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<b>Policy Subject:</b>	<b>Eligible Training Provider List ( ETPL)</b>	<b>Policy No.</b>	<b>PY15-05</b>
<b>To:</b>	<ul style="list-style-type: none"> <li>• Local Workforce Development Boards</li> <li>• Title I Service Providers</li> <li>• Education &amp; Training Providers</li> <li>• Registered Apprenticeship Sponsors</li> </ul>	<b>From:</b>	Edward D. Upham Bureau Director
<b>Issuance Date:</b>	July 1, 2016	<b>Status:</b>	<b>ACTIVE</b>
<b>References:</b>	<ul style="list-style-type: none"> <li>• WIOA Sections: 107(g)(1); 116(d) thru (g); &amp; 122 (a) thru(i)</li> <li>• NPRM 20 CFR 667.230 and 20 CFR 680.400 thru 680.530 and 680.630(b)</li> </ul>		

### Purpose:

This policy establishes the requirements for attaining status as an Eligible Training Provider (ETP) and outlines the process that providers of education and training services must follow to request initial and subsequent eligibility. The Eligible Training Provider List (ETPL) is used by training-eligible WIOA participants to select appropriate programs for which to utilize their, Workforce Innovation and Opportunity Act (WIOA) Title I-B funded, Individual Training Accounts (ITAs). ITAs are used to pay tuition and other education-related costs using WIOA ITA funds can *only* be spent on programs that are listed as WIOA-Approved on the Eligible Training Provider List (ETPL).

### Background:

Maine's ETPL site can be found at: <https://joblink.maine.gov/ada/r/training>. WIOA participants use performance information supplied by providers to select a program that best meets their needs. WIOA participants receive guidance from career consultants on how to use the ETPL to compare training programs by: cost, credential to be attained, rates of completion and employment and earnings outcomes.

### PROVIDER / PROGRAM APPROVAL PROCESS:

Providers and programs are reviewed to identify if they meet the basic criteria, will prepare students for occupations that are in-demand in Maine, will result in attainment of industry-recognized credentials. If approved, the program will remain on the ETPL website for a period of one year. At the end of the initial year, the provider must reapply to keep the program active on the ETPL and must report specific performance information, on all students exiting the program study.

**An Approved Program of Training** is defined as one or more courses or classes, or a structured regimen, that provides occupational training and education services that lead to:

- (a) An industry-recognized certificate or certification, a certificate of completion of a registered apprenticeship, a State or Federally recognized license, an associate or baccalaureate degree;
- (b) A secondary school diploma or equivalent when such academic education is combined with occupational training consistent with 20 CFR 680.350;
- (c) Employment in an occupation that is in-demand in Maine; or
- (d) Measurable skill gains toward a credential described in (a), (b) or (c) above.

**An Eligible Provider of Training** is a provider that:

- (a) Is listed as WIOA-Approved on the Maine Eligible Training Provider List;
- (b) Provides an approved program of training services as defined above; and
- (c) Is one of the following:
  1. An institution of higher education that provides a program that leads to a recognized postsecondary credential;
  2. An entity that carries out a program registered under the National Apprenticeship Act (29 U.S.C.501 et seq.)

3. A public or private provider of training services, which may include:
  - i. A community-based organization;
  - ii. A joint labor-management organization; and
  - iii. Eligible providers of adult education and literacy activities, under Title II of WIOA, if such activities are provided in combination with occupational training as per 20 CFR 680.350.

