

Deadline: September 25, 2015

DWIB – Potter

August 20, 2015

References:

US DOL, ETA, Training And Employment Guidance Letter 41-14
The Workforce Innovation and Opportunity Act of 2014
Federal Register/ Vol. 80, No. 73/Thursday, April 16, 2015/Proposed Rules Part 680, Subparts
A, B, C, D, E, F, G

MEMORANDUM FOR: Delaware Individual Training Account (ITA) Training Providers (ITA
Memo #3)

SUBJECT: Request for Public Comment

1. This memo and its enclosures are open for public comments from ITA providers and the general public until September 25, 2015, concerning the Delaware Workforce Development Board's (DWDB) Eligible Training Provider List (ETPL) process. Please send comments and concerns to us @ DOL_DET_WIOA_Helpdesk@state.de.us. To avoid missing important opportunities for comment, READ THIS MEMO COMPLETELY.

2. Background. The Workforce Innovation and Opportunity Act was signed into law last year by President Barack Obama and requires substantive changes in the management of the ETPL and ITA system. The primary concern in this piece of the new law and impending regulation seems to be provider accountability and ensuring there are adequate providers reflecting demand occupations.

3. Performance Accountability. As you know, (and will see in the enclosures) a track record of successful performance is a major criteria for inclusion on the ETPL. The standards are slightly different between initial eligibility and subsequent renewal.

a. We are specifically asking for providers to comment on whether collecting information on the standards below is unduly costly or burdensome. The standards we are concerned with, at this juncture are:

1. The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;

2. The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;

3. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program; and

4. The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program; and

5. The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.

b. Initial Eligibility. As it did under the Workforce Investment Act of 1998, the DWDB will require all new providers to meet the eligibility criteria outline in the enclosed ITA Manual and the ITA provider/program application package. Providers are required to provide “verifiable program specific performance information.” Primary among those is the requirement for a track record of success training in proposed program. The new law clarifies that track record of success referring to a “factor relating to the indicators of performance” (see the second bullet point in figure 1 below, which is a snapshot the guidance letter you can also find at <http://wp.me/p5JCjI-1V>). This idea of “a factor of success” allows the DWDB some latitude in evaluating initial eligibility performance for new providers who may not have easily convertible data as they enter the ITA and ETPL system. The DWDB will evaluate an initial provider on a “factor” of the performance measure, but not necessarily the exact performance, because a new provider may not be able to meet the data requirements until it has been in the ITA system for a period of time. The DWDB’s Performance Review and Certification Committee will determine No Later Than (NLT) October 27, 2015 the performance factors for a initial eligibility.

The Governor must require providers seeking initial eligibility under WIOA title I-B to provide verifiable program specific performance information. The State’s initial eligibility criteria must require applicant providers to, at a minimum:

- Describe each program of training services to be offered;
- Provide information addressing a factor related to the indicators of performance, as described in WIOA sec. 116(b)(2)(A)(i)(I)-(IV), which include: unsubsidized employment during the second quarter after exit, unsubsidized employment during the fourth quarter after exit, median earnings, and credentials attainment;
- Provide information concerning whether the provider is in a partnership with business. This could include information about the quality and quantity of employer partnerships;
- Provide other information the Governor may require in order to demonstrate high quality training services, including a program of training services that leads to a recognized post-secondary credential; and,

Figure 1. Initial eligibility performance. Source TEGL 41-14

c. Subsequent Eligibility. The process under WIOA for subsequent renewals really isn't very dissimilar than it was under WIA. The only major exception is the requirement for heightened scrutiny of performance success. The DWDB strongly encourages all providers to thoroughly read the enclosed ITA Manual; it will explain – in great detail – the process the DWDB uses to determine ETPL eligibility.

4. Ongoing updates. As you can imagine, the advent of WIOA requires a wholesale change to our ITA processes. This makes the September 17th Provider Forum critically important as we update you on changes. Be advised, between now and the forum, we will update – at a minimum – the Provider Link User Guide, the actual application forms reflecting all DJL updates, and several other as yet to be determined upgrades.

5. I cannot overstate the importance of following us on social media, specifically Facebook at <https://www.facebook.com/Delawareworks?ref=hl>, Twitter at @deworkforce, and WordPress at deworkforce.wordpress.com.

6. I am the point of contact at 302-761-8163 william.potter@state.de.us.

William J. Potter
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Delaware Workforce Development Board

6 Encls.
ETPL/ITA Draft Manual
Individual Training Account Approval Criteria Form
Individual Training Account (ITA) Provider/Program Approval Process
Memorandum of Understanding
Initial Eligibility Flow Chart
Subsequent Renewal Flow Chart