

**Kansas Department of Commerce
Workforce Services
Policy and Procedures Manual**

Policy Number: #5-02-00

Originating Office: Workforce Services

Subject: Kansas Eligible Training Provider List (for Adults and Dislocated Workers receiving WIOA Title I Training Services)

Issued: December 11, 2015

Revised:

Programs: Workforce Innovation and Opportunity Act Title I

Purpose: To transmit policy and procedure for the statewide Eligible Training Provider (ETP) List

Reference: Section 122 of the Workforce Innovation and Opportunity Act; K.S.A. 72-4451; K.S.A. 72-4452; KSA 74-32,163; Higher Education Act of 1965 (P.L. 110-315),

Background: The workforce investment system emphasizes informed customer choice, system performance and continuous improvement. The eligible provider process is part of the strategy for achieving these goals. This document establishes policies and procedures, which shall be used to identify training provider programs whose performance qualifies them to receive Workforce Innovation and Opportunity Act (WIOA) Title I funds to train adults and dislocated workers. Federal statutes and regulations pertaining to the establishment of a statewide Eligible Training Provider (ETP) List may be found at H.R. 803 (Workforce Innovation and Opportunity Act) Sec. 122 Workforce Innovation and Opportunity Act.

K.S.A. 74-32,163. As used in the Kansas private and out-of-state postsecondary educational institution act:

(2) offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in business, trade, technical or industrial occupation or which offers a course or courses leading to an academic degree

K.S.A. 72-4451 established the Kansas training information program and directed the Kansas Board of Regents (KBOR) to adopt rules and regulations for administration of the annual Kansas Training Information Program (K-TIP) report. Pursuant to this statute, KBOR publishes and distributes the K-TIP report of employment placement rates and average salaries earned by career technical education program graduates during the most recently ended academic year for which such information is available. The information in the K-TIP report is

reported by both program and by institution or school. K.S.A. 72-4452 provides for participation in the K-TIP reporting program by every career technical education institution and private or out-of-state postsecondary educational institution which desires to participate by transmitting to KBOR: (a) the social security number of each person who completed a career technical education program operated by the institution during the prior fiscal year; and (b) such other information as KBOR may require in order to conduct follow-up surveys and studies to assist in the evaluation of career technical education programs by October 1, of each year.

Action: Distribute this policy to all interested parties.

Contact: Questions should be directed to WIOA Administrator, (785) 296-0607, TTY: 711, e-mail: workforcesvcs@kansasworks.com.

Attachments: Attachment A: Assurances of Compliance with Non-Discrimination and Equal Opportunity Provisions of Applicable Laws
Attachment B: AJLA ProviderLink User's Guide – Local Area
Attachment C: AJLA ProviderLink User's Guide – Provider

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POLICY STATEMENT

The Kansas Department of Commerce (Commerce) is the state agency responsible for carrying out the determinations, enforcement actions, and other duties related to the establishment and maintenance of the state's Eligible Training Provider List (ETPL).

To maximize customer choice and assure all significant population groups are served, the eligible provider process shall be administered in a manner to assure significant numbers of competent providers offering a wide variety of training programs and occupational choices are available to customers.

Application for inclusion on the Kansas ETPL is open to providers of training services (1) at a physical location within the State of Kansas, or (2) by virtual learning conveyance.

Providers of training services delivered at a physical location in neighboring (border) communities that are accessible within normal and reasonable commuting distance to participants from Kansas shall be included on their respective State's ETPL and will be placed on the Kansas ETPL at the recommendation of a Kansas Local Board.

Out-of-State and Private providers of training service(s), which has a physical presence within the state of Kansas or which solicits business within the state of Kansas and offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical or industrial occupation **or** which offers a course or courses leading to an academic degree, must obtain and maintain a Certificate of Approval from the Kansas Board of Regents (KBOR) prior to application as an eligible training provider. Participation in the K-TIP reporting program is required of every private or out-of-state postsecondary educational institution and career technical education institution.

Through December 31, 2015, the initial eligibility application process for WIA Eligible Training providers within the State of Kansas and in good standing on July 22, 2014 will consist of the provider's name, address and contact information along with a list of currently approved programs of training the provider desires to offer under WIOA.

