



April 20, 2016

WIOA POLICY 15-WIOA-5.3

WIOA TRAINING PROVIDER AND TRAINING PROGRAM ELIGIBILITY

This WIOA policy is issued to provide guidance to all training providers (including new providers and those previously provided transitional eligibility) and the Local Workforce Innovation Boards (LWIB) and local workforce innovation areas (LWIA) on the process for determining eligibility of providers and training programs. It is intended that this policy letter is interim until further guidance is received by USDOL and final changes are made to the Illinois Workforce Development System (IWDS).

I. POLICY

A. General Eligibility of Training Providers

The following outlines the general criteria for a training provider to be considered for initial eligibility by a Local Workforce Innovation Board (LWIB), as well as for its training programs.

1. The Workforce Innovation and Opportunity Act (WIOA) requires all states to establish a procedure for Local Workforce Innovation Boards (LWIBs) to determine eligibility for training programs. Only eligible training providers and their eligible training programs will be included in the state's Eligible Training Provider List (ETPL). The requirements of this policy letter apply to all organizations providing training services to WIOA adults and dislocated workers.
2. Providers of on-the-job training, customized training, incumbent worker training, internships, and paid or unpaid work experience opportunities, or transitional employment shall not be subject to the requirements of this policy letter.
3. Training providers and training programs previously approved for transitional eligibility on July 1, 2015 under WIOA Transitional Policy Letter #7 must apply and be approved for continued eligibility prior to July 1, 2016 following the process outlined in Section E.
 - a. Transitional providers and programs that are not provided such determination by July 1, 2016 must follow the process for initial eligibility as outlined in Section C.
 - b. New providers or programs that were not approved for transitional eligibility must follow the process for initial eligibility as outlined in Section C.
 - c. WIOA participants enrolled in training programs that are not approved for continued eligibility prior to July 1, 2016 shall be allowed to complete the training program.

- 1) The only exception is if a training provider and/or its programs are determined to have intentionally supplied inaccurate information or to have substantially violated any provision of the WIOA regulations or of Title IB of the Workforce Investment Act (WIA), or substantially violated any other requirements as outlined in local policy.
 - i. Customers of such programs shall be provided assistance in enrolling in a similar training program to complete the intended training outcome, or if not available, a new training program.
 - 2) A provider of training services whose eligibility is terminated under subparagraph A.3.c.1 may be liable for the repayment of funds received under WIOA or WIA.
4. To be eligible to receive funds for the provision of training services, the provider shall be:
- a. an institution of higher education that provides a program that leads to a recognized postsecondary credential;
 - 1) This may include programs receiving approval or accreditation by the U.S. Department of Education, Illinois Board of Higher Education, Illinois Community College Board, or Illinois State Board of Education;
 - b. an entity that carries out programs registered under the Act of August 16, 1937 (commonly known as the ‘‘National Apprenticeship Act’’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) as recognized in Illinois by the U.S. Department of Labor (USDOL), Office of Apprenticeship; or
 - c. another public or private provider of a program of training services, which may include joint labor-management organizations; eligible providers of adult education and literacy activities under Title II if such activities are provided in combination with occupational skills training; or programs that have been recognized by the industry as meeting the standards necessary for approval or accreditation, when such standards exist.
- B. All Registered Apprenticeship (RA) programs registered with USDOL, Office of Apprenticeship or a recognized state apprenticeship agency are automatically eligible to be included as an eligible training provider so long as they show interest in being added to the Eligible Training Provider List (ETPL) and the following process is completed:
1. Registered Apprenticeships must indicate their interest in being included on the ETPL.
 2. Local Workforce Innovation Areas (LWIAs) should inform the RAs in their local area via mass email, phone call, or other method of these requirements.
 3. An RA may contact its LWIA or State of Illinois, Office of Employment and Training to indicate its interest in being included on the ETPL.
 4. LWIAs must notify Department of Commerce, Office of Employment and Training (OET) in writing of all registered apprenticeship programs that have shown interest in being included on the ETPL.

5. Notification to OET should be made to:

Illinois Department of Commerce and Economic Opportunity
Office of Employment and Training
Neely Schlosser
500 East Monroe Street, 9th Floor
Springfield, IL 62701-1643

ATTN: Ms. Paula Barry

or

Submitted electronically to paula.barry@illinois.gov with a copy to
neely.schlosser@illinois.gov.

6. The following information is required for inclusion on the ETPL and should be provided for all programs of the RA:

- a. Occupations included within the RA program(s);
 - b. Name and address of the program(s) sponsor;
 - c. Name and address of the Related Technical Instruction Provider(s), and the location(s) of instruction, if different from the program sponsor's address;
 - d. Cost of the program(s);
 - e. Method and length of instruction; and
 - f. Number of active apprentices in each program.
 - g. Registered Apprenticeship program sponsors that do not provide the Related Technical Instruction portion of the apprenticeship program (as outlined above) may be required to provide additional information about their education provider.
7. A Registered Apprenticeship program expressing interest in being included on the ETPL will be added on a statewide basis; thus, if it has multiple locations, the RA would only need to show interest once, but must still provide information on every program it is providing.

