

### Eligible Training Provider Process

151-020-0110 (1) The workforce investment system established under WIA emphasizes informed customer choice, system performance, and continuous improvement. The eligible provider process is part of the strategy for achieving these goals. This rule sets forth the procedures that Local Boards, in partnership with the State, shall follow to identify providers whose performance qualifies them to receive WIA funds to provide training services to adults and dislocated workers.

(2) A provider is initially eligible to receive WIA Title I-B funds to provide training services to eligible adult and dislocated worker participants through an individual training account if they are placed on the statewide list of eligible providers pursuant to this section.

(3) Training services to be provided under the Act using training providers on the Statewide List of Eligible Training Providers shall include the following:

- (a) Apprenticeship;
- (b) Entrepreneurial Training;
- (c) Occupational Training Programs (Occupational Skills Training);
- (d) Occupational Course(s) of Study;
- (e) Workplace Training Programs;
- (f) Adult Education, if in combination with any one of a-e, above; and
- (g) Local Boards, if they meet the conditions of WIA section 117(f)(1).

(4) On-the-job training and customized training providers need not be on the Statewide List of Eligible Training Providers and Programs to receive Title IB funds.

(5) Community-based organizations and other private organizations serving participant groups that face multiple barriers to employment need not be on the Statewide List of Eligible Training Providers and Programs to receive Title IB funds.

(6) Training providers may submit an application to any of the Local or Regional Workforce Investment Boards in the State to be approved for inclusion on the Statewide List of Eligible Training Providers and Programs.

(7) To be eligible to be a training provider on the Statewide List of Eligible Training Provider and Programs, the provider shall:

- (a) meet all applicable state and federal licensure requirements.
- (b) meet the requirements of 20 CFR 663 subpart E, WIA section 122, and any local criteria adopted by Local Boards.

(8) The Department is responsible for:

(a) Establishing the procedure for use by the local boards to determine initial and subsequent eligibility of a provider who seeks to receive WIA funds to deliver a program of training services.

(A) The procedure shall specify that institutions and organizations that are Higher Education Act Title IV or National Apprenticeship Act eligible shall be considered automatically eligible to be on the Statewide List of Eligible Training Providers and Programs through June 30, 2001 once they have submitted a complete and accurate application with information on the school, institution or organization and on the program or course of study for which they seek ETP certification.

(B) For those institutions and organizations not listed in subsection (7)(a)(A), the procedure shall require them to submit additional information relating to performance criteria including:

- (i) Organizational Capacity
- (ii) Training Services Capacity
- (iii) Focus on Employment and Training Needs
- (iv) Facilities, Equipment and Safety
- (v) Employment Opportunities
- (vi) Student Evaluation and Monitoring
- (vii) Special Population Services
- (viii) Demonstrated Performance

- (b) Developing and maintaining the State List of Eligible Providers and Programs, which is comprised of approved providers, submitted by Local Boards;
  - (c) Having on file a signed statement from each Eligible Training Provider that the provider assures the accuracy and truthfulness of applications prior to certification and inclusion on the State List of Eligible Training Providers and Programs.
  - (d) Verifying the accuracy of the information submitted by the provider as required by the Act, in consultation with the Local Board;
  - (e) Removing providers who do not meet the requirements of this section or who do not meet program performance levels;
  - (f) Taking appropriate enforcement actions, against providers in the case of the intentional provision of inaccurate information, as described in WIA section 122(f)(1), and in the case of a substantial violation of the requirements of WIA, as described in WIA section 122(f)(2);
  - (g) Disseminating the State list, accompanied by cost information relating to each provider, to One-Stop operators throughout the State; and
  - (h) Adopting a grievance procedure for training providers whose application was removed from the statewide list.
- (9) The Local Board shall:
- (a) Develop an application or use the state approved application seeking the information required by the state pursuant to this section as well as any additional application components and criteria identified by the local board;
  - (b) Accept applications from those interested in becoming an eligible training provider;
  - (c) Develop a process for reviewing and approving all completed applications;
  - (d) Forward all approved applications to the Department;
  - (e) Adopt a grievance procedure pursuant to OAR 151-020-0045 for training providers whose application is not approved; and
  - (f) Make the complete Statewide List of Eligible Training Providers and Programs available to participants and customers through the One Stop System and One-Stop Centers.
- (10) The Department shall administer the criteria and application procedures and provide guidance to Local Boards to be used in administering the eligible training provider process at the local level.

[Publications: The Publication(s) referred to or incorporated by reference in this rule are available from the department.]

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