



**State of Alaska**  
**Department of Labor and Workforce Development**  
**Division of Employment and Training Services**

**Workforce Innovation and Opportunity Act**  
**Eligible Training Provider and Program List (ETPL)**

# Operating Guide

Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities

September 5, 2023

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## Overview

This document governs the operation of Alaska’s statewide [Eligible Training Provider List \(ETPL\)](#). It is intended to furnish training providers and other pertinent stakeholders information on the training program certification process to receive funds under the Workforce Innovation and Opportunity Act (WIOA), title I-B (Public Law 113-128) as set forth in the State of Alaska, Department of Labor and Workforce Development (DOLWD), Division of Employment and Training Services [Eligible Training Provider List \(ETPL\) Policy 07-501](#). It applies to training providers, DOLWD workforce development professionals, WIOA grant recipients and participants.

### Background

The WIOA emphasizes informed consumer choice, job-driven training, training provider performance and continuous improvement in performance achievement and accountability. A primary means WIOA employs to achieve these goals is through the ETPL, which the Division of Employment and Training Services (hereinafter called “Division”) maintains in partnership with the Alaska Workforce Investment Board (AWIB).

The ETPL is designed to gather and display useful information on training providers, their services, and the quality of their programs. The ETPL is a key piece of the State one-stop job center system and it must be made available to the public and individuals seeking information on training programs that may be funded through a WIOA program.

WIOA requires that, States provide performance information regarding the ETPL to determine how training programs are contributing to the state’s overall performance. The ETPL helps career planners and participants determine which training program are successful, and identifies programs with a proven capability of providing valuable training that enables participants to secure quality employment.

WIOA provides for career services, training services delivered via an Individual Training Account (ITA), and support services. Career services fall into two categories: basic and individualized. Basic career services must be made available to all job seekers and include labor exchange services, labor market information, job listings, and information on partner programs. Individualized career services include career counseling and development of an individual employment plan and must be provided as appropriate to help individuals to obtain or retain employment. Training services through ITA’s are available once it’s determined that basic and individualized career services are insufficient for meeting a participant’s needs. The participant compares the offerings on the ETPL and, with the assistance of the career planner, selects the appropriate training program. Support services may include assistance with transportation, housing, child care, etc. to allow a participant to engage in program services.

## **Responsibilities**

The Governor, in consultation with the AWIB, establishes the criteria and procedures governing the eligibility of providers and their associated training programs to receive WIOA funds for training activities.

The AWIB is responsible for:

1. establishing additional performance levels and training program criteria, (if appropriate), information requirements and procedures for ETPL; and
2. working with the Division and training providers to ensure there are sufficient numbers and types of providers of training services, including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities.

The AWIB has designated the Division to carry out the process and procedures for determining the eligibility of training providers and their associated training programs. The Division is responsible for:

1. ensuring the development and maintenance of the State list of eligible training programs;
2. calculating performance to determine if performance levels, established by the AWIB, are met; including verifying the accuracy of the information;
3. removing programs that do not meet AWIB established program criteria or performance levels;
4. taking appropriate enforcement actions against providers that intentionally provide inaccurate information, or that substantially violate the requirements of WIOA; and
5. disseminating the ETPL to the public.

## **Eligible Training Providers**

Determining ETPL eligibility is a two tier approach. First, the training provider must be an eligible entity and second, the training program(s) offered by the provider must meet eligibility and performance criteria. In order for a training provider to receive WIOA Title I-B funds, (adult, dislocated worker and youth program) its program(s) must be listed on the ETPL.

Eligible training providers are entities who may receive WIOA funds for participants who enroll in their training programs and include:

1. institutions of higher education such as public community or technical colleges and universities;
2. private vocational schools authorized or exempted by ACPE, or an educational institution eligible to receive federal funds under Title IV of the Higher Education Act of 1965;
3. entities that carry out programs registered under the National Apprenticeship Act; and
4. other public or private providers of a program of training services, which may include joint labor-management organizations, and eligible providers of adult education and literacy activities under title II of WIOA if such activities are provided in combination with occupational skills training.