C. Initial Eligibility, except those providers and programs previously provided Transitional Eligibility (see Section A.3.) or Registered Apprenticeships (See Section B)

New training providers must apply for Initial Eligibility in accordance with the following guidance:

1. Applications for Initial Eligibility of Training Providers and Training Programs

- a. Applications for initial eligibility must be submitted according to the geographical location of the training program. The LWIA should instruct the training provider as to where they should apply for each training program, as follows:
 - 1) Training programs located in a single LWIA must initially apply with the LWIA where its program is geographically located.

- 2) Training programs offered in multiple LWIAs and identical across each of the LWIAs must initially apply to the LWIA in which the training provider has identified as its headquarters and/or primary location.
 - 3) Training programs offered in multiple LWIAs - but the program is not substantially the same across the various LWIAs - must initially apply to each LWIA in which the training program is offered.
 - 4) Training programs located out-of-state or not offered at a physical location (e.g., distance learning) must initially apply to the LWIA from which it anticipates receiving the most students.
- b. A training provider is prohibited from applying for training program eligibility in LWIAs where the program site is not geographically located, unless the LWIA in which the program is located denies eligibility or fails to act on the application within 30 days of the date of application.
2. General Eligibility - LWIBs must verify that all training programs (except those programs of out-of-state training providers) for which a training provider is seeking eligibility have met the following guidelines:
- a. The training provider has gathered all of the mandatory information found in Attachment A - Requirements for Training Program Eligibility and the information has been entered into IWDS.
 - 1) Once the LWIA has verified eligibility of a training provider, they must set up a Training Provider record in the Illinois Workforce Development System (IWDS) as outlined in Attachment A.
 - 2) After the LWIA has entered the training provider on IWDS, the LWIA must supply the training provider with the following:
 - a) The user ID for the primary contact that is generated by IWDS to be used by the training provider when they log into the system to request eligibility of training programs or need to update information on a training program;
 - b) The temporary password for the primary contact that is generated by IWDS to be used by the training provider to log into the system the first time (the primary contact for the training provider should then change the password to a personally selected unique password); and
 - c) The web address (<https://iwds.dceo.illinois.gov/iwds/iwdshome.html>) to the IWDS system that will direct the training provider to the appropriate system screen.
 - 3) The training provider should begin adding training programs into IWDS to be determined eligible and add contacts for each training program.
 - b. The specific training provider and training program performance data as outlined in Section J has been provided, when available.
 - c. The training provider has provided all other information required by the LWIA for which it is seeking eligibility.
 - 1) LWIBs reserve the right to impose additional criteria through local policy that is unique to conditions within a particular LWIA so long as they meet, at a minimum, federal and state requirements.

- 2) Conditions that should be considered include economic, geographic and demographic conditions in the area and characteristics of the population served by the provider may be considered.
- d. The training provider's program is intended to lead to placement in a Demand Occupation as identified on the Demand Occupation Training List for the Economic Development Region in which they are geographically located.
- 1) Exceptions to this requirement include:
 - a) The training program, as identified on the Demand Occupation Training List (DOTL), is intended to be a beginning step in a Career Pathway or Bridge Program that would lead to placement in a Demand Occupation.
 - b) The training provider's program provides **only** basic skills and/or remedial training.
 - 2) Occupations associated with eligible training programs can only be selected from those available on the demand occupation list.
 - 3) LWIAs may choose to accept applications for training in occupations from any of the Demand Occupation Training Lists in which they are geographically located.
 - 4) Once a customer has begun a qualified training program, he or she shall be allowed to complete the program regardless of whether the occupation still qualifies as a demand occupation.
 - 5) LWIBs may request additional occupations be added to their Regional list. Such conditions as a new plant opening, facility expansion, addition to the state or federal key sector initiatives or other reasons that might indicate multiple job openings will be available.
 - a) Requests may also be made to add an occupation when it is the beginning step in a Career Pathway or Bridge Program and is intended to be followed by further training in post-secondary education.
 - b) Requests must be made utilizing Attachment B - Demand Occupation Request Form and include at a minimum:
 - i) Annual average job opening data for the region, state, and surrounding areas that would support a significant number of employment opportunities;
 - ii) Entry level wage data;
 - iii) Information indicating the occupation is on a Career Pathway;
 - iv) Completion rates of the training program for both WIOA participants and all students; and
 - v) Entered employment rates in the occupation for both WIOA participants and all students.
 - (a) The data to be provided for WIOA participants under Section b)iv. and Section b)v. above can be through a report generated from the Illinois Workforce Development System (IWDS).
 - vi) All student data required under Section b)iv. and Section b)v. above should be for all students enrolled in the program of study for which the local board wishes to add to the Demand Occupation Training List and shall include WIOA participants.
 - c) A separate request form must be completed for each occupation the local area would like considered for inclusion on the list.

d) Requests should be made to:

Illinois Department of Commerce and Economic Opportunity
Office of Employment and Training
Neely Schlosser
500 East Monroe Street, 9th Floor
Springfield, IL 62701-1643

ATTN: Ms. Paula Barry

or

Submitted electronically to paula.barry@illinois.gov with a copy to neely.schlosser@illinois.gov.