All new providers of training (those not previously determined eligible prior to December 31, 2015) desiring to be a WIOA Eligible Training Provider must have applied for initial eligibility and been approved for inclusion on the State ETP list before WIOA costs are incurred. New providers are encouraged to apply at least 60 days in advance of initial program offerings. **Initial** eligibility expires on the end of each full federal **fiscal** year (September 30) after initial eligibility has been approved.

Exception: short term training which meets a defined set of employable skills criteria established by a local board in consultation with local business to meet the specific needs of a defined employer or industry (e.g. customized training or industry sector partnerships) are subject to Local Approved Training policies and are exempt from the State ETPL policy.

The Kansas Training Information Program (K-TIP) Career and Technical Education report provides substantially similar performance information to the required performance information for 'all

students' in applications for initial and subsequent eligibility. All eligible providers must submit, annually and no later than October 1 of each year, such information as KBOR may require for the production of the K- TIP report. Performance data from the K-TIP report shall constitute reporting of performance for 'all students' in determinations of subsequent eligibility and may be used, when available, for determinations of initial eligibility. This report is accessible to local workforce development boards (local boards) at http://www.kansasregents.org/workforce_development.

Each local board has cost-effective access to real-time performance information for WIOA participants within **KANSASWORKS.com**. For subsequent eligibility providers may request WIOA participant performance information from the local board when such information is required. Local board accessible performance information for participants includes:

1. Percentage of WIA and/or WIOA participants who have completed the program;
2. Percentage of WIA and/or WIOA participants who complete and obtain unsubsidized employment;
3. Retention rates of WIA and/or WIOA participants in unsubsidized employment who completed the program, six (6) months after the first day of the employment;
4. Average wages received by participants who completed the program, six (6) months after the first day of the employment; and
5. Where appropriate, the rates of licensure or certification, attainment of academic degrees or equivalents, or attainment of other measures of skills of the graduates of the program.

Programs registered by the National Apprenticeship Act (NAA) are automatically approved by the State Registered Apprenticeship Director.

The State Apprenticeship Director shall authorize removal of any apprenticeship program that fails to retain its status as a Registered Apprenticeship.

Local workforce investment boards may establish reasonable criteria and information requirements in addition to the criteria and information requirements established by the State Board for the purpose of determining the eligibility of providers.

Having successfully completed initial eligibility, continued eligibility is re-viewed biannually.

Local boards may require a higher level of performance for local programs than the levels established by the State Board for continued eligibility of providers.

Should local boards require additional verifiable information, the board shall specify additional content, or an alternative manner of reporting for providers:

1. Access to cost-effective methods for collection and reporting of the information must be provided.
2. Procedures by which providers can demonstrate the collection/reporting of additional information/processes imposes extraordinary costs on the provider must be established in local policy.

Minimum Levels of Performance

The term ‘appropriate level of program performance’ for ‘all students’ is defined as performance equal to or greater than 60% of the State Common Measure Goal for the reporting year.

The term ‘appropriate level of program performance’ for ‘WIA and/or WIOA students’ is defined as performance equal to or greater than 80% of the State Common Measure Goal for the reporting year.

Local boards may accept a lower level of performance as an exception when, in consultation with the local WIOA operator, there is a reasonable expectation the provision of additional WIOA services (core/intensive/training) will produce acceptable levels of performance.

In-demand Industry Sectors and Occupations

Although not an absolute prerequisite for approval, of, consideration must be given to the degree to which a provider’s training programs relate to in-demand industries and occupations within the State.

Kansas Department of Labor, Labor Market Information Services conducts studies of private sector industries and their respective job growth. The short-term industries projection database is accessible at <https://klic.dol.ks.gov/gsipub/index.asp?docid=555> . Those industries exhibiting growth are generally considered to be in-demand industries.

A list of high demand occupations in Kansas is available from the Kansas Labor Information Center <https://klic.dol.ks.gov/gsipub/index.asp?docid=403> . Those occupations listed are generally considered to be in-demand occupations.

Local Boards may expand the industries and occupations in-demand based on locally available Labor Market intelligence.

Industry sectors and occupations not identified by the State or Local Board should be considered on a case-by-case basis, when appropriate, to best meet the specific needs of an individual customer or group of customers.

PROCEDURES

Section 1. Introduction

The state Eligible Training Provider List (ETPL), along with program-level performance information, is the vehicle for delivering the information one-stop customers need to make informed choices in the selection of training programs.

