

## **Governor's Workforce Investment Office Policy Guidance Letter No. 17-01**

To: ALL WORKFORCE INVESTMENT BOARD CHAIRS  
ALL WORKFORCE INVESTMENT BOARD DIRECTORS  
ALL WORK4WV ONE-STOP LIAISONS  
ALL STATE AGENCIES INVOLVED IN WORK4WV  
WEST VIRGINIA SERVICE PROVIDER ASSOCIATION PRESIDENT  
STATE WORKFORCE BOARD CHAIR  
STATE WORKFORCE BOARD EXECUTIVE DIRECTOR

From: TRENT A. REDMAN  
CHIEF OF WORKFORCE INVESTMENT  
GOVERNOR'S WORKFORCE INVESTMENT OFFICE

Subject: SUBSEQUENT ELIGIBILITY

Effective Date: July 13, 2001

**Purpose:** To establish the State's subsequent eligibility performance standards for training programs and to provide guidance to local Workforce Investment Boards (WIBs) on requirements for subsequent eligibility. This policy also rescinds GWIO policy No. 11-00, Certification Process for WIA Training Providers, dated September 12, 2000.

**References:** Workforce Investment Act of 1998, Sections: 122(c) – 122(g)

**Background:** The Workforce Investment Act of 1998, (WIA) Section 122, requires training providers to submit an initial eligibility application to each local WIB where the training provider desires to provide training. The initial application must contain cost information and the required performance information (or indicate why the training program's performance information is not available). Training programs meeting the local WIB requirements are placed on the local WIB's training provider list. The local WIB's list, along with performance and cost information shall be submitted to the Governor's Workforce Investment Office (GWIO), for consideration of inclusion on the State list.

The Act also requires that training providers annually submit verifiable performance, cost and any additional information determined appropriate, for each program, to the local WIB after the initial eligibility period. Programs meeting the local WIB's performance and other requirements shall be submitted to GWIO for consideration to remain on the State's eligible training program list. If the training provider has not substantially violated any requirement under the Act and the training program meets the minimum performance established by the State, the training program will remain on the State list.

**Policy:** The State of West Virginia has established December 31, 2001 as the end of the initial eligibility period for WIA training programs. Current WIA training providers, including programs eligible to receive funds under Title IV of the Higher Education Act of 1965 and programs under the National Apprenticeship Act, must submit updated program performance and cost information to each local WIB where the provider desires to provide training. This information must be submitted by October 1, 2001 for each program, using the WIA Training Renewal Application (attached). If a provider has multiple training locations, separate renewal applications and related performance data must be submitted for programs offered at each training location. This application represents the minimal performance information as required by the State. The Act allows local WIBs to add additional performance requirements as appropriate. If additional measures are used, the measures should be thoroughly explained and justified in the local workforce investment area plan. Each local WIB is responsible for

reviewing information on the renewal application to determine if the training program meets the required performance established by each local WIB for subsequent eligibility and meeting, at least, the performance levels established by the State. A copy of each program renewal application the local WIB determines meets the WIB's and State's subsequent eligibility requirements will be forwarded by the WIB to the State for inclusion on the State training provider list by November 15, 2001. The State will review each renewal application to ensure that, at the minimum, the State performance levels and requirements are met. Programs approved will be added to the State training provider list. Only those programs included on the State list will be eligible to receive WIA referrals for the period of January 1, 2002 through December 31, 2002.

Any provider desiring a new or existing training program added to the State list that was not on the State list on December 31, 2001 must submit a full application to each local WIB where the provider desires to provide the training, including programs eligible to receive funds under Title IV of the Higher Education Act of 1965 and programs under the National Apprenticeship Act. If a provider has multiple training locations, separate applications and related performance data must be submitted for programs offered at each training location. The full application must be submitted to each local WIB, at such time, in such manner and containing such information as the local WIB may require, including cost and performance information. Each local WIB will review information on the application to determine if the program meets the required performance established by the WIB and the State. If the WIB determines the program meets those requirements, the WIB will send a copy of the application to the State for inclusion on the State training provider list. The State will review each application to ensure the State performance levels and requirements are met. Programs meeting the State requirements will be conditionally added to the State training provider list for the year January 1, 2002 through December 31, 2002.

The Act requires the State to verify performance information. Due to the difference in the time frames for submission of the application and when data becomes available for verification, the State will conditionally approve programs based on the performance information submitted by the training provider, if such performance information meets the WIB's and State's established performance standards. If after verification of the performance data submitted by the provider, it is determined the program did not meet the required performance measures, the program will be removed from the approved training program list.

If it is determined that a provider or an agent of the provider intentionally supplies inaccurate information on the full or renewal application, the provider shall be ineligible to receive WIA training funds for any program for a period of time, but not less than two years.

