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LAW/RWH

P.L.2013, CHAPTER 208, *approved January 17, 2014*
Senate, No. 2362 (*First Reprint*)

1 AN ACT concerning the compilation of certain information by the
2 Department of Labor and Workforce Development and amending
3 P.L.2005, c.354.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 27 of P.L.2005, c.354 (C.34:1A-86) is amended to
9 read as follows:

10 27. There is established in the Department of Labor and
11 Workforce Development, the Center for Occupational Employment
12 Information, which shall:

13 a. Serve as the entity designated to carry out the State level
14 career information activities prescribed in the Perkins Act. In
15 accordance with that act, the center shall, in cooperation with the
16 New Jersey Department of Education and the Commission on
17 Higher Education:

18 (1) Provide support for career guidance and academic
19 counseling programs designed to promote improved career and
20 education decision-making by individuals, especially in areas of
21 career information delivery and use;

22 (2) Make information and planning resources that relate
23 educational preparation to career goals and expectations available,
24 on the Internet to the extent possible, to students, parents, teachers,
25 administrators, counselors, job-seekers, workers and other clients of
26 the workforce investment system, including the consumer report
27 card on the effectiveness of qualified schools and other approved
28 training providers placed on the State Eligible Training Provider
29 List provided pursuant to subsection f. of this section and required
30 to be made available pursuant to section 13 of P.L.2005, c.354
31 (C.34:15C-10.1), section 4 of P.L.1992, c.48 (C.34:15B-38), section
32 7 of P.L.1992, c.43 (C.34:15D-7) and section 3 of P.L.1992, c.47
33 (C.43:21-59).

34 (3) Equip workforce investment system professionals, including
35 teachers, administrators, and counselors, with the knowledge and
36 skills needed to assist clients of the workforce investment system,
37 including students and parents, with career exploration, educational
38 opportunities and education financing;

39 (4) Assist appropriate State entities in tailoring career-related
40 educational resources and training for use by such entities;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLA committee amendments adopted May 20, 2013.

1 (5) Improve coordination and communication among
2 administrators and planners of programs included in the State's
3 workforce investment system to ensure non-duplication of efforts
4 and the appropriate use of shared information and data; and

5 (6) Provide ongoing means for clients of the workforce
6 investment system, including students and parents, to provide
7 comments and feedback on products and services and to update
8 resources, as appropriate, to better meet customer requirements.

9 b. Design and implement a comprehensive workforce
10 information system to meet the needs for the planning and operation
11 of all public and private training and job placement programs,
12 which is responsive to the economic demands of the employer
13 community and education and training needs of the State and of
14 Workforce Investment Board areas within the State, as
15 recommended by the commission and designated by the
16 Commissioner of Labor and Workforce Development. In doing so,
17 the center shall insure that the information:

18 (1) Is delivered in a user friendly, timely and easily understood
19 manner;

20 (2) Pays special attention to the particular needs of each
21 Workforce Investment Board and is consistent with the labor
22 market of each Workforce Investment Board; and

23 (3) Is delivered, to the extent possible, on the Internet in a
24 format designed to meet the needs of all user groups.

25 c. Use the occupational employment information system to
26 implement an electronic career information delivery system, which
27 shall provide students, parents, counselors and other career decision
28 makers with accurate, timely and locally relevant information on
29 the careers available in the New Jersey labor market.

30 d. Analyze, not less than once every two years and on a
31 regional basis, the relationship between the projected need for
32 trained individuals in each of the career clusters and each of the
33 career pathways, and the total number of individuals being trained
34 in the skills or skill sets needed to work in each of the clusters and
35 pathways. Based on this relationship, the center shall designate as a
36 labor demand occupation any occupation that is in a cluster or
37 pathway for which the number of individuals needed significantly
38 exceeds, or shall exceed, the number being trained, and may
39 designate as a labor demand occupation an occupation for which the
40 center determines that the number of individuals needed
41 significantly exceeds, or will exceed, the number being trained,
42 even if that is not the case for the entire career cluster or pathway to
43 which the occupation belongs. In cases where a Workforce
44 Investment Board established pursuant to section 18 of P.L.1989,
45 c.293 (C.34:15C-15) submits information to the center that there is
46 or is likely to be, in the region for which the board is responsible, a
47 significant excess of demand over supply of adequately trained
48 workers for an occupation, the center may conduct a survey of the

1 need or anticipated need in that region for trained workers in that
2 occupation and, whether or not it conducts that survey, shall, in
3 conjunction with the board, determine whether to designate the
4 occupation to be a labor demand occupation in that region. The
5 center may utilize survey data obtained by other agencies or from
6 other sources to fulfill its responsibilities under this subsection.

7 e. Assist the commission in preparing the New Jersey Unified
8 Workforce Investment Plan pursuant to section 10 of P.L.1989,
9 c.293 (C.34:15C-7) by providing information requested by the
10 commission.

11 f. Compile information provided to the department by training
12 providers on the State Eligible Training Provider List pursuant to
13 sections 14 and 29 of P.L.2005, c.354 (C.34:15C-10.2 and C.34:1A-
14 88) into a consumer report card on the effectiveness of qualified
15 schools and other approved training providers. The consumer report
16 card shall include, at a minimum, the following information
17 compiled annually: the number of enrollees; the completion rate;
18 placement in employment information¹, including the names of
19 employers where placements are made¹; licensing information;
20 examination results; enrollee demographic information; and
21 information showing the long-term success of former trainees of
22 each provider and school in obtaining permanent employment and
23 increasing earnings over one or more time periods following the
24 completion or other termination of training, including a period of
25 two years following the completion or other termination of training.

