

**CHAPTER 18****PRIVATE TRAINING PROVIDERS****Authority**

N.J.S.A. 18A:1-1, 18A:4-10, 18A:4-15, 18A:4-16, 18A:4-24, 18A:4-25, 18A:7A-1 et seq., 18A:54-1 et seq., 18A:69-1 et seq., and 34:1A-38.

**Source and Effective Date**

R.1998 d.528, effective November 2, 1998.  
See: 30 N.J.R. 2855(a), 30 N.J.R. 3945(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 18, Private Training Providers, expires on April 30, 2004. See: 35 N.J.R. 4403(a).

**CHAPTER TABLE OF CONTENTS****SUBCHAPTER 1. GENERAL PROVISIONS**

- 6A:18-1.1 Purpose
- 6A:18-1.2 Scope
- 6A:18-1.3 Definitions

**SUBCHAPTER 2. GENERAL RULES FOR PRIVATE TRAINING PROVIDERS**

- 6A:18-2.1 Authority for private training provider rules
- 6A:18-2.2 Application for program approval
- 6A:18-2.3 Application for facilities approval
- 6A:18-2.4 Operations
- 6A:18-2.5 Appeals process

**SUBCHAPTER 3. PRIVATE VOCATIONAL SCHOOLS, OUT-OF-STATE PRIVATE VOCATIONAL SCHOOLS AND CORRESPONDENCE SCHOOLS**

- 6A:18-3.1 Registration and approval of private vocational schools

**SUBCHAPTER 4. CUSTOMIZED TRAINING PROVIDERS**

- 6A:18-4.1 Customized training program approval

**SUBCHAPTER 5. CHAPTER 531 PROVIDERS**

- 6A:18-5.1 Chapter 531 program approval

**SUBCHAPTER 1. GENERAL PROVISIONS****6A:18-1.1 Purpose**

(a) The general private training provider rules in N.J.A.C. 6A:18-2 define what all private trainers of the general public and/or clients of public agencies may be required to provide to receive approval as providers of training.

(b) The individualized private training provider rules in N.J.A.C. 6A:18-3 identify the specific operating requirements for private vocational schools, out-of-State private

vocational schools, and correspondence schools, that wish to operate within the workforce readiness system.

**6A:18-1.2 Scope**

(a) The general private training provider rules in N.J.A.C. 6A:18-2 define the institutional and programmatic requirements for private training providers to participate in the workforce readiness system not approved by any other appropriate state or licensing agency.

(b) Private training providers include all business enterprises operated for profit or nonprofit that deliver workforce readiness training programs.

**6A:18-1.3 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Certificate of approval” means the document that provides evidence of the school’s registration and permit to operate issued by the Commissioner of Education as prescribed in N.J.S.A. 18A:69-2.

“Certificate of authority” means the document issued by the Secretary of State that provides evidence of permission to conduct business in New Jersey.

“Chapter 531 provider” means a private business, nonprofit agency, private organization or community-based organization that provides occupational workplace readiness training approved by the Department of Labor.

“Commissioner” means the New Jersey Commissioner of Education.

“Course” means an organization of subject matter and related learning experiences designed to meet an occupational objective offered for the instruction of students on a systematic basis.

“Customized training” means training designed to meet the needs of an individual or a company’s workforce.

“Customized training provider” means a college or university governed by a board of trustees, a public school governed by a school board, a private vocational school approved by the Department of Education, a private training vendor approved by the legally designated authority or nonprofit agency, a community-based organization or any other provider of training approved by the Department of Labor in accordance with the process established under N.J.S.A. 44:12-2, P.L. 1981, c.531.

“Department” means the New Jersey Department of Education.

"Instructional hour" means a minimum of 50 minutes of class lecture or recitation, faculty-supervised laboratory, shop training, or internship in a 60-minute period. It also means 60 minutes of preparation in a correspondence course as defined by Section 600.2, Higher Education Act of 1965 as amended; 20 U.S.C. §§ 124-129; and 26 U.S.C. § 501C.

"Private training provider" means a private vocational school, correspondence school, private training vendor, non-profit agency, community based organization or any other provider of training whose educational programs are supported with public funds or through tuition charges to the general public.

"Private vocational school" means a business enterprise operated for either profit or non-profit which does business in New Jersey and which recruits adult students from the general public; charges tuition and/or other fees; offers instruction to a group or groups of four or more adult students at one time; and offers preparatory instruction for entry-level employment or for upgrading in a specific occupational field.

"Program" means the planned sequence of courses, services, or activities designed to meet an employment objective.

"Resident private vocational school director" means the person responsible for the total operation of the individual school site.

"Workforce readiness system" means all education, employment, and training programs and services designed to meet the needs of New Jersey's workforce comprised of entering, unemployed, employed, and/or displaced workers.

"Workforce readiness training" means occupational education experiences that lead to employment.

Amended by R.2000 d.360, effective September 5, 2000.  
See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

Added "Chapter 531 provider", "Customized training" and "Customized training provider".