## Eligible Training Programs

Training programs are defined as one or more courses or classes, or a structured regimen, that leads to:

1. an industry-recognized certificate or certification, a certificate of completion of a registered apprenticeship, a license recognized by the state involved or the federal government, an associate or baccalaureate degree;
2. consistent with 680.350, a secondary school diploma or its equivalent;
3. employment; or
4. measurable skill gains toward a credential described in paragraph (1) or (2) above

There are several types of allowable training services available under WIOA including:

1. occupational skills training, including training for non-traditional employment;
2. on-the-job training (OJT);
3. registered apprenticeship;
4. pre-apprenticeship programs as defined in Division policy [Pre-Apprenticeship Definition 07-525](#);
5. incumbent worker training;
6. programs that combine workplace training with related instruction, such as cooperative education programs;
7. training programs operated by the private sector;
8. skill upgrading and retraining,
9. post-secondary education and degree attainment;
10. entrepreneurial training;
11. transitional jobs;
12. job readiness training provided in combination with any other training service listed above;
13. adult education and literacy activities provided in combination with any other training service listed above; and
14. customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

## Credentials

A credential is defined as an award in recognition of an individual's attainment of measurable technical or occupational skills necessary to obtain employment or advance within an occupation. These technical or occupational skills are generally based on standards developed or endorsed by employers.

To be listed on the ETPL a training program must provide:

- an industry-recognized certificate or certification,
- a certificate of completion of a registered apprenticeship\*,
- a license recognized by the state involved or the federal government, or
- an associate or baccalaureate degree

\*A certificate of completion of a registered apprenticeship program attests that an individual completed all the requirements of an industry recognized USDOL approved apprenticeship program. Other training programs or classes that offer 'certificate of completion' do not always constitute an

individual's attainment of measurable technical or occupational skills necessary to obtain employment or advance within an occupation as required by WIOA. These training programs will be evaluated to determine if the certificate of completion is industry recognized and the skills obtained from the training program or class will lead to employment.

## **Exemptions from ETPL**

Some training providers and associated programs are exempt from direct application to the ETPL. These include US DOL Registered Apprenticeship programs, OJT, incumbent worker training, customized training (as defined by WIOA) and/or community-based programs of demonstrated effectiveness.

### **Registered Apprenticeship**

Registered Apprenticeships provides a unique combination of structured learning with on-the-job training. Related instruction, technical training or other certified training is provided by apprenticeship training centers, technical schools, community colleges, and/or institutions employing distance and computer-based learning approaches. The goal is to provide workers with advanced skillsets that meet the specific needs of employers. Upon completion of a Registered Apprenticeship program, participants receive an industry issued, nationally recognized credential that certifies occupational proficiency and is portable.

Registered Apprenticeship (RA) programs registered under the National Apprenticeship Act are eligible to be included on the ETPL and not subject to ETPL data reporting and performance related requirements as RA's go through a detailed application and vetting process at the US DOL in order to become a RA program sponsor. The apprenticeship programs are monitored on a regular basis by US DOL apprenticeship staff.

The US DOL apprenticeship office provides the Division with a quarterly report of new RA programs and RA programs that have been cancelled. RA sponsors will be contacted by the Division or US DOL to ask if they want their program listed on the ETPL. RA sponsors who wish to be included on the ETPL must notify the Division and provide:

1. Name and address of Registered Apprenticeship program sponsor;
2. The occupations included within the Registered Apprenticeship program;
3. Name and address of the Related Training Instruction (RTI) provider and location of instruction if different from sponsor's address;
4. The method and length of instruction;
5. The cost of instruction; and
6. Number of active apprentices.

For proper identification and reporting purposes the title of the ETPL training program must

match what is specified within the apprenticeship standards. Once an apprenticeship program is on the ETPL, they will remain on the list as long as the RA remains in good standing with the US DOL apprenticeship office.

### **Apprenticeship Removals**

Registered apprenticeship programs will remain on the list:

1. Until they are deregistered;
2. Until the registered apprenticeship program notifies the State that it no longer wants to be included on the list; or
3. Until the registered apprenticeship program is determined to have intentionally supplied inaccurate information or to have substantially violated any provision of title I of WIOA or the WIOA regulations, including 29 CFR part 38.

Deregistered apprenticeships will be reclassified as a non-registered apprenticeship and their exemption status removed. If the registered apprenticeship was listed on the ETPL at the time of their removal from the national apprenticeship registry, the training provider will be held accountable to the same rules, regulations, and performance criteria as a regular training provider.

A registered apprenticeship program whose eligibility is terminated for intentionally supplying inaccurate information will be terminated for not less than 2 years and is liable to repay all youth, adult, and dislocated worker training funds it received during the period of noncompliance.