The Kansas Department of Commerce (Commerce) is the state agency responsible for carrying out the determinations, enforcement actions, and other duties related to eligible training providers, as described in Section 122 of the Workforce Innovation and Opportunity Act.

The Kansas Board of Regents (KBOR) is the governing board of the state's six universities and the statewide coordinating board for the state's 32 public higher education institutions (seven public universities, nineteen community colleges, and six technical colleges). In addition, KBOR administers the adult education, GED, and career and technical education programs as well as authorizing private proprietary schools and out-of-state institutions to operate in Kansas.

To be considered for inclusion on the state ETPL, a provider of training service(s) at a physical location within Kansas or by virtual/distance/internet means, must be authorized by KBOR to provide such services in Kansas prior to application as an eligible training provider. Specific programs of training offered by providers must also be approved by KBOR prior to application as an eligible training provider. For a listing of private and out-state entities approved to provide instruction in Kansas, go to: www.kansasregents.org/universities_colleges/private_institutions/alphabetical_listings

Providers of training services in communities of states bordering Kansas and within a reasonable commute must be listed as an eligible training provider in the state in which they are located and meet the minimum criteria established under this policy as well as any locally applicable application processes for inclusion on Kansas' ETPL.

Local boards are encouraged to supplement the information on the state ETPL with information on training programs linked to occupations in demand in the local area and to assist and support adults and dislocated workers in making informed choices based on individual interests and aptitudes, local demand occupations, and the training program's performance.

Section 2. Overview

1. Eligible training providers are those entities eligible to receive WIOA Title I funds to provide training services to eligible adults and dislocated workers. Policy for determining training provider and training program eligibility for individuals using Individual Training Accounts (ITAs) is established herein. Youth service providers and training provider/program eligibility for individuals receiving training through exceptions to ITAs are not subject to this policy.

- a. Youth who receive services under WIOA Title 1B, Chapter 2, receive services from WIOA youth services providers approved by local boards. These providers are not listed on the state ETPL and are not subject to this policy.
 - b. Individuals who participate in training provided through the exceptions to ITAs, including on-the-job training (OJT), customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional employment are required to use providers approved by the local boards. These eligible providers are maintained on the local ETPL, rather than the state ETPL, and are not subject to this policy. *Policy 03-15 On-the-Job Training and Customized Training* addresses provider eligibility for non-ITA training providers.
2. An individual who has been determined eligible for WIOA adult or dislocated worker training services may select an eligible provider on the state ETPL after consultation with a case manager, regardless of location or local area. Local areas may not require an individual to select a program of training services located within the local area from which the ITA is issued. Local area training services policies may limit the amount and duration of an ITA.
 3. Policy for determining eligibility for inclusion on the state ETPL applies to all types of organizations and entities who receive WIOA Title IB funds to provide training services through an ITA to eligible adults and dislocated workers.
 4. All provider applications submitted for eligibility consideration must include assurances of compliance with the non-discrimination and equal opportunity provisions of all applicable laws (see *Attachment A*). Applications in which the provider fails to so assure will not be accepted. Failure to comply after approval will result in removal.
 5. The provider must agree to provide performance information, as required, and to accept ITAs.
 6. All provider applications must indicate whether or not the provider has been listed on any state or federal debarment list(s). If so, the name(s) of the list(s) and the dates of inclusion for each list must be specified on the application.

Section 3. Initial Eligibility

After December 31, 2015, all new providers seeking Initial Eligibility must submit provider applications, with program-level information, to the local area in which they wish to provide services, for each program to be considered for inclusion on the ETPL. New providers are encouraged to apply at least 60 days in advance of initial program offerings.

A. HEA Providers/Programs - Initial Eligibility

1. Initial application procedures for providers and programs eligible to receive federal funds under Title IV of the Higher Education Act of 1965 are determined by local boards, which may elect to use the default procedures listed below, or adopt their own. At a minimum, those procedures shall include:

- a. The timing –
 - i. Applications for initial eligibility may be submitted at any time
- b. The manner –
 - i. Applications for initial eligibility are submitted electronically, through the appropriate local area link on KANSASWORKS.com (process outlined in *Attachments B & C*)
- c. The content –
 - i. Identifying and contact information including:
 - (a) Provider name
 - (b) Provider location
 - (c) Contact information
 - (d) Program specific cost information, such as tuition and fees, for each program of training services to be offered
 - (i) This may be contained in an appropriate electronic link or hardcopy course catalog attached to the application
 - (e) A description of each program of training to be offered
 - (i) This may be in the form of an appropriate electronic link or hardcopy course catalog attached to the application
 - (f) A local area link to any additional form for provision of any additional information the local area may elect to supply and/or collect

- 2. The local board must include HEA providers on the local list of initially eligible providers if their applications are complete and accurate. The list must be forwarded to Commerce and providers are initially eligible without State review.

