



OVERVIEW

1. This Individual Training Account (ITA) Provider policy manual outlines the Delaware Workforce Investment Board's approach to managing its responsibility under the Workforce Investment Act (WIA). This manual provides specific guidance on the development, management, and enforcement of Delaware's ITA system.
2. The level of devastation caused by the Great Recession and the likelihood federal funds will become more restrictive are, in large part, driving the need for greater DWIB stewardship, increased accountability, and ramped-up monitoring to ensure every dollar is well spent.
3. The DWIB will make changes to this manual as needed. The DWIB will announce changes through its website and as necessary, through the Division of Employment and Training.

PREPARATION

1. Introduction. Processing Individual Training Account (ITA) provider applications is an important and fundamental part of the DWIB's work and deserves a level of detail and process appropriate to the expenditure of several million dollars and the training of several hundred Delawareans. While many components are key in developing a quality provider approval process, it is impossible to overstate the importance of detailed preparation.

2. Demand Occupation List. The first step in our annual preparation is the development of the Demand Occupations List. This list is the driving document for provider approval. The DWIB will post the high demand occupation list on its website twice a year.

a. To facilitate preparation the DWIB Deputy Director will:

1. Gather relevant labor market information from Delaware's Office of Occupational Labor Market Information (OOLMI)
2. Request qualitative information from the Delaware Economic Development Office (DEDO), workforce development unit
3. Conduct an initial analysis of potential employment demand
4. Ask DEDO and OOLMI for input based on data
5. Develop a draft high demand occupation list for the DWIB executive director for presentation to the Performance, Certification and Review Committee
6. Ensure the DWIB website is posted with the new list

b. DWIB Executive Director will:

1. Review the draft list
2. Present it to the Performance, Certification and Review Committee for approval.

3. Performance Measures. The development of performance measures serves several functions including, but not limited to, giving providers a clearly defined set of performance expectations, and providing DWIB committees with selection criteria for future provider approvals. The development of provider measures will occur annually. The DWIB will evaluate providers based on performance. The DWIB will eliminate providers, which fail to meet minimum standards from the provider list. The development of performance measures is a joint staff project between the Division of Employment and Training (DET), the DWIB Performance Measures Committee, Proposal Certification and Review Committee, and the DWIB staff. Performance measures must ensure the DWIB and DET meet or exceed the federally mandated performance measures. The results of the annual negotiation, between the DWIB Performance Measures Committee and U.S. DOL Employment and Training Administration, are the primary driver for development of provider measures. DET and DWIB will:

- a. Work together and develop draft performance measures that ensure the success of state programs to meet its federally mandated performance.
- b. Take into consideration the demand occupation list when developing employment standards
- c. Present the draft performance measures to the Proposal Certification and Review committee for review and approval.
- d. Develop funding guidelines for the awarding of funds

4. Other Screening Criteria. Although the Demand Occupation List and Provider Performance Measures are the two primary sets of screening criteria, the DWIB will also consider qualitative data from other sources such as the Delaware Economic Development Office, local and/or state chambers of commerce.

INITIAL APPLICATIONS

1. Prospective providers can submit applications anytime. However, only the Proposal Review and Certification Committee may approve a provider and its programs. The DWIB staff will only accept complete applications from prospective providers. Complete applications include:

- a. A signed Memorandum Of Understanding (MOU)
- b. A complete program information form for each program
- c. A signed copy of the Performance Measure MOU addendum
- d. The initial eligibility form
- e. An initial monitoring visit form (completed by DWIB staff)
- f. Debarment Form
- g. Delaware Department of Education (DOE) Certification.
- h. To the greatest extent possible, DWIB staff will make an onsite visit to the prospective providers training site. The visit will determine and ensure the provider facilities are adequate, safe, and reflect an atmosphere appropriate to the trade being taught.

3. DWIB staff will recommend to the Proposal Review and Certification Committee approval/non-approval of initial applications for providers and specific programs. The staff will develop the recommendations based on, at least, the following criteria:

- a. Does the provider program meet a high demand occupation?
- b. Does this provider have an established track record of at least one year with the general public?
- c. Does the provider have enough revenue to succeed without the DWIB ITA's?
- d. General overview of the training site

4. The Proposal Reviewed and Certification Committee may accept or reject the staff's recommendation(s) in whole or in part. The committee is free to accept all the prospective programs, some of its programs, or none of the programs.