### **Related Technical Instruction (RTI) Providers**

When a Registered Apprenticeship program is using a third party vendor for related technical instruction, the vendor providing the instruction may receive funds under WIOA without the related technical instruction program being listed on the ETPL.

In order to receive funds under WIOA for participants NOT currently in registered apprenticeships, the instruction or training program must be listed on the ETPL. The vendor must apply for and receive eligible training provider status on its own merits in order to be added to the ETPL. Programs providing related technical instruction shall not be considered exempt by association with a registered apprenticeship program or sponsor.

### **Pre-apprenticeship**

Pre-apprenticeship is a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program under the National Apprenticeship Act and must have a documented partnership with a least one, in not more, registered apprenticeship program(s).

Pre-apprenticeship includes the following elements:

- a) Training and curriculum that aligns with the skill needs of employers in the economy of the State or region involved;
- b) Access to educational and career counseling and other supportive services, directly or indirectly;
- c) Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options, and understanding how the skills acquired through

- coursework can be applied toward a future career;
- d) Opportunities to attain at least one industry-recognized credential; and
- e) A partnership with one or more registered apprenticeships programs that assists in placing individuals who complete the pre-apprenticeship program in a registered apprenticeship program.

Programs that do not meet this criterion are not considered a pre-apprenticeship program for the purposes of WIOA.

Pre-apprenticeships are not registered under the National Apprenticeship Act and are not included in the exceptions for registered apprenticeship programs under WIOA sec. 122(a)(3). Pre-apprenticeships must adhere to the same eligibility and reporting criteria as other training providers on the ETPL.

### **Internships**

Internship or work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. Internships and other work experience may be paid or unpaid, as appropriate and consistent with other laws, such as the Fair Labor Standards Act. An internship or other work experience may be arranged within the private for profit sector, the non-profit sector, or the public sector, Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

Although this activity may be part of a career ladder activity is not considered a credentialed activity and is not required to be listed on the eligible training provider list per WIOA regulations 680.530.

### **Other Work Based Training Programs**

Providers of OJT, customized training, incumbent worker training, internships, paid or unpaid work experience, or transitional employment are not subject to the same requirements as entities listed on the ETPL. They are exempt and not required to submit performance data or undergo a review for initial or continued eligibility. The Division, in coordination with the one-stop job center is to collect performance information from these providers to determine if performance is met.

## **Training Program Expectations**

To compete in today's global economy, businesses need a skilled workforce and Alaska's citizens need increasingly higher levels of skills and knowledge. WIOA, the AWIB and the [Alaska Workforce Innovation and Opportunity Act Combined Plan](#) require funds are used for training in occupations in Alaska's high growth industries and priority occupations. The expectation is that training programs listed on the ETPL will provide the training necessary to ensure participants obtain nationally recognized credentials and outcomes that lead to employment.

### **Program Quality**

While WIOA opens the whole training marketplace to its customers, it also puts consumer protections in place as per Alaska Statute 14.48. WIOA mandates that providers of education and training meet specified performance levels. This performance information is required to ensure



customers can effectively evaluate the quality of each training program. The performance and cost information that training providers must submit for their program(s) is essential to ensure consumers are able to make informed decisions on types of training that will lead to their individual success.

Factors determining quality of a training program include:

1. the degree in which the training program relates to in-demand industry sectors and occupations;
2. length and cost- in comparison with other similar training;
3. training delivery method including reasonable access to individuals who are employed and individuals with barriers to employment, and the ability to access the training program in rural areas;
4. credentials and how they are valued by an employer and how they are associated with specific occupations;
5. training program completion rates; and
6. performance as determined by participant outcome information, taking into consideration the characteristics of the population served and relevant economic conditions.

### **Program Performance**

Training program performance is based on the employment rate and median earnings of students who completed the training program and are in unsubsidized employment; the credential rate of students who obtained a postsecondary credential and the completion rate of for students who completed the training program.

### **Industry Recognized Credentials**

WIOA emphasizes that training programs provide for the attainment of industry-based, regionally and/or nationally recognized skill standards and occupational credentials. The value of credentials to employers, workers, and society at large cannot be overstated. For employers, credentials demonstrate and document workers skills, increase their ability to fill skilled positions, and build talent pipelines. For workers and job seekers, credentials improve their labor market experience through higher earnings, greater mobility and enhanced job security. Good-paying jobs in high demand industries generally require some form of postsecondary education or training and the earnings bump that accompanies postsecondary credentials is well established.

