



Montana Department of LABOR & INDUSTRY

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2 Division: Workforce Services Division
3 Category: WIOA
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5 Last Revised: 04/16/2019
6 Policy No.: 05-16

7 Eligible Training Provider List (ETPL) Policy

8 **Background:** The Workforce Investment Act (WIA) established the Eligible Training Provider process as part
9 of an overall strategy to ensure informed customer choice for training, performance accountability, and
10 continuous improvement. The Workforce Innovation and Opportunity Act (WIOA) further advances these goals
11 through the alignment of the six core federal programs that support employment and training services: Title I
12 Adult, Dislocated Worker, and Youth Programs, Adult Education and Literacy Programs, the Wagner-Peyser
13 Employment Service, and Title I of the Rehabilitation Act programs.

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15 Montana's Eligible Training Provider List (ETPL) identifies training providers whose performance qualifies them to
16 receive WIOA funds to train adults and dislocated workers using Individual Training Accounts (ITAs). The Montana
17 ETPL and related eligibility procedures ensure the accountability, quality, and labor-market relevance of programs
18 offered by training providers that receive funds through WIOA. WIOA outlines the responsibilities of the Governor,
19 the State Workforce Innovation Board (SWIB), and state agencies in creating and maintaining a list of eligible
20 training providers.

21 WIOA also emphasizes Registered Apprenticeship programs and opportunities in a more robust manner than
22 WIA by minimizing requirements for program sponsors and their providers of related instruction. Under WIOA,
23 any registered apprenticeship program that agrees to be part of the Montana ETPL will remain on the ETPL as
24 long as the program remains registered or until the sponsor no longer wishes to be part of the ETPL.

25 **Scope:** This policy applies to all service providers operating WIOA programs, training providers, WIOA
26 program managers, WIOA fiscal officers and the WIOA monitoring team. This policy is effective April 16, 2019.

27 Definitions:

- 28 • **Eligible Training Provider** is a provider of training services who has met the eligibility requirements to
29 receive WIOA Title I Adult and Dislocated Worker funds to provide training services to eligible individuals.
30 Eligible training providers may also receive Title I Youth funds through ITAs under certain conditions.
31 Registered apprenticeship programs are automatically considered eligible training providers and are
32 eligible for placement on the ETPL with the provision of minimal information.
- 33 • **Program of Training Services** is one or more courses or classes, or a structured regimen which lead to:
 - 34 ○ An industry recognized certificate or certification, a certificate of completion of a registered
35 apprenticeship, a license recognized by the state involved or the federal government, an
36 associate or baccalaureate degree;
 - 37 ○ Secondary school diploma or its equivalent;
 - 38 ○ Employment; or
 - 39 ○ Measurable skill gains toward a credential or employment.

- 40 • **Recognized Postsecondary Credential** is a credential consisting of an industry-recognized certificate or
41 certification, a certificate of completion of an apprenticeship, a license recognized by the state involved
42 or federal government, or an associate or baccalaureate degree.
- 43 • **Pre-Apprenticeship** is a program designed to prepare individuals to enter and succeed in registered
44 apprenticeship programs. These programs have a documented partnership with at least one registered
45 apprenticeship program sponsor and together, they expand the client's career pathway opportunities
46 with industry based training coupled with classroom instruction.
- 47 • **Program Completer** is a client who meets, finishes, graduates or completes all of the requirements of a
48 training program.
- 49 • **Program Exiter** is a client who leaves a program during a twelve-month period for any reason (excluding
50 completers).

51 Policy:

52 Entities Qualified to Apply to be on the ETPL:

- 53 • The following types of training providers are able to submit an application to receive WIOA Title funds to
54 provide training to clients.
 - 55 ○ Institutions of higher education that provide a program of training that leads to a recognized
56 postsecondary credential;
 - 57 ○ Entities that carry out programs registered under the National Apprenticeship Act;
 - 58 ○ Public or private training providers, including community-based organizations, joint labor
59 management organizations, pre-apprenticeship programs that provide training, and
60 occupational or technical training; and
 - 61 ○ Providers of adult education and literacy activities provided in combination with occupational
62 skills training.
- 63 • Registered Apprenticeship programs are exempt from most of the ETPL requirements.

