

Rivers East Workforce Development Board

1502 N Market Street, Suite A
Washington, NC 27889
Tel: (252) 946-8043 / Fax: (252) 946-5489
www.riverseastwdb.org



RIVERS EAST LA ISSUANCE 2021-33

SUBJECT: RIVERS EAST ELIGIBLE TRAINING PROVIDER

PURPOSE: To establish Local Area policy on adding eligible training providers to the approved local area training list.

ACTION: Training providers who would like to be added to our approved training list should read and follow the policy.

EFFECTIVE DATE: June 17, 2019

REVISION DATE: May 20, 2022


Jennie Bowen
Workforce Development Director

Attachment

Serving: Beaufort County • Bertie County • Hertford County • Martin County • Pitt County

Mid-East Commission • Workforce Development Department
"Committed Equal Opportunity Employer/Programs"

"Auxiliary aids and services are available upon request to individuals with disabilities." Relay numbers for the Hearing Impaired: (TT) 1-800-712-6600 (voice) 1-800-735-8262

www.mideastcom.org

This document contains requirements for training providers to be certified and recertified as an eligible training provider for WIOA funds. The workforce development system, established under the Workforce Innovation and Opportunity Act (WIOA), emphasizes informed customer choice, job-driven training, provider performance, and continuous improvement. The selection of training providers and quality training programs is vital to achieving these core principles.

Please note: DWS Policy Statement PS 21-2015 requires all WIOA programs to be “customer choice”. WIOA participants will be provided a list of all eligible training providers and they select the provider they wish to use for their training.

Please review all requirements. Approval will not be considered unless all required documentation is submitted. An NCWorks Online Provider Instruction Manual will also be forwarded.

Initial Eligibility for In-State Providers

Training provider approval and certification is a two-step process. The first step includes approval to be on the state Eligible Training Provider List (ETPL). The second step is the designation as a Board-Certified Training Provider by the Local WDBs in their respective regions. Rivers East WDB sponsors WIOA training for individuals residing in Beaufort, Bertie, Hertford, Martin and Pitt counties.

Training providers seeking initial approval to be on the state ETPL must submit their basic information via NCWorks online in order for the WDB in that particular region to review. If granted, ETPL designation shall remain in effect on a provisional basis for one year. To remain on the ETPL after the first year, providers must submit required information, including a minimum of one year performance criteria for new training providers that have been operating for less than two years and two years of performance criteria for training provider that have been operating for more than two years.

Once ETPL approval is granted, the approval process will be required each year in order for the provider to remain on ETPL.

To apply for inclusion on the ETPL, training providers must follow the process outlined in the steps listed below:

Initial State ETPL Application

1. Training providers must first complete their registration in NCWorks online prior to inclusion as an eligible training provider on the state ETPL. Each question in NCWorks online must be answered correctly and completely by the training provider.
2. NCWorks online, by internal messaging or email, will notify the local WDB in the area where the training provider is located. It will be the local WDB's responsibility to determine if the training provider is a legitimate *State Eligible Training Provider* by requiring basic proofs:
 - College's or company's accreditations (national or state)
 - Legitimacy of the college or company (must include the provider's NCID# or FEIN#)
 - Most recent financial audit or financial statements for the prior 6 months

- Agreement for a drug free workplace
 - General liability insurance
 - List of partnerships with specific local area employers (optional)
 - Proof that the training program has been in existence for one year, is preferred
3. After the completion of steps one and two listed above, the local WDB will review the information and make a determination of the state ETPL eligibility status. If approved, the training provider will be notified via NCWorks online that it is now allowed to enter/submit training “programs” for review in the requested WDB region. The WDB will notify the provider of its status, in writing, with 30 calendar days of the receipt of all documents.

Note: This approval step is to approve/certify the training provider as a WIOA eligible training provider. Each individual education and training program entered into NCWorks will be evaluated for approval by each local WDB. Each local board may approve or deny individual programs based on the local board’s criteria. Only training programs in career fields that are “in demand” in the local WDB area will be approved.

Providers and training programs that do not meet the above conditions are ineligible for inclusion on the state ETPL and will be notified of the reason that do not qualify to be added to the ETPL. Site visits and monitoring of the training provider sites/programs are at the local WDB’s discretion.

