

# VI WORKFORCE DEVELOPMENT BOARD POLICY DOCUMENT

## Workforce Program Guidance WIOA 307-15

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**TO:** Virgin Islands Single State Workforce Development Area

**SUBJECT:** **WIOA TRAINING PROVIDER ELIGIBILITY PROCESS –**  
*Initial and Continued*

**DATE:** July 2015

Purpose: To establish the procedures that determine eligibility of training providers as defined under Title I of the Workforce Innovation and Opportunity Act of 2014

References: Workforce Innovation and Opportunity Act of 2014 - Title I Section 122;  
TEGL 41-14

Background: To be identified as a provider of service, eligible to receive funds for the provision of training services to the Virgin Islands Workforce Development Area, such individual or entity shall be:

- a) An institution of higher education that provides a program that leads to a recognized postsecondary credential;
- b) An entity that carries out programs registered under the National Apprenticeship Act;  
or
- c) Another public or private provider of a program of training services, which may include joint labor-management organizations, and eligible providers of adult education and literacy activities under title II if such activities are provided in combination with occupational skills training.

*A program of training services* is defined as one or more courses or classes or a structured regimen that leads to a recognized post-secondary credential, secondary school diploma or its equivalent, employment or measureable skill gains toward such a credential or employment. These training services may be delivered in person, on-line or in a blended approach.

Policy: An institution of higher education or a public or private provider of a program of training services that wish to provide training services to the Virgin Islands Workforce Development Area shall first submit an application to the Virgin Islands Workforce Board. The Workforce Board shall review the application based on the submission of requested criteria.

The application at the least shall contain elements that describe:

1. A description of the program of training services;
2. The performance of training providers with respect to performance accountability measures and other appropriate measures of performance outcomes;
3. The ability of the provider to collect and submit program and performance information based on the criteria established;

4. The ability to ensure access to training services throughout the Territory through the use of technology, if deemed necessary;
5. The degree to which the training programs relate to in-demand industry sectors and occupations;
6. State licensure requirements of training providers and licensing status, if applicable;
7. The ability of the provider to provide industry recognized certificates or certifications – or offer programs that lead to recognized postsecondary credentials;
8. The quality of the program of training services; and
9. 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; and
10. Program specific cost information, program duration and requirements of participants to successfully complete the program.

A provider that is an entity that carries out programs registered under the National Apprenticeship Act shall be included and remain on the list of eligible providers of training services for so long as the corresponding program of the provider remains registered.

Exceptions: 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 the Eligible Training Provider processes.

Agreements with Other States

An individual may choose a training provider located outside the local area. States may enter into agreements, on a reciprocal basis to permit eligible providers of training services to accept individual training accounts provided in another State. Providers of training services that are located outside the local area may not be subject to State eligibility procedures if the provider has been determined eligible by another State with such an agreement.

*Note:* Recipients of WIOA Title I financial assistance *must* maintain compliance with WIOA Section 188 – Nondiscrimination of the Workforce Innovation and Opportunity Act of 2014, which prohibits discrimination on the basis of race, color, religion, sex, genetics, national origin, age, disability, political affiliation or belief, and for beneficiaries only citizenship and participation in WIOA.

Procedures: The procedures for initial and subsequent eligibility may be found in Attachment A.

Inquiries: Questions should be addressed to the:

Chairman of the Workforce Development Board at VI Workforce Board, Sunny Isle Professional Building, Suite 7, Christiansted, VI 00820; (340) 773-5237.

**Initial and Continued Eligibility for Providers of Training Services  
Under the Workforce Innovation and Opportunity Act**

*Initial Eligibility*

Providers may seek initial eligibility as a new provider under WIOA as a provider of training services and may receive that initial eligibility for only one (1) year for a particular program. The provider shall provide verifiable program-specific performance information based on criteria established by the Workforce Board.

The criteria shall include at least:

- (a) A description of each program of training services to be offered;
- (b) Information addressing factors related to indicators of performance;
- (c) Information concerning whether the provider is in a partnership with business;
- (d) Other factors that indicate high-quality training services, such as resulting with a recognized postsecondary credential;
- (e) Information concerning alignment of the training services with in-demand industry sectors and occupations, to the extent practicable; and
- (f) Program cost information, including tuition and fees for WIOA participants in the program.

