



CHARLOTTE WORKS TRAINING PROVIDER POLICY

PURPOSE

To establish and communicate Charlotte Works, the workforce development board for Mecklenburg County, policy requirements and procedures for the Workforce Innovation and Opportunity Act (WIOA) for interested and active training providers.

REFERENCE

The Workforce Innovation and Opportunity Act of 2014 (WIOA, Chapter 2, Section 11, Item A)

BACKGROUND

This policy addresses the activities of Charlotte Works and those training providers who wish to offer services to adults, dislocated workers and youth whose training is funded by the Workforce Innovation and Opportunity Act (WIOA).

Charlotte Works identifies training providers and programs whose measurable performance qualifies them to receive WIOA funds. The training provider process provides review of training providers and programs for initial eligibility on an on-going basis.

The Eligible Training Provider List (ETPL) is designed to gather and display useful information on training providers, their services and the quality of their programs.

Charlotte Works receives completed applications from training providers for listing and determines if the applicant meets state and local criteria. The official Charlotte Works ETPL is available online at www.NCWorks.gov under Education Services.

ACTION

All active and interested Charlotte Works Workforce Innovation and Opportunity Act (WIOA) Eligible Training Providers must adhere to this policy.

POLICY DETAILS

Workforce Innovation and Opportunity Act (WIOA) Title I Requirements

WIOA Title I emphasizes informed client choice, performance accountability, and continuous improvement.

Training vouchers are issued to WIOA eligible youth and adults to fund training services. Individuals are only eligible for funding if they meet all WIOA requirements. The training provider must be selected from those listed on the ETPL. The eligible individual can then compare the offerings on the ETPL, and with the assistance of a career advisor, select the most appropriate training program.

To ensure that job seeking clients make an “informed client choice” and are prepared with the skills needed to fill hiring opportunities in in-demand sectors and career pathways in high wage occupations, a career advisor will provide access to skills assessment tools, career planning resources, updated labor market information identifying industry sectors and occupational clusters that are high-growth, high-demand, projecting skills shortages, and/or vital to the regional economy, and access to the eligible list of training providers (ETPL) provided in electronic format through the NCWorks Online system which provides relevant information on available training programs, including performance and cost. This includes advising students on provider performance and alternative options when an individual is interested in entering training with a specific provider.

Charlotte Works may also contract with an ETPL provider for cohort training if the following occurs:

- Charlotte Works determines it would facilitate the training of multiple individuals in in-demand occupations.
- The contracts do not limit client choice.
- An employer or group of employers has identified a need for the specific training, and has opportunities available for successful training completers.

MEMORANDUM OF UNDERSTANDING

Upon Charlotte Works approval, the training provider must sign and submit a Memorandum of Understanding (MOU) acknowledging they have read, understand, and agree to comply with the attached Training Provider Policy unless the agreement is terminated for cause. Charlotte Works may change training provider policy at any time and require providers to sign an updated MOU in order to remain an ETPL provider.

The MOU can be found attached to the end of the Training Provider Policy and must be signed and submitted before the training provider’s programs can be approved in NCWorks. Should a provider fail to provide a signed MOU at the request of Charlotte Works within 10 business days, that provider may be removed from the local area ETPL.

Definitions

Program of Training Services is defined as one or more courses or classes, or a structured

regimen that leads to one of the following:

- A recognized post-secondary credential, secondary school diploma or its equivalent.
- Employment.
- Measurable skill gains toward such a credential or employment.

Completion of training is defined as successfully completing an activity and attaining the skills competencies, certification, license, credential, degree, or employment associated with the activity in the client's employment plan.

Individuals with barriers to employment include those individuals in one or more of the following categories: displaced homemakers; low-income individuals; Indians, Alaska Natives and Native Hawaiians; individuals with disabilities; older individuals; ex-offenders; homeless individuals; youth who are in or have aged out of the foster care system; individuals who are English learners, have low literacy levels, or face substantial cultural barriers; eligible migrant seasonal farmworkers (MSFW); individuals within two years of exhausting lifetime eligibility under Temporary Assistance for Needy Families (TANF); single-parents (including single pregnant women); long-term unemployed individuals; and members of other groups identified by the Governor of North Carolina.

In-demand refers to occupations, industry sectors or clusters, or career pathways that have been identified by Charlotte Works on the Occupations in Demand (OID) list, updated semi-annually, which guides the selection process of training providers and programs. The OID list is created with data and intelligence gathered by Charlotte Works in consultation with economic development partners and local businesses.

Pre-apprenticeship Skills Training is defined as a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship programs and has a documented partnership (letter of commitment) with at least one, if not more, approved apprenticeship program(s). Such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program.

