



NEMO WORKFORCE DEVELOPMENT BOARD



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NEMO WDB Issuance 14-2017

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To: All Program Operators
From: Diane Simbro, Executive Director
Subject: Local Eligible Training Provider System Policy

Purpose: The purpose of this issuance is to provide local guidance on how NEMO WDB will review ETPS programs at the local level, define expected performance levels, procedures for PELL grant reimbursement for tuition and specific terms and expectations of the eligible training providers.

Background: WIOA required the development of local ETPS policies in order to inform eligible training providers of requirements of the program and methods for reimbursement. Expectations are also to be conveyed at the local level in the policy and should be detailed enough as to provide specific actions as well as timelines for action.

Substance: The information contained herein follows the WIOA Final Rule, establishing the policy and the need for Local Boards to establish policy on this subject.

References: WIOA Public Law 113-128, 29 U.S.C. 3101 et seq.
Workforce Innovation & Opportunity Act Eligible Training Provider System Policy and Procedures Guidance for State of Missouri (revision 2/15/17 and subsequent revisions)

Rescissions: None

The NEMO WDB and its Subcontractors elect to supplement the criteria and information requirements established by the State in order to support informed consumer choice and the achievement of local performance indicators except in the case of Registered Apprenticeships. § 680.430(c)

Eligible training providers on the State (DWD) ETPS list are vendors that provide a service that is supported by WIOA funds granted to the NEMO WDB. Eligible training providers on the ETPS list have an obligation to meet WIOA law and Equal Employment Opportunity (EEO) and non-discrimination requirements of federal law.

Diane Simbro, Executive Director
Northeast Missouri Workforce Development Board

PROCEDURE FOR THE LOCAL WORKFORCE DEVELOPMENT BOARD APPROVAL OF ETPS PROGRAMS

For initial local approval:

When a training eligible participant selects a training provider from the State's approved provider list, the Job Center staff will insure the program is approved and in good standing on Missouri's Eligible Training Provider System (ETPS). The program must be approved on the ETPS, not just the provider.

The NEMO WDB Executive Director must complete the review and determine the eligibility of a training program for use in the region within 10 business days following the date the training provider was approved by the State (DWD).

The Job Center Staff will then contact the training provider to provide local requirements outlined in this policy.

The Job Center Staff will insure all of the following requirements are met before approving the expenditure of funds:

- The program is listed on the Missouri ETPS and approved by the local region.
- Training-related job placements of past graduates equal the entered employment, retention and wage performance rate required of the NEMO WDB Region for the current Program Year. This requires the training provider to collect job placement data on its graduates.
- Job Center Staff will check LMI (Local Market Information) to ensure the training and credentials will allow them the ability to earn a living wage with that training or credential in their area.
- Sub-contractors will keep data of the number of participants starting each program versus the number of participants completing the program and submit a report to NEMO WDB Executive Director quarterly. If there is less than a 60% completion rate, the program will not be approved at the local level.
- Job Center Staff will compare the cost to complete the program to insure it is not higher than twice the amount of completing the equivalent program at other local training providers on the State ETPS within a reasonable distance.

If the above criteria are met, the Job Center staff or Functional Leader will notify the training provider to verify contact information and explain the vendor packet required to receive WIOA tuition payments.

WIOA REQUIREMENTS OF TRAINING PROVIDERS

Training providers must agree to follow all requirements of the Workforce Innovation and Opportunity Act, including:

- The organization should have an EO Officer or designate a staff person that deals with nondiscrimination and equal opportunity policies and regulations.
- The Missouri Division of Workforce Development's "Equal Opportunity is the Law" poster should be posted in the facility.
- Contract agreements should contain nondiscrimination and equal opportunity provisions as noted in 29 CFR Part 38 and WIOA Section 188.
- Training provider should advertise to underserved populations.
- The organization should have a reasonable accommodations policy.
- There should be a process for analyzing equal opportunity demographics for students that attend the institution. The following may be requested during an EO monitoring visit:
 - A copy of all training program applications by demographics
 - A copy of training program selection outcomes by demographics
 - A copy of training programs graduation/completed outcomes by demographics
 - A copy of training programs incomplete outcomes by demographics
 - A copy of training programs placement wages outcomes by demographics
- The training provider should have a confidentiality policy including a process for collecting confidential information.
- The training provider should have a written complaint policy.
- The training provider must allow monitoring visits for EO compliance, WIOA compliance and participant progress.
- For complete EEO monitoring details, see Missouri Methods of Administration.

NOTE: EXCEPTION MAY BE MADE FOR *SMALL RECIPIENTS*. A small recipient means a recipient who (1) Serves a total of fewer than 15 beneficiaries during the entire grant year; and (2) Employs fewer than 15 employees on any given day during the grant year. 29 CFR 38.4 (2)

EXPECTED PERFORMANCE LEVELS

Approved training providers will collect and share data on the outcomes of all students. Training providers must meet or exceed the entered employment, retention and wage rate of the NEMO WDB Region for the current Program Year. This rate will vary from year to year. Training providers should check Region's planned performance rate for the current Program Year. The Eligible Training Provider may contact the Job Center for the current performance information or by checking the NEMO WDB website: www.nemowib.org.

