



## POLICY

<b>SECTION: WIOA &amp; WT</b>	<b>POLICY# 019-C001</b>	<b>PAGE: 1 of 9</b>
<b>TITLE: Eligible Training Provider Policy</b>		<b>EFFECTIVE DATE: TBD</b>
<b>REPLACES: Procurement, Approval and Maintenance of Training Providers and Programs</b>		<b>DATED: 09.2013; Revisions: 06.2017; 02.2019; 8.29.2019, 1.22.2020</b>

### **DISTRIBUTION: CAREERSOURCE TAMPA BAY STAFF**

**PURPOSE:** To establish CareerSource Tampa Bay (CSTB) process for the initial eligibility and renewal of eligible training providers for the provision Workforce Innovation and Opportunity Act (WIOA) and Welfare Transition (WTP) funded Occupational Skills Training Programs on the annual Hillsborough County list of Targeted Occupations. This policy will serve as guidance for CSTB Administrative and Program staff, Board members, Partners, Approved Training Providers and Service Providers.

**Applications for new training vendors are only accepted during the 1<sup>st</sup> quarter of the program year, July-September. Additionally, requests for program additions for an existing approved training provider will only be accepted during this time frame.**

**BACKGROUND:** The Workforce Innovation and Opportunity Act (WIOA) was implemented in 2014; section 134(d)(4)(D): Title I adult and dislocated worker training services must be acquired through the use of Individual Training Accounts, hereinafter referred to as “Individual Training Accounts” (ITA). ITAs can be used to access training from eligible Training Providers who have been approved by the Board of Directors. Those Training Providers that do not meet the criteria included in this policy can be utilized based on waiver approval by the CEO or his/her designee.

#### **POLICY:**

The Board of CSTB is responsible for approving eligible Training Providers of occupational skills training services and related training programs for the region’s targeted occupations. A process for application, contracting, and maintaining a list of Training Providers is outlined below and is consistent with CareerSource Florida Administrative Policy Number 90, WIOA Eligible Training Provider List.

- An “Eligible Training Providers and Programs and Approved Course List” (ETPL) for Region 15 will be maintained and updated throughout the program year. This list will be made

available to customers and staff in the CSTB American Job Centers on-line at [www.careersourcetampabay.com](http://www.careersourcetampabay.com).

- The Board reserves the right to withhold approval on any program applications deemed incomplete, or on programs considered unsuccessful based on cost, reported completion and outcome rates based on established entry criteria and on-going performance outcomes.
- The Board reserves the right to allow the CEO or designee the right to suspend enrollment and/or terminate any relationship with an approved training institution based on failure to comply with the terms and conditions provided within this policy and/or Training Provider agreement. Suspension of enrollment may also be based on programs considered unsuccessful due to a significant number of students obtaining employment outside of the field of study and/or completion/outcome rates. This information will be presented to the Workforce Solutions Committee or the CSTB Executive Committee for final determination and action.

## **Training Provider**

In order for a Training Provider to provide such training services, an educational entity must meet the requirements of WIOA section 122, 20 CFR 663.500, et seq. as well as comply with any federal, state or local guidance. Such entities include: postsecondary educational institutions, entities that carry out programs under the National Apprenticeship Act and other organizations that provide training services as defined by WIOA. In order for a Training Provider to be determined eligible to provide training in targeted occupations it will first be established that an institution falls into one of the following three categories:

### **1. Automatically Eligible Training Providers:**

- 1) Post-secondary educational institutions eligible to receive Federal funds under Title IV of the Higher Education Act of 1965 and that provide programs leading to associate degrees, baccalaureate degrees or certificates. This includes accredited universities and community colleges as well as some technical institutes/colleges.
- 2) Entities that carry out programs under the National Apprenticeship Act.

### **2. Other Public or Private Training Providers:**

Entities that do not fall under the above criteria must apply for listing on the ETPL through the CSTB. Note. When a postsecondary educational institution or an entity providing registered apprenticeships offers training services that do not meet the requirements under the criteria listed above (i.e. not degree or certificate-based, or not a registered apprenticeship), they must also apply through CSTB.

### **3. Out of County Training Providers:**

Participant may attend training if it is unavailable in Hillsborough County but is available and listed on ETPL in another region, the ETPL listing from the applicable Local Workforce Development Board's website as well Training Vendor information, including but not limited to: FEIN/FEID, Accreditation status, billing address and mailing address is to be obtained.

