OKLAHOMA WORKFORCE DEVELOPMENT ISSUANCE #01-2022

TO: Chief Local Elected Officials
Workforce Development Board Chairs
Workforce Development Board Staff
State Director of the Oklahoma Office of Apprenticeship
Core Partners and State Workforce Liaisons

FROM: Don Morris, Executive Director

DATE: July 18, 2022

SUBJECT: Oklahoma Eligible Training Provider Registry Policy and Procedures

PURPOSE:

The Oklahoma Office of Workforce Development (OOWD), as the Governor's Workforce Innovation and Opportunity Act (WIOA) administrative entity, provides this issuance as joint guidance to the workforce system in the state on the requirements for training providers, program eligibility and the Oklahoma Eligible Training Provider Registry (ETPR). This guidance replaces Oklahoma Workforce Development Issuance (OWDI) #09-2020 and supersedes all previous ETPR policies issued by OOWD.

REFERENCES:

- TEGL 08-19, including Attachments I –V
- Workforce Innovation and Opportunity Act, Pub. L. 113-128
- Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule (WIOA Joint Final Rule) published at 81 FR 55792 (Aug. 19, 2016)
- Employment and Training Administration, Workforce Innovation and Opportunity Act; Final Rule (WIOA DOL Final Rule) published at 81 FR 56071 (Aug. 19, 2016)
- Training and Employment Guidance Letter (TEGL) No. 03-18, Eligible Training Provider (ETP) Reporting Guidance under the Workforce Innovation and Opportunity Act (WIOA), (August 31, 2018)
- TEGL 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner- Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules, (March 1, 2017)

RESCISSIONS	EXPIRATION DATE
OWDI #09-2020	Continuing

BACKGROUND:

WIOA training services are based on informed consumer choice in the selection of training programs. A WIOA participant who has been determined to be eligible for training services may select a training provider and program from the Oklahoma ETP Registry (ETPR) after consultation with a WIOA career advisor. Unless training funds are not available, participants are issued an Individual Training Account (ITA) voucher which may pay the cost of training, in whole or in part, depending upon the local workforce area policy and ITA dollar limits.

With few exceptions, training providers and their programs must be Registry on the Oklahoma ETPR in order to receive funds for training jobseekers enrolled in the state's WIOA programs. To be approved for the ETPR, training programs must meet state and local requirements, which includes completion of the program resulting in a federally recognized credential or skills progression toward one and being related to in-demand industry sectors and occupations in Oklahoma.

The State is required to develop and operate the ETPR in partnership with Local Workforce Development Board (LWDB). The ETPR is designed to gather and display useful information to WIOA customers on training providers, their services and the quality of their programs. Oklahoma strives to populate the ETPR with training programs that are successful and proven and remove those programs that fail to achieve positive results for training customers.

The State has revised the guidance on the Oklahoma ETP Registry policy and procedures for initial eligibility and continuing eligibility to: streamline and clarify the process for training provider applications throughout the state; clearly define terminology; clarify minimum performance standards for providers; and promote strategic relationships between local boards and interested education and training providers in the state to move beyond transactional exchanges limited to ITAs. The eligibility requirements will promote accountability, quality, and labor market relevance of training programs that may receive WIOA funds and will ensure that jobseekers not only have informed consumer choice, but quality choices as well.

MESSAGE:

The Oklahoma ETPR Procedures Guide outlines the types of training authorized under WIOA, and the initial and subsequent eligibility processes and criteria for organizations interested in being added to the Eligible Training Provider Registry. The Procedures Guide defines State, Local Board, and Training Provider responsibilities, stressing the importance of close collaboration between Local Boards and training providers seeking to serve WIOA customers in the local area. The Procedures Guide also includes a section to assist training providers in self-registering as a provider on OKJobMatch and how to submit programs for inclusion on the Oklahoma ETPR.

[The Oklahoma ETP Registry is searchable at OKJobMatch.com](), the state's virtual case management and ETPR system. It is also locally accessible through other databases and partner entity websites for stakeholders (the public, local boards, the American Job Centers (AJCs) and their partner programs, and postsecondary education systems) via online methods such as OklahomaWorks.com. [Oklahoma's ETPR, along with every other state's ETPR, is also maintained by the Employment and Training Administration]() (ETA) on careeronestop.org, and additional access to the public and stakeholders is published on TrainingProviderResults.gov by the U.S. Department of Labor Employment and Training Administration (DOLETA).

EQUAL OPPORTUNITY AND NONDISCRIMINATION STATEMENT:
All Recipients, and Sub-recipients/Sub-grantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

ACTION REQUIRED:
This Oklahoma Workforce Development Issuance (OWDI) is to become a part of your permanent records and should be widely distributed to Local Workforce Development Boards, WIOA Service Providers, and Eligible Training Providers, including Regional Universities, Local Community Colleges, Local/Regional Technology Centers, Private Vocational Schools, and all other eligible providers of training within the local workforce development area.

INQUIRIES:
If you have any questions about this issuance, please contact staff in the Oklahoma Office of Workforce Development. Contact information can be found at https://oklahomaworks.gov/about/staff/

ATTACHMENTS:
Attachment I: Oklahoma ETPR Procedures Guide
Attachment II: Training Program Approval Workflow
Attachment III: Training Program Initial Eligibility Performance Requirement Scenarios
Attachment IV: Local Area ETPR Coordinators
Attachment V: Training Provider Self Registration in OKJobMatch.com

Attachment I: Oklahoma ETP Program Procedures Guide

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OOWD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

A. Terminology

ITA – Individual Training Account. A payment agreement established by a local workforce development board (local board), on behalf of a participant, with an eligible training provider. May be used to pay for any allowable type of training, as long as the training provider and training program is in the state program of eligible training providers (ETP program).

INITIAL ELIGIBILITY — Approval that allows a training provider's program into the ETP program for a trial period of one year.

CONTINUED ELIGIBILITY — Approval that allows a training provider to remain in the ETP program until the next continued eligibility decision, which occurs at least every two years.