- e. The training provider has provided the following assurances that it will comply fully with all non-discrimination and equal opportunity provisions of the laws listed below:
- 1) WIA Section 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially-assisted program or activity;
 - 2) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
 - 3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
 - 4) The Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination against qualified people with disabilities;
 - 5) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
 - 6) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
 - 7) 29 CFR Part 37 and all other regulations implementing the laws listed above; and
 - 8) This assurance applies to the grant applicant's operation of the WIOA Title I financially-assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I financially-assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.
- f. The LWIB has assured that the training provider has provided:
- 1) all of the information required above;
 - 2) any additional information provided by the training provider; and
 - 3) any additional information requested by the LWIB.
- g. An agreement between all parties involved, including the training provider and local area(s), on provisions for monitoring in accordance with Section K of this policy letter.

- 1) If the program occurs in another local area, arrangements must be made to ensure either the local area determining eligibility of the program or the local area in which the program is provided (or both) will conduct monitoring.
 - 2) If the program occurs in another state, arrangements should be made to ensure monitoring will be conducted by the state in which the training is determined eligible or provided.
 - a) Local areas should make every effort to ensure adequate monitoring is provided by the out-of-state local area; and
 - b) Local areas should limit the amount of travel necessary to conduct out-of-state monitoring; and
- h. The LWIB has reviewed the information and approved it as an eligible training program to add to the Eligible Training Provider List in IWDS.

3. Eligibility Timeline

- a. The LWIB must determine a program is eligible within 30 days of the application to the LWIA.
 - 1) One exception to this requirement may exist if the LWIB has provided authority to the LWIA to allow a committee of no less than two (2) individuals to conditionally approve programs in lieu of waiting for the LWIB determination of eligibility.
 - a) Where this exception has been granted, the program may be deemed eligible until such time as the LWIB can review and approve the determination of eligibility.
 - b) Conditionally approved programs must complete the application process as outlined in Section C.1 above.
 - 2) A second exception to the requirement to determine a program eligible within 30 days of application is being extended through June 30, 2016. This exception will provide up to 90 days, but no later than June 30, 2016, from application date for the LWIB to determine a program eligible. This is being extended to allow local boards ample time to meet and review the applications as this policy is phased in. After September 30, 2016, this exception expires.
- b. If the LWIB (or committee designated by the LWIB) fails to make a determination (or denies eligibility) of the program within 30 days of the application to the LWIA, the following actions will occur:
 - 1) The program is placed in a "capture list" on IWDS unless it was denied "for cause".
 - 2) Training programs that are placed on the capture list are available for 120 days to be selected by another LWIA and determined eligible by their LWIB. Once the 120-day period passes, the training program will be removed from the capture list.
 - 3) Training programs that did not meet the state performance criteria (as outlined in Section J) or were denied "for cause" will not be placed on the "capture list" and cannot be determined eligible as an approved training program for a period of two (2) years.
 - 4) The LWIA should notify the training provide that if a program does not meet all of the mandatory criteria for initial eligibility or is not accepted by the LWIB within 30 days for some other reason, the training provider can:

- a) appeal its acceptance status in accordance with Section I and if accepted, the program will be registered on IWDS and given full eligibility status, as long as the application process has been completed; or
- b) wait 30 days from denial of acceptance by the LWIB and reapply with another LWIA.

4. Initial Eligibility Date

- a. Once a training program has been determined eligible, the LWIA must enter the date the LWIB approved the program in the "Eligibility/Certification Date" field of the Training Program Basic Information screen on IWDS.
- b. The LWIA must also enter the date for continued eligibility of the training program in the "Next Elig./Cert. Date" field of the same screen. (Note: If the LWIA fails to enter a date in this field, the system will automatically generate a date that is one year from the eligibility/certification date.)
 - 1) The next eligibility (next certification) date must be within 1 year of the initial eligibility date.
 - 2) The next eligibility date (next certification) may be selected based on local or training provider needs and agreements. For example:
 - a) The LWIA would like to coordinate training program continued eligibility dates so that they have them coincide with regularly scheduled LWIB meetings;
 - b) An LWIB may instruct the LWIA to select continued eligibility dates that are distributed throughout the year so as to allow local boards to spread out their eligibility determination workload, thus avoiding the potential bottleneck of review and approval actions once per year; or
 - c) A training provider may wish to have all or some of their training program determinations of continued eligibility as a group to streamline the process.

D. Out-of-State Eligible Training Programs

Training programs that have been determined eligible by an out-of-state agency must meet the following requirements for eligibility determination in Illinois:

1. Illinois training provider programs:
 - a. If the training program offered in Illinois is identical (i.e., program description, program length, credits earned, licensure, award of certificate, etc.) to the training program offered in another state:
 - 1) The LWIB may choose to accept a training program which has been determined eligible in another state; or
 - 2) The LWIB may choose to require the training provider to seek eligibility of its training program through the procedures outlined in section C.1. of this policy letter.
2. If the training program offered in Illinois is not identical to the training program offered in another state, the LWIB must require the training provider to seek eligibility through the procedures outlined in section C.1. of this policy letter.