Note: Training providers have the option to submit the application documents electronically to the local WDB or mail to the following address:

*Rivers East Workforce Development Board
1502 N Market Street
Washington, NC 27889
Attn: Eligible Training Provider Reviewer*

Credentials

Types of acceptable credentials: The following are acceptable types of credentials that count toward the credential attainment indicator:

- Secondary school diploma or recognized equivalent
- Associate degree
- Bachelor’s degree
- Graduate degree for purposes of the Vocational Rehabilitation program
- Occupational licensure
- Occupational certificate, including Registered Apprenticeship and Career and Technical Education certificates
- Occupational certifications
- Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advanced employment

Technology Based Learning

Training providers using technology-based learning, also referred to as distance, online, web-based, or computer based learning, must meet the following requirements:

- Training providers offering distance learning programs must be licensed to provide training in the state of North Carolina
- Training providers must have a platform for student interaction with an instructor or instructors
- Training providers must ensure periodic assessment of each student
- Training providers' policy must describe the responsibilities of each party (training provider and participant) to the distance learning experience
- Training providers must have procedures in place for tracking student's participation in the training program
- Training providers must comply with any additional requirements determined by the Local Area WDB

Continued Eligibility

All active training providers, currently on the state ETPL as of June 2019, were notified regarding performance accountability requirements. These performance accountability requirements will require that all active training providers on the ETPL must provide the performance data on their WIOA participants, in order for the programs to remain on the ETPL. If a provider fails to meet the performance requirements on WIOA participants, they may lose eligibility for that program in **ALL** local areas where the programs have been previously approved. Program recertification will be completed in the training provider's local area. All applicable appeal processes still apply.

North Carolina currently has a waiver from USDOL for program year 2018 and program year 2019, and will only have to report performance information on those individuals that are enrolled in the WIOA Title I programs. However, if this waiver is not renewed or if USDOL does not change performance accountability requirements in program year 2020, which begins July 1, 2020, all approved training providers on the ETPL will be required to provide performance data on **all** training participants, even if they are not enrolled in WIOA Title I programs.

For program years 2018 and 2019, performance information reported to USDOL will be extracted for NCWorks online. Training providers will not have to submit any additional information to the WDBs, unless WDBs choose to have additional eligibility criteria or are unsatisfied with performance data reviewed. It is important for training providers to review the program information that has been entered in NCWorks online to ensure that it is accurate and up to date.

Please keep in mind that regardless of USDOL requirements, the Rivers East WDB reviews performance on a yearly basis.

Initial Eligibility for Out-of-State Providers

Out-of-state training provider may be considered at a *jobseeker's request*.

Training provider approval and certification is a two-step process. The first step includes approval to be on the state ETPL. The second step is the designation as a BCTP by the local WDBs in their respective regions.

Out-of-state training providers seeking initial ETP designation must submit their basic information to be considered for initial eligibility. If granted, initial ETPL approval shall remain in effect for one year. To remain on the ETPL after the first year, providers must apply for recertification of eligibility.

One of the requirements for inclusion on the state Eligible Training Provider List for Occupational Training for out-of-state-providers is verification of the qualifications from authorized officials of the provider's home state.² **Attachment B** must be signed by one of the authorized representatives in the provider's home state who is responsible for coordinating and managing the provider's home state WIOA Eligible Training Provider List. This signed form must be submitted to the WDB in the region in which the training provider is located.

If training is conducted in multiple states, then certification form must be completed and signed by the appropriate official in each state where training is conducted. The certification form attests that the training provider:

- Is approved by the higher education authority in the home state,
- Is on the home state's WIOA training provider list,
- Published verifiable consumer date, available to the general public

Initial State ETPL Application (Out-of-State-Provider)

1. Training providers must first complete their registration in NCWorks online prior to inclusion as an eligible training provider on the state ETPL. Each question in NCWorks online must be answered correctly and completely by the training provider.
2. NCWorks online, by internal messaging or email, will notify the local WDB in the area where the training provider is located. It will be the local WDB's responsibility to determine if the training provider is a legitimate *State Eligible Training Provider* by requiring basic proofs:
 - College's or company's accreditations (national or state)
 - Legitimacy of the college or company (must include the provider's NCID# or FEIN#)
 - Most recent financial audit or financial statements for the prior 6 months
 - Agreement for a drug free workplace
 - General liability insurance

2. Home state refers to the location of the school where the WIOA training is currently conducted

3. After the completion of steps one and two listed above, the local WDB will review the information and make a determination of the state ETPL eligibility status. If approved, the training provider will be notified via NCWorks online that it is now allowed to enter/submit training "programs" for review in the requested WDB region. The WDB will

notify the provider of its status, in writing, with 30 calendar days of the receipt of all documents.