5. When the committee approves a provider and/or program, the DWIB staff will enter the data on the Delaware Job Link. When programs are entered, the DWIB staff will notify DET, which will activate the program in its financial system.

6. The DWIB executive director will notify, in writing, non-approved providers and/or programs of the committee's decision. As a minimum the letter will:

- a. Be sent to providers within ten working days of the committee's decision
- b. Clearly inform providers of their opportunity to appeal

- c. Have the appeal process as a standalone attachment to the letter
- d. Generally explain the reason for removal

SUBSEQUENT RENEWALS

1. Retaining quality providers and ensuring a level of provider stability is in the DWIB's best interest. To ensure Delawareans have access to training, which will give them a competitive edge in the labor market, it is essential the DWIB review provider performance to ensure only the best are renewed. This may result in longtime providers and/or select programs being removed from the list. Programs are removed from the list for one year. Programs may reapply on the one year anniversary of the removal.
2. The subsequent renewal process generally mirrors the initial application process, with one major exception – subsequent renewals are also judged on the provider's success rate from the previous year. To be considered for renewal providers must:
 - a. Attend the provider forum usually set for spring
 - b. Submit required performance information
 - c. Meet the previous year's performance objectives
 - d. Still offer training programs which support demand occupations
 - e. Submit an updated contact and email list with the renewal application
3. When a provider submits its renewal application the DWIB staff will check the performance measures. The DWIB staff will flag any performance measure failure of a subsequent program renewal application for removal from the provider list. The Proposal Review and Certification Committee will remove the program from the list.
4. DWIB staff will recommend to the Proposal Review and Certification Committee approval/non-approval for providers and specific programs of subsequent renewal applications which have met performance measures. It is important to note, that successful programs which no longer training high demand occupations are subject to non-renewal.
5. The Proposal Reviewed and Certification Committee may accept or reject the staff's recommendation(s) in whole or in part. The committee is free to accept all programs, some of its programs, or none of the programs.
6. When the committee approves a subsequent renewal, the DWIB staff will enter the data on the Delaware Job Link. When programs are entered, the DWIB staff will notify DET, which will activate the program in its financial system.
7. The DWIB executive director will notify, in writing, non-approved providers and/or programs of the committee's decision. As a minimum the letter will:

- a. Be sent to providers within three working days of the committee's decision
- b. Clearly inform providers of their opportunity to appeal
- c. Have the appeal process as a standalone attachment to the letter
- d. Generally explain the reason for non-approval

Provider Forum

1. The provider forum is a required step in the renewal process. At a minimum DET and DWIB staff will prepare:

- a. Short term and long term employment projections
- b. DET and DWIB process changes
- c. A discussion of common challenges/solutions from the previous year
- d. A discussion of state performance measures for the past and upcoming year
- e. Other information as appropriate

2. The DWIB staff is responsible for developing and coordinating all aspects of the forum. The Executive Director will:

- a. Develop the overall vision for the forum
- b. Determine the date, and content of the forum
- c. Identify key lessons learned
- d. Coordinate for Executive Committee representation at the forum
 - i. Give presentations/briefing as needed at eh forum

The Deputy Director will

- a. Coordinate with OOLMI for labor market projections
- b. Develop briefing slides for LMI data
- c. Coordinate with DET director for his/her comments at the forum
- d. Work closely with executive assistant to produce binders and other handouts
- e. Give presentations/briefings at the forum

The executive assistant will:

- a. Contact all providers pending subsequent renewal and notify them the date, time, and location of the provider forum
- b. Coordinate with the DWIB staff for contents of binders to be distributed to forum attendees
- c. Develop name tags, etc for the forum/

The contract specialist will:

- a. Coordinate with the forum site for all logistical support
- b. Ensure smooth operation of forum events.
- c. Coordinate directly with the site staff for as needed support
- d. Brief providers concerning monitoring visits
- e. Review program information process

MOU Reviews and Updates

1. The DWIB disciplines the process through its Memorandum of Understanding (MOU) and addendums (if needed). The DWIB staff will annually review the MOU to ensure provides clear standards to the providers and enforcement provision to the DWIB.