3. Out-of-state training provider programs
 - a. The LWIB may choose to accept the eligibility of an out-of-state training program that has been developed and determined eligible in accordance with guidelines of a local workforce area in another state; or
 - b. The LWIB may choose to require the training provider to seek eligibility of its training program through the procedures outlined in Section C.1. of this policy letter.
 - c. LWIBs should enter into reciprocity agreements with the LWIBs under which providers of training services may enroll customers into programs provided in states other than Illinois.
 - 1) Such agreement would provide the conditions by which the out-of-state provider of training services would not be subject to Illinois' eligibility procedures if the provider has been determined eligible by the other state with such an agreement.
 - 2) This reciprocity agreement is intended to diminish the burden on states and training providers to be subject to duplicative procedures and expands the array of training options available by additional training providers.

E. Continued Eligibility Process

This section provides the requirements for continued eligibility and continued inclusion on the Eligible Training Provider List (ETPL) for training providers and programs previously approved for initial eligibility and those training providers and programs that were approved for transitional eligibility (as provided under WIOA Transition Policy Letter #7).

1. LWIAs must ensure all training providers have their eligible training programs determined for continued eligibility on at least a biennial (at least every two years) basis to maintain their status as an eligible training program.
 - a. LWIAs may want to inform each training provider of any upcoming continued eligibility dates (i.e., a notice sent to the training provider 90 days prior to the continued eligibility date).
 - b. Continued eligibility is based on the date entered during the initial eligibility or most recent continued eligibility determination of the training program (as outlined in Section E.4. of this policy letter).
2. The LWIA must receive the training provider's intent to apply for continued eligibility of a training program or programs in sufficient time to meet the following continued eligibility timeline requirements.
 - a. The training provider expresses intent for continued eligibility of a training program by resubmitting the Training Program Basic Information application in IWDS.
 - 1) If a training program has had only changes in information that are not significant information (as outlined in Section F.2.a.), the training provider must make such changes in IWDS and save the Training Program Basic Information record.

- 2) If a training program has had no changes in information, the training provider must still save the Training Program Basic Information record.
 - 3) Once the Training Program Basic Information record has been saved, the Initial Criteria Status record will change to "Pending Continued Eligibility (recertification)".
 - 4) The change to "Pending Continued Eligibility (recertification)" status will prompt the LWIA that they must send the training program to the LWIB for review and determination.
- b. A report will be available for the local area to identify any training programs with a "Pending Continued Eligibility" status.
 - 1) The frequency of producing these reports will be a local decision.
 - 2) The LWIA should utilize due diligence in producing this report routinely throughout the year keeping in mind training programs may be jeopardized if they are not approved for continued eligibility promptly.
 - 3) The report is titled "Training Programs Nearing Continued Eligibility (recertification) Date" in IWDS.
3. The LWIA should continue to make available and enroll customers in any training program with a "Pending" status.
4. The LWIA has 90 days to submit the application(s) to the LWIB for review and approval. The submission to the LWIB should include the following items:
 - a. A current copy of the Training Program Basic Information record from IWDS;
 - b. Identification of items that have changed since the initial eligibility or most recent continued eligibility determination;
 - c. Performance data (as outlined in Section J of this policy letter) for the training program; and
 - d. Any additional information the training provider has submitted for review or the LWIB determines pertinent to the review.
5. The LWIB should grant continued eligibility to a training program based on the following:
 - a. State and local eligibility criteria are still being met;
 - b. State and local performance criteria have been met;
 - c. One or more O*Net codes associated with the training program remain on the current Demand Occupation Training List;
 - d. The training provider has maintained timely updates in the Illinois Workforce Development System of information on the training program; and
 - e. Other conditions for which the LWIB considers necessary for continued eligibility.

6. The LWIB must make a determination of eligibility of the training program within 30 days of receiving the application from the LWIA.
 - a. An exception to the requirement to approve subsequent eligibility of transitionally eligible providers and programs within 30 days of application is being extended through June 30, 2016. This exception will provide up to 90 days from application date for the LWIB to determine a program eligible. This is being extended to allow local boards ample time to meet and review the applications as this policy is phased in. After June 30, 2016, this exception expires. The 90-day period shall NOT extend past June 30, 2016 as these providers and programs must receive a determination no later than June 30, 2016 or they will be removed from the Eligible Training Provider List (ETPL) as their transitional eligibility period expires.
 - b. LWIBs must notify the LWIA within five (5) business days of their decision to approve continued eligibility as a training program.
 - c. The LWIA must update the Training Program Basic Information record in IWDS within ten (10) business days of notification by the LWIB. The update should include the following:
 - 1) The Status must be changed from "Pending Continued Eligibility (Recertification)" to "Accept" to indicate an accepted continued eligibility application.
 - 2) The Program Status must be listed as "Approved".
 - 3) The Last Elig./Cert. Date must be listed as the date the LWIB approved the continued eligibility, not the date the entry is made into IWDS.
 - 4) The Next Elig./Cert. Date should be listed as the date for which the next continued eligibility should take place (and should take into consideration the same factors for initial eligibility as outlined in Section C.3. of this policy letter).
7. Training programs that are not determined eligible by the LWIB within 30 days of receipt of the application from the LWIA will be removed from the approved program list and may reapply after one year.
8. Training programs that are not determined eligible within 120 days of their continued eligibility date will be removed from the approved program list in IWDS.

