**Section 2865.130 Director's Approval of Training**

Section 500(C)(5) of the Act provides that *an individual shall not be deemed unavailable for work or to have failed actively to seek work with respect to any week, because he is enrolled in and is in regular attendance at a training course approved for him by the Director.*

a) The following criteria must be satisfied in order for a training course to be approved for an individual by the Director:

1) The training course shall relate to an occupation or skill for which there are, or are expected to be in the immediate future, reasonable work opportunities in the locality. This means that:

A) The training course must be vocational or provide the individual with skills essential for the performance of work in a specific occupation; and

Example: The Director shall not approve classes designed solely to provide an individual with a high school equivalency diploma since this would not enhance opportunities in a specific occupation. However, the Director shall approve courses of study that include some purely academic courses if that course work is secondary to the vocational aspects.

B) The course must be designed to facilitate the individual's reemployment in a reasonably expeditious manner; however, the Director shall not approve courses of study of more than one year in duration unless the course is approved under 56 Ill. Adm. Code 2620; and

C) The course must focus on providing the individual with the competency necessary for securing entry level employment in the selected occupation; and

Example: The Director shall not approve training for the purpose of allowing an individual to improve his marketability, i.e., a bookkeeper who wishes to become an accountant. If there exists a reasonable job market for bookkeepers in the individual's locality, the Director will not approve training that enhances the claimant's already marketable skills.

D) The course must consist of at least 12 hours per week of instruction from a competent and reliable training agent. This minimum of 12 hours of instruction must include contact between the student and the instructor. The contact could result from classroom training, laboratory instruction or tutoring.

2) The training course must be offered by a competent and reliable agency, educational institution or employing unit.

3) Work opportunities for which the individual is qualified by training and experience are limited or do not exist in the individual's locality.

Example: If the individual is a trained and certified nurse's aide, the Director shall not approve training to become a registered nurse if reasonable openings exist in the individual's locality for nurse's aides, even if the individual is dissatisfied with her present occupation.

4) The individual has the qualifications and aptitude to complete the course successfully.

5) The enrollee is not a recipient nor eligible for subsistence payments or similar assistance under any public or private retraining program.

b) Notwithstanding subsection (a), a training course is approved for an individual by the Director for the purposes of Section 500(C) of the Act if:

1) both the training course and the individual's participation in the training course are approved under Title I of the federal Workforce Investment Act (29 USC 2801-12945) by a One Stop Delivery System (see 20 CFR 662.100); and

2) the course is part of a program authorized pursuant to the Workforce Investment Act or other federal legislation establishing an employment and training program; and

3) the criteria on the basis of which a One Stop Delivery System approves the course under Title I of the Workforce Investment Act include criteria consistent with Section 500(C)(5)(a)(2) and (3) of the Act; and

4) the criteria on the basis of which a One Stop Delivery System approves an individual's participation under Title I of the Workforce Investment Act in the course include criteria consistent with Section 500(C)(5)(a)(1) and (2) of the Act; and

5) the course is not disapproved by reason of Section 500(C)(5)(a)(5) of the Act.

(Source: Amended at 29 Ill. Reg. 1927, effective January 24, 2005)