

Workforce Investment Act  
ELIGIBLE TRAINING PROGRAMS/PROVIDERS  
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Rhode Island State Workforce Investment Office  
Workforce Partnership of Greater Rhode Island  
Workforce Solutions of Providence/Cranston

## TRAINING PROGRAMS/PROVIDERS

### I. Introduction [Ref. - Act Sec. 122(a); 134(d)(4); Regs. - Preamble Sec. 663.500 Sec. 663.505]

The Workforce Investment Act of 1998 (WIA) mandates local Workforce Investment Boards (WIBs), in partnership with the Department of Labor and Training, to identify training service providers at the local level, whose performance qualifies them to receive WIA funds to train job seekers, based on minimum criteria established by the Governor. This basis builds on the following three guiding principles:

- Empower individuals by allowing them to choose the program of training or education they need and giving them the information to make good choices;
- Increase accountability and quality among providers; and
- Establish strong state and local partnerships to ensure quality training options and accuracy of information for the client.

Consequently, these principles set the framework for a competitive market designed to give customers the best choices for training and receive premium services and information that will lead to a strong provider marketplace.

The intent of the WIA is to allow adult and dislocated job seekers that qualify for training services to have freedom of choice in selecting any qualified training provider from the State's single eligible provider list. This list and the performance and cost information shall be disseminated to the ***NetworkRI*** Delivery System within the State. Adults and dislocated workers eligible to receive training services under Title I of WIA will have opportunity to select any of the eligible providers/programs, from any of the local areas in the State, that are included on the State's eligible provider list. The WIA intends for job seekers to make decisions based on actual performance criteria.

To be initially eligible to receive funds as an eligible provider of training services, providers may apply for program certification under two categories.

#### Category One

In order to receive adult and dislocated worker funds under the first category, prospective providers must meet the following criteria:

- A Post-Secondary educational program that is **(a)** eligible to receive funds under Title IV of the Higher Education Act of 1965 and **(b)** provides a program that leads to an Associate Degree, Bachelor's Degree or Certificate; or
- Carries out programs under the National Apprenticeship Act of 1937.

Providers and their programs that are eligible to apply for certification under category one include universities, colleges, community colleges, some vocational-technical schools, some proprietary schools and apprenticeship programs registered with the Bureau of Apprenticeship Training, U. S. Department of Labor.

### **Category Two**

In order to receive adult and dislocated worker funds under the second category, prospective providers must meet eligible provider criteria established by the Governor. The Department of Labor and Training will be responsible for eligibility certification of providers and their programs applying under the second category.

Providers that are eligible to apply for certification under category two are:

- Public and private providers of a program of training services, which includes entities such as vocational-technical schools, community-based organizations (CBOs), private training companies, labor organizations, employer organizations, private individuals and entities that provided training under JTPA;
  - A post-secondary educational institution or training provider, public, private for profit or private not for profit wishing to receive training funds for a program(s) which do not lead to an associate or baccalaureate degree of certificate or are not funded under Title IV of the Higher Education Act of 1965;
  - An apprenticeship program wishing to receive training funds for a program not registered with the Federal Bureau of Apprenticeship Training; and
  - A local WIB that has applied for and been granted a waiver by the Governor as outlined in Section 117(f)(1)(B) of the Act.
- The provider must be offering a course of training in a demand occupation for the local area, or in the State of Rhode Island as appropriate.

**II.**      **Application Process**    [Ref. – Regs. Sec. 663.515(a)(b)(c)]

Prospective training providers are required to submit applications covering each individual program or course of study to be offered.

Applications can be obtained at <http://www.dlt.ri.gov/WIO/> and can be submitted by mail:

Rhode Island State Workforce Investment Office  
c/o Jo-Anne Thibedeua  
1511 Pontiac Avenue  
Bldg. 72/3  
Cranston, RI 02920

Phone: (401) 462-8857

Fax: (401) 462- 8787

E-Mail: [jthibedeau@dlt.ri.gov](mailto:jthibedeau@dlt.ri.gov)

NOTE: **PROGRAMS**, not providers, are certified through this process.

Each local WIB may solicit an invitation to all training providers to submit applications to apply for status as approved training providers. This solicitation may be done through a combination of direct mailings, newspaper notices and other appropriate means. At the discretion of the local WIB, it may also solicit training providers from outside of the local area, including other states.

