



NEMO WORKFORCE DEVELOPMENT BOARD

Eligible Training Provider Policy

Issuance No.: 14-2017, Change 1
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The purpose of this issuance is to:

- 1) Describe the criteria the WDB uses to review ETPS providers and programs for approval at the local level;
- 2) Explain all State and local requirements for the providers;
- 3) Provide procedures for Pell Grant reimbursement to WIOA (20 CFR 680.230(c))
- 4) Specify terms and expectations of the Eligible Training Provider
- 5) Describe the process for determining compliance and termination of a ETP
- 6) Provide the performance measures expected of the ETP

References: WIOA Public Law 113-128, 29 U.S.C. 3101 et seq.
OWD Issuance 11-2018, Local Eligible Training Provider Selection Policy
[Missouri Eligible Training Website](#)
[MoScores Website](#)
[OWD Eligible Training Provider Policy](#)
[ETPS Assurances](#)
[ETPS Summary of Requirements](#)

Rescissions: NEMO WDB Issuance 14-2017

Training institutions include:

- Two and four-year colleges and universities whose programs lead to an associate degree, baccalaureate degree, license or certificate;
- Community-based organizations;
- An entity that carries out apprenticeship programs registered with the United States Department of Labor;
- Joint vocational schools; and
- Proprietary entities.

Exempt Training Providers Source: §680.530

Training providers offering individual career services such as pre-vocational services and youth program services must contract with NEMO WDB through the board's competitive bid process. OJT and customized training providers may also contract directly with NEMO WDB to deliver training services.

Training Provider Eligibility

Training Providers may be a public sector entity, private for profit or private non-profit and may be faith based; and

- Must be at least one of the following: Accredited, Approved, Certified, Licensed, or Registered by an authorized agency or organization;
- Must be authorized by the State of Missouri to do business and provide post-secondary education; and
- Cannot currently be in a state of Federal Debarment Status.

Training Institutions must offer post-secondary occupational training programs for occupations that are in demand in the Northeast Region. The Post-Secondary occupational training program must:

- Lead to a certificate, an Associate or Bachelor degree, or a competency or skills recognized by employers; and
- Be at least one of the following: accredited, approved, certified, licensed, or registered by an authorizing agency or organization.

The institution must be able to comply fully with the following laws on nondiscrimination and equal opportunity provision within WIOA 29 CFR Part 38:

- WIOA Section 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the US or participation in any WIOA Title I financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended;
- The Age Discrimination Act of 1975, as amended;
- Title IX of the Education Amendments of 1972, as amended;
- Title II Subpart A of the American Disabilities Act of 1990, as amended; and
- Genetic Information Nondiscrimination Act of 2008.
- Agree and accept the terms and conditions of the ETPS Assurances Agreement

Local WDB Application Review Timeline and Subsequent Approvals Source: §680.430

The Executive Director and the Operations/Program Coordinator have been trained and are authorized users for the ETPS system and will use data from MoJobs, ETPS, and MoScores and program operators input before making the determination to approve or reject the provider or program for the local region.

The designated reviewer(s) must complete the review and determine the eligibility of a training program for use in their area within 10 business days following the date the training provider was approved by the State (OWD) and/or notification was received from the OWD ETPS Coordinator. The review period only applies to providers located within the region.

The Northeast Region will use the following performance levels of all students (not only WIOA participants) to determine the continuation of each provider and program:

- Student Successful Completion – 50% or greater
- Institutional Credential Attainment Rate *
- Employment Six and Twelve months after Exit *, and
- Median Earning Six months after Exit *

* If the state finds the expected performance levels to be acceptable, Northeast Region will accept them as well. Northeast Region will also accept a waiver for performance levels, if State has approved.

NEMO WDB Executive Director or Operations/Program Coordinator will review the subsequent eligibility of each provider on an annual basis. The consistency of the planned program/provide, along with performance criteria will be reviewed. If a specific program is found to be inconsistent with local policy, the WDB representative must contact the ETPS Coordinator in writing stating the concerns.

Due to the rural area we serve, we are limited on training providers and programs, so Northeast Region reserves the right to work with providers on a corrective action plan or place them on probation, if they are not performing to expectations.

