

**The Workforce Connection, Inc.**

**Policy Title: Eligible Training Provider Approval**

**Reference Number: 2016-500-04**

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**Status: Active**

**Modifications: 06/07/2016**

**05-2017 Name Change**

**Purpose:**

To provide information regarding Workforce Innovation and Opportunity Act (WIOA) requirements for the Eligible Training Provider (ETP) to provide WIOA funded training aligned with high growth/in-demand occupations in targeted industries.

**References:**

- Department of Commerce WIOA Policy 15-WIOA-5.3 WIOA Training Provider and Training Program Eligibility
- Demand Occupation List (to be issued by Department of Commerce)

**Background:**

Training providers may apply to The Workforce Connection, the local workforce board for Boone, Winnebago and Stephenson Counties, for approval as Eligible Training Providers, offering approved training programs meeting the requirements of WIOA and State policy. All training programs approved must be identified as high-growth or in-demand occupations.

**Definitions:**

- High-Growth or In-Demand Occupation – identified through verified data that an occupation has reasonable growth, full-time employment opportunities, and pays a living wage.
- Targeted Sectors or Targeted Industries – identified through verified data, clusters of industries such as Healthcare, Manufacturing, Information Technology, Transportation/Distribution/Logistics, with substantial job openings, long-term growth.
- ETPL – Eligible Training Provider List located in the Illinois Workforce Development System (IWDS).

**Policy/Procedures:**

**A. Eligibility of Training Providers:** To be eligible to receive funds for provision of training services, the provider shall be:

1. An institution of higher education that provides a program that leads to a recognized post-secondary credential. This may include programs receiving approval or accreditation by the U.S. Department of Education, Illinois Board of Higher Education, Illinois Community College Board, or Illinois State Board of Education.
2. An entity that carries out programs registered under the Act of August 16, 1937 (Commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) as recognized in Illinois by the U.S. Department of Labor (USDOL), Office of Apprenticeship, or;
3. Another public or private provider of a program of training services, which may include joint labor-management organizations; eligible providers of adult education and literacy activities under Title II if such activities are provided in combination with occupational skills training or programs that have been recognized by the industry as meeting the standards necessary for approval or accreditation, when such standards exist.
4. The Training Provider/Program must lead to placement in the Demand Occupation Training List (DOTL) for Economic Development Region 5. Exceptions to this requirement include:
  - a) The training program, as identified on the Demand Occupation List, is intended to be a beginning step in a Career Pathway or Bridge Program that would lead to placement in a Demand Occupation.

- b) The training provider's program provides only basic skills and/or remedial training.
5. TWC reserves the right to impose additional criteria through local policy that is unique to conditions within LWA3 and meets, at a minimum federal and state requirements based on economic, geographic, demographic conditions in the area, and/or characteristics of the population served by the provider.
6. TWC has the authority to deny approval of initial or continuing eligibility or revoke the status of eligibility, and remove it from the eligible training provider list for a training provider or a training program.

#### **B. Registered Apprenticeship (RA) programs registered with the USDOL, Office of Apprenticeship**

- Registered Apprenticeship programs will be added to the ETPL list on a statewide basis

1. An RA must indicate interest in being included on the ETPL.
2. RAs may contact TWC or State of Illinois, Office of Employment and Training to indicate interest in being included on the ETPL
3. TWC will inform all RAs in the area regarding these requirements, then notify Department of Commerce in writing of all RA programs that have shown interest in being included on the ETPL.

#### **C. Initial Eligibility**

1. New training providers located geographically within LWA 3, or has its headquarters or primary location within LWA 3 must apply for Initial Eligibility through TWC.
2. A training provider is prohibited from applying for training program eligibility through TWC when the program site is not geographically located in LWA 3, unless the LWA in which the program is located denies eligibility or fails to act on the application within 30 days of the date of application.
3. A new training provider must gather and provide all mandatory information found in Attachment A. – Requirements for Training Program Eligibility to LWA 3, as well as all other information required by TWC. The TWC staff will set up a Training Provider record in IWDS.
4. The Training Provider will be instructed on how to log in and enter training programs in IWDS to be determined eligible.

