

**Southern Nevada Workforce Investment Board
General Policies and Procedures
ELIGIBLE TRAINING PROVIDERS**

EFFECTIVE DATE: February 10, 2010

NUMBER: 3.6r#1

**Supersedes SNWIB General Policies and Procedures
No. 3.6r dated 1-1-2008**

AUTHORIZATION: SNWIB

BACKGROUND:

The Workforce Investment Act stipulates that a list of Eligible Training Providers shall be developed and provided to participants eligible under the **older youth**, adult and dislocated worker programs as a tool for selection of training institutions. [Section 122(e), Section 134(d), §663.400, **§663.420**; State Policies 1.9, 1.10, 1.12, 1.13]

I. GENERAL PROVISIONS FOR STATE APPROVAL OF AN ELIGIBLE TRAINING PROVIDER

- A. Eligible providers of training services are those entities eligible to receive WIA Title I funds to provide training services to adult, dislocated workers **and older youth**. The SNWIB, in partnership with the State, identifies training providers whose performance qualifies them to be placed on the Eligible Training Provider List (ETPL).
- B. In order to provide training services, a provider must be:
1. Postsecondary educational institutions providing a program describes in WIA section 122(a)(2)(A)(ii);
 2. Entities that carry out programs under the National Apprenticeship Act (29 U.S.C. 50 *et seq*);
 3. Other public or private providers of a program of training services described in WIA section 122(a)(2)(C);
 4. Local Boards, if they meet the conditions of WIA section 117(f)(1); and
 5. Community-based organizations and other private organizations providing training under §663.430.
- C. A “program of training services” is defined as:
1. A certificate, an associate degree, baccalaureate degree, or

2. The skills or competencies needed for a specific job or jobs, an occupation, occupational group, or generally, for many types of jobs or occupations, as recognized by employers and determined prior to training.

II. GENERAL PROVISIONS FOR DEVELOPMENT OF A STATE-WIDE ELIGIBLE TRAINING PROVIDER LIST

- A. The Nevada Department of Employment, Training and Rehabilitation (DETR) has elected to administer a state-wide Eligible Training Providers List (ETPL). The Workforce Investment Support Services (WISS) division of DETR will perform approvals for vendors to be included on WISS's ETPL. Vendors who have been approved to be included on this list will be approved to be WIA Training Providers for the State of Nevada and in some instances, the SNWIB. **The SNWIB has developed in conjunction with the state, a local ETPL in which the vendors on the list have been approved by WISS but SNWIB WIA Service Providers are required to only use the SNWIB ETPL when providing their clients occupational skills training. Any and all exceptions to the use of any other ETPL in which SNWIB may have a reciprocal agreement, which includes the use of DETR's list, shall be only with the approval of the SNWIB.**
- B. All prices submitted on the application must be adhered to. SNWIB service providers cannot contract for training at a cost higher than the prices indicated on the SNWIB ETPL. Discounts may be offered only to SNWIB at the vendor's discretion. Price changes for approved courses must be submitted **on an annual basis**. The vendor must honor any prices in place prior to notification of the price increase and/or change. **The SNWIB has established a dollar amount of each individual training which is not to exceed \$10,000.00 and duration for each individual training which shall not exceed six months. (Reference: §663.420). All exceptions to these caps of cost and duration of training will only be at the discretion of the board.**
- C. Initial approval from the SNWIB will require that the entire application package be submitted with appropriate documentation as required. The SNWIB will perform an initial review of the application package and advise the vendor if there are any discrepancies or missing documentation prior to submission to the State WISS office. Once the SNWIB has determined that the application package is complete, a copy will be forwarded to the local WISS representative for final approval.
- D. Once approved, the WISS office will notify the SNWIB in writing. The SNWIB will then make a general announcement to the service providers of any additions/changes to the ETPL. The vendor will remain on the eligible training

provider list for one year. There will be a subsequent re-enrollment eligibility query issued in the fall of each year to existing training providers. Only vendors responding to the subsequent eligibility request for information will remain on the ETPL for the following year. **It is a SNWIB requirement that Training Providers update applicable information in their application, courses offered and the training cost on an annual basis.**

- E. In order for a training provider to continue to be eligible for the list, they are required to meet the performance criteria as established by the Governor. Due to the cost that may be involved for training providers to provide this information, the SNWIB will be responsible for collecting the performance report data and submitting it to the state on an annual basis, [Reference: Section 122 of the Act; §663.535; and state policy 1.12.]