## **Out-of-State Training Providers**

Out-of-state postsecondary institutions that are not operating within the State of Florida and are not required to be licensed by CIE must provide the following information to CSTB if it wishes to do business in this region:

- 1) Performance information for each program for which it seeks approval, AND
- 2) Evidence that the institution (and applicable programs) is accredited by an accreditation agency approved by the United States Department of Education, AND
- 3) Evidence that the institution meets the licensing requirements of its home state, AND
- 4) Evidence that the institution is on its state's ETPL, AND
- 5) Evidence that the specified training program is not available in the State of Florida.

In order to provide performance information for its programs, out-of-state providers are required to report their student completer data to FETPIP to the extent feasible under established reporting mechanisms.

## **Waivers**

On a limited basis the Chief Executive Officer and his/her designee will have the authorization to provide a waiver to approve a training program or provider that is not listed on the local ETPL or approved list of training programs based on need/justification. This approval will be completed on a case-by-case basis.

On a quarterly basis any waivers approved by the CEO or his/her designee will be summarized and reported to the Executive Committee and/or the Board of Directors.

## **FETPIP**

Required Data Reporting to the Florida Education & Training Placement Information Program (FETPIP): Florida law requires that educational and workforce Training Providers report student/participant performance data for each of their training programs to FETPIP. Florida school districts, community colleges and state universities report their data directly to FETPIP. Any other institution that wishes to be approved as a LWDB ETPL WIOA Training Provider must become licensed with the Commission of Independent Education (CIE), which coordinates the gathering and analysis of student performance data with FETPIP.

## **Advertising**

CSTB will post the Eligible Training Provider application and approval process on the website.

## **Initial Inclusion**

Criteria for initial inclusion on the local ETPL includes the following:

- a) The Training Provider must submit a Training Provider application which is complete and accurate with all required attachments. Refer to "Become A Training Provider" at <https://www.careersourcetampabay.com/about-us/become-a-training-provider>.

- b) The Training Provider must agree to report student data for each approved program to the FETPIP in a timely manner. FS 445.004(9)(e).
- c) The Training Provider must agree to refund CSTB any tuition costs, fees, etc., based on the Training Provider's established written policy in the event a CSTB funded student exits. Full refund if student exists prior to add/drop date. Partial refund based on student's attendance in relation to program completion date.
- d) The Training Provider must agree not to offer unlawful remuneration to attract students. FS 445.009(8)(b).
- e) The Training Provider must submit up to date information on tuition, fees, and other charges made for each approved program. WIOA 122(d) & (e).
- f) The Training Provider must agree to engage in price negotiations with CSTB. FS 445.009(8)(b).
- g) The Training Provider must agree to not subcontract the delivery of the training and shall be directly responsible for provision of training.
- h) Unless approved, the Training Provider must agree that it will not approach customers within any CSTB facility to solicit enrollment.
- i) The Training Provider shall not be debarred or suspended as a Training Provider thru education programs offered by the U.S. Department of Veterans Affairs.
- j) The Training Provider must have been in business in the State of Florida for at least two years.
- k) The Training Provider may propose only programs that are (1) on the regional targeted occupations list for Hillsborough County, (2) allow the issuance of credentials upon training completion (certificate, degree, diploma) and (3) Wage Rate.
- l) The Training Provider must post all program costs on the institution's website for public view. These costs must clearly define tuition, fees and other associated costs.
- m) The Training Provider must be able to demonstrate fiscal solvency.
- n) The Training Provider must allow a CSTB staff to conduct site visit prior to final approval and meet ADA requirements.
- o) The Training Provider must not submit programs for consideration that directly lead to degrees that require more than 2 years to achieve. Apprenticeship programs are an exception to the 2 year cap and may be up to 5 (five) years.
- p) The Training Provider must agree that the price charged to CSTB by the Training Provider shall not be more than that charged to the general public or any other local workforce development board in Florida.
- q) The Training Provider must not create programs that target CSTB program participants unless requested to do so directly by CSTB.
- r) The Training Provider must agree that all CSTB participants will be afforded the same information on financial aid options, scholarship opportunities and educational/tuition discounts.
- s) The Training Provider must agree to provide Pell Program information, if applicable.
- t) The Training Provider must agree to track, supply and provide all required performance outcomes to include but not limited to: GPA, progress reports, credentials, certificate of completion to email address: [trainingvendor@careersourcetb.com](mailto:trainingvendor@careersourcetb.com). Subject line should include subject matter that is being provided.

## Training Provider Responsibilities

CSTB will conduct eligibility reviews to ensure that Training Providers and their programs continue to meet the initial criteria shown above as well as the following criteria for continued inclusion on the local ETPL.