Removal of Training Providers and Programs Source: §680.480

Only the State can remove the eligible training providers and programs from the ETP list after appropriate due process. NEMO WDB will work in consultation with the ETPS Coordinator if this issue arises.

Local WDB Responsibilities

NEMO WDB may be subject to questioned costs if staff enrolls WIOA participant in a training institution not authorized to conduct business in Missouri and/or does not meet all of the qualifications for an ETP. NEMO WDB and program operators will apply due diligence at all times before enrolling participants in a training program.

Correspondence & Distance Learning/Internet-Based Programs

The NEMO WDB Executive Director will decide whether to accept training programs when instruction is remotely off-site and the curriculum is self-instructional online. The training institution must be authorized to do business with the state of Missouri and be approved in the ETPS system.

Participating in Provider Approval Source: §680.430

Northeast WDB has been afforded full discretion by OWD to encourage potential providers to apply for ETP eligibility in order to meet the demand for emerging sector strategies and occupations in our local area. Northeast Missouri Workforce Development Board will work with the State to ensure consumers have appropriate access to sufficient numbers and types of providers of training services. The Board will also ensure the dissemination and appropriate use of the State List of Eligible Training Providers (ETP) and programs.

Demand Occupations Source: §680.460

Northeast Region will only approve training providers if there is a demand of an occupation in the area or in another local area to which a youth, adult or dislocated worker is likely to be willing to relocate. Northeast Region will work with training institutions by giving them information on in-demand occupations and sectors that have a high potential for sustained demand or growth within the labor market area. Northeast Region works with many of the local training providers and include them in meeting and discussions regarding in demand training needed in the area.

Individual Training Account Source: §680.300, §680.310, §680.340

An Individual Training Account (ITA) is required for Individualized Training per Northeast Missouri Workforce Development policy. The ITA shall be set up in a manner that maximizes customer choice in selecting an eligible training provider and assists the participant in successfully obtaining a credential or degree. ITA funds should be used only for skills training for in-demand occupations, as determined by the local WDB. If the training does not meet the aforementioned terms, the program operator must contact the Executive Director for further guidance.

- When an 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)/MoScores. The **program** must be approved on the ETPS/MoScores, not just the provider. If it is not approved, the staff must contact the WDB office. If the provider is not located in the NE Region, the WDB is not notified by ETPS that it is awaiting approval.
- Follow the NEMO WDB policy in place for Individual Training Accounts. (NEMO WDB Issuance 26-2020).
- Cost of the training must be taken in to consideration. The cost to complete the program is not higher than twice the amount of completing the equivalent program at other local training providers, located within a reasonable distance, on the State ETPS/MoScores.
- Submit payment to Training Providers upon submission of required documentation.
- Subcontractors will follow state and local policy in documenting payments.
- Case notes are required throughout the program participation as outlined in the local policy.
- Training providers that require students to pass any type of drug testing, background check, physical and/or screenings for training must have these requirements completed and results

obtained prior to the start of the student's training or prior to the refund drop date. The student must pass all required tests/screening and be participating in class before payment will be made to the provider.

- In the event, a WIOA student does not pass any of the pre-training/screening requirements, NEMO WDB may be invoiced only for the cost of fees incurred and these fees will be invoiced as training fees. Any WIOA funds left on student's account, which result in a credit balance, must be reimbursed to the Northeast Missouri Workforce Development Board, not the student.

Transferring WIOA Participants

NEMO WDB will determine the feasibility of transferring a participant to another eligible training provider based on the length of time remaining to complete the training program and the necessity and reasonability of allowing participants to continue with a training provider that has been removed from the ETPS/MoScores list. The participant may complete the program for the duration of an ITA. Primary consideration will be given to student needs to minimize disruption to the participant.

Local Performance Criteria Source: §680.430, §680.510

Northeast WDB will use the performance levels established by the State on a consistent basis to determine the criteria for Eligible Trainers to become or remain on the ETPS/MoScores. If the Eligible Training provider does not meet the minimum performance criteria, they must provide sufficient justification. NEMO WDB while making a decision will consider the justification.

Local WDB Agreement and/or Policy Manual Source: §680.300

NEMO WDB will develop a policy manual to be given to Eligible Training Providers that will contain expected performance, monitoring requirements, procedure for PELL Grant reimbursement, invoicing/payment process, and expectations.