ELIGIBLE TRAINING PROVIDER – An organization that has applied and been approval by the state to receive WIOA training funds for the purpose of providing training to clients enrolled in the WIOA program in Oklahoma. In order for a training provider to receive WIOA training funds paid via an ITA for adults, dislocated workers, and out-of-school youth aged 16-24, if appropriate, the programs must be programed in the ETP program.

ELIGIBLE TRAINING PROVIDER PROGRAM — A program containing training programs that have received the state's seal of approval to be offered to WIOA program participants, and have WIOA participants referred to the training provider's programs.

PROGRAM (or PROGRAM OF STUDY) — One or more courses or classes, or a structured regimen, that leads to either a license recognized by the state or Federal Government, a postsecondary credential, secondary school diploma or its equivalent; employment; or measurable skills gains toward such a credential or employment. These training services could be delivered in person, online, or in a blended approach.

POSTSECONDARY CREDENTIAL — A credential consisting of an industry-recognized certificate or certification; license recognized by the State or Federal government, or an associate or baccalaureate degree. Note: A certificate of completion of a program only counts as a credential if it is for the completion of a registered apprenticeship. Graduate degree programs (Masters and higher) are not eligible for inclusion in the ETP program.

REPORTING PERIOD – The span of time for which student performance outcomes are aggregated and prepared for external use. For the purposes of program eligibility determinations, the reporting period is generally the time in between eligibility decisions, Generally 24 months in between continuing eligibility determinations, and 12 months in between the initial and first continuing eligibility determination.

EXITED — A student enrolled in a training program who completes, withdraws, or transfers from the program during the reporting period is considered "Exited" from that training program.

ALL STUDENT POPULATION — the aggregate number of WIOA and non-WIOA individuals enrolled in a training provider's program of study/training program.

RAPs — Registered Apprenticeship Programs.

OKJOBMATCH — The online website by which all ETP and program applications are submitted. OKJobMatch also includes the public database where clients may view approved training programs.

B. Allowable Training under WIOA Title I
Funds paid to a provider may be for the following types of training:

- Occupational skills training, including training for nontraditional employment;

- On-the-Job Training (OJT);

- Incumbent Worker Training (IWT);

- Programs that combine workplace training with related instruction, which may include cooperative education programs;

- Training programs operated by the private sector;

- Skill upgrading and retraining;

- Entrepreneurial training;

- Job readiness training provided in combination with the training services described above, or with transitional jobs, found at WIOA 134(D)(5) and 20 CRF §680.190;

- Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services provided above

- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training

C. State and LWDB Responsibilities

The state is required to develop and operate the ETP program in partnership with LWDBs. LWDBs will accept applications for training programs, determine if training offerings are for in-demand occupations, assist training providers that wish to be placed in the ETP program by providing information and technical assistance on the application process, and make recommendations to OOWD for approving or denying the Initial Eligibility and Continued Eligibility of training providers and their program(s).

OOWD has final authority on approval/denial of ETP program providers, and will maintain the State ETP program on the OKJobMatch website, review LWDB procedures for the provision of Initial and Continued Eligibility, and provide additional review of training providers and their programs. Additional responsibilities are as follows:

LWDBs
The LWDB is responsible for carrying out the following procedures assigned by the State:

1. Each LWDB shall use the OKJobMatch.com ETP program system for accepting virtual applications from providers to be in the ETP program. LWDBs may authorize qualified LWDB staff members (local ETP program Coordinators) to act on their behalf in making determinations for initial and/or continuing eligibility of providers and their program(s).

2. Ensure access to training services throughout the state, including rural areas, by approving programs that use technology- based or remote learning.

3. LWDBs should conduct outreach to their local and regional employers and education and training providers to ensure that clients residing within the counties covered by the local area have an ample selection of training programs that provide credentials, certificates and/or skills that are valued by employers within priority industry sectors identified in the State Plan and the Local or Regional Plan.

4. LWDBs should provide ITAs for training programs that support a career pathway for the client in growing, in-demand, and/or priority industry sectors identified in the local plan.

5. Ensure that there are sufficient numbers and types of providers of training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the local area and providing services in a manner that maximizes consumer choice and leads to competitive integrated employment for individuals with disabilities.

6. Monitor training providers and their programs for compliance and performance.

7. Establish relationships with the ETPs in the local area to provide technical assistance, collect performance information as required by the State and determine whether the providers meet the required performance criteria.

8. Locally approve or deny initial and continued eligibility applications based on said criteria.

9. Notify training providers and the State ETP program Administrator of the denial of programs at the local level.

10. Recommend that the state remove ETPs that fail to meet performance standards

11. Ensure that the state's ETP program is disseminated publicly through the local one-stop system, including in formats accessible to individuals with disabilities.

12. Identify in-demand sectors or occupations for the local area using relevant labor market information. Each LWDB must establish, maintain, review and update annually a program of existing or emerging occupations that are determined to:

   • be part of a sector of the economy that has a high potential for sustained demand or growth in the local area;

   • target industry clusters within the local area;

   • support economic growth priorities; and

   • address industry-specific shortages.

13. Thoroughly research the training provider and programs applying to be in the ETP program and review the accuracy of eligibility and performance information for initial applications and applications for continued ETP program approval prior to submission to the State for final approval.

14. The LWDB staff and/or the Service Provider must accurately assess WIOA customers' career interests and assist them in the selection of training programs that are directly linked to said interests and employment opportunities in their local area.

Oklahoma Office of Workforce Development
The OOWD must:

1. Monitor LWDBs to ensure compliance with the ETP program Policy and Procedures and streamlined practices.

2. Develop, maintain, and disseminate the ETP program, including the program of training providers and their programs of study.

3. Establish a minimally burdensome mechanism for adding Registered Apprenticeship Programs (RAPs) to the program and verifying registration status at least every two years.

4. Work with the Governor's Council to develop procedures, information requirements, and criteria for determining eligibility, including clarifying state and LWDB responsibilities.

