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LOWER SAVANNAH WIOA INSTRUCTION NUMBER: PY'18-004

TO: **Lower Savannah Workforce Development Area**

ORIGINAL DATE: **July 1, 2019**

EFFECTIVE DATE: **July 1, 2019**

SUBJECT: **LOCAL ELIGIBLE TRAINING PROVIDER POLICY**

PURPOSE: To outline the Lower Savannah Workforce Development Area's (LSWDA) procedures and requirements for the initial approval and addition of training providers and their programs of training to the LSWDA Eligible Training Provider List (ETPL) and to outline the on-going requirements for continued Eligible Training Provider (ETP} eligibility.

BACKGROUND: The Workforce Innovation and Opportunity Act (WIOA) of 2014 requires both the state and local areas to establish and maintain a list of Eligible Training Providers known as the ETPL. The Eligible Training Provider List (ETPL) is a comprehensive list of approved training providers and programs of training compiled to provide Workforce Innovation and Opportunity Act (WIOA) Title I participants a full array of training programs designed to meet their needs for employment or a career pathway.

WIOA is not an entitlement program and instead provides training to eligible participants through Individual Training Accounts. It is focused on informed customer choice, job-driven training, provider performance and continuous improvement. Only approved training providers and programs listed on the ETPL are eligible to be reimbursed with WIOA Title I training funds. Training is a means to an end. For the LSWDA that end is full-time family-sustaining and life-sustaining employment. How the communities we serve get to this point is immaterial to the LSWDA: that they get here is our chief concern. Any entity seeking access to our local ETPL will be asked to present a documented connection between the training that is being proposed/offered and direct placement into full-time, life and family-sustaining employment.

The LSWDA routinely issues Instructions to its sub-recipient organizations and Workforce partners regarding Policies and Procedures for handling various situations relating to Workforce Development within the Region.

POLICY:

To be included on the LSWDA ETPL, all training providers must apply and be added to the State of South Carolina ETPL listing. This is housed on SC Department of Employment and Workforce's (SCDEW) Palmetto Academic and Training hub (PATh) website. Training providers are required to set up a PATh account and submit an application and program data through PATh. SCDEW

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will make an initial determination of statewide eligibility within fourteen (14) calendar days following the receipt of an application and program data from the training provided submitted through PATh. SCDEW will notify the local area of the approval of the training provider's application via PATh application.

For all new training providers, the LSWDA staff will review the PATh application information for consistency with the standards of local ETPL inclusion (rate of workforce participation, avg. salary of program completers, etc.) and make a recommendation to the Lower Savannah Workforce Development Board (LSWDB) to either approve or deny inclusion on the local ETPL.

Other Factors to Consider:

ETPL Training Provider/Program Denials. The following are the most common reasons a training provider/entity is denied entry onto the local ETPL:

- A training provider based in SC with one or more training programs that only provide online classes/labs
- A training provider based outside of SC with one or more training programs that only provide online classes/labs
- The training program does not provide training in the four+ locally established training clusters of
    a. Healthcare
    b. Transportation, Distribution & Logistics
    c. Advanced Manufacturing
    d. Construction
    e. Information Technology related to the clusters listed above
- Poor performance by the training provider and/or training program(s)
- Complaints concerning the training provider and/or training program(s)
- Training that does not result in a credential such as a "credential consisting of an industry – recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal government, or an associates or baccalaureate degree."
- New training provider and/or training program(s) without established training results
- Training provider does not have license issued by a government regulating body
- Out of state/In state training provider is at a distant location from the LSWDA area

Training providers must assure that all programs of training:

- Be offered to the general public and be billed at the same price as WIOA students are required to pay.
- Will follow their general public refund policy for WIOA students.
- Comply with the local policy that WIOA student enrollment must not exceed 50% of the course of study's total enrollment during a course of study.

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- Result in an 80% training related employment placement rate for WIOA students for each program year {beginning July 1 and ending the following June 30). New schools and/or courses are limited to 5 WIOA funded students until successful performance is established.
- May not exceed a maximum of two {2) years in length to allow a WIOA student to complete the course of study.
- Are for an in-demand occupation in the LSWDA and must lead to a self-sufficient wage as defined by SC DEW.
- Are not to be comprised solely of online classes offered only virtually or remotely.
- Appropriate facilities and systems of training providers must be accessible for monitoring and/or auditing by all appropriate representatives and/or agents, of the Federal, State, and LSWDA.

Please note; WIOA students enrolled in training programs are required to communicate at least monthly during training and after training for twelve months following exit from training with a South Carolina Works Center staff person to discuss training progress, challenges, career goals and employment status.

Training Site Code of Conduct:

Once approved as a local training provider, the site will be subject code of conduct outlined below in all of its communications with the LSWDA staff, LSWDB, WIOA participants, other training providers, SC Works and Contractor staff.

The code of conduct requires the following, but is not limited to:

- Respectful written and verbal communications.
- Prohibition on personal attacks.
- Prohibition on threatening language or engaging in suggested harm.
- Prohibition on harassment and/or stalking.
- Adherence to all federal, state and local WIOA written guidelines and policies.

If any of the code of conduct requirements are violated, concerns should be submitted to the LSWDA EO Officer for review and investigation. The finding will be submitted to the LWSDB along with a recommendation from the EO Officer. The LSWDB will make a determination of whether the code of conduct was breached and recommend appropriate measures to address the violation which could range from temporary suspension of WIOA participant enrollments or, in extreme circumstances, removal from the local ETPL.

Reimbursement of Training Costs:

No training entity shall start a WIOA participant in training until the participant has an executed

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ITA that provides details on the dates, funding, and parameters of training for the participant.

Reimbursement for programs of training will be made through the use of a voucher, issued in an amount sufficient to cover the costs for WIOA students who are unable to obtain other grant assistance for such services, including Federal Pell Grants; or for WIOA students who require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants.

Training providers shall invoice the contractor/sub-recipient for training services provided to WIOA participants according to instructions in the ITA. All invoices must have appropriate supporting documentation attached. Appropriate supporting documentation shall include, but not be limited to, a copy of the redeemed voucher certificate, WIOA participant attendance records, periodic and final reports on the WIOA participants' progress, grade or competency achievement, and performance appraisals (when applicable).

Reimbursements will be made in the order in which they are received. Delays in SCDEW funding may occasionally affect the timing of ETPL reimbursements.

Appeals Procedure:

Any training entity choosing to appeal a decision must submit a written appeal to the LSWDB via the local EO Officer, within 30 calendar days of the issuance of the denial notice. The written appeal shall be submitted to the EO Officer and must include:

- A statement of the desire to appeal.
- Specifically, and in detail, the grounds and the reasons upon which it is claimed that the denial was erroneous.

The LSWDB will not consider any factual grounds for relief that are not set forth in the Training entity's appeal submission. The LSWDB may request/require additional information to accurately review any submitted appeal.

All appeals to the Lower Savannah Workforce Development Board should be submitted to:

Ms. Sally Sharpe
Equal Opportunity Officer
2748 Wagener Road
Aiken, SC 29802
ssharpe@lscog.org

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INQUIRIES: Direct all inquiries regarding this instruction to the Lower Savannah Council of Governments' Workforce Development Staff, Lower Savannah Council of Governments, Post Office Box 850, Aiken, South Carolina 29802-0850, telephone 803-649-7981, fax 803-649-2248, or e-mail abanderson@lscog.org.

André B. Anderson

Workforce Development Administrator

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