The current MOU is at appendix A

Enforcement

1. Enforcement of standards throughout the ITA process is essential to ensure Delaware's publicly funded workforce system is fair to all providers, provides the highest quality training to its citizens, and makes the best use of taxpayer dollars. To that end the DWIB, in partnership with DET and providers, will take a multi-prong approach to quality control.

2. Visits. The DWIB will use both announced and unannounced visits. The DWIB contract specialist will shoulder most of the responsibility for visits although all DWIB staff is expected to conduct visits. Although each situation is different, each visit will include:

- a. Meet with the owner of the institution
- b. Interviews with students
- c. A tour of the facility
- d. Completed monitoring checklist

3. Each visit will conclude with an out briefing by the DWIB representative. The monitor will review the monitoring checklist with the provider to ensure both parties understand the findings. The monitor will – to the greatest extent possible – have the provider initial the checklist. Initialing the check does not constitute agreement or disagreement by the provider with any DWIB finding. Initialing the checklist only means the provider has received the checklist and understands its contents.

4. Non-compliance suspension. To ensure quality and promote monetary stewardship, the DWIB will rigorously enforce MOU compliance. In the rare likelihood that suspension are necessary, the suspension will last one year.

5. Providers will ensure:

a. They have sufficient funds to run their programs without the use of WIA federal money. Calls from creditors to DOL-DET or the DWIB are a potential indication of a lack of sufficient funds to run an ITA program.

b. It has a stable location. While the DWIB understands that business world is dynamic and things change, it also understands that training facility stability is an indicator of a successful and viable organization. The DWIB will suspend any organization that moves without notification, twice in the same 12 month period as the training provider will be out of compliance with its application.

c. They have a landline communication system. Because it is easy for the unscrupulous to use mobile phone technology, The DWIB requires landline telephones for all providers. Failure to have an operating landline phone is non-compliance.

d. It has adequate staff and training materials for students. Training providers will ensure that every student has sufficient equipment, books, and other materials required for instruction. Programs with inadequate and unqualified staff are non-compliant and will be suspended.

e. Tuition charged for WIA students is equal to or less than that charged to the general public. Vendors charging more are grievously non-compliant and are subject to immediate removal from the list.

f. Programs which withhold learning materials until state payment is issued are non-compliant and will be immediately suspended.

5. Complaints against providers. In the event that a complaint is registered against a provider, the DWIB will immediately suspended the provider from the ITA list pending the resolution of the complaint. The DWIB will notify a provider when a complaint is filed and will ensure – to the greatest extent possible – the confidentiality of the complainant. Complaints must be specific and detailed. The DWIB will conduct an inquiry to determine, “what was or want not done in violation of what standard.” To the greatest extent possible, the DWIB inquiry will embrace the “reasonable person” standard when evaluating complaints.

PROVIDER LIST ADJUSTMENT FORM(S) (PLAF)

1. Overview. The Provider List Adjustment Form (PLAF) allows the DWIB to make adjustments to its ITA Provider list to meet changing needs in labor market dynamics. These changing needs include, but are not limited to:

a. The growth of emerging occupations which may not have a North American Industry Classification System (NAICS) code developed and therefore are not on any Labor Market Information (LMI) index or projection;

b. Previously unidentified training opportunities, which have strong possibility of leading employment;

c. Training opportunities resulting from the analysis of qualitative information gathered from employers not reflected in quantitative data developed by the usual LMI sources.

2. Only the Executive Director, Delaware Workforce Investment Board may approve a completed PLAF. That approval authority is not transferable unless the Executive Director is on an approved leave. In that case the approval authority may be – but is not required to be – transferred to the Deputy Director.

3. PLAFs originate at the One Stop level and are pushed through the DOL-DET management team to the DWIB Executive Director. The DOL-DET leadership chain will only make recommendations with the sole authority to approve or disapprove a PLAF residing with the DWIB.

4. It is important to note, the PLAF process is meant to be a temporary adjustment to the provider list, not an alternate route to provider approval. Approval of a PLAF neither implies nor guarantees the approval of subsequent PLAFs covering the same course, provider, or career field.

5. From time-to-time, the DWIB will process PLAFs for providers previously denied acceptance to the ITA Provider list using the same process as all other PLAFs. However, these PLAFs will be scrutinized to ensure providers are not creating a backdoor approval process.

