

Eligible Training Providers & Contracting With Training Providers Policy

Policy No.	8
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Approval	GNWDB

Reference

20 CFR 680.320 and 20 CFR 680.340-680.530. Nebraska Department of Labor's Adult and Dislocated Worker Programs policy and Eligible Training Providers policy.

Policy

Eligible Training Providers

Nebraska's Eligible Training Provider List (ETPL) is a list of training providers that are qualified to receive WIOA funding for providing training services to eligible individuals through approved training programs, including Registered Apprenticeship programs.

The Governor has designated Nebraska Department of Labor (NDOL) as the agency responsible for determining the eligibility of training providers. NDOL plays a leadership role in ensuring success of the Nebraska Eligible Training Provider (ETP) program in partnership with local boards and the one-stop delivery system. For information regarding eligibility criteria, the eligibility process, etc. see NDOL's [Eligible Training Providers Policy](#).

Training providers on the Eligible Training Provider List (ETPL), or the ETPL of a state with which Nebraska has a reciprocal agreement, are the only entities eligible to receive funding through Individual Training Accounts (ITA), except for limited exceptions identified below in the Contracting with Training Providers section. For additional information on ITAs see Greater Nebraska's [Individual Training Accounts Policy](#).

Nebraska's ETPL is accessible online at Neworks.nebraska.gov under Job Seekers: Training Services, look for ETPL Approved Programs. Training providers that would like be included on the ETPL can learn more at dol.nebraska.gov.

The responsibilities of the Greater Nebraska Workforce Development Board (GNWDB) regarding the ETPL include:

- Carrying out procedures assigned by NDOL;
- Working with NDOL to ensure sufficient numbers and types of providers are serving the local area, including training providers with expertise in serving individuals with disabilities and adults in need of education and literacy activities;
- Ensuring the dissemination and appropriate use of the ETPL through the local one-stop delivery system; and

- Ensuring informed consumer choice as described in Greater Nebraska's [Individual Training Accounts Policy](#).

In addition, the GNWDB may:

- Make recommendations to NDOL on the process used in determining eligibility of training providers and programs;
- Require supplemental (not alternative) criteria and information from local training providers as criteria to become or remain eligible in the local area;
- Set higher local levels of performance for training providers than those established by NDOL as criteria to become or remain eligible to provide training services in the local area; and
- Supplement the criteria and information requirements established by NDOL in order to support informed consumer choice and the achievement of local performance indicators including:
 - Information on training programs that are linked to in-demand occupations in the local area;
 - Performance and cost information, including program performance and cost information, for the local outlets(s) of multi-site eligible training providers;
 - Information that shows how programs are responsive to local requirements; and
 - Other appropriate information related to the objectives of WIOA.

GNWDB has not established any additional criteria for training providers to meet to become or remain eligible to provide training services in the local area.

Contracting with Training Providers

Not all allowable types of training services are subject to the requirements of the eligible training provider provisions. Contracts for training services may be used instead of ITAs when the GNWDB has fulfilled the consumer choice requirements described in Greater Nebraska's [Individual Training Accounts Policy](#). Training services exempt from the ETPL requirements include:

1. On-the-job-training (OJT), customized training, incumbent worker training, or transitional jobs (TJ) training services.
2. The GNWDB determines:
 - a. If there is an insufficient number of eligible training providers in the local area to accomplish the purpose of a system of ITAs.
 - b. If there is a program of training services having demonstrated effectiveness in serving individuals with barriers to employment offered in the local area by a community-based organization or other private organization.

- c. It would be most appropriate to contract with an institution of higher education or other accredited, authorized, or licensed provider of training services, in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations, provided that the contract does not limit consumer choice. Providers of training services must be authorized by accrediting or governing authorities to provide training services in Nebraska or to Nebraska residents.
3. The GNWDB provides training services through a pay-for-performance contract.

Individuals with barriers to employment include the following:

- a. displaced homemakers;
- b. low-income individuals;
- c. Native American Indians, Alaska Natives, and Native Hawaiians;
- d. individuals with disabilities;
- e. older individuals, i.e., those aged 55 or over;
- f. ex-offenders;
- g. homeless individuals;
- h. youth who are in or have aged out of the foster care system;
- i. individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
- j. eligible migrant and seasonal farmworkers, defined in WIOA sec. 167(i);
- k. individuals within two (2) years of exhausting lifetime eligibility under Temporary Assistance for Needy Families (TANF);
- l. single-parents (including single pregnant women);
- m. long-term unemployed individuals; or
- n. other groups determined by the Governor to have barriers to employment.

Selecting Training Providers

On-the-job training, customized training, incumbent worker training, and transitional jobs contracts are approved by the local office Managers.

The Strategic Planning Committee is responsible for reviewing training service contracts meeting exemption two (2) or three (3) listed above. The committee will utilize the criteria listed below to determine if a recommendation to approve the contract should be made to the GNWDB. The committee will:

1. Ensure the training program falls under one of the exempt categories listed above.
2. Ensure the program was not approved as an eligible training program by NDOL.

Note: Priority will be given to training provider institutions that are approved to be on the ETPL by NDOL, but the individual program was not.

3. Training is limited to short-term training (no more than six months).
4. Ensure the training program serves to provide needed training to participants in order to follow a career path that will lead to high wage, high skill, and high demand (H3) employment.

For an occupation to be considered H3 it must meet the following criteria:

- i. Occupations are high wage when at least half of their wage measures are at or above the regional average for all occupations.
 - ii. Occupations that require some college, no degree, or a higher level of educational attainment are high skill, as well as occupations that require a high school diploma or equivalent plus long-term on-the-job training, an apprenticeship, or internship/residency.
 - iii. The number of annual openings, net change in employment, and growth rate determine whether an occupation is high demand.
5. Determine if there is an insufficient number of eligible providers. To determine if there is an insufficient number of eligible providers the board must:
 - a. Assess the number of training providers on the ETPL within a 50 mile commuting distance of the participant. If there are no training providers offering a specific H3 program within a 50 mile commuting distance of the participant, this would deem an insufficient number of eligible providers.
 - b. Follow the Department of Administrative Services Procurement Policy including providing a thirty (30) day public comment period for interested providers.
 6. Ensure the training demonstrates effectiveness particularly as it applies to individuals with barriers to employment to be served. To demonstrate effectiveness the program and provider must:
 - a. Demonstrate adequate management, administrative capacity, and resources (financial and personnel) necessary for the proper operation of the training program;
 - b. Demonstrate that all educational programs are sound, 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 appropriate admission requirements, recruitment practices, student services, and monitoring of student progress toward graduation, ensuring to effectively serve individuals with barriers to employment;

- d. Measure student outcomes quantitatively based on measures such as, program completion, attainment of the skills, certificates, or degrees the program is designed to provide, placement after training in unsubsidized employment, and retention in employment.
- e. Describe how the program relates to the workforce investment needs identified in the [Greater Nebraska Local Plan](#); and
- f. Provide written assurances that it complies with the requirements of WIOA sec. 188 and 29 CFR Part 38 and the Americans with Disabilities Act, as amended.

If training is in response to a mass layoff, the committee may exclude factors two and three in their determination.

If the above criteria is met, the Strategic Planning Committee will make a recommendation to the GNWDB to approve the contract. Procurement and selection of providers based on conditions two (2) or three (3) must adhere to the requirements of the Uniform Guidance.

Disclaimer

This policy is based on Greater Nebraska's reading of the applicable statutes, regulations, rules and guidance released by the U.S. Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.