5. Review and finalize the approval of providers and programs recommended by the LWDBs.

6. Determine whether training providers submitted accurate information for the eligibility criteria and performance levels, and take enforcement actions as needed if the provider intentionally submitted inaccurate information or substantially violated WIOA requirements.

7. Ensure that established performance levels for initial and/or continued eligibility are met, including verifying the accuracy of the information.

8. Establish procedures for removing a provider from the ETP program.

9. Establish a procedure by which a provider can demonstrate that providing state-required additional performance and cost information would be unduly burdensome or costly.

10. Establish initial eligibility criteria for new training providers and setting minimum levels of performance for all training providers to remain eligible;

11. Make decisions on training provider appeals to OOWD, after a training provider receives an unsatisfactory appeal decision at the local level, which includes an opportunity for a hearing and a timely decision.

12. Ensure training providers' applications and programs approved by LWDBs are reviewed, and those approved are placed in the ETP program in a timely manner.

13. Maintain and publish a directory of local ETP program Coordinators.

14. Facilitate direct communication between LWDBs and institutions interested in inclusion on the Oklahoma ETP program.

15. Provide training and technical assistance to Local ETP Coordinators. Resources and technical assistance will be provided by the State ETP program Administrator to local ETP program Coordinators and Training Providers on application processes, compliance requirements, and reporting documents.

D. Training Providers

In-State Training Providers

A training provider who wishes to have a program approved will be required to submit a virtual application for approval as a provider by signing up for a provider account on OkJobMatch.com. Most providers designate one individual representative to serve as the manager for this account. The training provider shall provide all required information and agree to the assurances in the OKJobMatch.com ETP program module. The State ETP Administrator must review and approve providers for the Oklahoma ETP program if the provider meets state eligibility requirements. Only OOWD approves providers and their accounts. Training providers are encouraged to apply at least 60 days in advance of initial program offerings to allow sufficient time for Local and State eligibility decisions. Incomplete program or provider applications, including incomplete requests for an ETP username, may not be approved.

Once the provider account is approved by OOWD, the training provider, with guidance or assistance from the appropriate LWDB ETP Program Coordinator(s), shall submit program offerings via the virtual application module on OKJobMatch. It is the Local ETP program Coordinator's role to provide assistance and guidance to training providers who register or wish to register in OKJobMatch and serve as the first point of contact to providers.

Out-of-State Training Providers

A jobseeker may choose a training provider and program located outside the local area or the State, including an online training program, in accordance with local policies and procedures, provided the training program is on Oklahoma's ETP program. The Eligible Training Provider selected by the WIOA participant must be in an adjoining state and must be included on the respective State's ETP program approved program . Oklahoma will enter into an agreement with each out-of-state training provider for payment purposes but will not pay out of state tuition rates and fees. Out of State training providers must register in OKJobMatch and meet the same information requirements for initial and subsequent eligibility specified in this guide. The following examples are provided to show when an out-of-area or out-of-state provider and program may be appropriate:

- When there are an insufficient number of eligible providers of a program of training services to meet the local area's demand,

- When the out-of-area or out-of-state training provider is located closer than providers with similar programs within the local area (such as in rural areas), or

- When other factors are deemed appropriate by the Local Board.

Training providers outside of Oklahoma must follow the same process for inclusion on Oklahoma's ETP program as providers within the State. The local area is responsible for ensuring out-of-state providers offer quality training programs that meet local demand occupation requirements. LWDBs must also exercise prudence in referring a client to an out-of-state or out-of-local-area program offering where another comparable training provider or program are available within the state and/or local area.

E. Training Provider Eligibility Criteria

Types of Eligible Training Providers
The following types of entities may apply for an eligible training provider account, and they are the only entities eligible to provide training for participants enrolled in WIOA Title I funded programs and paid through an ITA:

- Institutions of higher education that provide a program or programs that lead to recognized postsecondary credentials;

- Private vocational schools, including but not limited to, private educational institutions eligible to receive federal funds under Title IV of the Higher Education Act of 1965;

- Apprenticeship programs, including Industry Recognized Apprenticeship Programs (IRAPs) and Registered Apprenticeship Programs (RAPs);

- Other public or private providers of training, which may include community-based organizations (CBOs) and 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.

Training Provider Licensing Requirements

Specific occupations have governing boards that issue licenses, such as the Oklahoma State Board of Licensure for Professional Engineers, Oklahoma Board of Medical Licensure and Supervision, the Oklahoma State Board of Veterinary Medical Examiners, etc. Training providers must be in compliance with State and Federal laws by having a current license, certification, registration, approval or exemption from an appropriate State and/or federal oversight agency prior to applying for placement in the ETP program. The ETP program application requires all entities to enter the name(s) of the organization(s) that accredit, license, register, and/or approve the entity as an educational or training provider. All types of training providers must appropriately enter their institution's approval information on the Institution Information page of the virtual ETP application. Supporting documentation pertaining to licenses, registrations, approval, or accreditation may be uploaded to the ETP program application.

Additional Eligibility Requirements
- Training providers are required to have refund policies specifying when refunds for tuition and other costs associated with the training program will be allowed. Refund policies must be written and published so that students are aware of how to request a refund.

- Training providers must have a grievance policy which provides for due process for students to file complaints with an organization against faculty, staff, or other institution employees. Grievance policies must be written and published so that students are aware of how to file a complaint.

- Training Providers must offer training programs that are related to: Occupations in demand in the state; Align with industry sector strategies and career pathways; and Job driven training programs.

- Training Providers must have the ability to: offer programs that lead to an industry-recognized credential, national or state certificate, or degree, including all industry appropriate competencies, licensing and/or certification requirements, or employment in a specific occupation after receiving measurable technical skills.

