

# WORKFORCE SOLUTIONS

## G R E A T E R D A L L A S

<b>Policy Number:</b> T0108, change 13	<b>RE:</b> Workforce Innovation and Opportunity Act (WIOA), WD Letter #14-19, change 2, as amended, WD Letter #12-19, change 2, as amended.
<b>Date Issued:</b> 05/22/2023	<b>Effective Date:</b> 04/19/2023

### Training Providers

#### Background

To provide information about the Workforce Innovation and Opportunity Act Eligible Training Provider System - scholarship programs. **This policy has been amended to decrease the training cap per participant from \$17,000 to \$15,000 for new individual training accounts or active training accounts written on or after April 19th. All costs must be based upon the vendor's published price as of April 19, 2023.**

#### Policy

##### Initial Eligibility

In accordance with WD Letter #12-19, change 2, WFSDallas will follow guidance:  
[https://www.twc.texas.gov/files/policy\\_letters/14-19-ch-2-twc.pdf](https://www.twc.texas.gov/files/policy_letters/14-19-ch-2-twc.pdf)

For initial eligibility for the Eligible Training Provider Certification System, a training provider must meet the following criteria:

- Proposed training program must be on the Board's approved targeted occupation list (*the Board will not approve advanced certifications for occupations not on the Board's Targeted Occupations List*)
- Minimum of one-year experience providing training to the general population
- Reasonable cost based on comparable training programs
- **A maximum of \$15,000 training cap per participant unless otherwise necessary to meet the employment needs of our local community and training is not otherwise available. Classes may be considered on a case-by-case basis to exceed the training cap. Board anticipates no interruptions to currently enrolled students. The \$15,000 training cap is for new individual training accounts written on or after April 19, 2023. All costs must be based upon the vendor's published price as of April 19, 2023.**
- Providers must be appropriately accredited and provide documentation
- Providers must document recent employer validation/industry endorsed skill standards of training curriculum.
- Exempt providers as in accordance with Texas Education Code §132.002 and §132.003 are eligible and can be allowable on a case-by-case basis. The exempt schools must have two years of performance and have a successful internal and/or external monitoring review for curriculum, financial stability and ADA compliance. Exempt providers would be subject to a pre-eligibility review by our external monitors.
- Definition of Reasonable distance – 30-mile radius between the client's home and training (Dallas County).
- Training must result in an employer or industry recognized credential

Performance measures for successful experience will be measured according to the following:

<u>Initial Eligibility Performance Measure</u>	<u>Dallas Minimum Standards</u>
ALL – Program Completion Rate	75%
ALL – Entered Employment Rate	75%
ALL – Average Wage Rate (at placement)	\$13.59 (at-risk), \$15.72 (dislocated worker)

### **Continued Eligibility**

Each provider will be reviewed based on the above criteria semi-annually and removed accordingly if missing two or more performance measures. These measures are subject to change based on the TWC performance negotiations for Common Measures with Workforce Solutions Greater Dallas. This modified policy will apply common measures to all training providers who have completed one year of delivering training services. A training provider will be removed if missing 2 or more performance measures. Training providers are eligible to re-apply following demonstrated successful performance. Providers may be maintained on the list if it is determined that the provider did not have sufficient enrollment levels to adequately evaluate performance (*servicing less than 5 customers*).

Schools, which have existing students, will be allowed to complete the training programs. All schools selected for removal will have one month following board approval to offer additional positive performance information. If removed, training providers are eligible to re-apply following demonstrated successful performance.

In consideration, that the ETPS is driven by customer choice, training providers not utilized within the last two years will be removed from the available list of training options. Staff will continue to review performance and utilization to ensure the best training options for our workforce customers.

### **Scholarship Programs**

The Board approved/negotiated training cost on the Eligible Training Provider System is considered the maximum training cost allowable, excluding support services. We anticipate that PELL grant applications will be applied to negotiated expenses and/or supportive services. The cost of training as approved is the full cost of the training activity. All language will be incorporated in contractor policies, procedures and forms. No customer of the system shall be encouraged and/or required to provide additional funds, loans or grants that pay the training provider.