### INITIAL ELIGIBILITY

With the exception of Maine providers of Registered Apprenticeship which are automatically listed on the ETPL, providers that have not previously listed programs on the ETPL must fully complete the provider application questionnaire on <https://joblink.maine.gov/ada/r/training> and provide:

1. A description of the program and the CIP Code *Classification of Instructional Programs*;
2. Complete information regarding:
  - a. The occupation(s) the program prepares students to enter employment in;
  - b. Whether the program meets the requirements of a Federal or State educational licensing, accreditation, or approval agency;
  - c. The cost of tuition, fees, books, labs, and other program costs;
  - d. The location(s) the program is offered;
  - e. Whether the program is offered via technology;
  - f. The percentage of participants who successfully complete the program and earn a credential;
  - g. The percentage of participants who attain employment after program completion;
  - h. The median earnings of participants who attain employment after completion of the program;
  - i. The level of engagement with business or industry in program development, approval, support;
  - j. The level of demand by Maine employers for the occupations the program prepares students for;
  - k. The type of credential, degree, diploma, certificate, or license the program prepares students for;
  - l. The level at which individuals, with disabilities, barriers to employment, or those who live in rural areas of the State and/or who are employed, can access the program;
  - m. The commitment to submit accurate performance reports required for continued eligibility; and
  - n. Any additional information regarding the program that should be considered for approval purposes.

### Initial Approval Process Steps:

1. Create an account on Maine JobLink site at: <https://joblink.maine.gov/ada/r/training> and establish a user name and password;
2. Enter all of the required program information and submit for approval
3. The MDOL approval review process may take from 1 to 15 business days. Inquiries may be forwarded to [ETPLInfo.DOL@maine.gov](mailto:ETPLInfo.DOL@maine.gov)
4. The provider will receive approval or denial status information
5. Initial approval is **valid for one year** from the date of approval, after which the provider must reapply for continued eligibility and submit the required performance data.
6. If a program is not initially approved, the provider may:
  - a. Consult with the Local Workforce Development Board to identify if there are extenuating circumstances that would support program approval at the local level; or
  - b. File an appeal to the MDOL by following the appeal process defined below.

### CONTINUED ELIGIBILITY:

Continued eligibility is dependent upon whether the program of study is still deemed necessary to prepare students for jobs that are in-demand in Maine and the provider's ability to submit accurate and timely performance information on all students exiting the program of study as required below.

Eligible Training Provider (ETP) performance reports are intended to provide critical information regarding the employment, earnings, and credentials outcomes attained by individuals in the programs of study deemed eligible to receive funding under WIOA Title I-B Adult and Dislocated Worker programs. The purpose of these reports is to assist WIOA participants, and members of the general public, in identifying effective training programs and

providers. It is expected the reports will also benefit providers by widely disseminating information on their programs.

**Eligible Training Provider Annual Performance Reports:**

For continued eligibility, providers must report the following information on an annual basis, on all individuals engaged in the approved program of study:

1. The total number of students exiting the program of study;
2. The percentage who were in unsubsidized employment during the second quarter after program exit;
3. The percentage who were in unsubsidized employment during the fourth quarter after program exit;
4. The median earnings of those in unsubsidized employment during the second quarter after program exit; and
5. The percentage who attained a recognized post-secondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within 1 year after exit from the program.

Programs receiving continued eligibility/approval will remain on the ETPL for a period of two years.

**Assistance with Annual Performance Reporting:**

Providers that don't already have valid performance reporting mechanisms in place to provide the employment outcome data as required above may request technical assistance from the MDOL. The Center for Workforce Research & Information (CWRI) is working to expand capacity to conduct wage match criteria and produce the required reports for eligible providers. For more information on this process and required data-sharing agreement please see the contact information below.

**MDOL Reporting of WIOA Title I-B participants:**

The MDOL will provide required performance reports on enrolled WIOA participants in each of the approved programs, disaggregated by count of participant with respect to barriers to employment, age, sex and race and ethnicity.

**REGISTERED APPRENTICESHIP PROGRAMS:**

Apprenticeship Programs registered with the USDOL or the MDOL are automatically eligible to be included on the ETPL as long as they remain registered or until the program sponsor notifies the State they no longer want to be included in the list. Programs will be reviewed once every two years to ensure they are still registered. Registered Apprenticeship programs that are deregistered or no longer active will be removed from the ETPL.