(Note: The intent of this provision is to automatically clear training programs from IWDS when they have not been approved for continued eligibility in a timely fashion. Such programs will not be available for selection and thus are removed.)
9. LWIAs shall cease to enroll customers in any training program that has been moved to the capture list. Customers who have already been enrolled in training programs that are removed from the capture list shall be allowed to complete such training programs.
10. A training provider may reapply for eligibility for any training program that was not determined eligible for any reason other than "for cause" reasons.

F. Training Provider or Training Program Change in Information

1. Training programs shall be subject to renewal of eligibility status by the LWIB or a committee designated by the LWIB of no less than two (2) LWIA staff whenever significant information for the training provider or training program has changed.
 - a. Significant information includes all of the "mandatory" fields on the Training Program Basic Information record in IWDS. (These items are identified by a ** on Attachment A - Requirements for Training Program Initial Eligibility and Continued Eligibility.)
 - b. Change(s) in any significant information must be entered in IWDS within ten (10) business days.
 - c. Submission of a change in significant information indicates a training provider's intent to renew eligibility and prompts the same requirements as under the current eligibility determination.
 - d. A decision under this provision that is made by a designated committee is deemed eligible until such time as the LWIB can review and approve the determination for renewal of eligibility-
2. Training programs should be subject to renewal of eligibility status by the LWIB or a committee designated by the LWIB of no less than two (2) LWIA staff whenever non-significant information on the training program changes prior to the continued eligibility date.
 - a. Non-significant information is any information that is a "mandatory" field (but not considered "significant", as outlined in Section F.1.a.) above) on the Training Program Basic Information application in IWDS, including O*Net codes associated with the training program. (These items are identified by a * on Attachment A - Requirements for Training Program Initial Eligibility and Continued Eligibility.)
 - b. The LWIB or committee should review the training program and all of the changes to determine if the changes have affected the conditions of the initial eligibility or continued eligibility determinations.
 - c. If the changes have significantly altered the training program, the committee should send the training program to the LWIB for renewal of the current eligibility approval.
 - d. If the changes have not significantly altered the training program, the committee should provide "Approval" of the program to continue its eligibility until its next scheduled continued eligibility date.

G. Denial or Revocation of Eligibility

A Local Workforce Innovation Board (LWIB) has the authority to deny approval of initial or continued eligibility or revoke the status of eligibility, and remove it from the eligible training provider list for a training provider or for a training program.

1. In accordance with WIOA, the eligibility of a training provider or its program(s) may be revoked and the training program removed from the approved list of training programs under the following circumstances:
 - a. Its annual performance fails to meet the minimum standards set by the State of Illinois or the LWIB for the WIOA performance measures;

(Note: At the time of issuance of this policy letter, the State of Illinois has not set minimum performance measures other than the requirement to provide performance data, if available.)
 - b. If it is determined at any time that the training provider intentionally supplied inaccurate information in its application for eligibility or continued eligibility;
 - c. The training provider substantially violated any requirement under WIOA or WIA; or
 - d. The training provider voluntarily chooses to cease being an eligible training provider or goes out of business.
2. Training programs that are removed from the eligible training provider list (ETPL) because of a failure in performance shall remain off the list for a period of not less than one year at which time the training provider may re-apply for continued eligibility of the program.
3. In accordance with WIOA, training programs that have been removed from the list of approved training programs based on the reasons found in Section G.1.b. or Section G.1.c. above:
 - a. Shall remain off the ETPL for a period of not less than two years at which time the training provider may reapply for continued eligibility of the training program;
 - b. May prompt the revocation and removal of all other training programs of the training provider for a period of no less than two years as determined by the LWIB; and
 - c. May result in the following actions being taken against the training provider:
 - 1) The eligibility of the training provider may be revoked;
 - 2) The eligibility of the training provider to receive funds for the program in question may be terminated;
 - 3) Any disallowed costs may be recovered; and
 - 4) The State of Illinois or LWIB may take any other action it deems appropriate.
4. LWIAs shall cease to enroll customers in a training program that has had its eligibility revoked.
 - a. Customers who have already been enrolled in such training programs shall be allowed to remain through completion.

- b. If it is deemed necessary to immediately close a training program (for such reasons as the training provider committed egregious violations or went out of business) the customers of such program(s) should be provided the opportunity to enroll in a similar program.

H. Notification and Appeal Procedures for Training Providers Denied or Revocation of Eligibility

1. An LWIB that denies or revokes initial or continued eligibility of a training provider and/or any of its training programs for which it has sought approval must notify the affected provider in writing of its decision. The notice shall include the following information:
 - a. The training program(s) that are being denied or revoked eligibility;
 - b. The reason(s) for the denial or revocation; and
 - c. Information about the opportunities the provider has to appeal the decision.
2. The notice must be sent within seven (7) days of the decision to the training provider via registered mail with a copy sent to Department of Commerce, Office of Employment and Training (OET).
3. The training provider has twenty-one (21) days, from the date of receipt of the notice of denial or revocation of eligibility in which to file an appeal to the local workforce investment board (LWIB). The appeal must include the following information:
 - a. A statement that the training provider is appealing the denial or revocation of its eligibility;
 - b. The reason(s) the eligibility should be granted;
 - c. Contact information for additional information; and
 - d. The signature of the chief executive of the training provider.
4. The appeal must be submitted formally, in writing, and must be sent by registered mail no later than the 21st day from the date of receipt of the notice of denial or revocation.
5. The LWIB, or a committee designated by the LWIB, will review the request for appeal within twenty-one (21) days of its receipt.
 - a. If an administrative error was made or if additional information submitted by the training provider changes the basis upon which the original decision to deny or revoke eligibility was issued, the decision may be reversed and the training program(s) granted the appropriate initial or continued eligibility for inclusion on the eligible training provider list (ETPL).
 - b. If the LWIB reverses its decision, it will notify the training entity of its action in writing within seven (7) days. The LWIB will also forward a request to OET for inclusion on the ETPL.