26 g. Ensure that the data needed to produce a consumer report
27 card, pursuant to subsection f. of this section, is submitted by the
28 training providers and qualified schools to the department in a
29 timely manner and, for those training providers and qualified
30 schools that do not submit the data in a timely manner, implement
31 and enforce a process to revoke or suspend the entity from the State
32 Eligible Training Provider List, pursuant to section 14 of P.L.2005,
33 c.354 (C.34:15C-10.2).

34 (cf: P.L.2005, c.354, s.27)

35

36 2. Section 14 of P.L.2005, c.354 (C.34:15C-10.2) is amended
37 to read as follows:

38 14. a. The Department of Labor and Workforce Development
39 shall maintain a Statewide list of approved training providers
40 known as the State Eligible Training Provider List. In order to be
41 placed and retained on the list, a training provider shall meet:

42 (1) The requirements of section 122 of the "Workforce
43 Investment Act of 1998, Pub.L.105-220 (29U.S.C. s.2842);

44 (2) The requirements of this section;

45 (3) Any requirement applicable to that training provider
46 pursuant to section 13 of P.L.2005, c.354 (C.34:15C-10.1), section
47 6 of P.L.1992, c.48 (C.34:15B-40) and section 6 of P.L.1992, c.43
48 (C.34:15D-8);

1 (4) All reporting requirements of section 29 of P.L.2005, c.354
2 (C.34:1A-88); and

3 (5) Any other requirements established by the State
4 Employment and Training Commission.

5 No training provider who is not an approved training provider
6 included on the State Eligible Training Provider List shall receive
7 any federal job training funds or State job training funds.

8 b. In order to be placed on the State Eligible Training Provider
9 List, each training provider, including a school, shall obtain
10 approval from an authorized government agency. Any provider that
11 is not aligned with a specific cognizant agency shall be required to
12 obtain approval from the Department of Labor and Workforce
13 Development. Authorized government agencies shall include, but
14 are not limited to, the following:

15 (1) The Commission on Higher Education: The commission
16 shall approve programs from all institutions under its jurisdiction.
17 This approval includes course work for degrees and certificates
18 awarded by higher education institutions including public and
19 private institutions.

20 (2) The Department of Education: The Department of
21 Education shall approve all institutions in its jurisdiction. Programs
22 operated by the Division of Vocational Rehabilitation Services shall
23 be approved by the Department of Education cooperatively with the
24 Department of Labor and Workforce Development. Private schools
25 controlled or operated by a charitable institution or any school
26 controlled or operated by a religious denomination requesting to be
27 included on the State Eligible Training Provider List shall be
28 approved by the Department of Labor and Workforce Development
29 in consultation with the Department of Education or any other
30 appropriate State agency. Appropriate fees may be charged for
31 certification and annual renewal.

32 (3) State departments responsible for licensing: Training
33 providers are approved by any State department authorized to
34 license training providers for specific training programs.

35 (4) The federal ~~Government~~government: Training providers
36 required to be approved by an agency of the federal government
37 shall be included on the State Eligible Training Provider List after
38 submission of the application and documentation indicating
39 approval by the appropriate agency.

40 (5) Out-of-state approval: Training providers located in other
41 states may be on the State Eligible Training Provider List if they
42 demonstrate that they are approved by an appropriate state agency
43 in the state in which they are located. Those providers shall
44 complete the appropriate application process, submit to the Center
45 for Occupational Employment Information proof of their approval,
46 agree to the established reports, agree to any other requirements
47 established for in-State providers, and comply with the specific
48 requirements of the funding source.

- 1 c. Where applicable, training programs shall align with or use
2 existing nationally recognized, industry-based skill standards and
3 certifications as the basis for developing competency based learning
4 objectives, curricula, instructional methods, teaching materials and
5 worksite activities; prepare students to satisfy employer knowledge
6 and skill requirements assessed by related examination, and provide
7 students with the opportunity to take exams and receive
8 certifications or licenses.
- 9 d. Each training provider shall apply to be placed on the State
10 Eligible Training Provider List and provide a record for each trainee
11 enrolled. This information shall include, but not be limited to, the
12 participant's Social Security number, gender, date of birth, date of
13 enrollment, any date of completion, date of termination, date of
14 start in a job, date of application for a license, licensing
15 examination result, date of issue of a license, any credential issued,
16 and other information as specified by the State Employment and
17 Training Commission or Center for Occupational Employment
18 Information. For individuals who do not have a Social Security
19 number, the qualifying agency may substitute an alternate method
20 of identification, except that, at the time of start into employment,
21 the alternate code shall be cross-referenced with the individual's
22 valid Social Security number. In addition, the training provider
23 shall agree to provide any other information deemed appropriate by
24 the State Employment and Training Commission, the Department of
25 Labor and Workforce Development and the Department of
26 Education for evaluation purposes.
- 27 e. Every training provider shall provide access for on site
28 visitation and monitoring by the State or its designee upon request.
- 29 f. Objective performance standards and measures for
30 evaluating training providers shall be jointly developed and
31 implemented by the State Board of Education and the New Jersey
32 State Employment and Training Commission. Policy makers and
33 consumers shall be provided with information concerning training
34 providers on the State Eligible Training Provider List and shall be
35 provided a consumer report card, compiled by the Center for
36 Occupational Employment Information pursuant to section 27 of
37 P.L.2005, c.354 (C.34:1A-86), on the effectiveness of those training
38 providers showing the long-term success of former trainees of each
39 provider in obtaining permanent employment and increasing
40 earnings over one or more time periods following the completion or
41 other termination of training, including a period of two years
42 following the completion or other termination of training.
- 43 g. Any qualifying school which has a currently valid certificate
44 of approval issued pursuant to section 13 of P.L.2005, c.354
45 (C.34:15C-10.1) and complies with all requirements of this section
46 applicable to the school shall be placed on the State Eligible
47 Training Provider List and any qualifying school which has its

1 certificate revoked or suspended shall be removed from the list until
2 the certification is reinstated

3 h. In order to be placed on and maintain eligibility for the State
4 Eligible Training Provider List, each training provider, including a
5 school, shall submit the required information for the compilation of
6 consumer report cards pursuant to section 27 of P.L. 2005, c.354
7 (C.34:1A-86), to the Center for Occupational Employment
8 Information in a timely manner. Any training provider or qualified
9 school that does not submit the required information in a timely
10 manner shall have its certificate revoked or suspended and shall be
11 removed from the list until the certification is reinstated.

