

SOP 21-07
Training Provider Eligibility and
Establishment of the Eligible Training Provider List under the
Workforce Innovation and Opportunity Act (WIOA)
Standard Operating Procedures
Grow Southwest Indiana Region 11
Approval Date: August 27, 2021

Purpose

To provide new information and guidance for the INTraining program and the Eligible Training Provider List (ETPL) as required under WIOA.

Rescission

DWD Policy 2017-01, Training Provider Eligibility and Establishment of the Eligible Training Provider List under the Workforce Innovation and Opportunity Act (WIOA) implemented as Region 11 SOP 17-04.

Action

DWD Policy 2020-16 Training Provider Eligibility and Establishment of the Eligible Training Provider List under the Workforce Innovation and Opportunity Act (WIOA) will be implemented as Region 11 SOP 21-07.

Content

Under WIOA, the workforce development system emphasizes informed consumer choice, job-driven training, training provider performance, cost-effective investment of public funds, and continuous improvement of service delivery. The quality and selection of providers and programs of training services is vital to achieve these core principles.

WIOA requires each state to compile and disseminate a single statewide list of eligible training providers, known as the Eligible Training Provider List (ETPL). This statewide list ensures the accountability, quality, and labor-market relevance of training programs that receive funds through WIOA. It also a means for ensuring informed customer choice for individuals who are eligible to receive training services.

The INTraining website and all corresponding procedural documents can be found at INTrainingDWD.org.

It is **important** to note the distinction between the **INTraining list** and the **ETPL**.

- **INTraining list:** Contains all training provider applicants whose training programs meet the basic application standards set by the Indiana Department of Workforce Development (DWD).
- **ETPL:** Contains a subset of INTraining providers whose training programs meet additional demands and performance criteria set by the Indiana Department of Workforce Development (DWD) per the Workforce Innovation and Opportunity Act (WIOA). These training programs are eligible for WIOA funding through the local WorkOne office.

For additional guidance, please refer to DWD Technical Assistance 2020-17 Workforce Innovation and Opportunity Act (WIOA) INTraining and Eligible Training Provider List (ETPL) Procedural Guidance.

Eligible Training Providers

An Eligible Training Provider (ETP) is an entity that provides a program of training services and has been determined as eligible to receive WIOA funding for training services through an Individual Training Account (ITA)*. These providers and programs will be included on the state ETPL. Indiana's ETPL will be administered through the INTraining website, which has been updated to support the implementation of WIOA by providing enhanced features and accessibility for users.

*An ITA is a payment agreement established by a local workforce development board (local board) on behalf of a participant with a training provider and may be used to pay for any allowable type of training, if the program of training service (also referred to as "program of study") is on the state ETPL

Only the entities listed below may apply for inclusion on the INTraining list, and these are the only entities eligible to provide training for participants who enroll in a WIOA Title I funded program of training services. Training provider entities eligible to apply for inclusion on the INTraining list include:

- A. Institutions of higher education that provide a program that leads to a recognized postsecondary credential, or
- B. Registered Apprenticeship Programs (RAP)- (See Eligibility Exceptions: Apprenticeships section); or
- C. Other public or private providers of training service, that may include:
 - o Community-based organizations
 - o Joint labor-management organizations: or
- D. Eligible providers of adult education and literacy activities under Title II of WIOA if such activities are provided in combination with training services described at 20 CFR§ 680.500: or
- E. Local Workforce Development Boards (LWDBs) if they meet the conditions of WIOA Section 107(g)(1).

ETPs are subject to the equal opportunity and non-discrimination requirements contained in Section 188 of WIOA and implementing regulation at 29 CFR part 38, including complain processing procedures and assurances as required by the same.

Eligible Training Provider List (ETPL)

The ETPL will be made publicly accessible to consumers through the INTraining website. The list will also be provided in formats accessible to individuals with disabilities. Local boards must assist the state to ensure the dissemination and appropriate use of the ETPL through the local one-stop delivery system, including formats accessible to individuals with disabilities. Discrimination is prohibited based on national origin, including limited English proficiency. The ETPL will be accessible in other formats and languages consistent with the requirements of 29 CFR 38.9.

Eligible Programs of Study

WIOA allows the use of multiple kinds of participant training delivered in-person, online, or in a blended approach. Eligible types of training for inclusion on the INTraining list include:

- A. Occupational skills training, including training for non-traditional employment
- B. On-the-job training (OJT) – (See the Exception section below)
- C. Incumbent worker Training (ICT) – (See the Exceptions section below)
- D. Programs that combine workplace training with related instruction, which may include cooperative education programs – (See the Exception section below)
- E. Training programs operated by the private sector
- F. Skill upgrading and retraining
- G. Entrepreneurial training

- H. Job readiness training provided in combination with the training services described in (A) through (G)
- I. Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services provided in any of clauses (A) through (G)
- J. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of training – (See the Exceptions section below)

Initial and Ongoing Eligibility Requirements

Under WIOA, the State of Indiana has set specific requirements a training program must meet to be eligible to receive WIOA funding. Training providers must complete initial and annual requirements to receive and maintain eligibility on the INTraining and ETPL. The Governor's Workforce Cabinet (GWC) in consultation with DWD reserves the right to review and reestablished the initial and continued eligibility requirements on an annual basis. These requirements include:

- In-demand metrics
 - Training leads to an in-demand occupation in the region
 - Training leads to a post-secondary credential
- Performance metrics
 - Meets the minimum performance criteria set by DWD
- Annual Review of the application information
- Federal Performance Reporting to the United States Department of Labor (USDOL)

Termination

DWD reserves the right to terminate a training provider or program from the INTraining or ETPL for any reason. Training providers may request a review by DWD for any provider location or program that has been terminated. A training provider may request up to three reviews by DWD:

- Administrative review
- Appeal of administrative decision, and
- Objection to the Department Review Committee's decision.

Eligibility Exceptions

Work-based Training Programs

While work-based training programs may apply to be consider for the ETPL. Per WIOA. Certain-based training program are exempt from ETPL eligibility requirements. These programs may be eligible for WIOA funding utilizing a direct contract in lieu of being listed on the ETPL. These programs include:

- A. On-the-job training (OJT)
- B. Incumbent Worker Training (IWT)
- C. Customized Training (this include State Earn and Learn)
- D. Internships
- E. Transitional Employment
- F. Paid of Unpaid Work Experience opportunities

Apprenticeships

USDOL Registered Apprenticeship Programs (RAPs) are automatically eligible to be included on the ETPL and are exempt from federal, state, and local ETP eligibility and federal performance reporting requirements.

Local Workforce Development Board

A local board has the flexibility to determine how it will deliver training. Only ITAs require the use of an ETP from the ETPL. Local boards may implement additional requirements for providers, except for RAPs. Adding local ETPL requirements would result in the local ETPL containing a subset of the state ETPL. A local board that does not add requirements must include all state ETPs on its local ETPL. In either case only training providers that are approved for the state ETPL may be included on the local ETPL.

If the local board chooses to enforce additional requirement, the local board must adopt a policy, explicitly detailing the additional requirements. Local boards must ensure that the state ETPL is disseminated publicly though the local one-stop system and its partner programs, including formats accessible to individuals with disabilities. The ETPL must be accessible in other formats and languages consistent with the requirements of 29 CFR 38.

Review of Determination

Local Workforce Boards have the right to request a review of regional occupational demand and certificate inclusion from DWD. Training providers have the right to request a review of program approval from DWD.

Effective Date

Immediately

Ending Date

Upon rescission.