



Tulsa Area Workforce Development Board, Inc.

Proudly serving Creek, Osage, Pawnee and Tulsa Counties in Oklahoma

Eligible Training Provider (ETP) Policy

Board Approved: 06/16/2016

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Eligible Training Provider Policy Changes Overview

Most Recent Policy Changes:

Board Approval: 06/16/2016
Executive Committee Approval: 06/09/2016
Oversight Committee Approval: 05/03/2016

Reason: The changes made to this policy are in response to the authorization of the Workforce Innovation and Opportunity Act (WIOA) of 2014 and the revision of the Oklahoma Office of Workforce Development's (OOWD), Oklahoma Workforce Development Issuance (OWDI) # 03-2016 Eligible Training Provider (ETP) List policy.

A few of the major changes from Workforce Investment Act of 1998 to WIOA:

- ETPs **ARE** required, **rather than suggested**, to submit Performance Reports.
- States must establish eligibility requirements based on **ALL student data, rather than only those enrolled in WIA programs**, for ETPs and publish list of ETPs.
- Greater emphasis on National Apprenticeship Act Programs who are automatically an ETP and placed on the ETP list.

There are defined roles and responsibilities assigned to the Local Workforce Development Board by the OOWD.

Rescissions: Local Area Eligible Training Provider (ETP) Policy 02 23 2012

Board Approval: 02 23 2012
Executive Committee Approval: 02 14 2012
Oversight Committee Approval: 01 31 2012

Reason: Board Approval

Originally this policy went in front of the Board, February 2008, but no action was taken at that time. Even though this policy was approved by the Executive Committee back in February of 2008, it needs to Board approved. So we are vetting it through all committees and then the Board. While I was reviewing the policy I corrected the acronym TWIB to TAWIB.

State guidance required each Oklahoma WIB to develop an Eligible Training Provider Policy that is compliant with: Workforce Investment Act (WIA) §122; WIA Final Regulations Section 663.500, 663.505. Oklahoma Employment and Security Commission (OESC) Oklahoma Employment and Training Issuance (OETI) #04-2005, #19-2005 Change 1 ITA Policy OETI

Rescissions:

N/A

Tulsa Area Workforce Development Board

Eligible Training Provider List Policy

Board Approval: 06/16/2016

- I. **Purpose:** To establish a local policy regarding the development and maintenance of the Eligible Training Provider (ETP) list. To establish the criteria that shall be used to add, remove and update training provider information to the ETP list. To establish the use of the gathered information at the local level.
- II. **Authority:** Workforce Innovation and Opportunity Act of 2014 § 122; U.S. Department of Labor Employment and Training Administration, Training and Employment Guidance Letter # 41-14 Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) Title 1 Training Provider Eligibility Transition; Oklahoma Office of Workforce Development, Oklahoma Workforce Development Issuance #03-2016 Eligible Training Provider List.
- III. **Background:** Under both WIA title I and WIOA title 1-B, participants in need of training services to enhance their job readiness or career pathway may access career training through a list of state-approved training providers and their state-approved training programs. Participants can select from the list of eligible training provider (ETP) programs that meet their needs.

The workforce development system established under WIOA emphasizes informed consumer choice, job-driven training, provider performance, and continuous improvement. The quality and selection of providers and programs of training services, including registered apprenticeship programs and others, is vital to achieving these core principles. WIOA requires that each State must maintain a list of eligible training providers and their eligible training programs. The list must be accompanied by relevant performance and cost information and must be made widely available to the public.

The approved list of eligible training providers should serve as an important tool for participants seeking training to identify appropriate providers. Using the list of eligible training providers, case managers in one-stop career centers can assist participants in identifying training and training providers in high demand industries that result in positive outcomes and recognized credentials.

IV. Definitions:

- A. **DEMAND OCCUPATION** – A demand occupation is one in which substantial numbers of employment opportunities exist within the local area. Demand occupations may also include occupations that are considered to be emerging.
- B. **ELIGIBLE PROVIDER** - The term “eligible provider”, used with respect to:
 1. Training services, means a provider who is identified in accordance with WIOA;
 2. Youth activities, means a provider who is awarded a grant or contract in accordance with WIOA (a competitive process); or
 3. Other workforce investment activities, means a public or private entity selected to be responsible for such activities, such as a designated or certified one-stop operator.
- C. **ELIGIBLE TRAINING PROVIDER LIST (ETPL)** - A list of providers and their training programs and/or services that meet specific criteria and requirements to qualify for WIOA funding. The list is designed to assist individuals receiving WIOA services in finding approved training programs. Use of the ETPL is required when funding is paid with WIOA dollars through an Individual Training Account (ITA).
- D. **INDIVIDUAL TRAINING ACCOUNT (ITA)** – Funds that can be used by individuals who have been determined eligible under WIOA to receive training services. Training funded by an ITA must be selected from the Eligible Training Provider List (ETPL).

