



COMMONWEALTH OF VIRGINIA  
VIRGINIA COMMUNITY COLLEGE SYSTEM

**WORKFORCE INNOVATION AND OPPORTUNITY ACT**

**The Virginia Community College System  
VIRGINIA WORKFORCE LETTER (VWL) #15-01**

**TO:** LOCAL WORKFORCE DEVELOPMENT BOARDS

**FROM:** George Taratsas   
Administrator, Federal Workforce Programs

**SUBJECT:** Procedure for Establishing Training Provider Eligibility under the Workforce Innovation and Opportunity Act (WIOA) of 2014

**DATE:** July 22, 2015

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**PURPOSE:**

To provide the procedures and guidelines for determining training provider eligibility effective July 22, 2015 through December 31, 2015. This policy applies to training programs provided by the Eligible Training Provider and Individual Training Account Services supported by WIOA Title I funds.

**REFERENCES:**

Workforce Innovations and Opportunities Act, Sections 107, 116, 122 and 134  
Training and Employment Guidance Letter (TEGL) WIOA No. 41-14  
Code of Virginia §23-276.1 - §23-276.12, §23-276.14, §23-276.2 and §23-276.4

**PERSON EFFECTED:**

Current/Existing eligible training providers  
Applicants for new eligible training providers

Workforce Development Boards (WDBs)

**DEFINITIONS:**

**Eligible Training Provider (ETP)** is an approved training provider that provides training for participants who enroll in a WIOA-funded program of training services. Eligible Training Providers include:

- Post-secondary education institutions
- Registered Apprenticeship programs
- Other public or private providers of training, 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
- Local Boards, if they meet the conditions of WIOA sec 107(g)(1)
- Community Based Organizations or private organizations of demonstrated effectiveness that provide training under contract with the Local Board.

**Eligible Training Provider List (ETPL)** is a list of approved eligible training providers maintained by the State in partnership with the WDBs. Virginia’s ETPL was established in compliance with the Workforce Investment Act (WIA) of 1998 and is continued under the Workforce Innovation and Opportunity Act of 2014 to provide customer-focused employment training for adults and dislocated workers. Training providers who are eligible to receive Individual Training Accounts (ITAs) through WIOA Title I-B funds are listed on the ETPL.

**BACKGROUND:**

The [Virginia Board of Workforce Development Policy \(VBWD Policy\): 13-02 Occupational Skills Training Policy](#), provided the guidance in determining Eligible Training Providers for the State of Virginia. The purpose of this letter is to provide transitional guidance as the Board evaluates revisions to its policy 13-02 to address additional eligibility requirements and performance measure reporting for training providers.

According to WIOA sec. 122, States, in partnership with Local WDBs, must identify eligible training providers that are qualified to receive WIOA title I-B funds to train adults and dislocated workers, including those with disabilities. Therefore, WIOA requires that each State must maintain a list of eligible training providers and their eligible training programs. States must implement the initial eligibility procedures for new training providers under WIOA by July 22, 2015.

This VWL is in reference to the Training and Employment Guidance Letter (TEGL) WIOA No. 41-14, WIOA Title I Training Provider Eligibility Transition. TEGL WIOA No. 41-14 in accordance with WIOA sec. 122, explains the requirements for determining training provider eligibility in order to utilize WIOA title I-B training funds. Based on this guidance, VCCS WDS has developed the following procedures for Eligible Training Providers from July 22, 2015 through December 31, 2015.

**GUIDANCE:**

**Continued Eligibility of Approved Training Provider Programs**

Existing training providers (training providers that were determined eligible prior July 1, 2015) will continue or maintain the existing eligibility of approved programs through December 31, 2015. Existing Eligible Training Providers can add new programs following the procedures stated in the New Eligible Training Providers and Programs section below. Continuing eligibility for training providers and programs will be addressed under the new Eligible Training Provider (ETP) policy being developed for implementation January 1, 2016.

### **New Eligible Training Providers (Initial Eligibility for New Providers and Programs)**

Initial eligibility for new providers and programs will be addressed under the new ETP policy that will be developed and take effect January 1, 2016. For the period of July 1, 2015-December 31, 2015, new eligible training provider and program determinations shall be made using the following process:

Local WDBs have the responsibility for reviewing and approving training providers and their programs, and inputting that information in the Virginia Workforce Connection (VaWC) system. This will provide the required information to the state WIOA administrative entity (Virginia Community College System's Workforce Development Services Division) for inclusion of that provider in the state-maintained Eligible Training Provider system of record.

Training providers are required to submit an initial application for approval with at least one local WDB to initiate the process of placement on the state's eligible training provider list. A training provider approved by any local WDB has reciprocal approval of that provider's approved programs with all WDBs. However, there are ultimately multiple factors used by local WDBs in determining a training solution tailored to individual and local workforce needs and use of resources. Local boards will determine whether training programs offered by ETP's are consistent with in-demand skills.