PROCEDURES FOR PELL GRANT REIMBURSEMENT TO WIOA TUITION

All participants assessed as appropriate for a classroom training activity will be required to apply for available grants under Title IV, as well as any other financial aid that may be available to them (not including loans). When a participant is eligible for Pell, the case manager should utilize WIOA funds for any unmet needs (training and supportive services) for the participant to ensure they complete the training successfully. *(DWD Issuance 18-2016)*

CORRESPONDENCE AND DISTANCE LEARNING/INTERNET-BASED PROGRAMS

NEMO WDB will accept training programs when instruction is remotely off-site or virtual. The training institution must be authorized to do business in the State of Missouri and be approved by the NEMO WDB Executive Director and the ETPS.

TRAINING PROVIDERS OUTSIDE THE LOCAL AREA OR STATE

WIOA participants may choose training providers and programs outside of the local area or the State of Missouri, provided the provider/training is on the ETPS list and meets all of the criteria established in this policy. Non-Missouri based providers must be on their home state's Eligible Training Provider List. §680.520 (a) (b)

EXEMPT TRAINING PROVIDERS

Providers of pre-vocational services, youth program services (other than training provided by ITA's, and on the job training (OJT), customized training and institutions that offer specialized services are exempt from submitting an application in the ETPS selection process.

Training providers offering individualized career services, such as pre-vocational services and youth program services must contract with the NEMO WDB through the board's competitive bid process. OJT and customized training providers may also contract with the NEMO WDB to deliver training services. §680.530 (a), §680.350, §680.420

REGISTERED APPRENTICESHIP & PRE-APPRENTICESHIP PROGRAMS

Registered Apprenticeship program sponsors that request to be on the ETPS list are automatically approved and will remain on the list as long as the program is registered with the U.S. Department of Labor Office of Apprenticeship and has met the other required criteria. Registered Apprenticeship programs are not subject to the same application and performance information requirements, or to a period of initial eligibility or initial eligibility procedures as other providers due to the vetting procedure required by the USDOL. §680.460(j), §680.470(a)(b)(c)(d)

Pre-apprenticeship programs that are connected to a Registered Apprenticeship program currently on the ETPS list or Registered Apprenticeship list requesting to be included on the

ETPS list will be approved automatically. §680.330 (a), §680.450 (a)(b), §680.460 (c), §680.470(a)(d)(f)

TERMS AND EXPECTATION OF ELIGIBLE TRAINING PROVIDERS

- The training program is listed on the Missouri ETPS.
- Training-related job placements of past graduates equals the entered employment, retention and wage performance rate required of the NEMO WDB Region for the current Program Year. This requires the training provider to collect job placement data on its graduates. This data must be available to the Job Center and NEMO WDB for local approval.
- Individuals with similar training/credentials are able to earn a living wage with the training or credential they provide.
- Local Subcontractor WIOA staff will keep data of the number of participants starting each program versus the number of participants completing the program and report quarterly to the NEMO WDB. If there is less than a 60% completion rate, the program will not be approved at the local level.
- The cost to complete the program is not higher than twice the amount of completing the equivalent program at other local training providers on the State ETPS.
- The cost of supportive services required to complete the training is not prohibitive.
- Training provider will collect the required data for EO requirements.
- Training provider will submit student progress reports. This can be a formal written report or the student's progress can be discussed with Job Center Staff via telephone or email. (Student will sign a release of information form with WIOA staff for this information to be shared). All phone or email progress reports must be documented in Service Notes in State Case Management System. Emails will be placed in client file.
- Training Provider will allow Job Center Staff and NEMO WDB Staff to monitor for program compliance and to insure compliance with EO requirements.

OUTLINING METHODS OF GAINING APPROVAL

1. Training provider insures programs are on the State's ETPS.
2. Training provider can wait until an eligible participant selects them and the Job Center staff makes contact to initiate the local approval or the training provider can call the Job Center's Staff and request local approval in advance of being selected by a WIOA participant.
3. Training provider must collect data on job placement of graduates of the program. This data must be available for review by the Job Center Staff and NEMO WDB.

4. Training provider must collect data on the number that starts the program versus those that complete the program. This must be available for Job Center Staff and NEMO WDB review.
5. The Job Center will notify the training provider of the program's local approval or advice on the corrective actions needed for approval. Programs denied approval may submit a request for another review at any time.

RENEWAL OF ELIGIBILITY AND TERMINATION PROCEDURES

- Prospective training providers may apply at any time on a year-round basis. Eligibility will be open and rolling; however, provider and program approvals will end on a fiscal year basis by June 30, regardless of when the application was submitted. §680.510(b)
- Annually, the school will complete the process of the original approval for subsequent approval.
- If at any time the Job Center determines the training provider is no longer adhering to the terms and expectations listed in this document, the approval will be disqualified and the training provider notified. The local area may grant a probationary period for corrective action before disqualifying the program for local approval.
- NEMO WDB will follow the Removal of Training Providers and Programs defined in §680.480 (a)(b)(c) and Appeal Process as defined in 20 CFR 683.630(b) along with the Workforce Innovation & Opportunity Act Eligible Training Provider System Policy and Procedures Guidance for State of Missouri (revision 2/15/17 and subsequent revisions)

THE NEMO WDB AND SUBCONTRACTORS AGREE TO:

- Carry out the procedures in this document.
- Perform initial eligibility.
- Apply due diligence at all times when reviewing the status of the training institution prior to enrollment of participants to avoid disallowed costs.
- Monitor performance and compliance.
- Renew the eligibility of providers and programs.
- Terminate training providers due to performance or violation of WIOA requirement.
- Work with the State to ensure sufficient number and types of providers of training services are available.
- Submit payment to Training Providers upon submission of required documentation. Subcontractors will follow state and local policy in documenting payments.
- Maintain a local list of training providers and programs along with performance evaluation and outcomes and submit to WDB Executive Director quarterly.