V. Local Policy:

A. Local Workforce Development Board Roles and Responsibilities

1. Identification of In-Demand sectors or occupations for the local area using relevant labor market information;
2. Reviewing new and subsequent training providers and programs of training services to ensure accurate eligibility criteria and performance information has been provided prior to submission to the OOWD for final approval;
3. Recommending the termination of providers due to the providers submission of inaccurate eligibility and/or performance information;
4. Work with the State to ensure that sufficient numbers of providers of training services have the expertise in assisting individuals with disabilities and training providers are available to assist adults in need of adult education and literacy activities;
5. Make recommendations for approval or denial of providers and program to OOWD through the state appointed system; and
6. Set additional information and/or set higher levels of performance for providers to become or remain eligible training providers.

B. Roles of the Oklahoma Office of Workforce Development

1. The development, maintenance and dissemination of the State list of providers and programs;
2. Ensuring programs meet the eligibility criteria and performance levels established by the State;
3. Verifying the accuracy of submitted information;
4. Removing programs that do not meet established program criteria or performance levels;
5. Ensuring performance and cost information relating to each provider is available to the public;
6. Finalizing approval for providers and programs recommended by the Local Workforce Development Boards (LWDB);
7. Ensuring Registered Apprenticeship program sponsors are contacted to voice their willingness to be part of the ETPL (with assistance from DOLETA/OA);
8. Verifying the registration status of Registered Apprenticeship programs on at least a biennial basis; and
9. Ensuring new Registered Apprenticeship program are placed on the ETPL in a timely manner.

C. Transition to WIOA: The WIOA ETP requirements went into effect July 1, 2015. In an attempt to facilitate implementation of the requirements, training providers and programs eligible under WIA on June 30, 2015, continued to be eligible to provide training services through December 31, 2015. *On November 17, 2015, those transitioning providers were required to update program and performance levels for review by Local Workforce Development Boards (LWDBs) by January 15, 2016.* Transitioning providers and programs approved by LWDBs were then reviewed by the OOWD in the state system to ensure complete information had been provided and subsequent eligibility requirements outlined in state *and local policy* had been met.¹ Transitional training providers must meet the subsequent eligibility requirements in order to continue to receive WIOA funds.

D. Application and Approval: Tulsa Area Workforce Development Board (TAWDB) staff will provide materials and guidance to training providers in the local workforce development area regarding the use of the state administration online system for the application process.

1. **Training Institution Approval:** Providers interested in being on the State Eligible Training Provider List must first set up Training Provider account and submit an application through OKJobMatch.com. All information provided on the online application regarding the presented

¹ OOWD, OWDI 05-2015

institution must be complete and accurate. The submitted application will then be sent the Oklahoma Office of Workforce Development (OOWD) for approval.

2. Program/Course Approval: The approval of Eligible Training Provider program/course, initial and subsequent, will occur at the last business day of each month.

a. **Initial Program:** Eligible Training Providers seeking approval for their programs/courses shall visit OKJobMatch.com, log into Training Provider account and add program. All information requested for training program approvals must be complete and accurate. Program/Courses shall be approved at the LWDA. Below is a list of criteria that must be provided in support of the submitted program for approval. The listed criteria may change without notice based on federal, state and local policy. Upon approval, the program/course shall **remain eligible for one year**. At the one year mark the program/course is required to meet the subsequent approval requirements found below in the Subsequent Programs section.

1. Training Provider Required Information

- i. Program-specific performance information
- ii. Description of each program of training service to be offered
- iii. Program-specific performance information as outlined in this policy
- iv. A description concerning whether the provider is in a partnership with a business;
- v. Other factors that indicate high-quality training services leading to a recognized postsecondary credential; and
- vi. Information addressing the alignment of the training services with in-demand industry sectors and occupations, to the extent practicable.

b. **Subsequent Programs:** Subsequent Programs must meet performance measures identified below, and given programmatic and cost information will be evaluated in order to be reapproved for eligibility.

- 1. Entered Employment Rate: The percentage of program participants who are in unsubsidized employment in the second quarter after exit from the program;
- 2. Employment Retention Rate: The percentage of program participants who are in unsubsidized employment in the fourth quarter after exit; and
- 3. Median Earnings: The median earnings of program participants who are in unsubsidized employment during the second quarter after exit.