- c. If the LWIB does not reverse its decision to deny or revoke eligibility and inclusion on the ETPL, it shall notify the provider within twenty-one (21) days from the receipt of the request that the program(s) was not determined eligible.
 - d. The notice shall be sent in writing by registered mail. The notice will include information about the opportunities for the provider to appeal its denial of eligibility with OET. A copy of the letter will be forwarded to OET.
 6. A provider shall have twenty-one (21) days from the receipt of the final decision by the LWIB to appeal the denial or revocation to OET.
 - a. OET will have thirty (30) days to complete its investigation into the matter, gather additional information from the affected LWIB(s) file and from the provider (such as the completed local appeal), and issue a final determination of eligibility.
 - b. During this time period, OET will convene a meeting with the affected parties, if requested.
 - c. This final determination will be forwarded to the training provider and the LWIB(s) in writing.
 - d. If OET overturns the decision of the LWIB, the program(s) will be included on the statewide list within seven (7) days.
 - e. OET will not make a final decision to overturn the decision of an LWIB without convening a meeting with all of the affected parties.
 7. OET has the ability to ask an LWIB to deny or revoke a training provider or its program(s) eligibility and have it removed from the list "for cause".
 - a. If such decision is made, OET must send a formal written notice of its concerns to the affected LWIB(s). The notice will require local action on the matter.
 - b. The LWIB(s) will have the option of providing OET with additional information that would clarify and substantiate the provider's eligibility status or of initiating removal of the provider or its program(s) from the ETPL.
 - c. Both the notice from OET to the affected LWIB(s) and the board's response to the notice must be sent by registered mail.
 - d. The LWIB(s) has twenty-one (21) days to respond in writing to the OET notice.

I. Reinstatement on the Statewide List

1. Since it is possible for a training provider, which was not provided eligibility due to failure in performance, to improve upon its overall performance and otherwise rectify any other conditions of their denial or revocation as an eligible training provider, a provider may re-reply for eligibility after one year from its removal.
 - a. The training provider must comply with the requirements for initial eligibility;

- b. The training provider must demonstrate it has corrected all performance and other deficiencies which resulted in their removal from the ETPL; and
 - c. The local board must determine eligibility of the program and submit it for reinstatement on the ETPL.
 2. Since it is possible for a training program that was denied continued eligibility to undergo significant improvement, a provider may re-apply for initial eligibility of the training program when it can demonstrate its program quality with at least one year of performance information.
 - a. A provider whose training program is removed from the statewide list can therefore re-apply for program eligibility no sooner than one year from the date of the denial of program eligibility.
 - b. The provider must re-apply for program eligibility subject to the policies and procedures for continued eligibility found in Section C.3.
 - c. If the program meets the minimum state or local performance standards (if established), along with any other eligibility criteria in place at the time of re-application, the local board must determine the program eligible and submit it for reinstatement on the statewide list of eligible training programs.
 3. The local workforce innovation board must reaffirm that a program previously accredited by the North Central Association, the Illinois Community College Board, or the Illinois State Board of Education is still accredited or the accreditation has been renewed.

J. Performance Measures

All eligible training providers are required to provide basic performance data, when available, on their training programs in order to be approved for initial eligibility or continued eligibility.

(NOTE: The State of Illinois understands the current concerns with the ability of training providers to provide the required performance data. All training providers are encouraged to begin development of a process to comply with this policy that would include a plan for identifying all students enrolled in a program of study and capable data system to track the performance of such enrollees. Further guidance is needed from the Departments of Labor and Education in order to develop a concise policy. It is anticipated that this guidance will be available in calendar year 2016. Training providers should plan for the ability to provide this data no later than July 1, 2018. After this date, training providers may not be eligible to be added to the Eligible Training Provider List. Further guidance by the State will provide more detail as it becomes available.)

1. The specific training provider and training program performance information for ALL students of the program shall be provided, when available. The following ALL student performance data should include both WIOA and non-WIOA students:
 - a. Total number of students for this training program;

- b. Total number of exiters (defined as those students who completed, withdrew or otherwise are no longer enrolled in the program of study or equivalent and have no planned gap in service and no future services planned, excluding follow-up) in this training program;
 - c. Number of exiters who are employed during the second quarter after exit quarter;
 - d. Number of exiters who are employed during the fourth quarter after exit;
 - e. For all exiters in a program of study where a wage match occurred, the median wage earned in the second quarter after exit;
 - f. Credential Rate for exiters for this training program;
 - g. Employment Rate Q2 – completers (defined as a student who successfully completed the program of study in which they were enrolled);
 - h. Employment Rate Q4 – completers;
 - i. Median Wage Q2 – completers; and
 - j. Number of students who began the program of study compared to those who completed the program of study.
2. The WIOA student performance information for each of the data elements outlined in a.-j. above can be extracted from Illinois Workforce Development System (IWDS).
 3. The performance data required by J.1. above should be entered into the IWDS for the most current program year, as well as the previous three program years.
 - a. An example of this would be, during PY16, a CDL training program concluded in January 2016, the outcomes of those students should be reported for PY16, if they are available. Also, this CDL training program has been an ongoing training program since 2000. Data for those programs concluded during PY13, PY14, and PY15 should also be entered, if available.