III. **GENERAL PROVISIONS FOR INDIVIDUAL TRAINING ACCOUNTS**

- A. WIA funding for training is limited to eligible participants after their enrollment in WIA and are **unable** to obtain grant assistance from other courses to pay the costs of their training, and/or require assistance beyond that which may be available under grant assistance from other sources to pay the costs of such training which must be documented in the participant's file. [§663.400]
- B. Individual Training Accounts (ITA) are established on behalf of an eligible individuals to finance occupational skills training services. WIA Title I adults & dislocated workers **and older youth** shall select training services **only** from the list of SNWIB Eligible Training Providers who best meet their needs in consultation with their case manager. This training **shall not be approved** by a SNWIB service provider prior to an individual's determination of eligibility. [§663.410]
- C. **Training shall be directly linked to occupations that are in demand in the local area or in another area if the older youth, adult or dislocated worker are willing to relocate.** The SNWIB shall approve training services for occupations they determine to have a high potential for sustained demand or growth in the local area. [Section 134(d)(4)(G)(iii), SNWIB Policy 5.2]
- D. Procurement of training services shall be conducted at the service provider level, and the service provider shall be responsible for the training cost obligation. Eligible Training Providers must ensure that, prior to enrolling any student into training, the training institution obtain a written "voucher" verifying that the client has been approved for training, the dates of training, and the terms for payment. The SNWIB will reimbursement service providers for their payment of SNWIB approved training based on the terms of their written voucher agreement with the training provider. **The cost of an individual's training cannot be paid**

with WIA funds if the individual is enrolled in the training prior to their enrollment in a SNWIB WIA funded program. No payment shall be made to training providers by SNWIB service providers without the participant's attendance and status of their training documentation, commencing with the date of enrollment in training, in the participant's file. Failure not to have this documentation in a participant's file shall be cause for the SNWIB not to reimburse the service provider for the cost of the training.

- E. Individual training accounts must only be provided to eligible individuals when they are unable to obtain grant assistance from other sources to pay the cost of such training, including State funded training funds, Trade Adjustment Assistance and Federal Pell Grants established under title IV of the Higher Education Act of 1965, or require WIA assistance in addition to other sources of grant assistance, including Pell Grants (provisions relating to fund coordination are found at § 663.320 and WIA section 134(d)(4)(B)). Evidence of coordination and/or collaboration to leverage training cost with other agencies prior to expending WIA funds must be documented in a participant's file.

IV. **GENERAL PROVISIONS FOR TERMINATION OF A TRAINING PROVIDER**

- A. If the Southern Nevada Workforce Investment Board (SNWIB), working with the State agency, determines that the eligible provider substantially violates any requirement under the Act, the State agency shall recommend eligibility of such provider to receive funds for the programs involved or take such other actions as the SNWIB determines appropriate. [§663.565 and Section 122]
- B. Information used in determining termination of a Training Provider may be gathered from several sources:
 - 1. Through details gathered in Monitoring Reports completed under the policies set forth in the SNWIB Monitoring Guide;
 - 2. From performance information submitted by the SNWIB Service Providers under §663.540;
 - 3. As a result of any information conveyed through client initiation or customer satisfaction surveys
 - 4. Through subsequent eligibility determinations.
- C. Enforcement of termination of an eligible training provider shall proceed as follows: Reference: §663.565(b) (1), (2), (3);
 - 1. The SNWIB will submit a recommendation to the state agency to remove

the provider from the list

2. The designated state agency, upon receipt of the information accompanying the recommendation from the SNWIB, may recommend removal of the provider from the state list:
 - a. If the agency determines the provider failed to meet the levels of performance prescribed
 - b. If the provider has intentionally supplied inaccurate information or
 - c. If the provider has violated any provision of the Act or regulations.
- D. The designated state agency shall determine what disciplinary action is most appropriate for those eligible training providers found to be in violation of any requirement under the Act. It may be deemed that:
 1. A terminated training provider will not be eligible to receive funds for any programs for a period of time, but not less than two (2) years. [Section 122 (f)(1) and [§663.565(b)(3)];
 2. A terminated training provider may be liable for repayment of all funds received for the program during any period of noncompliance [§663.565(b)(3)];
 3. Action may be taken for any clients active in training to continue receiving services from another service provider for the remainder of their training period.
- E. Any eligible training provider found to be in violation of any requirement under the Act, for which disciplinary action has been determined to be appropriate, may appeal the decision in the following manner:
 1. A training provider may appeal the action of the SNWIB by requesting an independent review.
 - a. Such a request must be in writing from the provider to the Governor within thirty (30) days of the date of denial and must include factors the provider deems necessary to be considered in the review.
 - b. Upon request by the Governor, the SNWIB will appoint an independent review committee composed of parties without interest in the outcome.
 - c. The committee will make a recommendation to the Governor regarding the appeal within sixty (60) days of beginning the review.

- d. The Governor will issue a final decision on the appeal.