



P.O. Box 35008/1300 Baxter Street
Charlotte, North Carolina 28235
(704) 348-2717 Fax: (704) 347-4710
E-Mail: dhollars@centralina.org
www.centralinaworks.com

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SUBJECT: Eligible Training Providers

PURPOSE: To establish criteria and minimum standards for the certification of Eligible Training Providers to receive Workforce Investment Act (WIA) funded Individual Training Account (ITA) vouchers. Local Workforce Development Boards are required to make a determination regarding whether WIA resources will be used to support training. An ITA is a mechanism used by local Workforce Development Boards to establish an account to pay for Board approved training through a locally established voucher system.

BACKGROUND: The workforce investment system established under the Workforce Investment Act (WIA) of 1998 emphasizes informed customer choice, system performance, and continuous improvement. The eligible provider process is part of the strategy for achieving these goals. Local Boards, in partnership with the State, identify training providers and programs whose performance qualifies them to receive WIA funds to train adults and dislocated workers. According to Part 663.500 of the Federal Final Rule, the eligible provider process should be administered in such a manner to assure that significant numbers of competent providers, offering a wide variety of training programs and occupational choices, are available to customers. After receiving core and intensive services and in consultation with case managers, eligible participants who need training use the list of these eligible training providers to make an informed choice.

Attachment A outlines the criteria, minimum standards and procedures to be used by the Local Area for certifying Eligible Training Providers.

ACTION: No action required; for information only.

EFFECTIVE DATE: August 17, 2005

EXPIRATION DATE: Indefinite

CONTACT: Any questions regarding this issuance should be addressed to Emily Clamp 704.348.2732 or eclamp@centralina.org

DISTRIBUTION: All Centralina WDB WIA Service Providers

David L. Hollars

David L. Hollars, Executive Director

Centralina Workforce Development Board, Inc. Attachment – As Stated 08-17-2005
Criteria, minimum standards, and procedures to be used by the Centralina Workforce Development Board Local Area for Certifying Eligible Training Providers *

Eligible training providers are those entities eligible to receive WIA Title 1-B funds to provide training services to eligible adult, dislocated worker and youth customers.

A. The following organizations may apply for certification as an eligible training provider:

1. Post secondary educational institutions providing a program under Title IV of the Higher Education Act of 1996 that lead to associate degrees, baccalaureate degrees, and/or certificates.
2. Entities that carry out programs under the National Apprenticeship Act.
3. Any other training providers including entities that provided training under the Job Training Partnership Act (JTPA).

B. Description of Eligible Program of Training:

1. One or more courses that, upon successful completion, leads to a certificate, diploma, associate degree or bachelor's degree or;
2. Competency or skill recognized by employers or;
3. A training regimen that provides individuals with additional skills or competency generally recognized by the business community.
4. Telecommunication offerings, including online courses, as part of a program of study. ** See Footnote **
5. The proposed training must lead to a national or state recognized occupational skill credential resulting in certificate, degree, or diploma **AND** the occupational skill must have been identified by the WDB as in demand in the local area. If this requirement has been sufficiently addressed, the application process may continue.

C. Eligible Target Population:

As defined by the NC Division of Employment and Training's WIA Client Forms Completion Guide, training services may be made available to an employed or unemployed adult or dislocated worker, provided that:

1. The individual has met the eligibility requirements for intensive services, has received at least one intensive service, and has been determined by appropriate WIA Service Provider staff to be unable to obtain or retain employment through such services **and**;
2. The individual has been determined by appropriate WIA Service Provider staff to be in need of training services and to have the skills and qualifications to successfully complete the program **and**;
3. The individual has selected a program of training services that is directly linked to the employment opportunities either in the Local Area or in another area to which the individual is willing to relocate **and**;
4. The individual is unable to obtain grant assistance from other sources, including Federal Pell Grants, to pay the costs of such training or requires WIA assistance in addition to other sources of grant assistance **and**;
5. The individual is determined eligible in accordance with any State or local priority system in effect if services are provided through the adult funding stream.

D. Initial Eligibility Requirements:

1. Training provider applicants must submit their initial application on line by logging into the North Carolina State and Training Accountability Reporting System (STARS) website (www.ncstars.org). For multiple training programs, separate applications must be completed for each program to be considered potentially eligible to redeem WIA-funded vouchers. **Incomplete applications will be declined for WIA voucher at the time of initial review and an email will be sent to the applicant.** A completed application will have all the necessary information filled in, including the results of the previous participants in the training providers requested program. Applicants that have complied with all Board requirements specified in this policy shall receive an email reply within 30 days from the date that their completed application is received by the WDB. The Board's decision will also be posted on NCSTARS.
2. In order to be considered by the CWDB to meet the initial eligible training provider requirements, the training provider must have been in business for a **minimum of one year**. In addition, if an approved training provider

* Requests for online courses will be determined on an individual basis.

has a request for a new program, the new training program must have been in existence for a **minimum of one year**.