- Training providers must assure their ability to provide training programs that are physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, including individuals with disabilities. Assurances must be signed

virtually on OKJobMatch.com by each ETP that it and all of the provider's employees responsible for providing training services will comply fully with all nondiscrimination and equal opportunity provisions of the laws, including WIOA Section 188, Title IV of The Civil Rights Act of 1964, Section 504 of The Rehabilitation Act of 1973, which prohibits discrimination against qualified individuals with disabilities, The Americans with Disabilities Act (ADA) of 1990, The Age Discrimination Act of 1975, Title IX of The Education Amendments of 1972, and The Oklahoma Act Against Discrimination. If the training provider does assure compliance with each of the laws above, they will not be able to complete the application for inclusion in the ETP program.

▪ Training providers that have been debarred by any state or the federal government are not eligible to be included in the ETP program during the debarment period.

F. Initial Eligibility Criteria for Provider's Programs

Once a provider has been approved as an Eligible Training Provider, the provider is able to submit program offerings for consideration for ETP program inclusion. All ETPs must submit specific detailed information pertaining to each individual program to be considered for initial ETP program eligibility in accordance with the State's procedures.

Approval of a provider's program(s) for an initial eligibility period of one year for each program is based on:

a. Successful submission by the provider of the following information for each program submitted:

▪ Information addressing the alignment of training with in-demand industry sectors and occupations

▪ The purpose, duration, and objectives of the program offered by the institution;

▪ Student costs, including tuition, and an itemized listing of all the mandatory fees, as well as refund and financial aid policies;

▪ Name of the person to contact for information;

▪ Prerequisites and other requirements of the training program(s);

▪ Website link to a detailed description of the training program(s);

▪ Background check requirements for licensing and background restrictions for working in the occupation;

▪ The federally recognized credential clients received through the program and the name of such credential

▪ Breakdown of training program costs

b. Performance Data: Information about the program performance outcomes addressing a factor related to the Workforce Innovation and Opportunity Act (WIOA) performance indicators: (employment 2nd & 4th Quarter after exit, median earnings 2nd Quarter after exit, credential attainment). OOWD determines what constitutes a "factor" for this purpose; for example, the state may consider performance indicators similar to the WIOA primary indicators of performance; academic research suggesting the selected training strategy is effective in improving similar performance indicators; or other data relating to the employment, earnings, or credential attainment of participants with the program or provider. Please reference Attachment III: Training Program Initial Eligibility Performance Requirement Scenarios, which provides a matrix of different scenarios depending on the duration for which the provider/provider's programs have been offered to students.

c. Local Area Criteria. LWDBs may add additional requirements for providers, except for RAPs. Additional requirements may prevent a provider and/or program from being approved on the local ETP program, even if approved in the state ETP program. If the LWDB is reviewing provider applications for inclusion in the state ETP program, it must do so using only the state's requirements and not the local area's additional requirements. LWDBs may supplement the criteria and information requirements established by the state in order to support informed consumer choice and the achievement of local performance indicators. LWDB s may not require additional information for RAPs. Examples of additional information LWDBs may request include:

1. Information on training programs linked to occupations in demand in the local area;

2. Performance and cost information for the local outlet/site of multi-site ETPs;

3. Information that demonstrates whether local providers are responsive to local program requirements; and

4. Other appropriate information related to the objectives of WIOA.

During the Initial Eligibility Review Process LWDBs are responsible for the following:
- The Local ETP program Coordinator must review and recommend via approval, or deny, a training program within 30 days of the completed application date;

- Contact the provider applicant to ensure that information missing from the application is made available prior to any eligibility determination;

- Ensure training providers submit for consideration the performance and cost information (described in the next section) for each course offering;

- Ensure training providers are in compliance with requirements for licenses, certifications, registrations, or exemptions, when applicable, from the appropriate State and/or federal oversight agency;

- Evaluate the experience and reputation of the training provider and the schedule of offerings;

- Considering other information that may be locally relevant in making a determination of eligibility (i.e., whether the training provider is in partnership with a business)

After reviewing the eligibility criteria above, the Local ETP program Coordinator will recommend approval or denial of the training program(s) to the State ETP program Administrator. The approval page includes a comments section where the local area must enter the factors on which their recommendation is based, such as local criteria including sector strategies and demand for training. OOWD will review applications for the Oklahoma ETP program within 30 days of receipt from the Local Board. The online application will then be approved by the State ETP program Administrator, provided the requirements established in this guide have been met. The State ETP program administrator will follow up with the local ETP coordinator in the event required information is missing or issues are identified. If approved by the State, each program will remain in the ETP program for only 12 months. If the program does not receive approval from by the state, it does not appear on the public database of approved programs for the ETP. Training providers are notified of the outcome of their request to be added to the approved provider program by an automated e-mail.

G. Continued Eligibility Criteria for Provider's Programs

Before an approved program has reached the end of the 12-month period of Initial Eligibility, the training provider must supply updated performance information covering the period of Initial Eligibility. LWDBs must review the information provided and make a determination to renew the training provider for an extended period of ETP program eligibility or remove it from the ETP program. To remain in the ETP program as an approved program, the performance must meet the requirements outlined in the next section of this guide. If approved, the program is retained in the ETP program for 24 months from the date the training provider/offering is renewed. After 24 months, the program will be assessed again. This process is called "continued eligibility".

Local ETP program Administrators will find a program of programs that have received Eligibility Expiration Notifications and a list of Pending Subsequent Programs on the OKJobMatch.com ETP Local Area Approval Menu. These programs should be used for outreach to training providers in the local area to update All Student data in a timely manner. The ETP program Administrator will also monitor the Eligible Expiration Notification to assist the local coordinators in performing timely outreach.

Performance Standards
Eligible Training Providers, with the exception of registered apprenticeships, are required to submit performance reports after 1 year of initial eligibility and every two years for continuing eligibility. The results must be student-level data segregated by training program
and will apply to both WIOA and All Student populations:
- Employment Rate: The percentage of program participants who are in unsubsidized employment in the second quarter after exit from the program;
- Employment Rate: The percentage of program participants who are in unsubsidized employment in the fourth quarter after exit;
- Median Earnings: The median earnings of program participants who are in unsubsidized employment during the second quarter after exit; and

- Credential or diploma attainment: The percentage of program participants who during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment, and who are achieving measurable skills gains toward such a credential or employment.