B. National Apprenticeship Act (NAA) Providers

Eligibility for entities that carry out programs under the National Apprenticeship Act of August 16, 1937 (commonly known as Registered Apprenticeship) is exempt from initial eligibility procedures. The State Apprenticeship Director maintains the eligibility list of currently registered NAA providers.

C. Other Providers and Other Programs – Initial Eligibility

- 1. Initial eligibility application procedures for providers and programs not eligible to receive federal funds under Title IV of the Higher Education Act of 1965 (HEA) and for entities who do not carry out programs under the National Apprenticeship Act (NAA) are determined by Commerce (§680.450. These providers and programs are hereafter referred to as ‘other providers’ and ‘other programs’. Such procedures shall include:
 - a. The timing –
 - i. Applications for initial eligibility may be submitted at any time.

b. The manner –

- i. Applications for initial eligibility are submitted electronically, through the appropriate local area link on KANSASWORKS.com (process outlined in *Attachments B & C*)

c. The content -

- i. Identifying and contact information including:

- (a) Provider Name
- (b) Provider Location
- (c) Contact information
- (d) Program specific cost information, such as tuition and fees, for each program of training to be offered
 - (i) This may be contained in an appropriate electronic link or hardcopy course catalog attached to the application
- (e) A description of each program of training to be offered
 - (i) This may be in the form an appropriate electronic link or hardcopy course catalog attached to the application
- (f) Annual program-specific performance information for the most recent year available as reported on the K-TIP report **OR** the performance for all students within the program of study, specifically:
 - (i) Number of students;
 - (ii) Program completion rates;
 - a. Percentage who obtained unsubsidized employment*; and
 - b. Average wage at placement in employment*
 - (iii) Local area coordinators are responsible for informing local area providers about this option.
- (g) Information that addresses alignment of training services with in-demand industry sectors and occupations

2. The local board must include other providers on the local list of initially eligible providers if their applications are complete and accurate and meet appropriate and applicable levels of performance. Other providers and programs are reviewed by the local board and forwarded to Commerce within thirty (30) calendar days of the receipt of the initial application, along with any recommendations or additional information. Applications are reviewed by Commerce within thirty (30) calendar days of receipt from the local board, and, if determined eligible, placed on the ETPL as initially eligible.
3. If eligibility is denied, the provider may re-apply in six months from the State's denial date.
 - a. The procedure for appealing the eligibility decision is described in Section 7.

*Other providers may request assistance with determining the performance measures for students who obtained unsubsidized employment using Kansas Department of Labor (KDOL), Labor Market Information Services (LMIS). LMIS will conduct a wage match between student information provided by the provider and unemployment insurance wage files. Providers should contact ajladesk@ajla.net for assistance.

Section 4. Continued Eligibility

Continued eligibility application procedures for all providers and programs (HEA/NEA and ‘Other’) are established by Commerce. (§680.460).

All training providers are subject to the Continued Eligibility process effective the beginning of the first full federal fiscal year following approval of their Application for Initial Eligibility and bi-annually thereafter.

Local boards should continue to review provider and program performance on an annual basis using performance information for the most recent year available for all students as reported on the K-TIP report and performance information for the most recent year available for WIOA participants within the **KANSASWORKS** participant tracking systems.

Each local board has cost-effective access to real-time performance information for WIOA participants within the participant tracking system. Available performance information for WIOA participants includes:

1. Percentage of WIOA participants who have completed the program;
2. Percentage of WIOA participants who complete and obtain unsubsidized employment;
3. Retention rates of WIOA participants in unsubsidized employment who completed the program, six (6) months after the first day of employment;
4. Average wages received by participants who completed the program, six (6) months after the first day of the employment;
5. Where appropriate, the rates of licensure or certification, attainment of academic degree(s) or equivalent(s), or attainment of other measures of skills of the graduates of the program.