## SUBCHAPTER 2. GENERAL RULES FOR PRIVATE TRAINING PROVIDERS

### 6A:18-2.1 Authority for private training provider rules

The Commissioner shall approve private training providers, training programs, training sites and operating procedures used in the State's workforce readiness system according to N.J.S.A. 8A:69-1 et seq., or recommend to the Department of Labor approval according to P.L. 1981, c.531 (N.J.S.A. 44:12-2), P.L. 1992, c.43 (N.J.S.A. 34:15D-1 et seq.) and P.L. 101-392, Section 113(b)14.

Amended by R.2000 d.360, effective September 5, 2000.  
See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

### 6A:18-2.2 Application for program approval

(a) A private training provider shall submit an application for program approval on a form provided by the Department.

(b) The application shall include:

1. A completed notarized application form provided by the Department;
2. Certificates of compliance with the Uniform Construction Code for fire, health and occupancy when appropriate;
3. Liability insurance;
4. Owners' and directors' letters of reference;
5. A program of instruction that is based on specific occupational objectives and competencies, aligned with the National Skill Standards, established under Title V of the National Skill Standards Act of 1994, 20 U.S.C. §§ 5931 et seq., or other nationally recognized curriculum sources; and
6. A program of study comprised of:
  - i. The major elements of instruction;
  - ii. The number of instructional hours;
  - iii. A description of the method of instruction;
  - iv. A delineation of the educational space;
  - v. A list of equipment, tools and text materials which shall be aligned to the competencies and skills that will be taught;
  - vi. The scheduled hours of instruction; and
  - vii. An assessment instrument in accordance with State, national or industry standards.

Amended by R.2000 d.360, effective September 5, 2000.  
See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

Rewrote (a); and in (b), deleted ", consisting of (b)1 below through 6 below" following "application" in the introductory paragraph, and substituted "program of study" for "curriculum" in the introductory paragraph of 6.

### 6A:18-2.3 Application for facilities approval

(a) A private training provider shall submit a floor plan of the proposed facility with the application for program approval.

(b) The Department shall, prior to issuance of a certificate of approval, verify that the facilities and instructional equipment identified in the application for program approval are available and appropriate for instruction.

Amended by R.2000 d.360, effective September 5, 2000.  
See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

1. Submit an application for a certificate of approval to operate in accordance with N.J.A.C. 6A:18-2.2, 2.3 and 2.4;

2. Register annually with the Commissioner for the purposes of delivering training programs as an approved provider in the workforce readiness system as prescribed in N.J.S.A. 18A:69-2 and 18A:69-6.1;

3. Pay registration and renewal fees as prescribed by N.J.S.A. 18A:69-3 and 6.3;

4. Furnish information and reports to the Commissioner as prescribed by N.J.S.A. 18A:69-4, 5 and 6.1; and

5. Apply for national accreditation as prescribed in N.J.A.C. 6A:18-2.4(g) prior to submission of the third annual renewal application by including a letter from a nationally recognized accreditation commission confirming application status in accordance with N.J.A.C. 6A:18-2.4 (g).

(c) A marketing representative of an out-of-State private vocational school or correspondence school shall register with the Commissioner and shall pay an annual fee according to N.J.S.A. 18A:69-6.1.

Amended by R.2000 d.360, effective September 5, 2000.

See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

Rewrote the section.

#### SUBCHAPTER 4. CUSTOMIZED TRAINING PROVIDERS

##### Authority

N.J.S.A. 18A:1-1, 18A:4-10, 18A:4-15, 18A:4-16, 18A:4-24, 18A:4-25, 18A:7A-1 et seq., 18A:54-1 et seq., 18A:69-1 et seq. and 34:1A-38.

##### Source and Effective Date

R.2000 d.360, effective September 5, 2000.

See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

#### 6A:18-4.1 Customized training program approval

(a) A customized training provider shall submit an application for program approval as described in N.J.A.C. 6A:18-2.2(a) and (b).

(b) The Commissioner shall issue to the Department of Labor recommendations for approval of customized training programs, pursuant to the New Jersey Employment and Workforce Development Act, P.L. 1992, c.43 (N.J.S.A. 43:15D-1 et seq.)

#### SUBCHAPTER 5. CHAPTER 531 PROVIDERS

##### Authority

N.J.S.A. 18A:1-1, 18A:4-10, 18A:4-15, 18A:4-16, 18A:4-24, 18A:4-25, 18A:7A-1 et seq., 18A:54-1 et seq., 18A:69-1 et seq. and 34:1A-38.

##### Source and Effective Date

R.2000 d.360, effective September 5, 2000.

See: 32 N.J.R. 2009(a), 32 N.J.R. 3338(a).

#### 6A:18-5.1 Chapter 531 program approval

(a) A Chapter 531 private training provider shall submit an application for program approval as described in N.J.A.C. 6A:18-2.2(a) and (b).

(b) An approved Chapter 531 private training provider shall deliver training programs which include:

1. Job search/job readiness;
2. Academic remediation;
3. Career major/occupational skills; and
4. Technical training instruction in accordance with N.J.A.C. 6A:18-2.2

(c) The Commissioner shall issue to the Department of Labor recommendations on the educational appropriateness of programs intended to serve the needs of eligible recipients of Federal or State-supported training programs based on economic need under P.L. 1981, c.531 (N.J.S.A. 44:12-2).