Providers and all training programs that do not meet the above conditions are ineligible for inclusion on the state ETPL and will be notified of the reason that do not qualify to be added to the ETPL. Site visits and monitoring of the training provider sites/programs are at the local WDB's discretion.

Training Program Approval (Out-of-State Provider)

Once providers are activated in NCWorks online as legitimate state providers on the ETPL, each provider must be certified by a WDB in order to be considered as a BCTP that can receive WIOA funding and provide training services in the region. In addition, each one of the training provider's "programs" must be evaluated for approval.

In order to do this, the provider must have completed program descriptions in NCWorks Online for **each program** that it is seeking approval for. ***It is up to each local WDB's discretion to issue any additional application/questionnaire/screening document(s) to be completed by the training provider at this point.***

The training provider must provide the following:

- List of partnerships with specific local area employers
- Proof that the training program has been in existence for one year (is preferred)
- Proof that the program is publicly listed online
- Leads to an occupational skill resulting in a national and/or industry recognized credential identified by the local area as being in high demand

Credentials

The following are acceptable types of credential that count toward the credential attainment indicator:

- Secondary school diploma or recognized equivalent
- Associate degree
- Bachelor's degree
- Graduate degree for purposes of the Vocational Rehabilitation program
- Occupational licensure
- Occupational certificate, including Registered Apprenticeship and Career and Technical Education certificates
- Occupational certifications
- Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advanced employment

The local WDB will review and either *approve* or *deny* the provider's programs for the local area based on the local area's criteria. Program approvals for BCTP are completed by the local WDB. Approval notifications are sent by the method in which the training provider selected (NCWorks Online internal messaging or email) when initially registering in NCWorks Online.

If all application steps are completed correctly, and the local WDB approves, the program shall be designated as a BCTP within 30 days of application approval. If the local WDB has required additional forms to be completed, these forms must be submitted prior to certification as a BCTP.

Prior to initial program certification, the local area WDB will review any existing performance data that the new training providers have, to include: enrollment numbers, completion rates, credential attainment, employment attainment, and whether or not the trainees obtained employment in their field of study, and also *If the training provider has previously been on the ETPL and had enrollments in their approved training program(s)*. If the training provider has not previously been on the ETPL, performance records will not be required until 12 months after the training program has been approved.

Continued Eligibility for Out-of-State Providers

Effective September 30, 2016, under WIOA, training providers that were already approved under Workforce Investment Act (WIA) guidelines had to recertify in order to remain on the ETPL. Providers were required to complete a new application and follow the initial eligibility process. Providers also had to update all costs and any performance information for each program that they were seeking approval. The collection of specific performance information was now required. After continued ETPL approval was granted, program's certification would remain in effect for two years. To remain on the ETPL after the second year, providers would then have to recertify for continued eligibility and provide all required performance data for WIOA students in each of their approved programs.

All active training providers currently on the ETPL as of June 2019 were notified regarding performance accountability requirements mandating all active training providers on the ETPL provide performance data on their WIOA participants for programs to remain on the ETPL. If a provider fails to meet performance requirements on WIOA participants, they may lose eligibility for that program in **ALL** local areas where the programs have been previously approved. Program recertification will be completed in the training provider's local area. All applicable appeal processes still apply.

North Carolina currently has a waiver from USDOL for program year 2018 and program year 2019, and will only have to report performance information on those individuals that are enrolled in the WIOA Title I programs. However, if this waiver is not renewed or if USDOL does not change performance accountability requirements in program year 2020, which begins July 1, 2020, all approved training providers on the ETPL will be required to provide performance data on **all** training participants, even if they are not enrolled in WIOA Title I programs.

