

THE STATE ROLE IN HIGHER EDUCATION QUALITY ASSURANCE

Quality Considerations for Eligible Training Provider Lists

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Background and Governance Requirements

Enacted in 2014, the Workforce Innovation and Opportunity Act (WIOA) annually authorizes more than \$3 billion in formula grants to states for workforce development.¹ A majority of this federal investment is dedicated to providing training to adults and to so-called “dislocated workers.”² In order to be eligible to provide certain types of WIOA-sponsored services, training providers³ must be placed on a state’s eligible training provider list (ETPL). Critically, the statute gives governors considerable authority to establish additional accountability metrics, determinants of success, and the process by which providers are awarded placement on an ETPL.

WIOA charges governors with collaborating with the state’s workforce development board⁴ to outline eligibility criteria and application processes that training providers must meet and undergo to be placed on a state’s ETPL. State workforce development boards, which are comprised of governor-appointed business and government leaders, are also responsible for developing the state’s WIOA plan and submitting it to the U.S. Department of Labor.⁵

Training providers must secure an initial, one-year placement on a state’s ETPL before they are awarded longer-term, continued eligibility. WIOA requires that governors consider the degree to which a provider is in partnership with industry, whether or not its programs are aligned with in-demand occupations, and past program outcomes when making initial eligibility determinations.⁶ Governors must consider factors such as a provider’s ability to serve those with barriers to employment⁷ as well as outcomes including earnings, employment, and credential attainment when making decisions on continued eligibility.⁸

¹ <https://fas.org/sgp/crs/misc/R44252.pdf>

² The regulatory [definition](#) includes workers who have been laid off and individuals receiving unemployment benefits.

³ WIOA Sec. 122 (a)(2): eligible providers include institutions of higher education, entities that carry out registered apprenticeships, and other public or private providers.

⁴ <https://www.nga.org/wp-content/uploads/2018/07/NGAHighPerformingStateWorkforceBoard.pdf>

⁵ https://wdr.doleta.gov/directives/attach/TEGL/TEGL_27-14.pdf

⁶ WIOA Sec. 122 (b)(4)(D)

⁷ WIOA lists 13 groups that meet this definition and gives governors the authority to expand upon the federal definition.

⁸ https://wdr.doleta.gov/directives/attach/TEGL/TEGL_8-19_Attachment_II_acc.pdf

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Accountability and Performance Reporting

WIOA includes provisions that outline a minimum standard of inputs and performance measures that training providers with ETPL status must report to the state and to the U.S. Department of Labor.

Data that providers must collect and report include:

- Percentage of program participants who are employed after program exit;
- Median earnings after program exit;
- Percentage of participants who earned a credential;
- Average cost per participant;
- Number of individuals served who have a barrier to employment, disaggregated by race, ethnicity, sex, and age.

The statute gives governors the authority to dictate if performance is in any way determinative for a training provider's ETPL status⁹ and requires a biennial review to make determinations about renewing a provider's ETPL status.¹⁰ WIOA also charges governors and state workforce development boards with setting expected levels of performance for training providers¹¹, conducting evaluations to determine if performance measures are being met, and designing and executing a plan for improvement.¹²

Issues for Governors to Consider

Governors have significant authority to assure the quality of programs being offered by training providers that are placed on state ETPLs. The primary means by which governors can wield this federally granted power is by making modifications to their state's WIOA plan. When pursuing these policy changes, governors can consider issues of quality, eligibility, equity, accountability, and personnel.



Defining Quality: Neither WIOA nor its governing regulations define quality for programs on state ETPLs, and U.S. Department of Labor guidance gives states explicit authority to enact their own definitions.¹³ Issues that governors can consider include:

1. Does the state's WIOA plan include a definition for quality?
 - a. If so, does the definition mention equitable access and outcomes?
 - b. Does the definition align with other state definitions in postsecondary education and local workforce boards?

⁹ WIOA Sec. 122 (b)(4)(E)

¹⁰ WIOA Sec. 122 (c)(2)

¹¹ WIOA Sec. 116 (b)(3)(A)(iii)

¹² WIOA Sec. 116 (e)(1)

¹³ https://wdr.doleta.gov/directives/attach/TEGL/TEGL_8-19_Attachment_III_acc.pdf

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Initial and Continued Eligibility Requirements: Governors can serve as gatekeepers to the federal tax dollars allocated in WIOA by requiring that training providers demonstrate a clear ability to meet the needs of students. Issues that governors can consider include:

1. Are training providers required to submit more information or performance measures than is required by WIOA?
 - a. Is the information submitted by providers determinative for initial or continued eligibility?
2. What are the grounds that would constitute a training provider being removed from the state's ETPL?
 - a. If a training provider is removed from the ETPL, what other state agencies or boards should be notified of this action?

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Equity: Governors can leverage their authority and status as gatekeepers to ETPL placement to promote more equitable access and program outcomes. Issues that governors can consider include:

1. What does the state's WIOA plan say about equity?
2. Should the state expand upon WIOA's definition of individuals with "barriers to employment" to include additional vulnerable populations?
 - a. How can training providers be rewarded for ably serving vulnerable populations?

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Training Provider Improvement: WIOA calls for states to develop plans for continuous improvement. Issues that governors can consider include:

1. What does the plan say about how it will improve equitable access and program outcomes?
2. What does the plan say about how it will improve service to those with barriers to employment?
 - a. Do program data reveal any outcome disparities?
3. How are program outcomes stacking up against the expected levels of performance laid out in the state's WIOA plan?

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State Workforce Development Board Membership: Governors appoint every member of the state workforce development board. Issues that governors can consider include:

1. Do board members have a track record for making equitable improvements to the state's postsecondary education and workforce systems?