

# NORTH CENTRAL ARKANSAS WORKFORCE DEVELOPMENT BOARD

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WDB Policy #: 2.35

Effective Date: 9/10/2014 (WIA)

Revision Date: 12/13/2017, 6/13/2018, 6/12/2019

SUBJECT Eligible Training Provider

PURPOSE

Section 122 of the Workforce Innovation and Opportunity Act of 2014 sets forth the requirements by which training programs can be included on the North Central Arkansas Workforce Development Board's eligible training provider (ETP) list for purposes of assisting individuals who have been determined eligible for training services with WIOA funds. (Inclusion on the list does not guarantee a provider will receive WIOA funds on behalf of participants as there are ultimately multiple factors used in determining training tailored to an individual's needs.) Training providers are required to submit an initial application to the Arkansas Consumer Report system for placement on the ETP list. The initial application must contain cost information and the required performance information when necessary. If the application is approved, the training provider and program go on the state list of ETP's for a period of one year. For a training provider to remain on the list, they are required to submit an application that contains updated program cost information.

BACKGROUND

WIOA Title I sec. 116 & sec. 122 describes the requirements of maintaining a comprehensive list of Eligible Training Providers that are capable of providing training to participants using Individual Training Account funds.

TRAINING SERVICES UNDER WIOA:

All training must be directly linked to employment opportunities either in the local area or in an area to which the individual is willing to relocate. If a local area does not have a particular occupation on its projected employment opportunities list, they may send a participant to, or a participant may choose, a training provider/program not in demand in the local area if that participant agrees in writing that he/she would be willing to relocate or commute to become employed in that occupation.

An occupation is considered an employment opportunity for a local area if it appears on the Projected Employment Opportunities List for the State or local area as published by the Labor Market Information (LMI) division of the Arkansas Department of Workforce Services. Occupations on an adjacent local area's list, including local areas in other states, may also be considered employment opportunities in the local area.

ADDING TO THE LIST:

Arkansas allows five (5) occupations to be added to a local list without the burden of proof for need of that program.

If there is a need to add additional occupations to the local list that do not appear on the state list or that of an adjacent local area, proper supporting documentation must be submitted. One or more of the following types of documentation will be accepted:

1. Proof that the course content of the training program not on the list is substantially contained (more than 50%) within a training program that is on the list.
2. A collection of letters (minimum of three) from employers stating their current intention to hire and a recurring need for individuals trained in the program.
3. Proof that the training program experiences repeated high placement and wage.
4. Results from Labor Market surveys that utilize reliable procedures (i.e., survey of local employers to see how many workers they anticipate needing within the next year).
5. Proof from Chambers of Commerce, the Arkansas Economic Development Commission and/or local industrial development organizations of the verified need for additional trained workers in the training program.
6. Information that relates to staffing patterns. Examples include plant openings or expansions, plant closings or occupation obsolescence, emerging occupations related to technical changes or other salient causative factors.

For purposes of this policy, a program of training services leads to:

- A certificate, an associate degree, a baccalaureate degree, or
- The skills or competencies needed for a specific job or jobs, an occupation, occupational group or generally for many types of jobs or occupations as recognized by employers and determined prior to training.

#### ELIGIBILITY CERTIFICATION PROCESS:

All training providers will complete an online electronic application through the automated Arkansas Consumer Reporting System located at [www.workforce.arkansas.gov/acrs/](http://www.workforce.arkansas.gov/acrs/). Training providers must apply for each individual program. If multiple training locations exist, an application must be made for each location.

The NCAWDB staff receives the application via Internet file if

- 1) the program's CIP code appears on the current Projected Employment Opportunities List for the State or local area and
- 2) required items such as tuition and book cost are complete. The NCAWDB staff electronically approves or disapproves each application received via the Internet. The NCAWDB staff ensures that the provider's performance information meets or exceeds the State minimum levels when required.

#### CONSIDERATIONS FOR APPROVAL

NCAWDB staff approves training providers and programs within its ten-county area in North Central Arkansas as well as adjacent areas (even if out of state) if they are of reasonable cost and meet the state minimum performance requirements when necessary for non-exempt providers.

NCAWDB staff may approve providers and programs outside of the local area or adjacent areas that are on the demand occupations list (Projected Employment Opportunities List) if:

- the program is not offered nearby; or
- the program has demonstrated cost and time effectiveness; or
- it is prudent to do so in order to accommodate participant needs.

#### APPEAL PROCESS

Training providers can choose to appeal the rejection of their program for inclusion in the ETPL or its subsequent termination of eligibility. For any appeal by a training provider, an appeal must be submitted in writing via email to [angela@wrpdd.org](mailto:angela@wrpdd.org) within 14 days after notification of the decision. The appeal must include the justification for the appeal in their request. The training provider also has the right to request a hearing to discuss their appeal. An ETPL appeals board will be assembled consisting of the WRPDD Executive Director, NCAWDB staff and board chair, and the local WIOA Director. The appeals board will schedule a hearing if requested and make a decision within 60 days of appeal. This will be a final decision.

Approved by the NCAWDB on

\_\_\_\_\_ June 12, 2019

Pam Williams, NCAWDB Chairperson:

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