12 (cf: P.L.2005, c.354, s.14)

13

14 3. This act shall take effect immediately.

15

16

17

18

19 _____
20 Requires DOLWD to compile consumer report cards for eligible
training providers.

SENATE, No. 2362

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED NOVEMBER 29, 2012

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires DOLWD to compile consumer report cards for eligible training providers.

CURRENT VERSION OF TEXT

As introduced.



S2362 TURNER

2

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2 Department of Labor and Workforce Development and amending
3 P.L.2005, c.354.

4

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12 Information, which shall:

13 a. Serve as the entity designated to carry out the State level
14 career information activities prescribed in the Perkins Act. In
15 accordance with that act, the center shall, in cooperation with the
16 New Jersey Department of Education and the Commission on
17 Higher Education:

18 (1) Provide support for career guidance and academic
19 counseling programs designed to promote improved career and
20 education decision-making by individuals, especially in areas of
21 career information delivery and use;

22 (2) Make information and planning resources that relate
23 educational preparation to career goals and expectations available,
24 on the Internet to the extent possible, to students, parents, teachers,
25 administrators, counselors, job-seekers, workers and other clients of
26 the workforce investment system, including the consumer report
27 card on the effectiveness of qualified schools and other approved
28 training providers placed on the State Eligible Training Provider
29 List provided pursuant to subsection f. of this section and required
30 to be made available pursuant to section 13 of P.L.2005, c.354
31 (C.34:15C-10.1), section 4 of P.L.1992, c.48 (C.34:15B-38), section
32 7 of P.L.1992, c.43 (C.34:15D-7) and section 3 of P.L.1992, c.47
33 (C.43:21-59).

34 (3) Equip workforce investment system professionals, including
35 teachers, administrators, and counselors, with the knowledge and
36 skills needed to assist clients of the workforce investment system,
37 including students and parents, with career exploration, educational
38 opportunities and education financing;

39 (4) Assist appropriate State entities in tailoring career-related
40 educational resources and training for use by such entities;

41 (5) Improve coordination and communication among
42 administrators and planners of programs included in the State's
43 workforce investment system to ensure non-duplication of efforts
44 and the appropriate use of shared information and data; and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (6) Provide ongoing means for clients of the workforce
2 investment system, including students and parents, to provide
3 comments and feedback on products and services and to update
4 resources, as appropriate, to better meet customer requirements.

5 b. Design and implement a comprehensive workforce
6 information system to meet the needs for the planning and operation
7 of all public and private training and job placement programs,
8 which is responsive to the economic demands of the employer
9 community and education and training needs of the State and of
10 Workforce Investment Board areas within the State, as
11 recommended by the commission and designated by the
12 Commissioner of Labor and Workforce Development. In doing so,
13 the center shall insure that the information:

14 (1) Is delivered in a user friendly, timely and easily understood
15 manner;

16 (2) Pays special attention to the particular needs of each
17 Workforce Investment Board and is consistent with the labor
18 market of each Workforce Investment Board; and

19 (3) Is delivered, to the extent possible, on the Internet in a
20 format designed to meet the needs of all user groups.

21 c. Use the occupational employment information system to
22 implement an electronic career information delivery system, which
23 shall provide students, parents, counselors and other career decision
24 makers with accurate, timely and locally relevant information on
25 the careers available in the New Jersey labor market.

26 d. Analyze, not less than once every two years and on a
27 regional basis, the relationship between the projected need for
28 trained individuals in each of the career clusters and each of the
29 career pathways, and the total number of individuals being trained
30 in the skills or skill sets needed to work in each of the clusters and
31 pathways. Based on this relationship, the center shall designate as a
32 labor demand occupation any occupation that is in a cluster or
33 pathway for which the number of individuals needed significantly
34 exceeds, or shall exceed, the number being trained, and may
35 designate as a labor demand occupation an occupation for which the
36 center determines that the number of individuals needed
37 significantly exceeds, or will exceed, the number being trained,
38 even if that is not the case for the entire career cluster or pathway to
39 which the occupation belongs. In cases where a Workforce
40 Investment Board established pursuant to section 18 of P.L.1989,
41 c.293 (C.34:15C-15) submits information to the center that there is
42 or is likely to be, in the region for which the board is responsible, a
43 significant excess of demand over supply of adequately trained
44 workers for an occupation, the center may conduct a survey of the
45 need or anticipated need in that region for trained workers in that
46 occupation and, whether or not it conducts that survey, shall, in
47 conjunction with the board, determine whether to designate the
48 occupation to be a labor demand occupation in that region. The

1 center may utilize survey data obtained by other agencies or from
2 other sources to fulfill its responsibilities under this subsection.

3 e. Assist the commission in preparing the New Jersey Unified
4 Workforce Investment Plan pursuant to section 10 of P.L.1989,
5 c.293 (C.34:15C-7) by providing information requested by the
6 commission.

