



ADMINISTRATIVE POLICY AND PROCEDURE MODIFICATION SUMMARY

Subject: SELECTION AND RETENTION OF TRAINING PROVIDERS

Directive Number PY07-03 Mod.6

Modified & Reissued: March 1, 2016

Date Issued: June 19, 2008

Effective Date: July 1, 2016

CHANGES:

1. Modifications according WIOA new state guidance.
2. Full policy is attached.



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Approved by:	<i>Jacy Campbell-Domineck</i> President & CEO	

PURPOSE:

To provide guidelines to post-secondary training providers of training services programs funded under the Workforce Innovation and Opportunity Act (WIOA) regarding the Eligible Training Provide (ETP) requirements. The policy provides guidance for the initial and subsequent determination of eligibility of training providers, federal and state requirements, performance standards, the reporting of data and the removal provisions for training providers.

AUTHORITY:

The Workforce Innovation and Opportunity Act (WIOA), Sections 122, 133
WIOA Regulations, 20 CFR 680.400 et seq., Subpart D – Eligible Training Providers
Florida Statutes, Chapter 445 – Workforce Innovation FS Chapter 1005
Florida Statutes, Chapter 1008 – Florida Education and Training Placement Information Program
Nonpublic Postsecondary Education FAC6E – Commission for Independent Education FS Chapter 1008

BACKGROUND:

The Workforce Innovation and Opportunity Act (WIOA), at Section 122, requires the Governor through CareerSource Florida to establish criteria, information requirements and procedures regarding the eligibility of training providers to receive funds provided under section 133(b), WIOA, for the provision of training services in local areas in the State.

This policy describes the process for determining eligible training providers for WIOA Title I-B adults, dislocated worker and out-of-school youth training participants and for publicly disseminating the list of these providers with relevant information about their program. WIOA emphasizes informed customer choice, job-driven training, provider performance and continuous improvement.

CareerSource Polk hereinafter referred to as the “Board”, in partnership with State entities, work to ensure the accountability, quality and labor-market relevance of training providers and programs whose measurable performance qualifies them to receive WIOA funds. The State and the Board are required to administer the eligible training provider process to ensure that a significant number of competent providers offering a wide variety of training programs and occupational choices are available to customers. The State and Board’s eligible training provider’s list (ETPL) are made available in an electronic format including relevant performance and cost information and are publicly available through websites and searchable databases.

POLICY

A. Eligible Training Providers (ETP) Requirements

ETPs are entities eligible to receive WIOA funds for adult and dislocated worker participants, and out-of-school youth ages 18-24 who enroll in training services programs through Individual Training Accounts (ITAs). Eligible training providers shall be:

1. Institutions of higher education providing training program leading to a recognized postsecondary credential, or;
2. Registered Apprenticeship¹ Programs, or;
3. Other public/private providers such as joint labor-management organizations, pre-apprenticeship programs and occupational/technical training, or;
4. Adult education and literacy activities when such training is combined with occupational skills training

All training providers' training programs shall be for occupations on the Board's TOL, current at the time of training.

B. Establishing Eligibility

1. Existing WIA training providers must submit an application for **"continued eligibility"**. If approved, the provider will be eligible for two (2) years. Providers must re-apply for "continued eligibility" three months before eligibility expires. Applicant must provide verification of license to provide training services programs in Florida and all other program required information as specified on the Training Program Matrix. If an out-of-state provider, Attachment II also applies.
2. Other providers of training services may apply for **"initial eligibility"**. If approved, the provider will be on the eligible training providers list (ETPL) for one (1) full year, and must perform successfully to be considered for "continued eligibility". See section "F" for local minimum requirements.
3. Training providers must complete an application for the initial inclusion of the training provider and programs on the local/regional list of eligible training providers (ETPL). The training provider must specifically identify the program(s) it intends to provide.

The policy and applications for initial and continued eligibility will be available on CareerSource Polk's website (www.careersourcepolk.com). Incomplete applications will not be considered. Questions regarding the completion of the applications must be submitted to luz.heredia@careersourcepolk.com.

C. Local Board ETPL Approval Process

All training providers are selected through a Board review process. A team of Board staff and the Workforce Performance Council will review the applications and submit a recommendation for final Board approval. This review will form the basis of whether the application meets the requirements of this solicitation including past performance of the program(s) proposed. The review may include a site visit to determine the adequacy of equipment, facilities, level of staff knowledge, and ability to provide training services to our customers. All applicants will be notified (in writing) of the result of the review.

The Board reserves the right to accept, reject, or accept with modifications any application for training services submitted under this solicitation. Receipt of an application does not commit the Board to take

¹ Registered apprenticeship programs are exempt from TOL compliance and from the application process for the ETPL

any action, pay any cost associated with preparation of the application, or to reimburse an applicant for any cost incurred prior to the official signing of a training agreement by both the applicant and the Board.