- a) The Training Provider must continue to meet State and local performance standards as outlined in section 7. Performance Standards.
- b) The Training Provider must report any changes in the acceptance of federal financial aid, cost information, refund practice, etc. to CSTB within five (5) business days.
- c) The Training Provider must assist in the verification of employment within 180 days from the end of training for enrolled students receiving funding from CSTB by providing this verification of employment information to the email address: [trainingvendor@careersourcetb.com](mailto:trainingvendor@careersourcetb.com). Subject line should include, employment verification.
- d) The Training Provider must report out-of-state employment of students to CSTB at email address outlined in item (c) above with all information.
- e) The Training Provider must maintain all required licensing standards and proper accreditation and inform CSTB within 7 business days of any changes.
- f) The Training Provider must remain in good standing with the requirements outlined in the Training Provider Agreement.
- g) The Training Provider must maintain compliance according to all federal, state and local performance requirements.
- h) The Training Provider must supply program completion and placement rates upon demand by CSTB.
- i) The Training Provider must respond to renewal applications after the initial eligibility period of one (1) full year. A specific due date for completed applications will be included, and applications received after that due date may not be considered. The institution may be immediately suspended from the approved list by administrative staff and this information brought to the appropriate committee of the Board for review and formal action.

## Training ITA Cap & Training Duration

The Board of Directors approved a modification to the policy on 8.29.19 to establish the following:

- a) Training customers may receive training assistance under ITA services up to a **lifetime** cap of \$5,000.00 per individual.
- b) Training customers may receive training assistance under ITA services for short term training defined as up to one year.
- c) Two Year training programs: CSTB will enroll customers who have chosen an approved two year training program from the established TOL. However, CSTB funding can only be used to cover costs for the final year of the training program.

## Targeted Occupations List

Upon receipt of the annual "Preliminary Targeted Occupations" list for Region 15 provided by the Department of Economic Opportunity, CSTB will disseminate the list all CSTB approved Training Providers, to solicit and receive comments as to possible additions or deletions using a prescribed format.

Actions related to the Targeted occupational list will be presented to the Workforce Solutions Committee as an action item. **CSTB procedure is outlined in the Targeted Occupations List (TOL) & Regional Targeted Occupation List (RTOL) Policy #018-C0043.**

## **Performance Review**

Certain performance standards are required for inclusion and retention of programs and Training Providers on the CSTB's ETPL. Every year, in preparation for the annual eligibility review of performance data is reviewed. These analyses shall be conducted for all program completers as well as WIOA participants and will include as available:

- Total Exited Training
- Exited Without Completing Training
- Exited After Completing Training
- Total Employed
- Total Employed Training Related
- Employed Not Training Related
- Average Wage
- Completion %
- Placement %

The Training Provider understands that CSTB will review and analyze information supplied by the Training Provider and other information available to CSTB to determine if gainful employment within the chosen field of study/program is occurring. Programs with an institution that are identified as being unsuccessful in resulting in employment within the defined occupation/industry may be subject to enrollment suspension.

Upon conclusion of these analyses, and taking into account State and local labor market and demographic data, this region will establish annual performance criteria that Training Provider's and their approved programs must meet to remain on the approved local ETPL. This region's performance standards shall be published on the region's website.

## **Performance Requirements**

In order to maintain continued eligibility, Training Providers are required to meet the following performance requirements:

- a) **Employment Rate.** Each program will maintain a 70% rate of employment for all students that received CSTB funding assistance. This rate will be inclusive of those that did not complete training. Under this requirement both full and part time employment and employment outside the field of training will be considered as a positive outcome.
- b) **Completion rate.** Each program completion will maintain a **65%** completion rate per training program.
- c) **Wage Rate.** Currently, each training program must meet the minimum entry level wage rate in effect for the applicable period. This wage rate is adjusted annually by the State based on the Florida Price Index in effect for CSTB **or otherwise established by CSTB Board of Directors.**

## Quarterly Performance Notifications

Each Training Provider will be emailed quarterly CSTB Training Provider Performance Reports in order to track their performance against the above criteria. A notification will be provided at the end of the 3<sup>rd</sup> quarter for those training providers who are in danger of not meeting the established annual performance thresholds. Training providers who fail to meet the established annual performance thresholds for individual training programs will be placed on one (1) year probation.

If WIOA customer is actively enrolled, their training services will not be affected by the training program suspension.

## Addition of New Programs/Agreement Modifications

The Training Provider shall submit the following if they are requesting new programs be added to their agreements. Requests for program additions for an existing approved training provided will only be accepted during the 1<sup>st</sup> quarter of the program year, July-September.

- a) A complete course description and new fee schedule; and
- b) A copy of license that includes the course or program being added.

