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| Policy No.  | **10** |
| Effective Date | 7/1/2017 |
| Supersedes  | Procedure of Individual Training Accounts– Attachment L (7/1/2014) |
| Revision Date | 1/18/2018 |
| Revision No.  | 1 |
| Approval  | GNWDB |

**Contracting With Training Providers**

**Dislocated Worker, Adult & Youth Programs**

**Policy**

Policy

Contracts for services may be used instead of Individual Training Accounts (ITAs) **only** when one (1) or more of the following five (5) exceptions apply and the local area has fulfilled the consumer choice requirements described below:[[1]](#footnote-1)

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| 1. | when the services provided are on-the-job training (OJT), customized training, incumbent worker training, or transitional employment;  |
| 2. | when the local board determines that there are an insufficient number of eligible training providers in the local area; |
| 3. | when the local board determines that there is a training services program of demonstrated effectiveness offered in the area by a community-based organization or another private organization to serve individuals with barriers to employment; |
| 4. | when the local board determines that it would be most appropriate to contract with an institution of higher education or other eligible provider of training services that will facilitate the training of multiple individuals in in-demand industry sectors or occupations, provided that the contract does not limit consumer choice; or |
| 5. | when the local board is considering entering into a pay-for-performance contract, and the local board ensures the contract is consistent with WIOA requirements on pay-for-performance contracts (see 20 CFR § 683.510).  |

**Exceptions are intended to meet special needs and should be used infrequently**.

**Selecting Training Providers**

The Strategic Planning Committee will review and make the determination of whether a program meets the guidelines below:

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| 1. | One of the five exceptions apply.  |
| 2. | Program was not approved as an eligible program by NDOL.  |
| 3. | Training is limited to short-term training (no more than six months).  |
| 4. | Serves to provide needed training to participants in order to follow a career path that will lead to H3 employment. H3 employment has high wage, high demand and high skill. |
| 5. | Training demonstrates effectiveness particularly as it applies to individuals with barriers to employment to be served. Individuals with barriers to employment may include the following:* displaced homemakers;
* low-income individuals
* Native American Indians, Alaska Natives, and Native Hawaiians;
* individuals with disabilities
* older individuals, i.e., those aged 55 or over
* ex-offenders
* homeless individuals;
* youth who are in or have aged out of the foster care system;
* individuals who are English language learners;
* individuals who have low levels of literacy
* individuals facing substantial cultural barriers
* eligible migrant and seasonal farmworkers [defined in Sec. 167(i) of WIOA]; xvi. individuals with two (2) years of exhausting lifetime eligibility under Temporary Assistance for Needy Families (TANF);
* Single-parents (including single pregnant women);
* long-term unemployed individuals; and
* other groups determined by the governor to have barriers to employment.
 |
| 6. | Training aligns with local and regional plan.  |

If training is in response to a mass layoff (as identified in policy 25), the committee may exclude guidelines 2 and 3 in making a determination.

If the above criteria is met, the Strategic Planning Committee can than make a recommendation to the Greater Nebraska Workforce Development Board (GNWDB). If the motion is approved. The following steps will be taken.

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| 1. | Contracting for classes will follow the Department of Administrative Services procurement policy.  |
| 2. | A thirty (30) day public comment period will be allowed for interested providers.  |
| 3. | Priority will be given to training provider’s institution that have already been approved by NDOL but the individual program was not.  |
| 4. | The training provider is required to: |
| A. | Demonstrate adequate management, administrative capacity, and resources (financial and human) necessary for the proper operation of the Training Provider and to meet obligations to students |
| B. | Demonstrate that all educational programs are sound and current and that the employment community is actively involved in discussions about how to develop and maintain programs that are relevant, current, and accurately reflect industry requirements |
| C. | Demonstrate that faculty have the appropriate prior work experience, education and teaching qualifications necessary to support the institutions educational programs |
| D. | Demonstrate appropriate admissions requirements, recruitment practices, student services, and monitoring of student progress toward graduation |
| E. | Measure student outcomes quantitatively in areas such as rates of graduation and graduate employment and to use graduation rates and employment rates as a means to focus qualitative efforts toward continuous institutional effectiveness and improvement |
| F. | Demonstrate an institutional mission, vision and/or goals that support the preparation of students to meet local workforce needs |
| G. | Demonstrate a commitment to internal services, such as career placement, that support student growth and career support |
| H. | Demonstrate commitment to local workforce development initiatives by describing current partnerships with local community agencies and business partners |
| I. | Commit to compliance to all WIOA compulsory assurances  |

1. 20 CFR § 680.320(a) [↑](#footnote-ref-1)