Subsequent Eligibility Performance Category	Minimum Performance Level
For all Students in the Program	
Entered Employment Rate	20%
Employment Retention Rate	20%
Median Earnings	\$15,080

In addition to meeting the appointed measures above the LWDB will also be looking at the criteria below to evaluate subsequent eligibility.

- 1. The specific economic, geographic, and demographic factors in the workforce areas in which providers seeking eligibility are located.

2. The characteristics of the population served by providers seeking eligibility, including the demonstrated difficulties in serving such populations, where applicable.
3. The degree to which training programs relate to in-demand industry sectors and occupations within the state.
4. The program cost of training services.
5. The involvement of employers in the establishment of skill requirements for the training program.
6. The impact provider performance will have on State-negotiated WIOA Performance Measures for all program participants.

Subsequent programs will be approved and eligible for a two year period. Program-specific performance measures will need to be updated, by the Training Provider, with the most current data available, prior to approval.

- c. **Training Provider Reported Data:** All information gathered and reported for institutional or program/course eligibility approval shall be accurate and the most current available information/data. Any providers that willfully supply false performance information, misrepresent costs or services, or substantially violate requirements of WIOA law will be removed from the ETPL by the State for a period of not less than two years. Information reported shall be held true throughout the eligibility approval timeframe, initial and subsequent, including the cost associated with the appropriate program/course. The cost for the program/course reported to the LWDB shall be the funding maximum for the program/course. If applicable, other costs associated with the program/course may fall under the LWDB Supportive Service Policy.

E. Removal from Eligible Training Provider List:

1. **Institution:** No training provider debarred by the Federal Government may be permitted to be placed or remain on the ETPL. A training provider that is removed from the list for reasons stated below may reapply for continued eligibility when they can demonstrate that they meet all requirements.
 - a. not providing all required performance information for subsequent eligibility,
 - b. if the program has failed to attain or lost the accreditation required for professional licensure,

Any providers that willfully supply false performance information, misrepresent costs or services, or substantially violate requirements of WIOA law will be:

- c. removed from the ETPL by the State for a period of not less than two years, and
- d. repay all adult, dislocated worker, and youth funds received during the period of non-compliance.

In the case of a training provider of training services is removed from the list while WIOA participants are enrolled, the participants may complete the program unless the provider has lost state licensing, certification, or authorization to operate by the appropriate state oversight agency.

This section does not apply to Registered Apprenticeship programs, whose registration status is required to be assessed by the OOWD on a biennial basis.

2. **Program:** The LWDB may remove a program or programs from the list for failing to meet the established criteria outlined in § D.2 of the policy. The ETP must comply with the requests for correction given by the LWDA before approval of programs may occur. A training program that is removed from the list for reasons stated below may reapply for continued eligibility when they can demonstrate they meet all requirements.

- a. not providing all required performance information for subsequent eligibility,
- b. if the program has failed to attain or lost the accreditation required for professional licensure,

Any providers that willfully supply false performance information, misrepresent costs or services, or substantially violate requirements of WIOA law will be:

- c. removed from the ETPL by the State for a period of not less than two years, and
- d. repay all adult, dislocated worker, and youth funds received during the period of non-compliance.

In the case of a program of training services that is removed from the list while WIOA participants are enrolled, the participants may complete the program unless the program has lost state licensing, certification, or authorization to operate by the appropriate state oversight agency.

This section does not apply to Registered Apprenticeship programs, whose registration status is required to be assessed by the OOWD on a biennial basis.

F. Appeal Process: A Training Provider may choose to appeal the rejection of their institution or program/course. The appeal must be submitted in writing via email to the Oklahoma Office of Workforce Development within 14 days after notification of decision. The appeal must include the justification for the appeal in the request. The provider also has the right to request a hearing to discuss their appeal. If a hearing is requested, a board will be convened of OOWD management, the OOWD ETPL Administrator and the LWDB Director. A decision will be made within 60 days of appeal. This will be a final decision and, if the removal is upheld, the program will be prohibited from reapplying for one year from the date of the final decision or for two years if the removal was for submittal of false information.

VII. Compliance:

- A. The last business day of every month the TAWIB staff shall review the ETPs for initial and subsequent eligibility.
- B. The TAWIB will review, and adjust if necessary, the required eligibility performance levels on an annual basis.
- C. This policy shall be applied in accordance with the TAWDB's Adult and Dislocated Worker Policy, Youth Policy, Demand Occupations Policy, Individual Training Account Policy and Local Monitoring Policy.