**Program Services**    [Ref. - Regs. Sec. 663.508]

Training should be tailored to those occupations that have been determined to be in demand in each particular local area. A program of training includes:

- a. One or more courses or classes that, upon successful completion, leads to a certificate, diploma, associate degree or bachelor's degree; or

(For the definition of Certificate, visit [WIN notice 06-15, Certificate Definition](#))

- b. A competency or skill recognized by employers; or

- c. A training regimen that provides individuals with additional skills or competencies generally recognized by employers.

Types of Training Requiring Applications [Act – Sec. 134(d)(4)(D); Regs. 663.300]

The following list of training services is not all inclusive and additional training services may be provided. All proposed training services must be certified in order for WIA-eligible clients to enroll:

- a. Occupational skills training, including training for nontraditional employment;
- b. Programs that combine workplace training with related instruction, which may include cooperative education programs;
- c. Training programs operated by the private sector;
- d. Skill upgrading and retraining, except OJT and customized training;
- e. Entrepreneurial training;
- f. Job readiness skills; and
- g. Adult education and literacy activities provided in combination with any other training services listed above.

**III. Initial Eligibility Determination** [Ref. – Act 122(b); Regs. Sec. 663.515(a)(b)]

All training offerings must be directly related to employment opportunities. An occupation is considered an employment opportunity if the **CIP Code** can be cross walked with an **O'Net Code** and matched to an occupation from the **Top 50 RI Occupations by Annual Openings 2002-2012 (Demand) List** and/or the **Top 50 Rhode Island Occupations by Annual Openings 2002-2012 (Growth) List**.

In the event a training program does not meet the criteria above, the Local Workforce Boards will allow training providers to submit written justification in support of the offering for inclusion on the Eligible Training Provider List. Information should include, but is not limited to:

Past performance information if available

Current labor market information that justifies that the offering is directly related to employment opportunities

Proof of coordination with industry employers

Examples of advertised employment opportunities

Training providers are strongly encouraged to provide a published course catalog which includes cost information. In lieu of this documentation, providers must ensure that the **cost of training** to WIA customers does not exceed the **training cost** charged to other customers in the same program.

All training providers should keep a certificate of insurance on file that indicates a student is covered by general liability insurance while in attendance regardless of the physical address of the training facility.

Due to a waiver granted by the United States Department of Labor, Initial Eligibility will be extended for all programs through June 30, 2007.

**IV. Subsequent Eligibility [Act Sec. 122\(c\); Regs. Sec. 663.535\]](#)**

The US Department of Labor approved Rhode Island's waiver request to extend Initial Eligibility through June 30, 2007. Therefore, eligible training providers are not required to conform to Subsequent Eligibility Requirements. Rhode Island's waiver, can be viewed at Exhibit no. 7 [link](#)

**V. Review and Certification Process [\[Ref. – Regs. Sec. 663.515\(d\)\]](#)**

Within 30 working days of receipt of the application, the State Workforce Investment Office, will review each application and provide the Local WIB a preliminary review of the application.

If the application is approved by the Local WIB, a contract will be sent from the State Workforce Investment Office on behalf of the Local WIB to be executed between the LWIB and the training provider.

Upon a determination by the local WIB that a complete application does not meet the eligibility requirements set forth in the WIA and the Interim Final regulations, the WIB shall issue a denial notice within thirty (30) working days. The denial notice will clearly identify the program being denied and the specific reasons for the denial. The denial notice shall also advise the training provider of its right to

appeal the local WIB's decision within 20 working days of the date of the denial as outlined in Section IX, Appeal Process.

A training provider may be denied certification for a training program for the following reasons:

1. The application is not complete.
2. Written justification does not meet WIB standards;
3. Inaccurate information regarding a program is intentionally supplied;
4. Training programs are not supported with mandatory program information; for execution with each grantor.

## **VI. Publication of List**

Training providers will appear on the statewide list after the State Workforce Investment Office verifies that Local WIBS have signed initial reviews. As new programs are submitted and approved throughout the year, the statewide list will be updated on an ongoing basis. If the program is found to be ineligible for the statewide list, the local WIB will cease to approve additional Individual Training Accounts for that program.

