

State of New Jersey

Department of Military and Veterans Affairs

Post Office Box 340

Trenton, NJ 08625-0340

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| Philip D. Murphy  *Governor*  *Commander-in-Chief* |  | Sheila Oliver *Lieutenant Governor* |  | Lisa J. Hou, D.O.  *Brigadier General*  *The Adjutant General* |

APPLICATION FOR EDUCATION INSTITUTION AND PROGRAM APPROVAL - INITIAL

TITLE 38, U.S. CODE § 3671(a) and § 3672(b)

REGISTERED APPRENTICESHIPS

TITLE 38, U.S. CODE § 3687

The New Jersey State Approving Agency (NJ SAA), a division of the New Jersey Department of Military and Veterans Affairs (NJ DMAVA), is responsible for the approval of courses/programs pursuant to requirements defined in the US Code of Federal Regulations (CFR), Title 38. Registered apprenticeships are those recognized by the U.S. Department of Labor, Office of Apprenticeship, and approved by the Arizona Apprenticeship Office. The State approving agencies may use the registered standards of apprenticeship for approval of the course specifically registered and approved by the Arizona Apprenticeship Office. Registration does not guarantee approval. AZSAA will not issue a grant of approval under 38 CFR § 21.4261 when the evidence of record demonstrates that an institution and/or its programs fail to fully comply with the U.S. Department of Labor standards.

**INSTRUCTIONS**

By submitting an application, the institution agrees to comply with all applicable federal and state statutory requirements for Title 38 approval. Failure to properly administer the program may result in an adverse administration action.

Please complete this application in the format provided. Information should be provided in the sequence of the application and submitted in a hard copy. If attachments are necessary, please label them for the correct part of this application. Each section of the application must be completed with accurate and current information. Do not alter the application in any way. ***(Please note that there is no need to duplicate required information. If information is provided in sufficient detail in the training outline, please note the training outline page number when duplications occur.)***

**SECTION I:** Institutional and Program Elements

A. **Administrative Requirements**: Required documents or information

B. **General Institutional Requirements**: Institutional data

### C. Program Requirements: Detailed program information

**SECTION II:** Acknowledgement of Approval Conditions that are applicable to the institution

**SECTION III:** Submission of the application

**SECTION IV:** Inspection of the institution

# SECTION I: INSTITUTION AND PROGRAM ELEMENTS

A. ADMINISTRATIVE REQUIREMENTS:

Complete the following required documents.

1. Complete VA Form 22-8865, Employer’s Application to Provide Job Training.
2. Complete SAA Form for GI Bill® Trademark Terms of Use.

### B. GENERAL INSTITUTIONAL REQUIREMENTS:

1. Provide the name, address, phone number, and DOL registration number for the institution.

|  |  |
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| Name of Institution | Click or tap here to enter text. |
| Address | Click or tap here to enter text. |
| Phone Number | Click or tap here to enter text. |
| DOL Registration Number | Click or tap here to enter text. |

1. Please identify where trainee records will be kept.

|  |  |
| --- | --- |
| Records are kept… | Click or tap here to enter text. |

1. Provide the name, e-mail address, and phone number of the person completing the application, the institution owner or equivalent, **and** the principal contact person for each New Jersey location. Correspondence relating to this application will be sent to the institution owner or equivalent and to the application contact identified.

|  |  |
| --- | --- |
| Name of Person Completing APP | Click or tap here to enter text. |
| Email | Click or tap here to enter text. |
| Phone Number | Click or tap here to enter text. |
| Institution Owner | Click or tap here to enter text. |
| Principal Contact for NJ Location | Click or tap here to enter text. |

1. Provide the institutional profit/ownership status (Public, Proprietorship, Partnership, Corporation for Profit, Corporation Nonprofit, etc.).

|  |  |
| --- | --- |
| Public |  |
| Proprietorship |  |
| Partnership |  |
| Corporation for Profit |  |
| Corporation Nonprofit |  |
| Other | **Explanation**: Click or tap here to enter text. |

### C. PROGRAM REQUIREMENTS:

### You need to complete Section C for every single program at your institution.

### The following additional information must be provided for each registered apprenticeship program offered in the state of New Jersey for which approval is requested.

Pursuant to 38 CFR § 21.7020(b)(22), a vocational objective is one that leads to an occupation. *Institutions must maintain evidence that supports all advertised claims in order to demonstrate that the program leads to an occupation (38 CFR § 21.4252 (h)).* Approval will not be granted for any apprenticeship programs that fail to lead to an occupation.

Pursuant to 29 CFR § 29.5(b)(2) and 29.5(b)(4), an apprenticeship program must consist of at least 2,000 hours of on-the-job learning and at least 144 hours of organized, related instruction on technical subjects related to the occupation. Approval will not be granted for any apprenticeship program that does not meet the minimum hour requirements. The duration of the program is 2 years.

The programs may not be career enhancement.

