

# Introduction

## *Effective date:*

Under the Workforce Innovation and Opportunity Act (WIOA), participants in need of training services to enhance their job readiness or career pathway may access career training through a list of state-approved training providers and their state-approved training programs. Participants can select from the list of eligible training provider (ETP) programs that meet their needs. This policy describes the process for determining eligible training providers and programs for WIOA title I, subtitle B adult, dislocated worker, and out-of-school youth (OSY) aged 16-24 training participants and for publicly disseminating the list of these providers with relevant information about their programs.

The workforce development system established under WIOA emphasizes informed consumer choice, job-driven training, provider performance, and continuous improvement. The quality and selection of providers and programs of training services, including Registered Apprenticeship programs and others, is vital to achieving these core principles. WIOA requires that each State must maintain a list of eligible training providers and their eligible training programs. The list must be accompanied by relevant performance and cost information and must be made widely available, including in electronic formats, and presented in a way that is easily understood, in order to maximize informed consumer choice and serve all significant population groups.

The State is responsible for ensuring the success of the eligible training provider system in partnership with Local Boards, the one-stop system, and its partners. The approved list of eligible training providers should serve as an important tool for participants seeking training to identify appropriate providers, and relevant information such as cost and program outcomes. Using the list of eligible training providers, career planners in one-stop career centers can assist participants in identifying training and training providers in high demand industries that result in positive outcomes and recognized credentials.

## Legal References

- [WIOA sec. 116, 122](#)
- [20 CFR §680.400-680.530](#)
- [TEGL 41-14](#)

# Training Provider and Training Program Eligibility

## *Effective date:*

This policy outlines which providers may be eligible to receive training funds under WIOA Title I for participants who enroll in training services. Only eligible training providers and their eligible programs will be included in Iowa's Eligible Training Provider List (ETPL).

## **Potential Eligible Training Providers Include:**

1. Institutions of higher education that provide a program which leads to a recognized post-secondary credential
2. Registered Apprenticeship programs
  - a. These programs will be included and maintained on the ETPL for as long as the program remains registered under the National Apprenticeship Act.
3. Other public or private providers of training, which may include:
  - a. Community Based Organizations (CBOs) or private organizations of demonstrated effectiveness that provide training under contract with the Local Board
  - b. Joint labor-management organizations
  - c. Eligible providers of adult education and literacy activities under Title II of WIOA if such activities are provided in combination with occupational skills training

## **Program Eligibility**

A program of training services is defined as one or more courses or classes, or a structured regimen that leads to:

- An industry-recognized certificate or certification, a certificate of completion of a Registered Apprenticeship, a license recognized by the State involved or the Federal government, and associate's or baccalaureate degree
- A secondary school diploma or its equivalent
- Employment
- A measurable skill gains toward such a credential or employment

Training services could be delivered in person, online, or in a blended approach. Online providers may apply and be considered for inclusion on the ETPL. These providers will be required to meet the same eligibility and performance criteria established for classroom-based instructional providers.

Training programs must make every effort to provide training services that are physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, including individuals with disabilities.

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**Legal References**

- [WIOA sec. 122](#)
- [20 CFR §680.520, 680.410, 680.420](#)
- [TEGL 41-14](#)

## Enforcement

### *Effective date:*

If it's determined a training provider, or individual providing information on behalf of the provider, intentionally supplied inaccurate information or substantially violated any requirements of WIOA, any Iowa Workforce Development (IWD) rule or regulation, or any State or Federal labor law, eligibility shall be terminated for a period of not less than 2 years. A training provider whose eligibility is terminated will be liable for the repayment of funds received during the period of violation.

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### **Legal References:**

- [WIOA sec. 122](#)
- [20 CRF 680.480](#)
- [TEGL 41-14](#)

# Dissemination of Information

*Effective date:*

## **State responsibilities**

The state will disseminate the Eligible Training Provider list (ETPL), including performance and cost information, to local workforce development boards, the One-Stop delivery system and program partners and members of the public. The state will host the ETPL on an agency website. The state will ensure the ETPL is accurate and current.

## **Local workforce development board responsibilities**

Local workforce development boards are responsible for ensuring that all One-Stop staff members have access to the ETPL and are knowledgeable in regards to utilizing the ETPL. Local workforce development boards are also responsible for ensuring all One-Stop customers have access to the ETPL to assist them in making informed choices when choosing training services.