In order for a WIOA eligible individual to utilize WIOA Title I-B training funds toward the cost of apprenticeship training, the Registered Apprenticeship program must be listed on the ETPL. WIOA participants may use Title I-B training funds toward the cost of:

- a. Pre-apprenticeship training (*a program or set of strategies designed to prepare an individual to enter and succeed in a registered apprenticeship program in partnership with one or more registered apprenticeship sponsors*);
- b. Tuition for required related instruction courses;
- c. Supportive services to enable the individual to participate in training activities; and
- d. Costs of work-based training options such as partial wage reimbursement for initial On-the-Job Training.

Apprenticeship program sponsors who do not wish their programs to be listed on the ETPL can submit a request for removal from the list to the contact person listed below.

**STATE and LOCAL ROLES:**

The approval process is a coordinated effort between the Local Workforce Development Boards and the Maine Department of Labor.

<p><b>Northeastern WDB</b> Aroostook, Hancock, Penobscot, Piscataquis, &amp; Washington Counties <a href="mailto:JRussell@northeasternwdb.org">JRussell@northeasternwdb.org</a></p>	<p><b>Central Western Maine WDB</b> Androscoggin, Franklin, Kennebec, Oxford, &amp; Somerset Counties <a href="mailto:Jeffrey.R.Sneddon@maine.gov">Jeffrey.R.Sneddon@maine.gov</a></p>	<p><b>Coastal Counties WDB</b> Cumberland, Knox, Lincoln, Sagadahoc Waldo, &amp; York Counties <a href="mailto:AMancusi@coastalcounties.org">AMancusi@coastalcounties.org</a></p>
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Local Boards play a critical role in this process by approving specific training programs for their local areas, and in determining initial and subsequent eligibility criteria tied to performance outcomes. Local Boards determine whether there are sufficient eligible providers of training services in their area, make recommendations to the MDOL regarding the approval process, and may require additional criteria or set higher levels of performance for their local areas as they deem appropriate. Local areas work to ensure the dissemination of the ETPL throughout the local one-stop system and its appropriate use.

MDOL, as the State workforce agency, is responsible for: establishing ETPL criteria, identifying the roles of State and Local areas in the approval process, governing the eligibility of providers to receive WIOA Title I-B funds, overseeing the approval process, maintaining the ETPL and disseminating it via the Maine JobLink website, coordinating performance reporting assistance between providers and the Center for Workforce Research and Information (CWRI), establishing and overseeing that ETPL performance levels are appropriate, verifying the accuracy of information provided, and removing programs for which it is determined the provider has intentionally provided inaccurate information or substantially violated the requirements of WIOA, and ultimately for the overall approval of programs and providers.

**EXCEPTIONS:**

Providers of training that occurs through training contracts, such as On-the-Job Training, Customized Training, Incumbent Worker Training, Transitional Job Training or other specially contracted training services are not required to be listed on the ETPL.

**DENIAL / LOSS OF ELIGIBILITY**

Programs may be denied if they do not meet the definition of an “Eligible Provider” or if it is determined the program of study will not result in employment in an occupation that is in high-demand in the State or Local Area.

Providers that have intentionally supplied inaccurate performance information or that have substantially violated any WIOA regulations will be terminated from the list for a period of not less than 2 years and may be liable to repay the training funds it has received on behalf of WIOA eligible students.

**OUT OF STATE RECIPROCITY**

Programs approved in other States, will be considered eligible to receive WIOA Title I-B training funds from Maine, provided the MDOL has a reciprocity agreement with that State. Out of State, Internet-Based programs will only be considered for inclusion on the ETPL with a special approval from the Local Board Director of each local area.

**ETPL APPEAL PROCESS:**

Programs that have been denied WIOA eligibility by both the MDOL and the Local Board, may appeal in writing to the contact person listed below, within 30 days of the Local Board denial. The appeal must provide specific documentation on how the provider and/or program meet requirements for eligibility and inclusion on the ETPL laid out in this guidance. A decision by the Executive Committee of the State Workforce Development Board (SWDB) will be rendered within 15 working days from receipt of the appeal. The SWDB decision will be final.

**Contact:**

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