#### **Initial Approval Process:**

There are four categories of providers who can apply for approval to be included on the state maintained eligible training provider list:

1. A postsecondary educational institution that is eligible to receive federal funds under Title IV of the Higher Education Act of 1965 and that provides a program that leads to certification or license or college certificate, associate degree, or baccalaureate degree.
2. A postsecondary school that offers formal instructional programs with curricula designed primarily for students who have completed the requirements for a high school diploma or its equivalent. Such schools include programs of academic-vocational, vocational, and continuing professional education that may lead to a certification or licensure. This category excludes avocational and adult basic education programs.
3. An entity that carries out related instruction under the Virginia Voluntary Apprenticeship Act.
4. A provider of a program of occupational training services that under Section 23-276.2 of the Code of Virginia is exempt from certification as a postsecondary school such as a professional or occupational training program regulated by another state or federal governmental agency other than the State Council of Higher Education for Virginia (SCHEV), any school, institute, or course

of instruction offered by any trade association or any nonprofit affiliation of a trade association on subjects related to the trade, business, or profession represented by such association.

Providers and programs operating in Virginia under all categories shall submit an application for approval to the local workforce investment board in which the provider desires to offer training to WIOA customers. This application must include the information outlined in the Procedures Section, Attachment A.

**Programs and providers under categories 1 and 2 must be certified to operate or must have program approval from an applicable state agency** (a list of such agencies/entities can be found in Attachment A) in order to be considered for approval by a local workforce investment board to offer training services to WIOA customers through the individual training account method. This requirement does not apply to programs and providers offering training services to WIOA customers through a contract with the WDB as defined in TEGL 41-14.

### **Registered Apprenticeships (RA)**

Registered Apprenticeship (RA) program sponsors that request to be an ETP are automatically included on the State's ETP list and will remain as long as the program is registered and active or until the program sponsor notifies the State that it no longer wants to be included on the list. The WIOA Administrator (VCCS Workforce Development Services) will obtain the RA information of sponsors who are interested in being on the State's ETPL from the Virginia Department of Labor and Industry. The WIOA Administrator will input the RA Sponsor information in the Virginia Workforce Connection system on a monthly basis.

RA programs are not subject to the same application and performance information requirements or initial eligibility procedures as other providers because they follow the detailed application and vetting procedure to become a RA program sponsor with the USDOL or the State Apprenticeship Agency (The Virginia Department of Labor).

### **Eligible Training Provider List**

WIOA requires that each State must maintain a list of eligible training providers and their approved training programs. Local Workforce Development Boards have the responsibility for inputting their approved training providers and programs into the Virginia Workforce Connection (VaWC) system for inclusion of that provider in the state-maintained Eligible Training Provider system of record. The ETPL must be disseminated with relevant performance and cost information to Local State Boards and the public. The Virginia eligible training providers list is located on the Virginia Workforce Connection website <https://www.vawc.virginia.gov/vosnet/Default.aspx>

**RESPONSIBILITIES: N/A**

**PROCEDURES: See Attachment A**

## Attachment A - Initial Approval Application Information

Providers and programs operating in Virginia under all categories shall submit an application for approval to the local board for the localities in which the provider desires to offer training to WIOA customers. This application must include the information outlined below. **Also, programs and providers under categories 1 and 2 must be certified by an applicable state agency** (a list of such agencies/entities is provided below) in order to be considered for approval by a local workforce development board to offer training services to WIOA customers through the individual training account method. As noted previously, this requirement does not apply to programs and providers offering training services to WIOA customers through a contract with the local WDB.

1. Contact information
2. Evidence of certification to operate unless training provider is exempt from state statutory requirement for certification or is recognized as a training provider through the Virginia Voluntary Apprenticeship Act
3. Evidence of approval to license (if applicable)
4. Evidence of employer demand for training program
5. Training curriculum/skills
6. Courses or classes & descriptions
7. Credential to be issued
8. Duration of training
9. Training program costs
10. Evidence of ability to collect and report performance outcome data
11. *Any other information required by the local WDB*

### List of Certification/Accreditation Agencies/Entities:

The following State agencies can provide approval for Occupational Skills Training programs (please note this is not an all-inclusive list):

- [Criminal Justice Services Department](#)
- [Department of Health Professions \(DHP\)](#)
- [Department of Medical Assistance Services \(DMAS\)](#)
- [Department of Motor Vehicles](#)
- [Department of Professional and Occupational Regulation \(DPOR\)](#)
  - Board for Barbers and Cosmetology
  - Board for Contractors
  - Fair Housing Board
  - Real Estate Board
  - Real Estate Appraisers Board
  - Tradesmen
  - Board for Waste Management Facility Operators
  - Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
- [State Council of Higher Education for Virginia \(SCHEV\)](#)
- [Virginia Board of Pharmacy](#)
- [Virginia Board of Nursing](#)