

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF WORKFORCE DEVELOPMENT

GUIDANCE NAME: Eligible Training Provider List & Procedures Guide

GUIDANCE NUMBER: 16-014

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APPLIES/OF INTEREST TO: Kentucky Career Center (KCC) Staff, Local Workforce Development Area (LWDA) staff, Training Institutions, and the Public-at-Large

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HISTORY: Initially issued 07/01/2016; reissued April 4, 2024 with no substantive change, thus effective date remains.

BACKGROUND: Kentucky's Eligible Training Provider List (ETPL) is a web-based system that allows training institutions to electronically submit their applications for approval by the Department of Workforce Development (DWD). Training institutions and their programs that meet specific criteria may be eligible for Kentucky's ETPL. Eligible training providers may deliver occupational training programs to Workforce Innovation and Opportunity Act (WIOA) participants. This document, along with WIOA guidelines, provides guidance and information to Local Workforce Development Areas (LWDAs), Kentucky Career Centers (KCCs) and training institutions about ETPL procedures. Training institutions, LWDAs, KCCs, as well as the public at-large, may access the list of approved providers at <https://etpl.ky.gov>.

PURPOSE: The purpose of this guidance is to provide new information, criteria and procedures for the Eligible Training Provider Listing (ETPL) usage and implementation. This guidance addresses the activities of the local workforce development areas (LWDAs), Kentucky Career Center (KCC) staff, as well as those providers wishing to offer services to individuals whose training is funded through the Workforce Innovation and Opportunity Act of 2014. This update also includes guidance on the inclusion of Registered Apprenticeship programs into the ETPL functions.

GUIDANCE:

ETPL Application Process

The application process begins with the submission of three types of information:

1. Information regarding the Training Provider Agency or Entity
2. Information about Program Offerings
3. Student Data Collection

For information referenced in numbers 1 and 2, the information is collected via the ETPL website (<https://etpl.ky.gov>). The third piece is collected through a partner agency, the Kentucky Center for Statistics (KYSTATS).

The following is an overview of the steps required for completing the application process:

1. **Creation of ETPL Account:** Using the ETPL website (<https://etpl.ky.gov>), providers create an account to access the system. Providers must provide basic information such as Federal Employee Identification Number, email, and designation of 'provider type.' Providers fall under one of four types (categories):
 - a. HEA Title IV Funded School
 - b. Proprietary School
 - c. Registered Apprenticeship
 - d. Other (includes non-profits and schools such as cosmetology, faith-based, and mortuary science schools that do not fall under the purview of the Commission on Proprietary Education).

Please Note: Any private, for-profit provider of training classes within Kentucky must have registered and received a proprietary license issued by the Kentucky Commission on Proprietary Education before they may be included on the ETPL. More information about the Kentucky Commission on Proprietary Education can be found at <https://kcpe.ky.gov/>.

Upon creation of the ETPL account, the provider submits the necessary information to the state's ETPL Coordinator. Once the information is reviewed and the account is approved by the Coordinator, the provider receives approval to access the ETPL site.

2. **Completion of the Provider Application:** The Provider Application is located within the ETPL website and captures pertinent information about the provider. Providers must successfully complete this step before training programs will be considered for approval and inclusion. Information collected on the application includes:
 - Year institution/entity established.
 - Proprietary license number (if applicable)
 - Refund policy information
 - Narrative discussions regarding ability to provide training to individuals who are employed; ability to provide training to those with barriers to employment; how the provider is partnered with local business; and how training services align with local, in-demand industry sectors and in-demand occupations.

- Compliance with the 1990 Americans with Disabilities Act (ADA)
 - Provider's ability to provide an accessible training site to those with limited mobility.
 - How the provider collects student data (required for WIOA reporting)
 - A copy of the provider's Equal Opportunity Employment Plan
 - A copy of the provider's Limited English Proficiency Plan (LEP)
3. **Completion of Program Application***: Providers must complete an application for each program they wish to be included on the ETPL. Information collected for each program includes:
- a. Program name
 - b. CIP code (link to codes provided on application screen)
 - c. Training program description
 - d. Date program established
 - e. Tracking plan to gather student data (required for WIOA)
 - f. HEA status (approved or not)
 - g. Degree or certificate awarded
 - h. Length of training program
 - i. Availability of online program
 - j. Costs of training program (tuition, textbooks, supplies, fees, miscellaneous costs)
 - k. Address of training program (Providers with programs at multiple locations/campuses do not have to submit multiple applications; instead, they can list multiple locations for each program.)
4. **Register with and upload student data to KYSTATS**: The KYSTATS website, <https://kystats.ky.gov>, gives detailed instructions on how providers can register and submit student-level data. **PLEASE NOTE**: In-state colleges and universities that submit their student-level data to the Council on Postsecondary Education (CPE) are exempt from this step because KYSTATS already has access to CPE's information.