All applications whether a renewal, a new or an existing program must contain all of the verifiable performance information when applying for WIA funding for the period January 1, 2002 through December 31, 2002. Providers whose programs are eligible under Title IV of the Higher Education Act of 1965 may submit specific performance information consistent with eligibility requirements of that Act, if such information is substantially similar to WIA performance requirements. Until a method can be developed to verify "all individuals" data, local WIBs and the State will accept similar information supplied by the training provider for the Title IV of the Higher Education Act of 1965. **A copy of the Title IV information must be submitted to the WIB with the application.**

WIA participant performance data will be verified by the State, utilizing the Management Information System (MIS) to the extent data is available or by contacting participants. Quarterly Unemployment Wage Reports will also be used to verify wages during the performance period.

The same time frames for the training programs' performance period (July 1- June 30) and submission of renewal applications (October 1) will remain the same in subsequent years.

For a program to remain on the State training provider list, at least one local WIB must approve the program. Each local WIB may establish performance levels higher than the State performance levels. Local WIBs must take into consideration the specific economic, geographic and demographic factors in local areas where providers seek to provide training, in addition to the characteristics of the individuals served by the program, when determining subsequent eligibility. The State and each local WIB may make adjustments to the minimum performance levels annually.

Each local WIB must establish an appeal process that includes a State level appeal.

The State is currently developing an on-line Internet application process, when this system is operational all applications must be submitted electronically via the Internet. Service providers will be required to submit new programs, previously approved programs and renewal applications electronically.

**The Department of Labor (DOL) has made an indication that lower state performance may be acceptable for the WIA transitional year July 1, 2000 through June 30, 2001. Anticipating that the DOL will relax the State's negotiated performance for the transitional year, GWIO is making allowance for training programs that may have lower performance during the transitional period. However, the DOL could hold the State to the negotiated performance standards, this should be considered when setting local WIB performance standards. Local WIBs could require programs meet all the performance standards.**

**For the training programs' performance period July 1, 2000 through June 30, 2001, programs must meet the minimum performance levels established by the State for a program to remain on the State training program list. A training program must meet 2 out of the 3 State's performance standards for "all individuals" and meet 3 out of the 4 the State's performance standards for "WIA participants". A program must meet the State's performance standards and be approved by at least one local WIB to remain on the State training program list.**

**For the training programs' performance period July 1, 2001 through June 30, 2002 and subsequent performance periods, programs must meet the minimum performance levels established by the State for a program to remain on the State training program list. A training program must meet 2 out of the 3 State's performance standards for "all individuals" and meet all 4 of the State's performance standards for "WIA participants". A program must meet the State's performance standards and be approved by at least one local WIB to remain on the State training program list.**

**Training providers, whose programs were removed from the list for not meeting the performance requirements, may resubmit a full application to a local WIB after one year from the date of removal from the list. The application must contain and meet the required performance criteria for the most recent training programs' performance period, based on the resubmission date, for all individuals and West Virginia WIA participants for consideration to be replaced on the State list.**

## **Training Programs' Performance Period: July 1, 2000 through June 30, 2001**

### **For all individuals regardless of funding source:**

\_\_\_\_\_ Total number of **all individuals** in the program during the performance period, including withdrawals and dropouts

33 % Percentage rate for **all individuals** who completed the program (met all the program's requirements; and whose normal completion date was within the performance period based on the date the individual started the program). The normal completion date for training program eligibility reporting will be 3 years to complete an associate degree, 6 years to complete a bachelor's degree and 2 years to complete an apprenticeship program.

50% Percent of **all individuals** in the program who obtain unsubsidized employment, full or part-time employment, including withdrawals and dropouts

\$6.00/hr Average hourly wages of **all individuals** at placement in employment

### **For "West Virginia" participants under WIA funding:**

\_\_\_\_\_ Total number of **West Virginia WIA participants** in the program during the performance period, including withdrawals and dropouts

60% Percentage of **West Virginia WIA participants** who completed the program and who are placed in unsubsidized employment (met all the program's requirements; and whose normal completion date was within the performance period based on the date the individual started the program). The normal completion date for training program eligibility reporting will be 3 years to complete an associate degree, 6 years to complete a bachelor's degree and 2 years to complete an apprenticeship program (this does not imply that WIA funding will be available for these timeframes, each local WIB establishes the length for time programs will be funded under WIA). If during the reporting period, there were 5 or fewer WIA participants in the program, and placements are below 60%, the provider must submit justification to the local WIB.

75% Retention rate of **West Virginia WIA participants** who completed the program and are still in unsubsidized employment 6 months after the first day of employment, may be with different employer

\$6.30 /hr Average hourly wages of **West Virginia WIA participants** who completed the program, 6 months after the first day of employment

60% Rates of licensure, certifications, degrees or equivalents, or other measurement of skills obtained by **West Virginia WIA participants** who completed or graduated from the program.