## **Legal References**

- [WIOA sec. 122](#)
- [20 CFR § 680.500](#)
- [TEGL 41-14](#)

## Transition of Current Providers

### *Effective date:*

The State of Iowa will require all entities wishing to be placed on the WIOA-compliant Eligible Training Provider List (ETPL) to complete initial eligibility via the Iowa Workforce Development case management system. All eligible training providers approved under WIA must reapply to have their institution or training entity and their programs placed on the WIOA compliant ETPL.

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### Legal References

- [TEGL 41-14](#)

# Initial Eligibility

## ***Effective date:***

All providers must submit required information to be considered for initial eligibility in accordance with the following guidance.

## **Apprenticeship Program Exemption**

Apprenticeship programs registered under the National Apprenticeship Act (NAA) are exempt from initial eligibility procedures. Registered Apprenticeship programs must be included and maintained on the list of eligible providers of training services as long as the corresponding program remains registered.

## **Information Submission Requirements**

Potential eligible training providers must submit the following information to the State via the Iowa Workforce Development case management system as a prerequisite to being reviewed for eligibility--and potentially deemed an eligible training provider:

1. A description of the training or educational institution including: provider name, address, email address, and name of contact person
2. A detailed description of each training program to be offered including cost of attendance, tuition and fees
3. Program specific performance information, including:
  - a. The percentage of program participants who are in unsubsidized employment during the second quarter and fourth quarter after exit from the program
  - b. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program
  - c. The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program
4. Description of provider partnerships with business
5. Information which demonstrates high quality training services that leads to recognized post-secondary credentials
6. Description of how the training program(s) align with in-demand industries and occupations
7. Description of how the training provider delivers training services to individuals who are employed and individuals with barriers to employment
8. Description of how training services are made available throughout the state, including in rural areas, and through the use of technology

A provider must be in statutory compliance with Iowa laws in relation to operation as a training education institution. Programs that become eligible under these procedures receive initial eligibility for one rolling year for each program. Once approved, programs will be subject to the continued eligibility policy.

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#### Legal References

- [WIOA sec. 116 and sec. 122](#)
- [20 CFR §680.450](#)
- [TEGL 41-14](#)



## Provider Exceptions

*Effective date:*

Providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience, or transitional jobs are not subject to the requirements applicable to entities listed on the eligible training provider list, and are not included on the State list of eligible training providers and programs.

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### Legal References

- [WIOA sec. 122](#)
- 20 CFR §[680.420](#) and [680.530](#)
- [TEGL 41-14](#)

# Out-of-State Eligible Training Programs

*Effective date:*

## **Border States**

Approved training providers and programs based in border states of Iowa are not required to complete an application for approval in Iowa. Applicable states include: Illinois, Minnesota, Missouri, Nebraska, South Dakota and Wisconsin. In order for an individual to obtain training through a training provider in a bordering state, the training provider must be listed on the applicable state's maintained Eligible Training Provider list (ETPL).

## **Other States**

Approved training providers and programs based in other states are not required to complete an application for approval in Iowa, as long as a reciprocity agreement between Iowa and the other state is established prior to WIOA funds being issued to an out-of-state training provider or program. In order for an individual to obtain training through an out-of-state provider, the training provider must be listed on that state's ETPL.

If a reciprocity agreement is unable to be established between states, WIOA funds may be issued to a training provider outside of Iowa when the following conditions are met:

1. The training program is not offered by any training providers or eligible training providers in Iowa; and
2. The training provider is in good standing on that state's ETPL.

## **Legal References**

- [WIOA sec. 122](#)
- [20 CFR §680.520](#)
- [TEGL 41-14](#)

# Reviewing/Renewing Eligibility

*Effective date:*

Procedures for continued eligibility for eligible training providers is a two part process. One process is to renew the eligible training provider status as an institution or training entity, and the other process is to renew each program of training services for that institution or training entity.

## **Review and Notification Process**

Training providers and programs renew their eligibility status by submitting the updated information to Iowa Workforce Development through the data management system. The State will review applications both for the provider and for the program(s) of training services. The State will terminate and remove providers that fail to meet criteria necessary to remain eligible. The training provider will be notified via e-mail when its status has either been renewed or terminated.