Local WDB ETPS Verification Source: §680.430, §680.480

NEMO WDB will utilize the Excel report located on the ETPS to gather the list of NE Region approved programs and providers. MoScores contains the School Outcomes for some of the providers. We are able to utilize MoJobs to gather information on our participants. All of this information will be entered into the ETPS Excel spreadsheet to evaluate the programs.

Local Eligibility Review Process Source: §680.510

Northeast Region will monitor the Eligible Training Provider to ensure compliance with WIOA. Annually, each training provider/program will be evaluated based on information gathered through the available sources, MoJobs, MoScores, and ETPS or communication with the provider. NEMO WDB has established the criteria to use, on a consistent basis to establish their approval of a training provider in the NE region.

- 1) Meet or exceed established performance levels set by the NEMO WDB and State OWD; and
- 2) Meet or exceed EO Compliance requirements and cooperate with NEMO WDB to gather needed information to determine this expectation, when a monitoring is required.
- 3) Review of the ability to provide quality-training programs linked to in-demand occupations for the Northeast Region.
- 4) Review and comparison of cost structure with other providers offering the same courses.
- 5) Effective communications and wiliness to share pertinent information needed to analyze effectiveness of programs.

If these criteria are not met, the training provider is subject to probation or recommendation to remove from the ETPS.

Procedures for PELL grant reimbursement to WIOA tuition

Training may be provided while an application for a Federal Pell Grant is pending, however; if a Pell Grant is subsequently awarded, the training provider must reimburse the One-Stop Operator the WIOA funds used to underwrite the training for the amount the Pell Grant covers. Pell Grants may be used to pay for both training and education-related expenses; therefore, reimbursement will not be required for the portion of funds released to the participant for education related expenses.

Procedures for Registered Apprenticeship and Pre-Apprenticeship Programs

Registered Apprenticeship program sponsors that request to be on the ETPS list must contact the ETPS Coordinator at Office of Workforce Development to be placed in the system and the Northeast Region will also approve the program. They 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 upon request to the OWD ETPS Coordinator. The local region will also need to approve the provider of services. §680.330 (a), §680.450 (a)(b), §680.460 (c), §680.470(a)(d)(f)

Local Monitoring Approved Training Providers

Eligible training providers have an obligation to meet Equal Employment Opportunity (EEO) and non-discrimination requirements of federal law. The providers who use WIOA funds may be subject to monitoring for evidence of EEO Compliance.

- Training Provider will allow Job Center Staff and NEMO WDB Staff to monitor for program compliance and to insure compliance with EO requirements.

- The organization should have an EO Officer or designate a staff person that oversees nondiscrimination and equal opportunity policies and regulations. 29 CFR Part 38
- The Missouri Office of Workforce Development's "Equal Opportunity is the Law" poster should be posted in the facility where staff and students frequent.
- Contract agreements should contain nondiscrimination and equal opportunity provisions as noted in 29 CFR Part 38 and WIOA Section 188.
- Training provider should advertise or market to underserved populations.
- The organization should have a reasonable accommodations policy.
- Training provider must supply the following information for students that attend the institution if requested during an EO monitoring visit:
 - Verification of all training program applications by demographics
 - Verification of training program selection outcomes by demographics
 - Verification of training programs graduation/completed outcomes by demographics
 - Verification of training programs incomplete outcomes by demographics
 - Verification of training programs placement wages outcomes by demographics
 - Verification of all applicants for employment by demographics
 - Verification of hiring selections for employment by demographics
 - Verification of termination of employment by demographics
- The training provider should have a confidentiality policy including a process for collecting and storing confidential information.
- The training provider should have a written complaint policy.

For performance monitoring, the Training Provider may be asked for verification of the following:

- Number of students beginning and number of students successfully completed
- Entered employment for 2nd and 4th quarters after completion
- Wages of students entering employment upon completion

NOTE: EXCEPTIONS FOR MONITORING 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)*

Onsite visits will be completed, when possible, for potential newly applied for, as well as existing eligible training providers particularly if there have been problems that relate to curriculum, instructions, equipment and non-compliance with WIOA administrative or financial requirements.