**Application Process for Registered Apprenticeship (RA) Programs*: Because of the difference in the nature and oversight of the programs, the path for application to ETPL is somewhat different for Registered Apprenticeship Programs. By WIOA statute (Section 122), all Registered Apprenticeship Programs that express interest in being listed on ETPL must be included. Registered Apprenticeship Providers still must create an account and register on the ETPL website. However, they do not have to complete the Provider Application as their inclusion in the state's RA listing serves as approval. Once the RA program applies—and

inclusion is verified on the state RA list -- the program will be approved by the state's ETPL Coordinator and placed on the ETPL website.

ETPL Approval Process

Once the provider has completed all necessary application steps, the state ETPL Coordinator will review and approve programs. Programs that meet all requirements and that fall within one of the in-demand industry sectors utilized by the ten local workforce development areas will be approved. Programs that do not meet all requirements or that fail to send complete information will be placed in pending status until the issues can be resolved or requirements can be met. Programs that fall under the 'proprietary' category can also be placed in pending status if there is an issue with their good standing with the Kentucky Commission on Proprietary Education. Once issues are resolved, the proprietary school can be placed in good standing.

Removal from the ETPL

Removal from the ETPL may occur for various reasons, including:

- a. Training Provider representatives may, in writing, request to have their school and/or program removed from the ETPL for any reason at any time;
- b. Training Providers that willfully and knowingly submit false information will be removed;
- c. Training Providers that fail to meet required Subsequent Eligibility Requirements will be removed, and
- d. Training Providers that fail to maintain required certifications and licenses will be removed.

Subsequent Eligibility Determination

Programs will be evaluated on a biannual basis to determine subsequent eligibility based on student performance data. To remain on the list, providers must maintain a completion rate of 20% and an entered employment rate of 50%.

Program Performance Listing on ETPL (Program Report Card)

In allowing for greater informed consumer choice, the following performance data for each program will be displayed with the program listing:

- a. completion rate (number completed);
- b. entered employment rate (employed second quarter after exit);
- c. employment retention rate (employed fourth quarter after exit);
- d. average earnings (median earnings in the second quarter after exit); and
- e. skills credential.

Optional Local Board Performance Standards

Local boards, through the creation and implementation of local written policy, have the option of requiring higher levels of performance for programs and requesting additional performance information from providers.

Submission of Student Level Data

Training Providers will be required to submit student-level data on ALL participants in listed programs each year for inclusion on ETPL. This information will be submitted through the KYSTATS website, <https://kystats.ky.gov>. Programs cannot be approved until data submission has been accepted and passed necessary validation of completion. The list of required data is found on the KYSTATS website. All data must be submitted no later than January 31st of the following program year.

Exclusions from Performance Calculations

Individuals may be excluded from performance if they did not complete the course/program due to any of the following: 1) institutionalized; 2) health/medical or family care; 3) deceased; or 4) member of military forces called to active duty.

Utilizing Out-of-State Training Providers

Kentucky allows out-of-state schools/programs to apply to be on the ETPL via a Reciprocal Agreement if the school or program accepts Kentucky Educational Excellence Scholarship funding (<https://kheaa.com>).

Compliance and Monitoring

Training Providers that receive federal financial assistance under WIOA Title I must comply with the Americans with Disabilities Act (ADA) of 1990 and the nondiscriminatory and Equal Employment provisions of federal law. Compliance for both is monitored through the application process and a desk review of submitted documents and plans. Performance monitoring of providers will take place through the yearly submission of student data and subsequent analysis.

REFERENCES:

- Workforce Innovation and Opportunity Act Section 122, Pub. L. 113-128; 29 U.S.C. Section 3152
 - 20 CFR Sections 680.400-680.530.
 - USDOL, Training and Employment Guidance Letter 08-19.
 - 1990 Americans with Disabilities Act, 42 U.S.C. Section 12101
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