A local board may recommend removing an eligible provider or program from the state ETPL if the provider’s performance is found to adversely impact a local area’s annual performance as measured by Common Measures. In making recommendations to remove an eligible provider, the local board must consider the following factors:

- a. Specific economic, geographic, and demographic factors within the local area;
- b. Characteristics of the population served by the provider, including demonstrated difficulties in serving certain populations, as applicable
- c. Program-level performance information, including the extent to which the annual standards of performance established by the local board have been achieved
- d. The degree in which training programs relate to in-demand industry sectors and occupations in the state
- e. State licensure requirements of the provider
- f. The ability of the provider to offer programs that lead to post-secondary credentials

and/or industry recognized certificates and credentials

- g. Timely and accurate submittal of eligible training provider performance reports, including data for K-TIP reporting

If eligibility is revoked, the provider may re-apply in six months from the denial date.

The procedure for appealing the eligibility decision is described in Section 7.

Section 5. ETPL Maintenance and Dissemination

1. The ETPL is maintained by Commerce in KANSASWORKS.com, available on-line and at one-stops statewide.
2. Local areas must ensure the list and information are widely available through the one-stop delivery system to:
 - (a) customers seeking information;
 - (b) participants in all employment and training programs;
 - (c) adults and dislocated workers determined eligible for WIOA Title IB training; and
 - (d) customers whose training is supported by other one-stop partners.

Section 6. Removal and Denial

A. Removal from ETPL

1. Removal of a provider or program from the ETPL (except for intentionally providing inaccurate information or violation of WIOA) does not affect active adult and dislocated worker participants. An eligible training provider may lose eligibility and may be removed from the list under the following circumstances:
 - a. Initial applications from “other providers” and for “other programs,” may be denied based on failure to meet minimum performance standards defined as performance equal to or greater than sixty percent (60%) of the State Common Measure Goal for the reporting year after consideration of specific economic conditions, geographic factors, characteristics of the population(s) served, and achievement of any locally establishes standards of performance.
 - b. Local boards who demonstrate provider performance jeopardizes the local area’s overall ability to meet minimum negotiated (Common Measures) performance levels may recommend removal at any time. The local board must demonstrate results of corrective action efforts to improve performance by the provider and give the provider notice and cause of any such action as described in Section 6.B.
 - c. If a provider is determined to have intentionally supplied inaccurate information for any program, including performance information, the provider and all programs will be removed from the list. A provider removed under these circumstances is liable for

repayment of all adult and dislocated worker training funds received during the period of non-compliance. Providers removed under these circumstances may reapply only after consulting with the local board and Commerce on modifications, changes, and/or remedies implemented to address the violation.

- d. If a provider is found in violation of any provision of WIOA Title I or WIOA regulations, including 29 CFR Part 37, the provider and all programs will be removed from the list. A provider removed under these circumstances is liable for repayment of all adult and dislocated worker training funds received during the period of non-compliance. Providers removed under these circumstances may reapply only after consulting with the local board and Commerce on modifications, changes, and/or remedies implemented to address the violation.
 - e. Any program or provider denied subsequent eligibility by Commerce, is removed from the ETPL. Providers may re-apply six months following the denial by submitting another application.
2. For appeals, see Section 7.

B. Local Board Denial

1. When a local board determines a training provider's application for a specific program does not meet the eligibility requirements set forth in WIOA or state/local policy, the local board shall issue a denial within thirty (30) calendar days. A separate denial notice will be issued for each training program denied and shall comply with the following requirements:
 - a. Be mailed to the training provider at the address listed on the application and to the attention of the contact person identified on the application;
 - b. Indicate the "date mailed" on the denial notice;
 - c. Identify the program that was denied;
 - d. Describe the specific reason for the denial; and
 - e. Inform the training provider of the appeal process as outlined in Section 7.
 - i. The local board policy shall specify the circumstances under which reconsideration may be afforded to a provider denied initial eligibility determination.
 - ii. An entity whose initial application for certification is denied may reapply no sooner than six (6) months after the written notice of denial.

C. State Denial

1. Upon receipt of the Local Board's training provider list, and after appropriate evaluation of such lists and accompanying information, Commerce shall issue a determination within thirty (30) calendar days whether to deny or remove any training program from the state ETPL. A separate denial notice will be issued for each training program denied and shall comply with the requirements as outlined in Section 6.B.1.