7 f. Compile information provided to the department by training
8 providers on the State Eligible Training Provider List pursuant to
9 sections 14 and 29 of P.L.2005, c.354 (C.34:15C-10.2 and C.34:1A-
10 88) into a consumer report card on the effectiveness of qualified
11 schools and other approved training providers. The consumer report
12 card shall include, at a minimum, the following information
13 compiled annually: the number of enrollees; the completion rate;
14 placement in employment information; licensing information;
15 examination results; enrollee demographic information; and
16 information showing the long-term success of former trainees of
17 each provider and school in obtaining permanent employment and
18 increasing earnings over one or more time periods following the
19 completion or other termination of training, including a period of
20 two years following the completion or other termination of training.

21 g. Ensure that the data needed to produce a consumer report
22 card, pursuant to subsection f. of this section, is submitted by the
23 training providers and qualified schools to the department in a
24 timely manner and, for those training providers and qualified
25 schools that do not submit the data in a timely manner, implement
26 and enforce a process to revoke or suspend the entity from the State
27 Eligible Training Provider List, pursuant to section 14 of P.L.2005,
28 c.354 (C.34:15C-10.2).

29 (cf: P.L.2005, c.354, s.27)

30

31 2. Section 14 of P.L.2005, c.354 (C.34:15C-10.2) is amended
32 to read as follows:

33 14. a. The Department of Labor and Workforce Development
34 shall maintain a Statewide list of approved training providers
35 known as the State Eligible Training Provider List. In order to be
36 placed and retained on the list, a training provider shall meet:

37 (1) The requirements of section 122 of the "Workforce
38 Investment Act of 1998, Pub.L.105-220 (29U.S.C. s.2842);

39 (2) The requirements of this section;

40 (3) Any requirement applicable to that training provider
41 pursuant to section 13 of P.L.2005, c.354 (C.34:15C-10.1), section
42 6 of P.L.1992, c.48 (C.34:15B-40) and section 6 of P.L.1992, c.43
43 (C.34:15D-8);

44 (4) All reporting requirements of section 29 of P.L.2005, c.354
45 (C.34:1A-88); and

46 (5) Any other requirements established by the State
47 Employment and Training Commission.

1 No training provider who is not an approved training provider
2 included on the State Eligible Training Provider List shall receive
3 any federal job training funds or State job training funds.

4 b. In order to be placed on the State Eligible Training Provider
5 List, each training provider, including a school, shall obtain
6 approval from an authorized government agency. Any provider that
7 is not aligned with a specific cognizant agency shall be required to
8 obtain approval from the Department of Labor and Workforce
9 Development. Authorized government agencies shall include, but
10 are not limited to, the following:

11 (1) The Commission on Higher Education: The commission
12 shall approve programs from all institutions under its jurisdiction.
13 This approval includes course work for degrees and certificates
14 awarded by higher education institutions including public and
15 private institutions.

16 (2) The Department of Education: The Department of
17 Education shall approve all institutions in its jurisdiction. Programs
18 operated by the Division of Vocational Rehabilitation Services shall
19 be approved by the Department of Education cooperatively with the
20 Department of Labor and Workforce Development. Private schools
21 controlled or operated by a charitable institution or any school
22 controlled or operated by a religious denomination requesting to be
23 included on the State Eligible Training Provider List shall be
24 approved by the Department of Labor and Workforce Development
25 in consultation with the Department of Education or any other
26 appropriate State agency. Appropriate fees may be charged for
27 certification and annual renewal.

28 (3) State departments responsible for licensing: Training
29 providers are approved by any State department authorized to
30 license training providers for specific training programs.

31 (4) The federal ~~Government~~ government: Training providers
32 required to be approved by an agency of the federal government
33 shall be included on the State Eligible Training Provider List after
34 submission of the application and documentation indicating
35 approval by the appropriate agency.

36 (5) Out-of-state approval: Training providers located in other
37 states may be on the State Eligible Training Provider List if they
38 demonstrate that they are approved by an appropriate state agency
39 in the state in which they are located. Those providers shall
40 complete the appropriate application process, submit to the Center
41 for Occupational Employment Information proof of their approval,
42 agree to the established reports, agree to any other requirements
43 established for in-State providers, and comply with the specific
44 requirements of the funding source.

45 c. Where applicable, training programs shall align with or use
46 existing nationally recognized, industry-based skill standards and
47 certifications as the basis for developing competency based learning
48 objectives, curricula, instructional methods, teaching materials and

1 worksite activities; prepare students to satisfy employer knowledge
2 and skill requirements assessed by related examination, and provide
3 students with the opportunity to take exams and receive
4 certifications or licenses.

5 d. Each training provider shall apply to be placed on the State
6 Eligible Training Provider List and provide a record for each trainee
7 enrolled. This information shall include, but not be limited to, the
8 participant's Social Security number, gender, date of birth, date of
9 enrollment, any date of completion, date of termination, date of
10 start in a job, date of application for a license, licensing
11 examination result, date of issue of a license, any credential issued,
12 and other information as specified by the State Employment and
13 Training Commission or Center for Occupational Employment
14 Information. For individuals who do not have a Social Security
15 number, the qualifying agency may substitute an alternate method
16 of identification, except that, at the time of start into employment,
17 the alternate code shall be cross-referenced with the individual's
18 valid Social Security number. In addition, the training provider
19 shall agree to provide any other information deemed appropriate by
20 the State Employment and Training Commission, the Department of
21 Labor and Workforce Development and the Department of
22 Education for evaluation purposes.

23 e. Every training provider shall provide access for on site
24 visitation and monitoring by the State or its designee upon request.