All applications submitted to the Board will be given fair and unbiased consideration. If an applicant contends that his/her application review was flawed, the applicant may protest the staff's decision to the President/CEO of the Board. The President/CEO will attempt to resolve all such disputes in a reasonable manner. If the dispute cannot be resolved, the protesting applicant can appeal to the Executive Committee of the Board. Applicants denied inclusion on the eligible training provider list after appeal to the Executive Committee will be permitted to file a grievance pursuant to Chapter 120, Florida's Administrative Procedures Act, and the state's grievance policy, WDP 99-104.

Decisions on approvals are guided by our commitment to provide quality services and maintain high levels of customer choice and satisfaction.

1. After proper evaluation, the Workforce Performance Council will make a recommendation for Full Board approval.
2. After Full Board approval, training provider will receive an Individual Training Account (ITA) agreement including contract provisions, certifications and assurances.
3. Upon receipt of a properly executed ITA agreement and approval of training providers' programs, approved training provider will be placed on the ETPL.

An ITA agreement will not obligate the Board or its contractors to make referrals, as customers will make training selections from performance based consumer reports. Referrals will only be made when it is in the best interest of the customer and the Board.

Any agreement developed between the Board and a successful applicant will be for the purposes of clarifying the relationship between the two organizations and to clearly specify payment provisions.

If there are an insufficient number of eligible providers in the Local Area to accomplish the purpose of an ITA, the Board may grandfather local approval to training providers and their programs that have been approved by other local workforce boards and are on the state ETPL.

Payment for ITAs will be based on rates established by the Board per program. Amounts established will take into consideration local economic factors, fair market value, and other factors to ensure equitable payment for services rendered.

Individual interested in a Pell grant eligible training program should apply first for Pell grant benefits. Board sponsorship will cover tuition, books and applicable fees paid to the training institution. If the applicant is determined eligible for Pell grant, individual may use the grant to cover other training costs.

The application process described above addresses the requirements for local level approval only.

D. Eligible training provider list

All training providers approved by the Board are included in the local ETPL, which includes the training programs approved for each provider, the cost and performance information to help participants make an informed decision. Information will be provided through the local one-stop delivery system and electronically on the Board's website.

The Board will refer training providers approved on the local ETPL for inclusion in the Florida statewide Eligible Training Provider List in order to facilitate and assist participants in choosing providers of training services programs.

E. Regional Targeted Occupations List (RTOL)

Training services for adults, dislocated workers and out-of-school youth must be directly linked to occupations in demand. The Board’s **Tier System** establishes thresholds per training program using the occupations in demand and the average entry wage. The thresholds for allowable investment will be categorized in the following three tiers:

Tier	Average Entry Wage	Maximum Investment
Entry Tier	\$8.78 or less	\$5,000
Bridge Tier	\$8.79 - \$14.49	\$6,000
High Wage Tier	\$14.50 and up	\$7,500

1. Maximum Board approved cost for an ITA (cap) is \$7,500 (amounts are subject to change by the Board).
2. The maximum investment for direct customer cost includes the actual cost of tuition, books and training fees. The above thresholds do not include supportive services required for participation in training.

F. Minimum performance targets – Local Area

1. Institution must accurately follows Board financial procedures
2. Wage Rate at placement in employment
3. Maintains a 75% pass rate for state licensure, and
4. 82% placement rate for program completers

G. Performance standards enforcement

1. Supplying Inaccurate Information

Any training provider that is determined to have supplied inaccurate information or to have violated any provision of the Workforce Innovation and Opportunity Act (WIOA) will be terminated for a period of time that is not less than 2 years and the provider’s program(s) will be removed from the ETPL for the same length of time. A provider whose eligibility is terminated under these conditions may be liable to repay all WIOA adult, dislocated worker and out-of-school training funds received during the period of noncompliance.

2. Substantial Violation

Any training provider that is determined to have substantially violated a requirement or requirements under this policy or under WIOA, the eligibility of such provider to receive funds under chapter 3 (WIOA, Section 122(f)(1)(B)) for the program involved will be terminated for a period of not less than 2 years and the provider’s program (s) removed from the ETPL for the same length of time. “Substantial violation” may be construed to be one or more egregious violations in a short period of time or numerous minor violations over a longer period of time.

3. Removal

A training provider or its programs may be removed for failing to comply with this policy, WIOA, State of Florida and/or Board requirements, or when the training program is no longer needed or desired, or for cause. “For cause” shall include, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect, incompetence, irresponsibility, misfeasance, malfeasance, nonfeasance or lack of performance.