Oklahoma has established benchmarks for program-specific data for both initial and continued program eligibility determinations. At least one of the following minimum standards must be met:

• Program Completion Rate: 25% of the participants entering a program must complete the program.

• Credential Attainment Rate (if applicable): 25% of total participants completing a program offering a recognized postsecondary credential must earn the credential.

Performance data must be updated and in correct format prior to continued approval. LWDB's are strongly encouraged to take into the account the intent of multiple programs of study for a variety of occupations in the ETP program. It is the responsibility of local area ETP coordinators to ensure that providers are fully versed on and understand the performance standards and requirements for eligibility.

H. Modification of Approved Programs

ETP training providers must keep information current on OKJobMatch to continue to receive training referrals. Failure to report changes to program information promptly may result in removal of the program from the ETP program:

1. The state must be notified in writing of a change in price along with the reason for the change.

2. Notice of a change in ownership or form of control, which may include, but is not limited to: the sale of the institution, the merger of two or more institutions, the division of one institution into two or more institutions, or a conversion of the institution from a for-profit institution to a non-profit or a non-profit institution to a for-profit;

3. Notice of offering a program at a new location;

4. Notice of deleting or suspending a program. The institution shall also detail its teach-out plan or how the students will be advised regarding other options;

5. Notice of an action or review by the institution's accrediting body concerning the institution's accreditation/authorization status, such as loss of accreditation or any sanction relative to the institution's accreditation.

Additionally, all training organizations should provide notice to the ETP program Coordinator of a change in the manager of the training provider's ETP account in OKJobMatch.

I. Denial of an ETP Application and Removal of an ETP Program

The distinction between the denial of an application and the removal of a provider and/or program is critical for local coordination and state administration of the ETP program.

Denial of an initial ETP Application means the program cannot reapply for a period of six (6) months. Denial of a provider application to the ETP program may occur for the following reasons:

1. The LWDB shall deny eligibility if an applicant fails to meet the minimum criteria for eligibility as specified in this policy.
2. The LWDB in coordination with OOWD, shall deny eligibility if an applicant fails to meet the minimum criteria for eligibility as specified in local policy.
3. The applicant fails to provide a complete application, including a signed assurances form.
4. The applicant intentionally supplied inaccurate information
5. Instances of suspected or actual fraud.

Removal of an ETP program of study means the provider may reapply for approval of the program as soon as identified violations or issues are rectified. The Local Board in consultation with OOWD may "remove" a program or programs that has already been approved for the state ETP program for the following reasons:

1. Failure of the provider to supplying required data, or intentionally supplying inaccurate information.
2. The LWDB in consultation with OOWD shall remove a program (or programs) from the ETP program if the provider fails to supply the LWDB with available participant data required for the performance review within due dates established by the Workforce Board.
3. Training providers unwilling to supply required and available participant data shall be informed by the Local Board, in writing that their training program(s) will be removed from the state ETP program. Removals for this reason are not subject to formal appeal.
4. The LWDB in consultation with OOWD shall remove a program if it is determined that the applicant intentionally supplied inaccurate information and shall deny ETP program eligibility to a provider who has substantially violated any WIOA requirements. Training providers shall be informed by the Workforce Board, in writing, that their training program(s) have been removed from the state ETP program. Removal for this reason is not subject to formal appeal.
5. The LWDB shall remove a program of study (or programs) from the ETP program if the provider is unwilling to allow program costs, and performance information about student completion rates, employment rates and earnings to be published on OKJobMatch.com, the state's career and education platform which provides performance results for thousands of education and training programs. Training providers shall be informed by the Workforce Board, in writing, that their training program(s) have been removed from the state ETP program. Removal for this reason is not subject to formal appeal.
6. The LWDB shall remove a program of study (or programs) from the ETP program if the provider is operating in violation of state laws and regulations. Training providers shall be informed by the Local Board, in writing, that their training program(s) have been removed from the state ETP program. Removal for this reason is not subject to appeal.
7. If state and local required performance levels are not met, the program shall be removed.

J. Removal of a Provider from Oklahoma's ETP program

Approved training providers who are determined to have intentionally supplied inaccurate information or to have substantially violated any provision of this issuance and/or WIOA Title I or the WIOA regulations must be removed from the ETP program. A provider whose eligibility is terminated under these conditions must be terminated for a minimum of two (2) years and is liable to repay all training funds (adult, dislocated worker, and youth) received during the period of noncompliance (the local board should have a procedure in place for funds recapture). The intentional provision of inaccurate information may include:

- False claims about business partnerships;

- The provision of false information concerning the authorization or ability provide a program beyond secondary education;

- The provision of false information concerning licensure, registration, or accreditation to operate in Oklahoma;

- Charging a higher rate of training costs for WIOA participants than for self-pay individuals or those whose training is paid by other payment methods; or

- Misleading or false information regarding the training provider's ability to financially operate and sustain the training programs offered.

Additionally, a training provider will be removed from the ETP program for the following:

- The training organization has been debarred from business with the Federal government;

- Lost accreditation or license to provide training;

- reports/complaints about violations of the nondiscrimination and equal opportunity provisions agreed to in the initial ETP application;

K. LWDB Notice to Denied or Removed Providers
If a LWDB removes or denies either a provider's initial or continued program application for inclusion in the ETP program, the LWDB must, within 30 days of the decision, inform the provider in writing and include the reason(s) for the denial and complete information on the state's appeal process.

If OOWD denies a provider's program after a recommendation for approval from the local area, OOWD must within 30 days of the decision, inform the LWDB of the denial and the reason(s) for the denial. The LWDB must in turn inform the provider in writing and include the reason(s) for the denial and complete information on the state's appeal process.

