NORTH DAKOTA WORKFORCE DEVELOPMENT COUNCIL

POLICY 2-04-03 (2)

REMOVAL FROM ELIGIBLE TRAINER PROVIDER LIST

PURPOSE:

The WIA regulations (CFR 663.565) state:

(a)…A training provider must deliver results and provide accurate information to retain its status as an eligible training provider.
(b) If the provider does not meet the established performance levels, it will be removed from the eligible training provider list.

(1) A Local Board must determine during the subsequent eligibility determination process whether a provider meets performance levels. If the provider fails to meet such levels, the provider must be removed from the local list.
(2) The designated State agency (Job Service North Dakota) upon receipt of the performance information accompanying the local list, may remove a provider from the State list if the agency determines the provider failed to meet the levels of performance.
(3) Providers determined to have intentionally supplied inaccurate information or have subsequently violated any provisions of Title I of WIA or these regulations may be removed from the list. A provider whose eligibility is terminated under these conditions is liable to repay all adult and dislocated worker-training funds it received during the period of noncompliance.

POLICY:

Failure to meet the annual performance measure for training programs will be justification to remove a service provider's program from the eligible training provider list. If a program is removed from the list for performance reasons, a service provider must wait one year from the date of ineligibility to reapply for the particular program. The service provider will be notified by termination letter and may appeal through the Job Service North Dakota grievance procedures. The service providers program will continue during the appeal process, unless a participant is at risk of being adversely affected.

If a service provider intentionally provides false performance information, that provider shall immediately be removed from the eligible training provider list and will remain ineligible for a period of not less than two years. Job Service North Dakota shall be responsible for removing ineligible providers from the list.

WAIVER:

North Dakota has been approved for a waiver of the time limit on the period of initial eligibility for training providers, to address substantial data collection barriers. This waiver relieves the burden of subsequent eligibility requirements from training providers, helping to ensure continued program participation by training providers.

REFERENCE:

(0) NDWDC minutes dated September 11, 2003
(1) NDWDC minutes dated October 20, 2005
(2) NDWDC minutes dated November 20, 2008

SUNSET: November 20, 2011