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**DATE:** June 25, 2015  
**TO:** LWDB Executive Directors  
**FROM:** Mike Beene, Director Workforce Services  
**CC:** Workforce Services, Fiscal, CRC  
**RE:** Transmittal of WIOA ETPL Transitional Procedures

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**Background:**

The Kansas Department of Commerce is the Governor's designated State Agency to carry out the processes and procedures in determining eligibility of training providers. ref §680.430(b)

The state may establish a transition procedure whereby eligible training providers under WIA may continue their eligibility to provided training services through December 31, 2015. ref. §680.440(a)

After December 31, 2015 all previously eligible WIA providers must adhere to procedures for continued eligibility established under WIOA. ref. §680.440(b)

Eligible providers of training under WIA are not subject to the initial eligibility procedures for new providers established under WIOA. ref. §680.440(c)

**ETPL Transition Procedures:**

Under WIOA, 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.

Participation in the K-TIP reporting program is required of every eligible provider of training service, including private or out-of-state postsecondary educational institutions and career technical education institutions providing services (1) at a physical location within the State of Kansas, or (2) by virtual learning conveyance.

Through December 31, 2015, continued eligibility requirements for WIA Eligible Training providers providing services (1) at a physical location within the State of Kansas, or (2) by virtual learning conveyance and in good standing (WIA ETPL) on July 22, 2014 shall consist of submitting the following information to the local board in which they operate or provide services:

1. providers name,
2. address
3. contact information
4. a current list of WIA approved programs of training the provider desires to offer under WIOA.

Upon receipt of the information outlined above, the local area will review the WIA ETPL and notify Commerce (**KANSASWORKS**) of any applicable updated information.

WIA eligible training providers complying with this procedure shall be deemed to be WIOA eligible providers of training services through December 31, 2015.

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 be granted WIOA continued status at the discretion of the local board.

**Apprenticeship:**

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.

**Short-term Training:**

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.

**Additional Guidance:**

Kansas will issue policy and procedures on new and continued eligibility prior to December 31, 2015.

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.

Under WIOA local determinations such as "in-demand", "high demand", "targeted industries" etc., used with the result of limiting or otherwise restricting ITA opportunities are not consistent with maximizing informed consumer choice in selecting eligible providers. Under WIOA priority consideration is to be given (not limited) to programs that lead to recognized credentials aligned with in-demand industry sectors OR occupations in the local area.

For questions or additional technical assistance, please email to: [WorkforceSvcs@ks.gov](mailto:WorkforceSvcs@ks.gov)