A credential is awarded in recognition of an individual's attainment of measurable technical or occupational skills necessary to obtain employment or advance within an occupation and is based on standards developed or endorsed by employers. In order for a credential to be recognized "measurable technical or occupational skills necessary to gain employment or advance within an occupation" must be documented. A variety of public and private entities issue credentials including:

1. a state educational agency or a state agency responsible for administering vocational and technical education;
2. an institution of higher education described in Section 102 of the Higher Education Act

- (20 USC 1002) that is qualified to participate in the student financial assistance programs authorized by Title IV of that Act. This includes community colleges, proprietary schools, and all other institutions of higher education that are eligible to participate in federal student financial aid programs;
3. a professional, industry, or employer organization (e.g., National Institute for Automotive Service Excellence certification) or a product manufacturer or developer (e.g., Microsoft Certified Database Administrator) using a valid and reliable assessment of an individual's knowledge, skills and abilities;
  4. U.S. Office of Apprenticeship or a State Apprenticeship Agency;
  5. a public regulatory agency, upon an individual's fulfillment of educational, work experience, or skill requirements that are legally necessary for an individual to use an occupational or professional title or to practice an occupation or profession (e.g., Federal Aviation Administration aviation mechanic license);
  6. a program that has been approved by the Department of Veterans Affairs to offer education benefits to veterans and other eligible persons;
  7. Job Corps centers that issue certificates; and
  8. an institution of higher education which is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or tribes.

Additional information can be located in [Training and Employment Guidance Letter 25-19](#) Credential, Degree, and Certificate Attainment by Participants of the Public Workforce System.

## **Application Process**

### **Alaska Commission on Postsecondary Education (ACPE)**

All training providers must have a status (authorized or exempt) with the Alaska Commission on Postsecondary Education (ACPE) per Alaska Statute 14.48.20 Authorization and Permits Required and provide that status to the Division when applying for ETPL.

### **ACPE Authorization**

ACPE's authorization is designed to ensure postsecondary education providers and training programs meet the standards as outlined in law. ACPE determines if a postsecondary institution meets the minimum standards regarding institutional soundness, quality of education, ethical business practices and fiscal responsibility. Any institution offering postsecondary programs, courses, vocational training, or an educational credential, including distance education, must be authorized or determined exempt from authorization. For more information regarding institutional authorization, see [ACPE's](#) website.

### **ACPE Exemptions**

Certain educational providers are exempt from some or all ACPE authorization regulations. Exemptions may be available to providers offering ONLY short programs (no more than 80 hours in duration) that do not lead into a longer program; providers who do not offer educational

credentials of any type and for which no fee is charged; and programs offered by specified groups solely for their constituents (not available to the general public). See the [ACPE's](#) website for complete information regarding Exemptions.

Additionally, questions regarding ACPE Authorization or Exemption can be directed to (907) 465-6741 or [ACPE@alaska.gov](mailto:ACPE@alaska.gov).

### **Initial Eligibility**

All providers and programs that have not previously been an eligible provider of training services under WIOA sec. 122 must apply for initial eligibility and provide three years of performance data. The title of the training program(s) must match what is to be entered onto ETPL to ensure proper identification and evaluation of the program.

If the training program is new, meaning it was recently added to the training provider's curriculum and there is no completion data, the Division will exempt the performance data requirement until such data is accumulated.

Training programs receive initial eligibility for one (1) fiscal year and after the initial eligibility period expires, the programs are subject to the procedures for continued eligibility. To apply for initial eligibility, a training provider must:

1. Complete an ETPL application and describe each program of training to be offered;
2. Submit data on **all students** who attended the training program for the **past three years, if available** (new programs are excluded as participants have not attended training previously);
3. Provide information regarding the ability of the training program to lead to a recognized post-secondary credential;
4. Describe the degree in which the training provider is in partnership with business; and
5. To the extent possible, provide information that addresses alignment of the training program with in-demand industry sectors and occupations, as determined by the AWIB.

The Division will review ACPE status and the information listed above, and issue a determination on initial eligibility within 30-60 days of the receipt of the application.