4. **Unlawful Remuneration**

An eligible training provider's (ETL) offer of unlawful remuneration to attract participants shall result in the eligibility of such provider to receive funds under chapter 3 (WIOA, Section 122(f)(1)(B)) for the program involved to be terminated for a period of not less than 2 years and the provider's program shall be removed from the ETPL for the same length of time.

5. **Repayment**

A training provider whose eligibility is terminated under paragraphs (1), (2) or (3) shall be liable for the repayment of funds received under chapter 3 (WIOA, Section 122(f)(1)(B)) during a period of violation described in such subparagraphs.

6. **Continued Eligibility” Status may be removed**

A “continued eligibility” provider of training services programs whose eligibility is terminated for noncompliance with policy requirements may, at the discretion of the Department of Economic Opportunity (DEO), lose its status as a “continued eligibility” training provider and may be required to reapply as an “initial eligibility” training provider before being allowed to provide services.

H. Collection and Dissemination of Information

1. **ETP Reports to FETPIP and EFM**

ETP's must report participant's data for each approved program to the Florida Education & Training Placement Information Program (FETPIP) pursuant to section 445.004 (9) (e) and the Employ Florida Market Place² (EFM). Florida law requires that educational and workforce training providers report student/participant performance data for each of their training programs to FETPIP.

Other institutions that wish to be approved as a WIOA ETP must become licensed with the Commission for Independent Education (CIE), when applicable, which coordinates the gathering and analysis of student performance with FETPIP. Institutions providing secondary training, education or skills that wish to be approved as a WIOA ETP must maintain regional AdvancED/SACS accreditation as a secondary public or private school district.

I. Appeals

For an appeal from any decision made by the Board, the appellant shall follow the appeals procedure established on section C. For an appeal from any decision made at the State level, the appellant shall follow the appeals procedure established by DEO.

M. Cancellation of Policy

This policy may be cancelled or amended by the Board or its designee at any time and without notice, effective immediately or at such time as the Board may determine. Exceptions may be made to this policy when doing so is in the best interest of the Board or its customers. No contractor or service provider of the Board is authorized to offer assistance different from or in addition to the assistance described in this statement of policy, except as such authority may be expressly granted in this statement of policy.

N. Definitions

CareerSource Florida (CSF): CareerSource Florida is the principal workforce policy organization for the State of Florida. When mentioned in this policy, it is understood that CSF is acting on behalf of the Governor as provided in Section 101 (d), WIOA.

² Once accommodations have been completed for reporting

Credential: a formalized recognition (such as a certificate or certification) of an individual's attainment of measurable technical or occupational skills necessary to obtain employment or advance within an occupation., the technical or occupational skills being generally based on standards developed and/or endorsed by employers. A credential can be stacked with other credentials as part of a sequence to move an individual along a career pathway or up a career ladder. (A "work readiness" certificate is not included in this definition because it does not document "measurable technical or occupational skills necessary to gain employment or advance within an occupation").

Department of Economic Opportunity ("DEO"): The Department of Economic Opportunity is Florida's state workforce executive agency and is CSF administrative entity for this policy. When mentioned in this policy, it is understood that DEO is acting on behalf of the Governor as provided in Section 101(d), WIOA.

Eligible Training Provider ("ETP"): A provider of training services programs who has met the eligibility requirements to receive WIOA Title I Adult and Dislocated Worker funds for providing training services programs to eligible individuals in the Local Area. Eligible training providers may also receive Title I Youth funds through ITAs under certain conditions.

Individual Training Accounts are training funds that can be used by individuals who have been determined eligible by the Board staff to receive WIOA/Welfare transition (WT) approved training.

Participant: A person who is eligible under, and receiving training services under, Title I-B in an approved program from an approved training provider. It may also be referred to as a "customer or student".

Program of Training Services: A training services program is one or more courses or classes, or a structured regimen that leads to a recognized post-secondary credential, degree, secondary school diploma or its equivalent, or employment, or measurable skill gains toward such a credential or employment.

Program completer: A program participant who has met all the requirements of a training program.

Recognized Postsecondary Credential: a formalized recognition consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State or Federal Government, or an associate or baccalaureate degree.

Targeted Occupation Lists (TOL): These lists are compiled locally and statewide, and define demand occupations based on short/long term growth forecasts with a focus on occupations requiring high skills and provide high wages. Local TOLs are compiled and approved by Local Boards in consultation with DEO's Labor Market Statistics Center, based on data provided by the Workforce Estimating Conference, and additional data provided by the Local Boards. The state list is a compilation of the local TOLs from the 24 Local Boards. Unless excepted, training services programs for adults and dislocated workers must be directly linked to demand occupations on the local and/or state lists. Local Boards may add or remove occupations based on local needs or requirements.

ACTION:

All CareerSource Polk employees, contractors, service and training providers will adhere to this policy.

CONTACT:

Contract Manager or Vice President of Operations

EXPIRATION DATE:

Indefinite