



PEE DEE LWDA INSTRUCTION NUMBER: 17 - 009

To: Eligible Training Provider List Applicants

Subject: Eligible Training Providers' List

Issuance Date: November 29, 2017

Effective Date: Immediately

Purpose: The purpose of this instruction is to transmit the Pee Dee Workforce Development Area's policies and procedures governing applications for the Eligible Training Provider List under the provisions of the Workforce Innovation and Opportunity Act (WIOA). It repeals Pee Dee Instruction #15-009 regarding this matter.

Background: Section 122 of the Workforce Innovation and Opportunity Act (WIOA) establishes the eligibility criteria for training providers seeking to be placed on the list of providers eligible to receive funding for training WIOA-eligible participants. Subject to the provisions of WIOA, the provider shall be:

1. an institution of higher education that provides a program that leads to a recognized post-secondary credential;
2. an entity that carries out programs registered under the "National Apprenticeship Act" (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or
3. 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.

Providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional employment shall not be subject to the provisions of this instruction.

Policy:

The Statewide List of Eligible Training Providers includes all training programs that are currently certified by one or more Boards. Inclusion of information regarding any program of training services or any institution, organization or individual providing training services is in no way an endorsement by the South Carolina Department of Employment and Workforce of that program, institution, organization or individual. General inquiries regarding certified programs should be directed to the Local Workforce Development Area.

The Pee Dee Local Workforce Development Area will consider all programs approved for the Statewide Eligible Training Providers List, but establishes the following additional requirements of entities seeking eligibility to provide training services in the Pee Dee Local Workforce Development Area (LWDA):

1. Be in business under their current ownership for a minimum of two (2) years, and provide performance data for programs.
2. Be licensed by the South Carolina Commission on Higher Education (CHE) or submit a letter from CHE indicating licensure is not required.
3. Be nationally or regionally accredited by a regulating body recognized by the US Department of Education (such as SACS, NEASC, NCA, MSA, WASC, NWCCU) <https://ope.ed.gov/accreditation/agencies.aspx>
4. Where programmatic accreditation is not available for a course of study, the provider must be able to issue an industry recognized and portable credential to participants completing the course.
5. Offer training in a facility that is in compliance with ADA requirements, and be able to pass a site visit.
6. Report their performance to the South Carolina Department of Employment & Workforce's SC Works Online Services system (SCWOS)
7. Be subject to a review/analysis by the Pee Dee Local Workforce Development Area (LWDA), and respond to all questions or concerns of the LWDA.
8. Be approved by the LWDA.

* Providers who operate solely as online institutions are not eligible for local approval.

Eligible Training Courses:

1. Must be offered to the general public.
2. Must be for an in-demand occupation in the Pee Dee LWDA

Continuing eligibility will be evaluated by the LWDA every two years

1. ETP must continue to have valid accreditation:
 - a. Maintain accreditation; and
 - b. Continue to supply student-based information to SCWOS.
2. For Courses to remain on the local ETP list, the training course must:
 - a. Have training related placement rates within guidelines of LWDA policy;
 - b. Be for a demand occupation in the Pee Dee LWDA.

Payment for training services will be made through the use of a voucher, issued in an amount sufficient to cover the training services costs for eligible adults, dislocated workers, and older out of school youth who are unable to obtain other grant assistance for such services, including Federal Pell Grants; or eligible adults, dislocated workers, and older out of school youth who require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants.

Providers of training services will invoice the service provider for training services provided to WIOA participants. The invoice must have appropriate supporting documentation attached. Appropriate supporting documentation would include but not be limited to: a copy of the redeemed voucher certificate and such other documentation

deemed necessary by the service provider to redeem the voucher. In addition, the training provider will be responsible for providing the service provider's case management personnel with WIOA participant attendance records, periodic and final reports on the participant's progress, grade or competency achievement, performance appraisals (when applicable), and such other information necessary to assess the participant's progress in the training program.