Types of Training to Which These Procedures Apply

In order for a provider of training services to receive WIOA funds, its program(s) must be listed on the ETPL. These programs may provide training services, such as the following:

- Occupational skills training, including training for non-traditional employment and occupational skills training that integrates English-language and math instruction needed to succeed on the job.
- Programs that combine workplace training with related instruction, which may include cooperative education programs.
- Training programs operated by the private sector.
- Skill upgrading and retraining.
- Apprenticeship and Pre-Apprenticeship Skills Training.

Special Circumstances

There are some training programs that are exempt from direct application to the ETPL or are subject to special ETPL policy provisions. Any exemptions will be made at the sole discretion of Charlotte Works provided one of the following conditions is met:

- On-the-Job Training.
- Customized Training (as defined by WIOA Chapter 1, Section 3, Item 14)
- Incumbent worker training or transitional employment.
- A temporary period of eligibility may be extended to a provider that is approved by another local area within the Southwest Prosperity Zone to meet an immediate need.
- Instances where Charlotte Works determines any of the following needs:
 - There is an insufficient number of eligible providers of training services in the local area.
 - An exception is necessary to meet the needs of individuals with barriers to employment.
 - An exception is necessary to meet an immediate employment need where an employer has made a formal contractual commitment to employ program graduates.
 - The Programs Committee of Charlotte Works determines that an exception is necessary to expedite the process to meet participant needs and the provider may still be subjected to a full review process.

II. PROVIDER APPROVAL AND PROGRAM SUBMISSION POLICY AND PROCEDURE

Charlotte Works

1. Charlotte Works shall use the NCWorks Online Eligible Training Provider List (ETPL) module for providers to be listed on the ETPL for the local area. Charlotte Works may require new providers to submit additional information outside of NCWorks as outlined in the new provider section.
2. Charlotte Works may establish local policies requiring performance above the state minimum standards for providers to be included on the ETPL.
3. Charlotte Works policies and procedures must ensure that the data supplied by providers for ETPL eligibility is complete, accurate, and current, and that providers meet the state's minimum performance standards.
4. Charlotte Works must have agreements with approved training providers that include provisions requiring providers to maintain sufficient records and to make these records available for monitoring or audit by either Charlotte Works, North Carolina Department of Workforce Solutions, and/or the U.S. Department of Labor. (USDOL)
5. Charlotte Works will work with local and regional employers and education providers to ensure that training programs provide credentials, certificates and/or skills that are valued by employers within priority industry sectors identified in the state or local strategic plan. Training must result in the awarding of an industry-recognized credential, national or state certificate or degree, including all industry appropriate competencies, licensing and/or certification requirements.
6. Charlotte Works will only provide training vouchers for programs that support a career pathway for the client in growing, in-demand, and/or priority industry sectors identified in the local plan. In instances where it can be demonstrated there is a demand for workers in the field of employment being sought by

the client, and that training will result in increased earnings and career pathway opportunities, vouchers can be issued for those training programs.

New Training Providers

1. For purposes of this section, New Training Providers shall be any provider that was not on the ETPL for any period after August 1, 2022. Additionally, any provider that was removed from the ETPL
2. Providers will be required to be registered in NCWorks Online and approved at a state level prior to submitting a local area application. Applications from providers without approval at a state level will not be reviewed.
3. All inquiring providers must submit a training provider application that will determine if they meet the minimum criteria for approval. After receiving the completed application, Charlotte Works will approve or reject the provider based on specified criteria in this policy and the application.
4. Applications that fail to meet the criteria outlined in the policy will be immediately dismissed and additional applications will not be considered for a period of up to one year from the date of the application. For purposes of this paragraph, providers shall be held to the performance data, cost, and program details provided in the initial local area application. Any request to amend this information prior to the approval of the program will be reviewed and approved at the sole discretion of Charlotte Works.
5. Once the NCWorks training provider user account is approved by Charlotte Works, the provider shall enter all the program information, completing all the required fields. All providers are required to provide performance data for each program to be listed on the ETPL and provide evidence that they have met the minimum performance criteria required. To maintain eligibility, performance data for each program will be submitted in NCWorks when requested by the State or Charlotte Works. Programs that do not include performance data will not be approved for listing on the ETPL. Failure to comply with any deadlines established by the state or local area for the submission of performance data may result in a provider being removed from the state and/or the local area ETPL.
6. Pre-Apprenticeship Training providers must include a letter of commitment from an approved apprenticeship program and meet the application policies and procedures required for the type of program (e.g., community college, private post-secondary, adult education provider, etc.).
7. Training providers that offer programs in multiple local areas must be approved at a state level prior to submitting a local area application. For example, if a training provider is located in Raleigh but has a satellite location in Charlotte, they need to apply first for state approval before they will be eligible to apply in either local area.
8. Providers headquartered outside of Mecklenburg County may apply to provide training services if the provider is listed on the ETPL in the local area in which they reside. However, Charlotte Works reserves the right to require additional proof of success for any provider that has not operated a training program locally for at least two years.
9. Charlotte Works will work with Community Colleges in the region to identify and list Career Technical Education (CTE) programs resulting in industry-recognized certificates or degrees. Methods to identify “industry-recognized certificates or degrees” can include consultation with industry experts and employers, review of state or industry-mandated licenses or certificates, or consultation with industry advisory groups.