64 Initial Eligibility and Application Process for all Providers except Registered Apprenticeship Programs:

65 Beginning October 1, 2015, training providers must apply for Montana's ETPL by submitting an application for
66 initial program eligibility. Eligibility will be granted for one year. Training providers may apply for initial program
67 eligibility throughout the year. Programs will be placed on the ETPL effective the date they are approved.

- 68 • A training-service provider applying for Montana's ETPL will submit the application for initial eligibility
69 found on <https://montanaworks.gov/> and a W-9 to the Montana Department of Labor & Industry. At
70 minimum, training providers applying for initial program eligibility must provide the following verifiable,
71 program-specific performance information to be considered for Montana's ETPL:
 - 72 ○ The type of training entity, such as institution of higher education or public or private providers
73 of training services.
 - 74 ○ The name and a short description of each program of training services to be offered. The
75 description may include course prerequisites and learning outcomes.
 - 76 ○ The potential outcome of training services; i.e. industry-recognized certification or unsubsidized
77 employment during 2nd and 4th quarters after exit and credential attainment. Whether the
78 provider partners with a specific business.
 - 79 ○ Alignment of training services with in-demand industry sectors and occupations.
 - 80 ○ Other information may be required; i.e. information related to the quality of training services that
81 lead to a recognized post-secondary credential.
 - 82 ○ Social Security Numbers for all students, regardless of funding source.
- 83 • Montana Department of Labor & Industry will review complete applications to determine eligibility.
84 Once approved in Montana, training providers will be eligible for WIOA funding.

85 Continued Eligibility for all Training Providers except Registered Apprenticeship Programs:
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- 87 • Training providers must submit applications for continued program eligibility annually and will expire
88 one year from the approval date.
- 89 • Training providers applying for continued program eligibility must provide the verifiable, program-specific
90 performance information requested on <https://montanaworks.gov/> to be considered for Montana’s
91 ETPL,
- 92 • The continued eligibility application is required for any program that has previously been on the list.
93 Dropping off the lists for a period of time does not return a program to an initial eligibility status.
- 94 • The training provider may not receive WIOA funds until the provider is approved to be on the ETPL.
- 95 • Program-specific data submitted by Eligible Training Providers (ETPs) to the state is a requirement of
96 continued eligibility and must include the following:
 - 97 ○ Primary indicators of performance for activities provided under the Adult and Dislocated Worker
98 programs:
 - 99 ▪ The total number of WIOA program clients who are in unsubsidized employment
100 through wage record match or other supplemental means during the second quarter
101 after program exit;
 - 102 ▪ The total number of WIOA program clients who are in unsubsidized employment
103 through wage record match or other supplemental means during the fourth quarter
104 after program exit;
 - 105 ▪ The median earnings of all WIOA program clients who are in unsubsidized employment
106 during the second quarter after program exit. This indicator
107 also includes WIOA participants who are verified to be self-employed.
 - 108 ▪ The total number of WIOA program clients who obtained a credential within one year
109 after exit from the program. This includes:
 - 110 • WIOA program clients who attained a recognized post-secondary credential
111 during the program or within one year after program exit; OR
 - 112 • WIOA program clients who attained a secondary diploma or its recognized
113 equivalent during the program or within one year after exit AND were also
114 employed or enrolled in an education and training program leading to a
115 recognized post-secondary credential within one year after program exit.
 - 116 ○ Information identifying the recognized post-secondary credentials received by WIOA clients;
 - 117 ○ Program cost information, including tuition and fees, for WIOA clients in the program;
 - 118 ○ Information specifying levels of performance achieved by all program individuals (WIOA and non-
119 WIOA) who engaged in a program of study:
 - 120 ▪ The total number of individuals enrolled in program during the reporting period;
 - 121 ▪ The total number of individuals who completed, withdrew, or transferred from this
122 program during the reporting period;
 - 123 ▪ The total number of individuals who did not withdraw or transfer from this program
124 during the reporting period;
 - 125 ▪ The total number of individuals who are in unsubsidized employment through wage
126 record match or other supplemental means during the second quarter after program
127 exit;
 - 128 ▪ The total number of individuals who are in unsubsidized employment through wage
129 record match or other supplemental means during the fourth quarter after program
130 exit;
 - 131 ▪ The median earnings of all individuals who are in unsubsidized employment during the
132 second quarter after exit from the program. This includes all program clients who are
133 verified to be self-employed.
 - 134 ▪ The total number of all program clients who obtained a credential within 1 year after
135 exit from the program. This includes:

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- Individuals who attained a recognized post-secondary credential during the program or within one year after program exit; OR
 - Individuals who attained a secondary diploma or its recognized equivalent during the program or within one year after exit AND were also employed or enrolled in an education and training program leading to a recognized post-secondary credential within one year after program exit.
 - The average earnings of all individuals in the program of study who are in unsubsidized employment during the second quarter after exit.
 - The average earnings of all individuals in the program of study who are in unsubsidized employment during the fourth quarter after exit.
 - If no data is available, the provider must start tracking required data and submit all data the first full quarter after placement on the list.

148 **Registered Apprenticeship Programs:**

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- Registered Apprenticeship program sponsors and the any training provider the sponsor is utilizing that request to be ETPs are automatically included on the list and will remain as long as the program is registered or until the program sponsor notifies the state that it no longer wants to be included on the list. Registered Apprenticeship programs are not subject to the same application and performance information requirements or initial eligibility procedures owing to the detailed application and vetting procedure to become a Registered Apprenticeship program. The following information will be required from all current and future Registered Apprenticeship programs:
 - Occupations included within the Registered Apprenticeship program;
 - The name and address of the Registered Apprenticeship program sponsor;
 - The name and address of the related technical instruction provider, and the location if different from sponsors' address;
 - The method and length of instruction;
 - The number of active apprentices; and
 - A form W-9 for the sponsor.
 - Any Registered Apprenticeship program sponsor taking an application is to be considered an in-demand occupation by default.
Pre-apprenticeship programs do not have the same automatic ETP status.

166 **Eligible Training Provider Exceptions:**

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- There are several exceptions to the required use of the ETPL. In situations covered by these exceptions a contract for services may be used to provide for training in lieu of the ETPL process of eligibility. Exceptions:
 - Providers of on-the-job training;
 - Customized training;
 - Incumbent worker training;
 - Internships;
 - Paid or unpaid work experience;
 - Transitional employment;
 - Clients solely enrolled in a Trade Adjustment Assistance (TAA) program may choose a training provider that is not on the ETPL. However, if the client is co-enrolled in TAA and WIOA and WIOA funds the training, the training provider must be listed on the ETPL.
 - Where the State Workforce Innovation Board (SWIB) determines there are an insufficient number of providers in the local area. A provider must meet the following criteria to be considered for the exemption:
 - No other training provider currently listed on the states ETPL within a 90 mile radius offers the program of training; and

- 184 ▪ The program of training is not offered online from a training provider currently listed on
185 the states ETPL.
- 186 • Where the State Workforce Innovation Board (SWIB) determines that a community-based organization
187 or nonprofit whose primary mission is to serve individuals with barriers to employment provides training
188 that results in an industry recognized certificate or certification, a certificate of completion of a
189 registered apprenticeship, a license recognized by the state involved or the federal government, an
190 associate or baccalaureate degree or a secondary school diploma or its equivalent.

191 Conditions for Removal from the ETPL:

- 192 • The state may remove a program or programs from the list for failing to meet the established criteria or
193 for not providing all required performance information for continued eligibility. Removal is also
194 appropriate if the program has failed to attain or lost the accreditation required for professional
195 licensure. A training provider that is removed from the list may reapply for continued eligibility when they
196 can demonstrate that they meet all the requirements.
- 197 • Any providers that willfully supply false performance information, misrepresent costs or services, or
198 substantially violate requirements of WIOA law will be removed from the ETPL by the state for a period
199 of not less than 2 years. Providers are liable to repay all adult and dislocated worker funds received
200 during the period of non-compliance.
- 201 • At a minimum, the state will conduct a biennial review of providers on the list to assess providers failing
202 to meet performance, reporting, or other requirement that may result in a provider being removed from
203 the list.
- 204 • In the event of a training provider or a program of training services is removed from the list while WIOA
205 clients are enrolled, the clients may complete the program unless the provider or program has lost state
206 licensing, certification, or authorization to operate by the appropriate state oversight agency.