6. PLAF's will remain on the ITA list until any student enrolled in the program in question graduates from the program. A PLAF form must accompany every request, even if the program is already an approved PLAF.

7. At the end of a Program Year (PY) PLAFs, which had multiple students will be invited to become regular ITA providers. PLAF providers which choose not to become ITA providers are prohibited from participating in WIA funded activities for one year.

ITA PROVIDER LIST MANAGEMENT

1. Overview. The Delaware JobLink is the data exchange system used by the DWIB and DOL-DET to list providers, programs, and other employment related services. The management of the ITA Provider List is an essential DWIB function and deserves the highest attention. List development and maintenance is the joint responsibility of the provider and the DWIB. Although the executive director is ultimately responsible for the list, the DWIB contract specialist is the day-to-day lead and Point of Contact for the maintenance of the ITA Provider List.

2. Renewals. All renewals are effective 1 July every year.

a. Providers will:

1. Provide accurate information for posting to the list when submitting renewal information
3. Ensure every renewed program has an update course description (electronic preferred). Programs without descriptions are noncompliant and the DWIB will delete them.
2. Review all renewed programs between June 15th June 21st every year to ensure DJL accuracy

b. DWIB Staff will:

1. Assist provides as needed to DJL input accuracy
2. Make corrections to provider course data
3. Input provider data into Delaware JobLink No Later Than (NLT) 20 JUN 10

c. The Contract Specialist will:

1. Ensure all renewal programs for approved providers are accurate and updated on Delaware Job Link NLT 15 June every year.
2. Will ensure all corrections to programs are made NLT June 28th every year

MONITORING POLICIES AND PROCEDURES

SCOPE:

These policies and procedures are applicable for monitoring of all services funded by the Delaware Workforce Investment Board (DWIB) through the Delaware Department of Labor. As necessary, the DWIB will revise these policies and procedures.

1.01 FAIR MONITORING OF PROVIDERS

POLICY:

All providers providing training services funded by the Delaware Workforce Investment Board are to be treated equitably. A Priority Assessment Tool (PAT/Monitoring Tool) will be completed for all providers during each compliance site visit. A completed copy of the final report will be mailed to the provider within 15 days after the site visit.

1.02 MONITORING OF NEWLY FUNDED PROVIDERS

POLICY:

Due to the complexity of each funding source's compliance requirements, all newly funded providers will receive additional guidance in the form of a Pre-Monitoring Site Visit and an Annual Site Visit. The Delaware Workforce Investment Board reserves the right to conduct additional site visits as necessary. Visits will be announced and unannounced.

PROCEDURE:

Pre-Monitoring Site Visit

1. Prior to final approval of the application, the DWIB will conduct a Pre-Monitoring Site Visit.
2. The purpose of this visit is to determine the organization's capacity for meeting the application requirements and minimum standards for training services.
3. The review will be consistent with the regular monitoring the DWIB conducts. Anything that the potential provider does not have in place, they must either develop according to the timelines set by DWIB or they must demonstrate their capacity to meet the requirement.
4. The site visit will be followed by a site visit report to be completed as soon as possible, but no later than 30 business days, after the visit. The report will include timelines that the potential provider must adhere to in order to receive application approval.
5. If deadlines are not met by the organization or documentation provided is inadequate, the DWIB may deny implementation of the application with the organization. The DWIB may also deny application initiation with the organization if the Pre-Monitoring Site Visit causes the DWIB to conclude that the organization does not have sufficient capacity to meet the application obligations or meet minimum standards.
6. DWIB will work with the organization as much as possible to assist them in understanding the requirements of the application and site visit report. The DWIB will provide trainings when possible and as needed by the organization to meet requirements.

1.03 ANNUAL SITE VISITS

POLICY:

All providers providing training services funded by the Delaware Workforce Investment Board shall receive one programmatic pre-arranged site visit each year (approximately) for the purpose of evaluating application compliance. Additional site visits may be conducted as needed. A formal

written report on the site findings shall be provided to the provider by DWIB within 30 business days of the completion of the site visit. Providers have 30 business days in which to respond in writing to findings unless another timeline is given as a part of the site visit report. The DWIB retains the right to make unscheduled site visits at any time when the need is indicated by specific concerns, complaints or circumstances.

