



State of New Jersey

Request for Waiver Eligible Training Provider List (ETPL)

The State of New Jersey requests an extension of its current waiver of the Workforce Investment Act (WIA) and the accompanying regulations to extend the period of initial eligibility and subsequent eligibility for training providers (entities which are eligible to receive WIA Title I-B funds or Workforce Development Partnership Program (WDPP) funds and any additional programs funded through the Department of Labor and Workforce Development (LWD) and/or those programs under the purview of the local Workforce Investment Boards (WIBS)) on the Eligible Training Provider List (ETPL) to June 30, 2010. LWD remains fully committed to the value of the ETPL and its implementation, maintenance and quality assurance as a means for ensuring customer choice and promoting appropriate, relevant and in-demand training. The additional time is needed to ensure that the information that the State will make available to the public is reliable, accurate, and equitable to clients and to training providers.

Identify the statutory or regulatory requirement for which a waiver is requested and the goals that the State or local area, as appropriate, intends to achieve as a result of the waiver and how those goals relate to the Strategic Plan goals:

This extension is necessary in order to promulgate and implement new rules governing the State's eligible training provider certification process, for placement on the statewide ETPL, as required by 29 U.S.C. 2842 (Section 122 of WIA). These rules will provide the underpinning for:

- Initial ETPL certification process for exempt training providers;
- Initial ETPL certification process for non-exempt training providers;
- Application submission process;
- Initial ETPL certification determination;
- Exceptions to training provider ETPL certification requirements;
- Application for subsequent eligibility determination;
- Determination of subsequent eligibility;
- Standards of performance;
- Development and maintenance of the ETPL;
- Dissemination of the ETPL;

- Inspection and monitoring;
- Denial or termination of ETPL certification;
- Repayment; and
- Appeals.

Implementation of these regulations will strengthen all aspects of the delivery system for the provision of quality training which the State makes available to eligible recipients in order to strengthen New Jersey's workforce system and to enhance the overall economic health in congruence with the Strategic Five-Year Unified State Plan for New Jersey's Workforce Investment System.

Describe the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers:

There are no existing State or local statutory or regulatory barriers to implementation of this waiver request.

Describe the goals of the waiver and the expected programmatic outcomes if the request is granted:

It is expected that the ETPL will contain reliable and complete information with which to determine **initial** and **subsequent** eligibility for training providers after June 30, 2010. The ETPL is accessible by the training provider community through the Internet at www.njtopps.com. The list is maintained by the Center for Occupational Employment Information (COEI).

LWD will promulgate rules that govern all aspects of implementation, maintenance and evaluation of the ETPL by ensuring that appropriate guidelines are implemented for initial and subsequent approval for placement on the ETPL to ensure that customers of these training programs participate in quality programming to fulfill their respective training needs and job placement needs.

The focus will be on continuous improvement, monitoring and evaluation and the use of appropriate data for informed decision-making. LWD is continuing to work with the John J. Heldrich Center for Workforce Development at Rutgers, The State University of New Jersey, to conduct ongoing evaluations of the available student record information to determine whether it is reliable and sufficient for program performance measurement. Work is continuing to resolve several issues including reporting into the New Jersey Consumer Report Card (CRC), quality of the data and decision-making protocols necessary for the removal of training providers who do not meet quality performance standards. A Memorandum of Understanding (MOU) has been signed with Rutgers, The State University of New Jersey, for the continuation of their technical support for the refinement and implementation of the CRC.

When performance measurement information is prepared, it will be reviewed by staff at the State Employment and Training Commission (SETC), LWD, all cognizant agencies,

as well as by individual training vendors. After this review, determinations about subsequent eligibility to remain on the ETPL will be made and the information will be available on the CRC Internet site for public viewing, use and decision-making.

Describe the individuals affected by the waiver:

The waiver will affect all State and local administrative staff of the workforce investment system, WIBs, individuals who use the services of the One-Stop Career Centers and all of the training providers that are on, or desire to be on, the ETPL. By having complete, valid and reliable information about the training providers, individuals will be able to make informed decisions regarding their choice of training providers. The providers will be able to evaluate the quality of their programs versus similar programs and State and local One-Stop Career Center staff will have better data for analysis and review for performance.

Describe the processes used to:

Monitor the progress in implementing the waiver: The process of acquiring valid student data will be guided by policy developed by the SETC, COEI, and New Jersey Department of Labor and Workforce Development, Division of Workforce Development, utilizing the LWD's and SETC's existing monitoring procedures.

Provide notice to any Local Board affected by the waiver: Notice about the requested waiver will be provided by the SETC and LWD through their regular communication with the local WIBs. This includes monthly WIB Director Meetings and the distribution of periodic bulletins and directives.

Provide any local Board affected by the waiver an opportunity to comment on the request: The local WIBs will have an opportunity to comment concerning the waiver requests at the monthly scheduled meetings hosted by the SETC.

Ensure meaningful public comment, including comment by business and organized labor, on the waiver: Business and labor are represented on the SETC and the local WIBs. Information about the waiver request will be disseminated through these groups to the necessary stakeholders.

Timeline: It is the State's intention to implement initial and subsequent eligibility requirements by June 30, 2010. These will include a methodology for implementing a vendor continuous improvement program.