207 Appeal Process:

- 208 • Training providers can choose to appeal the denial or termination of their program for inclusion on the
209 ETPL, or its subsequent termination of eligibility. Training providers must submit their appeal in writing
210 either by mail or email to the following address(s) within 14 days after the written notification of the
211 decision.

212 Montana State Workforce Innovation Board
213 PO Box 1728
214 Helena, MT 59624-1728
215 Or

216 swib@mt.gov

- 217 The appeal must include the justification for the appeal in their request. The training provider also has
218 the right to request a hearing to discuss their appeal.
- 219 • The appeals procedure will allow for a review before a SWIB WIOA committee if requested and a
220 decision will be made within 60 days of appeal. This will be a final decision and the program will be
221 unable to reapply through the ETPL eligibility process for one year from the date of final notification by
222 the state.

223 Out-of-State Training Providers:

- 224 • WIOA funds may be used for approved programs from other states. Approved training providers and
225 programs based in other states are not required to complete an application for approval in Montana. In
226 order for a client to obtain training through an out-of-state provider, the training provider must be listed
227 on a state maintained eligible training provider list from another state.
- 228 • All training providers and programs recognized by other states must meet Montana's state criteria
229 established for initial eligibility and performance criteria established by this policy must be met. A

230 reciprocity agreement between Montana and the other state must be established prior to WIOA funds
231 being issued to an out of state training provider or program.

- 232 • In the event that a reciprocity agreement is unable to be established between Montana and another
233 state, WIOA funds may be issued to a training provider in another state when the following conditions
234 are met:
- 235 ○ The training program the client is looking to attend is not offered by any training providers or
236 eligible training providers in Montana; and
 - 237 ○ The training provider is in good standing on that state's ETPL.

238 Administrative Reporting Requirements:

- 239 • The state will collect data from Eligible Training Providers (ETPs) quarterly. That data, combined with
240 detailed information about training providers, outcome information about all individuals and WIOA
241 participants served by the training providers, and demographic information about WIOA participants, will
242 be reported annually using the ETP Reporting Template (ETA-9171). The following information will be
243 included:
 - 244 ○ The total number of WIOA participants, as defined in 20 CFR part 677.150 (a), who received
245 training services in programs of study through WIOA adult and dislocated workers programs during
246 the reporting period.
 - 247 ○ The total number of WIOA participants, as defined in 20 CFR part 677.150 (a), who received
248 training in programs of study through WIOA adult and dislocated workers programs and who
249 completed, withdrew, or transferred from the program during the reporting period.
 - 250 ○ The total number of participants, as defined in 20 CFR part 677.150 (a) and identified in the
251 program of study, who received Title I funding via an ITA during the reporting period.
 - 252 ○ The total number of WIOA participants, as defined in 20 CFR part 677.150 (a), who received
253 training services in this program of study through a funded ITA and who completed, withdrew, or
254 transferred from the program of study during the reporting period.
 - 255 ○ The total number of WIOA participants who did not withdraw or transfer out from the program of
256 study during the reporting period.
 - 257 ○ The sum total of all WIOA ITA funds expended by the state for all WIOA participants, in all programs
258 of study, during the reporting period.

259 Dissemination of the ETPL:

- 260 • The state will disseminate the ETPL through modern technological means. The state will host the list on
261 the its website located at <https://montanaworks.gov/training>.

262 Technical Assistance:

- 263 • The ETPL program manager will offer assistance to service providers in utilizing the ETPL for clients as
264 well as assistance to training providers in initial eligibility, continuing eligibility and submission of
265 required data.

266 Monitoring and Evaluation:

- 267 • A formal monitoring will be conducted by the entity designated by SWIB. The monitor will evaluate the
268 ETPL program manager as well as the service provider utilization of the ETPL.

269 References:

- 270 • montanaworks.gov/training
- 271 • [TEGL 41-14 Eligible Training Provider \(ETP\) Transition](#)
- 272 • [TEGL 03-18 ETP Reporting Guidance](#)

- 273 • [20 CFR 677.150 \(a\) WIOA Performance Accountability Definitions](#)
- 274 • [20 CFR 680.400 - 680.530 ETP Guidelines](#)
- 275 • [WIOA sections 116 and 122 ETP Reporting](#)
- 276 • [ETP Reporting Template \(ETA-9171\)](#)