LOCAL POLICY & APPLICATION PROCEDURE
FOR CERTIFYING TRAINING PROVIDERS & PROGRAMS THROUGH
THE COMMONWEALTH WORKFORCE DEVELOPMENT SYSTEM (CWDS)
UNDER THE WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA)

BUTLER, ARMSTRONG & INDIANA COUNTIES

TRAINING PROVIDER CERTIFICATION/LOCAL POLICY

For all customers applying to the Tri-County Workforce Investment Board, Inc. (TCWIB), to become a “eligible training provider” please refer to the following procedure

To Qualify as an ELIGIBLE TRAINING PROVIDER to receive Workforce Innovation and Opportunity Act (WIOA) funding for individual training accounts (ITA’s) customers must meet the following 3 criterions:

1) Meet one of the 14 certification categories as outlined in Section I / page 2
2) Provide a program that leads to:
   a. Industry-recognized certificate or certification
   b. a certificate of completion of an apprenticeship
   c. a license recognized by the State involved or the Federal Government
   d. an associate degree
   e. baccalaureate degree or master’s degree (if can complete within 2 years)
   f. a community college certificate of completion
   g. a secondary school diploma or its equivalent
   h. a program of study leading to employment
   i. a program of study leading to a measurable skills gain
3) Training must be occupation specific and lead to a High Priority Occupation (please note HPO lists change from year to year). For more information refer to the state website at http://www.workstats.dli.pa.gov/Products/HPOs/Pages/default.aspx

*Programs and/or courses must meet the mandated performance as established by the Dept. of Labor & Industry to be approved, but Customers may not know if they meet the mandated performance until they actually “submit” program(s) to the Commonwealth Workforce Development System (CWDS) for review and approval – refer to pages 24 to 30 in the WIOA Training Provider Desk Guide dated 7-2018 (or most recent) on what criteria is required to meet performance.

Definitions:
Customer - is an interested party applying to be an “Eligible Training Provider”
Eligible Training Provider - is a provider of training services who has met the eligibility requirements to receive WIOA Title 1-B Adult, Dislocated Worker and Youth funds to provide training services to Eligible Individuals
Eligible Training Provider List – refers to the Dept. of Labor and Industry’s statewide list of approved providers of training services “eligible” to receive WIOA funds – this list can be located three different ways
   I. http://www.cwds.pa.gov (please note – this is the page you will use to create a folder and enter programs of training) – the WIOA Desk Aide will walk you through the process of creating a Provider Folder
   II. https://www.pacareerlink.pa.gov (clicking on on-line services, then Career Resources and then Training Providers)
   III. https://www.jobgateway.pa.gov (clicking on Career Resources and then Training Opportunities)
Program of Training Services – is defined as one (1) or more courses or classes, or a structured regimen that leads to a recognized post-secondary credential, employment, or measurable skill gain toward such a credential or employment

When applying to be an Eligible Training Provider, Customers must abide by the Labor and Industry’s Workforce System Policy (WSP) No. 4-015, C1, dated 4-4-2018 and the Workforce Innovation and Opportunity Act (WIOA) Desk Aid for WIOA Title I, Statewide Eligible Training Provider Desk Guide dated 7-2018 (or most recent Desk Aid).
I. 14 CERTIFICATION CATEGORIES

Training providers must meet all applicable state and federal requirements for operating certain schools. It is the responsibility of the individual training provider to contact the appropriate state agency to be properly licensed or approved. Depending on what type of school is being operated, a training provider may have to register, be licensed, or receive a permit or approval from one or more various state/federal agencies.

Training providers submitting training course/program applications to the PA CareerLink / Commonwealth Development Workforce System (CWDS – https://www.cwds.pa.gov) must meet one (1) of the following categories:

1. **Apprenticeships.** Apprenticeship programs registered with the U.S. Department of Labor’s Bureau of Apprenticeship and Training (BAT), and/or programs approved by the Pennsylvania State Bureau of Apprenticeship and Training;

2. **Auctioneers.** State Board of Auctioneer Examiners, 63 P.S. §734. 1 et seq and 49 PA Code §1.11;

3. **Aviation.** Schools that provide training or instruction in flying and are regulated by the Federal Aviation Administration. However, as an example, if the school chooses to offer non-flying training in the field of Aircraft Mechanics, then the program must be licensed by the Pennsylvania Department of Education (PDE);

4. **Barber schools.** State Board of Barber Examiners, 63 P.S. §562;

5. **Cosmetology Schools.** State Board of Cosmetology, 63 P.S. §512. However, as an example, if the school chooses to offer Massage Therapy, then the program must be licensed by PDE;

6. **Community-Based Organizations.** Groups of individuals organized by and for a particular community of people based on shared interests and/or attributes providing occupational skills training;