25 f. Objective performance standards and measures for
26 evaluating training providers shall be jointly developed and
27 implemented by the State Board of Education and the New Jersey
28 State Employment and Training Commission. Policy makers and
29 consumers shall be provided with information concerning training
30 providers on the State Eligible Training Provider List and shall be
31 provided a consumer report card, compiled by the Center for
32 Occupational Employment Information pursuant to section 27 of
33 P.L.2005, c.354 (C.34:1A-86), on the effectiveness of those training
34 providers showing the long-term success of former trainees of each
35 provider in obtaining permanent employment and increasing
36 earnings over one or more time periods following the completion or
37 other termination of training, including a period of two years
38 following the completion or other termination of training.

39 g. Any qualifying school which has a currently valid certificate
40 of approval issued pursuant to section 13 of P.L.2005, c.354
41 (C.34:15C-10.1) and complies with all requirements of this section
42 applicable to the school shall be placed on the State Eligible
43 Training Provider List and any qualifying school which has its
44 certificate revoked or suspended shall be removed from the list until
45 the certification is reinstated

46 h. In order to be placed on and maintain eligibility for the State
47 Eligible Training Provider List, each training provider, including a
48 school, shall submit the required information for the compilation of

1 consumer report cards pursuant to section 27 of P.L. 2005, c.354
2 (C.34:1A-86), to the Center for Occupational Employment
3 Information in a timely manner. Any training provider or qualified
4 school that does not submit the required information in a timely
5 manner shall have its certificate revoked or suspended and shall be
6 removed from the list until the certification is reinstated.
7 (cf: P.L.2005, c.354, s.14)

8

9 3. This act shall take effect immediately.

10

11

12

STATEMENT

13

14 This bill clarifies that in order for a training provider or qualified
15 school to be granted a certificate to be included on the State
16 Eligible Training Provider List it must submit certain information to
17 the Center for Occupational Employment Information. The bill also
18 requires the Center to collect this information and compile it into a
19 consumer report card.

20 The intent of the consumer report card is to illustrate to
21 consumers and policy makers the effectiveness of qualified schools
22 and other approved training providers.

23 The consumer report card must include, at a minimum, the
24 following information compiled annually: the number of enrollees;
25 the completion rate; placement in employment information;
26 licensing information; examination results; enrollee demographic
27 information; and information showing the long-term success of
28 former trainees of each provider and school in obtaining permanent
29 employment and increasing earnings over one or more time periods
30 following the completion or other termination of training, including
31 a period of two years following the completion or other termination
32 of training.

33 All training providers or schools that provide workforce training
34 or education to consumers through State approved programs must
35 be on the State Eligible Training Provider List. Therefore, if a
36 training provider or school does not provide the information to the
37 Center to be compiled into a consumer report card, the training
38 provider or school will no longer to be eligible to provide services
39 to consumers utilizing State dollars.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 2362

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 20, 2013

The Senate Labor Committee reports favorably and with committee amendments Senate Bill No. 2362.

As amended by the committee, the bill clarifies that in order for a training provider or qualified school to be granted a certificate to be included on the State Eligible Training Provider List it must submit certain information to the Center for Occupational Employment Information. The bill also requires the Center to collect this information and compile it into a consumer report card.

The purpose of the consumer report card is to illustrate to consumers and policy makers the effectiveness of training providers.

As amended, the bill requires that the consumer report card include the following information compiled annually: the number of enrollees; the completion rate; placement in employment information, including the names of employers where placements are made; licensing information; examination results; enrollee demographic information; and information showing the long-term success of former trainees of each provider and school in obtaining permanent employment and increasing earnings over one or more time periods following the completion or other termination of training, including a period of two years after the completion or termination of training.

To provide workforce training to consumers through State-approved programs a training provider must be on the State Eligible Training Provider List. Therefore, if a training provider or school does not provide the required information for the consumer report card, the training provider or school will no longer be eligible to provide services utilizing State dollars.

Training providers are required to provide the information needed for the consumer report cards under current laws governing job training grants, including training grants provided under the State-funded Workforce Development Partnership Program (WDPP) and training grants provided under the federally-funded Workforce Investment Act (WIA). Those current laws also require the preparation of the consumer report cards and their use by counselors who advise potential trainees on the choice of training service providers and authorize the use of grant funds for particular training for an applicant, for both WDPP and WIA training grants. Under

N.J.S.A.34:15D-3, the cost of collecting information and evaluating training service providers is expressly defined as part of WDPP administrative costs, to which 10% of all WDPP revenue is dedicated.

A principal effect of this bill would be to make it possible to enforce the existing requirement that training service providers furnish the information necessary for WDPP and WIA program administrators and counselors to make the data on program outcomes available in the required consumer report cards, so that individuals seeking training services can make informed decisions.

COMMITTEE AMENDMENTS

The committee amended the bill to specify that the “placement in employment information” that the bill requires training providers to furnish includes “the names of employers where placements are made.”

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2362

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2013

The Assembly Labor Committee reports favorably Senate Bill No. 2362 (1R).

The bill clarifies that in order for a training provider or qualified school to be granted a certificate to be included on the State Eligible Training Provider List it must submit certain information to the Center for Occupational Employment Information. The bill also requires the Center to collect this information and compile it into a consumer report card.

The purpose of the consumer report card is to illustrate to consumers and policy makers the effectiveness of training providers.

The bill requires that the consumer report card include the following information compiled annually: the number of enrollees; the completion rate; placement in employment information, including the names of employers where placements are made; licensing information; examination results; enrollee demographic information; and information showing the long-term success of former trainees of each provider and school in obtaining permanent employment and increasing earnings over one or more time periods following the completion or other termination of training, including a period of two years after the completion or termination of training.

To provide workforce training to consumers through State-approved programs a training provider must be on the State Eligible Training Provider List. Therefore, if a training provider or school does not provide the required information for the consumer report card, the training provider or school will no longer be eligible to provide services utilizing State dollars.

