

TEXAS WORKFORCE COMMISSION LETTER

ID/No: WD 26-00

Date: March 30, 2000

Key Word: WIA

To: Local Workforce Development Board Executive Directors
LWDA Coordinators
Commission Executive Staff
Commission Local Offices

From: Jean Mitchell, Director of Workforce Development

Subject: Continuing Training Services When Training Providers Do Not Remain
on the Statewide List of Certified Training Providers

PURPOSE:

To provide guidance to Local Workforce Development Board (Boards) on how to continue training services when training providers are removed from the Statewide List of Certified Training Providers.

REFERENCE:

Workforce Investment Act, Section 122(f)(1)
WD Letter 24-00, issued March 16, 2000, entitled "Workforce Investment Act Training Provider Certification System: Performance Reporting Requirements and Subsequent Eligibility Application Process"
WD Letter 10-00, Change 1, issued March 16, 2000, entitled "Workforce Investment Act Training Provider Certification System: Program Year 2000 Performance Requirements for Initial and Subsequent Eligibility"
WD Letter 76-99, Change 6, issued March 16, 2000, entitled "Training Provider Certification System: Clarifications on the Application for Initial Eligibility Under the Workforce Investment Act"

BACKGROUND:

Under the Workforce Investment Act (WIA), participants who receive training services using Individual Training Accounts (ITAs) must select training providers from the Statewide List of Certified Training Providers.

WD Letters 24-00; 10-00, Change 1; and 76-99, Change 6, all issued March 16, 2000, outlined procedures for training provider certification under WIA as well as placement and retention on the Statewide List of Certified Training Providers. This WD Letter supplements information provided in those

letters by offering guidance on what can be done when training providers are removed from the Statewide List of Certified Training Providers while WIA participants are in training.

PROCEDURES:

Boards must develop standard operating procedures that outline participant options when training providers are removed from the Statewide List of Certified Training Providers. The following are suggested participant options Boards may consider when developing their procedures:

1. A training provider does not reapply for subsequent eligibility determination for a program/course.
 - a. Participants in training are allowed to complete their training plans; and
 - b. No new participants will be allowed to start a program/course with that training provider.

2. A training provider failed to meet program-specific performance requirements as specified for subsequent eligibility determination. For example, a program/course is not approved by a Board or is not re-certified by the Texas Workforce Commission (Commission).
 - a. Participants in training are allowed to complete their training plans; or
 - b. Participants are allowed to complete the semester/training period that is paid for and are offered the option to transfer to another certified program/course. Boards must provide participants with information about the training provider's performance and about alternative certified programs/courses; and
 - c. No new participants will be allowed to start a program/course with that training provider.

3. There are health or safety violations at a training location where a program/course is currently offered.
 - a. If the violations are minor, the training provider is given a period of time to initiate a corrective action plan, and participants continue their training plans while the problems are corrected; or
 - b. Participants in training are removed from the training location at the end of the semester/training period that is paid for because the training provider does not initiate and complete the corrective action. Boards must provide participants with information about alternative certified programs/courses. No new participants will be allowed to start a program/course at that training location until health and safety violations are corrected; or

- c. If the violations are major, participants are immediately removed from the training location and are placed at a different location with the same training provider or with an alternative certified training provider. Boards must provide participants with information about alternative certified programs/courses. No new participants will be allowed to start a program/course at that training location until health and safety violations are corrected.
4. A demand occupation for which participants are receiving training services is removed from the list of current and projected occupational demands for the local development workforce area (workforce area).
 - a. Participants in training are allowed to complete their training plans; and
 - b. No new participants will be allowed to start a program/course with training providers in the removed demand occupation.
5. A training provider is removed from the list for fraud and/or abuse. For example, the removal is due to the intentional submission of inaccurate information.
 - a. Participants in training are allowed to complete the current semester/training period that is paid for or may enroll in an alternative certified program/course. Boards must provide participants with information about alternative certified programs/courses; and
 - b. No new participants will be allowed to start with that training provider.

If the circumstances listed above occur, Boards must make every effort to ensure that:

- Participant choice is maintained;
- Participants will not lose academic credits; and
- Existing credits will be transferable to another certified program/course, if applicable.

ACTIONS REQUIRED:

Boards must develop standard operating procedures to continue training services when training providers are removed from the Statewide List of Certified Training Providers.

INQUIRIES:

Direct inquiries to Roger A. Smith via e-mail at rogera.smith@twc.state.tx.us or at (512) 936-3568.

Rescissions: None	Expiration: Continuing
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