### **Continued Eligibility**

The Division will annually collect data from training providers for **all students** exiting from training programs on the ETPL. The title of the training program(s) listed on the completion data must match what is displayed on the ETPL before it can be evaluated. Training programs not identified properly may result in zero performance. Division staff will review continued eligibility every two years and base determinations on the previous two years of student data when the associated wage data is available. Continued eligibility requires the training program to meet [required performance levels](#) as outlined in this operating guide. Additionally, continued eligibility requires the Division to

review:

1. the degree to which training program relates to in-demand industry sectors and occupations in the State;
2. and
3. if the submittal of student completer data is timely and accurate.

### Other Training Provider Requirements

In addition to the requirements listed for training program initial and continued eligibility, training providers must meet the following:

1. **Non-Discrimination:** All training providers must comply with the nondiscrimination and equal opportunity regulations at 29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity Provisions.
2. **Accessibility:** Training providers must provide physical and programmatic accessibility and reasonable accommodations/modifications, as required by Section 504 of the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act of 1990, as amended; Section 188 of WIOA; and the regulations implementing these statutory provisions.
3. **Advertising Restrictions:** Since courses/programs, not training providers, are certified through this process, training providers are not permitted to advertise their school or training facility as an **“approved Alaska statewide workforce development training provider.”** However, training providers are allowed to provide a list of their courses/programs that are state approved for the specified program year. Training providers may also provide pamphlets and school catalogs to [one-stop job centers](#).

## Performance

### State Required Performance Levels

State required performance levels are determined in consultation with the AWIB. Training program performance is determined by utilizing participant completer data submitted by the training provider and unemployment insurance wage records.

Employment Rate 2 <sup>nd</sup> Quarter after Exit	60%
Employment Rate 4 <sup>th</sup> Quarter after Exit	60%
Median Earnings 2 <sup>nd</sup> Quarter after Exit	\$5,025
Credential Attainment Rate	65%
Completion Rate	35%

### Methodological Protocols for the Calculation of Performance Measurements

These specific performance measures apply to the participants who have exited the training program.

- **Employment Rate 2<sup>nd</sup> Quarter after Exit:** Number of students who completed the training program and exited during the reporting period who are employed during the

second quarter after exit (numerator) divided by the number of students who have completed and exited during the reporting period (denominator), multiplied by 100 and reported as a percentage.

- **Employment Rate 4<sup>th</sup> Quarter after Exit:** Number of students who completed the training program and exited during the reporting period who are employed during the fourth quarter after exit (numerator) divided by the number of students who have completed and exited during the reporting period (denominator), multiplied by 100 and reported as a percentage.
- **Median Earnings Rate:** The median earnings of students who completed the training program and are in unsubsidized employment during the second quarter after exit from the program.
- **Credential Attainment Rate:** The number of students who obtain a recognized post-secondary credential during participation or within one year after exit (numerator) divided by the total number of students exiting the program (denominator), multiplied by 100 and reported as a percentage.
- **Completion Rate:** The number of participants who completed the training program (numerator) divided by the total number of students exiting the program (denominator), multiplied by 100 and reported as a percentage.

These specific performance measures apply to the training provider and training program and are used for either initial or continued eligibility, or both.

- **Industry Recognized Credential:** The training program leads to a recognized post-secondary credential. **Performance goal:** Credentials offered by the provider are regionally, and/or nationally recognized, stackable and portable, or specific to an in-demand industry or occupation. (initial eligibility)
- **In-demand Occupation/Industry:** The degree to which training program relates to in-demand industry sectors and occupations in the State. A list of Alaska's in-demand industry sectors and occupations can be located on the AWIB website [http://labor.alaska.gov/awib/.](http://labor.alaska.gov/awib/)
- **Performance Goal:** The training program relates to occupations located on the in-demand industry and priority occupation list. If the training is not associated with these occupations, an exemption may be provided if the program is use to address participants who possess a barrier to employment, specialized occupations or unique employer requests. (both initial and continued eligibility)
- **Partnership with Business:** This may be done by providing letters of support from business or other documentation showing a partnership between the training provider and business. Additionally, the Division may review training participant wages data to establish that participants are able to secure employment with the training received. **Performance Goal:** Training participants are able to secure employment with the training and credentials received from the training provider. (initial eligibility)
- **State Accessibility and Distance Delivery:** The ability of the training program to be accessed throughout the state, including rural areas and through the use of technology;

**Performance goal:** The training program is available via distance learning, if applicable, or deliverable in rural locations. (initial eligibility)