At the point when the LWDB determines that a program will be removed from the ETP program due to not meeting minimum performance standards, the LWDB shall inform the provider and detail the reason(s) for the removal and complete information on the appeals process, if applicable, prior to the denial to confirm that the provider understands the performance requirements. The LWDB must send a copy of this notice to the OOWD.

Programs deemed ineligible will remain on the program for at least 30 calendar days before they are removed, if subject to a formal appeal. If a training provider chooses to appeal, a training program that is subject to removal shall remain in the state ETP program until the appeal is concluded.

L. Complaints Against Eligible Training Providers
Each LWDB must develop a process for tracking participant complaints related to ETP program training providers. At the discretion of the local board, these records can be used in determining continued eligibility. All complaints related to the ETP must be forwarded to OOWD.

M. Appeals Process
Training providers can choose to appeal the rejection of their program for inclusion in the ETP program, or its termination of eligibility. The appeal must be submitted in writing via email to workforce@okcommerce.gov within 14 days after notification of the decision. The appeal must include the justification for the appeal in the request. The provider also has the right to request a hearing to discuss their appeal. If a hearing is requested, a board will be convened consisting of OOWD leadership, the OOWD ETP program Administrator, and the LWDB Director. A decision will be made within 60 days of appeal. This will be a final decision and, if the removal is upheld, the program will be prohibited from reapplying for one year from the date of the final decision or for two years if the removal was for the submittal of false information.

N. Registered Apprenticeship Programs
RAPs are automatically eligible to be included in the ETP program and are exempt from state and local ETP eligibility requirements. Due to the rigorous assessment RAPs have passed as part of the registration process with the U.S. Department of Labor's Office of Apprenticeship (DOLETA/OA), additional information and performance requirements may not be required or requested of RAPs. If openings for new apprenticeships exist in the local area, the RA sponsor's programs will automatically be considered in-demand training, and will be included and maintained in the ETP program as a statewide demand occupation for as long as the openings remain unfilled.

The state will reach out to new apprenticeship programs to inform them of the opportunity to join Oklahoma's ETP program. RAPs that opt for inclusion in the ETP program may request the State ETP program Administrator to add them to the ETP program with the provision of only the following basic information:

- Occupations included within the RAP;

- The name and address of the RAP sponsor;

- The name and address of the Related Technical Instruction (RTI) provider(s), and the location(s) of instruction if different from the program sponsor's address;

- The method and length of instruction;

- The number of active apprentices; and

- The appropriate NAICS and SOC codes, as currently required by the State's virtual case management/ETP program system.

RAPs will remain in the ETP program until:

- The RAP notifies the OOWD that it no longer wants to be included in the ETP program;

- The program becomes deregistered under the National Apprenticeship Act;

- The program is determined to have intentionally supplied inaccurate information; or

- A determination is made that the RAP substantially violated any provision of Title I of WIOA or the WIOA regulations, including 29 CFR part 38.

O. Training Exempt from ETP program Application Requirements

Select training services are not suitable for the ETP program but may be provided using a contract between the provider and the LWDB provided the training services are chosen in a manner that emphasizes informed customer choice, performance accountability, and continuous improvement. For these select training services, participants can receive training from a program that is not in the ETP program. Training services that are exempt from the ETP program eligibility requirements include:

- Work-based training, including on-the-job training, customized training, incumbent worker training, and transitional jobs, or;

- Training provided under the circumstances described at WIOA Section 134(c)(3)(G)(ii) and 20 CFR 680.320, where the LWDB determines that:

  - There is an insufficient number of ETPs in the local area to accomplish the purposes of a system of ITAs;

  - There is a training services program with demonstrated effectiveness offered in the local area by a community-based organization or other private organization to service individuals with barriers to employment;

  - It would be most appropriate to award a contract to an institution of higher education or other provider of training services to facilitate the training of multiple individuals in one or more in-demand industry sector or occupation, and such contract does not limit customer choice; or

  - When the LWDB provides training services through a pay-for-performance contract

Attachment II: Training Program Approval Workflow
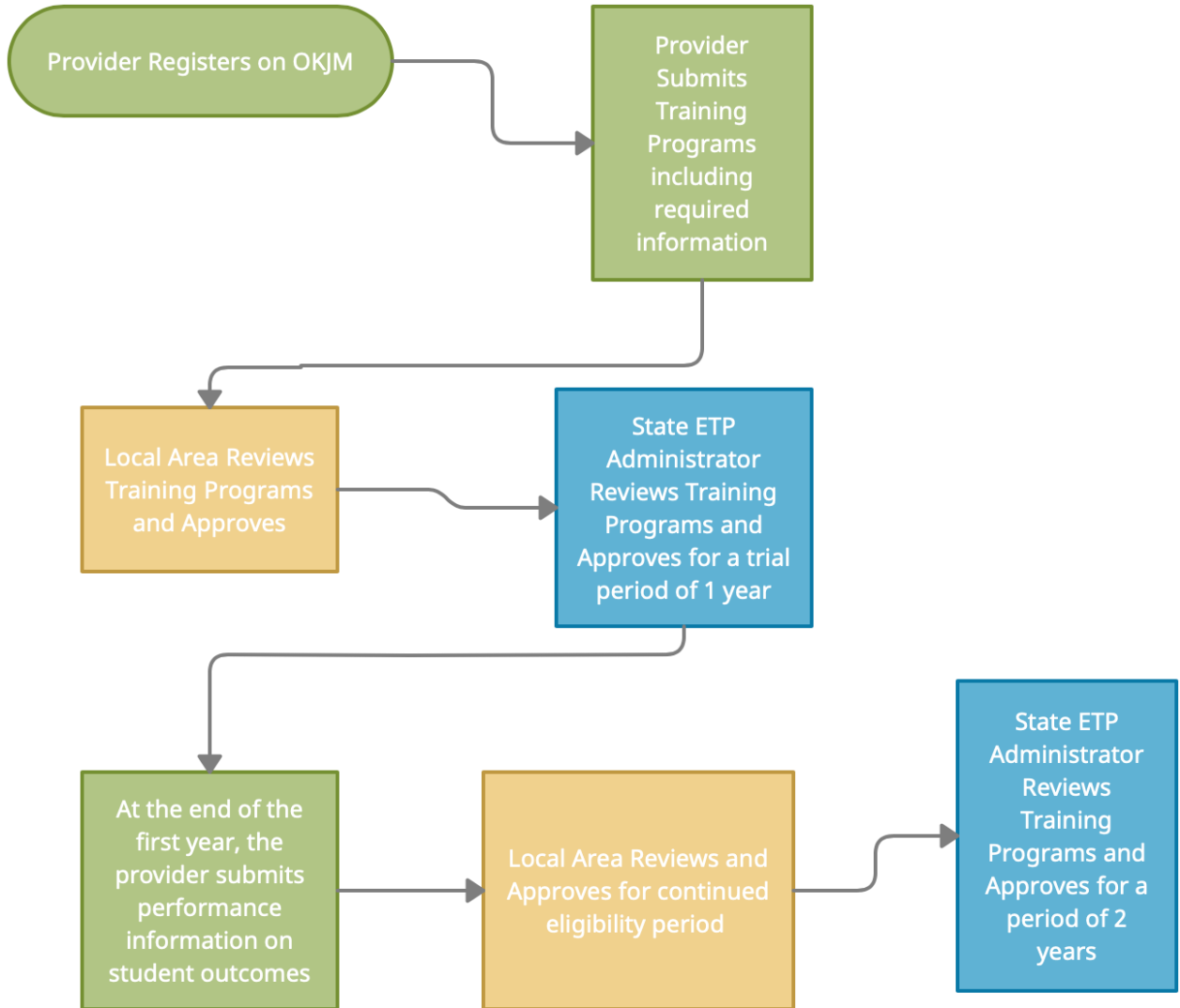
Attachment III: Training Program Initial Eligibility Performance Requirement Scenarios

