



CENTRAL REGION

Workforce Innovation and Opportunity Act (WIOA) Program Policy # 107

Subject: Eligible Training Provider Certification

Date of Issuance: January 10, 2018

References: VWL 15-01
VWL 16-01
Virginia Board of Workforce Development Policy No. 404-01
Virginia Board of Workforce Development Policy No. 404-02

Policy Statement:

The purpose of this policy is to determine eligibility criteria applied by the Central Virginia Workforce Development Board (WDB) to initial certification of training providers, establish a process for annual training provider review and recertification and describe the appeals process available to providers refused certification.

Definitions:

Eligible Training Provider (ETP) - is a state-approved training provider qualified to receive WIOA Title I-B funds to train adults and dislocated workers, including those with disabilities. An ETP is the only type of entity that can receive funding for training services through an ITA. ETPs can be:

- Post-secondary education institutions
- Registered Apprenticeship programs
- Other public or private providers of training, which may include joint labor-management organizations and eligible providers of adult education and literacy activities under Title II if such activities are provided in combination with occupational skills training
- Local Boards, if they meet the conditions of WIOA sec 107(g)(1)
- Community Based Organizations or private organizations of demonstrated effectiveness that provide training under contract with the Local Board.

Eligible Training Provider and Programs List (ETPL) - is a list of state approved ETPs and their state approved training programs. The ETPL is administered by the WIOA Title I Administrator in partnership with the Local Workforce Development Boards (LWDBs). This list is located on the Virginia Workforce Connection. A program of training services is one or more courses or classes, or a structured regimen that leads to a recognized post-secondary credential, secondary school diploma, or its equivalent, employment, or measurable skill towards such a credential or employment. These training services may be delivered in person, on-line, or in a blended approach.

Program Year - is the period that runs from July 1 through June 30 of the subsequent year.

Virginia Workforce Connection (VaWC) - is the System of Record for the WIOA Title I programs in the Commonwealth of Virginia.

Initial Certification:

Central Virginia WDB will certify training providers on an annual basis. Eligible Training Provider (ETP) Certification is good through June 30 of the Program Year in which it becomes effective. To receive WIOA training funds, a training provider must apply for certification of each program that leads to a certificate, degree, license, or for each course that leads to skill attainment. In addition to submitting the required documentation, applying providers may be requested to attend board meetings where their application is being reviewed in order to present information and/or answer questions that may arise.

Training providers applying for initial program eligibility in Central Region must submit the State Training Provider and Training Program Application and must also provide information addressing factors related to the indicators of performance, as described in WIOA section 116 (b)(2)(A)(i)(I-IV) and Attachment B WIOA Periods for Reporting Outcomes:

1. The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;
2. The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;
3. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program; and
4. The percentage of program participants who obtain a recognized post-secondary credential, or a secondary school diploma or its recognized equivalent during participation in or within one year after exit from the program.

If the training provider is not able to provide program performance information related to the factors listed above, the training provider must submit a plan describing how they will work with Central Virginia WDB to collect and report on this information for continued eligibility. Upon initial eligibility approval, the training provider must work with Central Virginia WDB to develop a plan to begin tracking and reporting these factors.

Additionally, the Central Virginia WDB is required to review and ensure physical and program access in accordance with WIOA Section 188 and The Americans with Disabilities Act (ADA). All training providers and programs in Central Region applying for placement on the ETPL are required to submit an Equal Opportunity and Non-Discrimination Questionnaire as well as participate in an on-site accessibility review of the training provider/program location(s) by Central Virginia WDB staff.

All information gathered during the initial certification process including applications, performance, EO and ADA compliance and well as regional labor market projections will be considered by the Central Virginia WDB when considering approval for placement on the statewide ETPL. Approval by Central Virginia WDB places the provider and program on the state ETPL but does not guarantee Central Virginia WDB will fund the approved training activity through the issuance of an ITA. That determination is further based on relevance of the training to regional demand occupations, availability of local funds, and the likelihood that training will support the participant in meeting their career objectives and lead to self-sufficient employment.

Registered Apprenticeship (RA):

RA program sponsors that would like to be included on the state Eligible Training Provider List (ETPL) in Central Region must apply through the Central Virginia WDB using a common statewide application. Following the receipt of a completed application, Central Virginia WDB will request, in writing, verification from the DOLI/Registered Apprenticeship Office that the program sponsor is active and in good standing. Following that confirmation, Central Virginia WDB will add the RA program information to the state ETPL

Renewal Certification:

The Central Virginia WDB will request renewal verification and program performance for participants whose activities were funded through an Individual Training Account (ITA) from providers/programs using a standard template and procedure. Providers of training who fail to provide the verification and performance information within 90 days of request will be removed from the state eligible training provider list. In the absence of any performance data, the provider must develop methods for collecting the required program performance information to remain on the ETPL and to be considered for continued eligibility.