- **Completer Data:** Timely and accurate student completer data is submitted annually as required by WIOA. **Performance Goal:** training providers submit complete and accurate completer data by August 31<sup>st</sup> each year. (continued eligibility)

## Overall Performance Calculations

### Initial Eligibility for Existing Programs

Performance Metric	Point Value
Employment rate 2nd quarter must meet 60 percent	15
Employment rate 4th quarter must meet 60 percent	15
Median earnings 2nd quarter must meet \$5,025	15
Credential attainment rate must meet 65 percent	7.5
Completion rate must meet 35 percent	7.5
Industry recognized credential	20
Partnership with business	5
Accessible throughout the state by web based learning	5
In demand industry/occupation	10
<b>Total Points Available</b>	<b>100</b>

\*Initial eligibility for existing training program(s) must score at least 75 points to qualify

### Initial Eligibility for New Programs

Performance Metric	Point Value
New program – no completer data (1 year probationary period)	N/A
Industry recognized credential	20
Partnership with business	5
Accessible throughout the state by web based learning	5
In demand industry/occupation	10
<b>Total Points Available</b>	<b>40</b>

\* Initial eligibility for new training program(s) must score 30 points to qualify

### Continued Eligibility

Performance Metric	Point Value
Employment rate 2nd quarter must meet 60 percent	20
Employment rate 4th quarter must meet 60 percent	20
Median earnings 2nd quarter must meet \$5,025	20
Credential attainment rate must meet 65 percent	10
Completion rate must meet 35 percent	10
In demand industry/occupation	20
<b>Total Points Available</b>	<b>100</b>

\*The training program must score at least 80 points to qualify for continued eligibility

## Minimum Data Requirement

In an effort to not arbitrarily exclude programs from the ETPL that serve a small number of students the following circumstances will be considered.

**No students:** If a training program did not have any student enrollments during the reporting period, it will not be held to performance indicator levels. Training providers must indicate this by indicating an enrollment number of zero (0) when providing the student completer data.

**Small student population:** If a program served ten (10) or less students during the three year review period for initial eligibility and two year review period for continued eligibility, it will not be held to performance indicator levels until the program services at least ten students.

## Changes to Training Provider or Program Information

A significant change to a training program requires the training provider to submit a new ETPL application. ACPE must also review information and approved updates to training provider and training program changes.

Training providers are required to notify the Division of any of the following changes:

1. an institution name (new application required);
2. contact information;
3. training locations; and
4. business license information (change of ownership, new name requires new application).

Training program changes:

1. training program name (new application required if significant, guidance from ACPE required);
2. delivery method (new application required);
3. length of training (may constitute new application, discuss with ACPE);
4. training costs; and
5. credentials (new application required).

## Denials, Removals and Appeal Process

### Denials

A training provider and associated program will be denied ETPL eligibility if the provider fails to meet the minimum criteria for initial eligibility or continued eligibility, intentionally supplies inaccurate information or is required by Alaska State law to be ACPE authorized or exempt to operate in the

State and is not. If the Division denies eligibility for initial listing of a provider's program on the ETPL, the Division will inform the provider in writing and include the reason(s) for the denial and provide information on the appeal process.

### **Removal**

The Division shall remove programs from the ETPL if:

1. the provider fails to supply participant data required for the performance review by the annual due date of August 31;
2. it is determined that the training provider intentionally supplied inaccurate information; or substantially violated any provisions of title I of WIOA or the WIOA regulations, including 29 CFR part 38;
3. Fails to maintain an status with the Alaska Commission on Postsecondary Education as per AS 14.48.020; or;
4. performance levels are not met.

The Division shall remove a program that is not eligible no earlier than the 30 calendar days from the issuance of the denial notice. If a training provider chooses to appeal, the training program subject to removal shall remain on the ETPL until the appeal is concluded. When a training program is removed from the ETPL, WIOA participants currently enrolled in the program through an ITA may complete their training as outlined in their WIOA Individual Employment Plan.

Programs removed from the list will have a waiting period of not less than two years. After the two-year period, the training provider may reapply for the ETPL.

If the program is removed due to intentionally supplying inaccurate information, the training provider will be liable to repay all WIOA training funds received during the period of noncompliance.

### **Appeals**

A provider wishing to appeal a decision must do so within 30 calendar days of the issuance of the denial notice. The appeal must be provided to the Division, in writing, and identify the training program(s) in question, and the reason(s) for the appeal.

