

**Capital Region Workforce Partnership
Workforce Development Board
WIOA Service Policy #105**

Eligible Training Provider Certification Process

References: Workforce Innovation and Opportunity Act of 2014; Section 122
WIOA Final Rule, 20 CFR Parts 680.400 - 500
Virginia Board of Workforce Development Policy #404-01.2

Date: **Revision #3, April 28, 2026. Previous versions dated December 1, 2016 and September 23, 2021.**

Purpose:

This policy governs the Capital Region Workforce Development Board's (WDB) Training Provider review process for consideration of inclusion of training programs on the Virginia Statewide Eligible Training Provider List (ETPL).

Background:

The Workforce Innovation and Opportunity Act (WIOA) seeks to promote a training environment that fosters performance accountability, attainment of skills, credentials, certificates and diplomas that lead to employment in occupations in demand in the local economy and thereby; enhancing quality of life for customers.

The ETPL is the training provider list that must be used to issue Individual Training Accounts for the training of WIOA-enrolled participants when a determination has been made that training is needed to meet the customer's employment and earnings goal. The enrollee can compare the offerings on the ETPL and, with the consultation and advice of Workforce Center Staff, select the most suitable training option.

I. Program of Training Services Defined:

For purposes of the WIOA, a program of training services is defined as one or more courses or classes, or a structured regimen that leads to a recognized post-secondary credential, secondary school diploma or equivalent, employment, or measurable skills gains towards a credential or employment.

II. Eligible Program Applicants:

There are five categories of providers who can apply for consideration to be included on the ETPL:

A. A postsecondary educational institution that is eligible to receive federal funds under Title IV of the Higher Education Act of 1965 and that provides a program that leads to certification or license or college certificate, associate degree, or baccalaureate degree.

B. A postsecondary school that offers formal instructional programs with curricula designed primarily for students who have completed the requirements for a high school diploma or its equivalent. Such schools include programs of academic-vocational, vocational, and continuing

professional education that may lead to a certification or licensure. This category excludes vocational and adult basic education programs.

C. An entity that carries out related instruction under the National Apprenticeship Act that is recognized by the Virginia Department of Workforce Development and Advancement.

D. A provider of a program of occupational training services that under Section 23-276.2 of the Code of Virginia is exempt from SCHEV certification as a postsecondary school in the Commonwealth such as a professional or occupational training program regulated by another state or federal governmental agency other than the SCHEV, any school, institute, or course of instruction offered by any trade association or any nonprofit affiliation of a trade association on subjects related to the trade, business, or profession represented by such association.

E. A provider of adult education and literacy as defined in Title II of the WIOA, if such activities if approved to the list and utilized, are provided in combination with other occupational skills training and defined in the WIOA.

III. Other Considerations:

A. Providers and programs operating in Virginia under all categories shall submit an application through an electronic portal developed and maintained by the Commonwealth of Virginia. (At the time of policy adoption, the portal is known as the Virginia Workforce Connection).

B. Programs and providers under categories 1 and 2 must provide evidence as part of their application that they are certified to operate in Virginia and that they have program accreditation/approval from an applicable state agency in order to be considered for approval.

C. For Category 3 providers, a different application form is provided by the state. Such providers must be granted approval if the Virginia Department of Workforce Development and Advancement verifies the sponsoring employer and related instruction have been recognized by the state and are in good standing.

Nothing in this policy shall preclude the approval of Bachelors or Masters level programs that otherwise meet these policy requirements.

IV. Other Possible Providers may Include:

Distance and Online Training Providers. WIOA funds may be used for programs that are conducted in a completely online format. In these instances, training providers must follow the same approval and renewal processes. Providers based outside of Virginia offering online courses and approved in that state must still make application for approval in Virginia.

V. Applications for Initial Approval:

A. To be considered for inclusion on the ETPL, The Virginia Department of Workforce Development and Advancement (DWDA) must first determine the initial training provider application and all new program applications are complete with all minimum application requirements satisfied. All applications for the ETPL must be submitted through the Virginia Workforce Connection (VaWC), and should include a completed Equal Opportunity and Nondiscrimination Certification Form.