Scenario 1: A school with a campus in Oklahoma and in several other states is newly approved to be on Oklahoma's Eligible training provider Registry and submits a program for initial program eligibility.

The program is new to both the school and new to the ETPR , so the school has no performance data to report specifically for that program.

Performance information required for the initial eligibility for the training program:

No performance information is required and initial eligibility is approved for one year, provided all other information is correctly entered in the application.

Scenario 2: A school with a campus in Oklahoma and in several other states is newly approved to be on Oklahoma's Eligible Training Provider Registry .

They submit a program for initial program eligibility. The program has been offered at the school for several years, so they have a lot of performance to report. It is old for the school but new to the State ETPR

Performance information required for the initial eligibility for the training program:

The most recent performance information for the program that covers a minimum of one year.

Scenario 3: A trainer with a campus only in Oklahoma is newly approved to be on Oklahoma's Eligible Training Provider Registry .

They submit a program for initial program eligibility. The program has been offered at the school for several years, so they have a lot of performance to report. It is old for the school but new to the State ETPR .

Performance information required for the initial eligibility for the training program:

The most recent performance information for the program that covers a minimum of one year.

Scenario 4: A trainer with a campus in Oklahoma only is newly approved to be on Oklahoma's Eligible Training Provider Registry .

The program is new to both the school and new to the ETPR , so the school has no performance data to report specifically for that program.

Performance information required for the initial eligibility for the training program:

Information related to the cumulative performance for all of the training provider's programs in Oklahoma. This is an example from another school's website:

Our Numbers

91%	94%	88%	87%	4,098
Capacity	Attendance Rate	Completion/Retention	Positive Placement	BIS/ACD Enrollments

Scenario 5: A school from Texas with no physical presence in Oklahoma wants to offer an online training program to WIOA customers.

They submit a program for initial program approval. The program has been offered at the online trainer for several years, so they have a lot of performance to report. It is old for the school but new to the State ETPR

Performance information required for the initial eligibility for the training program:

To approve the <u>training provider</u>: Performance information related to the cumulative performance for all of the training provider's programs for a minimum of one year.

To approve the <u>program</u>: Performance information related to the specific online course, reported as an aggregate number for the online course in all states.

Scenario 6: A school from Georgia with no physical presence in Oklahoma wants to offer an online training program to WIOA customers.

They submit an online program for initial program eligibility. The program has never been offered by the trainer so they have no performance to report. It is new to both the school and the ETPR .

To approve the <u>training provider</u>: Performance information related to the cumulative performance for all of the training provider's programs for a minimum of one year.

To approve the <u>program</u>: No performance information is required and initial eligibility is approved for one year, provided all other information is correctly entered in the application.
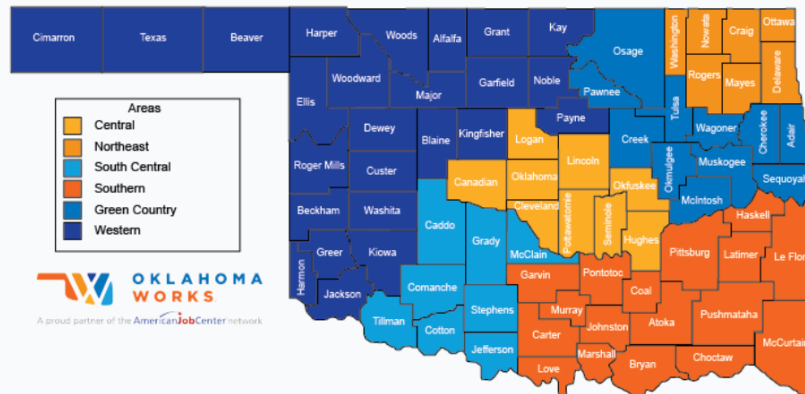
Training Provider Licensing Requirements
Other Considerations should include the training provider licensing requirements from OWDI 03-2020.