## **Supplemental Data**

Supplemental student data may be accepted from a training provider for a program that did not meet required performance levels. Training providers, who want to submit supplemental data must request to provide supplemental data, identify the training program(s) in question, the reason(s) for providing the data, the supplemental data, and a signature of the training provider attesting the information is true and correct. The Division will randomly audit supplemental data determine the accuracy.

Supplemental data is in addition to administrative records used by DOLWD Research and Analysis in calculating the performance measures and will be considered for students who were not included in the employment records already available to the Division. Supplemental data must be from students who exited the program during the reporting period and may include:



**Proof of Employment/Earnings** - to be included in the 2<sup>nd</sup> and 4<sup>th</sup> quarter after exit employment measures and median wage measure and may consist of: (1) individual employment/wage records that meet the standards of the provider's accrediting agency or (2) a copy of a W-2 form, pay stub, or Internal Revenue Service 1099 form, or (3) a copy of a tax form submitted to the United States Internal Revenue Service establishing earnings from self-employment during reporting period, or (4) survey responses indicating an individual's earnings.

**Survey Responses** - Survey responses from students may be submitted as supplemental proof of self-employment earnings, proof of employment in other countries or with employers that are not included in the unemployment insurance system. Survey responses may be used only if surveys are accepted by the program's accrediting agency as proof of employment.

Surveys may be conducted by phone, mail or in person and information recorded on a questionnaire including:

1. The date the survey was filled out;
2. student information - last name, first name, current address, current phone number, social security number, title of training program, date student withdrew or graduated from the program;
3. employment information - the business name, business address, business phone, date when self-employment or employment began, date when self-employment or employment ended (if applicable), employment status as of the survey date; and
4. gross earnings for the reporting period in question.

The results of the survey must be reported to the Division in the form of completed questionnaires or a list of students and their responses that include the required data elements and the number of students contacted and number of responses received to calculate a response rate. The survey must achieve a minimum response rate of 65 percent (i.e., for every 12 surveys or every 12 students contacted, there are at least 8 completed questionnaires).

## **Data Elements and Submittal**

The Division collects and analyzes student data from training providers for ETPL initial and continued eligibility. In an effort to lessen the burden of reporting on the provider, the Division utilizes data gathered by ACPE and the DOLWD Research & Analysis.

### **Training Participant Data**

Instructions to training providers for electronically submitting data on *all students* in the training program is provided annually. The data must be encrypted prior to submittal to protect participants' personally identifiable information.

The following data element, one record for each training participant exiting the program, is required:

- |   |  |
|---|--|
| 1. Training program                     | 7. Training exit date (mm/dd/yyyy)                       |
| 2. Participant First Name               | 8. Completion status                                     |
| 3. Participant Last Name                | a) Degree or certificate awarded<br>or program completed |
| 4. Social security number (xxx-xx-xxxx) | b) Withdrew or did not complete                          |
| 5. Date of birth (mm/dd/yyyy)           |  |
| 6. Training start date (mm/dd/yyyy)     |  |

## Dissemination of the Eligible Training Provider List

The ETPL is to be provided to the public in an easily understandable format. The Division prepares the ETPL and includes information on training program performance, costs, length, and credentials offered by the program in an easily understandable format for the public. The ETPL is made available through the one-stop delivery system and assessable online through websites and searchable databases.

### Out of State Training

Out-of-State and private provider of training service(s), which have a physical presence within the State of Alaska or which solicits business within the State of Alaska and offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons in an occupational field or which offers a course or courses leading to an academic degree, must follow the ETPL guidelines as stated within this operating guide.

Approved ETPL providers and programs based in other states that do not have a physical presence in the State of Alaska are not required to complete an application for approval in Alaska if there is an active reciprocity agreement or if the provider is listed on an out-of-state ETPL. The training provider will not be included on Alaska's ETPL but will be considered ETPL eligible if in good standing on the other state's ETPL.

### Definitions

**Alaska Commission on Postsecondary Education (ACPE):** is a state agency that ensures postsecondary education providers and their training programs meet the standards as outlined in law.

**Completers:** Students who *successfully completed* the program during the reporting period including (1) those who have graduated from a program with a degree or certificate or nationally recognized skill standard, or (2) for community and technical colleges and private institutions, students who have transferred to a 4-year institution, or have completed a nationally recognized skill standard and are employed. For private institutions that do not use the same quarter credit system as the community and technical college system, the acceptable equivalent will be a year of vocational training.