Funding Training Programs Outside of Local Workforce Development Areas through Individual Training Accounts - WFSDallas follows TWC Guidance #12-19, Change 2, and does not support training programs outside of Texas. [https://www.twc.texas.gov/files/policy\\_letters/12-19-ch2-twc.pdf](https://www.twc.texas.gov/files/policy_letters/12-19-ch2-twc.pdf)

### **Training Provider Appeal Process**

Workforce Solutions Greater Dallas is the responsible authority for handling complaints or protests regarding the selection process, and has established the following process for handling ETPS appeals:

**Step 1.** Request for a Debriefing – proposers not selected by this process may appeal the decision by submitting within 10 days of the receipt of Board notification of the Board decision, a written Request for Debriefing to obtain information on the process and how their proposal or offer was received and ranked.

The Board shall acknowledge receipt of the Request for Debriefing in writing within 10 days of receipt, along with the date and time of the scheduled briefing. The briefing shall be scheduled, as soon as possible, and no later than 10 days from the receipt of the Request for Debriefing. (NOTE: The Board extends the courtesy of offering a briefing to any proposer who is not selected for the ETPS; the 10-day timeframe must be adhered to only if a bidder is considering an appeal.

**Step 2.** Debriefing – the purpose of the debriefing is to promote the exchange of information, explain the proposal evaluation system, and help unsuccessful proposers understand why they were not selected.

**Step 3.** Written Notice of Appeal – if, after the debriefing, the appealing party wishes to continue with the appeals process they must submit to the Board a Notice of Appeal. This written notice must clearly state that is an appeal and identify (a) the decision being appealed (i.e. specific date of application, or the Board action); (b) the name, address, phone and fax number (if available) of the appealing party (ies); and (c) grounds of the appeal. The Board must receive the Notice of Appeal within 15 days of the date of the appealing party’s debriefing, in Step 2 above. The Notice of Appeal must be sent by registered mail or hand delivered (a receipt will be issued), clearly identified externally as “Dated Material”, and addressed to:

*Laurie Bouillion Larrea, President  
Workforce Solutions Greater Dallas  
500 N. Akard Street, Suite 3030  
Dallas, Texas 75201  
Dated Materials Enclosed*

Fax or E-mail shall not be accepted at any stage of the appeals process. Written acknowledgement of receipt of the Notice of Appeal will be proved to the appealing party within five (5) working days of receipt of the Notice of Appeal. Such acknowledgement will include specific instructions for completing the appeals process and the date, time and place of the next step – the Informal Hearing.

**Step 4.** Informal Hearing – An informal hearing will be held at the board offices within 10 days of receipt of the Notice of Appeal. The Hearings Officer, and will meet with the appealing party to discuss their concerns and the specific grounds of the appeal. The Hearings Officer may recommend to the Board President any appropriate actions, allowable under applicable rules and regulations and consistent with agency procurement policies, to resolve issues at the Informal Hearing. If the appealing party agrees, the appeal may be ended at this point.

**Step 5.** Request for Formal Hearing – The appealing party, if not satisfied with the results of the informal hearing, must inform the Hearings Officer, in writing, no later than five (5) working days from the date of the informal Hearing of intent to proceed with the appeal. Within ten (10) days of receipt of this written request, the Hearings Officer will respond, in writing, to inform the appealing party of the time, date and place of Step 6 the Formal Hearing.

**Step 6.** Formal Hearing – The Formal Hearing shall be conducted within fifteen (15) days of the date of the request for Formal Hearing. An independent hearing officer will conduct the Formal Hearing of the appeal. This hearing officer will consider the facts presented as grounds for the appeal and remedies requested. The hearing officer from staff or the appealing party may request additional information. After full review, the hearing officer will, at the next board meeting, make its recommendation to the Board for final determination.

**Step 7.** The Board decision – The Board will render a decision no later than 60 days from the date of the Written Notice of Appeal. The Board decision shall the final decision and end the appeals process at the local level.

**Action Required**

This policy should be distributed to all affected staff.

**Contact**

Inquiries regarding this policy should be directed to Connie Rash, Senior Vice President at 214.290.1008.

<b>Approved for Content:</b>	
<i>Connie Rash</i>	05/22/2023
<b>Signature</b>	<b>Date</b>
<i>Laurie Bouillion Larrea</i>	05/24/2023
<b>President’s Signature</b>	<b>Date</b>