- B. All applicants will be subject to requirements outlined in Virginia Board of Workforce Development Policy 404-01.2
- C. Once DWDA has verified that the application meets the minimum qualifications for consideration of inclusion to the ETPL, DWDA will notify the local area that application(s) have been routed for local review and consideration.
- D. In addition to state standards, the Capital Region Workforce Development Board also factors additional elements in reviewing an application including but not limited to:
 - 1) Directly aligned with a targeted industry as identified by the Board, or
 - 2) Directly aligned with a demand occupation on the Virginia Office of Education Economic high-demand occupation list, or
 - 3) Directly aligned with occupations that have documented evidence of hiring which may include a recent economic development announcement, written letter from an employer committing to hire, job listings in the Virginia Workforce Connection with an incidence of at least 25 in the prior 12-month period, or
 - 4) Supported by a labor market survey submitted by the applicant that includes at least 20 regional employers, to include sufficient employer contact information for staff verification.

The Capital Region Workforce Development Board WDB reserves the right to not recommend approval of any training program applications that are not determined to meet sufficient occupation demand in the Capital Region.

E. Non-Discrimination and ADA Compliance: Providers must be accessible to individuals with disabilities under Section 504 of the Rehabilitation Act of 1973 in accordance with the Americans with Disabilities Act (ADA). They must also have written policies and procedures in place to protect against discrimination on the basis of an individuals' race, color, religion, sex, national origin, age, political affiliation or belief.

VI. Initial Review Process:

- A. Training provider submits application(s) on the VaWC and is determined by DWDA as meeting basic requirements. CRWDB will have 90 business days to review and make recommendations on applications upon a referral notification from the DWDA.
- B. Staff reviews the application against requirements of this policy and provides information and a recommendation to the designated review committee of the Capital Region Workforce Development Board. (The applicant may be invited to the Committee meeting to make a presentation on their application and answer questions).
- C. The designated Committee will make a recommendation to approve or deny the application(s) based upon their review and provide notice of determinations to the DWDA. The committee will notify the full Board of its action and reasoning.
- D. The CRWDB will provide written reasoning for its recommendations to approve or deny to the DWDA.
- E. Provisional approvals – For cases where a participant has identified a program that meets the qualifications to be considered that is not currently listed and timing does not allow for a participant to start the training before the next committee meeting, the Executive Director may recommend a provisional approval until such time as the WDB- designated committee next

meets to confirm or reverse approval. The Executive Director shall verify that all requirement considerations have been met.

VII. Continued Eligibility

After each year that a program has been certified, a renewal verification must be completed directly with DWDA. The provider must submit performance outcomes, update the provider and program specific information in the VaWC and inform DWDA of interest in being considered for renewal. All of the performance criteria can be found in Virginia Board of Workforce Development Policy 404-01.2.

VIII. Appeal Process:

The training provider may appeal the decision to deny a program for inclusion on the ETPL or to terminate the inclusion of a program on the ETPL.

First Appeal Request: The training provider must file a written appeal within thirty (30) calendar days after the date of program denial or termination from the ETPL to DWDA. Appeals may be sent electronically to DWDA at WIOA-ETPL-Appeals@VirginiaWorks.gov. The subject line should read ETPL Appeal. The appeal must indicate the purpose of the request including identifying the training provider and program(s), information supporting the grounds upon which the appeal is sought, and any vital factors to support the grounds for appeal. A first level appeal must occur before the matter can be appealed to the VBWD.

Second Appeal Request: After receiving notice of the outcome of the first appeal request, the training provider may file a second level appeal by sending a written request to the Director of the VBWD. The written request must clearly state the training provider's desire to appeal the matter to a hearing and the reason(s) the training provider believes the outcome of the first level appeal was incorrect or inaccurate. The email must be sent within ten (10) business days after email notification was sent containing the outcome of the first level appeal. The VBWD shall consider an appeal at the next scheduled quarterly full VBWD meeting as long as the appeal is received at least thirty (30) days prior the full Board meeting. At the discretion of the Chair, the VBWD may call a special meeting to consider appeals. The VBWD requires that the individual who files the second appeal, or a designee, appear at the hearing to represent the training provider. If no representative(s) for the institution appears at the scheduled hearing, the institution may lose its right to the hearing. A representative of the LWDB, or other interested parties, may be present at any hearing.

During the appeals process the impacted training provider program(s) will be removed from the ETPL. During the appeals process, if eligibility is reinstated, DWDA will republish the training provider program(s) to the ETPL within five (5) business days from the final determination. Following the appeal, if a training provider program is denied initial eligibility on the ETPL, it may reapply as soon as the training institution addresses the reason for its denial on the list. Following the appeal, if a training provider is denied renewal on the ETPL for a substantial violation, the training provider must wait two years from the date of the final determination before reapplying to the ETPL.