**Completion Rate:** The percentage of individuals who *successfully complete* the training program as compared to all individuals who exited the training program.

**Completer Data:** The information requested of the training provider that includes data on training program students, credentials and completion rates.

**Credential:** an attestation of qualification or competence issued to an individual by a third party such as an educational institution or an industry or occupational certifying organization, with the relevant authority to issue such a credential.

**Customized Training:** Is training used to meet the special requirements of an employer or group of employers, and conducted with a commitment by the employer to employ all individuals upon successful completion of training. The employer must pay for a significant share of the cost (over 50%) of the training.

**Designated State Agency:** Is assigned by the Governor under WIOA for ETPL data collection, eligibility determinations, and consumer reporting. The State of Alaska, Department of Labor and Workforce Development, Division of Employment and Training Services is Alaska's Designated State Agency.

**Earnings:** An individual's quarterly earnings found in unemployment insurance wage records, through federal payroll records or earnings substantiated by supplemental data.

**Employed:** An individual that is working for pay and who's employment is reported through unemployment insurance records, federal payroll records, or self-employment substantiated by supplemental data.

**Employment Rate:** Percentage of participants who have completed a training program and in unsubsidized employment as compared to the total number of participants who completed and exited the training program.

**Exiters:** All participants in the training program who left during the reporting period, regardless of the reason or start date.

**Incumbent Worker Training:** Incumbent worker training is designed to ensure that employees of a company are able to gain the skills necessary to retain employment and advance within the company or to provide the skills necessary to avert a layoff.

**Individuals with Barrier to Employment:** Barriers to employment means a member of one or more of the following populations: (A) Displaced homemakers, (B) Low-income individuals, (C) Indians, Alaska Natives, and Native Hawaiians, (D) Individuals with disabilities, including youth who are individuals with disabilities, (E) Older individuals, (F) Ex-offenders, (G) Homeless individuals or homeless children and youths, (H) Youth who are in or have aged out of the foster care system, (I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers, (J) Eligible migrant and seasonal farm workers, (K) Individuals within 2 years of exhausting lifetime eligibility (for TANF), (L) Single parents (including single pregnant women), (M) Long-term unemployed individuals, (N) Such other groups as the Governor involved determines to have barriers to employment.

**Median Earnings:** Is the amount that divides the income distribution into two equal groups, half having earnings above that amount, and half having earnings below that amount.

**On-the-Job Training (OJT):** Training that is conducted by an employer to teach the worker the knowledge and skills needed to perform the job.

**Pre-Apprenticeship:** Pre-apprenticeship services and programs are designed to prepare individuals to enter and succeed in Registered Apprenticeship programs. Quality pre-apprenticeship programs contribute to the development of a diverse and skilled workforce by preparing participants to meet the basic qualifications for entry into one or more Registered Apprenticeship programs. Through a variety of unique designs and approaches, pre-apprenticeship programs can be adapted to meet the needs of differing populations being trained, the various employers and sponsors they serve, and specific opportunities within the local labor market.

**Program Participants:** Refers to all students in a program of training.

**Recognized Post-Secondary Credential:** Means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.

**Registered Apprenticeship Program Sponsor(s)** may be:

- employers with registered apprenticeship programs that provide formal in-house instruction as well as on-the job training at work site;
- employers who use an outside educational provider;
- joint apprenticeship training programs made up of employers and unions;
- intermediaries who serve as program sponsors when they take responsibility for the administration of the apprenticeship program such as educational institutions, industry associations and community based organizations.

**Reporting Period:** is the federal fiscal year – July 1 through June 30 and is broken into four quarters: January – March; April – June; July – September; and October - December.

**Supplemental Data:** Supplemental data refers to data in addition to administrative records used to calculate the performance measures. Such information may include documentation on self-employment and self-reported earnings, a copy of a W-2 form, pay stub, or Internal Revenue Service 1099 form that documents employment during the time period in the measure.

**Training Program:** A program of training services is one or more courses or classes or a structured regimen that leads to a (A) recognized post-secondary credential, secondary school diploma or its equivalent, (B) employment, or (C) measurable skill gains toward a credential or employment.

**Work-Based Training:** Work-based training is employer-driven with the goal of unsubsidized employment after participation. Generally, work-based training involves a commitment by an employer to fully employ successful participants after they have completed the program.