

## WORKFORCE SERVICES

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### ELIGIBLE TRAINING PROVIDER PACKET POLICIES AND PROCEDURES

**Purpose:** To provide instruction, guidance and establish criteria and procedures for organizations wishing to provide training services and receive funding under the Workforce Innovation and Opportunity Act of 2014 (WIOA). The Workforce Innovation and Opportunity Act supersedes the Workforce Investment Act of 1998 (WIA).

#### References:

- Workforce Innovation and Opportunity Act (WIOA)
- WIOA Final Rule

**Instructions:** To be added to the Eligible Training Program List (ETPL), located at [http://dlr.sd.gov/workforce\\_services/individuals/training\\_opportunities/approved\\_programs.aspx](http://dlr.sd.gov/workforce_services/individuals/training_opportunities/approved_programs.aspx)

1. Read and understand the policies and procedures outline in this document.
2. Fill out the Eligible Training Provider (ETP) Program Report (Attachment A).
3. Complete and sign the ETPL Application (Attachment B).
4. Application Process
5. If you are interested in being an approved training provider for WIOA Title I funding on the Eligible Training Provider List, complete the application online, then print it, sign it, and email to [DLRETPL@state.sd.us](mailto:DLRETPL@state.sd.us) for review. You may also mail to:

**ETPL Program**  
**South Dakota Department of Labor and Regulation**  
**123 W. Missouri Ave., Pierre, SD 57501**

The Workforce Innovation and Opportunity Act (WIOA) strives to provide informed consumer choice, job driven training programs, provider performance and continuous improvement. WIOA training provider requirements increase accountability and transparency through reporting, biennial review and performance outcomes. WIOA requires the South Dakota Department of Labor and Regulation (DLR), on behalf of the Governor and in consultation with the South Dakota Workforce Development Council (WDC), to establish criteria and procedures regarding the eligibility of training providers to receive WIOA Title I funds. WIOA Title I training funds are for the provision of training services directed towards high demand occupations and training programs allowing WIOA Title I participants to earn a credential within two years after beginning their studies.

**Transition Process:** The Department of Labor and Regulation (DLR) is transitioning to a new Management Information System (MIS) and website. Upon completion of this transition, the data submission process will be supplied to the approved training providers, including additional required data elements.

#### Responsibilities:

**DLR is responsible for:** Identifying high demand occupations eligible for WIOA Title I Occupational Skills Training funds based on the interpretation of South Dakota Labor Market Information. Program approval is based on high wage and high demand occupations.

- Developing, maintaining and disseminating of the official list of training providers and training programs in South Dakota for public use.

- Ensuring programs meet the eligibility criteria and performance levels established by the State of South Dakota.
- Removing programs do not meet established program criteria, performance levels or fail to report required data.
- Ensuring sufficient numbers of training providers have the expertise to assist individuals with disabilities, are available to assist adults in need of adult education and literacy activities.

**Three categories of training providers subject to ETPL requirements:** Training providers are required to be on the Eligible Training Provider List (ETPL) in order to receive WIOA Title I funding. Training services are provided through Individual Training Agreements (ITA). Eligible training providers allowed to receive ITAs are included in the following categories:

- **Category 1:** An institution of higher education with a program resulting in a recognized post-secondary credential.
- **Category 2:** An entity with programs registered under the National Apprenticeship Act.
- **Category 3:** A public or private provider of a training service program, including joint labor-management organizations and eligible providers of adult education and literacy activities under Title II, if such activities are provided in combination with occupational skills training.

A provider described in category 1 or category 3 must comply with these procedures to be included on the ETPL. Category 2 is exempt from eligibility and may be included and maintained on the list while the corresponding program of the provider remains a registered apprenticeship program.

**National Apprenticeship Programs:** The U.S. DOL Office of Apprenticeship State Director will provide contact information for new registered apprenticeships to DLR on an annual basis. These entities will then be made aware of the Eligible Training Program Form for National Apprenticeship Programs. Registered Apprenticeship programs must remain in good standing with the Office of Apprenticeship.

**Initial Application Requirements:** Training service programs excluded from the current ETPL must submit an initial application (Attachment B) to DLR by March 30 to be included on the list for the next program year. The initial application (Attachment B) must provide verification of their accreditation, authorization to provide training, or education beyond secondary level in South Dakota or a curriculum outline. Initial applications must also provide verification of their nondiscrimination policy in compliance with WIOA Section 188.