This information, in an application along with verifiable organizational documents shall be submitted to the Workforce Board for review.

After the Workforce Board has reviewed the application and eligibility has been determined, a *list* of eligible applicants will be created and submitted to the designated State Agency – VI Department of Labor (VIDOL). The list will include performance and program costs information for each eligible applicant.

- All information will be verified by the State Agency for accuracy.
- The State Agency shall compile a single list of eligible providers and disseminate such list with performance and program cost information to the one-stop delivery system.
- The State Agency will maintain the provider list.
- The list and the accompanying information shall be made available to participants and members of the public through the One-Stop delivery system in a manner that does not reveal personally identifiable information about an individual participant;
- The list may be made available electronically through a searchable database and/or through print media.

*Continued Eligibility*

In order for a provider of training services to maintain their eligibility and the eligibility of their programs, such provider shall submit an Application for Continued Eligibility. Continued Eligibility requirements apply to training providers transitioning to WIOA title I-B who were

previously eligible under WIA title I and newly eligible providers that were determined to be initially eligible under WIOA.

Each provider seeking continued eligibility shall submit an application to the Workforce Board with the following criteria:

- (a) Program description;
- (b) Performance outcome information for the indicators described in accompanying criteria;
- (c) Information identifying the recognized post-secondary credentials received by WIOA participants;
- (d) Program cost information, including tuition and fees for WIOA participants in the program; and
- (e) Information on the program completion rate for WIOA participants.

After the Workforce Board has reviewed the application and eligibility has been determined, a list of eligible applicants will be submitted to the designated State Agency – the Virgin Islands Department of Labor (VIDOL). The list will include all verifiable performance and program costs information for each eligible applicant.

- All information will be verified by the VIDOL for accuracy.
- The State agency shall maintain the list of the providers identified and disseminate such list with performance and program cost information to the one-stop delivery system.
- The list and the accompanying information shall be made available to participants and members of the public through the One-Stop delivery system in a manner that does not reveal personally identifiable information about an individual participant;
- The list may be made available electronically through a searchable database and/or through print media.

Providers of Continued Eligibility must renew their application every two (2) years. Applications for Continued Eligibility shall be submitted at least thirty (30) days before the end of the eligibility period for review by the Board.

In addition, the Workforce Board will annually review the status of the Eligible Training Providers to ensure up-to-date information on the training provided, performance outcomes and placement rates of the provider.

#### Registered Apprenticeships

Under the Workforce Innovation and Opportunity Act title I-B, Registered Apprenticeship program sponsors that request to be ETP's are automatically included on the list and will remain as long as the program is registered or until the program sponsor notifies the State that it no longer wants to be included on the list.

Registered Apprenticeship programs are not subject to the same application and performance information requirements or to a period of initial eligibility or initial eligibility procedures as other providers because they go through a detailed application and vetting procedure to become a

Registered Apprenticeship program sponsor with the US Department of Labor or the State Apprenticeship Agency (SAA).

Registered Apprenticeship can take many forms and the sponsors are diverse, including:

1. Employers who provide related instruction
2. Employers who use an outside educational provider
3. Joint Apprenticeship Training programs
4. Intermediaries

Registered Apprenticeship program sponsors must indicate their interest in being placed on the Eligible Training Provider list to the Workforce Board in writing. Additionally, the following information should be included on the request:

- Occupations included within the Registered Apprenticeship program;
- The name and address of the Registered Apprenticeship program sponsor;
- The name and address of the Related Technical Instruction provider, and the location of instruction if different from the program sponsor's address;
- The method and length of instruction; and
- The number of active apprentices.

The State Board will review the list Registered Apprenticeship programs as part of the review of the list of eligible training providers at least every two years. The Board will coordinate with the federal OA or the local SAA to obtain a list of all Registered Apprenticeship programs that are either voluntarily or involuntarily deregistered.

The list of Registered Apprenticeship program sponsors must also be maintained by the State Agency. This includes updating new Registered Apprenticeship Program ETP's, removing programs that no longer want to remain on the list and eliminating deregistered programs.

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