Training providers are required to provide the information needed for the consumer report cards under current laws governing job training grants, including training grants provided under the State-funded Workforce Development Partnership Program (WDPP) and training grants provided under the federally-funded Workforce Investment Act (WIA). Those current laws also require the preparation of the consumer report cards and their use by counselors who advise potential trainees on the choice of training service providers and authorize the use of grant funds for particular training

for an applicant, for both WDPP and WIA training grants. Under N.J.S.A.34:15D-3, the cost of collecting information and evaluating training service providers is expressly defined as part of WDPP administrative costs, to which 10% of all WDPP revenue is dedicated.

A principal effect of this bill would be to make it possible to enforce the existing requirement that training service providers furnish the information necessary for WDPP and WIA program administrators and counselors to make the data on program outcomes available in the required consumer report cards, so that individuals seeking training services can make informed decisions.

ASSEMBLY, No. 4524

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED NOVEMBER 25, 2013

Sponsored by:

Assemblyman CHARLES MAINOR

District 31 (Hudson)

SYNOPSIS

Requires DOLWD to compile consumer report cards for eligible training providers.

CURRENT VERSION OF TEXT

As introduced.



A4524 MAINOR

2

1 AN ACT concerning the compilation of certain information by the
2 Department of Labor and Workforce Development and amending
3 P.L.2005, c.354.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 27 of P.L.2005, c.354 (C.34:1A-86) is amended to
9 read as follows:

10 27. There is established in the Department of Labor and
11 Workforce Development, the Center for Occupational Employment
12 Information, which shall:

13 a. Serve as the entity designated to carry out the State level
14 career information activities prescribed in the Perkins Act. In
15 accordance with that act, the center shall, in cooperation with the
16 New Jersey Department of Education and the Commission on
17 Higher Education:

18 (1) Provide support for career guidance and academic
19 counseling programs designed to promote improved career and
20 education decision-making by individuals, especially in areas of
21 career information delivery and use;

22 (2) Make information and planning resources that relate
23 educational preparation to career goals and expectations available,
24 on the Internet to the extent possible, to students, parents, teachers,
25 administrators, counselors, job-seekers, workers and other clients of
26 the workforce investment system, including the consumer report
27 card on the effectiveness of qualified schools and other approved
28 training providers placed on the State Eligible Training Provider
29 List provided pursuant to subsection f. of this section and required
30 to be made available pursuant to section 13 of P.L.2005, c.354
31 (C.34:15C-10.1), section 4 of P.L.1992, c.48 (C.34:15B-38), section
32 7 of P.L.1992, c.43 (C.34:15D-7) and section 3 of P.L.1992, c.47
33 (C.43:21-59).

34 (3) Equip workforce investment system professionals, including
35 teachers, administrators, and counselors, with the knowledge and
36 skills needed to assist clients of the workforce investment system,
37 including students and parents, with career exploration, educational
38 opportunities and education financing;

39 (4) Assist appropriate State entities in tailoring career-related
40 educational resources and training for use by such entities;

41 (5) Improve coordination and communication among
42 administrators and planners of programs included in the State's
43 workforce investment system to ensure non-duplication of efforts
44 and the appropriate use of shared information and data; and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (6) Provide ongoing means for clients of the workforce
2 investment system, including students and parents, to provide
3 comments and feedback on products and services and to update
4 resources, as appropriate, to better meet customer requirements.

5 b. Design and implement a comprehensive workforce
6 information system to meet the needs for the planning and operation
7 of all public and private training and job placement programs,
8 which is responsive to the economic demands of the employer
9 community and education and training needs of the State and of
10 Workforce Investment Board areas within the State, as
11 recommended by the commission and designated by the
12 Commissioner of Labor and Workforce Development. In doing so,
13 the center shall insure that the information:

14 (1) Is delivered in a user friendly, timely and easily understood
15 manner;

16 (2) Pays special attention to the particular needs of each
17 Workforce Investment Board and is consistent with the labor
18 market of each Workforce Investment Board; and

19 (3) Is delivered, to the extent possible, on the Internet in a
20 format designed to meet the needs of all user groups.

21 c. Use the occupational employment information system to
22 implement an electronic career information delivery system, which
23 shall provide students, parents, counselors and other career decision
24 makers with accurate, timely and locally relevant information on
25 the careers available in the New Jersey labor market.

26 d. Analyze, not less than once every two years and on a
27 regional basis, the relationship between the projected need for
28 trained individuals in each of the career clusters and each of the
29 career pathways, and the total number of individuals being trained
30 in the skills or skill sets needed to work in each of the clusters and
31 pathways. Based on this relationship, the center shall designate as a
32 labor demand occupation any occupation that is in a cluster or
33 pathway for which the number of individuals needed significantly
34 exceeds, or shall exceed, the number being trained, and may
35 designate as a labor demand occupation an occupation for which the
36 center determines that the number of individuals needed
37 significantly exceeds, or will exceed, the number being trained,
38 even if that is not the case for the entire career cluster or pathway to
39 which the occupation belongs. In cases where a Workforce
40 Investment Board established pursuant to section 18 of P.L.1989,
41 c.293 (C.34:15C-15) submits information to the center that there is
42 or is likely to be, in the region for which the board is responsible, a
43 significant excess of demand over supply of adequately trained
44 workers for an occupation, the center may conduct a survey of the
45 need or anticipated need in that region for trained workers in that
46 occupation and, whether or not it conducts that survey, shall, in
47 conjunction with the board, determine whether to designate the
48 occupation to be a labor demand occupation in that region. The

1 center may utilize survey data obtained by other agencies or from
2 other sources to fulfill its responsibilities under this subsection.

3 e. Assist the commission in preparing the New Jersey Unified
4 Workforce Investment Plan pursuant to section 10 of P.L.1989,
5 c.293 (C.34:15C-7) by providing information requested by the
6 commission.