**Action:** Local WIBs should follow the procedures outlined in this policy to develop written local procedures and performance standards for subsequent training program eligibility. Local WIBS should contact and make available the WIA Training Renewal Application to all currently approved providers. All performance information and updated costs must be completed before the renewal application is submitted to the State.

**Questions:** Questions should be directed to the Governor's Workforce Investment Office. Building 6, Room B-617, 1900 Kanawha Blvd. East, Charleston, WV 25305. Toll free 1-877-WORK4WV.

**Expiration Date:** Effective until rescinded or modified by the Governor's Workforce Investment Office.

**Initial program applications or renewal applications must be sent to local WIBs. Addresses of the local WIBs are below.**

Beckley WORK4WV Center  
Region 1, Workforce Investment Board  
Pine Crest Plaza South, Gary Flats  
Beckley, WV 25801  
Phone (304)253-3611

South Western WV Region 2  
Workforce Investment Board  
720 Fourth Avenue  
Huntington, WV 25701  
Phone (304)523-4800

Workforce Investment Board of Kanawha County  
Region 3  
PO Box 3726  
Charleston, WV 25337  
Phone (304)344-5760

Mid-Ohio Valley Regional WIB  
PO Box 247  
531 Market Street  
Parkersburg, WV 26101  
Phone (304)424-7271

Northern Panhandle WIB  
109 Mt. Wood Road  
Wheeling, WV 26003  
Phone (304)231-1170

Region 6 Workforce Investment Board  
Fairmont WORK4WV Center  
107-109 Adams Street  
Fairmont, WV 26554  
Phone (304)368-9530

Region 8 Planning and Development Council  
Region 7 Workforce Investment Board  
Grant County Industrial Park  
PO Box 849  
Petersburg, WV 26847  
Phone (304)257-2448

**WIA Training Renewal Application**  
**January 1, 2002 - December 31, 2002**

Must be submitted to each region where currently approved. Submitted to **Region** \_\_\_\_\_ (1 - 7)

Training Provider Name \_\_\_\_\_ FEIN \_\_\_\_\_

Mailing Address \_\_\_\_\_ Phone # \_\_\_\_\_

Location of Training Site \_\_\_\_\_

Contact person \_\_\_\_\_ E-Mail address \_\_\_\_\_

Training Program Name \_\_\_\_\_

Length of Program \_\_\_\_\_ Credential (degree/certificate) \_\_\_\_\_

Curricula (program description) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ % Percentage, if the majority of individuals entering the program are already employed. (This is for customer information, it is not a performance measurement.)

**Tuition** \_\_\_\_\_ **Fees** \_\_\_\_\_ **Books** \_\_\_\_\_ **Supplies** \_\_\_\_\_ **Total \$** \_\_\_\_\_

**Training Programs' Performance period: July 1, 2000 through June 30, 2001**

**For all individuals regardless of funding source:**

\_\_\_\_\_ Total number of **all individuals** in the program during the performance period, including withdrawals and dropouts

\_\_\_\_\_ % Percentage rate for **all individuals** who completed the program (met all the program's requirements; and whose normal completion date was within the performance period based on the date the individual started the program)

\_\_\_\_\_ % Percent of **all individuals** in the program who obtain unsubsidized employment, full or part time employment, including withdrawals and dropouts

\$ \_\_\_\_\_ /hr Average hourly wages of **all individuals** at placement in employment

**For "West Virginia" participants under WIA funding:**

\_\_\_\_\_ Total number of **WIA participants** in the program during the performance period, including withdrawals and dropouts

\_\_\_\_\_ % Percentage of **WIA participants** who completed the program and who are placed in unsubsidized employment. (met all the program's requirements; and whose normal completion date was within the performance period based on the date the individual started the program). If during the reporting period, there were 5 or fewer WIA participants in the program, and placements are below 60%, the provider must submit justification to the local WIB.

\_\_\_\_\_ % Retention rate of **WIA participants** who completed the program and are still in unsubsidized employment 6 months after the first day of employment, may be with different employer

\$ \_\_\_\_\_ /hr Average wages of **WIA participants** who completed the program, 6 months after the first day of employment

\_\_\_\_\_ % Rates of licensure, certifications, degrees or equivalents, or other measurement of skills obtained by **WIA participants** who completed or graduated from the program

**Service Provider must submit Assurances to Region** (debarment, lobbying, drug free work place, nondiscrimination)

\_\_\_\_\_  
Signature of Training Provider

\_\_\_\_\_  
Date

Subsequent Eligibility

Approved

Denied

Region \_\_\_\_\_

\_\_\_\_\_  
Signature of WIB Representative

\_\_\_\_\_  
Date