1. Provide the TITLE below of the specific job objective for which the veteran/eligible person is being trained for.

|  |  |
| --- | --- |
| **The title is:** | Click or tap here to enter text. |

1. Provide a description below of the specific job objective for which the veteran/eligible person is being trained.

|  |  |
| --- | --- |
| **Description:** | Click or tap here to enter text. |

1. Provide below the requested **effective date** of the approval.

|  |  |
| --- | --- |
| **Effective Date of the Approval is:** | Click or tap here to enter text. |

**SECOND PROGAM (IF APPLICABLE):**

1. Provide the TITLE below of the specific job objective for which the veteran/eligible person is being trained for.

|  |  |
| --- | --- |
| **The title is:** | Click or tap here to enter text. |

1. Provide a description below of the specific job objective for which the veteran/eligible person is being trained.

|  |  |
| --- | --- |
| **Description:** | Click or tap here to enter text. |

1. Provide below the requested **effective date** of the approval.

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| --- | --- |
| **Effective Date of the Approval is:** | Click or tap here to enter text. |

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Provide examples of publications, advertisements, and other related communications describing the institution and the programs offered in the State of New Jersey. “**FY23-FC-Advertisments”**.

* 1. Institutions are prohibited from using “GI Bill®” in any manner that directly or indirectly implies a relationship, affiliation, or endorsement with the Department of Veterans Affairs. Further information is located at this link <http://www.benefits.va.gov/GIBILL/Trademark_Terms_of_Use>
  2. The institution is prohibited from using phrases such as: “VA Approved”, “Approved by VA”, or words to that effect.

SECTION II: CONDITIONS FOR INSTITUTION APPROVAL

***I certify*** *that all information and documents submitted with this application are true and correct.* ***I certify*** *that the certification of all trainees receiving veteran’s education benefits (GI Bill®) under Title 38, United States Code, will be completed in an accurate and timely manner.* ***I certify*** *that the following required approval criteria will be complied with:*

1. Adequate records will be maintained to show the progress of the trainees toward their vocational objective. If the trainee’s position is terminated prior to completing a course or objective, the last day of attendance will be recorded in their trainee file and reported to the Department of Veterans Affairs (VA).
2. The institution will maintain a written record of the evaluation of all previous education and training which clearly indicates that appropriate credit has been awarded for previous education and training, with the training period shortened proportionately, and the veteran or eligible person and the VA so notified.
3. Records will be maintained for each trainee that will include the following: job assignments, promotions, demotions, lay-off terminations, rates of pay, verification of hours worked and wages paid, and the progress in training as outlined in the work processes. The records will be retained for at least three years following the completion of the apprenticeship program and, upon request, made available for review by representatives of the Department of Veterans Affairs (DVA) and the State Approving Agency (SAA).
4. Required reports will be submitted to the VA advising them of the trainee’s beginning and ending dates, last day of attendance if there is a termination or withdrawal, educational or vocational objective rate of pursuit, credit allowed for previous education and training, or other trainee status requested by the VA.
   1. In the case of a program of independent study pursued on less than a half-time basis in an educational institution, a delay by the educational institution in reporting the enrollment or re-enrollment of an eligible veteran or eligible person may be approved until the end of the term, quarter, or semester if the educational institution requests the delay and it is determined that it is not feasible for the educational institution to monitor interruption or termination of the veteran’s or eligible person’s pursuit of such program.
      1. An educational institution which is delaying the reporting of the enrollment or re-enrollment of a veteran shall provide the veteran with notice of the delay at the time that the veteran enrolls or re-enrolls.
   2. An educational institution offering courses on a term, quarter, or semester basis may certify the enrollment of a veteran who is not on active duty, or of an eligible person, in such courses for more than one term, quarter, or semester at a time, but not for a period extending beyond the end of a school year (including the summer enrollment period).
      1. This will not apply with respect to any term, quarter, or semester for which the veteran or eligible person is enrolled on a less than half-time basis and shall not be construed as restricting from requiring that an educational institution, in reporting an enrollment for more than one term, quarter, or semester, specify the dates of any intervals within or between any such terms, quarters, or semesters.
   3. A course offered by an educational institution that does not begin on the first day of an academic term but does begin seven or fewer days after such day, shall be treated as beginning on such day for purposes of this section.
   4. Prior to receiving payment of a reporting fee by an educational institution, it is required that such institution certify that it has exercised reasonable diligence in determining whether such institution or any course offered by such institution approved for the enrollment of veterans or eligible persons meets all of the applicable requirements of chapters 31, 34, 35, and 36 of this title and that it will, without delay, report any failure to meet any such requirement.
   5. The Secretary may pay to any educational institution, or to the sponsor of a program of apprenticeship, furnishing education or training under either this chapter or chapter 31, 34, or 35 of this title, a reporting fee which will be in lieu of any other compensation or reimbursement for reports or certifications which such educational institution or sponsor of a program of apprenticeship is required to submit to the Secretary by law or regulation.
      1. Such reporting fee shall be computed for each calendar year by multiplying $16 by the number of eligible veterans or eligible persons enrolled under this chapter or chapter 31, 34, or 35 of this title. The reporting fee shall be paid to such educational institution or sponsor of a program of apprenticeship as soon as feasible after the end of the calendar year for which it is applicable.
      2. No reporting fee payable to an educational institution shall be subject to offset by the Secretary against any liability of such institution for any overpayment for which such institution may be administratively determined to be liable under section 3685 of this title unless such liability is not contested by such institution or has been upheld by a final decree of a court of appropriate jurisdiction.
      3. Any reporting fee paid to an educational institution or sponsor of a program of apprenticeship after the date of the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2011(Public Law 111-377)—
         1. shall be utilized by such institution or sponsor solely for the making of certifications required under this chapter or chapter 31, 34, or 35 of this title or for otherwise supporting programs for veterans; and
         2. with respect to an institution that has 100 or more enrollees may not be used for, or merged with, amounts available for the general fund of the educational institution or sponsor of a program of apprenticeship.
      4. The reporting fee payable under this subsection shall be paid from amounts appropriated for readjustment benefits.
   6. Not later than 90 days after the date of the enactment of this subsection, the Secretary shall ensure that the Department provides personnel of educational institutions who are charged with submitting reports or certifications to the Secretary under this section with assistance in preparing and submitting such reports or certifications.
5. Close supervision by qualified journey workers will be provided throughout the training program.
6. A copy of an approved Training Agreement, including the training outline and wage schedule, will be provided to the trainee and to the Department of Veterans Affairs (VA) for the position(s) described in this application.
7. The institution will report any changes in name/ownership, registration, programs, facilities, address/location, policies, training outline, wage schedules, training staff, etc., as soon as they become effective.
8. The institution will immediately notify VA of any wage increase (or decrease) paid any trainee not in accordance with his or her training agreement.
9. Representatives from the VA and the State Approving Agency will be permitted to visit the school for the purpose of reviewing records, interviewing trainees, inspecting facilities, and evaluating the instructional processes.
10. There is reasonable certainty that the job for which the veteran is being trained will be available to them at the end of the training period.
11. All institutional advertisement (ads, catalogs, published documents, website, etc.) **does not and will not** contain or use erroneous, deceptive or misleading practices.
12. The institution will not use any type of ‘aggressive’ or ‘misleading’ recruiting practices for anyone eligible for veteran’s education benefits.