PROCEDURE:

1. Delaware Workforce Investment Board staff will contact appropriate provider staff to negotiate a scheduled date for the visit.
2. Monitoring staff will identify the staff to be present and activities planned. The provider will be contacted the week prior to the site visit to confirm date and time of the visit.
3. Monitors will conduct desktop audits of the provider prior to the on-site review. The desktop audit may include, but is not limited to, a review of organization/program policies and procedures, and a review of information in the DJL system.
5. Monitoring staff includes all staff members at the Delaware Workforce Investment Board. The fiscal manager and other fiscal staff may accompany other monitoring staff on site visits as necessary.
6. Employee or client interviews can be scheduled at DWIB's discretion as needed to assist DWIB in determining organization compliance and effectiveness of service delivery. When scheduling and conducting client interviews, DWIB will strictly uphold client confidentiality procedures and ensure that clients fully understand that the interview is completely voluntary and that they may opt out at any time. The Monitor will notify the provider in writing that he/she plans to interview employees/clients. The Monitor will include the method for those interviews.
7. Monitoring staff will arrive at the designated provider site visit at the agreed upon date and time with all proper materials for conducting the site visit
8. Monitoring staff will conduct an evaluation of the provider using the most current evaluation instruments.
9. A verbal exit interview will be conducted with appropriate provider staff summarizing initial findings and recommendations.
10. Monitoring staff will complete a formal written report of the site visit identifying specific recommendations and findings and send the report to the provider within 30 business days of completion of the site visit, notifying provider of the requirement that they respond to all findings in writing within 30 business days or in the timeframe indicated by DWIB.
11. DWIB staff will evaluate the provider written response and notify the provider in writing of any findings to which the provider response is not adequate. Staff shall notify the provider in writing when all findings are properly resolved.
12. The Contract Specialist will review the provider response and take further actions if the response is not received within the required timeframe or if findings are not resolved in a timely manner or the provider is otherwise noncompliant.

1.04 SUPPLEMENTAL/UNANNOUNCED SITE VISITS

POLICY:

Supplemental Site Visits will be conducted for any provider as needed to assess compliance with guidelines. The Delaware Workforce Investment Board reserves the right to conduct additional site visits as necessary.

PROCEDURE:

1. DWIB staff will schedule a Supplemental Site Visit.

2. DWIB staff will focus the review on compliance criteria and may also review Administrative and Programmatic Policy and Procedure manuals, personnel files, client files, and any previous findings.
3. Employee or client interviews can be scheduled at DWIB staff discretion. When scheduling and conducting client interviews, DWIB will strictly uphold client confidentiality procedures and ensure that clients fully understand that the interview is completely voluntary and that they may opt out at any time.
4. DWIB staff will communicate the results to the provider in the form of a Supplemental Site Visit Report.
5. Any findings will need to be addressed in a formal Plan of Corrections which will occur in accordance with the *Plan of Correction* policy.

1.05 FOLLOW-UP SITE VISITS

POLICY:

When deficiencies are found that warrant additional site visits at a provider, DWIB staff will conduct Follow-Up Site Visits to verify that the Plan of Correction is being implemented. The Delaware Workforce Investment Board reserves the right to conduct additional Follow-Up Site Visits as necessary to verify the implementation of a Plan of Correction.

PROCEDURE:

1. DWIB staff will conduct a Follow-Up Site Visit when it is determined necessary to ensure that a provider is meeting application obligations and maintaining a consistent level of minimum standards. Follow-up site visits may also be conducted due to a change at the organization, such as a change in management, staff, address or other circumstance that might warrant a follow-up site visit.
2. DWIB staff will conduct the Follow-Up Site Visit within one month following the adoption of the Plan of Correction.
3. DWIB staff may contact the provider to determine staff availability, but is not obligated to do so.
4. The Contract Specialist will focus his/her review on the findings from the Site Visit Report, any changes made to address the findings in the adopted Plan of Correction, and any newly established compliance criteria.
5. Employee or client interviews can be scheduled at DWIB's discretion as needed to assist DWIB in determining organization compliance and effectiveness of service delivery. When scheduling and conducting client interviews, DWIB will strictly uphold client confidentiality procedures and ensure that clients fully understand that the interview is completely voluntary and that they may opt out at any time.
6. The Contract Specialist will send a letter to the provider regarding the follow up Site Visit. In the letter, the Contract Specialist will state that an adequate system has been implemented to address each finding or recommend further action by the organization.
7. Failure to implement the Plan of Correction and address each finding to the satisfaction of the Administrative Organization could result in disallowed expenses for that time period, withheld reimbursements, or other sanctions.