K. Monitoring and Oversight

All programs approved for either initial or continued eligibility status will be subject to routine monitoring by the Local Workforce Innovation Board (LWIB) and OET.

1. The LWIB is required to conduct annual monitoring of all eligible training providers and their eligible training programs. The LWIB, at a minimum, should:
 - a. Ensure all eligible training providers have maintained all criteria for which they were determined eligible;
 - b. Reaffirm that a training program is still accredited or the accreditation has been renewed;
 - c. Ensure all eligible training program basic information in IWDS has been updated to reflect current information;

- d. Conduct routine visits at each location for which eligible training programs are conducted to ensure all assurances outlined in Section C.2.e.) of this policy letter continue to be met
 - 1) In determining the frequency of visits, the LWIB should prioritize as follows those locations:
 - a) With training programs approved for initial eligibility;
 - b) For eligible training programs exhibiting poor performance;
 - c) That have had the longest period since the last visit; and
 - d) That warrant a visit based on local criteria.
 - 2) Providers that coordinate and conduct e-learning programs must have visits conducted on their locations consistent with ensuring compliance with this section; and
 - 3) Routine monitoring visits to eligible training providers located outside of the local area (including in another LWIA or out-of-state) may be a coordinated effort so long as the monitoring is consistent with this section; and
 - e. Ensure that all eligible training programs have met the required performance measures as outlined in section J. of this policy letter.
2. The LWIB is required to cooperate with the OET during any monitoring and oversight activities.

II. INQUIRIES

Inquiries related to the requirements of this policy may be directed to:

Illinois Department of Commerce and Economic Opportunity
Office of Employment and Training
Neely Schlosser
(217) 524-5497
neely.schlosser@illinois.gov

III. ATTACHMENTS

- A. Requirements for Initial Eligibility and Continued Eligibility of Training Providers and Training Programs under WIOA Title I
- B. Demand Occupation Request Form

Sincerely,



Julio Rodriguez, Deputy Director
Office of Employment and Training

JR:mb

Requirements for Initial Eligibility and Continued Eligibility of Training Providers and Training Programs under WIOA Title I

A Training Provider must utilize the following guidance when applying for initial eligibility or continued eligibility of a training program. Only eligible training providers may submit an application for training programs. It is the local workforce innovation area's (LWIA) responsibility to inform and assist training providers in completing these steps to ensure they properly complete the application for eligibility.

- A. Once the LWIA has provided the training provider with the web address to the Illinois Workforce Development System (IWDS) (<http://iwds.state.il.us>), a user ID for the primary contact of the training provider and a temporary password will be emailed to the contact listed on the training provider. The training provider must then log into the system to begin adding additional locations, additional contacts, and/or training programs.
- B. The LWIA must verify that the training provider has entered all of the required data elements for each training program for which they are applying. Data elements are entered on the "Training Program Basic Information" record in IWDS. The following data elements must be verified:

(Note: Items with * are mandatory items, items with ** are mandatory items that prompt an automatic eligibility determination if changed.)

- ** Program Name (should match the name found in a course catalog for the training provider, if published).
 - a. ** Program Description (detail should be provided to assist the LWIA in determining the proper classification of Instruction Program Code (CIP));
 - b. ** 6-digit CIP code;
 - c. **O*Net code(s) that identifies the occupation the eligible training program leads to;
(Generally, the LWIA must complete **b & c** as the Training Provider does not know the proper code); and
 - d. * Website link to additional program information.
- Is this a credit hour program? If yes, how many credit hours for program completion? What is the curriculum code for this program (if one exists)?
- * How many weeks does it typically take to complete the program?
- * What are the total hours of instruction/classroom/lab time?
- * Other than employment, what is the primary goal of the program? (i.e., Associates Degree, Bachelors Degree, etc.) If other than listed, specify.

If Certification, License, or Registration, what is the name of the certifying, licensing, or registering body?

- * Identify up to three occupations for which the individual will be qualified to immediately hold after completing this program.
- What are the program offerings? (check all that apply)

Full-Time Enrollment	Part-Time Enrollment	Internships
Non-English Instruction	Classroom Instruction	Labs
Weekend Classes	Night Classes	Day Classes
Internet Instruction	Open Entry/Exit	Other (Specify)
- What are the entry level requirements of the program? (check all that apply)

Drug/Alcohol Screening	Language (Specify)
HS Diploma/GED	Writing (Specify)
Physical Exam	Prerequisites (Specify)
Math (Specify)	Other (Specify)
Other (Specify)	
- ** What is the total cost of this program? (round to the nearest dollar amount)

Tuition
Books
Fees
Tests
Other Expenses (Materials, Supplies, Tools, Uniforms, etc.)
TOTAL COST

Ensure the "Calculate Totals" field is selected to update the total cost of the training program.
- Types of financial aid available (check all that apply)

Pell Grants	Illinois Monetary Award Program
Federal Loans (Stafford, PLUS, etc.)	Institutional Scholarships
Other (Specify)	
- * What year was the program established?
- * Please put a check in the box of each location where this training program is offered.