## **Renewal Timeframe**

If a provider of training services does not renew its status within 90 days prior to the renewal date, the provider and programs will be suspended. The training provider will no longer be permitted to provide training services funded by WIOA.

## **Institution and Provider Renewals**

For an institution or training provider to continue to be an eligible training provider, their status must be renewed, at a minimum, biennially based on the date the institution or training provider was last approved.

The institutional or provider renewal is an update of basic provider information and general performance data. Eligible training providers must renew their status by providing updated contact and State licensure and other accreditation requirements in an accurate and timely manner.

## **Provider's Program Renewals**

For an institution's or training provider's program of training services to continue to be eligible, the program's status must be renewed, at a minimum, biennially based on the date the program of training services was last approved. Program renewals may or may not occur concurrently with an institution's or provider's renewal. As part of the renewal process, data in the data management system will be reviewed in accordance with the Performance Accountability policy.

## **Legal References**

- [TEGL 41-14](#)

## Continued Eligibility

### *Effective date:*

This policy outlines what providers who were approved for initial eligibility must do if they wish to continue to be included on the Eligible Training Provider List (ETPL) after the initial eligibility period concludes. For continued eligibility of providers and programs the provider must provide the following information:

1. Program-specific performance information regarding participants, including:
  - a. The percentage of program participants who are in unsubsidized employment during the second quarter and fourth quarter after exit from the program
  - b. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program
  - c. The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program
  - d. Information on recognized post-secondary credentials received by program participants
  - e. Cost of attendance, including cost of tuition and fees
  - f. Completion Rate
2. A description of the provider and/or program provides access to training services through the use of technology
3. Relevant information reported to State agencies on Federal and State training programs other than programs within WIOA Title I
4. A description of the degree to which training program(s) align with in-demand industries and occupations in the State
5. Any applicable state licensure requirements of training providers
6. A description of training provider's ability to offer industry-recognized certificates and/or credentials through the program
7. A description of training provider's ability to offer programs that lead to post-secondary credentials
8. A description of the quality of the program of training services
9. A description of the ability of the providers to provide training services that are physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, including individuals with disabilities
10. A description of the time period covered and source of the eligible training provider's performance reports

A provider must be in statutory compliance with Iowa laws in relation to operation as a training education institution. Programs eligible under these policies will have their eligibility re-evaluated biennially.

- [WIOA sec.116 and sec. 122](#)
- [20 CFR §680.460](#)
- [TEGL 41-14](#)

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# Denial or Revocation of Eligibility/Conditions for Removal

## ***Effective date:***

Only the State can remove eligible training providers and programs from the ETPL and only after appropriate due process. Iowa Workforce Development (IWD) can remove a program, an eligible training provider, or both when IWD finds that a program eligible training provider or both:

- Intentionally submits inaccurate data and there is evidence of this;
- Has substantially violated any provision of Title I of WIOA and its regulations;
- Is in violation of state and/or local laws;
- Has ceased to be in business and/or lost its license to operate; or
- Fails to meet performance levels.

As part of the biennial review of eligibility, when the consumer report process and subsequent eligibility is complete, eligible training providers and/or programs may be subject to the removal procedure due to not meeting criteria or failure to meet established minimum performance levels.

After removing a training provider and/or program from the ETPL, local Workforce Development Boards (WDBs) cannot send WIOA participants to that training provider and/or its programs. A training provider removed from the ETPL list for failure to meet performance or for being in violation of the WIOA regulations, cannot apply for eligibility for a period of not less than 2 years after the official removal date. A provider whose eligibility is terminated under these conditions is liable to repay all youth, adult, and dislocated worker training funds it received during the period of noncompliance. Training providers may appeal a removal decision under the State appeal process.

## **Legal References**

- [WIOA sec. 122](#)
- [20 CFR §680.480, 29 CFR Part 38](#)

## Notification and Appeal Procedures

### *Effective date:*

If an institution or training provider has been denied as an eligible training provider, has lost eligibility, or has been terminated from the Iowa ETPL, the institution or training provider will be notified regarding the decision according to the contact person listed on the training provider's account.

The institution or training provider may appeal the denial or termination within 14 days from the date of receipt of notice of termination. The State will review the appeal, provide the opportunity for a hearing and issue a written decision/response within 60 calendar days of the receipt of the appeal.

