocational Training Center shall be established in conformity with the Federal Vocational Education Act of 1946, as amended, and any other applicable Federal law or rules and regulations which establish admission standards, curriculum and other organizational procedures and criteria.

“(c)

Students duly admitted to the Vocational Training Program established for such center shall be fully eligible for scholarships in Vocational Arts under the provisions of Title 17, section 172 of the Code.

“Section 2.

There is authorized to be appropriated to the Department of Education from any available funds in the Treasury of the Virgin Islands for fiscal year July 1, 1973 to June 30, 1974, such amount as is necessary, as determined by the Board of Vocational Education, in consultation with the Commissioners of Education, Public Works and Property and Procurement, and in consultation with the Governor, for the proper establishment and first year of operation of the Vocational Training Center at Estate Mandahl as described and provided in section 1 of this Act. The Governor shall submit a report to the Legislature of the estimated cost of establishment and initial operation phases of the Vocational Training Center, accompanied by legislation appropriating the necessary amount therefor within 90 days after the effective date of this Act [became law November 29, 1973].”

ANNOTATIONS

1. Certification.

The Board for Vocational Education has authority to grant certification to teachers in the Division of Vocational and Technical Education, subject, of course, to the approval of the governor; and this section supersedes general statute authorizing the Department of Education to grant certification to teachers. 7 V.I. Op. Att'y Gen. 379.

Research References & Practice Aids

CROSS REFERENCES

Board for Vocational Education. Virgin Islands Board for Vocational Education, establishment, etc., see section 99 of Title 3.

Virgin Islands Code Annotated

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