7. **Out-of-State Schools.** Schools providing educational instruction at institutions within the confines of their particular state that do not have a physical presence within Pennsylvania;

8. **Private Tutorial Schools.** PDE licensed schools providing individual instruction by a private tutor;

9. **Real Estate.** Schools providing training in the field of real estate - State Real Estate Commission, 63 P.S. §455.402 and/or schools providing training for real estate appraisal - State Real Estate Commission, 63 P.S. §§ 457.5(2). Training providers will be required to supply their license number;

10. **Hospital Schools.** Operated by a hospital licensed under the Health Care Facilities Act, 35 P.S. §§448.101 – 448.904 and accredited by a regional or national accreditation agency; educational programs for LPNs, RNs and CRNPs are approved by the State Board of Nursing, 49 PA Code §§21.31-21.33 and 49 PA Code §21.161;

11. **Colleges and Universities.** Schools authorized to award degrees under 24 PA C.S. §6505 (relating to power to confer degrees) other than those schools approved to award specialized associate degrees under §§42.11-42.14 (relating to specialized associate degree programs approval procedure), this includes four-year colleges;

12. **Pennsylvania Schools.** Schools operated by the Commonwealth of Pennsylvania or a political subdivision thereof, such as the PDE’s Stevens College of Technology, community colleges or vocational technical schools;

13. **Service Occupations.** Schools/classes providing training in public service or other service occupations. Persons engaged in public service occupations are limited to ambulance personnel, emergency medical technicians, firefighters, police, school bus drivers, and school crossing guards. Persons engaged in other service occupations are limited to maids, butlers, and chauffeurs; and

14. **Private Licensed Schools.** Act 174 of 1986, the Private Licensed Schools Act (PLSA), requires postsecondary institutions that offer career training in Pennsylvania be licensed by the State Board of Private Licensed Schools. Schools which meet all five (5) of the following requirements **must be licensed before operating:** (1) offers classes or maintains a school, (2) charges tuition or makes a profit from its fees, (3) contracts with members of the public directly rather than through a third party, (4) prepares those members of the public to pursue employment as defined in the Dictionary of Occupational Titles as supplemented or amended, and (5) is not specifically exempt under the statute. For further information, training providers should contact PDE’s Division of Private Licensed Schools, at 717-783-8228 or visit PDE’s website at http://www.education.pa.gov.

If a training institution does not fall into one of the fourteen (14) certification categories listed above, it may be considered for inclusion on the statewide ETPL on a case-by-case basis. Local workforce development boards and the PDE provide recommendations for provider approval or rejection. Final approval for inclusion on the ETPL is determined by the Department.
II. **HIGH PRIORITY OCCUPATIONS (HPO)**

Courses or programs of study funded through Workforce Innovation and Opportunity Act (WIOA) must be occupation specific and lead to an occupation on TCWIB’s HPO list. High Priority Occupations (HPOs) are a direct result of the second step in Pennsylvania’s industry-driven approach to workforce development. The purpose of the statewide and regional HPO lists is to align workforce training and education investments with occupations that are in demand by employers, have higher skill needs and are most likely to provide family sustaining wages. Combining statistical data with regional expert input allow for a complete picture of the actual workforce needs of the commonwealth.

To locate the following documents

- **Current Statewide and Regional Lists** (these lists are valid from September 1, 2018, through July 31, 2019). *The 2018/2019 HPO Lists (after approval) will begin 8/1/18 and end 7/31/19.

- **A copy of the HPO Policy** (which is an explanation of the HPO Process and how educational institutions and local Workforce Development Boards can submit documentation to have an occupation added to their list)

- **HPO Petition Form** (which can be used during the annual petition submission period in the spring or for emergency petitions throughout the year) - In most cases, additional documentation is required
  - [Sample documentation for Employer Demand Petition](#)
  - [Sample documentation for Career Pathway Petition](#)
  - [Sample documentation for Sector Partnership Petition](#)

- **The Pennsylvania CIP-SOC Crosswalk** (current version of the crosswalk file that aligns training programs (classified by CIP codes) and occupations (classified by SOC codes). This information is used to determine the eligibility of educational programs for workforce development training monies. Pennsylvania’s CIP-SOC crosswalk has been and will continue to be modified from the national version based on input from various educational facilities and the Pennsylvania Department of Education

- **An Introduction to High Priority Occupations**
  View this PowerPoint tutorial to learn basic information about Pennsylvania’s HPO process

Go to the following link: [http://www.workstats.dli.pa.gov/Products/HPOs/Pages/default.aspx](http://www.workstats.dli.pa.gov/Products/HPOs/Pages/default.aspx)
Training Providers only need to apply to one Local Workforce Development Area (LWDA).

Local Policies and Procedures differ from each LWDA. (Can submit to other LWDA’s if HPO is not on the local LWDA’s list)

To remain eligible to provide training services and receive training funds, training providers must submit and meet performance levels on an ANNUAL basis.