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### Legal References

- [TEGL 680.480](#)

# Reinstatement on the Statewide List

*Effective date:*

## **Training Provider Reinstatement**

Since it is possible for a training provider 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-apply for eligibility 2 years after the official removal date.

The training provider denied must:

- comply with the requirements for initial eligibility; and
- demonstrate it has corrected all performance and other deficiencies which resulted in its removal from the ETPL.

## **Training Program Reinstatement**

It is possible for a training program that was denied continued eligibility to undergo significant improvement. A provider whose training program is removed from the statewide list can re-apply for program eligibility no sooner than two years from the date of the denial of program eligibility. Accordingly, 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.

The program denied must:

- re-apply for program eligibility subject to the policies and procedures for continued eligibility; and
- meet the minimum performance standards, along with any other eligibility criteria in place at the time of re-application.

## **Legal References**

- [TEGL 41-14](#)



## **Training Provider or Training Program, Change in Information**

***Effective date:***

In the event that information regarding an ETPL-approved training provider or training program changes, the current information must be entered into the data management system, and the training program(s) shall be subject to renewal of eligibility status.

Such information includes all of the required fields in the data management system. Changes in this information must be entered within ten business days of the change occurring. The program(s) will remain eligible until the change is reviewed by the State and eligibility can be determined.

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# Registered Apprenticeship

## *Effective date:*

All Registered Apprenticeship Programs that are registered with the U.S. Department of Labor/Office of Apprenticeship and approved by Iowa Workforce Development, are automatically eligible to be training providers and included on the Eligible Training Provider List (ETPL).

## **Termination of Registration**

Once included on the Iowa ETPL, Registered Apprenticeship Programs will remain on the list of eligible training providers until:

1. They are deregistered,
2. They notify Iowa Workforce Development that the program no longer wants to be on the list, or
3. It is determined that they have intentionally supplied inaccurate information or to have substantially violated any provision of WIOA Title I or WIOA Final Regulations.

See the Registered Apprenticeship ETPL policy for more information.

## **Legal References**

- [20 CFR §680.470](#)
- [TEGL 41-14](#)

# Training Providers Serving Trade Adjustment Assistance (TAA) Participants

## *Effective date:*

**Program eligibility for training funds:** the TAA program does not require training programs to be on the ETPL in order to receive training funds, however TAA participants may select a training program offered by a provider on the State list of eligible training providers.

**Who may approve training for TAA participants:** the cooperating state agency administering TAA for the state may approve that training if it meets the applicable TAA training approval criteria.

**Co-enrollment and precedence of TAA vs WIOA requirements:** if a participant is co-enrolled in a WIOA program and TAA, the TAA program also may fund training by a provider that is not on the State list of eligible training providers. However, if a co-enrolled participant receives training under WIOA, the requirements under WIOA apply.

## Legal References

- [TEGL 41-14](#)

# Performance Accountability

## ***Effective date:***

To ensure that customers are using federal funds to help customers make informed choices about which programs best suit their needs, WIOA requires the collection and reporting of program information such as cost and performance.

## **Initial Eligibility**

Eligibility for Iowa's Eligible Training Provider List (ETPL) is based, in part, upon program specific performance information, including:

- The percentage of program participants who are in unsubsidized employment during the second quarter and fourth quarter after exit from the program
- The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program
- The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program

In order to assess a training provider's continuing eligibility to remain an approved provider of Title I funds, Iowa will require specific outcome information from ETPs.

## **Continued Eligibility**

All providers who were approved for initial eligibility who wish to continue to be included on the ETPL after the initial eligibility period concludes, must comply with the following performance requirements:

- The percentage of program participants who are in unsubsidized employment during the second quarter and fourth quarter after exit from the program (best of second or fourth quarter employment rate of 30%)
- Median Earnings rate of \$2,800 of program participants who are in unsubsidized employment, measured second quarter after program completion
- Credential Attainment rate of 30% of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program
- Information on recognized post-secondary credentials received by WIOA program participants
- Information on cost of attendance; including costs of tuition and fees, for WIOA program participants
- Information on program completion rate for WIOA participants

## **Legal References**

- [WIOA sec. 116 & 122](#)
- 20 CFR [§680.460](#); [§680.490](#)

- [TEGL 41-14](#)

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