Attachment IV: Local Area ETPR Coordinators

Central	Ashley Sellers	(405) 622-2026 ext. 302
Northeast	Cathy Spencer	(918) 542-2956
South Central	Sissel Brown	(405) 615-2643
Southern	Beth Parker	(580) 745-5397
Green Country	Julie Van De Wege	(918) 438-7947
Western	Venita McGuire	(580) 256-8553


WORKFORCE DEVELOPMENT AREAS 2020

Areas
Central
Northeast
South Central
Southern
Green Country
Western

OKLAHOMA WORKS
A proud partner of the AmericanJobCenter network

State ETPR Administrator

Michael Carter, MPA
Oklahoma Department of Commerce
Oklahoma Office of Workforce Development
900 N. Portland Ave.
Oklahoma City, OK 73107

Tel: 405.208.3049

Email: michael.carter@okcommerce.gov

Attachment V: Training Provider Self Registration in OKJobMatch.com.

This guide will demonstrate how training organizations that are new to the Oklahoma ETPR may register for an Eligible Training Provider account on OKJobMatch.com for the first time. From here, the provider will be able to begin submitting training programs to be considered on the inclusion provider Registry .
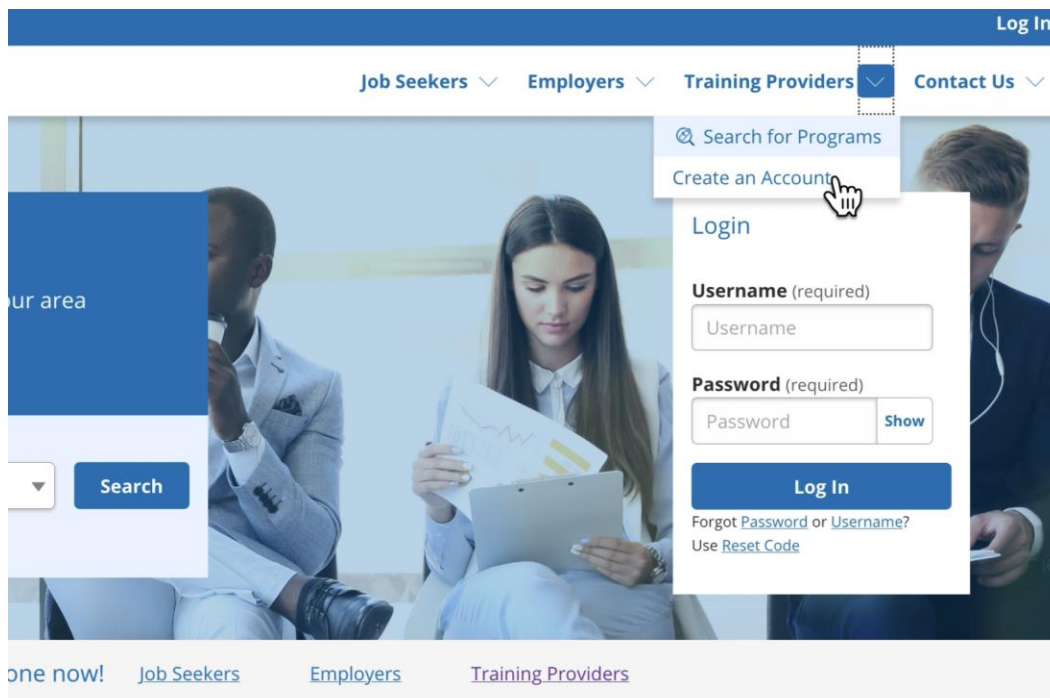
Navigate to OKJobMatch.com. At the top of the header next to "training providers", click the down arrow, then "Create and Account."

Create Training Provider Account

If you are a Training Provider, enter your FEIN and click **Search**. If you are an Apprenticeship (RA) Sponsor, click **Apprenticeship Sponsor**, enter your RA Number, and click **Search**.

Training Provider   Apprenticeship Sponsor

FEIN (required)

Your Federal Employment Identification Number is 9 digits.

Are you a **Job Seeker** looking for training?

Create a Job Seeker Account

Search

Next you'll enter your organization's FEIN number to make sure that your organization is not already registered on OKJobMatch.

Since this school is not already registered as an Eligible Training Provider, click "Add a new provider" on the next screen and click "accept".

OKJobMatch - Eligible Training Provider - Assurances

ℹ ▶ Please review the information below.

The training provider assures that it and all its employees responsible for providing training services, will comply fully with all nondiscrimination and equal opportunity provisions of the laws listed below:

- WIOA 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 WIOA Title I financially assisted program or activity;

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin;

- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

- The Americans with Disabilities ACT (ADA) of 1990 which prohibits discrimination against qualified people with disabilities based on disability;

On the next screen. agree to the ETP Assurance and click "continue".

Create Training Provider Account

ℹ️ ▶ To create your training provider account, please answer, at minimum, all required information.

Account Information

Username (required)

| providerexample92 |

View Saved Logins   annot contain spaces or special characters.

Password (required)

| | Show |

Your password must be between 9 and 128 characters and can include letters, numbers, and special characters.
Passwords are case sensitive.

Password Confirmation (required)

| | Show |

Security Question (required)

| ▼ |

Continue

Enter the required information. When all the appropriate fields have been entered click "continue".

Provider Example
Supplementary Documents

ⓘ ▸ Provide any supplementary documents (e.g., proof of accreditation, licensing, disability accomodations, etc.). You may upload u[...]
PDF, PNG, or JPG files, and each file must be no larger than 10 MB. You may also skip this step.

① Edit Provider Details

② **Supplementary Documents**

③ Credentials

④ Debarment

⑤ Accreditation & Financial Aid

⑥ Manage Programs

Add Program

Select Files to Upload

☁File | Please Select File | **Description** (required)
10 MB maximum file size, PDF, PNG, JPEG only

➕ Add Another File

Upload

Continue   Back

The application for a new provider account is now completed and awaits approval by the State ETPR Administrator. From this screen, the new provider is be able to begin submitting training programs for ETPR consideration. Note: While the account awaits approval, only one program may be submitted until the Eligible Training Provider account has been fully approved by the State ETP Administrator.