All training providers are strongly encouraged to have a current email address used to notify training providers of meetings, policy upgrades, important information, etc.

Training providers must update contact personnel, site addresses, site phone numbers, program and/or course information.

**UPDATING PROVIDER FOLDERS**

As a reminder, it is extremely critical to keep the information within your business folder on the PA CareerLink website up-to-date. Specifically, e-mail addresses and points of contact should be reviewed frequently to ensure that appropriate staff is receiving e-mail notifications from the Bureau, as well as system-generated e-mails through the PA CareerLink website.
III. APPLICATION PROCESS

All training providers must adhere to the following policies and procedures to have programs/courses approved by TCWIB.

PLEASE NOTE: An entity that carries out programs registered under the Act of 9/16/37 (commonly known as the “National Apprenticeship Act”; 60 Staf. 664, 29 U.S.C. 50 et seq.) are automatically eligible. Please contact TCWIB for more information.

- Applications must be electronically submitted to the “Commonwealth Workforce Development System (CWDS) / Pennsylvania CareerLink®” at https://www.cwds.pa.gov for review and approval.

- Providers should select “Tri-County” as the LWDA under the Service Basic Details Screen.

Documentation:

Providers who are submitting programs to TCWIB for approval for the first time MUST send the following documentation to TCWIB, Inc. to verify information submitted through the on-line application:

1. Complete and sign the Training Provider Assurances Form (See Attachment #1)
2. Current Student Catalog or outline/curriculum of program(s) submitted
3. Current Student Handbook (if not the same as the catalog)
4. ADA Policy
5. Non-Discrimination Policy if not in Catalog/Handbook; if in catalog, please note page numbers(s)
6. Grievance Policies (note page number(s) if outlined in catalog or handbook)
7. and Financial statement and/or annual report or equivalent
8. Out of state schools will need to submit documentation as above as it pertains to their individual state guidelines/policies

Other information may be requested upon submission of programs: Documentation may include:

1. Verification of accreditation (if applicable)
2. Verification of Training Category
3. Copy of State license (if applicable) and a list of approved programs approved by the state; and
4. Form PDE 3808 outlining courses approved by the PA Department of Education / Private Licensed School Act

TRI-COUNTY WIB, INC. requires Eligible Providers to sign a Non-Financial Agreement (NFA) for students funded through Title I Provider for residents of Butler, Armstrong and Indiana Counties. NFA’s will be sent out prior to the beginning of each program year to providers who had Individual Training Accounts (ITA’s) the previous year or as providers are added to the training list and/or request funds through TCWIB, Inc.

Training Providers will be required to sign an Individual Training Agreement (ITA) for each approved student. ITA agreements are created based on the training and are currently funded through the Title I Contractor, CareerTRACK, Inc.
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**Program Costs**
When entering the total Program Costs into the database, it should include full tuition plus any additional costs (i.e. books, tools, clothing and equipment) related to that specific training. Include **all costs relative to enrollment and completion of the course of study** per student.

**Submissions**
The Tri-County Workforce Investment Board’s designated staff will review all applications submitted for re-certification. Providers will be notified no later than thirty (30) days from receipt of the information whether their application has been approved or denied.

TCWIB will review all the courses submitted and notify you of their decision to approve or deny your application(s). If your application(s) would be missing any item(s) and/or considered incomplete, the designated TCWIB staff person will notify you and allow you to update or resubmit your application(s). If the program or course is not updated within the 30 day time period, programs can be withdrawn and/or rejected. TCWIB will forward all approved applications to the state.

Any program and/or course submitted to TCWIB, Inc. that has been “rejected” by another Workforce Develop Board, will not be approved unless the occupation was not supported by the other WDB and is a HPO for TCWIB, Inc. (and program meets required performance, submits required documentation, etc.).

It is preferred that training providers/customers submit subsequent applications (year to year) to the same WDB.

If your application is considered approved, it will be “electronically” submitted to the Bureau of Workforce Investment, Certification Coordination Services for review and determination of eligibility to furnish training to WIOA eligible participants. You will be notified through e-mail if your program(s) have been approved, pending or denied. *Please make sure your email address submitted in the database is current. This email will also be used to update training providers up any updates/changes and/or upcoming training.

The Bureau of Workforce Investment, Certification Coordinator Services (Dept. of Labor & Industry/Bureau of Workforce Partnership and Operations) will review, determine eligibility and certify each program and/or course of training within thirty (30) days.

**Publication of List**
Training providers will have tentative local approval upon acceptance and approval of the program application by the local WDB. Training providers will appear on the statewide list after the Department of Labor and Industry agency verifies the eligibility (refer period for the Dept. of L&I is 30 days).