Review and Approval

Training providers can submit programs for review at any time. This creates an opportunity to submit in-demand training programs as the needs of local employers, workers, and jobseekers change and grow. When submitting a new program providers must contact Charlotte Works staff to request a review of new programs. Upon request, Charlotte Works will then review and determine approval status within 30 days. An onsite visit by a member of the CharlotteWorks staff to the training facility may be a required component of the approval process.

Providers must meet the following criteria in order to be approved:

- Provider must be operating in the local area served by Charlotte Works for a minimum period of two (2) years; OR
 - Provider has demonstrated proven success on the ETPL for another local area and provided a direct point of contact with another local board as a reference
- Provider is accredited by a regional or national accrediting body deemed legitimate by the U.S. Department of Education, or licensed with the State of North Carolina to provide education programs.
- Provider maintains general liability insurance coverage of at least \$2 million
- Willingness of provider to comply with WIOA and the rules set forth in this policy

Programs must meet the following criteria in order to be approved:

- Training leads to an industry-recognized credential in an occupation identified on the Charlotte Works Occupations in Demand (OID) list. An industry-recognized credential includes, as defined by the U.S. Department of Labor:
 - Secondary School Diploma or recognized equivalent
 - Associate's degree
 - Occupational licensure
 - Occupational certificate, including Registered Apprenticeship and Career and Technical Education educational certificates
 - Occupational certificate
 - Other recognized certificates of industry/occupational skills completion that are sufficient to qualify for entry-level or advancement in employment
- Quality and demonstrated effectiveness of training program, including graduation and job placement rates
- Cost of training relative to market and comparable programs and providers
- Program has a graduation rate that meets Charlotte Works minimum requirements outlined in the Memorandum of Understanding (MOU).
- Program has an employment placement rate that meets Charlotte Works minimum requirements outlined in the Memorandum of Understanding (MOU).

NCWorks Online Eligibility

1. *Initial eligibility* – all programs will be set to initial eligibility upon review and approval in NCWorks.gov. Initial eligibility lasts one (1) year from the original approval day. A re-application date is set to notify the provider and Charlotte Works that the program's approved status will be expiring soon. The provider will have no more than 30 days after the program reapplication date to provide performance data and update the program details to reflect any changes and resubmit the program for continued eligibility.

2. *Continued eligibility* – to reach this eligibility status, provider/program must meet Charlotte

Works set performance goals outlined in the MOU and comply with all elements of the training provider policy. Continued eligibility extends the program's eligibility for one (1) additional year from the initial eligibility reapplication date.

III. CONTINUING PROGRAM MAINTENANCE AND ACCOUNTABILITY POLICY AND PROCEDURE

Administrative Requirements

Approved training providers are required to keep all program information listed in the ETPL updated including, but not limited to, institution contact information, costs, program curriculum, program skills, program prerequisites, duration and hours of courses taught, and occupations the program leads to. Training Providers acknowledge that all program participants must meet Charlotte Works intake checklist criteria (www.charlotteworks.com/intakechecklist) and this is subject to change at any time. Approved training providers must also respond to all written requests from Charlotte Works within 5 business days. Any document that requires a student signature other than a verification of attendance shall be submitted to Charlotte Works for review before requiring student signatures. The training provider agrees that any document signed by a program participant during their participation in the program that does not meet the above criteria shall not be considered a legally binding agreement and the provider agrees not to seek recourse against the participants for any violation of such agreement.

Failure to comply with any of these requirements may result in immediate deactivation without notice. After being inactivated a provider must notify Charlotte Works via email that the missing information has been corrected and upon receipt of this written notice, Charlotte Works will review it to determine continued eligibility.

Performance Reporting and Accountability

1. In order for programs to be approved, all providers are required to provide performance data for each program to be listed on the ETPL and provide evidence that they have met the minimum performance criteria required.
2. To maintain eligibility, performance data for each program will be submitted to NC Works on an ongoing basis. Programs that do not include performance data will not be approved for listing on the ETPL. Charlotte Works or North Carolina may inactivate any or all programs for which performance data is not submitted.
3. Charlotte Works maintains the right to conduct unannounced onsite visits based on the hours of operations and class times originally submitted by the provider. Should a Charlotte Works staff member determine that a provider is delivering inadequate training, Charlotte Works may halt funding for that provider until a formal review is conducted.