## **VII. Identification and Maintenance of Eligible Provider List [Ref. – Act Sec. 122 (e)(1)(2); Regs. Sec. 663.510; 663.550; 663.555]**

### **A. Local Level**

Through the **NetworkRI** One-Stop Delivery System, participants, employers, and other interested individuals will have direct access to a comprehensive list of career, education and training information.

### **B. State Level**

The State Workforce Investment Office of Department of Labor and Training will be responsible for the development, operation and maintenance of the statewide Internet-based eligible training provider list and certified programs. The list will contain specific consumer information for each certified program.

## **VIII. Compliance Requirements [Ref. – Act Sec. 122(f)(1); Regs. Sec. 663.535]**

### **A. Accuracy of Information**

After consultation with the local WIB, if it is determined that a certified training provider or individual(s) supplying information on behalf of the provider intentionally supplies inaccurate information, the provider's eligibility to receive funds shall be terminated for a period of not less than two (2) years.

B. Non-Compliance [Ref. – Act Sec. 122(f)(2); Regs. Sec. 663.565]

Each training provider determined to be in violation of any of the requirements of the Act, may, in consultation with the local WIB, have its eligibility to receive funds terminated until a corrective action plan is received and approved by the Department of Labor and Training.

**IX. Corrective Action Plan**

The training provider in consultation with local WIB staff must develop a corrective action plan (CAP). The local WIB will submit the CAP to the State Workforce Investment Office as part of the reapplication process. The CAP should contain the following:

A. Circumstances

The description should indicate the specific circumstances; i.e., violations of the Act, inaccurate information, performance, etc.

B. Corrective Action Steps

Specific steps that have been taken to correct the situation should be described. This includes procedural changes that corrected the deficiency, technical assistance and/or meetings with appropriate local and/or state officials.

Local WIB staff must submit, as part of the CAP, an outline describing how designated local WIB staff will document implementation of the training provider's CAP.

**X. Repayment** [Ref. – Act Sec. 122(f)(3); Regs. Sec. 663.565(a)(3)]

Providers determined to have intentionally supplied inaccurate information or to have subsequently violated any provision of Title I of WIA or the supporting federal regulations may be removed from the statewide eligible provider list. A provider whose eligibility is

terminated under these conditions shall be liable to repay all adult and dislocated worker training funds received during the period of non-compliance from non-Federal funds.

**XI. Appeal Process** [Ref. – Act Sec. 122(g); Regs. Sec. 663.565(b)(4) and Sec.667.640 (b)(1)(2)(3)]

**A. Denial of Training Programs**

**1. Local Level Review** 667.640 (b)(1)(2)(3)

If a training provider is issued a denial letter from the administrator or executive director of the Local Workforce Investment Board (LWIB), the training provider will have 30 days from the mailing of the denial notice to file an appeal with the Local Workforce Investment Board. The request for appeal must identify the program, which was denied and the reasoning for the appeal. The LWIB must issue a decision within 30 days after the appeal was filed.

Chairman, Workforce Investment Board  
Workforce Partnership of Greater Rhode Island  
PO Box 8680  
Cranston, RI 02920

or

Chairman, Workforce Investment Board  
Workforce Partnership of Providence/Cranston  
180 Westminster Street  
Providence, RI 02903

**2. State Level Review**

A request to review the decision may be filed with the State WIA Liaison within 30 days of receiving written notice from the LWIB. The training provider's request must be submitted, in writing and must include a copy of the LWIB's decision. The

WIA Liaison will issue a decision within 30 days of receipt of the request for review.

State WIA Liaison  
State Workforce Investment Office  
1511 Pontiac Avenue  
Cranston,  
RI 02920

B. Denial of Eligibility, Suspension and/or Termination

Following issuance of a denial of eligibility, determination of suspension or termination of eligibility, by the WIA Liaison, the training provider will have 30 days in which to submit an **appeal** to the State Office of Legal Services and Adjudication. Within 60 days of the receipt of the appeal, the training provider will be notified of the date, time and place where a due process hearing will be conducted and a decision will be issued. There shall be no appeal to the decision and no right to further access. All appeals must be forwarded, in writing, to the following address:

Legal Counsel  
Department of Administration  
Office of Legal Services & Adjudication  
1 Capitol Hill  
Providence, Rhode Island 02908