**Correspondence relating to this application will be sent to the owner or equivalent and to the application contact name identified in Section B. I, [NAME] , [TITLE] certify and declare under penalty of perjury under the laws of the State of New Jersey that I am an authorized representative of [INSTITUTION NAME]**  **and that all of the information and attachments contained herein and referenced in this application are true and correct.**

Signature of Authorized Official Title

Name of Institution Date

# SECTION III: SUBMISSION

Submission of all information and documentation constitutes the institution’s application for NJ SAA approval under 38 CFR § 21.4262. An approval will not be processed unless and until all of the required information and documentation is provided to the NJ SAA. Applications that fail to include all required information and documents will be deemed incomplete and may be returned or denied approval. Please ensure that your application is complete before submitting it to NJ SAA. Complete applications are handled in the order in which they are received.

Applications must include all material facts pertaining to the institution, its policies, locations and on-the-job training programs, certificates, as part of a request for approval. All documents submitted must be true and exact copies of the documents issued by the external agency or entity. Any document or statement that is found to be false, fictitious, fraudulent, misleading or misrepresent the institution, its programs and/or ownership for the purpose of obtaining a grant of NJ SAA Approval will result in the immediate Suspension, Withdrawal or Denial of approval.

Nothing in this application prevents or limits the ability of NJ SAA to request additional information or documentation, conduct an on-site evaluation, contact external entities or review the records of veteran and non-veteran trainees to ascertain compliance with applicable standards and requirements. (38 USC § 3690(c)) (38 CFR § 21.4209) (Public Law 93-80)

A complete application for approval must include one (1) completed application with all forms and attachments and one (1) copy of the training outline with associated addendums. **Applications that fail to include all required documentation are deemed incomplete and will delay the review process and may be returned or denied approval.**

Submit this **completed** application with all attachments and signatures in **one** email to the following email address:

matthew.moticha@dmava.nj.gov

# SECTION IV: ON-SITE VISITATION

Once the approval process requirements are completed then a comprehensive institutional wide visit will be conducted to ensure that all federal, state, and local requirements are met. A representative from the SAA will contact you to schedule this visit for initial approval.

New Jersey State Approving Agency (NJ SAA)

matthew.moticha@dmava.nj.gov

*New Jersey State Approving Agency* ***– SAA Representative Use Only***

*SAA Receipt of complete application (Date): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*SAA Representative Initials: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*