Central Virginia WDB will consider the following data when granting renewal certifications:

- Program performance data obtained from the State's ETP Program Performance Quarterly Report
- Program performance submitted by the ETP as per WIOA
- WIOA Section 188 and ADA Compliance
- Regional labor market information to determine in-demand status and other related data

Program Performance

Beginning with Program Year 2017, in order to remain on the ETPL, all eligible training providers and programs who receive funding through an ITA must annually validate performance information (starting with PY16 information) on the following four outcomes for WIOA Title I participants:

1. *Training Completion Rate must meet or exceed 50%* – the number of participants during a Program Year (July 1 through June 30) who were enrolled in a Title I funded training service who successfully met all of the requirements of the training activity.

For calculation purposes:

All participants who received an ITA (Service Code 300-Occupational Skills Training-Approved Training Provider activity):

The number who successfully completed the ITA service during the program year divided by the total number of participants who were actively engaged in an ITA during the program year minus the number of participants who are still active in the ITA training program.

The deduction of those still active in the ITA training program is being done to avoid penalizing the providers if they had any participants who had not completed because they were still active in the training.

The measure will be calculated for Title I Adult and Dislocated Worker program participants separately.

Successful completion means – the participant has met all requirements of the training paid for by an ITA. This will be measured using the Completion Status in the service closure process within the Virginia Workforce Connection (VaWC).

2. *Credential Attainment Rate must meet or exceed 65%*– of those who completed Service Code 300 during the Program Year or within one year after exit from the program, the number who attained Credentials during that same period.

For calculation purposes:

Number of participants who successfully completed a Service Code 300 activity and attained an occupational certificate during the program or within one year after program exit. Divided by the number of participants who complete a Service Code 300 activity and exited during the program reporting period.

This measure will be calculated for Title I Adult and Dislocated Worker program participants separately. The denominator is the numerator from the Training Completion Rate.

3. *Entered Employment Rates* – Will be reported as 1) the number of participants who received an ITA and who are employed in the second quarter after the exit quarter and 2) the number of participants who received an ITA and who are employed in the fourth quarter after the exit quarter.

This measure will be calculated for Title I Adult and Dislocated Worker program participants separately.

4. *Post Training Earnings* – Will be reported as the median earnings for those participants who received an ITA and who have earnings during the second quarter after exit.

This measure will be calculated for Title I Adult and Dislocated Worker program participants separately.

Denials

If a training provider is not recertified for continued eligibility, participants already enrolled in training may remain in the program until completion.

Registered Apprenticeship

A recognized apprenticeship program may remain on the ETPL as long as it remains registered and recognized by the Virginia Department of Labor and Industry (DOLI). Annually, the administrator of Title I funds will provide DOLI a list of approved providers in this category and verify the status of apprenticeship program.

Appeal Process:

Should the Central Virginia WDB deny an application or renewal certification, staff will:

1. Send training provider notice within 5 business days after denial is obtained. The notice will identify the specific program(s) being denied and the reason(s) for denial. The notice shall also advise the applicant of its right to appeal the decision.
2. If a provider requests a reconsideration, the Board shall review the request within 90 calendar days and issue a written decision that either upholds or reverses the original decision.

3. If the Central Virginia WDB reverses its initial decision to deny the application, Central Virginia WDB staff will send the training provider notice within 5 business days after approval is obtained. Central Virginia WDB will then post the program of training service on the state provider network.

4. If the Central Virginia WDB affirms its original decision, the provider shall have the option of filing an appeal with VCCS.

In cases involving the denial of an initial certification or re-certification, the burden shall be upon the training provider to prove, by a preponderance of the evidence, that the certification should have been granted. In cases involving decertification of a training provider for intentionally supplying inaccurate information or for substantially violating any requirements under WIOA, the burden shall be upon the local board to provide, by a preponderance of the evidence, that the decision to decertify was appropriate.

Appeals for reconsideration must be submitted to the Board staff at least 10 days in advance of the next scheduled board of directors meeting following notification. Should fewer than 10 days remain prior to the next board meeting, the appeal will be considered at the next subsequent meeting in which the 10-day notice requirement can be met. If the issue is not resolved satisfactorily, the Central Virginia WDB will submit the application to the appropriate state division for reconsideration.