Removal from Eligible Training Provider List (ETPL) and Appeals

A training provider and/or its program(s) may be denied inclusion in or removed from the Charlotte Works ETPL for the following reasons (documented proof that these conditions exist must be provided):

- The initial and/or renewal application was not completed, was not completed by the established due date, or was missing required information;

- Performance data was not submitted or was not submitted by the established due date;
- The training provider intentionally submitted inaccurate information (This exclusion or removal will remain in effect for a minimum of three years);
- The training provider substantially violated any requirement under WIOA, state or local laws and policy;
- The training provider loses its license or accreditation of its accrediting body;
- The training program is no longer identified as being an Occupation in Demand on the OID list for the local area;
- A provider or program that fails to meet minimum levels of performance identified by Charlotte Works and/or the North Carolina Division of Workforce Solutions.
- The training provider has previously been removed or suspended from the ETPL more than once;
- Training provider failed to respond to written requests from Charlotte Works or NCWorks Staff within 15 business days;
- Charlotte Works receives two or more substantiated formal complaints from WIOA Title I clients enrolled in a program offered by the training provider.

If Charlotte Works denies eligibility for listing of a provider's program on the ETPL, the provider will be automatically notified through NCWorks Online and/or whichever notification method the provider selected to receive their NCWorks communication upon registration. **Note:** WIOA Title I clients currently enrolled in such a program will be allowed to complete the program.

A provider choosing to appeal a decision must submit a written appeal to Charlotte Works within 30 calendar days of the issuance of the denial notice. The appeal must include:

- a statement of the desire to appeal;
- specification of the program in question; and
- specifically, and in detail the grounds and the reasons upon which it is claimed that the denial was erroneous.

Charlotte Works will not consider any repeal/reversal of the decision that is not set forth in the appeal. Charlotte Works will issue a decision no later than 30 calendar days after the date the appeal request is received by Charlotte Works.

Programs that have been removed from or denied listing on the ETPL may be reinstated after two years (three years if removal was due to willful submission of inaccurate information) by applying through the initial application process.

Continuous Improvement

Charlotte Works staff will monitor the labor, industry, and economic climate of the region which allows Charlotte Works staff to communicate the needs of both Employer and Jobseeker clients to training providers so they are aware of what training is needed in the region.

Charlotte Works may also schedule onsite training facilities visits to observe the learning environment of WIOA Title I clients. Monitoring of the training provider and programs creates the opportunity for Charlotte Works to build valuable working relationships with the training providers as they work to meet the training demands of the local area. Onsite visits may be

scheduled or drop-in visits, at any time and for any reason.

Equal Employment and Nondiscrimination Requirements

All training providers are subject to the Equal Opportunity and Nondiscrimination requirements of WIOA and Charlotte Works. Charlotte Works must ensure that a training provider is in compliance prior to approving the provider to be on the ETPL. Providers must comply with Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIOA Title I financially assisted program or activity. Equal Employment Opportunity and Non-Discrimination procedures should be posted at the NCWorks Career Centers and approved Training Providers' facilities, and provided to each client upon enrollment.

COMPLIANCE

All other aspects of the Workforce Innovation and Opportunity Act (WIOA) Eligible Training Provider Guidelines issued by the N.C. Department of Commerce, Division of Workforce Solutions would remain in place as a complement to the Charlotte Works local Eligible Training Provider policy.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CHARLOTTE WORKS WORKFORCE DEVELOPMENT
BOARD AND**

By signing below, the training provider acknowledges they have read, understand, and agree to comply with the attached Training Provider Policy unless the agreement is terminated for cause. The obligations of Charlotte Works are subject to the appropriation and availability of sufficient Federal and State funds for the contract period.

The undersigned hereby bind themselves and their respective institutions to the terms and conditions of the training provider policy and warrants to the other party that he/she/it:-

- (a) has full power, authority, and legal right to execute and perform this agreement;
- (b) has taken all necessary legal and corporate action to authorize the execution and performance of this Agreement;
- (c) the Agreement constitutes the legal, valid and binding obligations of such party in accordance with its terms; and
- (d) shall act in good faith to give effect to the intent of this Agreement and to take such other action as may be necessary or convenient to consummate the purpose and subject matter of this Agreement.

Furthermore, the undersigned hereby agrees to submit performance data for all programs approved by Charlotte Works. The provider must maintain an eighty-five (85) percent graduation rate and a seventy (70) percent employment placement rate.

Training Provider Signature

Title

Date

Expiration Date: Indefinite

Please attach the completed signature page along with your application available at:

WWW.CHARLOTTEWORKS.COM/PROVIDER_APPLICATION