Tuition reimbursements will be made upon submission of the redeemed voucher and invoice. Occasional delays of state funding may affect the timing of ETP tuition reimbursements. The service provider reserves the right to reject vouchers not submitted for redemption in a timely fashion in accordance with established policy.

Appropriate facilities and systems of providers of training services must be accessible to monitoring and/or auditing by all appropriate representatives and/or agents, of the Federal, State, and local workforce development area. All Eligible Training Providers must have a Provider Consumer Report on training performance and costs available to WIOA participants.

Appeal Procedures:

The Pee Dee LWDA also reserves the right not to approve training programs, that are part of the Statewide list in accordance with established policies.

The Pee Dee LWDA will notify the training provider in writing, when a determination is made re: the placement of a course on the local training provider list. In the event that the Pee Dee LWDA declines to place a provider from the Statewide list on the local area's list of approved training programs, the training provider will have the right to appeal that decision. In addition, the Pee Dee LWDA reserves the right to terminate a provider's eligibility for placement on the local training provider list if it determines it is in its best interest to do so. Reasons for the termination of a training providers' eligibility for the local list include, but are not limited to, intentional supplying of inaccurate or false information, substantial violations of the Workforce Investment Act (WIA) or Workforce Innovation and Opportunity Act, change in the industry's demand for a specific training program, unsatisfactory performance, change in the quality of the program or its ability to produce a post-secondary or industry-recognized credential, etc.

In the event that a training provider is not approved for, or is approved but subsequently removed from, the Pee Dee LWDA's local list, the following appeal procedures will apply:

1. Within fifteen (15) days of the date of the letter notifying the provider of the adverse decision, a written appeal must be submitted to:

Joette R. Dukes, CGGO
Workforce Development Director
Pee Dee Regional Council of Governments
P.O. Box 5719
Florence, SC 29502

2. Within thirty (30) days of the date the appeal is filed, the Workforce Development Director will review the appeal and make a determination as to whether it is necessary to schedule an informal hearing before the Pee Dee Workforce Development Board (or a designated Committee of the Board) or if sufficient information has been presented to result in reversal of a previously-issued adverse decision. In the event that a hearing is

necessary, the appellant will have the option to present the reasons it believes the adverse decision was in error and request reversal of the previously- made decision. In the event that the informal hearing is not scheduled within 60 days of the appeal being filed, the training provider may appeal to the State Administrative Entity.

3. Within fifteen (15) days, the Pee Dee Workforce Development Board's decision will be provided, in writing, to the appellant. The appellant will be advised of his/her right to appeal to the State Administrative Entity and the appropriate contact information will be provided to do so. The appellant must file its written appeal with the State in accordance with the following guidelines:

- Within fifteen days of the adverse decision or
- If no hearing was scheduled within 60 days, within 15 days of the date a hearing should have been scheduled
- If hearing was scheduled, but no decision was reported, within 15 days a decision was due.

The State Administrative Entity's decision will be final, as a decision made under this appeal process may not be appealed to the Secretary of the Department of Labor, under the provisions of WIOA.

Nothing in this instruction prevents a complainant from pursuing a remedy authorized under another Federal, State, or local law.

Action: Training providers seeking initial eligibility for the Statewide Eligible Training Providers' list are required to submit requested information to the SC Department of Employment and Workforce using the Palmetto Academic Training Hub (PATH) portal. Detailed instructions and tutorials are available to assist interested training providers in uploading their information to the State ETPL. Once the initial vetting of the program application is concluded by the State and the Pee Dee LWDA is notified, the LWDA will make a determination, based on established policies, regarding whether or not the course(s) will be placed on the local area's list, for those providers who request placement on the Pee Dee LWDA's local list. This process will apply to both initial and subsequent eligibility applications.

Inquiries: Questions pertaining to this instruction should be directed to April Gaskins at 843-669-3138.


Joette R. Dukes
Workforce Development Director