#### **D. Agreement Requirements**

1. A Training Provider must provide assurances that it will comply fully with all non-discrimination and equal opportunity provisions of the laws.
2. When TWC has assured that the training provider has provided all required information, TWC will initiate an agreement to be signed by all parties involved including the Training Provider and TWC.
3. The agreement will include provisions for routine on-site monitoring of the training provider/program. When the training program is outside of LWA3, monitoring will be coordinated with the other LWA or conducted by the state in which the training is determined eligible or provided.

#### **E. Eligibility Timeline**

1. The Program Review Sub-Committee, formed in accordance with the requirements of WIOA Policy 15-WIOA-5.3, will review each program submitted by current Eligible Training Providers or ETP applicants within 30 days of the application. The Sub-Committee's approval is deemed as conditional approval and participant enrollments may continue or begin with this approval. The Program Review Sub-committee approval will be presented to the One-Stop Operations Management Council at its next scheduled meeting for review and ratification. Should the One-Stop Operations Management Council not agree with the Sub-Committee's approval, the ETP application will then go to TWC to determine program approval.

2. If TWC fails to make a determination (or denies eligibility) of the program within 30 days of the application, and the training program meets state criteria, the program will be placed in a “capture list” in IWDS and will be available to another LWA to determine eligibility through their LWB. Once the 120 days period passes, the training program will be removed from the capture list.
3. If the Training Program does not meet all of the mandatory criteria for initial eligibility or is not accepted by TWC within 30 days for some other reason, the training provider can appeal its acceptance status in accordance with DCEO WIOA Policy 15-WIOA-5.3 - WIOA Training Provider and Training Program Eligibility (Section G.).

#### **F. Next Eligibility Date/Review**

1. Initial Eligible Training Providers next eligibility date will be within one year from the date of initial eligibility. This date may be selected to coordinate with the regularly schedule TWC meeting. Providers will be encouraged to have all or some of their training program determinations of continued eligibility in a group to streamline the process.
2. TWC may consider entering into reciprocity with another state under which providers of training services may enroll customers into programs provided in states other than Illinois.

#### **G. Continued Eligibility Process**

1. Continuing Eligible Training providers previously approved for eligibility must have its eligibility approval determined on at least a biennial (at least every two years) basis to maintain their status as an eligible training program.
2. TWC will provide a 90 day notice to each training provider of any upcoming continued eligibility date.
3. TWC must receive the training provider’s intent to apply for continued eligibility of a training program or programs in sufficient time to meet eligibility timeline requirements.
4. TWC will determine a schedule to issue “Training Providers Nearing Continued Eligibility Date” reports routinely throughout the year to provide Continuing Eligible Training providers with adequate time to prepare for “Pending Continuing Eligibility” requirements/processes.
5. Continued Eligibility to a training provider will be granted based on the following:
  - a) A current copy of the Training Program Basic Information record from IWDS;
  - b) Identification of items that have changed since the initial eligibility or most recent continued eligibility determination;
  - c) Performance data of the training program;
  - d) Any additional information the training provider has submitted for review or TWC determines pertinent to the TWC review.
6. TWC shall grant continued eligibility to a training program within 30 days based on the following:
  - a) State and local performance criteria are still being met;
  - b) One or more O\*Net codes associated with the training program remain on current Demand Occupation Training list;
  - c) The training provider has maintained timely updates in IWDS on training program information;
  - d) Other conditions as deemed necessary by TWC.
7. Training programs not deemed eligible by TWC within 30 days of receipt of the application from TWC will be removed from the approved program list and may reapply after one year.
8. Training providers may appeal the TWC decision following DCEO WIOA Policy 15-WIOA-5.3 - WIOA Training Provider and Training Program Eligibility (Section G).

#### **H. Training Provider or Training Program Change in Information**

1. Training programs shall be subject to renewal for eligibility by the Program Review Sub-Committee, formed in accordance with the requirements of WIOA Policy 15-WIOA-5.3,

whenever significant information for the training provider and/or program(s) has changed. Significant information includes:

- a. All of the “mandatory” fields on the Training Program Basic Information record in IWDS. Change(s) in any significant information must be entered in IWDS within ten (10) business days.
  - b. Submission of a change in significant information indicates a training provider’s intent to renew eligibility and prompts the same requirements as under the current eligibility determination. The Program Review Sub-committee decision for approval will be presented to the One-Stop Operations Management Council at its next scheduled meeting for review and ratification.
2. Training programs will be subject to renewal of eligibility status by the TWC Program Review Sub-committee whenever non-significant information on the training program changes prior to the continued eligibility date. Non-significant information is any information that is a “mandatory” field (but not considered “significant”) on the Training Program Basic Information application in IWDS, including O\*Net codes associated with the training program. (These items are identified by a \* on Attachment A – Requirements for Training Program Initial Eligibility and Continued Eligibility process in the DCEO WIOA Policy 15-WIOA-5.3 - WIOA Training Provider and Training Program Eligibility. The Program Review Sub-Committee shall review the training program and all the changes to determine if the changes have affected the conditions of the program eligibility determinations. If the changes have significantly altered the training program, the committee will send the training program to the One-Stop Operations Management Council for the renewal of the current eligibility approval. If the changes have not significantly altered the training program, the Program Review Sub-Committee shall approve the program for continued eligibility until the next scheduled continued eligibility date.

#### **I. Performance Measures**

1. All eligible training providers are required to provide basic performance data, when available, on their training programs in order to be approved for initial or continued eligibility.
2. Specific training provider/training program performance information for ALL students of the program shall be provided, when available as outlined in the DCEO WIOA Policy 15-WIOA-5.3 - WIOA Training Provider and Training Program Eligibility.
3. Performance data required should be entered in IWDS for the most current program year, as well as the previous three program years.

#### **J. Denial or Revocation of Eligibility**

TWC has the authority to deny approval of initial or continued eligibility or revoke the status of eligibility, and remove it from the Eligible Training Provider List for a training provider or for a training program in accordance with WIOA and DCEO WIOA Policy 15-WIOA-5.3 - WIOA Training Provider and Training Program Eligibility (Section G) under the following circumstances.

1. Its annual performance fails to meet the minimum standards set by the State of Illinois or TWC for the WIOA performance measures;
2. If it is determined at any time that the training provider intentionally supplied inaccurate information in its application for eligibility or continued eligibility;
3. The training provider substantially violated any requirement under WIOA or WIA; or
4. The training provider voluntarily chooses to cease being an eligible training provider or goes out of business.

#### **K. Notification and Appeal Process**

1. Should TWC determine the need to deny or revoke any initial or continued eligibility of a training provider and/or any of its programs for which it has sought approval, the affected provider must be notified in writing of TWC’s decision. The notice will include:

- a. The training program(s) that are being denied or revoked eligibility;
  - b. The reason(s) for the denial or revocation; and
  - c. Information about the opportunities the provider has to appeal the decision
2. The Notice shall be sent within seven (7) days of the decision to the training provider via registered mail with a copy sent to Department of Commerce, Office of Employment and Training (OET)
  3. The training provider has twenty-one (21) days, from the date of receipt of the notice of denial or revocation of eligibility in which to file an appeal to TWC. The appeal must include the following information:
    - a. A statement that the training provider is appealing the denial or revocation of its eligibility;
    - b. The reason(s) the eligibility should be granted;
    - c. Contact information for additional information; and
    - d. The signature of the chief executive of the training provider
  4. The appeal must be submitted formally, in writing, and must be sent by registered mail no later than twenty-one (21) days from the date of receipt of the notice of denial or revocation.
  5. TWC, or a designated committee, will review the request for appeal within twenty-one (21) days of its receipt. If TWC determines an administrative error was made or if additional information submitted by the provider changes the basis upon which the original decision to deny or revoke eligibility was issued, the decision may be reversed and the training program(s) granted the appropriate initial or continued eligibility for inclusion on the Eligible Training Provider List (ETPL).
  6. If TWC reverses its decision, it will notify the training entity of its action in writing within seven (7) days. TWC will also forward a request to OET for inclusion on the ETPL.
  7. If TWC does not reverse its decision to deny or revoke eligibility and inclusion on the ETPL, it shall notify the provider within twenty-one (21) days from the receipt of the request that the program(s) was not determined eligible. Notice will be sent in writing by registered mail. The notice will include information about the opportunities for the provider to appeal its denial of eligibility with OET. A copy of the letter will be forwarded to OET.
  8. A provider shall have twenty-one (21) days from the receipt of the final decision by TWC to appeal the denial or revocation to OET.
    - a. OET will have thirty (30) days to complete its investigation into the matter, gather additional information from the affected TWC file and from the provider, and issue a final determination of eligibility.
    - b. During this time period, OET will convene a meeting with the affected parties, if requested.
    - c. The final determination will be forwarded to the training provider and TWC in writing.
    - d. If OET overturns the decision of TWC, the program(s) will be included on the statewide list within seven (7) days. OET will not make a final decision to overturn the decision made by TWC without convening a meeting with all affected parties.
  9. OET has the ability to ask TWC to deny or revoke a training provider or its program(s) eligibility and have it removed from the list “for cause”. If this decision is made, OET must send a formal written notice of its concerns to the affected LWB(s). The notice will require local action on the matter. TWC will have the option to provide additional information that would clarify and substantiate the provider’s eligibility status or of initiating removal of the provider or its program(s) from the ETPL. Both the notice from OET and affected LWB(s) and the board’s response to the notice must be sent by registered mail. TWC has twenty-one (21) days to respond in writing to the OET notice.