Applications will be reviewed by the WDC for approval during the regular board meeting. By May 31 the training provider will be informed of approval or denial status, or if additional information is needed. This information will be emailed to the contact provided by the applicant on the application.

Approved programs will be listed on the ETPL and remain eligible until the end of the following program year. For continued eligibility consideration, programs must follow the requirements for continued application.

**Continued Application Requirements:** Training programs on the current ETPL must submit a continued application; along with Attachment A and B no later than March 30 for approval consideration for the following program year. DLR staff will review the data provided in Attachment A to ensure compliance with the performance requirements listed below. Decisions will be emailed to the contact on the application by May 31. Approved programs will be listed on the ETPL and remain eligible until the end of the following program year.

**Current ETPL:** You may view the current list of approved training providers at [dlr.sd.gov/workforce\\_services/individuals/training\\_opportunities/approved\\_programs](http://dlr.sd.gov/workforce_services/individuals/training_opportunities/approved_programs)

**Performance Requirements:** Continued eligibility will be based on programmatic performance data. All programs eligible for a continued application must meet the minimum performance requirements as identified in Attachment A:

- Program Completion Rate: **20% of total participants entering a program must complete the program.**
- Programs with less than 10 students enrolled will not be included in performance data.
- Program performance information will be included on the ETPL and in the WIOA Annual Report.

**Conditions for Removal:** If a training program fails to meet the minimum performance requirement for two consecutive years, or fails to provide required data or performance information, may be removed from the ETPL. Providers removed for one of these reasons, may re-apply for continued eligibility by demonstrating compliance with all requirements under WIOA law.

If a training provider supplies false performance information, misrepresents cost or services, or substantially violate requirements of

WIOA law or regulations, they must be removed from the ETPL for a period of at least two years. Providers may be required to repay all WIOA Title I funds received during the period of non-compliance.

If a training provider or program of training services is removed from the ETPL while WIOA participants are enrolled, the participant may complete the program unless the provider or program has lost authorization to operate in South Dakota.

**Appeal Process:** If a training provider is rejected from inclusion the ETPL or terminated from eligibility, they have the option to appeal. A written request for appeal and a statement of justification, explaining why the provider should be included on the ETPL must be submitted via e-mail to [DLRETP@state.sd.us](mailto:DLRETP@state.sd.us) within 15 business days after notification of ineligibility or termination. Written appeals should not exceed one page.

The training provider will be contacted within 15 business days of DLR's receipt of the appeal to schedule a hearing with the ETPL appeals board. The board will consist of a DLR Labor Program Specialist, the Workforce Training Director and a WDC member. The Board will issue a final decision within 60 business days of the date of the hearing. If denied, a program will be unable to reapply through the ETPL eligibility process for two years from the date of final notification by the ETPL Appeals Board.

**Inquiries:** If you have any questions or concerns regarding this issuance, please contact 605.773.5017 or [DLRETP@state.sd.us](mailto:DLRETP@state.sd.us).

**Agreement / Acknowledgements:** As a partner of WIOA Occupational Skills Training programs, we do ask for your cooperation when serving WIOA Title I funded students. This includes:

- Coordinating financial aid, grants and scholarships with WIOA Title I resources and ensure WIOA Title I funds do not duplicate funds otherwise available to the participant.
- Ensuring WIOA Title I funds are used for required tuition, fees and books only.
- Ensuring distribution of participant funds is communicated with DLR Local Office staff.
- Coordinating with WIOA Title I staff to create tutoring options for WIOA Title I participants who could benefit from services.
- Acknowledging if the program is approved for students to receive assistance through WIOA, the information contained in the application, including performance requirement information, will be available for the public to view on the DLR website.

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## ELIGIBLE TRAINING PROVIDER PACKET ATTACHMENT A

Training Facility: \_\_\_\_\_

Training Program of Study: \_\_\_\_\_

**Please provide data from July 1 to June 30 of the previous year. (i.e. when reporting for 2019, data is from July 1, 2017 to June 30, 2018)**

ITEM	DEFINITION	NO.
<b>Total Served</b>	The total number of students enrolled in this program of study in the reporting period.	
<b>WIOA Participants Served</b>	The total number of WIOA Title I participants who received training services in this program of study during the reporting period.	
<b>Total Exiters</b>	The total number of students who completed, withdrew or transferred from this program of study in the reporting period.	
<b>WIOA Exiters</b>	The total number of WIOA Title I participants who received training services in this program of study who completed, withdrew, or transferred from this program of study in the reporting period.	
<b>Total Completers</b>	Total number of students who did not withdraw or transfer out from the program of study within the reporting period.	
<b>WIOA Completers</b>	Total number of WIOA participants who did not withdraw or transfer out within the reporting period.	
<b>Total Credential</b>	Total number of students who obtained a recognized postsecondary credential, or secondary school diploma or equivalent.	
<b>WIOA Credential</b>	Total number of WIOA Title I participants who obtained a recognized postsecondary credential, or secondary school diploma or equivalent.	
<b>Overall Completion Rate</b>	Percentage of students who complete the program.	