7 f. Compile information provided to the department by training
8 providers on the State Eligible Training Provider List pursuant to
9 sections 14 and 29 of P.L.2005, c.354 (C.34:15C-10.2 and C.34:1A-
10 88) into a consumer report card on the effectiveness of qualified
11 schools and other approved training providers. The consumer report
12 card shall include, at a minimum, the following information
13 compiled annually: the number of enrollees; the completion rate;
14 placement in employment information¹, including the names of
15 employers where placements are made¹; licensing information;
16 examination results; enrollee demographic information; and
17 information showing the long-term success of former trainees of
18 each provider and school in obtaining permanent employment and
19 increasing earnings over one or more time periods following the
20 completion or other termination of training, including a period of
21 two years following the completion or other termination of training.

22 g. Ensure that the data needed to produce a consumer report
23 card, pursuant to subsection f. of this section, is submitted by the
24 training providers and qualified schools to the department in a
25 timely manner and, for those training providers and qualified
26 schools that do not submit the data in a timely manner, implement
27 and enforce a process to revoke or suspend the entity from the State
28 Eligible Training Provider List, pursuant to section 14 of P.L.2005,
29 c.354 (C.34:15C-10.2).

30 (cf: P.L.2005, c.354, s.27)

31

32 2. Section 14 of P.L.2005, c.354 (C.34:15C-10.2) is amended
33 to read as follows:

34 14. a. The Department of Labor and Workforce Development
35 shall maintain a Statewide list of approved training providers
36 known as the State Eligible Training Provider List. In order to be
37 placed and retained on the list, a training provider shall meet:

38 (1) The requirements of section 122 of the "Workforce
39 Investment Act of 1998, Pub.L.105-220 (29U.S.C. s.2842);

40 (2) The requirements of this section;

41 (3) Any requirement applicable to that training provider
42 pursuant to section 13 of P.L.2005, c.354 (C.34:15C-10.1), section
43 6 of P.L.1992, c.48 (C.34:15B-40) and section 6 of P.L.1992, c.43
44 (C.34:15D-8);

45 (4) All reporting requirements of section 29 of P.L.2005, c.354
46 (C.34:1A-88); and

47 (5) Any other requirements established by the State
48 Employment and Training Commission.

1 No training provider who is not an approved training provider
2 included on the State Eligible Training Provider List shall receive
3 any federal job training funds or State job training funds.

4 b. In order to be placed on the State Eligible Training Provider
5 List, each training provider, including a school, shall obtain
6 approval from an authorized government agency. Any provider that
7 is not aligned with a specific cognizant agency shall be required to
8 obtain approval from the Department of Labor and Workforce
9 Development. Authorized government agencies shall include, but
10 are not limited to, the following:

11 (1) The Commission on Higher Education: The commission
12 shall approve programs from all institutions under its jurisdiction.
13 This approval includes course work for degrees and certificates
14 awarded by higher education institutions including public and
15 private institutions.

16 (2) The Department of Education: The Department of
17 Education shall approve all institutions in its jurisdiction. Programs
18 operated by the Division of Vocational Rehabilitation Services shall
19 be approved by the Department of Education cooperatively with the
20 Department of Labor and Workforce Development. Private schools
21 controlled or operated by a charitable institution or any school
22 controlled or operated by a religious denomination requesting to be
23 included on the State Eligible Training Provider List shall be
24 approved by the Department of Labor and Workforce Development
25 in consultation with the Department of Education or any other
26 appropriate State agency. Appropriate fees may be charged for
27 certification and annual renewal.

28 (3) State departments responsible for licensing: Training
29 providers are approved by any State department authorized to
30 license training providers for specific training programs.

31 (4) The federal ~~Government~~ government: Training providers
32 required to be approved by an agency of the federal government
33 shall be included on the State Eligible Training Provider List after
34 submission of the application and documentation indicating
35 approval by the appropriate agency.

36 (5) Out-of-state approval: Training providers located in other
37 states may be on the State Eligible Training Provider List if they
38 demonstrate that they are approved by an appropriate state agency
39 in the state in which they are located. Those providers shall
40 complete the appropriate application process, submit to the Center
41 for Occupational Employment Information proof of their approval,
42 agree to the established reports, agree to any other requirements
43 established for in-State providers, and comply with the specific
44 requirements of the funding source.

45 c. Where applicable, training programs shall align with or use
46 existing nationally recognized, industry-based skill standards and
47 certifications as the basis for developing competency based learning
48 objectives, curricula, instructional methods, teaching materials and

1 worksite activities; prepare students to satisfy employer knowledge
2 and skill requirements assessed by related examination, and provide
3 students with the opportunity to take exams and receive
4 certifications or licenses.

5 d. Each training provider shall apply to be placed on the State
6 Eligible Training Provider List and provide a record for each trainee
7 enrolled. This information shall include, but not be limited to, the
8 participant's Social Security number, gender, date of birth, date of
9 enrollment, any date of completion, date of termination, date of
10 start in a job, date of application for a license, licensing
11 examination result, date of issue of a license, any credential issued,
12 and other information as specified by the State Employment and
13 Training Commission or Center for Occupational Employment
14 Information. For individuals who do not have a Social Security
15 number, the qualifying agency may substitute an alternate method
16 of identification, except that, at the time of start into employment,
17 the alternate code shall be cross-referenced with the individual's
18 valid Social Security number. In addition, the training provider
19 shall agree to provide any other information deemed appropriate by
20 the State Employment and Training Commission, the Department of
21 Labor and Workforce Development and the Department of
22 Education for evaluation purposes.

23 e. Every training provider shall provide access for on site
24 visitation and monitoring by the State or its designee upon request.