Section 7. Appeals

1. The training provider has ten (10) working days from the mailing date of a denial notice to file an appeal to the originator of the notice (local board/Commerce). The request for appeal must clearly indicate the training provider wants to appeal the denial, and identify the provider and training program(s) being denied. The request for appeal must be submitted in writing, signed, and must include a factual basis for the appeal.
2. The originator of the notice (local board/Commerce) will review the request for appeal and, based upon the review, may reverse their original decision if an administrative error was made or if additional information submitted by the training provider changes the basis on which the original decision was issued. This initial process is an "administrative reconsideration" and must be completed within ten (10) working days of receipt of the request for appeal.
3. If the local board reverses a prior decision, the local board will forward a copy of the appeal to Commerce with a request to place the training program on the state ETPL. The LOCAL BOARD will notify the training provider in writing they have reversed their original decision and forwarded the request to Commerce.
4. If Commerce reverses a prior decision, Commerce will notify both the local board and the training provider of the reversal and will follow appropriate procedures to place the training provider on the state ETPL.
5. If, after the review process, the original denial is not reversed, the appeal must be forwarded to Commerce's Chief Counsel who in turn will appoint a Designated Hearing Officer to preside over the appeal within five (5) working days of the decision to deny.

Kansas Department of Commerce
Chief Counsel, Legal Division
1000 SW Jackson, Suite 100
Topeka, Kansas 66612

6. The Designated Hearing Officer will conduct a hearing at which time the training provider and party denying the training request (local board/Commerce) will be allowed to present its case. The Designated Hearing Officer will issue an independent decision based on the information gathered at the hearing. A written decision will be issued within ten (10) working days following the hearing to both the party denying the training request (local board/Commerce) and the training provider.
7. If the Designated Hearing Officer does not reverse the denial, the decision is final. If the Designated Hearing Officer reverses the denial, the party denying the training request (local board/Commerce) will comply with the decision within ten (10) working days of receipt of written decision from the Designated Hearing Officer.

Section 8. Additional Performance Information and Extraordinary Costs

1. Additional verifiable performance information is not a State requirement of the provider's application for subsequent eligibility. Therefore, the State has not established a procedure for providers to demonstrate the collection of additional information imposes extraordinary costs.
2. Local boards may specify the timing, manner, and content of initial applications for HEA providers and may require a higher level of performance for local programs applying for

subsequent eligibility than the levels established by the State. Local boards may specify a time and manner for submitting performance and cost information for programs applying for subsequent eligibility as well as additional verifiable performance measures.

3. Should local boards require additional verifiable information, specify additional content, or an alternative manner of reporting:
 - a. Access to cost-effective methods for collection and reporting of the information must be provided.
 - b. Procedures must be established in local policy for providers to demonstrate the collection/reporting of additional information/processes imposes extraordinary costs.

ATTACHMENT A: Assurances of Compliance

Non-Discrimination and Equal Opportunity Provisions of Applicable Laws

Per Section 2.4 of this policy, the training provider assures it and all its employees responsible for providing training services will comply fully with all nondiscrimination and equal opportunity provisions of the laws listed below:

1. WIOAWIOA Section 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially-assisted program or activity;
2. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin;
3. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
4. The Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination against qualified people with disabilities based on disability;
5. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
6. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
7. The Kansas Act Against Discrimination;
8. This assurance applies to the training provider's approval to display information about their training/educational institution and programs to individuals seeking such information on KANSASWORKS.com. The provider understands KANSASWORKS.com has the right to remove the training provider's information from KANSASWORKS.com for non-compliance.
9. For training providers who submit training program applications for approval as a WIOA Eligible Training Provider (ETP), this assurance applies to the eligible training provider's operation of the WIOA Title I financially-assisted program or activity, and to all agreements the provider makes to carry out the WIOA Title I financially-assisted program or activity. The undersigned understands the United States Department of Labor has the right to seek judicial enforcement of this assurance.
10. For training programs approved for the state ETPL, the training provider further agrees to collect and provide the program performance and cost information required by the Workforce Innovation and Opportunity Act and the **KANSASWORKS** State Board, and to accept the Individual Training Account (ITA) payment method.