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### DLR STAFF ONLY

<b>WIOA Title I Adult and Dislocated Worker Participants</b>	<i>The total number of WIOA Title I Adult or Dislocated Worker participants who received training services in this program of study during the reporting period.</i>	
<b>WIOA Title I Adult and Dislocated Worker Exiters</b>	<i>The total number of WIOA Title I Adult or Dislocated Worker participants who received training services in this program of study who completed, withdrew, or transferred from this program of study in the reporting period.</i>	



Prerequisites (check all that apply):

- None     High School Diploma/Equivalent     Associates     Bachelors     Courses

Program Length: \_\_\_\_\_ weeks (in weeks by a full-time student)

Note: WIOA participants must be able to complete training within two years to be eligible for tuition assistance.

### COSTS

Program cost (tuition, fees): \$ \_\_\_\_\_

Books, required equipment/supplies, etc.: \$ \_\_\_\_\_

Living Costs: \$ \_\_\_\_\_

### TRAINING AND OCCUPATION

Length of Training \_\_\_\_\_ contact hours. (Clock Contact Hours – total number of actual hours per week a student spends attending class or other instructional activities that count toward completing a program of study)

Type of degree or credential earned at the completion of the program:

- Leading to an associate degree     Leading to a certificate of completion of an apprenticeship  
 Leading to a baccalaureate degree     Leading to certificate of completion  
 Leading to a secondary school diploma or equivalent  
 Leading to a license recognized by the State involved or the Federal Government  
 Leading to an industry recognized certificate: \_\_\_\_\_  
 Employment

Name of Credential (i.e. LPN, AWS, etc.. ): \_\_\_\_\_

Six Digit CIP Code: \_\_\_\_\_ (<https://nces.ed.gov/ipeds/cipcode/Default.aspx?y=SS>)

O\*NET SOC Codes (up to three): \_\_\_\_\_  
[onetonline.org/crosswalk/CIP?s=&g=Go](https://onetonline.org/crosswalk/CIP?s=&g=Go)

**For all initial applications (if selected at the top of the first page of this form):**

- Attach verification of accreditation or authorization to provide training or education beyond secondary level in South Dakota or a curriculum outline.
- Please attach the provider's non-discrimination / equal opportunity policy.

### CONDITIONS AND ASSURANCES

By checking the box, provider (or organization) understands and agrees to the Conditions and Assurances as outlined here: [https://dlr.sd.gov/workforce\\_services/wioa/wioa\\_manual/workforce\\_form10b\\_conditionsandassurances.pdf](https://dlr.sd.gov/workforce_services/wioa/wioa_manual/workforce_form10b_conditionsandassurances.pdf)

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## ELIGIBLE TRAINING PROVIDER PACKET ATTACHMENT C

**For all applications:**

Tuition assistance for WIOA Title I participants is determined on an individual need and is based on the availability of federal funds to the Department of Labor and Regulation. We look forward to continuing our partnership to assist WIOA Title I participants in receiving the training they need to improve their employment situation.

I have read, understand and agree to the requirements of an Eligible Training Provider as outlined in this document. Program information contained in this application and performance outcomes of the program of study will be made available to the public on the ETPL.

I certify that the information provided on this application is correct to the best of my knowledge.

By signing this application, I, as a provider or representative of the provider, am agreeing to comply with all requirements of the program. **I have read and understand the policies and procedures of an Eligible Training Program.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print, sign and scan the completed form, and email to **DLRETPL@state.sd.us** for review. You may also mail to:

**ETPL Program**  
**South Dakota Department of Labor and Regulation**  
**123 W. Missouri Ave., Pierre, SD 57501**

<b>STATE USE ONLY</b>		
Approved:	YES	NO
Date:		
Date Approval Letter Sent:		
Date Denial Letter Sent:		
Approval Expiration Date:		