§ 843. Employer specific skills training. 1. The department shall enter into agreements with the commissioner of education to pay for the participation of dislocated workers in employer specific short-term skill training provided by the commissioner of education under the provisions of the federal Vocational Education Act of 1963.

2. Employers seeking assistance. Employers seeking assistance in locating the availability of employer specific skills training programs, or seeking to have such a program developed may apply for assistance by contacting a regional educational center for economic development. Such center shall survey existing programs offered by it or through appropriate substate grantees to identify any which may be suitable to meet the needs of the applicant. If none is available, the department of education shall contact local education agencies within the substate area, and adjacent substate areas, to promote the development of proposals for programs to be funded through the program.

3. Grant applications by training providers. Training providers may apply to the commissioner of education for grants to conduct employer specific skill training programs. Application for grants shall be in a manner consistent with the application process for business and industry specific training programs under the federal Vocational Education Act of 1963, and shall be in a form prescribed by the commissioner of education. Such application shall (a) describe the amount and purposes for which funding is requested; (b) describe the training services to be provided, including the duration of training and the estimated training cost per recipient; (c) show evidence that the proposed training program will provide appropriate assistance to recipients; (d) describe other funding sources which may be used for such training; (e) describe the steps the provider will take to avoid duplication of training available through existing resources; (f) describe the provider's coordination with programs and activities funded through the job training partnership act or other state resources; and (g) such other information as may be required by the commissioner of education. No grant shall exceed fifty percent of total program cost.

4. Evaluation of grant applications. The commissioner of education

shall make grant awards based on evaluation of the following criteria, at a minimum: (a) The provider's past effectiveness in delivering training programs based on demonstrated performance; (b) ability to provide participants with the skills necessary to fill available jobs; (c) the administrative capability to operate such a training program; (d) cost of the proposed program; (e) where appropriate, evidence that the provider has made provisions for coordination with other services available from the department of economic development, the department of labor, such other state agencies as may be relevant, and local grantees; and (f) such other factors as the commissioner of education shall deem appropriate.

5. In the event of a plant closing or substantial layoff as defined in subdivisions ten and sixteen of section eight hundred thirty-five of this article, the state education department shall participate in rapid response activity and make available appropriate resources for training interventions through the regional education centers for economic development.

6. In developing projects in response to training needs for dislocated workers or additional dislocated workers, the commissioner of education shall approve and fund from this article, only employer specific training projects that have been certified in writing by the substate grantee as consistent with the area's substate plan after formal consultation with the state education department.

7. Funds available under this paragraph shall be allocated to each region based on a formula which includes the relative number of unemployed individuals within each region and available plant closing and substantial layoff data published by the department under the permanent mass layoff and plant closing statistical series. However, after March first of each fiscal year, the commissioner of education, in a manner consistent with applicable federal law and regulations, shall reapportion any amount of any allocation otherwise due to a region if he or she determines that such amount cannot be obligated within such region. Such reapportionment shall be distributed in a manner consistent with the purposes of this article.