For program years 2018 and 2019, performance information reported to USDOL will be extracted for NCWorks online. Training providers will not have to submit any additional information to the WDBs, unless WDBs choose to have additional eligibility criteria or are unsatisfied with performance data reviewed. It is important for training providers to review the program information that has been entered in NCWorks online to ensure that it is accurate and up to date.

Registered Apprenticeship Programs

Registered Apprenticeship (RA) programs are not subject to the same eligibility procedures for ETPL approval as other training providers. Due to the detailed application and significant vetting process with the NC Department of Commerce's Division of Workforce Solutions, the registered apprenticeship provider is not required to provide the "initial eligibility application" documents to prove legitimacy for inclusion on the ETPL. However, documents for "program" approval for the apprenticeship training provider must be submitted to the local area WDB where the provider is requesting program approval.

The training provider must provide proof of the following:

- List of partnerships with specific local area employers
- Proof that the training program has been in existence for one year (is preferred)
- Proof that the program is publicly listed online
- Leads to an occupational skill resulting in a national and/or industry recognized credential **OR** a journeyman card identified by the local area as being in high demand

Types of acceptable credentials: The following are acceptable types of credentials that count toward the credential attainment indicator:

- Secondary school diploma or recognized equivalent
- Associate degree
- Bachelor's degree
- Graduate degree for purposes of the Vocational Rehabilitation program
- Occupational licensure
- Occupational certificate, including Registered Apprenticeship and Career and Technical Education certificates
- Occupational certifications
- Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advanced employment

Continued Eligibility for Registered Apprenticeship

The biennial review of provider eligibility will include verification of the registration status of RA and removal of any programs as described in 20 CFR Sect 680.470. Any voluntarily provided performance data on Ras will be provided by the State Registered Apprenticeship Agency. Once on the State ETPL, Ras will be included and maintained until:

- The RA notifies the state agency that it no longer wants to be included on the list
- The program becomes deregistered under the National Apprenticeship Act
- The program is determined to have intentionally supplied inaccurate information
- A determination is made that the RA substantially violated any provision of WIOA Title I or the WIOA regulations, including 29CFR part 38

Training Program Recertification

All training providers on the ETPL are responsible for tracking performance on WIOA students once their program(s) are added to the ETPL and must annually report performance measure to their local WDB. Results of the performance data evaluation must be provided for each program, for access by potential students. In addition, providers are required to notify the local

WDB if any of their information or status changes from that which is documented in NCWorks Online.

The local WDB must complete the recertification process from programs on the ETPL as specified below:

- Prior to the end of the first year of eligibility, the local WDB will review the performance data of the training provider and any provider information that has been changed in NCWorks Online.

Note: Recertification may focus on a multi-year program's progress date and student retention rates if no one has graduated from the program at the one year mark.

- Annually, the local WDB will review each BCTP's performance information that has been entered in NCWorks Online and obtained from wage records to ensure performance standards are maintained. The local WDB will be responsible for notifying training providers in a timely manner when data is due to complete the provider's recertification.
- The local WDB should track performance data for BOTH full-time and part-time students enrolled in programs and/or coursed for the BCTPs. This performance information is currently based only on WIOA students due to the waiver granted by USDOL. However, if North Carolina's waiver is not renewed or is USDOL does not change performance accountability requirements, in program year 2020, which begins July 1, 2020, all approved training provider on the ETPL will be required to provide performance data on all training participants, even is they are not enrolled in WIOA Title I programs.

Performance Data Collection Requirements

Per TEGL 03-18, ***"States must provide all of the data related to WIOA participants including WIOA participant levels, demographics, WIOA participant outcomes, and WIOA related costs, as this data can be generated from the data collected for the state's Annual Performance Report."***

For program years 2018 and 2019, performance information reported to USDOL will be extracted from NCWorks Online. Training providers will not have to submit any additional information to the WDBs, unless a request is made by a WDB. It is important for training providers to review the program information that has already been entered in NCWorks Online to ensure it is accurate and up to date. Local WDBs will be responsible for the recertification of each BCTP.