1.06 PLAN OF CORRECTION

POLICY:

When findings are identified during a site visit, the provider will be required to submit and implement a Plan of Correction to address all findings. A Plan of Correction may also be required when deficiencies are found through desktop monitoring or if issues are identified between site visits.

PROCEDURE:

1. DWIB staff will notify a provider of any findings in a written Site Visit Report. This report will be accompanied by a dated cover letter.
2. The provider will have thirty (30) business days from the date of the cover letter to respond in writing to the Site Visit Report, unless given another timeline from DWIB in the cover letter.
3. The response will include a Plan of Correction. The Plan of Correction will detail the manner in which the provider will address each finding and will include a timeline of implementation for each step of the plan.
4. DWIB staff will review the Plan of Correction for appropriateness and will either adopt or revise the Plan of Correction.
5. Once the Plan of Correction has been adopted or revised, DWIB staff will follow the progress of the provider's implementation of the established Plan of Correction.
6. Following the established deadlines, DWIB staff will conduct follow up site visits as necessary.
7. Follow up site visits will be conducted in accordance with the Follow up Site Visit policy.
8. The Delaware Workforce Investment Board reserves the right to schedule as many Follow-Up Site Visits as necessary to verify the implementation of a Plan of Correction.
9. Failure to implement a Plan of Correction will initiate suspension of the application. This can include, but is not limited to, disallowing expense, suspending reimbursements, or terminating the application.

1.07 SIGNIFICANT SITE VISIT FINDINGS

POLICY:

When a programmatic site visit leads to the discovery of serious concerns about the quality of services that might negatively impact the health and safety of clients, DWIB staff will meet to determine the appropriate manner in which the finding should be resolved and the appropriate sanction, if any, which should be imposed until the finding has been corrected. DWIB will work with other staff as appropriate.

PROCEDURE:

DWIB will meet as soon as possible and will include appropriate DWIB staff when appropriate and necessary.

1. Staff will discuss the concern to determine the appropriate course of action that needs to be taken in accordance with DWIB policies to resolve the concern. This information will be articulated in a plan of action and conveyed to the provider.
2. Depending on the severity of the concern, the Administrative Organization may elect to immediately institute sanctions against the provider until the situation is resolved.
4. The Administrative Organization will address the concern in any manner necessary to assure client health and safety, up to and including, termination of the application/program.

ITA Providers Seeking an Endorsement for Out of State Business

1. Every state has its own process and forms for ITA approval. When a Delaware provider applies to another state Delaware Workforce Investment Board fill out that state's paperwork as appropriate and forward it to the other state. The DWIB will only provide the information requested by the state form and provide no other.

Renewal Milestones						
		Tasks	Provider	DWIB Staff	committee	Executive Director
	Mid -- March	Prepare Demand Occupation List		X		
	Early April	Committee Approves occupation list		X	X	
	Mid May	Attend Provider Forum	X	X		
	June 1st	Submit renewals	X			
	June 7th	Provider Performance results analyzed		X		
	June 7th	Failed Providers deleted from list			X	
	June 10th	Special Reviews Initiated				X
	June 10th	Update DJL		X		
	June 10th	Appeals Accepted			X	X
	June 15th	Ensure Accuracy	X			
	June 21st	DJL Corrections Made	X	X		
	Jun 28th	Final List Correction	X	X		
	July 1st	Final Updated List published on DJL		X		
	July 1st	Appeals processed			X	X

The dates above are for planning purposes. There will be annual changes because dates fall on different days every year.

Initial Provider Steps				
Tasks	Provider	DWIB Staff	committee	Executive Director
Provider requests application information	x	x		
Application submitted	x			
DWIB staff reviews application		x		
DWIB Staff Inspect training site		x		
Recommendation developed for Committee		x		x
Committee Approves/ disapproves application			x	
DWIB Staff notifies provider of approval		x		
Data entered on DJL		X		
Denial letter - if needed- sent to provider				x
Provider reviews DJL entries	x			

Staff makes corrections as necessary		x		
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