If all locations for which the training program are not listed, use the "Add Location" field to add additional locations.

Note: Before adding a new location, the LWIA must ensure the location does not currently exist in IWDS. The LWIA should check variations of the location name when verifying this.

- * Has the provider given assurance and certification that their agency fully complied with the nondiscrimination, equal opportunity, and disability provisions of the Workforce Innovation and Opportunity Act?

(This must be answered with a Yes to be determined eligible.)

- * Is this facility and programs accessible to all people with a disability? (29 CFR 32.3)

(This must be answered with a Yes to be determined eligible.)

- Please describe the application procedure for this program. Include in this description any documents or materials that the customer should bring when applying for this program.

"Submit" should then be selected to submit the application for approval. "Save, but don't submit" should be selected if additional information needs to be entered before the application is sent for approval.

C. The LWIA must verify that the training provider has entered all of the locally required data elements for each training program for which they are applying. Data elements are entered on the "Training Program Local Information" record in IWDS. Local workforce innovation boards (LWIB) have the discretion of requesting additional information on training programs in addition to the required information found in Section B. above.

D. Once all information has been verified by the LWIA, they must submit it to the LWIB for review and approval.

E. Once approval has been given by the LWIB, the LWIA must return to the Training Program Basic Information record and complete the following fields:

- *Initial Criteria Status* - Should be changed to "Accept".
- *Program Status* - Should be changed from "Pending" to "Approved".
- *Initial Eligibility Date* - Should be the date the LWIB approved the program.
- *Last Eligibility Date* - This is a system generated field and will be the date the program was provided continued eligibility by the LWIB (for new programs, same as Initial Eligibility Date).
- *Next Eligibility Date* - Should be the next date for continued eligibility in agreement with LWIB, LWIA, and training provider, but in no case more than one (1) year from the initial eligibility date or two (2) years from the continued eligibility date recorded for the training program.

NOTE: Under the Transition Policy, the expiration date was extended until June 30, 2016 for all current training providers and training programs that were determined eligible or certified under WIA.

F. The LWIA must produce a periodic report of eligible training programs and check their status. If any training programs' status is listed as "Pending Continued

Eligibility", the training program must be reviewed and sent for continued eligibility. This may occur because the training provider changed information within the "Training Program Basic Information" record that prompts a new eligibility determination (as outlined in Section B above) or the training program's eligibility date has passed.

- The LWIA should produce the report frequently enough to:
 - a. Ensure they identify ALL programs needing continued eligibility prior to their continued eligibility date;
 - b. Provide the training provider with a notice of any upcoming training programs requiring continued eligibility (and update of information, if necessary); and
 - c. Ensure they provide sufficient time to:
 - Review the training program information to ensure it is current;
 - Send the training program to the LWIB for review and approval; and
 - The LWIA can update the "Training Program Basic Information" record prior to the system automatically removing it from the list of approved training programs.
- G. The LWIA must send ALL training programs with a "Pending Continued Eligibility" status to the LWIB (or the committee of two (2) or more individuals as designated by the LWIB) for review and approval.

Demand Occupation Request Form

1. Date of Request: __/__/____

Local Workforce Innovation Area Information

2. LWIA #: _____ 3. EDR #: _____ 4. Grantee Name: _____

5. Contact Name: _____ 6. Contact Title: _____

7. Contact Telephone #: (____) ____-____ 8. Contact Email: _____

Training and Occupation Information

9. Training Program Title: _____ 10. Primary CIP Code: _____

11. List any additional CIP Codes for this title: _____, _____, _____, _____

(Use the O*Net website for information <http://online.onetcenter.org/>.)

12. Occupation Title: _____

13. Primary O*Net Code: ____-____.____ 14. Additional O*Net Codes: ____-____.____, ____-____.____

15. Key Sector/Program of Study: _____

Supporting Justification

(This section will be used to provide a description of the justification for adding a particular title and code to the Demand Occupation Training List. Provide as much detail as possible to assist in the review process to determine the need for inclusion on the list.)

Employer Need

(List the employer(s) that will contribute to an increase in the total number of job openings specific to the O*Net codes listed above. Provide documentation from the employer(s) to verify their intent for the increase in opportunities over the next five years. Provide additional employer(s) on a separate sheet.)

16a. Employer Name: _____ 17a. # of Openings: _____

16b. Employer Name: _____ 17b. # of Openings: _____

16c. Employer Name: _____ 17c. # of Openings: _____

Supporting Information

18. (Provide a narrative description of the labor market information utilized to determine the need for job openings above the threshold in the Economic Development Region. This need should generate job openings over the next five to ten years. Include information on the Career Cluster and Key Sectors for which the job openings will exist. Attach any additional information and supporting documentation to the information provided.)

Approval

19. LWIB Chairperson (printed): _____ 20. Date: __/__/____

21. LWIB Chairperson Signature: _____

DCEO Review

Name of Reviewer (printed): _____ Date: __/__/____

Signature: _____