3. The proposed training must lead to a national or state recognized occupational skill credential resulting in certificate, degree, or diploma **AND** the occupational skill must have been identified by the WDB as in demand in the local area. If this requirement has been sufficiently addressed, the application process may continue.
4. After the initial application has been printed from the NCSTARS website, within thirty days staff will send a letter to the training provider to acknowledge receipt of the application and to provide a copy of the Local Area's policy and procedures concerning requirements for processing.
5. The Centralina Workforce Development Board staff shall review the training provider's application to determine if Board requirements are met and will present the application to the Board for consideration.
6. The following terms will be used to describe the status of the application in NCSTARS:
 - a) Approved: Approved means that the local Workforce Development Board has approved the use of ITA's for this training.
 - b) Pending: Pending means that the application is under review by the local Workforce Development Board.
 - c) No Decision: No decision means that the local Workforce Development Board has not made a determination regarding the training.
 - d) Special Approval: Special Approval means that the local Workforce Development Board may offer ITA's for this training based on special circumstances and needs of the customer.
 - e) Training not in demand in local area: Training not in demand in local area means that the proposed training program is not on the list of high-demand occupations for the area as determined by the local Workforce Development Board.
 - f) Declined for WIA voucher: Declined for WIA voucher means that the local Workforce Development Board has declined to provide vouchers for this training. Please contact the local Workforce Development Board for further information.

E. Requirements for Training Providers Approved for WIA Vouchers:

1. Training providers who have met the initial approval process to receive WIA Title I B funds will be required to comply with the USDOL regulations and any other interpretations published by the USDOL. Funds available under WIA Title I are authorized under and administered under N.C.G.S. 143B-438.13, July 1, 1999. Administration and operation of this program is subject to compliance with the federal Workforce Investment Act of 1998, State policies and procedures as issued from the Department of Commerce, Division of Employment and Training, and local policies and procedures as issued by the Eastern Carolina Workforce Development Board.
2. The approved training provider will be required to comply with the procedures for issuing and reimbursing ITA vouchers that have been established by the WIA service provider responsible for referring potential participants for training. All reimbursement agreements will be between the training provider and the WIA Service Provider.
3. Approved training providers may remain certified as eligible training providers for an initial one year period. Upon review of satisfactory performance data and compliance with Local Area policies and procedures, the provider may be recertified as eligible. If performance data is unsatisfactory, the training provider will be removed from the approved training provider list.

F. Appeals and Grievances:

The CWDB will notify the training provider of the Board's decision by email containing the availability of an appeal process. A letter will be sent to the training provider within thirty (30) calendar days of the Board's action. An appeal by the applicant for reconsideration of the initial application must be made in writing within thirty (30) calendar days upon receipt of the letter. The training provider can request that the Board reconsider their decision. After the board has reconsidered the same training provider twice, the second time will be the final decision.

G. Removal from the Eligible Training Provider List:

The WIA Federal Final Rule Part 663.565 states that a training provider must deliver results and provide accurate information in order to retain its status as an eligible training provider. If the provider's programs do not meet the established performance levels, the programs will be removed from the eligible provider list. The Board must determine the subsequent eligibility determination process, whether a provider's programs meet performance levels as described below.

The following criteria will be utilized for removing eligible training providers:

1. The training provider has intentionally supplied inaccurate information on an application. Upon determination, the training provider will lose its eligibility for two years from the date of determination. All local WDBs and JobLink Career Center operators and other training providers will be notified immediately of the removal of a provider from the State approved list.
2. The training provider has substantially violated any requirement under the Workforce Investment Act. Upon determination, the training provider loses its eligibility for a certain period of time or sanctions may be imposed. All local WDBs and JobLink Career Center operators will be notified as to what conditions have been imposed.
3. The training provider failed to meet the applicable performance criteria during the previous year based on an annual review and reporting process, the training provider will not be approved for the next year. Meeting the performance criteria will be the main factor in re-establishing eligibility. All WDB and JobLink Career Center Operators will be notified. All requirements, sanctions and the grievance process will be transmitted to training providers in writing so they will be aware of their responsibilities, rights and sanctions.
4. A provider whose eligibility is terminated may be liable for re-payment of all funds received for the program during any period of non-compliance.
5. The training provider whose eligibility has been terminated can appeal that determination by:
 - a. Submitting a written request for a hearing to the Commission on Workforce Development. This hearing conducted by the State Commission must take place within 30 calendar days of receipt of the request by the State Commission.
 - b. The hearing shall include an explanation as to why the eligibility was terminated and an appeal by the training provider as to why the decision should be reversed or a compromise established.
 - c. A final judgment by the State will be rendered within 10 working days of the hearing and will include the length of time the provider must remain ineligible, if any, and conditions that will justify re-establishing eligibility.

* This policy is subject to change without prior notice.