#### **L. Reinstatement on the Statewide List**

1. Should a training provider improve upon overall performance and otherwise rectify any other conditions of their denial or revocation, a provider may re-apply for eligibility after one year from its removal. The training provider must comply with the requirements for initial eligibility, demonstrate it has corrected all performance and other deficiencies which resulted in their removal from the ETPL and TWC must determine eligibility of the program and submit it for reinstatement on the ETPL.
2. A training provider that was denied continued eligibility may re-apply for initial eligibility for the training program when it can demonstrate its program quality with at least one year of performance information. The provider can re-apply no sooner than one year from the date of denial; the provider must re-apply for program eligibility subject to the policies and procedures for continuing eligibility found in Section C.3 of DCEO WIOA Policy 15-WIOA-5.3 - WIOA Training Provider and Training Program Eligibility; and if the program meets minimum state or local performance standards along with any other eligibility criteria in place at the time of re-application. TWC must determine the program is eligible and submit it for reinstatement on the statewide ETPL.
3. TWC must reaffirm that a program previously accredited by the North Central Association, the Illinois Community College Board, or the Illinois State Board of Education is still accredited or the accreditation has been renewed.

**Action Required:**

This information should be disseminated to all The Workforce Connection WIOA Title IB program directors/staff to assure compliance with requirements for Eligible Training Providers/Programs supported with WIOA training funds.

**Inquiries:**

Questions regarding this policy should be directed to The Workforce Connection Board Executive Director

**Effective Date:**

Immediately

## **PROCESS FOR INITIAL ELIGIBILITY/CONTINUING ELIGIBILITY FOR ITA PROVIDERS/PROGRAMS**

The Program Review Subcommittee will meet monthly to review and conditionally recommend initial eligibility/continuing eligibility of providers/programs. The Subcommittee's recommendations will be presented for approval at the Operations Management Council's next meeting after the Subcommittee's meeting. The Workforce Connection Board will act on the Operations Management Council's provider/program approval action as part of the Board's *Consent Agenda* at the next TWC Board meeting following the One-Stop Operations Management Council meeting.

1. Programs will (usually) be reviewed for continuing eligibility within 30 days of when their current eligibility expires.
2. New programs will be reviewed within 30 days of being presented for WIOA initial eligibility.
3. **Process for initial eligibility/continuing eligibility for programs will consist of a review of all providers/programs for the information bullet-pointed in A. below.**  
Programs for initial eligibility/continuing eligibility will be listed by Industry Sector.

**Targeted Industry Sectors:** Business; Finance; Green; Health; Information Technology; Manufacturing; Transportation, Distribution, and Logistics

Also, there is an *Other* sector for programs that do not fall within a targeted sector. See section B. below.

### **A. TARGET INDUSTRY SECTOR PROGRAMS:**

If the program is in a **targeted sector** and trains for an occupation on both or one of the DCEO lists of occupations for LWA 3, the program will be considered for initial eligibility/continued eligibility if:

- **Credential--Program Completers are expected to attain an Industry-recognized credential.** For WIOA purposes, participants will not "complete" the program unless they have received the industry-recognized credential for which the program trains.
  - The exception to credential attainment at program completion will be recognized for those programs that require licensure and/or work experience before an individual may take credentialing examination. In these cases, participants may "complete" the program (for WIOA records) but will not receive a credential at program completion. However, if a participant then receives a credential within the WIOA-designated performance timelines, the credential may be added to WIOA records for the participant when it is obtained.  
Note: Some programs may be removed from approved list because credentialing test requires extensive study/practice after program completion or the credential cannot be earned until a person has extended time on-the-job.
- AAJO--Average Annual Job Openings in Boone /Stephenson/Winnebago (IDES projections 2010-2020 (or later period when available) are sufficient to warrant training additional people. (However, even though an occupation is listed on one or both of the State's *Demand Occupations* lists for LWA 3, there may not be related jobs available in the area now.)
  - If IDES AAJO for LWA 3 shows less than fifteen(15) AAJO for the sum of the AAJOs for O\*Net occupations associated with the training program, the trainer must be able to prove to WIOA that the program trains for job openings. The trainer must demonstrate that occupational employment projections may not reflect the current labor market for occupations for which their program trains. The subcommittee will also discuss local knowledge of the field, e.g., for CNC machinists, we know that the

need is much greater than the IDES projections indicate. (And the Trainer will need to prove this, also.)

- **Program Cost** (per IWDS information)--The program cost seems “reasonable,” given the type of institution providing the training (public or private), the length of the program, and the expected entry level wages in the occupation(s) for which the program trains. Also considered: Is a credential required for an individual to enter the occupation? To advance in the occupation(s)?
- **Wage Data** (IDES)-- **The anticipated wage is sufficient.** “Sufficient wage” will vary by an individual participant’s circumstances and will consider the participant’s projected/anticipated wage upon program completion.
  - The cost of the training and length of time to complete the training will be weighed against the anticipated wage at program completion. *Approx. cost of training* –per IWDS--will be included on the chart of information the Committee receives. (Counselors must work with each individual participant to determine what a reasonable wage is for the participant’s circumstances.)
- **Successful Program Completion is considered.** -- The number of WIOA participants enrolled in program in last three years and their successful completion information as recorded in IWDS will be considered, as well as the number of ALL students enrolled in the program and their successful completion information as provide by training provider.
  - Staff will add to the chart referenced in 3 above (first 3 lines) columns for number of enrollees (WIOA participants) who have left the program, and, of those who left the program, the number who have “successfully” completed the program as recorded in IWDS, as well as the number of ALL students who have “successful completed the program as recorded by the training provider.
  - Successful completion of a training program depends on selecting the right people to enter the training program. WIOA staff may refer participants to a training program but it is the training provider that decides whether or not to accept the individual for training. Program providers should demonstrate how they screen ALL student/WIOA participants to ensure their successful completion of their training programs; they will describe their expectations/requirements regarding the education, skills, experience and other factors the program applicant needs in order to enter a program. (This is something that the Program Review Committee will review during consideration of provider/programs for initial eligibility or continuing eligibility.) WIOA requires eligible training providers to track and report Completion Rates of training programs for ALL students. WIOA participant completion rates for training programs will be available through IWDS data.
- **Training-Related Placements.** **DWP and Adult placement data for “exited” participants indicates that WIOA/Trade participants are getting training-related employment after completing the training.**
  - This entails a review of exited WIOA participant program results for providers/programs seeking continuing eligibility – to compare with eligible training provider’s data “Entered Employment Rates for WIOA participants and ALL



students. Placement information for second and fourth quarters after exit for participants is compiled for dislocated workers and for adults programs.

- **Review of providers' overall placement information by program—is required—for initial or continued eligibility of the program.** Providers will be requested to attend the meeting to address overall placement-from-program information and answer questions.
  - Providers will need to prepare a handout for the subcommittee's review. The Committee will request concrete data regarding each program's overall placement numbers/placement rates in training-related jobs for enrollees who complete a program. (If provider does not collect placement data or collects such data or refuses to release the data to the Committee, the Committee will not consider the provider/program for initial eligibility or continuing eligibility)
  - Providers may also be requested to attend the One-Stop Operations Management Council meeting.

B. **OTHER SECTOR PROGRAMS** (The provider/program does not train for positions in a targeted industry.)

The same information listed under A. above will be considered for providers/programs that fall in the OTHER category. The need for the provider/program must be strong. Even if the training provider shows that people completing the program are getting training-related employment, the Committee may refuse to recommend approval for an initial eligibility/continuing eligibility for a program because the program does not train for a position in a targeted industry. The training provider must provide information and verifiable data that directly connects to employment opportunities in Boone, Stephenson, and Winnebago or nearby Counties. These programs must be approved at the local Workforce Board level and reviewed by DCEO using the state level "Demand Occupation Request Form".