



## At-a-Glance: Program Performance Standards Apprenticeship Final Rule, 29 CFR Part 29

### What are program performance standards and how are they addressed in the revised regulations?

The revised regulations include a new section on program performance standards, § 29.6, that focuses on quality and performance by establishing the following requirements:

- Every apprenticeship program must have at least one apprentice, except for the time, not to exceed one year, between program registration and the date of first apprentice, and the time, not to exceed one year, between when a program graduates an apprentice and the date of registering the next apprentice.
- Registration Agencies must evaluate the performance of registered apprenticeship programs using tools and factors that include, but are not limited to, quality assurance assessments, Equal Employment Opportunity Compliance Reviews and completion rates, as compared to the national average for completion rates.
- Programs with completion rates below the national average must be provided with technical assistance targeted to improve their performance and overall program quality.
  - A completion rate is defined as the percentage of an apprenticeship cohort who receives a certificate of apprenticeship completion within one year of the projected completion date.
  - Cancellation of apprenticeship agreements during a probationary period will not have an adverse impact on sponsors' completion rates.

### How was this issue addressed in the original regulations?

The previous regulations did not include a section on program performance standards, nor did they specifically provide for the use of completion rate information. However, Equal Employment Opportunity Compliance Reviews were already required under 29 CFR part 30. Additionally, the Office of Apprenticeship (OA) has had a long-standing practice of conducting quality assurance assessments for programs registered with OA.

### What is the reason for the change?

The addition of this new section benefits the National Apprenticeship System by establishing an accountability framework, as well as a focus on bolstering the quality and performance of registered apprenticeship programs. Evaluation of program performance, including completion rates, will help Registration Agencies identify programs that will benefit from technical assistance and become high-performing programs. Further, the regulations emphasize the existing practice of using quality assurance assessments and Equal Employment Opportunity Compliance Reviews to evaluate program performance for quality and compliance with program requirements as an additional means of improving performance. For further information, please refer to page 64414 of the Federal Register Notice for the final rule (73 FR 64402, Oct. 29, 2008).

### What are the next steps?

The final rule was published October 29, 2008, in the Federal Register, and takes effect on December 29, 2008. The final rule provides State Apprenticeship Agencies (SAAs) with two years from the effective date to implement necessary changes.

OA recognizes that the provisions for program performance standards will require more information and clarification. OA intends to hold meetings and training sessions, and to consult with SAAs, the Advisory Committee on Apprenticeship and program sponsors to develop guidance on program performance standards and accountability in the National Apprenticeship System. These training and technical assistance materials and additional policy guidance about final rule implementation will be posted on the OA's regulations Web page, [www.doleta.gov/oa/regulations.cfm](http://www.doleta.gov/oa/regulations.cfm).

For more information about the revised regulations, please contact OA at (202) 693-2796 or [Regs.Apprenticeship@dol.gov](mailto:Regs.Apprenticeship@dol.gov).