25 f. Objective performance standards and measures for
26 evaluating training providers shall be jointly developed and
27 implemented by the State Board of Education and the New Jersey
28 State Employment and Training Commission. Policy makers and
29 consumers shall be provided with information concerning training
30 providers on the State Eligible Training Provider List and shall be
31 provided a consumer report card, compiled by the Center for
32 Occupational Employment Information pursuant to section 27 of
33 P.L.2005, c.354 (C.34:1A-86), on the effectiveness of those training
34 providers showing the long-term success of former trainees of each
35 provider in obtaining permanent employment and increasing
36 earnings over one or more time periods following the completion or
37 other termination of training, including a period of two years
38 following the completion or other termination of training.

39 g. Any qualifying school which has a currently valid certificate
40 of approval issued pursuant to section 13 of P.L.2005, c.354
41 (C.34:15C-10.1) and complies with all requirements of this section
42 applicable to the school shall be placed on the State Eligible
43 Training Provider List and any qualifying school which has its
44 certificate revoked or suspended shall be removed from the list until
45 the certification is reinstated

46 h. In order to be placed on and maintain eligibility for the State
47 Eligible Training Provider List, each training provider, including a
48 school, shall submit the required information for the compilation of

1 consumer report cards pursuant to section 27 of P.L. 2005, c.354
2 (C.34:1A-86), to the Center for Occupational Employment
3 Information in a timely manner. Any training provider or qualified
4 school that does not submit the required information in a timely
5 manner shall have its certificate revoked or suspended and shall be
6 removed from the list until the certification is reinstated.
7 (cf: P.L.2005, c.354, s.14)

8

9 3. This act shall take effect immediately.

10

11

12

STATEMENT

13

14 The bill clarifies that in order for a training provider or qualified
15 school to be granted a certificate to be included on the State
16 Eligible Training Provider List it must submit certain information to
17 the Center for Occupational Employment Information. The bill also
18 requires the Center to collect this information and compile it into a
19 consumer report card.

20 The purpose of the consumer report card is to provide consumers
21 and policy makers with information regarding the effectiveness of
22 training providers.

23 The bill requires that the consumer report card include the
24 following information compiled annually: the number of enrollees;
25 the completion rate; placement in employment information,
26 including the names of employers where placements are made;
27 licensing information; examination results; enrollee demographic
28 information; and information showing the long-term success of
29 former trainees of each provider and school in obtaining permanent
30 employment and increasing earnings over one or more time periods
31 following the completion or other termination of training, including
32 a period of two years after the completion or termination of
33 training.

34 To provide workforce training to consumers through State-
35 approved programs a training provider must be on the State Eligible
36 Training Provider List. Therefore, if a training provider or school
37 does not provide the required information for the consumer report
38 card, the training provider or school will no longer be eligible to
39 provide services utilizing State dollars.

40 Training providers are required to provide the information
41 needed for the consumer report cards under current laws governing
42 job training grants, including training grants provided under the
43 State-funded Workforce Development Partnership Program
44 (WDPP) and training grants provided under the federally-funded
45 Workforce Investment Act (WIA). Those current laws also require
46 the preparation of the consumer report cards and their use by
47 counselors who advise potential trainees on the choice of training
48 service providers and authorize the use of grant funds for particular

A4524 MAINOR

8

1 training for an applicant, for both WDPP and WIA training grants.
2 Under N.J.S.A.34:15D-3, the cost of collecting information and
3 evaluating training service providers is expressly defined as part of
4 WDPP administrative costs, to which 10% of all WDPP revenue is
5 dedicated.

6 A principal effect of this bill would be to make it possible to
7 enforce the existing requirement that training service providers
8 furnish the information necessary for WDPP and WIA program
9 administrators and counselors to make the data on program
10 outcomes available in the required consumer report cards, so that
11 individuals seeking training services can make informed decisions.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4524

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2013

The Assembly Labor Committee reports favorably Assembly Bill No. 4524.

The bill clarifies that in order for a training provider or qualified school to be granted a certificate to be included on the State Eligible Training Provider List it must submit certain information to the Center for Occupational Employment Information. The bill also requires the Center to collect this information and compile it into a consumer report card.

The purpose of the consumer report card is to provide consumers and policy makers with information regarding the effectiveness of training providers.

The bill requires that the consumer report card include the following information compiled annually: the number of enrollees; the completion rate; placement in employment information, including the names of employers where placements are made; licensing information; examination results; enrollee demographic information; and information showing the long-term success of former trainees of each provider and school in obtaining permanent employment and increasing earnings over one or more time periods following the completion or other termination of training, including a period of two years after the completion or termination of training.

To provide workforce training to consumers through State-approved programs a training provider must be on the State Eligible Training Provider List. Therefore, if a training provider or school does not provide the required information for the consumer report card, the training provider or school will no longer be eligible to provide services utilizing State dollars.

Training providers are required to provide the information needed for the consumer report cards under current laws governing job training grants, including training grants provided under the State-funded Workforce Development Partnership Program (WDPP) and training grants provided under the federally-funded Workforce Investment Act (WIA). Those current laws also require the preparation of the consumer report cards and their use by counselors who advise potential trainees on the choice of training service providers and authorize the use of grant funds for particular training for an applicant, for both WDPP and WIA training grants. Under

N.J.S.A.34:15D-3, the cost of collecting information and evaluating training service providers is expressly defined as part of WDPP administrative costs, to which 10% of all WDPP revenue is dedicated.

A principal effect of this bill would be to make it possible to enforce the existing requirement that training service providers furnish the information necessary for WDPP and WIA program administrators and counselors to make the data on program outcomes available in the required consumer report cards, so that individuals seeking training services can make informed decisions.