For all WIOA participants receiving training provided by an ETP:

- 1) The levels of performance achieved for all WIOA individuals engaging in the program of study (or equivalent), specifically:
 - a. The percentage of individuals who are in unsubsidized employment during the second quarter after exit from the program,
 - b. The percentage of individuals who are in unsubsidized employment during the fourth quarter after exit from the program,
 - c. The median earnings of individuals who are in unsubsidized employment during the second quarter after exit from the program, and

- d. The percentage of individuals who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (during participation in or within one year after exit from the program).
- 2) The total number of WIOA individuals exiting from the program of study (or the equivalent)

Program Performance Categories

Performance Standards are based on **TOTAL** enrollment numbers of **ALL** WIOA students:

- Total number of WIOA students who successfully completed their program of study during participation in WIOA or within one year after exit
- Total number of WIOA completer students that found unsubsidized employment
- Total number of WIOA completer students that found unsubsidized employment in *their field of study*
- Total number of WIOA completer student that were still employed in the 2nd quarter after exit
- Total number of WIOA completer students that were still employed in the 4th quarter after exit
- Median earnings of WIOA completer students in unsubsidized employment in the 2nd quarter after exit

Denial/Removal/Suspension from the ETPL

A training provider and/or its program *may* be denied inclusion as a Board-Certified Training Provider or may be removed from the state ETPL for the following reasons (documented proof that these conditions exist must be provided):

State ETPL:

- a. The training provider failed to achieve designated performance measures, when applicable. (this exclusion/removal will remain in effect for one year),
- b. The initial and/or renewal application was not completed, was not completed by established due date, or was missing required information (this exclusion/removal will remain in effect for 90 days), performance data was not submitted to the local WDB as established per local guidance (this exclusion/removal will remain in effect for 90 days)
- c. The training provider intentionally supplied inaccurate information (this exclusion/removal will remain in effect for a minimum of two years and the provider is liable to pay back all training funds paid during the period of noncompliance (further approval will be subject to consideration by the local WDB)
- d. The training provider substantially violated a requirement under WIOA, state law, local law, or policy (this exclusion/removal will remain in effect for a minimum of two years and the provide is liable to pay back all training funds paid during the period of noncompliance; further approval will be subject to consideration by the local WDB)
- e. The training provider loses its certification form the local WDB, or its accreditation from its accrediting body. (this exclusion/removal will remain in effect until such time as the training provider regains its approval or accreditation)

Local WDB Certification:

- a. The initial and/or renewal application was not completed, was not completed by established due date, or was missing required information (this exclusion removal will remain in effect for 90 days)
- b. Performance data was not submitted to the local WDB as established per local guidance
- c. Performance data does not meet the local WDB standards, when applicable (this exclusion/removal will may remain in effect for a one year minimum)
- d. The training provider intentionally supplied inaccurate information (this exclusion/removal will remain in effect for a minimum of two years and the provider is liable to pay back all training funds paid during the period of noncompliance (further approval will be subject to consideration by the local WDB)
- e. The training provider substantially violated a requirement under WIOA, state law, local law, or policy (this exclusion/removal will remain in effect for a minimum of two years and the provide is liable to pay back all training funds paid during the period of noncompliance; further approval will be subject to consideration by the local WDB); the initial application process will have to be repeated by the provider

Appeals Process

If a training provider is not approved by the local WDB to be a BCTP, or a training provider's approval has been revoked by local WDB action, the training provider may appeal to the director of the local WDB within 30 calendar days of after receipt of the decision. Appeals must state, in writing, the basis of the appeal, including the facts or issues that support the appeal. Additional appeals processes can be implemented by individual local areas. When appealing a performance data decision, the appeal must also include verifiable data that substantiate a higher level of program performance to maintain ETPL designation.

Training provider should direct appeals electronically to the local WDB or by mail to the following:

Rivers East Workforce Development Board
1502 N Market Street
Washington, NC 27889
Attn: Workforce Development Director

The local WDB shall notify all parties of the date, time, and location of the appeal conference.

A program failing to appeal pursuant to the local WDB process, or failing to appeal within the specified 30-day period, is ineligible for WIOA funding. A program that wins appeal, based on the submission of additional verifiable data, is eligible as a BCTP. A training program whose appeal is denied will be ineligible for WIOA funding and will not linger be considered as a BCTP. Depending on the reason for denial, a training provider may be subject to a two year waiting period before being allowed to submit a new application.