***Enrollments are limited to a maximum of 12 until performance is established.***

## Training Provider or Program Removal

Programs and/or approved Training Providers will be removed from the local ETPL when:

- a) A Training Provider and/or training program fails to meet accreditation, licensure, and/or required levels of performance.
- b) A Training Provider fails to provide student performance data to FETPIP and/or CIE as required.
- c) A Training Provider is determined to have supplied inaccurate information or to have violated any provision of the Workforce Innovation and Opportunity Act. A provider whose eligibility is terminated under these conditions may be liable to repay all WIOA adult, dislocated worker and youth training funds received during the period of noncompliance.
- d) A Training Provider does not respond to CSTB's request for renewal application.
- e) A Training Provider fails to meet performance thresholds as outlined in section 8.
- f) A Training Provider fails to meet enrollment requirements as outlined in section 12.
- g) A Training Provider fails to meet revenue requirements as outlined in section 13.

## Program Cancellations

In the event a training program or class is canceled the Training Provider shall notify CSTB ten (10) business days in advance of the date the program will no longer be available.

## Enrollments

The Training Provider shall maintain a 51% non-CSTB general public enrollment for each approved program during the contract term. Training Provider's compliance will be evidence by:

- a) Documentation on a quarterly basis and to final year end, June 30th, supporting enrollment threshold has been met.
- b) A written letter from a licensed Certified Public Accountant (CPA) firm stating that at the conclusion of the contract term June 30 the Training Provider maintained a 51% non-CSTB general public enrollment for each approved program.

## Revenues

No more than 49% of the Training Providers revenues as a whole was received from CSTB during the contract term. Training Provider's compliance will be evidenced by:

- a) Documentation on a quarterly basis and to final year-end, June 30<sup>th</sup>, supporting revenue threshold has been met.
- b) No more than 49% of the Training Provider's revenue as a whole was received from CSTB during the contract term.
- c) A written letter from a licensed Certified Public Accountant (CPA) firm stating that at the conclusion of the contract term June 30 no more than 49% of the Training Providers revenue as a whole was received from CSTB during the contract term.

## Monitoring

During the contract term CSTB will verify compliance of the enrollment and revenue requirement through monitoring. The location of the monitoring will be either on-site or desk review/remote depending on location of training vendor. Monitoring may include, but is not limited to:

- Observation of classes,
- Observation of attendance supported by the Training Providers documentation where applicable,
- Inspection of Training Providers student files, and
- Inspection of financial records

## References:

- WIOA, Sections 122, 134  
<https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>
- WIOA Regulations, 20CFR 663, et seq., Subpart E- Eligible Training Providers  
<https://www.govinfo.gov/app/details/CFR-2014-title20-vol4/CFR-2014-title20-vol4-part663>
- FL Statutes, Chapter 445- Workforce Innovation  
[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0400-0499/0445/0445.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0445/0445.html)
- FAC 28-106- Decisions Determining Substantial Interests  
<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=28-106>
- FS Chapter 1005-Nonpublic Postsecondary Education  
[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=Ch1005/tit1005.htm&StatuteYear=2009&Title=%2D%3E2009%2D%3EChapter%201005](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch1005/tit1005.htm&StatuteYear=2009&Title=%2D%3E2009%2D%3EChapter%201005)
- FAC 6E-Commission for Independent Education  
<https://www.flrules.org/gateway/Division.asp?DivID=209>



- FS Chapter 1008- Assessment and Accountability  
[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=Ch1008/titl1008.htm&StatuteYear=2009&Title=%2D%3E2009%2D%3EChapter%201008](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch1008/titl1008.htm&StatuteYear=2009&Title=%2D%3E2009%2D%3EChapter%201008)
- FAC 6A-10.0341&10.0342-re: Vocational Education Performance  
<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=6A-10>
- DEO Policy #FG OSPS-77, "Selection and Retention of Training Providers Under the Workforce Investment Act of 1998 and presently The Workforce Innovation and Opportunity Act - Florida Statutes" issued on May 31, 2013  
<http://www.floridajobs.org/PDG/guidancepapers/FG-ETPL.pdf>
- CareerSource Florida Administrative Policy # 90: WIOA Eligible Training Providers List  
[http://www.floridajobs.org/docs/default-source/lwdb-resources/policy-and-guidance/guidance-papers/2016-guidance-papers/wioa\\_etpl\\_policy.pdf?sfvrsn=a5876ab0\\_9](http://www.floridajobs.org/docs/default-source/lwdb-resources/policy-and-guidance/guidance-papers/2016-guidance-papers/wioa_etpl_policy.pdf?sfvrsn=a5876ab0_9)

**INQUIRIES:** Any questions about this policy should be directed to the COO or their designee.