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 ITAs for that program.
Applications
Training providers shall retain all supporting documentation for applications electronically entered into the Team PA CareerLink Eligible Training Program/Provider system for a period of three years.

Performance Information
Training providers shall retain all verifiable performance information for a period of three (3) years from the date the student completes or terminates from the program.

Retention Coverage
The three-year record retention requirements shall apply to the 18-month Initial Eligibility Period and each Annual Eligibility Period.

Non-Compliance
Local WIBs are responsible for determining subsequent eligibility of its training programs/providers. Training providers should deliver results and provide factual information in order to retain eligible training provider status.

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 Industry.

Corrective Action Plan
The training provider in consultation with the local WIB staff must develop a corrective action plan. The local WIB will submit the Corrective Action Plan (CAP) to the Department of Labor and Industry as part of the reapplication process. The corrective action plan should contain the following:

- A. Circumstances: A description should indicate the specific circumstances; i.e. violations of the Act, inaccurate information, performance, etc.
- B. Correction Action Plan: 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.
- C. 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.

Repayment
Providers determined to have intentionally supplied inaccurate information or to have subsequently violated any provision of Title I of WIOA 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.

Denial of Service
If for any reason, your program and/or course is denied locally, all training providers MUST file their appeal through the on-line state database located at www.cwds.state.pa.us
**Appeal Process**
The purpose of the appeal process allows an opportunity to challenge one of the following actions initiated by a LWIOA or the Department of Labor and Industry.

- The rejection of the training program(s) for inclusion on the Statewide List of Eligible Training Programs/Providers.
- A denial of continuing eligibility
- Suspension; or
- Termination of eligibility

**Local Level Appeal**
An appeal at the local level includes

- The rejection of training program(s) by a LDB
- Denial of continued eligibility due to unsatisfactory performance
- Suspension of eligibility due to non-compliance or violation of WIOA

The appeal must be electronically filed through the Team PA CareerLink ([www.cwds.state.pa.us](http://www.cwds.state.pa.us)) and submitted to the LDB not later than 20 working days from the date of the rejection notice. Any documentation supporting the training provider’s case must be available upon request by the LDB and/or Department of Labor and Industry, Bureau of Workforce Investment. For those providers who do not have Internet access, the appeal must be submitted, in writing, to the LDB within the 20-working day time frame.

The LDB will issue a decision, not later than 20 working days from the date of the appeal request.

**State Level Review**
An appeal at this level includes:

- The rejection of training program(s) by a LDB
- Denial of continued eligibility due to unsatisfactory performance for a period of one year
- Suspension of eligibility due to non-compliance or violation of WIOA for a period of two years, and
- Termination of Eligibility

If the training provider is dissatisfied with the LDB’s decision, the training provider will have 20 working days from the date of the LDB’s decision to electronically file a request for a review by the Department of Labor and Industry, Bureau of Workforce Investment through the Team PA CareerLink web-site ([www.cwds.state.pa.us](http://www.cwds.state.pa.us)).

**State Level Appeal**
If the training provider is dissatisfied with the Department’s Initial Determination, the training provider may electronically file a request for a hearing before an impartial Commonwealth Hearing Officer through the Team PA CareerLink web-site ([www.cwds.state.pa.us](http://www.cwds.state.pa.us)).
TCWIB, INC. will adhere to the policies and procedures and application process/ performance measures and levels as established by the Dept. of Labor and Industry and outlined in the WIOA TRAINING PROVIDER DESK AID (most recent) and

The application and process will be utilized for resubmitting courses/programs for PY 2017, 2018 and 2019 can be found in the most current WIOA TRAINING PROVIDER DESK AIDE ON-LINE VERSION CWDS PROCEDURES for a copy of the desk aid and/or any questions that pertains to TCWIB’S TRAINING PROVIDER CERTIFICATION/LOCAL POLICY

Melinda Schultheis, Training Provider POC/Assistant Monitor
Tri-County Workforce Investment Board, Inc.
Pullman Commerce Center
112 Hollywood Drive, Suite 201
mschultheis@tricountywib.org
PHONE: (724) 282-9341 x 102 – FAX: (724) 282-4896
Website: www.tricountywib.org

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TCWIB, INC. RESERVES THE RIGHT TO CHARGE ITS LOCAL POLICY AT ANY TIME

REFERENCE:


- WIOA Title I Statewide Eligible Training Provider List (ETPL) - Desk Guide for Public Training Providers to the Statewide ETPL (dated June, 2018 or most recent)

- Tri-County Workforce Investment Board, Inc. Local Policy (if submitting programs or courses to TCWIB, Inc.) which can be accessed at www.tricountywib.org / under the link “Workforce Education and Training”

- In order to maintain continual eligibility all new program submissions, as well as the currently approved programs, must be re-submitted for certification on an annual basis. The certification year begins August 1 and ends July 31 of each subsequent year